

No. 80
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House Chamber, Lansing, Thursday, September 25, 2008.

12:00 Noon.

The House was called to order by the Speaker Pro Tempore.

The roll was called by the Clerk of the House of Representatives, who announced that a quorum was present.

Accavitti—present	Dillon—present	Lahti—present	Pearce—present
Acciavatti—present	Donigan—present	LaJoy—present	Polidori—present
Agema—present	Ebli—present	Law, David—present	Proos—present
Amos—excused	Elsenheimer—present	Law, Kathleen—present	Robertson—e/d/s
Angerer—present	Emmons—present	LeBlanc—present	Rocca—present
Ball—present	Espinoza—present	Leland—present	Sak—present
Bauer—present	Farrah—present	Lemmons—present	Schuitmaker—present
Bennett—present	Gaffney—present	Lindberg—present	Scott—present
Bieda—present	Garfield—present	Marleau—present	Shaffer—present
Booher—present	Gillard—present	Mayes—present	Sheen—present
Brandenburg—present	Gonzales—present	McDowell—present	Sheltrown—present
Brown—present	Green—present	Meadows—present	Simpson—present
Byrnes—present	Griffin—present	Meekhof—present	Smith, Alma—present
Byrum—present	Hammel—present	Meisner—present	Smith, Virgil—excused
Calley—present	Hammon—present	Melton—present	Spade—present
Casperson—present	Hansen—present	Meltzer—present	Stahl—present
Caswell—present	Hildenbrand—present	Miller—present	Stakoe—present
Caul—present	Hood—present	Moolenaar—present	Steil—present
Cheeks—excused	Hoogendyk—present	Moore—present	Tobocman—present
Clack—present	Hopgood—present	Moss—present	Vagnozzi—present
Clemente—present	Horn—present	Nitz—present	Valentine—present
Condino—present	Huizenga—present	Nofs—present	Walker—present
Constan—present	Hune—present	Opsommer—present	Ward—e/d/s
Corriveau—present	Jackson—excused	Palmer—present	Warren—present
Coulouris—present	Johnson—present	Palsrok—present	Wenke—present
Cushingberry—present	Jones, Rick—present	Pastor—e/d/s	Wojno—present
Dean—present	Jones, Robert—present	Pavlov—present	Young—present
DeRoche—present	Knollenberg—present		

e/d/s = entered during session

Rep. Edward J. Gaffney, from the 1st District, offered the following invocation:

“O God our most merciful Benefactor, look down with favor upon us as we deliberate in this sacred and historical chamber.

Give us strength of mind so that we can make the right decisions for the benefit of the people of the state of Michigan.

Give us the courage to vote our convictions, despite other distractions and nagging doubts; and

Give us the patience and serenity to bear the drudgery and tediousness of the time consuming moments of inaction that are inextricably bound up in this hallowed and Democratic process. Amen.”

Rep. Hildenbrand moved that Rep. Amos be excused from today’s session.
The motion prevailed.

Rep. Tobocman moved that Reps. Cheeks, Jackson and Virgil Smith be excused from today’s session.
The motion prevailed.

Second Reading of Bills

House Bill No. 6269, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 16205 (MCL 333.16205), as amended by 1986 PA 290.

The bill was read a second time.

Rep. Sheltroun moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

Rep. Booher moved that Reps. Huizenga, Meekhof, David Law and Shaffer be excused temporarily from today’s session.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 6269, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 16205 (MCL 333.16205), as amended by 1986 PA 290.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 782

Yeas—98

Accavitti	DeRoche	Jones, Robert	Pavlov
Acciavatti	Dillon	Knollenberg	Pearce
Agema	Donigan	Lahti	Polidori
Angerer	Ebli	Law, Kathleen	Proos
Ball	Elsenheimer	LeBlanc	Rocca
Bauer	Emmons	Leland	Sak

Bennett	Espinoza	Lemmons	Schuitmaker
Bieda	Farrah	Lindberg	Scott
Booher	Gaffney	Marleau	Sheen
Brandenburg	Garfield	Mayer	Sheltrown
Brown	Gillard	McDowell	Simpson
Byrnes	Gonzales	Meadows	Smith, Alma
Byrum	Green	Meisner	Spade
Calley	Griffin	Melton	Stahl
Casperson	Hammel	Meltzer	Stakoe
Caswell	Hammon	Miller	Steil
Caul	Hansen	Moolenaar	Tobocman
Clack	Hildenbrand	Moore	Vagnozzi
Clemente	Hood	Moss	Valentine
Condino	Hoogendyk	Nitz	Walker
Constan	Hopgood	Nofs	Warren
Corriveau	Horn	Opsommer	Wenke
Coulouris	Hune	Palmer	Wojno
Cushingberry	Johnson	Palsrok	Young
Dean	Jones, Rick		

Nays—0

In The Chair: Sak

The House agreed to the title of the bill.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Reps. Accavitti, Acciavatti, Agema, Ball, Bieda, Booher, Caswell, Caul, Condino, Constan, Corriveau, Garfield, Gonzales, Griffin, Hammon, Hildenbrand, Hopgood, Horn, Robert Jones, Knollenberg, LaJoy, David Law, Kathleen Law, LeBlanc, Leland, Lemmons, Marleau, Meadows, Melton, Miller, Moolenaar, Moss, Nitz, Nofs, Opsommer, Palsrok, Pearce, Proos, Rocca, Sak, Schuitmaker, Shaffer, Simpson, Spade, Vagnozzi and Valentine were named co-sponsors of the bill.

Rep. Pastor entered the House Chambers.

Second Reading of Bills

House Bill No. 6437, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7q (MCL 211.7q), as added by 1980 PA 142.

Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Tax Policy,

The substitute (H-2) was adopted, a majority of the members serving voting therefor.

Rep. Bauer moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

Rep. Ward entered the House Chambers.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 6437, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7q (MCL 211.7q), as added by 1980 PA 142.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 783

Yeas—105

Accavitti	Donigan	Lahti	Pavlov
Acciavatti	Ebli	LaJoy	Pearce
Agema	Elsenheimer	Law, David	Polidori
Angerer	Emmons	Law, Kathleen	Proos
Ball	Espinoza	LeBlanc	Rocca
Bauer	Farrah	Leland	Sak
Bennett	Gaffney	Lemmons	Schuitmaker
Bieda	Garfield	Lindberg	Scott
Booher	Gillard	Marleau	Shaffer
Brandenburg	Gonzales	Mayes	Sheen
Brown	Green	McDowell	Sheltrown
Byrnes	Griffin	Meadows	Simpson
Byrum	Hammel	Meekhof	Smith, Alma
Calley	Hammon	Meisner	Spade
Casperson	Hansen	Melton	Stahl
Caswell	Hildenbrand	Meltzer	Stakoe
Caul	Hood	Miller	Steil
Clack	Hoogendyk	Moolenaar	Tobocman
Clemente	Hopgood	Moore	Vagnozzi
Condino	Horn	Moss	Valentine
Constan	Huizenga	Nitz	Walker
Corriveau	Hune	Nofs	Ward
Coulouris	Johnson	Opsommer	Warren
Cushingberry	Jones, Rick	Palmer	Wenke
Dean	Jones, Robert	Palsrok	Wojno
DeRoche	Knollenberg	Pastor	Young
Dillon			

Nays—0

In The Chair: Sak

The House agreed to the title of the bill.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Reps. Ball, Bieda, Booher, Brown, Condino, Constan, Corriveau, Espinoza, Farrah, Gillard, Hammon, Hildenbrand, Hopgood, Huizenga, Johnson, Robert Jones, LeBlanc, Leland, Mayes, Melton, Opsommer, Polidori, Sheltrown, Simpson, Spade, Tobocman and Wojno were named co-sponsors of the bill.

Second Reading of Bills

House Bill No. 6438, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 27a (MCL 211.27a), as amended by 2006 PA 446.

Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Tax Policy,

The substitute (H-2) was adopted, a majority of the members serving voting therefor.

Rep. Byrnes moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 6438, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 27a (MCL 211.27a), as amended by 2006 PA 446.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 784

Yeas—105

Accavitti	Donigan	Lahti	Pavlov
Acciavatti	Ebli	LaJoy	Pearce
Agema	Elsenheimer	Law, David	Polidori
Angerer	Emmons	Law, Kathleen	Proos
Ball	Espinoza	LeBlanc	Rocca
Bauer	Farrah	Leland	Sak
Bennett	Gaffney	Lemmons	Schuitmaker
Bieda	Garfield	Lindberg	Scott
Booher	Gillard	Marleau	Shaffer
Brandenburg	Gonzales	Mayer	Sheen
Brown	Green	McDowell	Sheltrown
Byrnes	Griffin	Meadows	Simpson
Byrum	Hammel	Meekhof	Smith, Alma
Calley	Hammon	Meisner	Spade
Casperson	Hansen	Melton	Stahl
Caswell	Hildenbrand	Meltzer	Stakoe
Caul	Hood	Miller	Steil
Clack	Hoogendyk	Moolenaar	Tobocman
Clemente	Hopgood	Moore	Vagnozzi
Condino	Horn	Moss	Valentine
Constan	Huizenga	Nitz	Walker
Corriveau	Hune	Nofs	Ward
Coulouris	Johnson	Opsommer	Warren
Cushingberry	Jones, Rick	Palmer	Wenke
Dean	Jones, Robert	Palsrok	Wojno
DeRoche	Knollenberg	Pastor	Young
Dillon			

Nays—0

In The Chair: Sak

The House agreed to the title of the bill.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Reps. Accavitti, Agema, Ball, Brown, Constan, Espinoza, Garfield, Gonzales, Hansen, Hildenbrand, Hopgood, Huizenga, Johnson, Robert Jones, LeBlanc, Leland, Marleau, Melton, Moore, Moss, Nofs, Opsommer, Pastor, Polidori, Proos, Simpson, Spade, Stakoe, Tobocman and Wojno were named co-sponsors of the bill.

Second Reading of Bills

Senate Bill No. 943, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 88.

The bill was read a second time.

Rep. Booher moved to substitute (H-1) the bill.

The motion prevailed and the substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 943, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 88.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 785

Yeas—105

Accavitti	Donigan	Lahti	Pavlov
Acciavatti	Ebli	LaJoy	Pearce
Agema	Elsenheimer	Law, David	Polidori
Angerer	Emmons	Law, Kathleen	Proos
Ball	Espinoza	LeBlanc	Rocca
Bauer	Farrah	Leland	Sak
Bennett	Gaffney	Lemmons	Schuitmaker
Bieda	Garfield	Lindberg	Scott
Booher	Gillard	Marleau	Shaffer
Brandenburg	Gonzales	Mayes	Sheen
Brown	Green	McDowell	Sheltrown
Byrnes	Griffin	Meadows	Simpson
Byrum	Hammel	Meekhof	Smith, Alma
Calley	Hammon	Meisner	Spade
Casperson	Hansen	Melton	Stahl
Caswell	Hildenbrand	Meltzer	Stakoe
Caul	Hood	Miller	Steil
Clack	Hoogendyk	Moolenaar	Tobocman
Clemente	Hopgood	Moore	Vagnozzi
Condino	Horn	Moss	Valentine
Constan	Huizenga	Nitz	Walker
Corriveau	Hune	Nofs	Ward
Coulouris	Johnson	Opsommer	Warren
Cushingberry	Jones, Rick	Palmer	Wenke
Dean	Jones, Robert	Palsrok	Wojno
DeRoche	Knollenberg	Pastor	Young
Dillon			

Nays—0

In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to consolidate prior acts naming certain Michigan highways; to provide for the naming of certain highways; to prescribe certain duties of the state transportation department; and to repeal acts and parts of acts and certain resolutions,”

The House agreed to the full title.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Rep. Robertson entered the House Chambers.

Second Reading of Bills**Senate Bill No. 1418, entitled**

A bill to amend 1975 PA 238, entitled “Child protection law,” by amending sections 3, 7, and 8 (MCL 722.623, 722.627, and 722.628), section 3 as amended by 2006 PA 583, section 7 as amended by 2006 PA 621, and section 8 as amended by 2008 PA 46.

Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Families and Children’s Services,

The substitute (H-2) was adopted, a majority of the members serving voting therefor.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills**Senate Bill No. 1418, entitled**

A bill to amend 1975 PA 238, entitled “Child protection law,” by amending sections 3, 7, and 8 (MCL 722.623, 722.627, and 722.628), section 3 as amended by 2006 PA 583, section 7 as amended by 2006 PA 621, and section 8 as amended by 2008 PA 46.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 786**Yeas—106**

Accavitti	Donigan	LaJoy	Pearce
Acciavatti	Ebli	Law, David	Polidori
Agema	Elsenheimer	Law, Kathleen	Proos
Angerer	Emmons	LeBlanc	Robertson
Ball	Espinoza	Leland	Rocca
Bauer	Farrah	Lemmons	Sak
Bennett	Gaffney	Lindberg	Schuitmaker
Bieda	Garfield	Marleau	Scott
Booher	Gillard	Mayer	Shaffer
Brandenburg	Gonzales	McDowell	Sheen
Brown	Green	Meadows	Sheltrown

Byrnes	Griffin	Meekhof	Simpson
Byrum	Hammel	Meisner	Smith, Alma
Calley	Hammon	Melton	Spade
Casperson	Hansen	Meltzer	Stahl
Caswell	Hildenbrand	Miller	Stakoe
Caul	Hood	Moolenaar	Steil
Clack	Hoogendyk	Moore	Tobocman
Clemente	Hopgood	Moss	Vagnozzi
Condino	Horn	Nitz	Valentine
Constan	Huizenga	Nofs	Walker
Corriveau	Hune	Opsommer	Ward
Coulouris	Johnson	Palmer	Warren
Cushingberry	Jones, Rick	Palsrok	Wenke
Dean	Jones, Robert	Pastor	Wojno
DeRoche	Knollenberg	Pavlov	Young
Dillon	Lahti		

Nays—0

In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to require the reporting of child abuse and neglect by certain persons; to permit the reporting of child abuse and neglect by all persons; to provide for the protection of children who are abused or neglected; to authorize limited detainment in protective custody; to authorize medical examinations; to prescribe the powers and duties of the state department of social services to prevent child abuse and neglect; to prescribe certain powers and duties of local law enforcement agencies; to safeguard and enhance the welfare of children and preserve family life; to provide for the appointment of legal counsel; to provide for the abrogation of privileged communications; to provide civil and criminal immunity for certain persons; to provide rules of evidence in certain cases; to provide for confidentiality of records; to provide for the expungement of certain records; to prescribe penalties; and to repeal certain acts and parts of acts,”

The House agreed to the full title.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Second Reading of Bills

House Bill No. 5932, entitled

A bill to allow certain active duty service members to terminate contracts with wireless telecommunications providers; to provide for the rights and responsibilities of the parties to those terminated contracts; to provide for the powers and duties of certain state officials; to prescribe civil sanctions and provide remedies; and to provide for the disposition of civil fines.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Military and Veterans Affairs and Homeland Security,

The substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. LeBlanc moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

Rep. Tobocman moved that Rep. Gillard be excused temporarily from today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5932, entitled

A bill to allow certain active duty service members to terminate contracts with wireless telecommunications providers; to provide for the rights and responsibilities of the parties to those terminated contracts; to provide for the powers and duties of certain state officials; to prescribe civil sanctions and provide remedies; and to provide for the disposition of civil fines.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 787

Yeas—105

Accavitti	Donigan	LaJoy	Pearce
Acciavatti	Ebli	Law, David	Polidori
Agema	Elsenheimer	Law, Kathleen	Proos
Angerer	Emmons	LeBlanc	Robertson
Ball	Espinoza	Leland	Rocca
Bauer	Farrah	Lemmons	Sak
Bennett	Gaffney	Lindberg	Schuitmaker
Bieda	Garfield	Marleau	Scott
Booher	Gonzales	Mayes	Shaffer
Brandenburg	Green	McDowell	Sheen
Brown	Griffin	Meadows	Sheltrown
Byrnes	Hammel	Meekhof	Simpson
Byrum	Hammon	Meisner	Smith, Alma
Calley	Hansen	Melton	Spade
Casperson	Hildenbrand	Meltzer	Stahl
Caswell	Hood	Miller	Stakoe
Caul	Hoogendyk	Moolenaar	Steil
Clack	Hopgood	Moore	Tobocman
Clemente	Horn	Moss	Vagnozzi
Condino	Huizenga	Nitz	Valentine
Constan	Hune	Nofs	Walker
Corriveau	Johnson	Opsommer	Ward
Coulouris	Jones, Rick	Palmer	Warren
Cushingberry	Jones, Robert	Palsrok	Wenke
Dean	Knollenberg	Pastor	Wojno
DeRoche	Lahti	Pavlov	Young
Dillon			

Nays—0

In The Chair: Sak

The House agreed to the title of the bill.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Second Reading of Bills

House Bill No. 4048, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 758, 759, and 759b (MCL 168.758, 168.759, and 168.759b), section 758 as amended by 1996 PA 207 and section 759 as amended by 1995 PA 261.

Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Ethics and Elections,

The substitute (H-2) was not adopted, a majority of the members serving not voting therefor.

Rep. Griffin moved to substitute (H-3) the bill.

The motion prevailed and the substitute (H-3) was adopted, a majority of the members serving voting therefor.

Rep. Griffin moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4048, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 758, 759, and 759b (MCL 168.758, 168.759, and 168.759b), section 758 as amended by 1996 PA 207 and section 759 as amended by 1995 PA 261.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 788

Yeas—65

Accavitti	Dean	Hune	Nofs
Angerer	Dillon	Johnson	Polidori
Bauer	Donigan	Jones, Robert	Rocca
Bennett	Ebli	Lahti	Sak
Bieda	Espinoza	Law, Kathleen	Sheltrown
Booher	Farrah	LeBlanc	Simpson
Brown	Gaffney	Leland	Smith, Alma
Byrnes	Gillard	Lemmons	Spade
Byrum	Gonzales	Lindberg	Stakoe
Calley	Griffin	Mayes	Tobocman
Clack	Hammel	McDowell	Vagnozzi
Clemente	Hammon	Meadows	Valentine
Condino	Hansen	Meisner	Warren
Constan	Hildenbrand	Melton	Wenke
Corriveau	Hood	Miller	Wojno
Coulouris	Hopgood	Moore	Young
Cushingberry			

Nays—41

Acciavatti	Green	Meltzer	Proos
Agema	Hoogendyk	Moolenaar	Robertson
Ball	Horn	Moss	Schuitmaker
Brandenburg	Huizenga	Nitz	Scott
Casperson	Jones, Rick	Opsommer	Shaffer
Caswell	Knollenberg	Palmer	Sheen
Caul	LaJoy	Palsrok	Stahl
DeRoche	Law, David	Pastor	Steil
Elsenheimer	Marleau	Pavlov	Walker
Emmons	Meekhof	Pearce	Ward
Garfield			

In The Chair: Sak

The question being on agreeing to the title of the bill,

Rep. Tobocman moved to amend the title to read as follows:

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 758, 759, and 759a (MCL 168.758, 168.759, and 168.759a), section 758 as amended by 1996 PA 207, section 759 as amended by 1995 PA 261, and section 759a as amended by 2007 PA 52.

The motion prevailed.

The House agreed to the title as amended.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Reps. Accavitti, Angerer, Bauer, Bieda, Byrnes, Calley, Clack, Clemente, Constan, Cushingberry, Gonzales, Hopgood, Johnson, Kathleen Law, Mayes, Meisner, Melton, Miller, Opsommer, Polidori, Sak, Sheltroun, Alma Smith, Spade, Tobocman, Vagnozzi, Warren and Wojno were named co-sponsors of the bill.

Rep. Caswell, having reserved the right to explain his protest against the passage of the bill, made the following statement:

"Mr. Speaker and members of the House:

No reason AV voting decreases participation and increases voter fraud. Our current voting equipment will be wasted for all these AV voters who will not know if their votes are voided because of their mistakes on the ballot."

Rep. Elsenheimer, having reserved the right to explain his protest against the passage of the bill, made the following statement:

"Mr. Speaker and members of the House:

With the failure of the Ward amendments, I cannot support this legislation."

Rep. Agema, having reserved the right to explain his protest against the passage of the bill, made the following statement:

"Mr. Speaker and members of the House:

This is nothing more than a voter fraud enabling act. All the technology we have invested in to prevent voter fraud will become useless. I want to ensure that illegals are not voting and many have received voter registration cards. This increases that possibility."

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Committee on Transportation, by Rep. Hopgood, Chair, reported

House Bill No. 6455, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 732a (MCL 257.732a), as amended by 2004 PA 52.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Hopgood, Griffin, Accavitti, Bieda, Donigan, Ebli, Leland, Mayes, Miller, Young, LaJoy, Nitz, Pavlov, Pearce, Stahl and Knollenberg

Nays: None

The Committee on Transportation, by Rep. Hopgood, Chair, reported

Senate Bill No. 1461, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of

specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 1 (MCL 247.651).

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Hopgood, Griffin, Accavitti, Bieda, Donigan, Ebli, Leland, Mayes, Miller, Young, LaJoy, Nitz, Pavlov, Stahl and Knollenberg

Nays: None

Second Reading of Bills

House Bill No. 6455, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 732a (MCL 257.732a), as amended by 2004 PA 52.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Transportation,

The substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Miller moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 6455, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 732a (MCL 257.732a), as amended by 2004 PA 52.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 789

Yeas—106

Accavitti
Acciavatti

Donigan
Ebli

LaJoy
Law, David

Pearce
Polidori

Agema	Elsenheimer	Law, Kathleen	Proos
Angerer	Emmons	LeBlanc	Robertson
Ball	Espinoza	Leland	Rocca
Bauer	Farrah	Lemmons	Sak
Bennett	Gaffney	Lindberg	Schuitmaker
Bieda	Garfield	Marleau	Scott
Booher	Gillard	Mayes	Shaffer
Brandenburg	Gonzales	McDowell	Sheen
Brown	Green	Meadows	Sheltrown
Byrnes	Griffin	Meekhof	Simpson
Byrum	Hammel	Meisner	Smith, Alma
Calley	Hammon	Melton	Spade
Casperson	Hansen	Meltzer	Stahl
Caswell	Hildenbrand	Miller	Stakoe
Caul	Hood	Moolenaar	Steil
Clack	Hoogendyk	Moore	Tobocman
Clemente	Hopgood	Moss	Vagnozzi
Condino	Horn	Nitz	Valentine
Constan	Huizenga	Nofs	Walker
Corriveau	Hune	Opsommer	Ward
Coulouris	Johnson	Palmer	Warren
Cushingberry	Jones, Rick	Palsrok	Wenke
Dean	Jones, Robert	Pastor	Wojno
DeRoche	Knollenberg	Pavlov	Young
Dillon	Lahti		

Nays—0

In The Chair: Sak

The House agreed to the title of the bill.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Reps. Agema, Angerer, Ball, Brown, Caswell, Clack, Donigan, Espinoza, Griffin, Hammel, Hammon, Hansen, Hildenbrand, Hopgood, Horn, Johnson, Robert Jones, Knollenberg, Lahti, David Law, Kathleen Law, LeBlanc, Lemmons, Mayes, Meisner, Opsommer, Pearce, Sak, Scott and Tobocman were named co-sponsors of the bill.

Second Reading of Bills

Senate Bill No. 1461, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits

in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 1 (MCL 247.651).

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Transportation,

The substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 1461, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 1 (MCL 247.651).

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 790

Yeas—104

Accavitti	Dillon	Lahti	Pearce
Acciavatti	Donigan	LaJoy	Polidori
Agema	Ebli	Law, David	Proos
Angerer	Elsenheimer	Law, Kathleen	Robertson
Ball	Emmons	LeBlanc	Rocca
Bauer	Espinoza	Leland	Sak
Bennett	Farrah	Lemmons	Schuitmaker
Bieda	Gaffney	Lindberg	Scott

Booher	Gillard	Marleau	Shaffer
Brandenburg	Gonzales	Mayer	Sheen
Brown	Green	McDowell	Sheltrown
Byrnes	Griffin	Meadows	Simpson
Byrum	Hammel	Meekhof	Smith, Alma
Calley	Hammon	Meisner	Spade
Casperson	Hansen	Melton	Stahl
Caswell	Hildenbrand	Meltzer	Stakoe
Caul	Hood	Miller	Steil
Clack	Hoogendyk	Moolenaar	Tobocman
Clemente	Hopgood	Moore	Vagnozzi
Condino	Horn	Moss	Valentine
Constan	Huizenga	Nitz	Walker
Corriveau	Hune	Nofs	Ward
Coulouris	Johnson	Opsommer	Warren
Cushingberry	Jones, Rick	Palsrok	Wenke
Dean	Jones, Robert	Pastor	Wojno
DeRoche	Knollenberg	Pavlov	Young

Nays—2

Garfield Palmer

In The Chair: Sak

The House agreed to the title of the bill.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Second Reading of Bills

House Bill No. 6282, entitled

A bill to amend 2007 PA 36, entitled “Michigan business tax act,” (MCL 208.1101 to 208.1601) by adding section 461.

Was read a second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Tax Policy,

The substitute (H-3) was adopted, a majority of the members serving voting therefor.

Rep. Hildenbrand moved to amend the bill as follows:

1. Amend page 1, following “**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**” by inserting:

“Sec. 111. (1) “Gross receipts” means the entire amount received by the taxpayer from any activity whether in intrastate, interstate, or foreign commerce carried on for direct or indirect gain, benefit, or advantage to the taxpayer or to others except for the following:

(a) Proceeds from sales by a principal that the taxpayer collects in an agency capacity solely on behalf of the principal and delivers to the principal.

(b) Amounts received by the taxpayer as an agent solely on behalf of the principal that are expended by the taxpayer for any of the following:

(i) The performance of a service by a third party for the benefit of the principal that is required by law to be performed by a licensed person.

(ii) The performance of a service by a third party for the benefit of the principal that the taxpayer has not undertaken a contractual duty to perform.

(iii) Principal and interest under a mortgage loan or land contract, lease or rental payments, or taxes, utilities, or insurance premiums relating to real or personal property owned or leased by the principal.

(iv) A capital asset of a type that is, or under the internal revenue code will become, eligible for depreciation, amortization, or accelerated cost recovery by the principal for federal income tax purposes, or for real property owned or leased by the principal.

(v) Property not described under subparagraph (iv) that is purchased by the taxpayer on behalf of the principal and that the taxpayer does not take title to or use in the course of performing its contractual business activities.

(vi) Fees, taxes, assessments, levies, fines, penalties, or other payments established by law that are paid to a governmental entity and that are the legal obligation of the principal.

(c) Amounts that are excluded from gross income of a foreign corporation engaged in the international operation of aircraft under section 883(a) of the internal revenue code.

(d) Amounts received by an advertising agency used to acquire advertising media time, space, production, or talent on behalf of another person.

(e) Notwithstanding any other provision of this section, amounts received by a taxpayer that manages real property owned by a third party that are deposited into a separate account kept in the name of that third party and that are not reimbursements to the taxpayer and are not indirect payments for management services that the taxpayer provides to that third party.

(f) Proceeds from the taxpayer's transfer of an account receivable if the sale that generated the account receivable was included in gross receipts for federal income tax purposes. This subdivision does not apply to a taxpayer that during the tax year both buys and sells any receivables.

(g) Proceeds from any of the following:

(i) The original issue of stock or equity instruments.

(ii) The original issue of debt instruments.

(h) Refunds from returned merchandise.

(i) Cash and in-kind discounts.

(j) Trade discounts.

(k) Federal, state, or local tax refunds.

(l) Security deposits.

(m) Payment of the principal portion of loans.

(n) Value of property received in a like-kind exchange.

(o) Proceeds from a sale, transaction, exchange, involuntary conversion, or other disposition of tangible, intangible, or real property that is a capital asset as defined in section 1221(a) of the internal revenue code or land that qualifies as property used in the trade or business as defined in section 1231(b) of the internal revenue code, less any gain from the disposition to the extent that gain is included in federal taxable income.

(p) The proceeds from a policy of insurance, a settlement of a claim, or a judgment in a civil action less any proceeds under this subdivision that are included in federal taxable income.

(q) For a sales finance company, as defined in section 2 of the motor vehicle sales finance act, 1950 (Ex Sess) PA 27, MCL 492.102, and directly or indirectly owned in whole or in part by a motor vehicle manufacturer as of January 1, 2008, and for a person that is a broker or dealer as defined under section 78c(a)(4) or (5) of the securities exchange act of 1934, 15 USC 78c, or a person included in the unitary business group of that broker or dealer that buys and sells for its own account, contracts that are subject to the commodity exchange act, 7 USC 1 to 27f, amounts realized from the repayment, maturity, sale, or redemption of the principal of a loan, bond, or mutual fund, certificate of deposit, or similar marketable instrument provided such instruments are not held as inventory.

(r) For a sales finance company, as defined in section 2 of the motor vehicle sales finance act, 1950 (Ex Sess) PA 27, MCL 492.102, and directly or indirectly owned in whole or in part by a motor vehicle manufacturer as of January 1, 2008, and for a person that is a broker or dealer as defined under section 78c(a)(4) or (5) of the securities exchange act of 1934, 15 USC 78c, or a person included in the unitary business group of that broker or dealer that buys and sells for its own account, contracts that are subject to the commodity exchange act, 7 USC 1 to 27f, the principal amount received under a repurchase agreement or other transaction properly characterized as a loan.

(s) For a mortgage company, proceeds representing the principal balance of loans transferred or sold in the tax year. For purposes of this subdivision, "mortgage company" means a person that is licensed under the mortgage brokers, lenders, and servicers licensing act, 1987 PA 173, MCL 445.1651 to 445.1684, or the secondary mortgage loan act, 1981 PA 125, MCL 493.51 to 493.81, and has greater than 90% of its revenues, in the ordinary course of business, from the origination, sale, or servicing of residential mortgage loans.

(t) For a professional employer organization, any amount charged by a professional employer organization that represents the actual cost of wages and salaries, benefits, worker's compensation, payroll taxes, withholding, or other assessments paid to or on behalf of a covered employee by the professional employer organization under a professional employer arrangement.

(u) Any invoiced items used to provide more favorable floor plan assistance to a person subject to the tax imposed under this act than to a person not subject to this tax and paid by a manufacturer, distributor, or supplier.

(v) For an individual, estate, partnership organized exclusively for estate or gift planning purposes, or trust organized exclusively for estate or gift planning purposes, amounts received other than those from transactions, activities, and sources in the regular course of the taxpayer's trade or business, including the following:

(i) Receipts from tangible and intangible property if the acquisition, rental, management, or disposition of the property constitutes integral parts of the taxpayer's regular trade or business operations.

(ii) Receipts received in the course of the taxpayer's trade or business from stock and securities of any foreign or domestic corporation and dividend and interest income.

(iii) Receipts derived from isolated sales, leases, assignment, licenses, divisions, or other infrequently occurring dispositions, transfers, or transactions involving property if the property is or was used in the taxpayer's trade or business operation.

(iv) Receipts derived from the sale of a business.

(v) Receipts excluded from gross receipts under this subsection for an individual, estate, partnership organized exclusively for estate or gift planning purposes, or trust organized exclusively for estate or gift planning purposes include, but are not limited to, the following:

(A) Personal investment activity, including interest, dividends, and gains from a personal investment portfolio or retirement account.

(B) Disposition of tangible, intangible, or real property held for personal use and enjoyment, such as a personal residence or personal assets.

(W) TO THE EXTENT NOT DEDUCTED AS PURCHASES FROM OTHER FIRMS UNDER SECTION 203, EACH OF THE FOLLOWING:

(i) SALES OR USE TAXES COLLECTED FROM OR REIMBURSED BY A CONSUMER OR OTHER TAXES THE TAXPAYER COLLECTED DIRECTLY FROM OR WAS REIMBURSED BY A PURCHASER AND REMITTED TO A LOCAL, STATE, OR FEDERAL TAX AUTHORITY.

(ii) IN THE CASE OF RECEIPTS FROM THE SALE OF CIGARETTES OR TOBACCO PRODUCTS BY A WHOLESALE DEALER, RETAIL DEALER, DISTRIBUTOR, MANUFACTURER, OR SELLER, AN AMOUNT EQUAL TO THE FEDERAL AND STATE EXCISE TAXES PAID BY ANY PERSON ON OR FOR SUCH CIGARETTES OR TOBACCO PRODUCTS UNDER SUBTITLE E OF THE INTERNAL REVENUE CODE OR OTHER APPLICABLE STATE LAW.

(iii) IN THE CASE OF RECEIPTS FROM THE SALE OF MOTOR FUEL BY A PERSON WITH A MOTOR FUEL TAX LICENSE OR A RETAIL DEALER, AN AMOUNT EQUAL TO FEDERAL AND STATE EXCISE TAXES PAID BY ANY PERSON ON SUCH MOTOR FUEL UNDER SECTION 4081 OF THE INTERNAL REVENUE CODE OR UNDER OTHER APPLICABLE STATE LAW.

(iv) IN THE CASE OF RECEIPTS FROM THE SALE OF BEER, WINE, OR INTOXICATING LIQUOR BY A PERSON HOLDING A LICENSE TO SELL, DISTRIBUTE, OR PRODUCE THOSE PRODUCTS, AN AMOUNT EQUAL TO FEDERAL AND STATE EXCISE TAXES PAID BY ANY PERSON ON OR FOR SUCH BEER, WINE, OR INTOXICATING LIQUOR UNDER SUBTITLE E OF THE INTERNAL REVENUE CODE OR OTHER APPLICABLE STATE LAW.

(v) IN THE CASE OF RECEIPTS FROM THE SALE OF COMMUNICATION, VIDEO, INTERNET ACCESS AND RELATED SERVICES AND EQUIPMENT, ANY GOVERNMENT IMPOSED TAX, FEE, OR OTHER IMPOSITION IN THE NATURE OF A TAX OR FEE REQUIRED BY LAW, ORDINANCE, REGULATION, RULING, OR OTHER LEGAL AUTHORITY AND CHARGED ON A CUSTOMER'S BILL OR INVOICE. THIS SUBPARAGRAPH DOES NOT INCLUDE THE RECOVERY OF NET INCOME TAXES, NET WORTH TAXES, PROPERTY TAXES, OR THE TAX IMPOSED UNDER THIS ACT.

(vi) IN THE CASE OF RECEIPTS FROM THE SALE OF ELECTRICITY, NATURAL GAS, OR OTHER ENERGY SOURCE, ANY GOVERNMENT IMPOSED TAX, FEE, OR OTHER IMPOSITION IN THE NATURE OF A TAX OR FEE REQUIRED BY LAW, ORDINANCE, REGULATION, RULING, OR OTHER LEGAL AUTHORITY AND CHARGED ON A CUSTOMER'S BILL OR INVOICE. THIS SUBPARAGRAPH DOES NOT INCLUDE THE RECOVERY OF NET INCOME TAXES, NET WORTH TAXES, PROPERTY TAXES, OR THE TAX IMPOSED UNDER THIS ACT.

(vii) ANY DEPOSIT REQUIRED UNDER ANY OF THE FOLLOWING:

(A) 1976 IL 1, MCL 445.571 TO 445.576.

(B) R 436.1629 OF THE MICHIGAN ADMINISTRATIVE CODE.

(C) R 436.1723A OF THE MICHIGAN ADMINISTRATIVE CODE.

(D) ANY SUBSTANTIALLY SIMILAR BEVERAGE CONTAINER DEPOSIT LAW OF ANOTHER STATE.

(2) "Insurance company" means an authorized insurer as defined in section 106 of the insurance code of 1956, 1956 PA 218, MCL 500.106.

(3) "Internal revenue code" means the United States internal revenue code of 1986 in effect on January 1, 2008 or, at the option of the taxpayer, in effect for the tax year.

(4) "Inventory" means, except as provided in subdivision (e), all of the following:

(a) The stock of goods held for resale in the regular course of trade of a retail or wholesale business, including electricity or natural gas purchased for resale.

(b) Finished goods, goods in process, and raw materials of a manufacturing business purchased from another person.

(c) For a person that is a new motor vehicle dealer licensed under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, floor plan interest expenses for new motor vehicles. For purposes of this subdivision, "floor plan interest" means interest paid that finances any part of the person's purchase of new motor vehicle inventory from a manufacturer, distributor, or supplier. However, amounts attributable to any invoiced items used to provide more favorable floor plan assistance to a person subject to the tax imposed under this act than to a person not subject to this tax is considered interest paid by a manufacturer, distributor, or supplier.

(d) For a person that is a broker or dealer as defined under section 78c(a)(4) or (5) of the securities exchange act of 1934, 15 USC 78c, or a person included in the unitary business group of that broker or dealer that buys and sells for its own account, contracts that are subject to the commodity exchange act, 7 USC 1 to 27f, the cost of securities as defined under section 475(c)(2) of the internal revenue code and the cost of commodities as defined under section 475(e)(2)(b), (c), and (d) of the internal revenue code, excluding interest expense other than interest expense related to repurchase agreements.

(e) Inventory does not include either of the following:

(i) Personal property under lease or principally intended for lease rather than sale.

(ii) Property allowed a deduction or allowance for depreciation or depletion under the internal revenue code.

(5) "Officer" means an officer of a corporation other than a subchapter S corporation, including all of the following:

(a) The chairperson of the board.

(b) The president, vice president, secretary, or treasurer of the corporation or board.

(c) Persons performing similar duties to persons described in subdivisions (a) and (b).".

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Acciavatti moved to amend the bill as follows:

1. Amend page 4, following line 13, by inserting:

"Enacting section 1. This amendatory act does not take effect unless House Bill No. 5627 of the 94th Legislature is enacted into law."

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Gaffney moved to amend the bill as follows:

1. Amend page 1, following "**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**" by inserting:

"Sec. 111. (1) "Gross receipts" means the entire amount received by the taxpayer from any activity whether intrastate, interstate, or foreign commerce carried on for direct or indirect gain, benefit, or advantage to the taxpayer or to others except for the following:

(a) Proceeds from sales by a principal that the taxpayer collects in an agency capacity solely on behalf of the principal and delivers to the principal.

(b) Amounts received by the taxpayer as an agent solely on behalf of the principal that are expended by the taxpayer for any of the following:

(i) The performance of a service by a third party for the benefit of the principal that is required by law to be performed by a licensed person.

(ii) The performance of a service by a third party for the benefit of the principal that the taxpayer has not undertaken a contractual duty to perform.

(iii) Principal and interest under a mortgage loan or land contract, lease or rental payments, or taxes, utilities, or insurance premiums relating to real or personal property owned or leased by the principal.

(iv) A capital asset of a type that is, or under the internal revenue code will become, eligible for depreciation, amortization, or accelerated cost recovery by the principal for federal income tax purposes, or for real property owned or leased by the principal.

(v) Property not described under subparagraph (iv) that is purchased by the taxpayer on behalf of the principal and that the taxpayer does not take title to or use in the course of performing its contractual business activities.

(vi) Fees, taxes, assessments, levies, fines, penalties, or other payments established by law that are paid to a governmental entity and that are the legal obligation of the principal.

(c) Amounts that are excluded from gross income of a foreign corporation engaged in the international operation of aircraft under section 883(a) of the internal revenue code.

(d) Amounts received by an advertising agency used to acquire advertising media time, space, production, or talent on behalf of another person.

(e) Notwithstanding any other provision of this section, amounts received by a taxpayer that manages real property owned by a third party that are deposited into a separate account kept in the name of that third party and that are not reimbursements to the taxpayer and are not indirect payments for management services that the taxpayer provides to that third party.

(f) Proceeds from the taxpayer's transfer of an account receivable if the sale that generated the account receivable was included in gross receipts for federal income tax purposes. This subdivision does not apply to a taxpayer that during the tax year both buys and sells any receivables.

(g) Proceeds from any of the following:

(i) The original issue of stock or equity instruments.

(ii) The original issue of debt instruments.

(h) Refunds from returned merchandise.

(i) Cash and in-kind discounts.

(j) Trade discounts.

(k) Federal, state, or local tax refunds.

(l) Security deposits.

(m) Payment of the principal portion of loans.

(n) Value of property received in a like-kind exchange.

(o) Proceeds from a sale, transaction, exchange, involuntary conversion, or other disposition of tangible, intangible, or real property that is a capital asset as defined in section 1221(a) of the internal revenue code or land that qualifies as property used in the trade or business as defined in section 1231(b) of the internal revenue code, less any gain from the disposition to the extent that gain is included in federal taxable income.

(p) The proceeds from a policy of insurance, a settlement of a claim, or a judgment in a civil action less any proceeds under this subdivision that are included in federal taxable income.

(q) For a sales finance company, as defined in section 2 of the motor vehicle sales finance act, 1950 (Ex Sess) PA 27, MCL 492.102, and directly or indirectly owned in whole or in part by a motor vehicle manufacturer as of January 1, 2008, and for a person that is a broker or dealer as defined under section 78c(a)(4) or (5) of the securities exchange act of 1934, 15 USC 78c, or a person included in the unitary business group of that broker or dealer that buys and sells for its own account, contracts that are subject to the commodity exchange act, 7 USC 1 to 27f, amounts realized from the repayment, maturity, sale, or redemption of the principal of a loan, bond, or mutual fund, certificate of deposit, or similar marketable instrument provided such instruments are not held as inventory.

(r) For a sales finance company, as defined in section 2 of the motor vehicle sales finance act, 1950 (Ex Sess) PA 27, MCL 492.102, and directly or indirectly owned in whole or in part by a motor vehicle manufacturer as of January 1, 2008, and for a person that is a broker or dealer as defined under section 78c(a)(4) or (5) of the securities exchange act of 1934, 15 USC 78c, or a person included in the unitary business group of that broker or dealer that buys and sells for its own account, contracts that are subject to the commodity exchange act, 7 USC 1 to 27f, the principal amount received under a repurchase agreement or other transaction properly characterized as a loan.

(s) For a mortgage company, proceeds representing the principal balance of loans transferred or sold in the tax year. For purposes of this subdivision, "mortgage company" means a person that is licensed under the mortgage brokers, lenders, and servicers licensing act, 1987 PA 173, MCL 445.1651 to 445.1684, or the secondary mortgage loan act, 1981 PA 125, MCL 493.51 to 493.81, and has greater than 90% of its revenues, in the ordinary course of business, from the origination, sale, or servicing of residential mortgage loans.

(t) For a professional employer organization, any amount charged by a professional employer organization that represents the actual cost of wages and salaries, benefits, worker's compensation, payroll taxes, withholding, or other assessments paid to or on behalf of a covered employee by the professional employer organization under a professional employer arrangement.

(u) Any invoiced items used to provide more favorable floor plan assistance to a person subject to the tax imposed under this act than to a person not subject to this tax and paid by a manufacturer, distributor, or supplier.

(v) For an individual, estate, partnership organized exclusively for estate or gift planning purposes, or trust organized exclusively for estate or gift planning purposes, amounts received other than those from transactions, activities, and sources in the regular course of the taxpayer's trade or business, including the following:

(i) Receipts from tangible and intangible property if the acquisition, rental, management, or disposition of the property constitutes integral parts of the taxpayer's regular trade or business operations.

(ii) Receipts received in the course of the taxpayer's trade or business from stock and securities of any foreign or domestic corporation and dividend and interest income.

(iii) Receipts derived from isolated sales, leases, assignment, licenses, divisions, or other infrequently occurring dispositions, transfers, or transactions involving property if the property is or was used in the taxpayer's trade or business operation.

(iv) Receipts derived from the sale of a business.

(v) Receipts excluded from gross receipts under this subsection for an individual, estate, partnership organized exclusively for estate or gift planning purposes, or trust organized exclusively for estate or gift planning purposes include, but are not limited to, the following:

(A) Personal investment activity, including interest, dividends, and gains from a personal investment portfolio or retirement account.

(B) Disposition of tangible, intangible, or real property held for personal use and enjoyment, such as a personal residence or personal assets.

(W) TO THE EXTENT NOT DEDUCTED AS PURCHASES FROM OTHER FIRMS UNDER SECTION 203, ANY DEPOSIT REQUIRED UNDER ANY OF THE FOLLOWING:

(i) 1976 IL 1, MCL 445.571 TO 445.576.

(ii) R 436.1629 OF THE MICHIGAN ADMINISTRATIVE CODE.

(iii) R 436.1723A OF THE MICHIGAN ADMINISTRATIVE CODE.

(iv) ANY SUBSTANTIALLY SIMILAR BEVERAGE CONTAINER DEPOSIT LAW OF ANOTHER STATE.

(2) "Insurance company" means an authorized insurer as defined in section 106 of the insurance code of 1956, 1956 PA 218, MCL 500.106.

(3) "Internal revenue code" means the United States internal revenue code of 1986 in effect on January 1, 2008 or, at the option of the taxpayer, in effect for the tax year.

(4) "Inventory" means, except as provided in subdivision (e), all of the following:

(a) The stock of goods held for resale in the regular course of trade of a retail or wholesale business, including electricity or natural gas purchased for resale.

(b) Finished goods, goods in process, and raw materials of a manufacturing business purchased from another person.

(c) For a person that is a new motor vehicle dealer licensed under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, floor plan interest expenses for new motor vehicles. For purposes of this subdivision, "floor plan interest" means interest paid that finances any part of the person's purchase of new motor vehicle inventory from a manufacturer, distributor, or supplier. However, amounts attributable to any invoiced items used to provide more favorable floor plan assistance to a person subject to the tax imposed under this act than to a person not subject to this tax is considered interest paid by a manufacturer, distributor, or supplier.

(d) For a person that is a broker or dealer as defined under section 78c(a)(4) or (5) of the securities exchange act of 1934, 15 USC 78c, or a person included in the unitary business group of that broker or dealer that buys and sells for its own account, contracts that are subject to the commodity exchange act, 7 USC 1 to 27f, the cost of securities as defined under section 475(c)(2) of the internal revenue code and the cost of commodities as defined under section 475(e)(2)(b), (c), and (d) of the internal revenue code, excluding interest expense other than interest expense related to repurchase agreements.

(e) Inventory does not include either of the following:

(i) Personal property under lease or principally intended for lease rather than sale.

(ii) Property allowed a deduction or allowance for depreciation or depletion under the internal revenue code.

(5) "Officer" means an officer of a corporation other than a subchapter S corporation, including all of the following:

(a) The chairperson of the board.

(b) The president, vice president, secretary, or treasurer of the corporation or board.

(c) Persons performing similar duties to persons described in subdivisions (a) and (b)."

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Melton moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

Rep. Hansen moved that Rep. Moolenaar be excused from the balance of today's session.
The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 6282, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," (MCL 208.1101 to 208.1601) by adding section 461. Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 791**Yeas—105**

Accavitti	Donigan	Lahti	Pearce
Acciavatti	Ebli	LaJoy	Polidori
Agema	Elsenheimer	Law, David	Proos
Angerer	Emmons	Law, Kathleen	Robertson
Ball	Espinoza	LeBlanc	Rocca
Bauer	Farrah	Leland	Sak
Bennett	Gaffney	Lemmons	Schuitmaker
Bieda	Garfield	Lindberg	Scott
Booher	Gillard	Marleau	Shaffer
Brandenburg	Gonzales	Mayes	Sheen
Brown	Green	McDowell	Sheltrown
Byrnes	Griffin	Meadows	Simpson
Byrum	Hammel	Meekhof	Smith, Alma
Calley	Hammon	Meisner	Spade
Casperson	Hansen	Melton	Stahl
Caswell	Hildenbrand	Meltzer	Stakoe
Caul	Hood	Miller	Steil
Clack	Hoogendyk	Moore	Tobocman
Clemente	Hopgood	Moss	Vagnozzi
Condino	Horn	Nitz	Valentine
Constan	Huizenga	Nofs	Walker
Corriveau	Hune	Opsommer	Ward
Coulouris	Johnson	Palmer	Warren
Cushingberry	Jones, Rick	Palsrok	Wenke
Dean	Jones, Robert	Pastor	Wojno
DeRoche	Knollenberg	Pavlov	Young
Dillon			

Nays—0

In The Chair: Sak

The House agreed to the title of the bill.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Second Reading of Bills**House Bill No. 5797, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending sections 111 and 281 (MCL 208.1111 and 208.1281), section 111 as amended by 2007 PA 207 and section 281 as added by 2007 PA 145.

Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Tax Policy,

The substitute (H-2) was adopted, a majority of the members serving voting therefor.

Rep. Hildenbrand moved to amend the bill as follows:

1. Amend page 7, following line 5, by inserting:

“(X) TO THE EXTENT NOT DEDUCTED AS PURCHASES FROM OTHER FIRMS UNDER SECTION 203, EACH OF THE FOLLOWING:

(i) SALES OR USE TAXES COLLECTED FROM OR REIMBURSED BY A CONSUMER OR OTHER TAXES THE TAXPAYER COLLECTED DIRECTLY FROM OR WAS REIMBURSED BY A PURCHASER AND REMITTED TO A LOCAL, STATE, OR FEDERAL TAX AUTHORITY.

(ii) IN THE CASE OF RECEIPTS FROM THE SALE OF CIGARETTES OR TOBACCO PRODUCTS BY A WHOLESALE DEALER, RETAIL DEALER, DISTRIBUTOR, MANUFACTURER, OR SELLER, AN AMOUNT EQUAL TO THE FEDERAL AND STATE EXCISE TAXES PAID BY ANY PERSON ON OR FOR SUCH CIGARETTES OR TOBACCO PRODUCTS UNDER SUBTITLE E OF THE INTERNAL REVENUE CODE OR OTHER APPLICABLE STATE LAW.

(iii) IN THE CASE OF RECEIPTS FROM THE SALE OF MOTOR FUEL BY A PERSON WITH A MOTOR FUEL TAX LICENSE OR A RETAIL DEALER, AN AMOUNT EQUAL TO FEDERAL AND STATE EXCISE TAXES PAID BY ANY PERSON ON SUCH MOTOR FUEL UNDER SECTION 4081 OF THE INTERNAL REVENUE CODE OR UNDER OTHER APPLICABLE STATE LAW.

(iv) IN THE CASE OF RECEIPTS FROM THE SALE OF BEER, WINE, OR INTOXICATING LIQUOR BY A PERSON HOLDING A LICENSE TO SELL, DISTRIBUTE, OR PRODUCE THOSE PRODUCTS, AN AMOUNT EQUAL TO FEDERAL AND STATE EXCISE TAXES PAID BY ANY PERSON ON OR FOR SUCH BEER, WINE, OR INTOXICATING LIQUOR UNDER SUBTITLE E OF THE INTERNAL REVENUE CODE OR OTHER APPLICABLE STATE LAW.

(v) IN THE CASE OF RECEIPTS FROM THE SALE OF COMMUNICATION, VIDEO, INTERNET ACCESS AND RELATED SERVICES AND EQUIPMENT, ANY GOVERNMENT IMPOSED TAX, FEE, OR OTHER IMPOSITION IN THE NATURE OF A TAX OR FEE REQUIRED BY LAW, ORDINANCE, REGULATION, RULING, OR OTHER LEGAL AUTHORITY AND CHARGED ON A CUSTOMER'S BILL OR INVOICE. THIS SUBPARAGRAPH DOES NOT INCLUDE THE RECOVERY OF NET INCOME TAXES, NET WORTH TAXES, PROPERTY TAXES, OR THE TAX IMPOSED UNDER THIS ACT.

(vi) IN THE CASE OF RECEIPTS FROM THE SALE OF ELECTRICITY, NATURAL GAS, OR OTHER ENERGY SOURCE, ANY GOVERNMENT IMPOSED TAX, FEE, OR OTHER IMPOSITION IN THE NATURE OF A TAX OR FEE REQUIRED BY LAW, ORDINANCE, REGULATION, RULING, OR OTHER LEGAL AUTHORITY AND CHARGED ON A CUSTOMER'S BILL OR INVOICE. THIS SUBPARAGRAPH DOES NOT INCLUDE THE RECOVERY OF NET INCOME TAXES, NET WORTH TAXES, PROPERTY TAXES, OR THE TAX IMPOSED UNDER THIS ACT.

(vii) ANY DEPOSIT REQUIRED UNDER ANY OF THE FOLLOWING:

(A) 1976 IL 1, MCL 445.571 TO 445.576.

(B) R 436.1629 OF THE MICHIGAN ADMINISTRATIVE CODE.

(C) R 436.1723A OF THE MICHIGAN ADMINISTRATIVE CODE.

(D) ANY SUBSTANTIALLY SIMILAR BEVERAGE CONTAINER DEPOSIT LAW OF ANOTHER STATE.

(viii) ANY OTHER TAX, FEE, OR OTHER IMPOSITION IN THE NATURE OF A TAX OR FEE REQUIRED BY LAW, ORDINANCE, REGULATION, RULING, OR OTHER LEGAL AUTHORITY THAT IS COLLECTED BY THE TAXPAYER, INCLUDED IN THE TAXPAYER'S RECEIPTS, AND SUBSEQUENTLY REMITTED TO A LOCAL, STATE, OR FEDERAL TAX AUTHORITY."

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Acciavatti moved to amend the bill as follows:

1. Amend page 8, following line 26, by inserting:

"Enacting section 1. This amendatory act does not take effect unless House Bill No. 5627 of the 94th Legislature is enacted into law."

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Gaffney moved to amend the bill as follows:

1. Amend page 7, following line 5, by inserting:

"(X) TO THE EXTENT NOT DEDUCTED AS PURCHASES FROM OTHER FIRMS UNDER SECTION 203, ANY DEPOSIT REQUIRED UNDER ANY OF THE FOLLOWING:

(i) 1976 IL 1, MCL 445.571 TO 445.576.

(ii) R 436.1629 OF THE MICHIGAN ADMINISTRATIVE CODE.

(iii) R 436.1723A OF THE MICHIGAN ADMINISTRATIVE CODE.

(iv) ANY SUBSTANTIALLY SIMILAR BEVERAGE CONTAINER DEPOSIT LAW OF ANOTHER STATE."

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Pavlov moved to amend the bill as follows:

1. Amend page 7, following line 5, by inserting:

"(X) TO THE EXTENT NOT DEDUCTED AS PURCHASES FROM OTHER FIRMS UNDER SECTION 203, SALES OR USE TAXES COLLECTED FROM OR REIMBURSED BY A CONSUMER OR OTHER TAXES THE TAXPAYER COLLECTED DIRECTLY FROM OR WAS REIMBURSED BY A PURCHASER AND REMITTED TO A LOCAL, STATE, OR FEDERAL TAX AUTHORITY."

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Byrnes moved that the bill be placed on the order of Third Reading of Bills.
The motion prevailed.
Rep. Tobocman moved that the bill be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

Rep. Miller moved that Rep. Cushingberry be excused temporarily from today's session.
The motion prevailed.

By unanimous consent the House returned to the order of
Third Reading of Bills

House Bill No. 5797, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending sections 111 and 281 (MCL 208.1111 and 208.1281), section 111 as amended by 2007 PA 207 and section 281 as added by 2007 PA 145.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 792

Yeas—103

Accavitti	Donigan	LaJoy	Polidori
Acciavatti	Ebli	Law, David	Proos
Agema	Elsenheimer	Law, Kathleen	Robertson
Angerer	Emmons	LeBlanc	Rocca
Ball	Espinoza	Leland	Sak
Bauer	Farrah	Lemmons	Schuitmaker
Bennett	Gaffney	Lindberg	Scott
Bieda	Gillard	Marleau	Shaffer
Booher	Gonzales	Mayes	Sheen
Brandenburg	Green	McDowell	Sheltrown
Brown	Griffin	Meadows	Simpson
Byrnes	Hammel	Meekhof	Smith, Alma
Byrum	Hammon	Meisner	Spade
Calley	Hansen	Melton	Stahl
Casperson	Hildenbrand	Meltzer	Stakoe
Caswell	Hood	Miller	Steil
Caul	Hoogendyk	Moore	Tobocman
Clack	Hopgood	Moss	Vagnozzi
Clemente	Horn	Nitz	Valentine
Condino	Huizenga	Nofs	Walker
Constan	Hune	Opsommer	Ward
Corriveau	Johnson	Palmer	Warren
Coulouris	Jones, Rick	Palsrok	Wenke
Dean	Jones, Robert	Pastor	Wojno
DeRoche	Knollenberg	Pavlov	Young
Dillon	Lahti	Pearce	

Nays—1

Garfield

In The Chair: Sak

The question being on agreeing to the title of the bill,

Rep. Tobocman moved to amend the title to read as follows:

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 111 (MCL 208.1111), as amended by 2007 PA 207.

The motion prevailed.

The House agreed to the title as amended.

Rep. Tobocman moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Second Reading of Bills

House Bill No. 6162, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.155) by adding section 7nn; and to repeal acts and parts of acts.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Intergovernmental, Urban and Regional Affairs,

The substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Horn moved to substitute (H-2) the bill.

The motion did not prevail and the substitute (H-2) was not adopted, a majority of the members serving not voting therefor.

Rep. David Law moved to amend the bill as follows:

1. Amend page 9, following line 7, by inserting:

"Enacting section 1. This amendatory act does not take effect unless House Joint Resolution LL of the 94th Legislature becomes a part of the state constitution of 1963 as provided in section 1 of article XII of the state constitution of 1963."

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Meltzer moved to amend the bill as follows:

1. Amend page 9, following line 7, by inserting:

"Enacting section 1. This amendatory act does not take effect unless House Joint Resolution MM of the 94th Legislature becomes a part of the state constitution of 1963 as provided in section 1 of article XII of the state constitution of 1963."

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Opsommer moved to amend the bill as follows:

1. Amend page 3, line 20, after "**REVIEW**" by inserting "**AND SUPERVISOR**".
2. Amend page 4, line 4, after "**REVIEW**" by inserting "**AND SUPERVISOR**".
3. Amend page 4, line 25, after "**REVIEW**" by inserting "**AND SUPERVISOR**".
4. Amend page 4, line 27, after "**REVIEW**" by inserting "**AND SUPERVISOR**".
5. Amend page 5, line 16, after "**REVIEW**" by inserting "**AND SUPERVISOR**".
6. Amend page 5, line 19, after "**REVIEW**" by inserting "**AND SUPERVISOR**".
7. Amend page 5, line 21, after "**REVIEW**" by inserting "**AND SUPERVISOR**".
8. Amend page 5, line 22, after "**REVIEW**" by inserting "**AND SUPERVISOR**".
9. Amend page 5, line 26, after "**REVIEW**" by inserting "**AND SUPERVISOR**".
10. Amend page 6, line 4, after "**REVIEW**" by inserting "**AND SUPERVISOR**".
11. Amend page 6, line 10, after "**REVIEW**" by inserting "**AND SUPERVISOR**".
12. Amend page 6, line 12, after "**REVIEW**" by inserting "**AND SUPERVISOR**".

The motion prevailed and the amendments were adopted, a majority of the members serving voting therefor.

Rep. Schuitmaker moved to amend the bill as follows:

1. Amend page 9, following line 7, by inserting:

"Enacting section 1. This amendatory act does not take effect unless House Bill No. 4006 of the 94th Legislature is enacted into law."

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Tobocman moved that the bill be placed on the order of Third Reading of Bills.
The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of
Third Reading of Bills

House Bill No. 6162, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.155) by adding section 7nn; and to repeal acts and parts of acts.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 793

Yeas—60

Accavitti	Dillon	Jones, Robert	Moore
Angerer	Donigan	Lahti	Polidori
Bauer	Ebli	Law, David	Rocca
Bennett	Espinoza	Law, Kathleen	Sak
Bieda	Farrah	LeBlanc	Scott
Brown	Gaffney	Leland	Sheltrown
Byrnes	Gillard	Lemmons	Simpson
Byrum	Gonzales	Lindberg	Smith, Alma
Clack	Griffin	Mayes	Spade
Clemente	Hammel	McDowell	Tobocman
Condino	Hammon	Meadows	Vagnozzi
Constan	Hood	Meisner	Valentine
Corriveau	Hopgood	Melton	Warren
Coulouris	Horn	Meltzer	Wojno
Dean	Johnson	Miller	Young

Nays—44

Acciavatti	Emmons	Marleau	Proos
Agema	Garfield	Meekhof	Robertson
Ball	Green	Moss	Schuitmaker
Booher	Hansen	Nitz	Shaffer
Brandenburg	Hildenbrand	Nofs	Sheen
Calley	Hoogendyk	Opsommer	Stahl
Casperson	Huizenga	Palmer	Stakoe
Caswell	Hune	Palsrok	Steil
Caul	Jones, Rick	Pastor	Walker
DeRoche	Knollenberg	Pavlov	Ward
Elsenheimer	LaJoy	Pearce	Wenke

In The Chair: Sak

The question being on agreeing to the title of the bill,

Rep. Tobocman moved to amend the title to read as follows:

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7u (MCL 211.7u), as amended by 2003 PA 140.

The motion prevailed.
The House agreed to the title as amended.

Rep. Agema, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

This bill is dealing with a moot point. This deals only in tax foreclosures, not bank foreclosures. For example, in Oakland County there has not been one foreclosure due to this. This is a smoke screen for true reform. It will also raise everyone else’s taxes to pay for those that do not want to pay their property taxes, even though they are making their house payments. This only deals with a little over 100 people in the whole state. This is not reform but a political ploy to give appearance of reform.”

Rep. Tobocman moved that the bill be given immediate effect.

The question being on the motion made by Rep. Tobocman,

Rep. Hildenbrand demanded the yeas and nays.

The demand was supported.

The question being on the motion made by Rep. Tobocman,

The motion did not prevail, 2/3 of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 794

Yeas—62

Accavitti	Dillon	Lahti	Polidori
Angerer	Donigan	Law, David	Rocca
Ball	Ebli	Law, Kathleen	Sak
Bauer	Espinoza	LeBlanc	Scott
Bennett	Farrah	Leland	Sheltrown
Bieda	Gaffney	Lemmons	Simpson
Brown	Gillard	Lindberg	Smith, Alma
Byrnes	Gonzales	Mayer	Spade
Byrum	Griffin	McDowell	Tobocman
Clack	Hammel	Meadows	Vagnozzi
Clemente	Hammon	Meisner	Valentine
Condino	Hood	Melton	Ward
Constan	Hopgood	Meltzer	Warren
Corriveau	Hune	Miller	Wojno
Coulouris	Johnson	Moore	Young
Dean	Jones, Robert		

Nays—42

Acciavatti	Garfield	Meekhof	Proos
Agema	Green	Moss	Robertson
Booher	Hansen	Nitz	Schuitmaker
Brandenburg	Hildenbrand	Nofs	Shaffer
Calley	Hoogendyk	Opsommer	Sheen
Casperson	Horn	Palmer	Stahl
Caswell	Huizenga	Palsrok	Stakoe
Caul	Jones, Rick	Pastor	Steil
DeRoche	Knollenberg	Pavlov	Walker

Elsenheimer
Emmons

LaJoy
Marleau

Pearce

Wenke

In The Chair: Sak

Second Reading of Bills

House Bill No. 6163, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 24c (MCL 211.24c), as amended by 2003 PA 247.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Intergovernmental, Urban and Regional Affairs,

The substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Dean moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 6163, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 24c (MCL 211.24c), as amended by 2003 PA 247.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 795

Yeas—104

Accavitti	Donigan	Lahti	Pearce
Acciavatti	Ebli	LaJoy	Polidori
Agema	Elsenheimer	Law, David	Proos
Angerer	Emmons	Law, Kathleen	Robertson
Ball	Espinoza	LeBlanc	Rocca
Bauer	Farrah	Leland	Sak
Bennett	Gaffney	Lemmons	Schuitmaker
Bieda	Garfield	Lindberg	Scott
Booher	Gillard	Marleau	Shaffer
Brandenburg	Gonzales	Mayes	Sheen
Brown	Green	McDowell	Sheltrown
Byrnes	Griffin	Meadows	Simpson
Byrum	Hammel	Meekhof	Smith, Alma
Calley	Hammon	Meisner	Spade
Casperson	Hansen	Melton	Stahl
Caswell	Hildenbrand	Meltzer	Stakoe
Caul	Hood	Miller	Steil
Clack	Hoogendyk	Moore	Tobocman
Clemente	Hopgood	Moss	Vagnozzi
Condino	Horn	Nitz	Valentine
Constan	Huizenga	Nofs	Walker
Corriveau	Hune	Opsommer	Ward
Coulouris	Johnson	Palmer	Warren
Dean	Jones, Rick	Palsrok	Wenke

DeRoche
Dillon

Jones, Robert
Knollenberg

Pastor
Pavlov

Wojno
Young

Nays—0

In The Chair: Sak

The House agreed to the title of the bill.
Rep. Angerer moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.

Second Reading of Bills

House Bill No. 6164, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 78a (MCL 211.78a), as added by 1999 PA 123.

The bill was read a second time.

Rep. LaJoy moved to substitute (H-1) the bill.

The motion did not prevail and the substitute (H-1) was not adopted, a majority of the members serving not voting therefor.

Rep. Scott moved to amend the bill as follows:

1. Amend page 2, line 3, after the second “**BILLS**” by inserting “**UNLESS BOTH OF THE FOLLOWING CONDITIONS ARE SATISFIED:**”

(A) THE WATER BILL COLLECTIONS OR OTHER UTILITY BILL COLLECTIONS PROVIDE A SOURCE OF REPAYMENT OF PUBLIC BONDS OR NOTES ISSUED BEFORE THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBDIVISION.

(B) THE TERMS OF THE PUBLIC BONDS OR NOTES REQUIRE COLLECTION OF THE WATER BILLS OR OTHER UTILITY BILLS UNDER THIS ACT”.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Scott moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Angerer moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 6164, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 78a (MCL 211.78a), as added by 1999 PA 123.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 796

Yeas—103

Accavitti
Acciavatti
Agema
Angerer
Ball

Donigan
Ebli
Elsenheimer
Emmons
Espinoza

Lahti
LaJoy
Law, David
Law, Kathleen
LeBlanc

Polidori
Proos
Robertson
Rocca
Sak

Bauer	Farrah	Leland	Schuitmaker
Bennett	Gaffney	Lemmons	Scott
Bieda	Garfield	Lindberg	Shaffer
Booher	Gillard	Marleau	Sheen
Brandenburg	Gonzales	Mayes	Sheltrown
Brown	Green	McDowell	Simpson
Byrnes	Griffin	Meadows	Smith, Alma
Byrum	Hammel	Meekhof	Spade
Calley	Hammon	Meisner	Stahl
Casperson	Hansen	Melton	Stakoe
Caswell	Hildenbrand	Meltzer	Steil
Caul	Hood	Miller	Tobocman
Clack	Hoogendyk	Moore	Vagnozzi
Clemente	Hopgood	Moss	Valentine
Condino	Horn	Nofs	Walker
Constan	Huizenga	Opsommer	Ward
Corriveau	Hune	Palmer	Warren
Coulouris	Johnson	Palsrok	Wenke
Dean	Jones, Rick	Pastor	Wojno
DeRoche	Jones, Robert	Pavlov	Young
Dillon	Knollenberg	Pearce	

Nays—1

Nitz

In The Chair: Sak

The House agreed to the title of the bill.

Rep. Angerer moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Second Reading of Bills

House Bill No. 6165, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 78b (MCL 211.78b), as amended by 2003 PA 263.

The bill was read a second time.

Rep. Caswell moved to substitute (H-1) the bill.

The motion did not prevail and the substitute (H-1) was not adopted, a majority of the members serving not voting therefor.

Rep. Johnson moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Angerer moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

Rep. Meekhof moved that Rep. Brandenburg be excused from the balance of today’s session.

The motion prevailed.

By unanimous consent the House returned to the order of
Third Reading of Bills

House Bill No. 6165, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 78b (MCL 211.78b), as amended by 2003 PA 263.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 797

Yeas—73

Accavitti	Dillon	LaJoy	Pearce
Acciavatti	Donigan	Law, Kathleen	Polidori
Angerer	Ebli	LeBlanc	Proos
Bauer	Espinoza	Leland	Rocca
Bennett	Farrah	Lemmons	Sak
Bieda	Gillard	Lindberg	Schuitmaker
Brown	Gonzales	Mayes	Scott
Byrnes	Griffin	McDowell	Sheltrown
Byrum	Hammel	Meadows	Simpson
Casperson	Hammon	Meisner	Smith, Alma
Clack	Hildenbrand	Melton	Spade
Clemente	Hood	Miller	Tobocman
Condino	Hopgood	Moore	Vagnozzi
Constan	Horn	Nitz	Valentine
Corriveau	Johnson	Nofs	Walker
Coulouris	Jones, Rick	Palsrok	Warren
Cushingberry	Jones, Robert	Pastor	Wojno
Dean	Lahti	Pavlov	Young
DeRoche			

Nays—18

Agema	Hoogendyk	Meekhof	Shaffer
Calley	Hune	Moss	Sheen
Caul	Knollenberg	Opsommer	Stahl
Elsenheimer	Law, David	Robertson	Ward
Garfield	Marleau		

In The Chair: Sak

The House agreed to the title of the bill.
 Rep. Angerer moved that the bill be given immediate effect.
 The motion prevailed, 2/3 of the members serving voting therefor.

Second Reading of Bills

House Bill No. 6166, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 78c (MCL 211.78c), as amended by 2003 PA 263.

The bill was read a second time.

Rep. Simpson moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Angerer moved that the bill be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 6166, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 78c (MCL 211.78c), as amended by 2003 PA 263.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 798

Yeas—104

Accavitti	Donigan	Lahti	Pearce
Acciavatti	Ebli	LaJoy	Polidori
Agema	Elsenheimer	Law, David	Proos
Angerer	Emmons	Law, Kathleen	Robertson
Ball	Espinoza	LeBlanc	Rocca
Bauer	Farrah	Leland	Sak
Bennett	Gaffney	Lemmons	Schuitmaker
Bieda	Garfield	Lindberg	Scott
Booher	Gillard	Marleau	Shaffer
Brown	Gonzales	Mayer	Sheen
Byrnes	Green	McDowell	Sheltrown
Byrum	Griffin	Meadows	Simpson
Calley	Hammel	Meekhof	Smith, Alma
Casperson	Hammon	Meisner	Spade
Caswell	Hansen	Melton	Stahl
Caul	Hildenbrand	Meltzer	Stakoe
Clack	Hood	Miller	Steil
Clemente	Hoogendyk	Moore	Tobocman
Condino	Hopgood	Moss	Vagnozzi
Constan	Horn	Nitz	Valentine
Corriveau	Huizenga	Nofs	Walker
Coulouris	Hune	Opsommer	Ward
Cushingberry	Johnson	Palmer	Warren
Dean	Jones, Rick	Palsrok	Wenke
DeRoche	Jones, Robert	Pastor	Wojno
Dillon	Knollenberg	Pavlov	Young

Nays—0

In The Chair: Sak

The House agreed to the title of the bill.

Rep. Angerer moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Second Reading of Bills

House Bill No. 6167, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 78f (MCL 211.78f), as amended by 2003 PA 263.

The bill was read a second time.

Rep. Gaffney moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Angerer moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 6167, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 78f (MCL 211.78f), as amended by 2003 PA 263.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 799

Yeas—104

Accavitti	Donigan	Lahti	Pearce
Acciavatti	Ebli	LaJoy	Polidori
Agema	Elsenheimer	Law, David	Proos
Angerer	Emmons	Law, Kathleen	Robertson
Ball	Espinoza	LeBlanc	Rocca
Bauer	Farrah	Leland	Sak
Bennett	Gaffney	Lemmons	Schuitmaker
Bieda	Garfield	Lindberg	Scott
Booher	Gillard	Marleau	Shaffer
Brown	Gonzales	Mayes	Sheen
Byrnes	Green	McDowell	Sheltrown
Byrum	Griffin	Meadows	Simpson
Calley	Hammel	Meekhof	Smith, Alma
Casperson	Hammon	Meisner	Spade
Caswell	Hansen	Melton	Stahl
Caul	Hildenbrand	Meltzer	Stakoe
Clack	Hood	Miller	Steil
Clemente	Hoogendyk	Moore	Tobocman
Condino	Hopgood	Moss	Vagnozzi
Constan	Horn	Nitz	Valentine
Corriveau	Huizenga	Nofs	Walker
Coulouris	Hune	Opsommer	Ward
Cushingberry	Johnson	Palmer	Warren
Dean	Jones, Rick	Palsrok	Wenke
DeRoche	Jones, Robert	Pastor	Wojno
Dillon	Knollenberg	Pavlov	Young

Nays—0

In The Chair: Sak

The House agreed to the title of the bill.

Rep. Angerer moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Second Reading of Bills

House Bill No. 6168, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 78g (MCL 211.78g), as amended by 2003 PA 263.

The bill was read a second time.

Rep. Meisner moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Angerer moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

Rep. Hood moved that Rep. Scott be excused temporarily from today’s session.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 6168, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 78g (MCL 211.78g), as amended by 2003 PA 263.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 800

Yeas—103

Accavitti	Donigan	Lahti	Pearce
Acciavatti	Ebli	LaJoy	Polidori
Agema	Elsenheimer	Law, David	Proos
Angerer	Emmons	Law, Kathleen	Robertson
Ball	Espinoza	LeBlanc	Rocca
Bauer	Farrah	Leland	Sak
Bennett	Gaffney	Lemmons	Schuitmaker
Bieda	Garfield	Lindberg	Shaffer
Booher	Gillard	Marleau	Sheen
Brown	Gonzales	Mayes	Sheltrown
Byrnes	Green	McDowell	Simpson
Byrum	Griffin	Meadows	Smith, Alma
Calley	Hammel	Meekhof	Spade
Casperson	Hammon	Meisner	Stahl
Caswell	Hansen	Melton	Stakoe
Caul	Hildenbrand	Meltzer	Steil
Clack	Hood	Miller	Tobocman
Clemente	Hoogendyk	Moore	Vagnozzi
Condino	Hopgood	Moss	Valentine
Constan	Horn	Nitz	Walker
Corriveau	Huizenga	Nofs	Ward
Coulouris	Hune	Opsommer	Warren
Cushingberry	Johnson	Palmer	Wenke
Dean	Jones, Rick	Palsrok	Wojno
DeRoche	Jones, Robert	Pastor	Young
Dillon	Knollenberg	Pavlov	

Nays—0

In The Chair: Sak

The House agreed to the title of the bill.

Rep. Angerer moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Second Reading of Bills**House Bill No. 6169, entitled**

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 78h (MCL 211.78h), as amended by 2001 PA 96.

The bill was read a second time.

Rep. Angerer moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Angerer moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills**House Bill No. 6169, entitled**

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 78h (MCL 211.78h), as amended by 2001 PA 96.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 801**Yeas—103**

Accavitti	Donigan	Lahti	Pearce
Acciavatti	Ebli	LaJoy	Polidori
Agema	Elsenheimer	Law, David	Proos
Angerer	Emmons	Law, Kathleen	Robertson
Ball	Espinoza	LeBlanc	Rocca
Bauer	Farrah	Leland	Sak
Bennett	Gaffney	Lemmons	Schuitmaker
Bieda	Garfield	Lindberg	Shaffer
Booher	Gillard	Marleau	Sheen
Brown	Gonzales	Mayes	Sheltrown
Byrnes	Green	McDowell	Simpson
Byrum	Griffin	Meadows	Smith, Alma
Calley	Hammel	Meekhof	Spade
Casperson	Hammon	Meisner	Stahl
Caswell	Hansen	Melton	Stakoe
Caul	Hildenbrand	Meltzer	Steil
Clack	Hood	Miller	Tobocman
Clemente	Hoogendyk	Moore	Vagnozzi
Condino	Hopgood	Moss	Valentine
Constan	Horn	Nitz	Walker
Corriveau	Huizenga	Nofs	Ward
Coulouris	Hune	Opsommer	Warren
Cushingberry	Johnson	Palmer	Wenke

Dean
DeRoche
Dillon

Jones, Rick
Jones, Robert
Knollenberg

Palsrok
Pastor
Pavlov

Wojno
Young

Nays—0

In The Chair: Sak

The House agreed to the title of the bill.

Rep. Angerer moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Second Reading of Bills

House Bill No. 6170, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 78i (MCL 211.78i), as amended by 2006 PA 611.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Intergovernmental, Urban and Regional Affairs,

The substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Ball moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Angerer moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

Rep. Cushingberry asked and obtained an excuse temporarily from today’s session.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 6170, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 78i (MCL 211.78i), as amended by 2006 PA 611.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 802

Yeas—103

Accavitti
Acciavatti
Agema
Angerer
Ball
Bauer
Bennett
Bieda
Booher
Brown

Ebli
Elsenheimer
Emmons
Espinoza
Farrah
Gaffney
Garfield
Gillard
Gonzales
Green

LaJoy
Law, David
Law, Kathleen
LeBlanc
Leland
Lemmons
Lindberg
Marleau
Mayes
McDowell

Polidori
Proos
Robertson
Rocca
Sak
Schuitmaker
Scott
Shaffer
Sheen
Sheltrown

Byrnes	Griffin	Meadows	Simpson
Byrum	Hammel	Meekhof	Smith, Alma
Calley	Hammon	Meisner	Spade
Casperson	Hansen	Melton	Stahl
Caswell	Hildenbrand	Meltzer	Stakoe
Caul	Hood	Miller	Steil
Clack	Hoogendyk	Moore	Tobocman
Clemente	Hopgood	Moss	Vagnozzi
Condino	Horn	Nitz	Valentine
Constan	Huizenga	Nofs	Walker
Corriveau	Hune	Opsommer	Ward
Coulouris	Johnson	Palmer	Warren
Dean	Jones, Rick	Palsrok	Wenke
DeRoche	Jones, Robert	Pastor	Wojno
Dillon	Knollenberg	Pavlov	Young
Donigan	Lahti	Pearce	

Nays—0

In The Chair: Sak

The House agreed to the title of the bill.

Rep. Angerer moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Second Reading of Bills

House Bill No. 6171, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 78k (MCL 211.78k), as amended by 2006 PA 611.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Intergovernmental, Urban and Regional Affairs,

The substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Melton moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Angerer moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 6171, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 78k (MCL 211.78k), as amended by 2006 PA 611.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 803

Yeas—103

Accavitti	Ebli	LaJoy	Polidori
Acciavatti	Elsenheimer	Law, David	Proos
Agema	Emmons	Law, Kathleen	Robertson

Angerer	Espinoza	LeBlanc	Rocca
Ball	Farrah	Leland	Sak
Bauer	Gaffney	Lemmons	Schuitmaker
Bennett	Garfield	Lindberg	Scott
Bieda	Gillard	Marleau	Shaffer
Booher	Gonzales	Mayes	Sheen
Brown	Green	McDowell	Sheltrown
Byrnes	Griffin	Meadows	Simpson
Byrum	Hammel	Meekhof	Smith, Alma
Calley	Hammon	Meisner	Spade
Casperson	Hansen	Melton	Stahl
Caswell	Hildenbrand	Meltzer	Stakoe
Caul	Hood	Miller	Steil
Clack	Hoogendyk	Moore	Tobocman
Clemente	Hopgood	Moss	Vagnozzi
Condino	Horn	Nitz	Valentine
Constan	Huizenga	Nofs	Walker
Corriveau	Hune	Opsommer	Ward
Coulouris	Johnson	Palmer	Warren
Dean	Jones, Rick	Palsrok	Wenke
DeRoche	Jones, Robert	Pastor	Wojno
Dillon	Knollenberg	Pavlov	Young
Donigan	Lahti	Pearce	

Nays—0

In The Chair: Sak

The House agreed to the title of the bill.
Rep. Angerer moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.

Rep. Hansen moved that Reps. Huizenga and Calley be excused temporarily from today's session.
The motion prevailed.

Rep. Tobocman moved that Rep. Meisner be excused temporarily from today's session.
The motion prevailed.

By unanimous consent the House returned to the order of

Messages from the Senate

Senate Bill No. 1111, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies and for capital outlay for the fiscal years ending September 30, 2008 and September 30, 2009; and to provide for the expenditure of the appropriations.

The Senate has amended the House substitute (H-3) as follows:

1. Amend page 2, line 1, by striking out “(53,584,200)” and inserting “(50,177,400)”.
2. Amend page 2, line 4, by striking out “(53,584,200)” and inserting “(50,177,400)”.
3. Amend page 2, line 5, by striking out “(28,492,400)” and inserting “(32,473,000)”.
4. Amend page 2, line 6, by striking out “2,767,600” and inserting “(843,200)”.
5. Amend page 2, line 9, by striking out “72,275,700” and inserting “83,273,900”.

- 6. Amend page 2, line 12, by striking out “200,000” and inserting “415,100”.
- 7. Amend page 2, line 15, by striking out “200,000” and inserting “415,100”.
- 8. Amend page 2, line 20, by striking out “200,000” and inserting “415,100”.
- 9. Amend page 2, line 22, by striking out “200,000” and inserting “415,100”.
- 10. Amend page 2, line 23, by striking out “200,000” and inserting “415,100”.
- 11. Amend page 2, line 25, by striking out “200,000” and inserting “415,100”.
- 12. Amend page 3, line 1, by striking out all of section 103.
- 13. Amend page 12, line 11, by striking out “18,351,000” and inserting “0”.
- 14. Amend page 12, line 14, by striking out “18,351,000” and inserting “0”.
- 15. Amend page 12, line 15, by striking out “(103,818,000)” and inserting “(107,798,600)”.
- 16. Amend page 12, line 16, by striking out “3,610,800” and inserting “0”.
- 17. Amend page 12, line 19, by striking out “102,708,200” and inserting “91,948,600”.
- 18. Amend page 12, line 22, by striking out all of line 22.
- 19. Amend page 12, line 24, by striking out “15,182,800” and inserting “0”.
- 20. Amend page 13, line 1, by striking out “(12,019,400)” and inserting “(16,000,000)”.
- 21. Amend page 13, line 3, by striking out all of line 3.
- 22. Amend page 13, line 5, by striking out “7,741,400” and inserting “150,000”.
- 23. Amend page 13, line 26, by striking out all of subsection (6).
- 24. Amend page 14, line 6, by striking out “4,500,000” and inserting “26,042,800”.
- 25. Amend page 14, line 9, by striking out “4,500,000” and inserting “26,042,800”.
- 26. Amend page 14, line 14, by striking out “4,500,000” and inserting “26,042,800”.
- 27. Amend page 14, following line 19, by inserting:

“(3) MANAGEMENT AND BUDGET SERVICES

State sponsored group insurance fund.....	\$	21,542,800
GROSS APPROPRIATION.....	\$	21,542,800
Appropriated from:		
State general fund/general purpose	\$	21,542,800”.

- 28. Amend page 16, line 22, by striking out all of section 113.
- 29. Amend page 18, line 16, by striking out “35,144,100” and inserting “10,160,300”.
- 30. Amend page 18, line 19, by striking out “35,144,100” and inserting “10,160,300”.
- 31. Amend page 18, line 20, by striking out “3,980,600” and inserting “0”.
- 32. Amend page 18, line 21, by striking out “3,610,800” and inserting “0”.
- 33. Amend page 18, line 23, by striking out “16,427,100” and inserting “10,160,300”.
- 34. Amend page 18, line 24, by striking out “11,125,600” and inserting “0”.
- 35. Amend page 19, line 3, by striking out “11,627,100” and inserting “10,160,300”.
- 36. Amend page 19, line 6, by striking out “11,627,100” and inserting “10,160,300”.
- 37. Amend page 19, line 10, by striking out “11,627,100” and inserting “10,160,300”.
- 38. Amend page 19, line 12, by striking out all of subsection (2) and renumbering the remaining subsections.
- 39. Amend page 20, line 8, by striking out the balance of PART 1A.
- 40. Amend page 23, line 4, after “is” by striking out “(\$27,859,400.00)” and inserting “(\$16,861,200.00)”.
- 41. Amend page 23, line 5, after “are” by striking out “(\$1,550,000.00)” and inserting “(\$8,050,000.00)”.
- 42. Amend page 23, line 11, by striking out all of section 203.
- 43. Amend page 25, line 24, by striking out all of section 222.
- 44. Amend page 26, line 2, by striking out all of line 2.
- 45. Amend page 26, line 3, by striking out all of section 241.
- 46. Amend page 26, line 13, after “(1)” by striking out “In addition to” and inserting “From”.
- 47. Amend page 26, line 14, after “appropriated” by striking out the balance of the line through “2008,” on line 15.
- 48. Amend page 27, line 18, by striking out all of section 501.
- 49. Amend page 28, line 20, after “is” by striking out “\$27,552,700.00” and inserting “\$10,160,300.00”.
- 50. Amend page 29, line 25, by striking out the balance of PART 2A and adjusting the subtotals, totals, and section 201 accordingly.

The Senate has concurred in the House substitute (H-3) as amended, ordered that the bill be given immediate effect and agreed to the title as amended.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the amendments to the House substitute (H-3) made to the bill by the Senate,

The amendments were concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 804**Yeas—84**

Accavitti	DeRoche	Lahti	Robertson
Acciavatti	Dillon	LaJoy	Rocca
Angerer	Donigan	Law, David	Sak
Ball	Ebli	Law, Kathleen	Schuitmaker
Bauer	Emmons	LeBlanc	Scott
Bennett	Espinoza	Leland	Shaffer
Bieda	Farrah	Lemmons	Sheltrown
Booher	Gaffney	Lindberg	Simpson
Brown	Gonzales	Mayes	Smith, Alma
Byrnes	Green	McDowell	Spade
Byrum	Griffin	Meadows	Stakoe
Casperson	Hammel	Melton	Steil
Caul	Hammon	Miller	Tobocman
Clack	Hansen	Moore	Vagnozzi
Clemente	Hildenbrand	Nitz	Valentine
Condino	Hood	Nofs	Walker
Constan	Hopgood	Palsrok	Ward
Corriveau	Horn	Pavlov	Warren
Coulouris	Johnson	Pearce	Wenke
Cushingberry	Jones, Rick	Polidori	Wojno
Dean	Jones, Robert	Proos	Young

Nays—17

Agema	Hoogendyk	Meekhof	Palmer
Caswell	Hune	Meltzer	Pastor
Elsenheimer	Knollenberg	Moss	Sheen
Garfield	Marleau	Opsommer	Stahl
Gillard			

In The Chair: Sak

Rep. Pastor moved that Rep. LaJoy be excused temporarily from today's session.
The motion prevailed.

House Bill No. 5249, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 224b (MCL 500.224b), as amended by 2005 PA 83.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1956 PA 218, entitled "An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or

surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker's compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act," by amending section 224b (MCL 500.224b), as amended by 2007 PA 88.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 805

Yeas—96

Accavitti	Ebli	Law, David	Proos
Acciavatti	Elsenheimer	Law, Kathleen	Robertson
Angerer	Emmons	LeBlanc	Rocca
Ball	Espinoza	Leland	Sak
Bauer	Farrah	Lemmons	Schuitmaker
Bennett	Gaffney	Lindberg	Scott
Bieda	Garfield	Marleau	Shaffer
Booher	Gillard	Mayer	Sheen
Brown	Gonzales	McDowell	Sheltrown
Byrnes	Green	Meadows	Simpson
Byrum	Griffin	Meekhof	Smith, Alma
Casperson	Hammel	Melton	Spade
Caswell	Hammon	Meltzer	Stahl
Caul	Hansen	Miller	Stakoe
Clack	Hildenbrand	Moore	Steil
Clemente	Hood	Moss	Tobocman
Condino	Hoogendyk	Nitz	Vagnozzi
Constan	Hopgood	Nofs	Valentine
Corriveau	Horn	Opsommer	Walker
Coulouris	Johnson	Palsrok	Ward
Cushingberry	Jones, Rick	Pastor	Warren
Dean	Jones, Robert	Pavlov	Wenke
Dillon	Knollenberg	Pearce	Wojno
Donigan	Lahti	Polidori	Young

Nays—1

Garfield

In The Chair: Sak

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Tobocman moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

Rep. Tobocman moved that the Committee on Tax Policy be discharged from further consideration of **House Joint Resolution III**.

The motion prevailed, a majority of the members serving voting therefor.

The joint resolution was placed on the order of Second Reading of Bills.

Second Reading of Bills**House Joint Resolution III, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 3 of article IX, to limit the increase in taxable value of real property under certain circumstances.

The joint resolution was read a second time.

Rep. Simpson moved to substitute (H-1) the joint resolution.

The motion prevailed and the substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. LeBlanc moved that the joint resolution be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Tobocman moved that the joint resolution be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills**House Joint Resolution III, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 3 of article IX, to limit the increase in taxable value of real property under certain circumstances.

Was read a third time and adopted, 2/3 of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 807**Yeas—101**

Accavitti
Acciavatti
Agema
Angerer
Ball

Ebli
Elsenheimer
Emmons
Espinoza
Farrah

LaJoy
Law, David
Law, Kathleen
LeBlanc
Leland

Polidori
Proos
Robertson
Rocca
Sak

Bauer	Gaffney	Lemmons	Schuitmaker
Bennett	Garfield	Lindberg	Scott
Bieda	Gillard	Marleau	Shaffer
Booher	Gonzales	Mayes	Sheen
Brown	Green	McDowell	Sheltrown
Byrnes	Griffin	Meadows	Simpson
Byrum	Hammel	Meekhof	Smith, Alma
Casperson	Hammon	Melton	Spade
Caswell	Hansen	Meltzer	Stahl
Caul	Hildenbrand	Miller	Stakoe
Clack	Hood	Moore	Steil
Clemente	Hoogendyk	Moss	Tobocman
Condino	Hopgood	Nitz	Vagnozzi
Constan	Horn	Nofs	Valentine
Corriveau	Hune	Opsommer	Walker
Coulouris	Johnson	Palmer	Ward
Cushingberry	Jones, Rick	Palsrok	Warren
Dean	Jones, Robert	Pastor	Wenke
DeRoche	Knollenberg	Pavlov	Wojno
Dillon	Lahti	Pearce	Young
Donigan			

Nays—0

In The Chair: Sak

The House agreed to the title of the joint resolution.

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Speaker laid before the House

House Resolution No. 442.

A resolution to memorialize the Congress of the United States to enact a comprehensive energy plan to move our country to independence from foreign oil.

(For text of resolution, see House Journal No. 78, p. 2317.)

(The resolution was reported by the Committee on Energy and Technology on September 24, consideration of which, under the rules, was postponed until today.)

The question being on the adoption of the resolution,

Rep. Tobocman demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the resolution,

The resolution was adopted, a majority of the members present voting therefor, by yeas and nays, as follows:

Roll Call No. 808**Yeas—96**

Accavitti	Dillon	LaJoy	Pearce
Acciavatti	Donigan	Law, David	Polidori
Agema	Ebli	Law, Kathleen	Proos
Angerer	Elsenheimer	LeBlanc	Robertson
Ball	Emmons	Leland	Rocca
Bauer	Espinoza	Lemmons	Sak

Bennett	Farrah	Lindberg	Schuitmaker
Bieda	Gaffney	Marleau	Scott
Booher	Gonzales	Mayes	Shaffer
Brown	Green	McDowell	Sheltrown
Byrnes	Griffin	Meadows	Simpson
Byrum	Hammel	Meekhof	Spade
Casperson	Hammon	Melton	Stahl
Caswell	Hansen	Meltzer	Stakoe
Caul	Hildenbrand	Miller	Steil
Clack	Hood	Moore	Tobocman
Clemente	Hoogendyk	Moss	Vagnozzi
Condino	Hopgood	Nitz	Valentine
Constan	Horn	Nofs	Walker
Corriveau	Hune	Opsommer	Ward
Coulouris	Johnson	Palmer	Warren
Cushingberry	Jones, Rick	Palsrok	Wenke
Dean	Knollenberg	Pastor	Wojno
DeRoche	Lahti	Pavlov	Young

Nays—5

Garfield	Jones, Robert	Sheen	Smith, Alma
Gillard			

In The Chair: Sak

Second Reading of Bills

Senate Bill No. 531, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 40111c.

The bill was read a second time.

Rep. Angerer moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Angerer moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 531, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 40111c.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 809

Yeas—101

Accavitti	Ebli	LaJoy	Polidori
Acciavatti	Elsenheimer	Law, David	Proos
Agema	Emmons	Law, Kathleen	Robertson

Angerer	Espinoza	LeBlanc	Rocca
Ball	Farrah	Leland	Sak
Bauer	Gaffney	Lemmons	Schuitmaker
Bennett	Garfield	Lindberg	Scott
Bieda	Gillard	Marleau	Shaffer
Booher	Gonzales	Mayes	Sheen
Brown	Green	McDowell	Sheltrown
Byrnes	Griffin	Meadows	Simpson
Byrum	Hammel	Meekhof	Smith, Alma
Casperson	Hammon	Meisner	Spade
Caswell	Hansen	Melton	Stahl
Caul	Hildenbrand	Meltzer	Stakoe
Clack	Hood	Miller	Steil
Clemente	Hoogendyk	Moore	Tobocman
Condino	Hopgood	Moss	Vagnozzi
Constan	Horn	Nitz	Valentine
Corriveau	Huizenga	Nofs	Walker
Coulouris	Johnson	Opsommer	Ward
Cushingberry	Jones, Rick	Palsrok	Warren
Dean	Jones, Robert	Pastor	Wenke
DeRoche	Knollenberg	Pavlov	Wojno
Dillon	Lahti	Pearce	Young
Donigan			

Nays—2

Hune

Palmer

In The Chair: Sak

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts.”

The House agreed to the full title.

Rep. Angerer moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Second Reading of Bills

Senate Bill No. 1003, entitled

A bill to amend 1976 PA 331, entitled “Michigan consumer protection act,” by amending section 3 (MCL 445.903), as amended by 2006 PA 508, and by adding section 3f.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Regulatory Reform,

The substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Angerer moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Angerer moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of
Third Reading of Bills

Senate Bill No. 1003, entitled

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending section 3 (MCL 445.903), as amended by 2006 PA 508, and by adding section 3f.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 810

Yeas—102

Accavitti	Elsenheimer	Law, David	Polidori
Acciavatti	Emmons	Law, Kathleen	Proos
Agema	Espinoza	LeBlanc	Robertson
Angerer	Farrah	Leland	Rocca
Ball	Gaffney	Lemmons	Sak
Bauer	Garfield	Lindberg	Schuitmaker
Bennett	Gillard	Marleau	Scott
Bieda	Gonzales	Mayes	Shaffer
Booher	Green	McDowell	Sheen
Brown	Griffin	Meadows	Sheltrown
Byrnes	Hammel	Meekhof	Simpson
Byrum	Hammon	Meisner	Smith, Alma
Casperson	Hansen	Melton	Spade
Caswell	Hildenbrand	Meltzer	Stahl
Caul	Hood	Miller	Stakoe
Clack	Hoogendyk	Moore	Steil
Clemente	Hopgood	Moss	Tobocman
Constan	Horn	Nitz	Vagnozzi
Corriveau	Huizenga	Nofs	Valentine
Coulouris	Hune	Opsommer	Walker
Cushingberry	Johnson	Palmer	Ward
Dean	Jones, Rick	Palsrok	Warren
DeRoche	Jones, Robert	Pastor	Wenke
Dillon	Knollenberg	Pavlov	Wojno
Donigan	Lahti	Pearce	Young
Ebli	LaJoy		

Nays—1

Condino

In The Chair: Sak

The question being on agreeing to the title of the bill,

Rep. Angerer moved to amend the title to read as follows:

A bill to amend 1976 PA 331, entitled "An act to prohibit certain methods, acts, and practices in trade or commerce; to prescribe certain powers and duties; to provide for certain remedies, damages, and penalties; to provide for the promulgation of rules; to provide for certain investigations; and to prescribe penalties," by amending section 3 (MCL 445.903), as amended by 2006 PA 508, and by adding section 3h.

The motion prevailed.

The House agreed to the title as amended.

Rep. Angerer moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Second Reading of Bills

House Bill No. 5331, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 43523, 43528, and 43531 (MCL 324.43523, 324.43528, and 324.43531), section 43523 as amended by 2006 PA 280 and sections 43528 and 43531 as amended by 1996 PA 585.

Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Tourism, Outdoor Recreation and Natural Resources,

The substitute (H-2) was adopted, a majority of the members serving voting therefor.

Rep. Walker moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Angerer moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

Rep. Meekhof moved that Rep. DeRoche be excused temporarily from today’s session.
The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5331, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 43523, 43528, and 43531 (MCL 324.43523, 324.43528, and 324.43531), section 43523 as amended by 2006 PA 280 and sections 43528 and 43531 as amended by 1996 PA 585.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 811

Yeas—102

Accavitti	Elsenheimer	Law, David	Polidori
Acciavatti	Emmons	Law, Kathleen	Proos
Agema	Espinoza	LeBlanc	Robertson
Angerer	Farrah	Leland	Rocca
Ball	Gaffney	Lemmons	Sak
Bauer	Garfield	Lindberg	Schuitmaker
Bennett	Gillard	Marleau	Scott
Bieda	Gonzales	Mayer	Shaffer
Booher	Green	McDowell	Sheen
Brown	Griffin	Meadows	Sheltrown
Byrnes	Hammel	Meekhof	Simpson
Byrum	Hammon	Meisner	Smith, Alma
Casperson	Hansen	Melton	Spade
Caswell	Hildenbrand	Meltzer	Stahl
Caul	Hood	Miller	Stakoe
Clack	Hoogendyk	Moore	Steil
Clemente	Hopgood	Moss	Tobocman
Condino	Horn	Nitz	Vagnozzi
Constan	Huizenga	Nofs	Valentine
Corriveau	Hune	Opsommer	Walker
Coulouris	Johnson	Palmer	Ward
Cushingberry	Jones, Rick	Palsrok	Warren
Dean	Jones, Robert	Pastor	Wenke

Dillon
Donigan
Ebli

Knollenberg
Lahti
LaJoy

Pavlov
Pearce

Wojno
Young

Nays—0

In The Chair: Sak

The House agreed to the title of the bill.
Rep. Angerer moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.

Second Reading of Bills

House Bill No. 6247, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1278b (MCL 380.1278b), as amended by 2007 PA 141.

Was read a second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Education,

The substitute (H-3) was adopted, a majority of the members serving voting therefor.

Rep. Palmer moved to amend the bill as follows:

1. Amend page 13, line 1, after “programs.” by striking out the balance of the subsection and inserting “**A SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY THAT INTENDS TO PROVIDE SOME OR ALL OF THE CURRICULAR REQUIREMENTS OF THIS SECTION AND SECTION 1278A THROUGH CAREER AND TECHNICAL EDUCATION, INDUSTRIAL TECHNOLOGY COURSES, OR VOCATIONAL EDUCATION SHALL SUBMIT TO ITS INTERMEDIATE SCHOOL DISTRICT A PLAN FOR PROVIDING THE CURRICULAR REQUIREMENTS OF THIS SECTION AND SECTION 1278A THROUGH CAREER AND TECHNICAL EDUCATION, INDUSTRIAL TECHNOLOGY COURSES, OR VOCATIONAL EDUCATION, OR A COMBINATION OF THESE. THE INTERMEDIATE SCHOOL DISTRICT SHALL COMPILE AND SUBMIT ALL OF THESE PLANS TO THE DEPARTMENT NOT LATER THAN FEBRUARY 1 OF EACH YEAR. THE DEPARTMENT SHALL REVIEW AND RESPOND TO EACH PLAN NOT LATER THAN THE NEXT JUNE 1. IF THE DEPARTMENT DOES NOT ACT TO DISAPPROVE A PLAN BY THAT JUNE 1, THE PLAN IS CONSIDERED APPROVED AND THE SCHOOL DISTRICT OR PUBLIC SCHOOL ACADEMY MAY PROCEED ACCORDING TO THE PLAN.**”

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Hopgood moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Angerer moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 6247, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1278b (MCL 380.1278b), as amended by 2007 PA 141.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 812

Yeas—88

Accavitti
Agema

Ebli
Elsenheimer

Lahti
LaJoy

Polidori
Proos

Angerer	Emmons	Law, David	Robertson
Ball	Espinoza	Law, Kathleen	Rocca
Bauer	Farrar	LeBlanc	Sak
Bennett	Gaffney	Leland	Schuitmaker
Bieda	Gillard	Lemmons	Scott
Booher	Gonzales	Lindberg	Shaffer
Brown	Griffin	Mayes	Sheen
Byrnes	Hammel	McDowell	Sheltrown
Byrum	Hammon	Meadows	Simpson
Casperson	Hansen	Meekhof	Smith, Alma
Clack	Hildenbrand	Meisner	Spade
Clemente	Hood	Melton	Steil
Condino	Hoogendyk	Miller	Tobocman
Constan	Hopgood	Moore	Vagnozzi
Corriveau	Horn	Moss	Valentine
Coulouris	Huizenga	Nitz	Walker
Cushingberry	Johnson	Opsommer	Warren
Dean	Jones, Rick	Palsrok	Wenke
Dillon	Jones, Robert	Pavlov	Wojno
Donigan	Knollenberg	Pearce	Young

Nays—15

Acciavatti	Garfield	Meltzer	Stahl
Caswell	Green	Nofs	Stakoe
Caul	Hune	Palmer	Ward
DeRoche	Marleau	Pastor	

In The Chair: Sak

The House agreed to the title of the bill.

Rep. Angerer moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Second Reading of Bills

House Bill No. 4175, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 309 (MCL 257.309), as amended by 2004 PA 362.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Military and Veterans Affairs and Homeland Security,

The substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Spade moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Angerer moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4175, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 309 (MCL 257.309), as amended by 2004 PA 362.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 813**Yeas—103**

Accavitti	Ebli	LaJoy	Polidori
Acciavatti	Elsenheimer	Law, David	Proos
Agema	Emmons	Law, Kathleen	Robertson
Angerer	Espinoza	LeBlanc	Rocca
Ball	Farrah	Leland	Sak
Bauer	Gaffney	Lemmons	Schuitmaker
Bennett	Garfield	Lindberg	Scott
Bieda	Gillard	Marleau	Shaffer
Booher	Gonzales	Mayes	Sheen
Brown	Green	McDowell	Sheltrown
Byrnes	Griffin	Meadows	Simpson
Byrum	Hammel	Meekhof	Smith, Alma
Casperson	Hammon	Meisner	Spade
Caswell	Hansen	Melton	Stahl
Caul	Hildenbrand	Meltzer	Stakoe
Clack	Hood	Miller	Steil
Clemente	Hoogendyk	Moore	Tobocman
Condino	Hopgood	Moss	Vagnozzi
Constan	Horn	Nitz	Valentine
Corriveau	Huizenga	Nofs	Walker
Coulouris	Hune	Opsommer	Ward
Cushingberry	Johnson	Palmer	Warren
Dean	Jones, Rick	Palsrok	Wenke
DeRoche	Jones, Robert	Pastor	Wojno
Dillon	Knollenberg	Pavlov	Young
Donigan	Lahti	Pearce	

Nays—0

In The Chair: Sak

The question being on agreeing to the title of the bill,

Rep. Angerer moved to amend the title to read as follows:

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 312e (MCL 257.312e), as amended by 2006 PA 298.

The motion prevailed.

The House agreed to the title as amended.

Rep. Angerer moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

By unanimous consent the House returned to the order of

Messages from the Senate**House Bill No. 6271, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 48701 and 48703 (MCL 324.48701 and 324.48703), section 48701 as amended by 2003 PA 270 and section 48703 as added by 1995 PA 57.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural

resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” “Natural resources and environmental protection act,” by amending sections 48701 and 48703 (MCL 324.48701 and 324.48703), section 48701 as amended by 2003 PA 270 and section 48703 as added by 1995 PA 57; and to repeal acts and parts of acts.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Angerer moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 814**Yeas—103**

Accavitti	Ebli	LaJoy	Polidori
Acciavatti	Elsenheimer	Law, David	Proos
Agema	Emmons	Law, Kathleen	Robertson
Angerer	Espinoza	LeBlanc	Rocca
Ball	Farrah	Leland	Sak
Bauer	Gaffney	Lemmons	Schuitmaker
Bennett	Garfield	Lindberg	Scott
Bieda	Gillard	Marleau	Shaffer
Booher	Gonzales	Mayes	Sheen
Brown	Green	McDowell	Sheltrown
Byrnes	Griffin	Meadows	Simpson
Byrum	Hammel	Meekhof	Smith, Alma
Casperson	Hammon	Meisner	Spade
Caswell	Hansen	Melton	Stahl
Caul	Hildenbrand	Meltzer	Stakoe
Clack	Hood	Miller	Steil
Clemente	Hoogendyk	Moore	Tobocman
Condino	Hopgood	Moss	Vagnozzi
Constan	Horn	Nitz	Valentine
Corriveau	Huizenga	Nofs	Walker
Coulouris	Hune	Opsommer	Ward
Cushingberry	Johnson	Palmer	Warren
Dean	Jones, Rick	Palsrok	Wenke
DeRoche	Jones, Robert	Pastor	Wojno
Dillon	Knollenberg	Pavlov	Young
Donigan	Lahti	Pearce	

Nays—0

In The Chair: Sak

The House agreed to the title as amended.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

Rep. Angerer moved that Rep. Hood be excused temporarily from today’s session.

The motion prevailed.

House Bill No. 5896, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 9f (MCL 211.9f), as amended by 2007 PA 116.

The Senate has substituted (S-2) the bill.

The Senate has passed the bill as substituted (S-2), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1893 PA 206, entitled “An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts,” by amending section 9f (MCL 211.9f), as amended by 2008 PA 230.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Angerer moved that Rule 42 be suspended.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on concurring in the (S-2) made to the bill by the Senate,

The substitute (S-2) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 815**Yeas—101**

Accavitti	Ebli	Law, David	Polidori
Acciavatti	Elsenheimer	Law, Kathleen	Proos
Agema	Emmons	LeBlanc	Robertson
Angerer	Espinoza	Leland	Rocca
Ball	Farrah	Lemmons	Sak
Bauer	Gaffney	Lindberg	Schuitmaker
Bennett	Garfield	Marleau	Scott
Bieda	Gillard	Mayes	Shaffer
Booher	Gonzales	McDowell	Sheen
Brown	Green	Meadows	Sheltrown
Byrnes	Griffin	Meekhof	Simpson
Byrum	Hammel	Meisner	Smith, Alma
Casperson	Hammon	Melton	Spade
Caswell	Hansen	Meltzer	Stahl
Caul	Hildenbrand	Miller	Stakoe
Clack	Hoogendyk	Moore	Steil
Clemente	Hopgood	Moss	Tobocman
Condino	Horn	Nitz	Vagnozzi
Constan	Huizenga	Nofs	Valentine
Corriveau	Hune	Opsommer	Walker
Coulouris	Johnson	Palmer	Ward
Cushingberry	Jones, Rick	Palsrok	Warren
Dean	Jones, Robert	Pastor	Wenke
DeRoche	Knollenberg	Pavlov	Wojno
Dillon	Lahti	Pearce	Young
Donigan			

Nays—0

In The Chair: Sak

The House agreed to the title as amended.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Angerer moved to reconsider the vote by which the House passed **House Joint Resolution No. III**.
The motion prevailed, a majority of the members serving voting therefor.

Rep. Meekhof moved that Rep. Casperson be excused temporarily from today's session.
The motion prevailed.

Third Reading of Bills

House Joint Resolution III, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 3 of article IX, to limit the increase in taxable value of real property under certain circumstances.

(The joint resolution was adopted earlier today, see today's Journal, p. 2428.)

The question being on the adoption of the joint resolution,

The joint resolution was then adopted, 2/3 of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 816

Yeas—101

Accavitti	Elsenheimer	Law, David	Polidori
Acciavatti	Emmons	Law, Kathleen	Proos
Agema	Espinoza	LeBlanc	Robertson
Angerer	Farrah	Leland	Rocca
Ball	Gaffney	Lemmons	Sak
Bauer	Garfield	Lindberg	Schuitmaker
Bennett	Gillard	Marleau	Scott
Bieda	Gonzales	Mayer	Shaffer
Booher	Green	McDowell	Sheen
Brown	Griffin	Meadows	Sheltrown
Byrnes	Hammel	Meekhof	Simpson
Byrum	Hammon	Meisner	Smith, Alma
Caswell	Hansen	Melton	Spade
Caul	Hildenbrand	Meltzer	Stahl
Clack	Hood	Miller	Stakoe
Clemente	Hoogendyk	Moore	Steil
Condino	Hopgood	Moss	Tobocman
Constan	Horn	Nitz	Vagnozzi
Corriveau	Huizenga	Nofs	Valentine
Coulouris	Hune	Opsommer	Walker
Cushingberry	Johnson	Palmer	Ward
Dean	Jones, Rick	Palsrok	Warren
DeRoche	Jones, Robert	Pastor	Wenke
Dillon	Knollenberg	Pavlov	Wojno
Donigan	Lahti	Pearce	Young
Ebli			

Nays—0

In The Chair: Sak

The House agreed to the title of the joint resolution.

By unanimous consent the House returned to the order of
Reports of Select Committees

Senate Bill No. 511, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2007; and to provide for the expenditure of the appropriations.

The Senate has adopted the report of the Committee of Conference.

The Conference Report was read as follows:

First Conference Report

The Committee of Conference on the matters of difference between the two Houses concerning

Senate Bill No. 511, entitled

A bill to make, supplement, adjust, and consolidate appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal year ending September 30, 2008; to provide for certain conditions on appropriations; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

Recommends:

First: That the Senate recede from its amendments numbered 1 to 10, which read as follows:

1. Amend page 2, line 4, by striking out all of line 4 through line 21 on page 25 and inserting:

“CAPITAL OUTLAY

APPROPRIATION SUMMARY

GROSS APPROPRIATION	\$ 280,090,000
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers	2,000,000
ADJUSTED GROSS APPROPRIATION	\$ 278,090,000
Federal revenues:	
Total federal revenues.....	193,392,000
Special revenue funds:	
Total local revenues.....	15,209,400
Total private revenues.....	723,900
Total other state restricted revenues	68,764,600
State general fund/general purpose	\$ 100

Sec. 102. DEPARTMENT OF AGRICULTURE

Farmland and open space development acquisition	\$ 3,750,000
GROSS APPROPRIATION	\$ 3,750,000

Appropriated from:

Federal revenues:

DAG, multiple grants	1,250,000
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Special revenue funds:

Agriculture preservation fund.....	2,500,000
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State general fund/general purpose	\$ 0
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Sec. 103. DEPARTMENT OF MANAGEMENT AND BUDGET

Lump-sum projects:

Special maintenance, remodeling and additions:

For state agencies special maintenance projects estimated to cost more than \$100,000 but

less than \$1,000,000	\$ 2,000,000
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GROSS APPROPRIATION	\$ 2,000,000
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Appropriated from:

Interdepartmental grant revenues:

IDG from building occupancy charges.....	2,000,000
--	-----------

State general fund/general purpose	\$ 0
--	------

Sec. 104. DEPARTMENT OF MILITARY AFFAIRS

Lump-sum projects:

For department of military affairs remodeling and additions and special maintenance projects.....	\$ 15,000,000
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Camp Grayling, infantry platoon battle course/live fire range, for design and construction	
--	--

(total authorized cost \$3,500,000; federal share \$3,500,000)	3,500,000
--	-----------

Camp Grayling, multiple company headquarters buildings, phases I and II, for design and construction (total authorized cost is increased from \$37,000,000 to \$45,000,000; federal share is increased from \$37,000,000 to \$45,000,000).....	8,000,000
GROSS APPROPRIATION	\$ 26,500,000
Appropriated from:	
Federal revenues:	
DOD, department of the army, national guard bureau	26,500,000
State general fund/general purpose	\$ 0
Sec. 105. DEPARTMENT OF NATURAL RESOURCES	
(1) STATE PARK AND FOREST AREA IMPROVEMENTS	
State parks repair and maintenance	\$ 2,000,000
Forest roads, bridges, and facilities	500,000
GROSS APPROPRIATION	\$ 2,500,000
Appropriated from:	
Special revenue funds:	
Forest development fund	400,000
Forest recreation fund.....	100,000
State park improvement fund	2,000,000
State general fund/general purpose	\$ 0
(2) WATERWAYS BOATING PROGRAM	
Infrastructure improvements - state projects	2,287,000
Infrastructure improvements - local projects.....	2,115,000
Land acquisition	500,000
Boating program, state boating access projects:	
Boating program, local boating access projects:	
Otsego Lake, Otsego County, dock and launch replacement (total authorized cost \$193,100; state share \$144,000; local share \$49,100).....	144,000
Walloon Lake, Charlevoix County, new site construction (total authorized cost \$510,000; state share \$510,000).....	510,000
Boating program, harbors and docks, state facilities:	
Mackinaw City, Cheboygan County, new marina, state dock, phase IV (total authorized cost is increased from \$10,775,000 to \$11,775,000; state share is increased from \$10,775,000 to \$11,775,000).....	1,000,000
Cheboygan, Cheboygan County, lock and dam repairs and improvements (total authorized cost is increased from \$2,610,200 to \$4,289,600; federal share is increased from \$1,957,600 to \$3,262,000; and state share is increased from \$652,600 to \$1,027,600).....	1,679,400
Bay Port dredging project (total project cost \$1,000,000; state share \$1,000,000).....	1,000,000
Mackinac Island - mooring expansion (total cost \$5,660,800; federal share \$1,893,500; state share \$3,767,300)	1,976,000
Boating program, harbors and docks, local facilities:	
Grand Haven, Ottawa County, dock replacement and marina improvements, phase II (total authorized cost is increased from \$1,000,000 to \$2,010,000; state share is increased from \$500,000 to \$1,005,000; and local share is increased from \$500,000 to \$1,005,000).....	505,000
Petoskey, Emmet County, marina dock and harbormaster building expansion (total authorized cost \$1,725,800; state share \$861,000; local share \$864,800).....	861,000
GROSS APPROPRIATION	\$ 12,577,400
Appropriated from:	
Federal revenues:	
DHS, U.S. coast guard	1,470,000
DOI, federal.....	1,304,400
Special revenue funds:	
Michigan state waterways fund.....	9,803,000
State general fund/general purpose	\$ 0
(3) MICHIGAN NATURAL RESOURCES TRUST FUND	
Natural resources trust fund projects.....	\$ 35,266,200
Gerrish township community park, phase II, Roscommon County (grant-in-aid to Gerrish Township (#07-002)	
North Maumee Bay coastal wetland acquisition, Monroe County (#07-133)	
Chippewa landing acquisition, Wexford County (#07-121)	

Betsie River consolidation, Benzie and Grand Traverse counties (#07-120)
Glacial hills pathway and natural area, Antrim County (grant-in-aid to Antrim County) (#07-163)
Jaxon Creek corridor acquisition, Grand Traverse County (#07-168)
Mitchell Creek nature area acquisition, Mecosta County (grant-in-aid to city of Big Rapids) (#07-046)
Southwest Lower Peninsula eco-region land consolidation, various counties (#07-135)
Cedar Run Creek natural area addition, Grand Traverse County (grant-in-aid to Long Lake Township) (#07-162)
Northern Lower Peninsula eco-region consolidation, various counties (#07-119)
Addison Oaks property acquisition, Oakland County (grant-in-aid to Oakland County) (#07-031)
Upper Peninsula eco-region land consolidation, various counties (#07-123)
State trailways initiative - corridor and acquisition, various counties statewide (#07-122)
Wisconsin electric energies land acquisition, Baraga and Iron counties (#07-167)
Man-made lake acquisition, Manistee County (grant-in-aid to city of Manistee) (#07-040)
Southeast Michigan eco-region land consolidation, various counties (#07-117)
DeYoung natural area acquisition, Leelanau County (grant-in-aid to Elmwood Township) (#07-039)
Indian springs metropark land acquisition, Oakland County (grant-in-aid to Huron-Clinton Metropolitan Authority) (#07-028)
Olive shores acquisition, Ottawa County (grant-in-aid to Ottawa County) (#07-090)
Camp Woodsong fee simple acquisition, St. Clair County (grant-in-aid to St. Clair County) (#07-171)
Novi core habitat reserve property acquisition, Oakland County (grant-in-aid to city of Novi) (#07-017)
Sterling state park acquisition, Monroe County (#07-131)
Au Train basin waterfowl refuge project, phase I, Alger County (#07-134)
Hunters point park acquisition, phase I, Keweenaw County (grant-in-aid to Grant Township) (#07-099)
DeTour Village waterfront property acquisition, Chippewa County (grant-in-aid to village of DeTour) (#07-164)
Ashmun Bay park trail parcel acquisition, Chippewa County (grant-in-aid to city of Sault Ste. Marie) (#07-105)
General Squier memorial park addition, Lapeer County (grant-in-aid to Lapeer County) (#07-038)
Allendale community park addition, Ottawa County (grant-in-aid to Allendale Township) (#07-041)
Weesaw Township park acquisition, Berrien County (grant-in-aid to Weesaw Township) (#07-082)
Ashmun Bay park entrance parcel acquisition, Chippewa County (grant-in-aid to city of Sault Ste. Marie) (#07-174)
Lake Michigan nature preserve acquisition, phase I, Allegan County (grant-in-aid to Casco Township) (#07-170)
Riverwalk development - river street park, Mecosta County (grant-in-aid to city of Big Rapids) (#07-097)
Grass River center, Antrim County (grant-in-aid to Antrim County) (#07-113)
Shingle Lake park improvement, Clare County (grant-in-aid to Lincoln Township) (#07-035)
Addison Oaks trail connector, Oakland County (grant-in-aid to Oakland County) (#07-030)
White Lake pathway south end completion, Muskegon County (grant-in-aid to city of Whitehall) (#07-037)
Tate park pathway and fishing docks, Lenawee County (grant-in-aid to village of Clinton) (#07-018)
Marsh view park development, Oakland County (grant-in-aid to Oakland Township) (#07-057)
Motz county park development, Clinton County (grant-in-aid to Clinton County) (#07-011)
Ecorse Creek greenway and park development, Wayne County (grant-in-aid to city of Ecorse) (#07-106)

Grandville and Kent trails pathway connection, Kent County (grant-in-aid to city of Grandville) (#07-100)		
Greilickville harbor park improvements, Leelanau) County (grant-in-aid to Elmwood Township) (#07-095)		
White park improvements, Ingham County (grant-in-aid to city of East Lansing) (#07-087)		
Smith-Ryerson park improvements, Muskegon County (grant-in-aid to city of Muskegon) (#07-060)		
Lakeview park improvement project, Roscommon County (grant-in-aid to Roscommon Township) (#07-049)		
Whiting park universal access improvements, Charlevoix County (grant-in-aid to Charlevoix County) (#07-112)		
Mt. Baldhead park stairway renovation, Allegan County (grant-in-aid to city of Saugatuck) (#07-036)		
Krampe park accessible fishing pier, Montcalm County (grant-in-aid to Montcalm County) (#07-015)		
Ralph A. MacMullan center improvements, Crawford County (#07-118)		
Lake Idlewild park development, Lake County (#07-130)		
Starlite beach promenade facilities project, Alpena County (grant-in-aid to city of Alpena) (#07-023)		
Pere Marquette rail trail extension, Clare County (grant-in-aid to city of Clare) (#07-096)		
Fox Lake park improvements, Muskegon County (grant-in-aid to village of Lakewood Club) (#07-073)		
Rieger park swimming and beach project, Calhoun County (grant-in-aid to city of Albion) (#07-004)		
Russell Miller “wild 100” nature center development, Jackson County (grant-in-aid to Leslie schools) (#07-085)		
Butzel playfield renovation, Wayne County (grant-in-aid to city of Detroit) (#07-055)		
Veterans memorial park improvements, Osceola County (grant-in-aid to village of Marion) (#07-102)		
Proud Lake electrical system upgrades, Oakland County (#07-129)		
Andersen park development, Saginaw County (grant-in-aid to city of Saginaw) (#07-072)		
Skidway Lake boardwalk development, Ogemaw County (grant-in-aid to Mills Township) (#07-051)		
Robbins park improvement project, Berrien County (grant-in-aid to Benton Township) (#07-007)		
Lower Rouge River trail bridges, Wayne County (grant-in-aid to Canton Township) (#07-064)		
Building demolition initiative, various counties (#07-116)		
Clinton River hike bike trail development, Macomb County (grant-in-aid to city of Utica) (#07-054)		
Marshbank park improvement project, Oakland County (grant-in-aid to West Bloomfield Township) (#07-013)		
GROSS APPROPRIATION	\$	35,266,200
Appropriated from:		
Special revenue funds:		
Private foundation revenues.....		723,900
Michigan natural resources trust fund.....		34,542,300
State general fund/general purpose	\$	0
Sec. 106. DEPARTMENT OF TRANSPORTATION		
(1) BUILDINGS AND FACILITIES		
Salt storage buildings and containment control systems - contract agencies.....	\$	2,000,000
Salt storage buildings and containment control systems - various state locations.....		600,000
Pontiac, Oakland County, transportation center, rail and bus terminal, for design and construction (total authorized cost \$1,750,000; state share \$1,750,000)		1,750,000
L’Anse, Baraga County, maintenance garage renovation (total authorized cost \$755,000; state trunkline fund share \$755,000).....		755,000
Lansing, Eaton County, central maintenance garage consolidation (total authorized cost \$7,450,000; state trunkline fund share \$7,450,000)		7,450,000
Institutional and agency roads.....		750,000

Miscellaneous remodeling, additions, emergency maintenance	1,000,000
GROSS APPROPRIATION	\$ 14,305,000
Appropriated from:	
Special revenue funds:	
Comprehensive transportation fund bond proceeds.....	1,750,000
State aeronautics fund	180,000
State trunkline fund	12,375,000
State general fund/general purpose	\$ 0
(2) AIRPORT IMPROVEMENT PROGRAMS	
Airport safety, protection, and improvement program	\$ 183,191,300
GROSS APPROPRIATION	\$ 183,191,300
Appropriated from:	
Federal revenues:	
DOT, federal aviation administration	162,867,600
Special revenue funds:	
Local aeronautics match.....	15,209,400
State aeronautics fund	5,114,300
State general fund/general purpose	\$ 0

Sec. 108. STATE BUILDING AUTHORITY FINANCED CONSTRUCTION

AUTHORIZATIONS

Department of history, arts and libraries - warehouse facility acquisition (total authorized cost \$9,690,000; state building authority share \$9,689,900; state general fund share \$100)	100
GROSS APPROPRIATION	\$ 100
Appropriated from:	
State general fund/general purpose	\$ 100".

2. Amend page 26, line 2, after "is" by striking out "\$68,769,100.00" and inserting "\$68,764,700.00".
3. Amend page 31, line 8, by striking out all of sections 406, 407, and 408.
4. Amend page 39, line 4, by striking out all of section 604.
5. Amend page 39, line 11, by striking out all of line 11.
6. Amend page 39, line 12, by striking out all of sections 651 and 652.
7. Amend page 43, line 1, by striking out all of line 1.
8. Amend page 43, line 2, by striking out all of sections 671 and 672.
9. Amend page 48, line 2, by striking out all of section 903.
10. Amend page 48, line 24, by striking out all of section 1002.

Second: That the Senate and House agree to the House Substitute for the Senate Substitute for the House Substitute for Senate Bill No. 511 as passed by the House, amended to read as follows:

A bill to make, supplement, and adjust appropriations for various state departments and agencies, capital outlay, the legislative branch, and the judicial branch for the fiscal year ending September 30, 2008; and to provide for the expenditure of the appropriations.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

PART 1

LINE-ITEM APPROPRIATIONS FOR

FISCAL YEAR 2007-2008

Sec. 101. Subject to the conditions set forth in this act, the amounts listed in this part are appropriated for certain capital outlay projects at the various state agencies and institutions for the fiscal year ending September 30, 2008, from the funds indicated in this part. The following is a summary of the appropriations in this part:

CAPITAL OUTLAY

APPROPRIATION SUMMARY

GROSS APPROPRIATION	\$ 97,880,400
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers	2,000,000
ADJUSTED GROSS APPROPRIATION	\$ 95,880,400
Federal revenues:	
Total federal revenues.....	31,504,100
Special revenue funds:	
Total local revenues.....	0
Total private revenues.....	723,900
Total other state restricted revenues.....	63,650,300
State general fund/general purpose	\$ 2,100

	For Fiscal Year Ending Sept. 30, 2008
Sec. 102. DEPARTMENT OF AGRICULTURE	
Farmland and open space development acquisition	\$ 3,750,000
GROSS APPROPRIATION	\$ 3,750,000
Appropriated from:	
Federal revenues:	
DAG, multiple grants	1,250,000
Special revenue funds:	
Agriculture preservation fund.....	2,500,000
State general fund/general purpose	\$ 0
Sec. 103. DEPARTMENT OF MANAGEMENT AND BUDGET	
Lump-sum projects:	
Special maintenance, remodeling and additions:	
For state agencies special maintenance projects estimated to cost more than \$100,000 but less than \$1,000,000	\$ 2,000,000
GROSS APPROPRIATION	\$ 2,000,000
Appropriated from:	
Interdepartmental grant revenues:	
IDG from building occupancy charges.....	2,000,000
State general fund/general purpose	\$ 0
Sec. 104. DEPARTMENT OF MILITARY AFFAIRS	
Lump-sum projects:	
For department of military affairs remodeling and additions and special maintenance projects	\$ 15,000,000
Camp Grayling, infantry platoon battle course/live fire range, for design and construction (total authorized cost \$3,500,000; federal share \$3,500,000)	3,500,000
Camp Grayling, multiple company headquarters buildings, phases I and II, for design and construction (total authorized cost is increased from \$37,000,000 to \$45,000,000; federal share is increased from \$37,000,000 to \$45,000,000)	8,000,000
GROSS APPROPRIATION	\$ 26,500,000
Appropriated from:	
Federal revenues:	
DOD, department of the army, national guard bureau	26,500,000
State general fund/general purpose	\$ 0
Sec. 105. DEPARTMENT OF NATURAL RESOURCES	
(1) STATE PARK AND FOREST AREA IMPROVEMENTS	
State parks repair and maintenance	\$ 2,000,000
Forest roads, bridges, and facilities	500,000
GROSS APPROPRIATION	\$ 2,500,000
Appropriated from:	
Special revenue funds:	
Forest development fund	400,000
Forest recreation fund.....	100,000
State park improvement fund	2,000,000
State general fund/general purpose	\$ 0
(2) WATERWAYS BOATING PROGRAM	
Infrastructure improvements - state projects	\$ 2,287,000
Infrastructure improvements - local projects.....	2,115,000
Land acquisition	500,000
Boating program, local boating access projects:	
Otsego Lake, Otsego County, dock and launch replacement (total authorized cost \$193,100; state share \$144,000; local share \$49,100).....	144,000
Walloon Lake, Charlevoix County, new site construction (total authorized cost \$510,000; state share \$510,000).....	510,000
Boating program, harbors and docks, state facilities:	
Mackinaw City, Cheboygan County, new marina, state dock, phase IV (total cost authorized cost is increased from \$10,775,000 to \$11,775,000; state share is increased from \$10,775,000 to \$11,775,000).....	1,000,000

	For Fiscal Year Ending Sept. 30, 2008
Cheboygan, Cheboygan County, lock and dam repairs and improvements (total authorized cost is increased from \$2,610,200 to \$4,289,600; federal share is increased from \$1,957,600 to \$3,262,000; and state share is increased from \$652,600 to \$1,027,600)	1,679,400
Bay Port dredging project (total project cost \$1,000,000; state share \$1,000,000)	1,000,000
Mackinac Island - mooring expansion (total cost \$5,660,800; federal share \$1,893,500; state share \$3,767,300)	1,976,000
Boating program, harbors and docks, local facilities:	
Peshawbestown, Leelanau County, marina (total project cost \$1,603,300; federal share \$979,700; local share \$623,600).....	979,700
Grand Haven, Ottawa County, dock replacement and marina improvements, phase II (total authorized cost is increased from \$1,000,000 to \$2,010,000; state share is increased from \$500,000 to \$1,005,000; and local share is increased from \$500,000 to \$1,005,000).....	505,000
Petoskey, Emmet County, marina dock and harbormaster building expansion (total authorized cost \$1,725,800; state share \$861,000; local share \$864,800)	861,000
GROSS APPROPRIATION	\$ 13,557,100
Appropriated from:	
Federal revenues:	
DHS, U.S. coast guard	1,470,000
DOI, federal.....	2,284,100
Special revenue funds:	
Michigan state waterways fund.....	9,803,000
State general fund/general purpose	\$ 0
(3) MICHIGAN NATURAL RESOURCES TRUST FUND	
Natural resources trust fund projects.....	\$ 35,266,200
Gerrish Township community park, phase II, Roscommon County (grant-in-aid to Gerrish Township (#07-002)	
North Maumee Bay coastal wetland acquisition, Monroe County (#07-133)	
Chippewa landing acquisition, Wexford County (#07-121)	
Betsie River consolidation, Benzie and Grand Traverse counties (#07-120)	
Glacial hills pathway and natural area, Antrim County (grant-in-aid to Antrim County) (#07-163)	
Jaxon Creek corridor acquisition, Grand Traverse County (#07-168)	
Mitchell Creek nature area acquisition, Mecosta County (grant-in-aid to city of Big Rapids) (#07-046)	
Southwest Lower Peninsula eco-region land consolidation, various counties (#07-135)	
Cedar Run Creek natural area addition, Grand Traverse County (grant-in-aid to Long Lake Township) (#07-162)	
Northern Lower Peninsula eco-region consolidation, various counties (#07-119)	
Addison Oaks property acquisition, Oakland County (grant-in-aid to Oakland County) (#07-031)	
Upper Peninsula eco-region land consolidation, various counties (#07-123)	
State trailways initiative - corridor and acquisition, various counties statewide (#07-122)	
Wisconsin electric energies land acquisition, Baraga and Iron counties (#07-167)	
Man-made Lake acquisition, Manistee County (grant-in-aid to city of Manistee) (#07-040)	
Southeast Michigan eco-region land consolidation, various counties (#07-117)	
DeYoung natural area acquisition, Leelanau County (grant-in-aid to Elmwood Township) (#07-039)	
Indian springs metropark land acquisition, Oakland County (grant-in-aid to Huron-Clinton metropolitan authority) (#07-028)	
Olive shores acquisition, Ottawa County (grant-in-aid to Ottawa County) (#07-090)	
Camp Woodsong fee simple acquisition, St. Clair County (grant-in-aid to St. Clair County) (#07-171)	
Novi core habitat reserve property acquisition, Oakland County (grant-in-aid to city of Novi) (#07-017)	
Sterling state park acquisition, Monroe County (#07-131)	
Au Train basin waterfowl refuge project, phase I, Alger County (#07-134)	

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Hunters point park acquisition, phase I, Keweenaw County (grant-in-aid to Grant Township) (#07-099)
DeTour Village waterfront property acquisition, Chippewa County (grant-in-aid to village of DeTour) (#07-164)
Ashmun Bay park trail parcel acquisition, Chippewa County (grant-in-aid to city of Sault Ste. Marie) (#07-105)
General Squier memorial park addition, Lapeer County (grant-in-aid to Lapeer County) (#07-038)
Allendale community park addition, Ottawa County (grant-in-aid to Allendale Township) (#07-041)
Weesaw Township park acquisition, Berrien County (grant-in-aid to Weesaw Township) (#07-082)
Ashmun Bay park entrance parcel acquisition, Chippewa County (grant-in-aid to city of Sault Ste. Marie) (#07-174)
Lake Michigan nature preserve acquisition, phase I, Allegan County (grant-in-aid to Casco Township) (#07-170)
Riverwalk development - river street park, Mecosta County (grant-in-aid to city of Big Rapids) (#07-097)
Grass River center, Antrim County (grant-in-aid to Antrim County) (#07-113)
Shingle Lake park improvement, Clare County (grant-in-aid to Lincoln Township) (#07-035)
Addison Oaks trail connector, Oakland County (grant-in-aid to Oakland County) (#07-030)
White Lake pathway south end completion, Muskegon County (grant-in-aid to city of Whitehall) (#07-037)
Tate park pathway and fishing docks, Lenawee County (grant-in-aid to village of Clinton) (#07-018)
Marsh view park development, Oakland County (grant-in-aid to Oakland Township) (#07-057)
Motz county park development, Clinton County (grant-in-aid to Clinton County) (#07-011)
Ecorse Creek greenway and park development, Wayne County (grant-in-aid to city of Ecorse) (#07-106)
Grandville and Kent trails pathway connection, Kent County (grant-in-aid to city of Grandville) (#07-100)
Greilickville harbor park improvements, Leelanau County (grant-in-aid to Elmwood Township) (#07-095)
White park improvements, Ingham County (grant-in-aid to city of East Lansing) (#07-087)
Smith-Ryerson park improvements, Muskegon County (grant-in-aid to city of Muskegon) (#07-060)
Lakeview park improvement project, Roscommon County (grant-in-aid to Roscommon Township) (#07-049)
Whiting park universal access improvements, Charlevoix County (grant-in-aid to Charlevoix County) (#07-112)
Mt. Baldhead park stairway renovation, Allegan County (grant-in-aid to city of Saugatuck) (#07-036)
Krampe park accessible fishing pier, Montcalm County (grant-in-aid to Montcalm County) (#07-015)
Ralph A. MacMullan center improvements, Crawford County (#07-118)
Lake Idlewild park development, Lake County (#07-130)
Starlite beach promenade facilities project, Alpena County (grant-in-aid to city of Alpena) (#07-023)
Pere Marquette rail trail extension, Clare County (grant-in-aid to city of Clare) (#07-096)
Fox Lake park improvements, Muskegon County (grant-in-aid to village of Lakewood Club) (#07-073)
Rieger park swimming and beach project, Calhoun County (grant-in-aid to city of Albion) (#07-004)
Russell Miller "wild 100" nature center development, Jackson County (grant-in-aid to Leslie schools) (#07-085)

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Butzel playfield renovation, Wayne County (grant-in-aid to city of Detroit) (#07-055)		
Veterans memorial park improvements, Osceola County (grant-in-aid to village of Marion) (#07-102)		
Proud Lake electrical system upgrades, Oakland County (#07-129)		
Andersen park development, Saginaw County (grant-in-aid to city of Saginaw) (#07-072)		
Skidway Lake boardwalk development, Ogemaw County (grant-in-aid to Mills Township) (#07-051)		
Robbins park improvement project, Berrien County (grant-in-aid to Benton Township) (#07-007)		
Lower Rouge River trail bridges, Wayne County (grant-in-aid to Canton Township) (#07-064)		
Building demolition initiative, various counties (#07-116)		
Clinton River hike bike trail development, Macomb County (grant-in-aid to city of Utica) (#07-054)		
Marshbank park improvement project, Oakland County (grant-in-aid to West Bloomfield Township) (#07-013)		
GROSS APPROPRIATION	\$	35,266,200
Appropriated from:		
Special revenue funds:		
Private foundation revenues.....		723,900
Michigan natural resources trust fund.....		34,542,300
State general fund/general purpose	\$	0
Sec. 106. DEPARTMENT OF TRANSPORTATION		
BUILDINGS AND FACILITIES		
Salt storage buildings and containment control systems - contract agencies.....	\$	2,000,000
Salt storage buildings and containment control systems - various state locations.....		600,000
Pontiac, Oakland County, transportation center, rail and bus terminal, for design and construction (total authorized cost \$1,750,000; state share \$1,750,000)		1,750,000
L'Anse, Baraga County, maintenance garage renovation (total authorized cost \$755,000; state trunkline fund share \$755,000)		755,000
Lansing, Eaton County, central maintenance garage consolidation (total authorized cost \$7,450,000; state trunkline fund share \$7,450,000)		7,450,000
Institutional and agency roads.....		750,000
Miscellaneous remodeling, additions, emergency maintenance		1,000,000
GROSS APPROPRIATION	\$	14,305,000
Appropriated from:		
Special revenue funds:		
Comprehensive transportation fund bond proceeds.....		1,750,000
State aeronautics fund		180,000
State trunkline fund		12,375,000
State general fund/general purpose	\$	0
Sec. 107. STATE AGENCY, COMMUNITY COLLEGE, AND UNIVERSITY		
PLANNING AUTHORIZATIONS		
Eastern Michigan University - Pray-Harrold expansion and renovations - for program and planning to be paid for from university resources (estimated total authorized cost \$57,000,000; state share \$31,500,000; university share \$25,500,000).....	\$	100
Ferris State University - center for collaborative health education - for program and planning to be paid for from university resources (estimated total authorized cost \$26,900,000; state share \$20,175,000; university share \$6,725,000).....		100
Michigan Technological University – Great Lakes research center for program and planning to be paid for from university resources (estimated total authorized cost \$25,000,000; state share \$18,750,000; university share \$6,250,000).....		100
Oakland University - human health building - for program and planning to be paid for from university resources (estimated total authorized cost \$61,748,100; state share \$40,000,000; university share \$21,748,100).....		100

For Fiscal Year
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2008

Saginaw Valley State University - health sciences facility - for program and planning to be paid for from university resources (estimated total authorized cost \$28,000,000; state share \$21,000,000; university share \$7,000,000)	100
Western Michigan University - Sangren hall renovations phase I - for program and planning to be paid for from university resources (estimated total authorized cost \$56,000,000; state share \$11,700,000; university share \$44,300,000).....	100
Henry Ford Community College - science building improvements - for program and planning to be paid for from community college resources (estimated total authorized cost \$15,000,000; state share \$7,500,000; community college share \$7,500,000)	100
Jackson Community College - Whiting hall renovations - for program and planning to be paid for from community college resources (estimated total authorized cost \$21,900,000; state share \$10,950,000; community college share \$10,950,000).....	100
Kalamazoo Valley Community College - texas township campus expansion - for program and planning to be paid for from community college resources (estimated total authorized cost \$12,000,000; state share \$6,000,000; community college share \$6,000,000).....	100
Monroe County Community College - technology center construction - for program and planning to be paid for from community college resources (estimated total authorized cost \$17,000,000; state share \$8,500,000; community college share \$8,500,000).....	100
Montcalm Community College - M-TEC expansion for job training- for program and planning to be paid for from college revenues community college resources (estimated total authorized cost \$6,000,000; state share \$3,000,000; community college share \$3,000,000).....	100
Mott Community College - library consolidation and renovations - for program and planning to be paid for from college revenues (estimated total authorized cost \$8,156,000; state share \$4,078,000; community college share \$4,078,000)	100
Muskegon Community College - student services one-stop center - for program and planning to be paid for from community college resources (estimated total authorized cost \$5,000,000; state share \$2,500,000; community college share \$2,500,000).....	100
Southwestern Michigan College - technology building renovation and expansion - for program and planning to be paid for from community college resources (estimated total authorized cost \$3,200,000; state share \$1,600,000; community college share \$1,600,000).....	100
Washtenaw Community College - skilled trades training complex - for program and planning to be paid for from community college resources (estimated total authorized cost \$16,000,000; state share \$8,000,000; community college share \$8,000,000).....	100
West Shore Community College - arts and sciences center/remodeling and additions - for program and planning to be paid for from community college resources (estimated total authorized cost \$6,900,000; state share \$3,450,000; community college share \$3,450,000)	100
GROSS APPROPRIATION	\$ 1,600
Appropriated from:	
State general fund/general purpose	\$ 1,600

Sec. 108. STATE BUILDING AUTHORITY FINANCED CONSTRUCTION

AUTHORIZATIONS

Kirtland Community College - campus water well system upgrades (total authorized cost \$1,005,000; state building authority share \$502,400; Kirtland Community College share \$502,500; state general fund share \$100).....	\$ 100
Wayne County Community College - northwest campus replacement construction (total authorized cost \$42,000,000; state building authority share \$20,999,900; Wayne County community college share \$21,000,000; state general fund share \$100).....	100
Department of history, arts and libraries - warehouse facility acquisition (total authorized cost \$9,890,000; state building authority share \$9,889,900; state general fund share \$100).....	100
Department of management and budget - state facility preservation projects - phase III (total authorized costs \$42,221,000; state building authority share \$42,220,900; state general fund share \$100).....	100

	For Fiscal Year Ending Sept. 30, 2008
Department of state police - Bay City state police post (total authorized cost \$2,889,000; state building authority share \$2,888,900; state general fund share \$100).....	100
GROSS APPROPRIATION	\$ 500
Appropriated from:	
State general fund/general purpose	\$ 500

PART 2
PROVISIONS CONCERNING APPROPRIATIONS

GENERAL SECTIONS

Sec. 201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2007-2008 is \$63,652,400.00 and state spending from state resources to be paid to local units of government for fiscal year 2007-2008 is \$26,120,400.00. The itemized statement below identifies appropriations from which spending to units of local government will occur:

CAPITAL OUTLAY

Department of natural resources – waterways boating program	\$ 4,135,000
Department of natural resources – Michigan natural resources trust fund – acquisition projects	12,296,700
Department of natural resources – Michigan natural resources trust fund – development projects	7,688,700
Department of transportation – buildings and facilities	\$ 2,000,000
TOTAL	\$ 26,120,400

Sec. 202. The appropriations authorized under this act are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 203. As used in this act:

- (a) “Board” means the state administrative board.
- (b) “Community college” does not include a state agency or university.
- (c) “Department” means the department of management and budget.
- (d) “Director” means the director of the department of management and budget.
- (e) “DAG” means the United States department of agriculture.
- (f) “DHS” means the United States department of homeland security.
- (g) “DOD” means the United States department of defense.
- (h) “DOI” means the United States department of interior.
- (i) “DOT” means the United States department of transportation.
- (j) “Fiscal agencies” means the senate fiscal agency and the house fiscal agency.
- (k) “IDG” means interdepartmental grant.
- (l) “JCOS” means the joint capital outlay subcommittee of the appropriations committees.
- (m) “LEED” means the United States green building council’s leadership in energy and environmental design green building rating system.
- (n) “State agency” means an agency of state government. State agency does not include a community college or university.
- (o) “State building authority” means the authority created under 1964 PA 183, MCL 830.411 to 830.425.
- (p) “University” means a 4-year university supported by the state. University does not include a community college or a state agency.

Sec. 204. Funds appropriated in part 1 shall not be used for the purchase of foreign goods or services, or both, if competitively priced and of comparable quality American goods or services, or both, are available. Preference should be given to goods or services, or both, manufactured or provided by Michigan businesses if they are competitively priced and of comparable quality.

Sec. 205. Unless otherwise specified, departments and agencies receiving appropriations in part 1 shall use the Internet to fulfill the reporting requirements of this act. This requirement may include transmission of reports via electronic mail to the recipients identified for each reporting requirement, or it may include placement of reports on an Internet or Intranet site.

DEPARTMENT OF AGRICULTURE

Sec. 301. Of the amounts appropriated in part 1 for farmland and open space development acquisition, the funds shall be used for the purchase of development rights and the awarding of grants by the agriculture preservation fund board under the natural resources and environmental protection act, 1994 PA 451, MCL 324.101 to 324.90106.

CAPITAL OUTLAY PROCESSES, PROCEDURES & REPORTS

Sec. 401. Each capital outlay project authorized in this act or any previous capital outlay act shall comply with the procedures required by the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

Sec. 402. A statement of a proposed facility's operating cost shall be included with the facility's program statement and planning documents when the plans are presented to JCOS for approval.

Sec. 403. (1) Before proceeding with final planning and construction for projects at community colleges and universities included in an appropriations act, the community college or university shall sign an agreement with the department that includes the following provisions:

(a) The university or community college agrees to construct the project within the total authorized cost established by the legislature pursuant to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594, and an appropriations act.

(b) The design and program scope of the project shall not deviate from the design and program scope represented in the program statement and preliminary planning documents approved by the department.

(c) Any other items as identified by the department that are necessary to complete the project.

(2) The department retains the authority and responsibility normally associated with the prudent maintenance of the public's financial and policy interests relative to the state-financed construction projects managed by a community college or university.

Sec. 404. (1) The department shall provide the JCOS, the state budget director, and the fiscal agencies with reports as considered necessary relative to the status of each planning or construction project financed by the state building authority, by this act, or by previous acts.

(2) Before the end of each fiscal year, the department shall report to the JCOS, the state budget director, and the fiscal agencies for each capital outlay project other than lump sums all of the following:

(a) The account number and name of each construction project.

(b) The balance remaining in each account.

(c) The date of the last expenditure from the account.

(d) The anticipated date of occupancy if the project is under construction.

(e) The appropriations history for the project.

(f) The professional service contractor.

(g) The amount of a project financed with federal funds.

(h) The amount of a project financed through the state building authority.

(i) The total authorized cost for the project and the state authorized share if different than the total.

(3) Before the end of each fiscal year, the department shall report the following for each project by a state agency, university, or community college that is authorized for planning but is not yet authorized for construction:

(a) The name of the project and account number.

(b) Whether a program statement is approved.

(c) Whether schematics are approved by the department.

(d) Whether preliminary plans are approved by the department.

(e) The name of the professional service contractor.

(4) As used in this section, "project" includes appropriation line items made for purchase of real estate.

Sec. 405. A state agency, college, or university shall take steps necessary to make available federal and other money indicated in this act, to make available federal or other money that may become available for the purposes for which appropriations are made in this act, and to use any part or all of the appropriations to meet matching requirements that are considered to be in the best interest of this state. However, the purpose, scope, and total estimated cost of a project shall not be altered to meet the matching requirements.

Sec. 406. For the Huron Valley complex – food service addition and facility renovations, for design and construction, originally authorized in 2004 PA 309 (total authorized cost is increased from \$3,675,100 to \$5,775,100; state building authority share from \$3,675,000 to \$5,774,800; state general fund share is increased to \$300).

Sec. 407. The funds appropriated in part 1 for the Wayne County Community College northwest campus replacement project shall only be released upon approval of the program statement, planning documents, and construction authorization request by the JCOS. The project may not move into final design until these documents are approved.

Sec. 410. Pursuant to section 242(2) of the management and budget act, 1984 PA 431, MCL 18.1242, the department shall submit 5-year capital outlay plans and capital outlay priority requests developed by state agencies (and as approved by the department of management and budget), universities, and community colleges to the chairperson and ranking vice-chairperson of JCOS and the fiscal agencies upon the release of the executive budget recommendation.

STATE AGENCY LUMP SUMS

Sec. 501. (1) The directors of respective departments shall allocate lump-sum appropriations made in this act consistent with statutory provisions and the purposes for which funds were appropriated. Lump-sum allocations shall address priority program or facility needs and may include, but are not limited to, design, construction, remodeling and addition, special maintenance, major special maintenance, energy conservation, and demolition.

(2) The state budget director may authorize that funds appropriated for lump-sum appropriations shall be available for no more than 3 fiscal years following the fiscal year in which the original appropriation was made. Any remaining balance from allocations made in this section shall lapse to the fund from which it was appropriated pursuant to the lapsing of funds as provided in the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.

COLLEGES AND UNIVERSITIES

Sec. 601. (1) This section applies only to projects for community colleges.

(2) State support is directed towards the remodeling and additions, special maintenance, or construction of certain community college buildings. The community college shall obtain or provide for site acquisition and initial main utility installation to operate the facility. Funding shall be comprised of local and state shares, and the state share shall include 50% of any federal money awarded for projects appropriated in this act. Not more than 50% of a capital outlay project, not including a lump-sum special maintenance project or remodeling and addition project, for a community college shall be appropriated from state and federal funds, unless otherwise appropriated by the legislature.

(3) An expenditure under this act is authorized when the release of the appropriation is approved by the board upon the recommendation of the director. The director may recommend to the board the release of any appropriation in part 1 only after the director is assured that the legal entity operating the community college to which the appropriation is made has complied with this act and has matched the amounts appropriated as required by this act. A release of funds in part 1 shall not exceed 50% of the total cost of planning and construction of any project, not including lump-sum remodeling and additions and special maintenance, unless otherwise appropriated by the legislature. Further planning and construction of a project authorized by this act or applicable sections of the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594, shall be in accordance with the purpose and scope as defined and delineated in the approved program statements and planning documents. This act is applicable to all projects for which planning appropriations were made in previous acts.

(4) The community college shall take the steps necessary to secure available federal construction and equipment money for projects funded for construction in this act if an application was not previously made. If there is a reasonable expectation that a prior year unfunded application may receive federal money in a subsequent year, the college shall take whatever action necessary to keep the application active. If federal money is received, the state share shall be adjusted accordingly as provided by this act.

Sec. 602. If matching revenues are received in an amount less than the appropriations contained in this act, the state funds of the appropriation shall be reduced in proportion to the amount of matching revenue received.

Sec. 603. (1) The director may require that community colleges and universities that have an authorized project listed in part 1 submit documentation regarding the project match and governing board approval of the authorized project not more than 60 days after the beginning of the fiscal year.

(2) If the documentation required by the director under subsection (1) is not submitted, or does not adequately authenticate the availability of the project match or board approval of the authorized project, the authorization may terminate. The authorization terminates 30 days after the director notifies the JCOS of the intent to terminate the project unless the JCOS convenes to extend the authorization.

Sec. 604. The appropriation included in section 107 for university and community college planning project authorizations allow for the completion of program statements and schematic planning documents. These projects will not receive cost and construction authorizations in subsequent budget acts unless there is sufficient bonding capacity available under the state building authority's statutory bond capacity limit.

USE AND FINANCE STATEMENTS

Sec. 651. (1) Except as otherwise provided in subsection (3) or (4), a university shall not enter into a contract for new construction of a self-funded project estimated to cost \$3,000,000.00 or more unless the project is authorized by JCOS through approval of a use and finance statement defined by a policy adopted by JCOS. The request for authorization shall be initially submitted for review to JCOS, the senate and house fiscal agencies, and the department. The use and finance statement for a non-state-funded project shall contain the estimated total construction cost and all associated estimated operating costs, including a statement of anticipated project revenues. As used in this subsection, "new construction" includes land or property acquisition, remodeling and additions, maintenance projects, roads, landscaping, equipment, telecommunications, utilities, and parking lots and structures. Certificate of need forms may be submitted in lieu of a use and finance form where applicable.

(2) Except as otherwise provided in subsection (4), a community college shall not enter into a contract for new construction of a self-funded project estimated to cost \$2,000,000.00 or more unless the project is authorized by JCOS through approval of a use and finance statement defined by a policy adopted by JCOS. The request for legislative authorization shall be initially submitted for review to JCOS, the senate and house fiscal agencies, and the department. The use and finance statement for a non-state-funded project shall contain the estimated total construction cost and all associated estimated operating costs, including a statement of anticipated project revenues. As used in this subsection, "new construction" includes land or property acquisition, remodeling and additions, maintenance projects, roads, landscaping, equipment, telecommunications, utilities, and parking lots and structures. Certificate of need forms may be submitted in lieu of a use and finance form where applicable.

(3) The University of Michigan Hospital and Health Center is not required to obtain JCOS authorization through approval of a use and finance statement defined by a policy adopted by JCOS.

(4) If health or safety concerns warrant, a project may be completed without prior approval of a use and finance statement defined by a policy adopted by JCOS. However, a university or community college shall submit a use and finance statement as soon as possible after the project is completed and the health or safety concerns have abated.

(5) A project that is constructed in violation of this section shall not receive state appropriations for purposes of operating the project or for support for future infrastructure enhancements that are necessitated, in whole or in part, by construction of the project. In addition, a project constructed in violation of this section shall result in the loss of any state capital outlay funding for the institution for 2 years and a prohibition of doing self-funded projects of any kind, except for emergencies where health and safety concerns warrant, for 1 year.

(6) A state agency, including the department of military affairs, shall not enter into a contract, including those for a direct federally-funded capital outlay construction or major maintenance or remodeling project if the total project is estimated to cost more than \$1,000,000.00 and is to be constructed on state-owned lands unless the project is approved by the department and JCOS through approval of a use and finance statement defined by a policy adopted by JCOS, unless the project is otherwise appropriated in a capital outlay appropriations act. For projects not appropriated in a capital outlay appropriations act that are over \$1,000,000.00, the state agency shall submit a use and finance statement defined by a policy adopted by JCOS. As used in this subsection, "direct federally-funded" refers to a project for which federal payments are made directly to the construction vendor and not to the state of Michigan.

(7) A public body corporate created under section 28 of article VII of the state constitution of 1963 and the urban cooperation act of 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512, by a contractual interlocal agreement between local participating economic development corporations formed under the economic development corporations act, 1974 PA 338, MCL 125.1601 to 125.1636, and the Michigan strategic fund shall not enter into a contract for new construction estimated to cost more than \$1,000,000.00 unless the project is authorized by JCOS through the approval of a use and finance statement defined by a policy adopted by JCOS. For purposes of this subsection, the use and finance statement for a project shall contain the estimated total construction cost and all associated estimated operating costs. As used in this subsection, "new construction" means land or property acquisition, remodeling or additions, lease or lease purchase, and maintenance projects for the corporate office of the public body corporate described in this subsection.

(8) By not later than April 1 and October 1, each university shall report to the JCOS chairpersons, the fiscal agencies, and the department all self-funded capital projects commenced for the immediately preceding 6-month period that cost less than \$3,000,000.00 but at least \$1,000,000.00. Community colleges shall also submit these reports for self-funded capital projects that cost less than \$2,000,000.00 but at least \$1,000,000.00.

Sec. 652. A university or community college receiving a project approval pursuant to section 661 shall give preference to goods or services, or both, that are manufactured or provided by Michigan businesses if they are competitively priced and of comparable quality.

DEPARTMENT OF CORRECTIONS

Sec. 671. A maximum security prison that is constructed or completed after October 1, 1986 shall have operating staffed watchtowers equipped with the weaponry, lighting, sighting, and communications devices necessary for effective execution of its function. The watchtowers shall be constructed pursuant to standards of the American correctional association.

Sec. 672. An appropriation and authorization contained in this act or a previous act for the construction of a new correctional facility, including a correctional camp, for which a specific site was not identified with the appropriation, shall not be expended until approved by the JCOS. For purposes of this section, "site" means a city, village, township, or county in which a correctional facility may be located.

DEPARTMENT OF MANAGEMENT AND BUDGET

Sec. 681. (1) The department shall provide JCOS and the fiscal agencies a report, not more than 15 days after the reporting date, of privately owned leased space by state agencies, by September 30 of each year, consisting of the following:

- (a) Department.
- (b) Agency division and leased number.
- (c) Building location (address and city).
- (d) Type of building.
- (e) County.
- (f) Name and address of lessor.
- (g) Square footage and net square footage rate.
- (h) Monthly and annual cost.
- (i) Date lease started and expires.
- (j) Options and services.
- (k) Total monthly and annual cost for all leases.

(2) The lease report shall be summarized for office space, group homes, and other space for the Lansing area and statewide, excepting the Lansing area.

Sec. 682. (1) A state agency shall provide notification to JCOS prior to commencing a demolition project not authorized by law. The demolition project may be disapproved by JCOS within 30 days after the date of notification, and if disapproved within that time, the demolition project shall not be authorized. The notification to JCOS shall identify the building or facility to be demolished and its location, the estimated cost of the demolition project, estimated project schedule, and the source of financing.

(2) The 30-day disapproval period does not apply to any notifications submitted during a period when the legislature will not be in session for 15 days or more. In these situations, the 30-day disapproval period begins on the first scheduled session day.

Sec. 683. Pursuant to department policy, state agencies may expend not more than \$1,000,000.00 from their operating budget for special maintenance, remodeling, additions, or other capital outlay purposes, unless specifically authorized by the legislature, for those purposes.

DEPARTMENT OF MILITARY AND VETERANS AFFAIRS

Sec. 701. The appropriations in part 1 for the department of military and veterans affairs design and construction projects are contingent upon the availability of federal and state restricted funds for financing.

DEPARTMENT OF NATURAL RESOURCES

Sec. 801. The appropriation made in this act for the harbors and docks program is for the purpose of participating with the federal government and assisting political entities and subdivisions of this state in the construction and improvement of recreational boating facilities within this state. Subject to the approval of the board, this money shall be allocated by the department of natural resources to the federal government or to the political entities or local units of government involved in the particular projects. An allocation shall not exceed the state portion as listed with each project description. The department of natural resources shall take the steps necessary to match federal money available for the construction and improvement of recreational boating facilities within this state and to meet requirements of the federal government.

Sec. 802. The department of natural resources shall require local units of government to enter into agreements with the department for the purpose of administering the natural resources trust fund grants appropriated in part 1. Among other provisions, the agreements shall require that grant recipients agree to dedicate to public outdoor recreation uses in perpetuity the land acquired or developed; to replace lands converted or lost to other than public outdoor recreation use; and, for parcels acquired that are over 5 or more acres in size, to provide the state with a nonparticipating 1/6 minimum royalty interest in any acquired minerals that are retained by the grant recipient. The agreements shall also provide that the full payments of grants can be made only after proof of acquisition, or completion of the development project, is submitted by the grant recipient and all costs are verified by the department of natural resources.

Sec. 803. Before the end of each fiscal year, the department of natural resources shall report each year to JCOS the status of each project that received an appropriation in any capital outlay act, if the project is either not completed or has a balance remaining in its account. The report shall be in the same form and contain the information as required under section 504. The report shall be separated into the following areas, by fund sources:

- (a) Waterways projects.
- (b) Urban recreation projects.
- (c) State park projects.
- (d) Wildlife and fisheries projects.
- (e) Other projects.

STATE TRANSPORTATION DEPARTMENT

Sec. 902. Before the end of each fiscal year, the state transportation department shall report to JCOS the status of projects funded in part 1 with the estimated dollars allocated for each project. If there has to be a delay in reporting, the state transportation department shall notify JCOS in writing of the date the report will be received.

MISCELLANEOUS

Sec. 1001. (1) Revenue collected from licenses issued under the antenna site management project shall be deposited into the antenna site management revolving fund created for this purpose in the department of information technology. The department may receive and expend funds from the fund for costs associated with the antenna site management project, including the cost of a third-party site manager. Any excess revenue remaining in the fund at the close of the fiscal year shall be proportionately transferred to the appropriate state restricted funds as designated in statute or by constitution.

(2) An antenna shall not be sited pursuant to this section without prior compliance with the respective local zoning codes and local unit of government processes.

Sec. 1002. (1) A site preparation economic development fund is hereby created in the department of management and budget. As used in this section, "economic development sites" means those state-owned sites declared as surplus property pursuant to section 251 of the management and budget act, 1984 PA 431, MCL 18.1251, that would provide economic benefit to the area or to the state. The Michigan economic development corporation board and the state budget director shall determine whether or not a specific state-owned site qualifies for inclusion in the fund created under this subsection.

(2) Proceeds from the sale of any sites designated in subsection (1) shall be deposited into the fund created in subsection (1) and shall be available for site preparation expenditures, unless otherwise provided by law. The economic development sites authorized in subsection (1) are hereby authorized for sale consistent with state law. Expenditures from the fund are hereby authorized for site preparation activities that enhance the marketable sale value of the sites. Site preparation activities include, but are not limited to, demolition, environmental studies and abatement, utility enhancement, and site excavation.

(3) A cash advance in an amount of not more than \$25,000,000.00 is hereby authorized from the general fund to the site preparation economic development fund.

(4) An annual report shall be transmitted to the senate and house of representatives appropriations committees not later than December 31 of each year. This report shall detail at least both of the following:

- (a) The revenue and expenditure activity in the fund for the preceding fiscal year.
- (b) The sites identified as economic development sites under subsection (1).

Third: That the Senate and House agree to the title of the bill to read as follows:

A bill to make, supplement, and adjust appropriations for various state departments and agencies, capital outlay, the legislative branch, and the judicial branch for the fiscal year ending September 30, 2008; and to provide for the expenditure of the appropriations.

Michelle McManus
 Ron Jelinek
 Michael Switalski
 Conferees for the Senate

Morris W. Hood, III
 Michael Lahti
 Conferees for the House

The Speaker announced that under Joint Rule 9 the conference report would lie over one day.

Rep. Angerer moved pursuant to Joint Rule 9, that the Journal printing requirement be suspended, printed copies of the conference report having been made available to each Member.

The motion prevailed.

The question being on the adoption of the conference report,

The conference report was then adopted, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 817

Yeas—87

Accavitti	Donigan	Law, David	Proos
Angerer	Ebli	Law, Kathleen	Robertson
Ball	Elsenheimer	LeBlanc	Rocca
Bauer	Emmons	Leland	Sak
Bennett	Espinoza	Lemmons	Schuitmaker
Bieda	Farrah	Lindberg	Scott
Booher	Gaffney	Marleau	Shaffer
Brown	Gillard	Mayes	Sheltrown
Byrnes	Gonzales	McDowell	Simpson
Byrum	Griffin	Meadows	Smith, Alma
Caswell	Hammel	Meekhof	Spade
Caul	Hammon	Meisner	Stakoe
Clack	Hansen	Melton	Tobocman
Clemente	Hood	Miller	Vagnozzi
Condino	Hopgood	Moore	Valentine
Constan	Horn	Moss	Walker
Corriveau	Huizenga	Nitz	Ward
Coulouris	Johnson	Nofs	Warren
Cushingberry	Jones, Rick	Palsrok	Wenke
Dean	Jones, Robert	Pastor	Wojno
DeRoche	Knollenberg	Pavlov	Young
Dillon	Lahti	Polidori	

Nays—14

Acciavatti	Hildenbrand	Opsommer	Sheen
Agema	Hoogendyk	Palmer	Stahl

Garfield
Green

Hune
Meltzer

Pearce

Steil

In The Chair: Sak

Second Reading of Bills

House Bill No. 5342, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2008; and to provide for the expenditure of the appropriations.

Was read a second time, and the question being on the adoption of the proposed substitute (H-15) previously recommended by the Committee on Appropriations,

The substitute (H-15) was not adopted, a majority of the members serving not voting therefor.

Rep. Cushingberry moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Angerer moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5342, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2008; and to provide for the expenditure of the appropriations.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 818

Yeas—76

Accavitti	Dillon	Jones, Robert	Rocca
Acciavatti	Donigan	Lahti	Sak
Angerer	Ebli	Law, David	Scott
Bauer	Elsenheimer	Law, Kathleen	Shaffer
Bennett	Emmons	LeBlanc	Sheen
Bieda	Espinoza	Leland	Sheltrown
Booher	Farrah	Lemmons	Simpson
Brown	Gaffney	Lindberg	Smith, Alma
Byrnes	Gillard	Mayes	Spade
Byrum	Gonzales	McDowell	Stakoe
Caul	Griffin	Meadows	Steil
Clack	Hammel	Meisner	Tobocman
Clemente	Hammon	Melton	Vagnozzi
Condino	Hansen	Miller	Valentine
Constan	Hood	Moore	Walker
Corriveau	Hopgood	Nofs	Ward
Coulouris	Horn	Palsrok	Warren
Cushingberry	Johnson	Polidori	Wojno
Dean	Jones, Rick	Proos	Young

Nays—24

Agema
Ball

Hoogendyk
Huizenga

Meltzer
Moss

Pavlov
Pearce

Caswell	Hune	Nitz	Robertson
DeRoche	Knollenberg	Opsommer	Schuitmaker
Green	Marleau	Palmer	Stahl
Hildenbrand	Meekhof	Pastor	Wenke

In The Chair: Sak

The House agreed to the title of the bill.

Rep. Angerer moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Angerer moved that pursuant to House Rule 20, the Clerk of the House be authorized to enroll House bills while the House is not in session.

The motion prevailed.

Rep. Angerer moved that when the House adjourns today it stand adjourned until Wednesday, October 15, at 12:00 Noon.

The motion prevailed.

Reps. Robert Jones, Clemente, Hopgood, Stahl, Simpson, Miller, Lemmons, Lahti, Gillard, McDowell, Alma Smith, Bauer, Griffin, Spade, Brown, Valentine, Ebli, Wojno, Byrnes, Dean, Bieda, Meadows, Scott, Accavitti, Booher, Brandenburg, Byrum, Clack, Condino, Constan, Cushingberry, Farrah, Gonzales, Hammel, Hammon, Hansen, Hood, Rick Jones, Kathleen Law, LeBlanc, Leland, Marleau, Mayes, Meisner, Nitz, Palmer, Pastor, Pearce, Polidori, Proos, Rocca, Sak, Schuitmaker, Shaffer, Sheltroun, Tobocman, Vagnozzi and Warren offered the following resolution:

House Resolution No. 448.

A resolution recognizing the new Girl Scouts Heart of Michigan Council which takes effect October 1, 2008, in the state of Michigan.

Whereas, For over 90 years, the Girl Scouts of the United States of America, founded by Juliette Low in 1912, has inspired millions of girls with the highest ideals of character, conduct and citizenship; and

Whereas, The Girl Scouts' program is the preeminent leadership development organization, for girls with a focus on individual healthy development, resulting in girls of courage, confidence and character who will be an asset to their community and make the world a better place; and

Whereas, In August, 2006, the Girls Scouts of the USA's National Board of Directors endorsed a plan to merge 310 councils into 109 dynamic, community based councils; and

Whereas, The Girl Scouts' program must change to better meet the needs of girls in today's world, under the direction of CEO Janet Barker (Kalamazoo) and Board President Pat Brasseur (Battle Creek). The Michigan Girl Scout councils of Huron Valley, Irish Hills, Glowing Embers, Michigan Capital, and Mitten Bay are merging together to form Girl Scouts Heart of Michigan, one dynamic Girl Scout council which will continue to offer the same exceptional leadership development program to Michigan's girls; and

Whereas, The realignment affects over 30,000 girls and adult volunteers in the counties of Allegan, Arenac, Barry, Bay, Branch, Calhoun, Clare, Clinton, Eaton, Gladwin, Gratiot, Hillsdale, Huron, Ingham, Iosco, Isabella, Jackson, Kalamazoo, Lenawee, Livingston, Midland, Monroe, Oakland, Ogemaw, Roscommon, Saginaw, Shiawassee, St. Joseph, Tuscola, Van Buren, Washtenaw and Wayne; and

Whereas, This revitalization will ensure that the Girl Scout movement will remain compelling, contemporary and relevant to today's girls and will continue to shape Michigan's girls into our leaders of tomorrow; now, therefore, be it

Resolved by the House of Representatives, That the member of this legislative body recognize the new Girl Scouts Heart of Michigan Council to take effect October 1, 2008, in the state of Michigan.

Pending the reference of the resolution to a committee,

Rep. Angerer moved that Rule 71 be suspended and the resolution be considered at this time.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Byrnes, Mayes, Wojno, Polidori, Scott, Brown, Espinoza, Meadows, Warren, Griffin, Young, Gillard, Lahti, McDowell, Lindberg, Accavitti, Bieda, Booher, Brandenburg, Clack, Condino, Constan, Cushingberry, Dean, Farrah, Gonzales, Hammel, Hammon, Hansen, Hood, Hopgood, Robert Jones, Kathleen Law, LeBlanc, Leland, Lemmons, Marleau, Meisner, Nitz, Opsommer, Pastor, Pearce, Proos, Sak, Schuitmaker, Shaffer, Sheltroun, Simpson, Spade, Stahl, Tobocman, Vagnozzi and Valentine offered the following resolution:

House Resolution No. 449.

A resolution declaring October 2008 as Apple Cider Month in the state of Michigan.

Whereas, Apple cider has a very long history in Michigan and going to cider mills is an inclusive event in which all family members can enjoy; and

Whereas, The state of Michigan has 1,000 family-run apple farms, of which many are second, third or even fourth generation farms; and

Whereas, Michigan is the nation's third-largest apple producing state; and

Whereas, Apples are grown commercially in 37 of the 68 counties in Michigan's Lower Peninsula; and

Whereas, The Michigan apple industry generates \$450 million of economic activity annually; and

Whereas, One in four jobs in Michigan are related to agriculture; and

Whereas, The Michigan Agriculture Commission supports the enhanced recognition of critical Michigan products, including apple cider; and

Whereas, The Michigan apple industry is seeing increasing industry competition from imported Chinese apples and cider; and

Whereas, The Michigan Cider Makers Guild's efforts to educate cider makers in conjunction with the Michigan Department of Agriculture and Michigan State University Agriculture Extension Service has been acknowledged by the Federal Department of Agriculture as a model for the industry; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare October 2008 as Apple Cider Month in the state of Michigan.

Pending the reference of the resolution to a committee,

Rep. Angerer moved that Rule 71 be suspended and the resolution be considered at this time.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Sak, Accavitti, Bauer, Bieda, Brandenburg, Brown, Clack, Clemente, Condino, Constan, Cushingberry, Dean, Farrah, Gonzales, Hammel, Hammon, Hopgood, Robert Jones, Lahti, Leland, Lemmons, Mayes, McDowell, Meisner, Miller, Opsommer, Pastor, Polidori, Rocca, Sheltroun, Simpson, Vagnozzi and Warren offered the following resolution:

House Resolution No. 450.

A resolution to memorialize the Congress of the United States to develop a loan program for the American auto industry.

Whereas, The strength of the American auto industry is fundamentally important to our nation. In addition to its leadership as a cornerstone of this country's industrial capability, the domestic auto industry, including the traditional "Big Three" manufacturers and the network of their suppliers, constitutes one of the largest sources of jobs for the United States. In Michigan, of course, the heart of auto making for a century, this significance is magnified; and

Whereas, A variety of forces, including skyrocketing energy costs and the erosion of much of the credit market in the wake the collapse of housing prices, are threatening the American auto industry just at it stands on the threshold of a new generation of technology. Efforts to bring innovations to market, including more hybrid, alternative fuel, and electric vehicles, will be jeopardized without the capital needed for this critical transition; and

Whereas, In recognition of the seriousness of this matter, Congress is considering a program to guarantee low-interest loans to domestic automakers. Members on both sides of the political aisle are on record as appreciating the unique challenges before this industry. A short-term boost can help in the final stages of putting new technology to use to address the country's long-term interests. Assuring the viability of this industry through loans, rather than a bailout, would be a powerful economic stimulus not only immediately, but for years to come. Clearly, the time to act on the proposed loan program is now; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to develop a loan program for the American auto industry; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

The resolution was referred to the Committee on Commerce.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced the enrollment printing and presentation to the Governor on Thursday, September 25, for her approval of the following bills:

Enrolled House Bill No. 4468 at 10:25 a.m.

Enrolled House Bill No. 4469 at 10:27 a.m.

Enrolled House Bill No. 5351 at 10:29 a.m.

The Clerk announced that the following bills and joint resolution had been printed and placed upon the files of the members on Thursday, September 25:

House Bill Nos.	6494	6495	6496	6497	6498	6499	6500	6501	6502	6503	6504	6505	6506	6507
	6508	6509	6510	6511	6512	6513	6514	6515	6516	6517	6518	6519	6520	6521
	6522	6523	6524	6525	6526									

House Joint Resolution NNN

Senate Bill Nos. 1537 1538 1540 1541

The Clerk announced that the following Senate bill had been received on Thursday, September 25:

Senate Bill No. 1084

Reports of Select Committees

House Bill No. 5808, entitled

A bill to make appropriations for the state transportation department and certain transportation purposes for the fiscal year ending September 30, 2009; to provide for the imposition of fees; to provide for reports; to create certain funds and programs; to prescribe requirements for certain railroad and bus facilities; to prescribe certain powers and duties of certain state departments and officials and local units of government; and to provide for the expenditure of the appropriations.

(For text of conference report, see House Journal No. 79, p. 2330.)

The Senate has adopted the report of the Committee of Conference and ordered that the bill be given immediate effect.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

Reports of Standing Committees

The Committee on Agriculture, by Rep. Mayes, Chair, reported

House Bill No. 5778, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 51 (MCL 211.51), as amended by 2005 PA 114.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Mayes, Byrum, Angerer, Brown, Kathleen Law, Leland, Sheltroun, Walker, Nitz, Ball and Meekhof

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Mayes, Chair, of the Committee on Agriculture, was received and read:
Meeting held on: Thursday, September 25, 2008

Present: Reps. Mayes, Byrum, Angerer, Brown, Kathleen Law, Leland, Sheltroun, Walker, Nitz, Ball and Meekhof

The Committee on Transportation, by Rep. Hopgood, Chair, reported

Senate Bill No. 84, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 1068.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Hopgood, Griffin, Accavitti, Bieda, Donigan, Ebli, Leland, Mayes, Miller, Young, LaJoy, Nitz, Pavlov, Pearce, Stahl and Knollenberg

Nays: None

The Committee on Transportation, by Rep. Hopgood, Chair, reported

House Resolution No. 440.

A resolution to memorialize Congress to enact the Train CARS Act to promote the replacement and rehabilitation of Amtrak equipment.

(For text of resolution, see House Journal No. 77, p. 2298.)

With the recommendation that the resolution be adopted.

The resolution was laid over one day under the rules.

Favorable Roll Call

To Report Out:

Yeas: Reps. Hopgood, Griffin, Accavitti, Bieda, Donigan, Ebli, Leland, Mayes, Miller, Young, LaJoy, Nitz, Pavlov, Pearce, Stahl and Knollenberg

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Hopgood, Chair, of the Committee on Transportation, was received and read:

Meeting held on: Thursday, September 25, 2008

Present: Reps. Hopgood, Griffin, Accavitti, Bieda, Donigan, Ebli, Leland, Mayes, Miller, Young, LaJoy, Nitz, Pavlov, Pearce, Stahl and Knollenberg

Absent: Rep. Casperson

Excused: Rep. Casperson

The Committee on Health Policy, by Rep. Angerer, Chair, reported

House Bill No. 6307, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 16631.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Angerer, Simpson, Byrum, Corriveau, Coulouris, Donigan, Hammon, Robert Jones, Valentine, Wojno, Johnson, Gaffney, Marleau and Ball

Nays: None

The Committee on Health Policy, by Rep. Angerer, Chair, reported

Senate Bill No. 921, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16345, 18301, 18303, 18305, 18307, and 18309 (MCL 333.16345, 333.18301, 333.18303, 333.18305, 333.18307, and 333.18309), section 16345 as added by 1993 PA 79, sections 18301, 18303, 18307, and 18309 as added by 1988 PA 473, and section 18305 as amended by 2006 PA 394, and by adding sections 18313 and 18315.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Simpson, Byrum, Corriveau, Coulouris, Donigan, Hammon, Robert Jones, Valentine, Wojno, Johnson, Gaffney, Marleau, Green and Ball

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Angerer, Chair, of the Committee on Health Policy, was received and read:

Meeting held on: Thursday, September 25, 2008

Present: Reps. Angerer, Simpson, Byrum, Corriveau, Coulouris, Donigan, Hammon, Robert Jones, Valentine, Wojno, Johnson, Gaffney, Marleau, Green and Ball

Absent: Reps. Clack, Hune, Calley, Robertson and Moore

Excused: Reps. Clack, Hune, Calley, Robertson and Moore

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Clemente, Chair, of the Committee on New Economy and Quality of Life, was received and read:

Meeting held on: Thursday, September 25, 2008

Present: Reps. Clemente, Leland, Griffin, Meadows, Meisner, Melton, Huizenga and Hildenbrand

Absent: Reps. Clack, Garfield and Pastor

Excused: Reps. Clack, Garfield and Pastor

Messages from the Senate

House Bill No. 5686, entitled

A bill to authorize the removal, capture, or lethal control of a gray wolf that is preying upon livestock under certain circumstances; and to provide for penalties.

The Senate has passed the bill and ordered that it be given immediate effect.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

House Bill No. 6059, entitled

A bill to amend 1997 PA 70, entitled "Compulsive gaming prevention act," by amending section 3 (MCL 432.253).

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

House Bill No. 6091, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 3104, 3306, 30104, 30109, 32312, and 32513 (MCL 324.3104, 324.3306, 324.30104, 324.30109, 324.32312, and 324.32513),

section 3104 as amended by 2005 PA 33, section 3306 as added by 2004 PA 246, section 30104 as amended by 2006 PA 531, sections 30109 and 32513 as amended by 2003 PA 163, and section 32312 as amended by 2004 PA 325.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

House Bill No. 6133, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 51108 (MCL 324.51108), as amended by 2006 PA 382.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

Senate Bill No. 1084, entitled

A bill to authorize the removal, capture, or lethal control of a gray wolf that is preying upon a dog under certain circumstances; to provide for penalties; and to promulgate rules.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Tourism, Outdoor Recreation and Natural Resources

Senate Concurrent Resolution No. 32.

A concurrent resolution prescribing the legislative schedule.

Resolved by the Senate (the House of Representatives concurring), That when the House of Representatives adjourns on Thursday, September 25, 2008, it stands adjourned until Wednesday, October 15, 2008, at 12:00 noon.

The Senate has adopted the concurrent resolution.

Pending the reference of the concurrent resolution to a committee,

Rep. Angerer moved that Rule 71 be suspended and the concurrent resolution be considered at this time.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

Communications from State Officers

The following communication from the Secretary of State was received and read:

Notice of Filing Administrative Rules

September 22, 2008

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Michigan Department of Labor and Economic Growth, State Office of Administrative Hearings and Rules filed at 11:40 a.m. this date, administrative rule (08-09-04) for the Department of Education, Superintendent of Public Instruction "School District Pupil Accounting for Distribution of State Aid".

These rules take effect immediately upon filing with the Secretary of State unless adopted under section 33, 34, 45a(6), or 48 of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

Sincerely,
Terri Lynn Land
Secretary of State
Robin Houston, Office Supervisor
Office of the Great Seal

The communication was referred to the Clerk.

Rep. Condino moved that the House adjourn.
The motion prevailed, the time being 5:15 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, October 15, at 12:00 Noon.

RICHARD J. BROWN
Clerk of the House of Representatives

