

No. 51
STATE OF MICHIGAN
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House of Representatives
93rd Legislature
REGULAR SESSION OF 2006

House Chamber, Lansing, Wednesday, May 24, 2006.

1:00 p.m.

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	Elsenheimer—present	Law, Kathleen—present	Robertson—present
Acciavatti—present	Emmons—present	Leland—present	Rocca—present
Adamini—present	Espinoza—present	Lemmons, III—e/d/s	Sak—present
Amos—present	Farhat—present	Lemmons, Jr.—present	Schuitmaker—present
Anderson—present	Farrah—present	Lipsey—excused	Shaffer—present
Angerer—present	Gaffney—present	Marleau—present	Sheen—present
Ball—present	Garfield—present	Mayes—present	Sheltrown—present
Baxter—present	Gillard—present	McConico—present	Smith, Alma—present
Bennett—present	Gleason—present	McDowell—present	Smith, Virgil—present
Bieda—present	Gonzales—present	Meisner—present	Spade—present
Booher—present	Gosselin—present	Meyer—present	Stahl—present
Brandenburg—present	Green—present	Miller—present	Stakoe—present
Brown—present	Hansen—present	Moolenaar—present	Steil—present
Byrnes—present	Hildenbrand—present	Moore—present	Stewart—present
Byrum—present	Hood—present	Mortimer—present	Taub—present
Casperson—present	Hoogendyk—present	Murphy—present	Tobocman—present
Caswell—present	Hopgood—present	Newell—present	Vagnozzi—present
Caul—present	Huizenga—present	Nitz—present	Van Regenmorter—present
Cheeks—present	Hummel—present	Nofs—present	Vander Veen—present
Clack—present	Hune—present	Palmer—present	Walker—present
Clemente—present	Hunter—present	Palsrok—present	Ward—present
Condino—present	Jones—present	Pastor—present	Waters—present
Cushingberry—present	Kahn—present	Pavlov—present	Wenke—present
DeRoche—present	Kolb—present	Pearce—present	Williams—present
Dillon—present	Kooiman—present	Plakas—present	Wojno—present
Donigan—present	LaJoy—present	Polidori—present	Zelenko—present
Drolet—present	Law, David—present	Proos—present	

e/d/s = entered during session

Rep. Tim Moore, from the 97th District, offered the following invocation:

“Dear Heavenly Father, we come now to say ‘thank You Lord’. We thank You for what You have done and we thank You for what You are going to do. We ask now, Lord, that You would open up our minds and hearts and allow us to do the things set before us. Deliver us from ourselves so that we will be able to help the people that we are representing. In Jesus’ name we pray. Amen.”

Rep. Sak moved that Rep. Lipsey be excused from today’s session.
The motion prevailed.

Second Reading of Bills

House Bill No. 5977, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1284b (MCL 380.1284b), as amended by 2005 PA 144.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 6069, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1225 (MCL 380.1225), as amended by 2002 PA 246.

The bill was read a second time.

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

The motion prevailed.

Senate Bill No. 1184, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” (MCL 380.1 to 380.1852) by adding section 1752.

The bill was read a second time.

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

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5796, 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 years ending September 30, 2006 and September 30, 2007; to provide for certain conditions on appropriations; and to provide for the expenditure of the appropriations.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Ward moved that consideration of the bill be postponed temporarily.

The motion prevailed.

House Bill No. 5789, entitled

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending sections 11 and 17b (MCL 388.1611 and 388.1617b), section 11 as amended by 2005 PA 155 and section 17b as amended by 2005 PA 150.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Ward moved that consideration of the bill be postponed temporarily.
The motion prevailed.

Second Reading of Bills

Senate Bill No. 1133, entitled

A bill to amend 1941 PA 207, entitled "Fire prevention code," by amending sections 1, 2, 2a, 2b, 2c, 3b, 3c, 3e, 4, 5a, 5c, 5d, 5e, 5g, 5h, 5i, 5j, 5n, 5o, 5p, 6, 10, 16, 21b, 21c, 21d, 23, 24, 26, 28, 29, 30, 31, and 32 (MCL 29.1, 29.2, 29.2a, 29.2b, 29.2c, 29.3b, 29.3c, 29.3e, 29.4, 29.5a, 29.5c, 29.5d, 29.5e, 29.5g, 29.5h, 29.5i, 29.5j, 29.5n, 29.5o, 29.5p, 29.6, 29.10, 29.16, 29.21b, 29.21c, 29.21d, 29.23, 29.24, 29.26, 29.28, 29.29, 29.30, 29.31, and 29.32), sections 1, 3b, 3c, 5a, 5c, 5d, 5e, and 31 as amended by 1996 PA 152, sections 2a and 21c as amended and sections 2b, 3e, and 5i as added by 1980 PA 247, section 2c as added by 1996 PA 147, section 4 as amended by 1980 PA 516, section 5g as amended by 1987 PA 70, sections 5j, 5n, and 5o as added by 1981 PA 186, section 5p as added by 1986 PA 67, section 6 as amended by 2001 PA 32, and sections 26, 28, 29, 30, and 32 as added by 1982 PA 144, and by adding sections 1b, 1c, 1d, and 1e; and to repeal acts and parts of acts.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Appropriations (for amendment, see House Journal No. 50, p. 1218),

Rep. Ward moved that consideration of the bill be postponed temporarily.
The motion prevailed.

Senate Bill No. 1134, entitled

A bill to amend 1978 PA 170, entitled "An act to provide for a state arson strike force unit and to prescribe the powers and duties of the strike force unit and the department of state police," by amending section 2 (MCL 28.72).

The bill was read a second time.

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

The motion prevailed.

Senate Bill No. 1135, entitled

A bill to amend 1945 PA 327, entitled "Aeronautics code of the state of Michigan," by amending section 204 (MCL 259.204).

The bill was read a second time.

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

The motion prevailed.

Senate Bill No. 1136, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 20155, 20156, and 22210 (MCL 333.20155, 333.20156, and 333.22210), section 20155 as amended by 2001 PA 218, section 20156 as amended by 1990 PA 179, and section 22210 as amended by 1993 PA 88; and to repeal acts and parts of acts.

The bill was read a second time.

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

The motion prevailed.

Senate Bill No. 1137, entitled

A bill to amend 1984 PA 192, entitled "Forbes mechanical contractors act," by amending section 3 (MCL 338.973).

The bill was read a second time.

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

The motion prevailed.

Senate Bill No. 1138, entitled

A bill to amend 1937 PA 306, entitled "An act to promote the safety, welfare, and educational interests of the people of the state of Michigan by regulating the construction, reconstruction, and remodeling of certain public or private

school buildings or additions to such buildings, by regulating the construction, reconstruction, and remodeling of buildings leased or acquired for school purposes, and to define the class of buildings affected by this act; to prescribe the powers and duties of certain state agencies and officials; to prescribe penalties for the violation of this act; and to repeal acts and parts of acts,” by amending sections 1b, 3, 4, and 5a (MCL 388.851b, 388.853, 388.854, and 388.855a), section 1b as added by 2002 PA 628.

The bill was read a second time.

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

The motion prevailed.

Senate Bill No. 1139, entitled

A bill to amend 1979 PA 218, entitled “Adult foster care facility licensing act,” by amending sections 10, 11, and 20 (MCL 400.710, 400.711, and 400.720), sections 10 and 20 as amended by 1986 PA 257 and section 11 as amended by 1992 PA 176.

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

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

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

The motion prevailed.

Senate Bill No. 1140, entitled

A bill to amend 1942 (1st Ex Sess) PA 9, entitled “An act providing for compensation to certain fire fighters injured in the safeguarding of life and property, and payment to the surviving spouse and dependents in case of death; and to make an appropriation therefor,” by amending section 1 (MCL 419.201).

The bill was read a second time.

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

The motion prevailed.

Senate Bill No. 1141, entitled

A bill to amend 1944 (1st Ex Sess) PA 52, entitled “An act to provide for the establishment of and quieting the title to and the recreating of the public records of lands in counties where records of title have been destroyed in whole or in any material part by fire, flood or other major disaster, and to establish the procedure therefor and to provide an appropriation to pay certain costs thereof,” by amending section 16 (MCL 561.16).

The bill was read a second time.

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

The motion prevailed.

Senate Bill No. 1142, entitled

A bill to amend 1974 PA 258, entitled “Mental health code,” by amending sections 138, 140, and 146 (MCL 330.1138, 330.1140, and 330.1146), section 138 as amended by 1995 PA 290.

The bill was read a second time.

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

The motion prevailed.

Senate Bill No. 1143, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 243b (MCL 750.243b).

The bill was read a second time.

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

The motion prevailed.

Senate Bill No. 1144, entitled

A bill to amend 1988 PA 456, entitled “An act to provide certain immunity from civil action to certain instructors,” by amending section 1 (MCL 29.401).

The bill was read a second time.

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

The motion prevailed.

Senate Bill No. 1145, entitled

A bill to amend 1988 PA 457, entitled "An act to provide certain immunity from civil liability to certain institutions of higher education and health facilities and employees of institutions of higher education and health facilities," by amending section 2 (MCL 29.412).

The bill was read a second time.

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

The motion prevailed.

The House returned to the consideration of

Senate Bill No. 1133, entitled

A bill to amend 1941 PA 207, entitled "Fire prevention code," by amending sections 1, 2, 2a, 2b, 2c, 3b, 3c, 3e, 4, 5a, 5c, 5d, 5e, 5g, 5h, 5i, 5j, 5n, 5o, 5p, 6, 10, 16, 21b, 21c, 21d, 23, 24, 26, 28, 29, 30, 31, and 32 (MCL 29.1, 29.2, 29.2a, 29.2b, 29.2c, 29.3b, 29.3c, 29.3e, 29.4, 29.5a, 29.5c, 29.5d, 29.5e, 29.5g, 29.5h, 29.5i, 29.5j, 29.5n, 29.5o, 29.5p, 29.6, 29.10, 29.16, 29.21b, 29.21c, 29.21d, 29.23, 29.24, 29.26, 29.28, 29.29, 29.30, 29.31, and 29.32), sections 1, 3b, 3c, 5a, 5c, 5d, 5e, and 31 as amended by 1996 PA 152, sections 2a and 21c as amended and sections 2b, 3e, and 5i as added by 1980 PA 247, section 2c as added by 1996 PA 147, section 4 as amended by 1980 PA 516, section 5g as amended by 1987 PA 70, sections 5j, 5n, and 5o as added by 1981 PA 186, section 5p as added by 1986 PA 67, section 6 as amended by 2001 PA 32, and sections 26, 28, 29, 30, and 32 as added by 1982 PA 144, and by adding sections 1b, 1c, 1d, and 1e; and to repeal acts and parts of acts.

(The bill was considered earlier today, see today's Journal, p. 1237.)

The question being on the adoption of the amendment previously recommended by the Committee on Appropriations, The amendment was adopted, a majority of the members serving voting therefor.

Rep. Farhat moved to amend the bill as follows:

1. Amend page 16, line 13, by striking all of subdivision (g) and inserting:

“(G) ONE SHALL BE AN INDIVIDUAL WHO MEETS ANY OF THE FOLLOWING CRITERIA:

(i) THE INDIVIDUAL IS A MEMBER OF THE GOVERNING BOARD OF A SCHOOL DISTRICT, PUBLIC SCHOOL ACADEMY, OR INTERMEDIATE SCHOOL DISTRICT.

(ii) THE INDIVIDUAL IS EMPLOYED BY A SCHOOL DISTRICT, A PUBLIC SCHOOL ACADEMY, OR AN INTERMEDIATE SCHOOL DISTRICT IN AN ADMINISTRATIVE CAPACITY.

(iii) THE INDIVIDUAL IS A MEMBER OF, OR IS EMPLOYED BY, A STATEWIDE ASSOCIATION REPRESENTING SCHOOL BOARD MEMBERS OR SCHOOL ADMINISTRATORS.”.

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

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

The motion prevailed.

House Bill No. 5711, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 86.

The bill was read a second time.

Rep. Ward moved that the bill be re-referred to the Committee on Agriculture.

The motion prevailed.

Pending the Second Reading of

House Bill No. 5712, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding sections 8601a and 8605.

Rep. Ward moved that the bill be re-referred to the Committee on Agriculture.

The motion prevailed.

Pending the Second Reading of

House Bill No. 5713, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding sections 8601b and 8607.

Rep. Ward moved that the bill be re-referred to the Committee on Agriculture.

The motion prevailed.

Pending the Second Reading of
House Bill No. 5714, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding sections 8601c, 8609, and 8611.

Rep. Ward moved that the bill be re-referred to the Committee on Agriculture.
The motion prevailed.

Pending the Second Reading of
House Bill No. 5715, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 8801, 8802, 8803, 8807, 19608, and 19616 (MCL 324.8801, 324.8802, 324.8803, 324.8807, 324.19608, and 324.19616), sections 8801, 8802, 8803, and 8807 as added by 1998 PA 287, section 19608 as amended by 2003 PA 252, and section 19616 as added by 1998 PA 288; and to repeal acts and parts of acts.

Rep. Ward moved that the bill be re-referred to the Committee on Agriculture.
The motion prevailed.

Pending the Second Reading of
House Bill No. 5716, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 5301 and 5304 (MCL 324.5301 and 324.5304), section 5301 as amended by 2005 PA 255 and section 5304 as amended by 2002 PA 397; and to repeal acts and parts of acts.

Rep. Ward moved that the bill be re-referred to the Committee on Agriculture.
The motion prevailed.

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

Rep. Ward moved that **Senate Bill No. 1133** be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

Senate Bill No. 1133, entitled

A bill to amend 1941 PA 207, entitled “Fire prevention code,” by amending sections 1, 2, 2a, 2b, 2c, 3b, 3c, 3e, 4, 5a, 5c, 5d, 5e, 5g, 5h, 5i, 5j, 5n, 5o, 5p, 6, 10, 16, 21b, 21c, 21d, 23, 24, 26, 28, 29, 30, 31, and 32 (MCL 29.1, 29.2, 29.2a, 29.2b, 29.2c, 29.3b, 29.3c, 29.3e, 29.4, 29.5a, 29.5c, 29.5d, 29.5e, 29.5g, 29.5h, 29.5i, 29.5j, 29.5n, 29.5o, 29.5p, 29.6, 29.10, 29.16, 29.21b, 29.21c, 29.21d, 29.23, 29.24, 29.26, 29.28, 29.29, 29.30, 29.31, and 29.32), sections 1, 3b, 3c, 5a, 5c, 5d, 5e, and 31 as amended by 1996 PA 152, sections 2a and 21c as amended and sections 2b, 3e, and 5i as added by 1980 PA 247, section 2c as added by 1996 PA 147, section 4 as amended by 1980 PA 516, section 5g as amended by 1987 PA 70, sections 5j, 5n, and 5o as added by 1981 PA 186, section 5p as added by 1986 PA 67, section 6 as amended by 2001 PA 32, and sections 26, 28, 29, 30, and 32 as added by 1982 PA 144, and by adding sections 1b, 1c, 1d, and 1e; 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. 509

Yeas—105

Accavitti	Elsenheimer	Law, David	Robertson
Acciavatti	Emmons	Law, Kathleen	Rocca
Adamini	Espinoza	Leland	Sak
Amos	Farhat	Lemmons, Jr.	Schuitmaker
Anderson	Farrah	Marleau	Shaffer
Angerer	Gaffney	Mayes	Sheen
Ball	Garfield	McConico	Sheltrown
Baxter	Gillard	McDowell	Smith, Alma
Bennett	Gleason	Meisner	Smith, Virgil
Bieda	Gonzales	Meyer	Spade

Booher	Gosselin	Miller	Stahl
Brandenburg	Green	Moolenaar	Stakoe
Brown	Hansen	Moore	Steil
Byrnes	Hildenbrand	Mortimer	Stewart
Byrum	Hood	Murphy	Taub
Casperson	Hoogendyk	Newell	Tobocman
Caswell	Hopgood	Nitz	Vagnozzi
Caul	Huizenga	Nofs	Van Regenmorter
Cheeks	Hummel	Palmer	Vander Veen
Clack	Hune	Palsrok	Walker
Clemente	Hunter	Pastor	Ward
Condino	Jones	Pavlov	Waters
Cushingberry	Kahn	Pearce	Wenke
DeRoche	Kolb	Plakas	Williams
Dillon	Kooiman	Polidori	Wojno
Donigan	LaJoy	Proos	Zelenko
Drolet			

Nays—0

In The Chair: Kooiman

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

“An act to provide for the prevention of fires and the protection of persons and property from exposure to the dangers of fire or explosion; to authorize the investigation of fires and the discovery of crime or other offenses in relation thereto; to require the razing, repair, or alteration of buildings, and the clearing and improvement of premises which constitute a fire hazard or a menace to the peace, security, or safety of persons or property; to control the construction, use, and occupancy of those buildings and premises for fire safety purposes; to provide for the certification of fire inspectors and the delegation of certain powers to those certified fire inspectors; to provide for the regulation of the storage and transportation of hazardous material; to provide for the issuance of certificates; to prohibit the use of certain fire extinguishers and fire extinguishing agents; to provide immunity from liability for certain persons; to provide for the administration of this act and prescribe procedure for the enforcement of its provisions; to fix penalties for violation of this act; to provide for the promulgation of rules; to provide for the assessment of fees; and to repeal certain acts and parts of acts,”

The House agreed to the full title.

Rep. Ward moved that Rep. Vander Veen be excused temporarily from today’s session.
The motion prevailed.

Rep. Ward moved that **Senate Bill No. 1134** be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

Senate Bill No. 1134, entitled

A bill to amend 1978 PA 170, entitled “An act to provide for a state arson strike force unit and to prescribe the powers and duties of the strike force unit and the department of state police,” by amending section 2 (MCL 28.72).

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

Roll Call No. 510

Yeas—104

Accavitti	Drolet	LaJoy	Proos
Acciavatti	Elsenheimer	Law, David	Robertson

Adamini	Emmons	Law, Kathleen	Rocca
Amos	Espinoza	Leland	Sak
Anderson	Farhat	Lemmons, Jr.	Schuitmaker
Angerer	Farrah	Marleau	Shaffer
Ball	Gaffney	Mayes	Sheen
Baxter	Garfield	McConico	Sheltrown
Bennett	Gillard	McDowell	Smith, Alma
Bieda	Gleason	Meisner	Smith, Virgil
Booher	Gonzales	Meyer	Spade
Brandenburg	Gosselin	Miller	Stahl
Brown	Green	Moolenaar	Stakoe
Byrnes	Hansen	Moore	Steil
Byrum	Hildenbrand	Mortimer	Stewart
Casperson	Hood	Murphy	Taub
Caswell	Hoogendyk	Newell	Tobocman
Caul	Hopgood	Nitz	Vagnozzi
Cheeks	Huizenga	Nofs	Van Regenmorter
Clack	Hummel	Palmer	Walker
Clemente	Hune	Palsrok	Ward
Condino	Hunter	Pastor	Waters
Cushingberry	Jones	Pavlov	Wenke
DeRoche	Kahn	Pearce	Williams
Dillon	Kolb	Plakas	Wojno
Donigan	Kooiman	Polidori	Zelenko

Nays—0

In The Chair: Kooiman

The House agreed to the title of the bill.

Rep. Ward moved that **Senate Bill No. 1135** be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

Senate Bill No. 1135, entitled

A bill to amend 1945 PA 327, entitled “Aeronautics code of the state of Michigan,” by amending section 204 (MCL 259.204).

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

Roll Call No. 511

Yeas—105

Accavitti	Elsenheimer	Law, David	Robertson
Acciavatti	Emmons	Law, Kathleen	Rocca
Adamini	Espinoza	Leland	Sak
Amos	Farhat	Lemmons, Jr.	Schuitmaker
Anderson	Farrah	Marleau	Shaffer
Angerer	Gaffney	Mayes	Sheen
Ball	Garfield	McConico	Sheltrown
Baxter	Gillard	McDowell	Smith, Alma
Bennett	Gleason	Meisner	Smith, Virgil
Bieda	Gonzales	Meyer	Spade
Booher	Gosselin	Miller	Stahl
Brandenburg	Green	Moolenaar	Stakoe

Brown	Hansen	Moore	Steil
Byrnes	Hildenbrand	Mortimer	Stewart
Byrum	Hood	Murphy	Taub
Casperson	Hoogendyk	Newell	Tobocman
Caswell	Hopgood	Nitz	Vagnozzi
Caul	Huizenga	Nofs	Van Regenmorter
Cheeks	Hummel	Palmer	Vander Veen
Clack	Hune	Palsrok	Walker
Clemente	Hunter	Pastor	Ward
Condino	Jones	Pavlov	Waters
Cushingberry	Kahn	Pearce	Wenke
DeRoche	Kolb	Plakas	Williams
Dillon	Kooiman	Polidori	Wojno
Donigan	LaJoy	Proos	Zelenko
Drolet			

Nays—0

In The Chair: Kooiman

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

“An act relating to aeronautics in this state; providing for the development and regulation thereof; creating a state aeronautics commission; prescribing powers and duties; providing for the licensing, or registration, or supervision and control of all aircraft, airports and landing fields, schools of aviation, flying clubs, airmen, aviation instructors, airport managers, manufacturers, dealers, and commercial operation in intrastate commerce; providing for rules pertaining thereto; prescribing a privilege tax for the use of the aeronautical facilities on the lands and waters of this state; providing for the acquisition, development, and operation of airports, landing fields, and other aeronautical facilities by the state, by political subdivisions, or by public airport authorities; providing for the incorporation of public airport authorities and providing for the powers, duties, and obligations of public airport authorities; providing for the transfer of airport management to public airport authorities, including the transfer of airport liabilities, employees, and operational jurisdiction; providing jurisdiction of crimes, torts, and contracts; providing police powers for those entrusted to enforce this act; providing for civil liability of owners, operators, and others; making hunting from aircraft unlawful; providing for repair station operators lien; providing for appeals from rules or orders issued by the commission; providing for the transfer from the Michigan board of aeronautics to the aeronautics commission all properties and funds held by the board of aeronautics; providing for a state aeronautics fund and making an appropriation therefor; prescribing penalties; and making uniform the law with reference to state development and regulation of aeronautics.”

The House agreed to the full title.

Rep. Ward moved that **Senate Bill No. 1136** be placed on its immediate passage.

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

Senate Bill No. 1136, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 20155, 20156, and 22210 (MCL 333.20155, 333.20156, and 333.22210), section 20155 as amended by 2001 PA 218, section 20156 as amended by 1990 PA 179, and section 22210 as amended by 1993 PA 88; 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. 512

Yeas—105

Accavitti	Elsenheimer	Law, David	Robertson
Acciavatti	Emmons	Law, Kathleen	Rocca

Adamini	Espinoza	Leland	Sak
Amos	Farhat	Lemmons, Jr.	Schuitmaker
Anderson	Farrah	Marleau	Shaffer
Angerer	Gaffney	Mayes	Sheen
Ball	Garfield	McConico	Sheltrown
Baxter	Gillard	McDowell	Smith, Alma
Bennett	Gleason	Meisner	Smith, Virgil
Bieda	Gonzales	Meyer	Spade
Booher	Gosselin	Miller	Stahl
Brandenburg	Green	Moolenaar	Stakoe
Brown	Hansen	Moore	Steil
Byrnes	Hildenbrand	Mortimer	Stewart
Byrum	Hood	Murphy	Taub
Casperson	Hoogendyk	Newell	Tobocman
Caswell	Hopgood	Nitz	Vagnozzi
Caul	Huizenga	Nofs	Van Regenmorter
Cheeks	Hummel	Palmer	Vander Veen
Clack	Hune	Palsrok	Walker
Clemente	Hunter	Pastor	Ward
Condino	Jones	Pavlov	Waters
Cushingberry	Kahn	Pearce	Wenke
DeRoche	Kolb	Plakas	Williams
Dillon	Kooiman	Polidori	Wojno
Donigan	LaJoy	Proos	Zelenko
Drolet			

Nays—0

In The Chair: Kooiman

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

“An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,”

The House agreed to the full title.

Rep. Ward moved that **Senate Bill No. 1137** be placed on its immediate passage.

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

Senate Bill No. 1137, entitled

A bill to amend 1984 PA 192, entitled “Forbes mechanical contractors act,” by amending section 3 (MCL 338.973). Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 513**Yeas—105**

Accavitti	Elsenheimer	Law, David	Robertson
Acciavatti	Emmons	Law, Kathleen	Rocca
Adamini	Espinoza	Leland	Sak
Amos	Farhat	Lemmons, Jr.	Schuitmaker
Anderson	Farrah	Marleau	Shaffer
Angerer	Gaffney	Mayes	Sheen
Ball	Garfield	McConico	Sheltrown
Baxter	Gillard	McDowell	Smith, Alma
Bennett	Gleason	Meisner	Smith, Virgil
Bieda	Gonzales	Meyer	Spade
Booher	Gosselin	Miller	Stahl
Brandenburg	Green	Moolenaar	Stakoe
Brown	Hansen	Moore	Steil
Byrnes	Hildenbrand	Mortimer	Stewart
Byrum	Hood	Murphy	Taub
Casperson	Hoogendyk	Newell	Tobocman
Caswell	Hopgood	Nitz	Vagnozzi
Caul	Huizenga	Nofs	Van Regenmorter
Cheeks	Hummel	Palmer	Vander Veen
Clack	Hune	Palsrok	Walker
Clemente	Hunter	Pastor	Ward
Condino	Jones	Pavlov	Waters
Cushingberry	Kahn	Pearce	Wenke
DeRoche	Kolb	Plakas	Williams
Dillon	Kooiman	Polidori	Wojno
Donigan	LaJoy	Proos	Zelenko
Drolet			

Nays—0

In The Chair: Kooiman

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

“An act to regulate the use, installation, alteration, and servicing of specified heating, cooling, ventilating, and refrigerating equipment and systems; to create a board of mechanical rules; to provide for the licensing of installing contractors and of servicing contractors of heating, cooling, ventilating, and refrigerating equipment and systems; to prescribe fees; to provide for the promulgation of rules; and to prescribe penalties,”

The House agreed to the full title.

Rep. Ward moved that **Senate Bill No. 1138** be placed on its immediate passage.

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

Senate Bill No. 1138, entitled

A bill to amend 1937 PA 306, entitled “An act to promote the safety, welfare, and educational interests of the people of the state of Michigan by regulating the construction, reconstruction, and remodeling of certain public or private school buildings or additions to such buildings, by regulating the construction, reconstruction, and remodeling of buildings leased or acquired for school purposes, and to define the class of buildings affected by this act; to prescribe the powers and duties of certain state agencies and officials; to prescribe penalties for the violation of this act; and to repeal acts and parts of acts,” by amending sections 1b, 3, 4, and 5a (MCL 388.851b, 388.853, 388.854, and 388.855a), section 1b as added by 2002 PA 628.

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

Roll Call No. 514**Yeas—105**

Accavitti	Elsenheimer	Law, David	Robertson
Acciavatti	Emmons	Law, Kathleen	Rocca
Adamini	Espinoza	Leland	Sak
Amos	Farhat	Lemmons, Jr.	Schuitmaker
Anderson	Farrah	Marleau	Shaffer
Angerer	Gaffney	Mayes	Sheen
Ball	Garfield	McConico	Sheltrown
Baxter	Gillard	McDowell	Smith, Alma
Bennett	Gleason	Meisner	Smith, Virgil
Bieda	Gonzales	Meyer	Spade
Booher	Gosselin	Miller	Stahl
Brandenburg	Green	Moolenaar	Stakoe
Brown	Hansen	Moore	Steil
Byrnes	Hildenbrand	Mortimer	Stewart
Byrum	Hood	Murphy	Taub
Casperson	Hoogendyk	Newell	Tobocman
Caswell	Hopgood	Nitz	Vagnozzi
Caul	Huizenga	Nofs	Van Regenmorter
Cheeks	Hummel	Palmer	Vander Veen
Clack	Hune	Palsrok	Walker
Clemente	Hunter	Pastor	Ward
Condino	Jones	Pavlov	Waters
Cushingberry	Kahn	Pearce	Wenke
DeRoche	Kolb	Plakas	Williams
Dillon	Kooiman	Polidori	Wojno
Donigan	LaJoy	Proos	Zelenko
Drolet			

Nays—0

In The Chair: Kooiman

The House agreed to the title of the bill.

Rep. Ward moved that **Senate Bill No. 1139** be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

Senate Bill No. 1139, entitled

A bill to amend 1979 PA 218, entitled “Adult foster care facility licensing act,” by amending sections 10, 11, and 20 (MCL 400.710, 400.711, and 400.720), sections 10 and 20 as amended by 1986 PA 257 and section 11 as amended by 1992 PA 176.

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

Roll Call No. 515**Yeas—105**

Accavitti	Elsenheimer	Law, David	Robertson
Acciavatti	Emmons	Law, Kathleen	Rocca
Adamini	Espinoza	Leland	Sak
Amos	Farhat	Lemmons, Jr.	Schuitmaker
Anderson	Farrah	Marleau	Shaffer

Angerer	Gaffney	Mayes	Sheen
Ball	Garfield	McConico	Sheltrown
Baxter	Gillard	McDowell	Smith, Alma
Bennett	Gleason	Meisner	Smith, Virgil
Bieda	Gonzales	Meyer	Spade
Booher	Gosselin	Miller	Stahl
Brandenburg	Green	Moolenaar	Stakoe
Brown	Hansen	Moore	Steil
Byrnes	Hildenbrand	Mortimer	Stewart
Byrum	Hood	Murphy	Taub
Casperson	Hoogendyk	Newell	Tobocman
Caswell	Hopgood	Nitz	Vagnozzi
Caul	Huizenga	Nofs	Van Regenmorter
Cheeks	Hummel	Palmer	Vander Veen
Clack	Hune	Palsrok	Walker
Clemente	Hunter	Pastor	Ward
Condino	Jones	Pavlov	Waters
Cushingberry	Kahn	Pearce	Wenke
DeRoche	Kolb	Plakas	Williams
Dillon	Kooiman	Polidori	Wojno
Donigan	LaJoy	Proos	Zelenko
Drolet			

Nays—0

In The Chair: Kooiman

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

“An act to provide for the licensing and regulation of adult foster care facilities; to provide for the establishment of standards of care for adult foster care facilities; to prescribe powers and duties of the department of social services and other departments; to prescribe certain fees; to prescribe penalties; and to repeal certain acts and parts of acts,”

The House agreed to the full title.

Rep. Ward moved that **Senate Bill No. 1140** be placed on its immediate passage.

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

Senate Bill No. 1140, entitled

A bill to amend 1942 (1st Ex Sess) PA 9, entitled “An act providing for compensation to certain fire fighters injured in the safeguarding of life and property, and payment to the surviving spouse and dependents in case of death; and to make an appropriation therefor,” by amending section 1 (MCL 419.201).

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

Roll Call No. 516

Yeas—105

Accavitti	Elsenheimer	Law, David	Robertson
Acciavatti	Emmons	Law, Kathleen	Rocca
Adamini	Espinoza	Leland	Sak
Amos	Farhat	Lemmons, Jr.	Schuitmaker
Anderson	Farrar	Marleau	Shaffer
Angerer	Gaffney	Mayes	Sheen
Ball	Garfield	McConico	Sheltrown
Baxter	Gillard	McDowell	Smith, Alma
Bennett	Gleason	Meisner	Smith, Virgil

Bieda	Gonzales	Meyer	Spade
Booher	Gosselin	Miller	Stahl
Brandenburg	Green	Moolenaar	Stakoe
Brown	Hansen	Moore	Steil
Byrnes	Hildenbrand	Mortimer	Stewart
Byrum	Hood	Murphy	Taub
Casperson	Hoogendyk	Newell	Tobocman
Caswell	Hopgood	Nitz	Vagnozzi
Caul	Huizenga	Nofs	Van Regenmorter
Cheeks	Hummel	Palmer	Vander Veen
Clack	Hune	Palsrok	Walker
Clemente	Hunter	Pastor	Ward
Condino	Jones	Pavlov	Waters
Cushingberry	Kahn	Pearce	Wenke
DeRoche	Kolb	Plakas	Williams
Dillon	Kooiman	Polidori	Wojno
Donigan	LaJoy	Proos	Zelenko
Drolet			

Nays—0

In The Chair: Kooiman

The House agreed to the title of the bill.

Rep. Ward moved that **Senate Bill No. 1141** be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

Senate Bill No. 1141, entitled

A bill to amend 1944 (1st Ex Sess) PA 52, entitled “An act to provide for the establishment of and quieting the title to and the recreating of the public records of lands in counties where records of title have been destroyed in whole or in any material part by fire, flood or other major disaster, and to establish the procedure therefor and to provide an appropriation to pay certain costs thereof,” by amending section 16 (MCL 561.16).

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

Roll Call No. 517

Yeas—105

Accavitti	Elsenheimer	Law, David	Robertson
Acciavatti	Emmons	Law, Kathleen	Rocca
Adamini	Espinoza	Leland	Sak
Amos	Farhat	Lemmons, Jr.	Schuitmaker
Anderson	Farrah	Marleau	Shaffer
Angerer	Gaffney	Mayes	Sheen
Ball	Garfield	McConico	Sheltrown
Baxter	Gillard	McDowell	Smith, Alma
Bennett	Gleason	Meisner	Smith, Virgil
Bieda	Gonzales	Meyer	Spade
Booher	Gosselin	Miller	Stahl
Brandenburg	Green	Moolenaar	Stakoe
Brown	Hansen	Moore	Steil
Byrnes	Hildenbrand	Mortimer	Stewart
Byrum	Hood	Murphy	Taub
Casperson	Hoogendyk	Newell	Tobocman

Caswell	Hopgood	Nitz	Vagnozzi
Caul	Huizenga	Nofs	Van Regenmorter
Cheeks	Hummel	Palmer	Vander Veen
Clack	Hune	Palsrok	Walker
Clemente	Hunter	Pastor	Ward
Condino	Jones	Pavlov	Waters
Cushingberry	Kahn	Pearce	Wenke
DeRoche	Kolb	Plakas	Williams
Dillon	Kooiman	Polidori	Wojno
Donigan	LaJoy	Proos	Zelenko
Drolet			

Nays—0

In The Chair: Kooiman

The House agreed to the title of the bill.

Rep. Ward moved that **Senate Bill No. 1142** be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

Senate Bill No. 1142, entitled

A bill to amend 1974 PA 258, entitled “Mental health code,” by amending sections 138, 140, and 146 (MCL 330.1138, 330.1140, and 330.1146), section 138 as amended by 1995 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. 518**Yeas—105**

Accavitti	Elsenheimer	Law, David	Robertson
Acciavatti	Emmons	Law, Kathleen	Rocca
Adamini	Espinoza	Leland	Sak
Amos	Farhat	Lemmons, Jr.	Schuitmaker
Anderson	Farrah	Marleau	Shaffer
Angerer	Gaffney	Mayes	Sheen
Ball	Garfield	McConico	Sheltrown
Baxter	Gillard	McDowell	Smith, Alma
Bennett	Gleason	Meisner	Smith, Virgil
Bieda	Gonzales	Meyer	Spade
Booher	Gosselin	Miller	Stahl
Brandenburg	Green	Moolenaar	Stakoe
Brown	Hansen	Moore	Steil
Byrnes	Hildenbrand	Mortimer	Stewart
Byrum	Hood	Murphy	Taub
Casperson	Hoogendyk	Newell	Tobocman
Caswell	Hopgood	Nitz	Vagnozzi
Caul	Huizenga	Nofs	Van Regenmorter
Cheeks	Hummel	Palmer	Vander Veen
Clack	Hune	Palsrok	Walker
Clemente	Hunter	Pastor	Ward
Condino	Jones	Pavlov	Waters
Cushingberry	Kahn	Pearce	Wenke
DeRoche	Kolb	Plakas	Williams
Dillon	Kooiman	Polidori	Wojno

Donigan
Drolet

LaJoy

Proos

Zelenko

Nays—0

In The Chair: Kooiman

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

“An act to codify, revise, consolidate, and classify the laws relating to mental health; to prescribe the powers and duties of certain state and local agencies and officials and certain private agencies and individuals; to regulate certain agencies and facilities providing mental health services; to provide for certain charges and fees; to establish civil admission procedures for individuals with mental illness or developmental disability; to establish guardianship procedures for individuals with developmental disability; to establish procedures regarding individuals with mental illness or developmental disability who are in the criminal justice system; to provide for penalties and remedies; and to repeal acts and parts of acts,”

The House agreed to the full title.

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

Rep. Ward moved that **Senate Bill No. 1143** be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

Senate Bill No. 1143, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 243b (MCL 750.243b).

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

Roll Call No. 519

Yeas—104

Accavitti	Elsenheimer	Law, David	Robertson
Acciavatti	Emmons	Law, Kathleen	Rocca
Adamini	Espinoza	Leland	Sak
Amos	Farhat	Lemmons, Jr.	Schuitmaker
Anderson	Farrah	Marleau	Shaffer
Angerer	Gaffney	Mayes	Sheen
Ball	Garfield	McConico	Sheltrown
Baxter	Gillard	McDowell	Smith, Alma
Bennett	Gleason	Meisner	Smith, Virgil
Bieda	Gonzales	Meyer	Spade
Booher	Gosselin	Miller	Stahl
Brandenburg	Green	Moolenaar	Stakoe
Brown	Hansen	Moore	Steil
Byrnes	Hildenbrand	Mortimer	Stewart
Byrum	Hood	Murphy	Taub
Casperson	Hoogendyk	Newell	Tobocman
Caswell	Hopgood	Nitz	Vagnozzi
Caul	Huizenga	Nofs	Van Regenmorter
Cheeks	Hummel	Palmer	Vander Veen
Clack	Hune	Palsrok	Walker

Clemente	Hunter	Pastor	Ward
Condino	Jones	Pavlov	Waters
Cushingberry	Kahn	Pearce	Wenke
Dillon	Kolb	Plakas	Williams
Donigan	Kooiman	Polidori	Wojno
Drolet	LaJoy	Proos	Zelenko

Nays—0

In The Chair: Kooiman

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

“An act to revise, consolidate, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act,”

The House agreed to the full title.

Rep. Ward moved that **Senate Bill No. 1144** be placed on its immediate passage.

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

Senate Bill No. 1144, entitled

A bill to amend 1988 PA 456, entitled “An act to provide certain immunity from civil action to certain instructors,” by amending section 1 (MCL 29.401).

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

Roll Call No. 520**Yeas—105**

Accavitti	Elsenheimer	Law, David	Robertson
Acciavatti	Emmons	Law, Kathleen	Rocca
Adamini	Espinoza	Leland	Sak
Amos	Farhat	Lemmons, Jr.	Schuitmaker
Anderson	Farrah	Marleau	Shaffer
Angerer	Gaffney	Mayes	Sheen
Ball	Garfield	McConico	Sheltrown
Baxter	Gillard	McDowell	Smith, Alma
Bennett	Gleason	Meisner	Smith, Virgil
Bieda	Gonzales	Meyer	Spade
Booher	Gosselin	Miller	Stahl
Brandenburg	Green	Moolenaar	Stakoe
Brown	Hansen	Moore	Steil
Byrnes	Hildenbrand	Mortimer	Stewart
Byrum	Hood	Murphy	Taub
Casperson	Hoogendyk	Newell	Tobocman
Caswell	Hopgood	Nitz	Vagnozzi
Caul	Huizenga	Nofs	Van Regenmorter
Cheeks	Hummel	Palmer	Vander Veen
Clack	Hune	Palsrok	Walker
Clemente	Hunter	Pastor	Ward
Condino	Jones	Pavlov	Waters
Cushingberry	Kahn	Pearce	Wenke
DeRoche	Kolb	Plakas	Williams

Dillon
Donigan
Drolet

Kooiman
LaJoy

Polidori
Proos

Wojno
Zelenko

Nays—0

In The Chair: Kooiman

The House agreed to the title of the bill.

Rep. Waters moved that Rep. Alma Smith be excused temporarily from today's session.
The motion prevailed.

Rep. Ward moved that **Senate Bill No. 1145** be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

Senate Bill No. 1145, entitled

A bill to amend 1988 PA 457, entitled "An act to provide certain immunity from civil liability to certain institutions of higher education and health facilities and employees of institutions of higher education and health facilities," by amending section 2 (MCL 29.412).

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

Roll Call No. 521

Yeas—104

Accavitti	Drolet	LaJoy	Proos
Acciavatti	Elsenheimer	Law, David	Robertson
Adamini	Emmons	Law, Kathleen	Rocca
Amos	Espinoza	Leland	Sak
Anderson	Farhat	Lemmons, Jr.	Schuitmaker
Angerer	Farrah	Marleau	Shaffer
Ball	Gaffney	Mayes	Sheen
Baxter	Garfield	McConico	Sheltrown
Bennett	Gillard	McDowell	Smith, Virgil
Bieda	Gleason	Meisner	Spade
Booher	Gonzales	Meyer	Stahl
Brandenburg	Gosselin	Miller	Stakoe
Brown	Green	Moolenaar	Steil
Byrnes	Hansen	Moore	Stewart
Byrum	Hildenbrand	Mortimer	Taub
Casperson	Hood	Murphy	Tobocman
Caswell	Hoogendyk	Newell	Vagnozzi
Caul	Hopgood	Nitz	Van Regenmorter
Cheeks	Huizenga	Nofs	Vander Veen
Clack	Hummel	Palmer	Walker
Clemente	Hune	Palsrok	Ward
Condino	Hunter	Pastor	Waters
Cushingberry	Jones	Pavlov	Wenke
DeRoche	Kahn	Pearce	Williams
Dillon	Kolb	Plakas	Wojno
Donigan	Kooiman	Polidori	Zelenko

Nays—0

In The Chair: Kooiman

The House agreed to the title of the bill.

Rep. Waters moved that Rep. Adamini be excused temporarily from today's session.
The motion prevailed.

Rep. Ward moved that Reps. Newell and Nofs be excused temporarily from today's session.
The motion prevailed.

House Bill No. 5056, entitled

A bill to amend 1975 PA 197, entitled "An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials," by amending section 4 (MCL 125.1654), as amended by 1987 PA 66.

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

Roll Call No. 522**Yeas—102**

Accavitti	Elsenheimer	Law, David	Rocca
Acciavatti	Emmons	Law, Kathleen	Sak
Amos	Espinoza	Leland	Schuitmaker
Anderson	Farhat	Lemmons, Jr.	Shaffer
Angerer	Farrah	Marleau	Sheen
Ball	Gaffney	Mayer	Sheltrown
Baxter	Garfield	McConico	Smith, Alma
Bennett	Gillard	McDowell	Smith, Virgil
Bieda	Gleason	Meisner	Spade
Booher	Gonzales	Meyer	Stahl
Brandenburg	Gosselin	Miller	Stakoe
Brown	Green	Moolenaar	Steil
Byrnes	Hansen	Moore	Stewart
Byrum	Hildenbrand	Mortimer	Taub
Casperson	Hood	Murphy	Tobocman
Caswell	Hoogendyk	Nitz	Vagnozzi
Caul	Hopgood	Palmer	Van Regenmorter
Cheeks	Huizenga	Palsrok	Vander Veen
Clack	Hummel	Pastor	Walker
Clemente	Hune	Pavlov	Ward
Condino	Hunter	Pearce	Waters
Cushingberry	Jones	Plakas	Wenke
DeRoche	Kahn	Polidori	Williams
Dillon	Kolb	Proos	Wojno
Donigan	Kooiman	Robertson	Zelenko
Drolet	LaJoy		

Nays—0

In The Chair: Kooiman

The question being on agreeing to the title of the bill,
Rep. Ward moved to amend the title to read as follows:

A bill to amend 1975 PA 197, entitled "An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials," by amending section 4 (MCL 125.1654), as amended by 2005 PA 115.

The motion prevailed.

The House agreed to the title as amended.

By unanimous consent the House returned to the order of

Messages from the Senate

The Speaker laid before the House

House Bill No. 5860, entitled

A bill to amend 1966 PA 291, entitled "Fire fighters training council act of 1966," by amending the title and sections 1, 2, 3, 9, 11, 13, and 14 (MCL 29.361, 29.362, 29.363, 29.369, 29.371, 29.373, and 29.374), the title and sections 2 and 3 as amended by 1987 PA 196 and section 9 as amended by 1988 PA 458.

(The bill was received from the Senate on May 9, with substitute (S-1), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until May 10, see House Journal No. 44, p. 1052.)

The question being on concurring in the substitute (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. 523**Yeas—105**

Accavitti	Elsenheimer	Law, David	Robertson
Acciavatti	Emmons	Law, Kathleen	Rocca
Adamini	Espinoza	Leland	Sak
Amos	Farhat	Lemmons, Jr.	Schuitmaker
Anderson	Farrar	Marleau	Shaffer
Angerer	Gaffney	Mayes	Sheen
Ball	Garfield	McConico	Sheltrown
Baxter	Gillard	McDowell	Smith, Alma
Bennett	Gleason	Meisner	Smith, Virgil
Bieda	Gonzales	Meyer	Spade
Booher	Gosselin	Miller	Stahl
Brandenburg	Green	Moolenaar	Stakoe
Brown	Hansen	Moore	Steil
Byrnes	Hildenbrand	Mortimer	Stewart
Byrum	Hood	Murphy	Taub
Casperson	Hoogendyk	Newell	Tobocman
Caswell	Hopgood	Nitz	Vagnozzi
Caul	Huizenga	Nofs	Van Regenmorter
Cheeks	Hummel	Palmer	Vander Veen
Clack	Hune	Palsrok	Walker
Clemente	Hunter	Pastor	Ward
Condino	Jones	Pavlov	Waters

Cushingberry	Kahn	Pearce	Wenke
DeRoche	Kolb	Plakas	Williams
Dillon	Kooiman	Polidori	Wojno
Donigan	LaJoy	Proos	Zelenko
Drolet			

Nays—0

In The Chair: Kooiman

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

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

Reps. Waters, Plakas, Anderson, Stewart, Zelenko, Kooiman, Meyer, Newell, Vander Veen, Williams, Adamini, Gaffney, Farrah, Pastor, Hopgood, Kathleen Law, Brandenburg, Meisner, Wojno, Acciavatti, Clack, Vagnozzi, Taub, Accavitti, Stakoe, Hune, Gleason, Caswell, Shaffer, Nofs, Wenke, Ward, Emmons, Steil, Sak, Nitz, Stahl, Huizenga, Moolenaar, Palsrok, Gillard, Casperson, Dillon, Angerer, Ball, Baxter, Bennett, Booher, Byrnes, Caul, Clemente, Cushingberry, Donigan, Elsenheimer, Espinoza, Gonzales, Green, Hansen, Hildenbrand, Jones, Kahn, David Law, Marleau, Mayes, McDowell, Miller, Moore, Mortimer, Palmer, Pearce, Polidori, Proos, Rocca, Schuitmaker, Sheltroun, Alma Smith, Spade and Murphy were named co-sponsors of the bill.

The House agreed to the title as amended.

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

The Speaker laid before the House

House Bill No. 5871, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 312e (MCL 257.312e), as amended by 2004 PA 362.

(The bill was received from the Senate on May 9, with an amendment, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until May 10, see House Journal No. 44, p. 1077.)

The question being on concurring in the amendment made to the bill by the Senate,

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

Roll Call No. 524

Yeas—105

Accavitti	Elsenheimer	Law, David	Robertson
Acciavatti	Emmons	Law, Kathleen	Rocca
Adamini	Espinoza	Leland	Sak
Amos	Farhat	Lemmons, Jr.	Schuitmaker
Anderson	Farrah	Marleau	Shaffer
Angerer	Gaffney	Mayes	Sheen
Ball	Garfield	McConico	Sheltroun
Baxter	Gillard	McDowell	Smith, Alma
Bennett	Gleason	Meisner	Smith, Virgil
Bieda	Gonzales	Meyer	Spade
Booher	Gosselin	Miller	Stahl
Brandenburg	Green	Moolenaar	Stakoe
Brown	Hansen	Moore	Steil
Byrnes	Hildenbrand	Mortimer	Stewart
Byrum	Hood	Murphy	Taub
Casperson	Hoogendyk	Newell	Tobocman
Caswell	Hopgood	Nitz	Vagnozzi
Caul	Huizenga	Nofs	Van Regenmorter
Cheeks	Hummel	Palmer	Vander Veen
Clack	Hune	Palsrok	Walker

Clemente	Hunter	Pastor	Ward
Condino	Jones	Pavlov	Waters
Cushingberry	Kahn	Pearce	Wenke
DeRoche	Kolb	Plakas	Williams
Dillon	Kooiman	Polidori	Wojno
Donigan	LaJoy	Proos	Zelenko
Drolet			

Nays—0

In The Chair: Kooiman

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

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

Reps. Waters, McConico, Plakas, Anderson, Kooiman, Meyer, Newell, Williams, Adamini, Hopgood, Kathleen Law, Acciavatti, Clack, Condino, DeRoche, Accavitti, Shaffer, Ward, Sheen, Casperson, Bennett, Clemente, Cushingberry, Donigan, Espinoza, Gonzales, Green, Leland, Lemmons, Jr., Miller, Palmer, Pearce and Spade were named co-sponsors of the bill.

The House agreed to the full title of the bill.

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

Rep. Lemmons, III entered the House Chambers.

The Speaker laid before the House

House Bill No. 5861, entitled

A bill to amend 1935 PA 59, entitled “An act to provide for the public safety; to create the Michigan state police, and provide for the organization thereof; to transfer thereto the offices, duties and powers of the state fire marshal, the state oil inspector, the department of the Michigan state police as heretofore organized, and the department of public safety; to create the office of commissioner of the Michigan state police; to provide for an acting commissioner and for the appointment of the officers and members of said department; to prescribe their powers, duties, and immunities; to provide the manner of fixing their compensation; to provide for their removal from office; and to repeal Act No. 26 of the Public Acts of 1919, being sections 556 to 562, inclusive, of the Compiled Laws of 1929, and Act No. 123 of the Public Acts of 1921, as amended, being sections 545 to 555, inclusive, of the Compiled Laws of 1929,” by repealing section 5 (MCL 28.5).

(The bill was received from the Senate on May 9, with an amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until May 10, see House Journal No. 44, p. 1075.)

The question being on concurring in the amendment made to the bill by the Senate,

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

Roll Call No. 525

Yeas—106

Accavitti	Elsenheimer	Law, Kathleen	Robertson
Acciavatti	Emmons	Leland	Rocca
Adamini	Espinoza	Lemmons, III	Sak
Amos	Farhat	Lemmons, Jr.	Schuitmaker
Anderson	Farrar	Marleau	Shaffer
Angerer	Gaffney	Mayes	Sheen
Ball	Garfield	McConico	Sheltrown
Baxter	Gillard	McDowell	Smith, Alma

Bennett	Gleason	Meisner	Smith, Virgil
Bieda	Gonzales	Meyer	Spade
Booher	Gosselin	Miller	Stahl
Brandenburg	Green	Moolenaar	Stakoe
Brown	Hansen	Moore	Steil
Byrnes	Hildenbrand	Mortimer	Stewart
Byrum	Hood	Murphy	Taub
Casperson	Hoogendyk	Newell	Tobocman
Caswell	Hopgood	Nitz	Vagnozzi
Caul	Huizenga	Nofs	Van Regenmorter
Cheeks	Hummel	Palmer	Vander Veen
Clack	Hune	Palsrok	Walker
Clemente	Hunter	Pastor	Ward
Condino	Jones	Pavlov	Waters
Cushingberry	Kahn	Pearce	Wenke
DeRoche	Koob	Plakas	Williams
Dillon	Kooiman	Polidori	Wojno
Donigan	LaJoy	Proos	Zelenko
Drolet	Law, David		

Nays—0

In The Chair: Kooiman

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

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

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

The Speaker laid before the House

House Bill No. 5862, entitled

A bill to amend 1972 PA 230, entitled “Stille-DeRossett-Hale single state construction code act,” by amending sections 3a and 8b (MCL 125.1503a and 125.1508b), as added by 1999 PA 245.

(The bill was received from the Senate on May 9, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until May 10, see House Journal No. 44, p. 1052.)

The question being on concurring in the substitute (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. 526

Yeas—106

Accavitti	Elsenheimer	Law, Kathleen	Robertson
Acciavatti	Emmons	Leland	Rocca
Adamini	Espinoza	Lemmons, III	Sak
Amos	Farhat	Lemmons, Jr.	Schuitmaker
Anderson	Farrah	Marleau	Shaffer
Angerer	Gaffney	Mayes	Sheen
Ball	Garfield	McConico	Sheltrown
Baxter	Gillard	McDowell	Smith, Alma
Bennett	Gleason	Meisner	Smith, Virgil
Bieda	Gonzales	Meyer	Spade
Booher	Gosselin	Miller	Stahl
Brandenburg	Green	Moolenaar	Stakoe
Brown	Hansen	Moore	Steil

Byrnes	Hildenbrand	Mortimer	Stewart
Byrum	Hood	Murphy	Taub
Casperson	Hoogendyk	Newell	Tobocman
Caswell	Hopgood	Nitz	Vagnozzi
Caul	Huizenga	Nofs	Van Regenmorter
Cheeks	Hummel	Palmer	Vander Veen
Clack	Hune	Palsrok	Walker
Clemente	Hunter	Pastor	Ward
Condino	Jones	Pavlov	Waters
Cushingberry	Kahn	Pearce	Wenke
DeRoche	Kolb	Plakas	Williams
Dillon	Kooiman	Polidori	Wojno
Donigan	LaJoy	Proos	Zelenko
Drolet	Law, David		

Nays—0

In The Chair: Kooiman

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

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

The House agreed to the full title of the bill.

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

The Speaker laid before the House

House Bill No. 5863, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 77101 (MCL 324.77101), as added by 1995 PA 58.

(The bill was received from the Senate on May 9, with an amendment, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until May 10, see House Journal No. 44, p. 1075.)

The question being on concurring in the amendment made to the bill by the Senate,

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

Roll Call No. 527**Yeas—106**

Accavitti	Elsenheimer	Law, Kathleen	Robertson
Acciavatti	Emmons	Leland	Rocca
Adamini	Espinoza	Lemmons, III	Sak
Amos	Farhat	Lemmons, Jr.	Schuitmaker
Anderson	Farrah	Marleau	Shaffer
Angerer	Gaffney	Mayes	Sheen
Ball	Garfield	McConico	Sheltrown
Baxter	Gillard	McDowell	Smith, Alma
Bennett	Gleason	Meisner	Smith, Virgil
Bieda	Gonzales	Meyer	Spade
Booher	Gosselin	Miller	Stahl
Brandenburg	Green	Moolenaar	Stakoe
Brown	Hansen	Moore	Steil
Byrnes	Hildenbrand	Mortimer	Stewart
Byrum	Hood	Murphy	Taub
Casperson	Hoogendyk	Newell	Tobocman
Caswell	Hopgood	Nitz	Vagnozzi
Caul	Huizenga	Nofs	Van Regenmorter

Cheeks	Hummel	Palmer	Vander Veen
Clack	Hune	Palsrok	Walker
Clemente	Hunter	Pastor	Ward
Condino	Jones	Pavlov	Waters
Cushingberry	Kahn	Pearce	Wenke
DeRoche	Kolb	Plakas	Williams
Dillon	Kooiman	Polidori	Wojno
Donigan	LaJoy	Proos	Zelenko
Drolet	Law, David		

Nays—0

In The Chair: Kooiman

Rep. Ward moved that the bill be given immediate effect.
 The motion prevailed, 2/3 of the members serving voting therefor.
 The House agreed to the full title of the bill.
 The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

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

The Speaker laid before the House
House Bill No. 5864, entitled

A bill to amend 1956 PA 217, entitled "Electrical administrative act," by amending section 2 (MCL 338.882), as amended by 1992 PA 130.

(The bill was received from the Senate on May 9, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until May 10, see House Journal No. 44, p. 1052.)

The question being on concurring in the substitute (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. 528**Yeas—105**

Accavitti	Elsenheimer	Law, David	Proos
Acciavatti	Emmons	Law, Kathleen	Robertson
Adamini	Espinoza	Leland	Rocca
Amos	Farhat	Lemmons, III	Sak
Anderson	Farrah	Lemmons, Jr.	Schuitmaker
Angerer	Gaffney	Marleau	Sheen
Ball	Garfield	Mayes	Sheltrown
Baxter	Gillard	McConico	Smith, Alma
Bennett	Gleason	McDowell	Smith, Virgil
Bieda	Gonzales	Meisner	Spade
Booher	Gosselin	Meyer	Stahl
Brandenburg	Green	Miller	Stakoe
Brown	Hansen	Moolenaar	Steil
Byrnes	Hildenbrand	Moore	Stewart
Byrum	Hood	Mortimer	Taub

Casperson	Hoogendyk	Murphy	Tobocman
Caswell	Hopgood	Newell	Vagnozzi
Caul	Huizenga	Nitz	Van Regenmorter
Cheeks	Hummel	Nofs	Vander Veen
Clack	Hune	Palmer	Walker
Clemente	Hunter	Palsrok	Ward
Condino	Jones	Pastor	Waters
Cushingberry	Kahn	Pavlov	Wenke
DeRoche	Kolb	Pearce	Williams
Dillon	Kooiman	Plakas	Wojno
Donigan	LaJoy	Polidori	Zelenko
Drolet			

Nays—0

In The Chair: Kooiman

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

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

The House agreed to the full title of the bill.

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

Rep. Shaffer, under Rule 33, made the following statement:

“Mr. Speaker and members of the House:

I was absent from the Chamber when the vote was taken on Roll Call No. 528. Had I been present, I would have voted ‘yea’.”

The Speaker laid before the House

House Bill No. 5865, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1285a (MCL 380.1285a), as amended by 2002 PA 695.

(The bill was received from the Senate on May 9, with an amendment, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until May 10, see House Journal No. 44, p. 1076.)

The question being on concurring in the amendment made to the bill by the Senate,

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

Roll Call No. 529

Yeas—106

Accavitti	Elsenheimer	Law, Kathleen	Robertson
Acciavatti	Emmons	Leland	Rocca
Adamini	Espinoza	Lemmons, III	Sak
Amos	Farhat	Lemmons, Jr.	Schuitmaker
Anderson	Farrah	Marleau	Shaffer
Angerer	Gaffney	Mayes	Sheen
Ball	Garfield	McConico	Sheltrown
Baxter	Gillard	McDowell	Smith, Alma
Bennett	Gleason	Meisner	Smith, Virgil
Bieda	Gonzales	Meyer	Spade
Booher	Gosselin	Miller	Stahl

Brandenburg	Green	Moolenaar	Stakoe
Brown	Hansen	Moore	Steil
Byrnes	Hildenbrand	Mortimer	Stewart
Byrum	Hood	Murphy	Taub
Casperson	Hoogendyk	Newell	Tobocman
Caswell	Hopgood	Nitz	Vagnozzi
Caul	Huizenga	Nofs	Van Regenmorter
Cheeks	Hummel	Palmer	Vander Veen
Clack	Hune	Palsrok	Walker
Clemente	Hunter	Pastor	Ward
Condino	Jones	Pavlov	Waters
Cushingberry	Kahn	Pearce	Wenke
DeRoche	Kolb	Plakas	Williams
Dillon	Kooiman	Polidori	Wojno
Donigan	LaJoy	Proos	Zelenko
Drolet	Law, David		

Nays—0

In The Chair: Kooiman

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

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

The House agreed to the full title of the bill.

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

The Speaker laid before the House

House Bill No. 5866, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 58 (MCL 400.58).

(The bill was received from the Senate on May 9, with an amendment, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until May 10, see House Journal No. 44, p. 1052.)

The question being on concurring in the amendment made to the bill by the Senate,

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

Roll Call No. 530**Yeas—106**

Accavitti	Elsenheimer	Law, Kathleen	Robertson
Acciavatti	Emmons	Leland	Rocca
Adamini	Espinoza	Lemmons, III	Sak
Amos	Farhat	Lemmons, Jr.	Schuitmaker
Anderson	Farrar	Marleau	Shaffer
Angerer	Gaffney	Mayes	Sheen
Ball	Garfield	McConico	Sheltrown
Baxter	Gillard	McDowell	Smith, Alma
Bennett	Gleason	Meisner	Smith, Virgil
Bieda	Gonzales	Meyer	Spade
Booher	Gosselin	Miller	Stahl
Brandenburg	Green	Moolenaar	Stakoe
Brown	Hansen	Moore	Steil
Byrnes	Hildenbrand	Mortimer	Stewart
Byrum	Hood	Murphy	Taub
Casperson	Hoogendyk	Newell	Tobocman
Caswell	Hopgood	Nitz	Vagnozzi

Caul	Huizenga	Nofs	Van Regenmorter
Cheeks	Hummel	Palmer	Vander Veen
Clack	Hune	Palsrok	Walker
Clemente	Hunter	Pastor	Ward
Condino	Jones	Pavlov	Waters
Cushingberry	Kahn	Pearce	Wenke
DeRoche	Kolb	Plakas	Williams
Dillon	Kooiman	Polidori	Wojno
Donigan	LaJoy	Proos	Zelenko
Drolet	Law, David		

Nays—0

In The Chair: Kooiman

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

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

The House agreed to the full title of the bill.

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

The Speaker laid before the House

House Bill No. 5867, entitled

A bill to amend 1967 PA 227, entitled “An act to regulate the inspection, construction, installation, alteration, maintenance, repair and operation of elevators and the licensing of elevator contractors; to prescribe the functions of the director of labor; to create, and prescribe the functions of, the elevator safety board; to provide penalties for violations of the act; and to repeal certain acts and parts of acts,” by amending section 20 (MCL 408.820).

(The bill was received from the Senate on May 9, with an amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until May 10, see House Journal No. 44, p. 1076.)

The question being on concurring in the amendment made to the bill by the Senate,

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

Roll Call No. 531**Yeas—106**

Accavitti	Elsenheimer	Law, Kathleen	Robertson
Acciavatti	Emmons	Leland	Rocca
Adamini	Espinoza	Lemmons, III	Sak
Amos	Farhat	Lemmons, Jr.	Schuitmaker
Anderson	Farrah	Marleau	Shaffer
Angerer	Gaffney	Mayes	Sheen
Ball	Garfield	McConico	Sheltrown
Baxter	Gillard	McDowell	Smith, Alma
Bennett	Gleason	Meisner	Smith, Virgil
Bieda	Gonzales	Meyer	Spade
Booher	Gosselin	Miller	Stahl
Brandenburg	Green	Moolenaar	Stakoe
Brown	Hansen	Moore	Steil
Byrnes	Hildenbrand	Mortimer	Stewart
Byrum	Hood	Murphy	Taub
Casperson	Hoogendyk	Newell	Tobocman
Caswell	Hopgood	Nitz	Vagnozzi
Caul	Huizenga	Nofs	Van Regenmorter
Cheeks	Hummel	Palmer	Vander Veen
Clack	Hune	Palsrok	Walker

Clemente	Hunter	Pastor	Ward
Condino	Jones	Pavlov	Waters
Cushingberry	Kahn	Pearce	Wenke
DeRoche	Kolb	Plakas	Williams
Dillon	Kooiman	Polidori	Wojno
Donigan	LaJoy	Proos	Zelenko
Drolet	Law, David		

Nays—0

In The Chair: Kooiman

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

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

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

The Speaker laid before the House

House Bill No. 5868, entitled

A bill to amend 1963 PA 181, entitled “Motor carrier safety act of 1963,” by amending section 12 (MCL 480.22), as amended by 2005 PA 177.

(The bill was received from the Senate on May 9, with an amendment, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until May 10, see House Journal No. 44, p. 1076.)

The question being on concurring in the amendment made to the bill by the Senate,

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

Roll Call No. 532**Yeas—106**

Accavitti	Elsenheimer	Law, Kathleen	Robertson
Acciavatti	Emmons	Leland	Rocca
Adamini	Espinoza	Lemmons, III	Sak
Amos	Farhat	Lemmons, Jr.	Schuitmaker
Anderson	Farrah	Marleau	Shaffer
Angerer	Gaffney	Mayes	Sheen
Ball	Garfield	McConico	Sheltrown
Baxter	Gillard	McDowell	Smith, Alma
Bennett	Gleason	Meisner	Smith, Virgil
Bieda	Gonzales	Meyer	Spade
Booher	Gosselin	Miller	Stahl
Brandenburg	Green	Moolenaar	Stakoe
Brown	Hansen	Moore	Steil
Byrnes	Hildenbrand	Mortimer	Stewart
Byrum	Hood	Murphy	Taub
Casperson	Hoogendyk	Newell	Tobocman
Caswell	Hopgood	Nitz	Vagnozzi
Caul	Huizenga	Nofs	Van Regenmorter
Cheeks	Hummel	Palmer	Vander Veen
Clack	Hune	Palsrok	Walker
Clemente	Hunter	Pastor	Ward
Condino	Jones	Pavlov	Waters
Cushingberry	Kahn	Pearce	Wenke
DeRoche	Kolb	Plakas	Williams
Dillon	Kooiman	Polidori	Wojno
Donigan	LaJoy	Proos	Zelenko
Drolet	Law, David		

Nays—0

In The Chair: Kooiman

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

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

The House agreed to the full title of the bill.

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

Rep. Sak moved that Rep. Plakas be excused temporarily from today's session.

The motion prevailed.

The Speaker laid before the House

House Bill No. 5869, entitled

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts," by amending sections 2, 3, and 10 (MCL 722.112, 722.113, and 722.120), section 2 as amended by 1983 PA 150, section 3 as amended by 1980 PA 232, and section 10 as amended by 1994 PA 205.

(The bill was received from the Senate on May 10, with an amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until May 11, see House Journal No. 45, p. 1090.)

The question being on concurring in the amendment made to the bill by the Senate,

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

Roll Call No. 533**Yeas—105**

Accavitti	Elsenheimer	Law, David	Robertson
Acciavatti	Emmons	Law, Kathleen	Rocca
Adamini	Espinoza	Leland	Sak
Amos	Farhat	Lemmons, III	Schuitmaker
Anderson	Farrah	Lemmons, Jr.	Shaffer
Angerer	Gaffney	Marleau	Sheen
Ball	Garfield	Mayes	Sheltrown
Baxter	Gillard	McConico	Smith, Alma
Bennett	Gleason	McDowell	Smith, Virgil
Bieda	Gonzales	Meisner	Spade
Booher	Gosselin	Meyer	Stahl
Brandenburg	Green	Miller	Stakoe
Brown	Hansen	Moolenaar	Steil
Byrnes	Hildenbrand	Moore	Stewart
Byrum	Hood	Mortimer	Taub
Casperson	Hoogendyk	Murphy	Tobocman
Caswell	Hopgood	Newell	Vagnozzi
Caul	Huizenga	Nitz	Van Regenmorter
Cheeks	Hummel	Nofs	Vander Veen
Clack	Hune	Palmer	Walker
Clemente	Hunter	Palsrok	Ward
Condino	Jones	Pastor	Waters
Cushingberry	Kahn	Pavlov	Wenke
DeRoche	Kolb	Pearce	Williams

Dillon
Donigan
Drolet

Kooiman
LaJoy

Polidori
Proos

Wojno
Zelenko

Nays—0

In The Chair: Kooiman

Rep. Ward moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.
The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

Rep. Plakas, under Rule 33, made the following statement:

“Mr. Speaker and members of the House:

I was absent from the Chamber when the vote was taken on Roll Call No. 533. Had I been present, I would have voted ‘yea’.”

Rep. Ward moved that Reps. DeRoche and Hummel be excused temporarily from today’s session.
The motion prevailed.

The Speaker laid before the House

House Bill No. 5870, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 3010 (MCL 500.3010), as added by 2000 PA 413.

(The bill was received from the Senate on May 9, with an amendment, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until May 10, see House Journal No. 44, p. 1076.)

The question being on concurring in the amendment made to the bill by the Senate,

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

Roll Call No. 534

Yeas—104

Accavitti	Elsenheimer	Law, Kathleen	Robertson
Acciavatti	Emmons	Leland	Rocca
Adamini	Espinoza	Lemmons, III	Sak
Amos	Farhat	Lemmons, Jr.	Schuitmaker
Anderson	Farrar	Marleau	Shaffer
Angerer	Gaffney	Mayes	Sheen
Ball	Garfield	McConico	Sheltrown
Baxter	Gillard	McDowell	Smith, Alma
Bennett	Gleason	Meisner	Smith, Virgil
Bieda	Gonzales	Meyer	Spade
Booher	Gosselin	Miller	Stahl
Brandenburg	Green	Moolenaar	Stakoe
Brown	Hansen	Moore	Steil
Byrnes	Hildenbrand	Mortimer	Stewart

Byrum	Hood	Murphy	Taub
Casperson	Hoogendyk	Newell	Tobocman
Caswell	Hopgood	Nitz	Vagnozzi
Caul	Huizenga	Nofs	Van Regenmorter
Cheeks	Hune	Palmer	Vander Veen
Clack	Hunter	Palsrok	Walker
Clemente	Jones	Pastor	Ward
Condino	Kahn	Pavlov	Waters
Cushingberry	Kolb	Pearce	Wenke
Dillon	Kooiman	Plakas	Williams
Donigan	LaJoy	Polidori	Wojno
Drolet	Law, David	Proos	Zelenko

Nays—0

In The Chair: Kooiman

Rep. Ward moved that the bill be given immediate effect.
 The motion prevailed, 2/3 of the members serving voting therefor.
 The House agreed to the full title of the bill.
 The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

The Speaker Pro Tempore called Associate Speaker Pro Tempore Elsenheimer to the Chair.

Third Reading of Bills

Rep. Ward moved that **Senate Bill No. 1133** be given immediate effect.
 The motion prevailed, 2/3 of the members serving voting therefor.

Rep. Ward moved that **Senate Bill No. 1134** be given immediate effect.
 The motion prevailed, 2/3 of the members serving voting therefor.

Rep. Ward moved that **Senate Bill No. 1135** be given immediate effect.
 The motion prevailed, 2/3 of the members serving voting therefor.

Rep. Ward moved that **Senate Bill No. 1136** be given immediate effect.
 The motion prevailed, 2/3 of the members serving voting therefor.

Rep. Ward moved that **Senate Bill No. 1137** be given immediate effect.
 The motion prevailed, 2/3 of the members serving voting therefor.

Rep. Ward moved that **Senate Bill No. 1138** be given immediate effect.
 The motion prevailed, 2/3 of the members serving voting therefor.

Rep. Ward moved that **Senate Bill No. 1139** be given immediate effect.
 The motion prevailed, 2/3 of the members serving voting therefor.

Rep. Ward moved that **Senate Bill No. 1140** be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.

Rep. Ward moved that **Senate Bill No. 1141** be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.

Rep. Ward moved that **Senate Bill No. 1142** be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.

Rep. Ward moved that **Senate Bill No. 1143** be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.

Rep. Ward moved that **Senate Bill No. 1144** be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.

Rep. Ward moved that **Senate Bill No. 1145** 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. 5674, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 76702 (MCL 324.76702), as added by 1995 PA 58.

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

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

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

Rep. Sak demanded the yeas and nays.

The demand was supported.

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

The motion prevailed, 2/3 of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 535

Yeas—106

Accavitti	Elsenheimer	Law, Kathleen	Robertson
Acciavatti	Emmons	Leland	Rocca
Adamini	Espinoza	Lemmons, III	Sak
Amos	Farhat	Lemmons, Jr.	Schuitmaker
Anderson	Farrah	Marleau	Shaffer
Angerer	Gaffney	Mayes	Sheen
Ball	Garfield	McConico	Sheltrown
Baxter	Gillard	McDowell	Smith, Alma
Bennett	Gleason	Meisner	Smith, Virgil
Bieda	Gonzales	Meyer	Spade
Booher	Gosselin	Miller	Stahl
Brandenburg	Green	Moolenaar	Stakoe
Brown	Hansen	Moore	Steil
Byrnes	Hildenbrand	Mortimer	Stewart
Byrum	Hood	Murphy	Taub
Casperson	Hoogendyk	Newell	Tobocman

Caswell	Hopgood	Nitz	Vagnozzi
Caul	Huizenga	Nofs	Van Regenmorter
Cheeks	Hummel	Palmer	Vander Veen
Clack	Hune	Palsrok	Walker
Clemente	Hunter	Pastor	Ward
Condino	Jones	Pavlov	Waters
Cushingberry	Kahn	Pearce	Wenke
DeRoche	Kolb	Plakas	Williams
Dillon	Kooiman	Polidori	Wojno
Donigan	LaJoy	Proos	Zelenko
Drolet	Law, David		

Nays—0

In The Chair: Elsenheimer

The House agreed to the full title of the bill.

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

The Speaker Pro Tempore resumed the Chair.

The Speaker laid before the House

House Bill No. 4778, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 44520a.

(The bill was received from the Senate on May 18, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until May 23, see House Journal No. 49, p. 1165.)

The question being on concurring in the substitute (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. 536

Yeas—73

Acciavatti	Farhat	LaJoy	Proos
Amos	Gaffney	Law, David	Robertson
Angerer	Garfield	Lemmons, III	Rocca
Ball	Gillard	Lemmons, Jr.	Schuitmaker
Baxter	Gleason	Marleau	Shaffer
Booher	Gonzales	McDowell	Sheen
Brandenburg	Gosselin	Meyer	Sheltrown
Brown	Green	Moolenaar	Spade
Byrnes	Hansen	Moore	Stahl
Casperson	Hildenbrand	Mortimer	Stakoe
Caswell	Hoogendyk	Newell	Steil
Caul	Huizenga	Nitz	Stewart
Clemente	Hummel	Nofs	Taub
DeRoche	Hune	Palmer	Van Regenmorter
Dillon	Jones	Palsrok	Vander Veen

Drolet
Elsenheimer
Emmons
Espinoza

Kahn
Kolb
Kooiman

Pastor
Pavlov
Pearce

Walker
Ward
Wenke

Nays—33

Accavitti
Adamini
Anderson
Bennett
Bieda
Byrum
Cheeks
Clack
Condino

Cushingberry
Donigan
Farrah
Hood
Hopgood
Hunter
Law, Kathleen
Leland

Mayes
McConico
Meisner
Miller
Murphy
Plakas
Polidori
Sak

Smith, Alma
Smith, Virgil
Tobocman
Vagnozzi
Waters
Williams
Wojno
Zelenko

In The Chair: Kooiman

The House agreed to the full title of the bill.

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

Reports of Standing Committees

The Committee on House Oversight, Elections, and Ethics, by Rep. Ward, Chair, reported

House Bill No. 5965, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 951, 952, and 957 (MCL 168.951, 168.952, and 168.957), section 951 as amended by 1993 PA 45 and section 952 as amended by 1993 PA 137, and by adding section 952b.

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. Ward, Elsenheimer, Gaffney, Meisner and Gillard

Nays: None

The Committee on House Oversight, Elections, and Ethics, by Rep. Ward, Chair, reported

House Bill No. 6085, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 307, 307a, and 310 (MCL 257.307, 257.307a, and 257.310), section 307 as amended by 2005 PA 142, section 307a as added by 1988 PA 346, and section 310 as amended by 2005 PA 141.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Ward, Elsenheimer and Gaffney

Nays: Reps. Meisner and Gillard

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Ward, Chair, of the Committee on House Oversight, Elections, and Ethics, was received and read:

Meeting held on: Wednesday, May 24, 2006

Present: Reps. Ward, Elsenheimer, Gaffney, Meisner and Gillard

Second Reading of Bills

House Bill No. 6085, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 307, 307a, and 310 (MCL 257.307, 257.307a, and 257.310), section 307 as amended by 2005 PA 142, section 307a as added by 1988 PA 346, and section 310 as amended by 2005 PA 141.

The bill was read a second time.

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

The motion prevailed.

By unanimous consent the House returned to the order of

Messages from the Senate

House Bill No. 5354, entitled

A bill to authorize the state administrative board to convey certain state owned property in Ingham county; to prescribe conditions for the conveyance; to provide for certain powers and duties of certain state departments in regard to the conveyance; to provide for disposition of revenue derived from the conveyance; and to create certain funds and provide for the disposition of money from those funds.

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

The Senate has passed the bill as substituted (S-1) and ordered that it be given immediate effect.

The Speaker announced that pursuant to Rule 45, the bill was laid over one day.

Rep. Ward moved that Rule 45 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. 537

Yeas—106

Accavitti	Elsenheimer	Law, Kathleen	Robertson
Acciavatti	Emmons	Leland	Rocca
Adamini	Espinoza	Lemmons, III	Sak
Amos	Farhat	Lemmons, Jr.	Schuitmaker
Anderson	Farrah	Marleau	Shaffer
Angerer	Gaffney	Mayes	Sheen
Ball	Garfield	McConico	Sheltrown
Baxter	Gillard	McDowell	Smith, Alma
Bennett	Gleason	Meisner	Smith, Virgil
Bieda	Gonzales	Meyer	Spade
Booher	Gosselin	Miller	Stahl
Brandenburg	Green	Moolenaar	Stakoe
Brown	Hansen	Moore	Steil
Byrnes	Hildenbrand	Mortimer	Stewart
Byrum	Hood	Murphy	Taub
Casperson	Hoogendyk	Newell	Tobocman
Caswell	Hopgood	Nitz	Vagnozzi
Caul	Huizenga	Nofs	Van Regenmorter
Cheeks	Hummel	Palmer	Vander Veen

Clack	Hune	Palsrok	Walker
Clemente	Hunter	Pastor	Ward
Condino	Jones	Pavlov	Waters
Cushingberry	Kahn	Pearce	Wenke
DeRoche	Kolb	Plakas	Williams
Dillon	Kooiman	Polidori	Wojno
Donigan	LaJoy	Proos	Zelenko
Drolet	Law, David		

Nays—0

In The Chair: Kooiman

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

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

Rep. Waters demanded the yeas and nays.

The demand was supported.

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

The motion prevailed, 2/3 of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 538**Yeas—106**

Accavitti	Elsenheimer	Law, Kathleen	Robertson
Acciavatti	Emmons	Leland	Rocca
Adamini	Espinoza	Lemmons, III	Sak
Amos	Farhat	Lemmons, Jr.	Schuitmaker
Anderson	Farrah	Marleau	Shaffer
Angerer	Gaffney	Mayer	Sheen
Ball	Garfield	McConico	Sheltrown
Baxter	Gillard	McDowell	Smith, Alma
Bennett	Gleason	Meisner	Smith, Virgil
Bieda	Gonzales	Meyer	Spade
Booher	Gosselin	Miller	Stahl
Brandenburg	Green	Moolenaar	Stakoe
Brown	Hansen	Moore	Steil
Byrnes	Hildenbrand	Mortimer	Stewart
Byrum	Hood	Murphy	Taub
Casperson	Hoogendyk	Newell	Tobocman
Caswell	Hopgood	Nitz	Vagnozzi
Caul	Huizenga	Nofs	Van Regenmorter
Cheeks	Hummel	Palmer	Vander Veen
Clack	Hune	Palsrok	Walker
Clemente	Hunter	Pastor	Ward
Condino	Jones	Pavlov	Waters
Cushingberry	Kahn	Pearce	Wenke
DeRoche	Kolb	Plakas	Williams
Dillon	Kooiman	Polidori	Wojno
Donigan	LaJoy	Proos	Zelenko
Drolet	Law, David		

Nays—0

In The Chair: Kooiman

Reps. Waters, Stewart, Kolb, Kooiman, Meyer, Hummel, Vander Veen, Williams, Brown, Hunter, Pastor, LaJoy, Hopgood, Kathleen Law, Bieda, Wojno, Clack, Condino, Vagnozzi, DeRoche, Taub, Accavitti, Amos, Garfield, Gleason, Shaffer, Ward, Emmons, Sak, Moolenaar, Gillard, Dillon, Angerer, Ball, Baxter, Booher, Cheeks, Clemente, Cushingberry, Donigan, Elsenheimer, Espinoza, Gonzales, Hildenbrand, Lemmons, Jr., Marleau, Mayes, McDowell, Mortimer, Pearce, Alma Smith and Spade were named co-sponsors of the bill.

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

Third Reading of Bills

The House returned to the consideration of

House Bill No. 5789, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11 and 17b (MCL 388.1611 and 388.1617b), section 11 as amended by 2005 PA 155 and section 17b as amended by 2005 PA 150.

(The bill was considered earlier today, see today's Journal p. 1236.)

The question being on the passage of the bill,

Reps. Cushingberry and Cheeks moved to substitute (H-4) the bill.

The question being on the seconding of the motion made by Reps. Cushingberry and Cheeks,

Rep. Waters demanded the yeas and nays.

The demand was supported.

The question being on the seconding of the motion made by Reps. Cushingberry and Cheeks,

The motion did not prevail, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 539

Yeas—47

Accavitti	Condino	Kolb	Sak
Adamini	Cushingberry	Law, Kathleen	Sheltrown
Anderson	Dillon	Leland	Smith, Alma
Angerer	Donigan	Lemmons, III	Smith, Virgil
Bennett	Espinoza	Lemmons, Jr.	Spade
Bieda	Farrah	Mayes	Tobocman
Brown	Gillard	McConico	Vagnozzi
Byrnes	Gleason	McDowell	Waters
Byrum	Gonzales	Meisner	Williams
Cheeks	Hood	Miller	Wojno
Clack	Hopgood	Plakas	Zelenko
Clemente	Hunter	Polidori	

Nays—58

Acciavatti	Garfield	Meyer	Rocca
Amos	Gosselin	Moolenaar	Schuitmaker
Ball	Green	Moore	Shaffer
Baxter	Hansen	Mortimer	Sheen
Booher	Hildenbrand	Newell	Stahl
Brandenburg	Hoogendyk	Nitz	Stakoe
Casperson	Huizenga	Nofs	Steil
Caswell	Hummel	Palmer	Stewart
Caul	Hune	Palsrok	Taub
DeRoche	Jones	Pastor	Van Regenmorter
Drolet	Kahn	Pavlov	Vander Veen
Elsenheimer	Kooiman	Pearce	Walker
Emmons	LaJoy	Proos	Ward

Farhat
Gaffney

Law, David
Marleau

Robertson

Wenke

In The Chair: Kooiman

The question being on the passage of the bill,

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

The motion was seconded and the substitute (H-2) was adopted, a majority of the members serving voting therefor.
The question being on the passage of the bill,

Rep. Walker moved to amend the bill as follows:

1. Amend page 75, line 19, after “**20.**” by inserting “**SUBJECT TO THE AVAILABILITY OF FUNDS, IT IS THE INTENT OF THE LEGISLATURE TO CONTINUE TO FUND AN EQUITY PAYMENT UNDER THIS SECTION AFTER 2006-2007.**”

The motion was seconded and the amendment was adopted, a majority of the members serving voting therefor.
The question being on the passage of the bill,

Rep. Cheeks moved to amend the bill as follows:

1. Amend page 152, following line 26, by inserting:

“SEC. 92. FROM THE STATE SCHOOL AID FUND MONEY APPROPRIATED UNDER SECTION 11, THERE IS ALLOCATED FOR 2006-2007 AN AMOUNT NOT TO EXCEED \$100.00 FOR A GRANT TO THE DETROIT PUBLIC SCHOOLS TO ESTABLISH A MEDICAL-THEMED HIGH SCHOOL IN DETROIT. THE HIGH SCHOOL SHALL SERVE PUPILS WHO INTEND TO PURSUE A CAREER IN NURSING, MEDICAL BILLING AND BOOKKEEPING, AND OTHER MEDICAL SCIENCE AND TECHNOLOGY FIELDS AND SHALL FOCUS ON CAREER PREPARATION, CERTIFICATION TESTING PREPARATION, AND PREPARATION FOR POSTSECONDARY EDUCATION IN MEDICAL FIELDS, WITH AN EMPHASIS ON IMMEDIATE EMPLOYABILITY.” and adjusting the totals in section 11 and enacting section 1 accordingly.

The motion was seconded and the amendment was adopted, a majority of the members serving voting therefor.
The question being on the passage of the bill,

Rep. Emmons moved to amend the bill as follows:

1. Amend page 131, line 11, after “in” by inserting “**THIS SUBDIVISION AND**”.

2. Amend page 131, line 25, after “aides.” by inserting “**THIS SUBDIVISION DOES NOT APPLY TO AN INTERMEDIATE DISTRICT IN WHICH ALL OF THE CONSTITUENT DISTRICTS HAVE A FOUNDATION ALLOWANCE EQUAL TO THE BASIC FOUNDATION ALLOWANCE PROVIDED UNDER SECTION 20 OR TO A DISTRICT THAT IS A CONSTITUENT DISTRICT OF SUCH AN INTERMEDIATE DISTRICT.**”

The motion was seconded.

The question being on the adoption of the amendments offered by Rep. Emmons,

Rep. Emmons withdrew the amendments.

The question being on the passage of the bill,

Rep. Angerer moved to amend the bill.

The question being on the seconding of the motion made by Rep. Angerer,

Rep. Waters demanded the yeas and nays.

The demand was supported.

The question being on the seconding of the motion made by Rep. Angerer,

The motion did not prevail, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 540

Yeas—49

Accavitti
Adamini
Anderson
Angerer

Cushingberry
Dillon
Donigan
Espinoza

Kolb
Law, Kathleen
Leland
Lemmons, III

Polidori
Sak
Sheltrown
Smith, Alma

Bennett	Farrah	Lemmons, Jr.	Smith, Virgil
Bieda	Gaffney	Mayes	Spade
Brown	Gillard	McConico	Tobocman
Byrnes	Gleason	McDowell	Vagnozzi
Byrum	Gonzales	Meisner	Waters
Cheeks	Hood	Miller	Williams
Clack	Hopgood	Murphy	Wojno
Clemente	Hunter	Plakas	Zelenko
Condino			

Nays—57

Acciavatti	Gosselin	Meyer	Rocca
Amos	Green	Moolenaar	Schuitmaker
Ball	Hansen	Moore	Shaffer
Baxter	Hildenbrand	Mortimer	Sheen
Booher	Hoogendyk	Newell	Stahl
Brandenburg	Huizenga	Nitz	Stakoe
Casperson	Hummel	Nofs	Steil
Caswell	Hune	Palmer	Stewart
Caul	Jones	Palsrok	Taub
DeRoche	Kahn	Pastor	Van Regenmorter
Drolet	Kooiman	Pavlov	Vander Veen
Elsenheimer	LaJoy	Pearce	Walker
Emmons	Law, David	Proos	Ward
Farhat	Marleau	Robertson	Wenke
Garfield			

In The Chair: Kooiman

The question being on the passage of the bill,

Rep. Williams moved to substitute (H-5) the bill.

The question being on the seconding of the motion made by Rep. Williams,

Rep. Waters demanded the yeas and nays.

The demand was supported.

The question being on the seconding of the motion made by Rep. Williams,

Rep. Ward moved that consideration of the substitute be postponed temporarily.

The motion prevailed.

The question being on the passage of the bill,

Rep. Ward moved to amend the bill as follows:

1. Amend page 64, following line 5, by inserting:

“(21) FOR A DISTRICT THAT IS A DISTRICT OF THE FIRST CLASS UNDER THE REVISED SCHOOL CODE, THE DISTRICT’S FOUNDATION ALLOWANCE FOR 2006-2007 AND EACH SUCCEEDING FISCAL YEAR SHALL BE ADJUSTED TO BE AN AMOUNT EQUAL TO THE SUM OF THE DISTRICT’S FOUNDATION ALLOWANCE, AS OTHERWISE CALCULATED UNDER THIS SECTION, MINUS \$232.00.” and renumbering the remaining subsections.

2. Amend page 72, line 9, after “**EXCEED**” by striking out “**\$3,616,000,000.00**” and inserting “**\$3,588,000,000.00**”.

3. Amend page 75, line 14, after “**FOR**” by striking out “**2006-2007 OF LESS THAN \$7,480.00**” and inserting “**2005-2006 OF LESS THAN \$7,250.00**”.

4. Amend page 75, line 17, after “**BETWEEN**” by striking out “**\$7,480.00 AND THE DISTRICT’S 2006-2007**” and inserting “**\$7,250.00 AND THE DISTRICT’S 2005-2006**”.

5. Amend page 98, line 12, after “exceed” by striking out “\$72,600,000.00” and inserting “\$100,600,000.00”.

The motion was seconded.

The question being on the adoption of the amendments offered by Rep. Ward,

Rep. Ward demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Rep. Ward,

The amendments were not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 541

Yeas—50

Acciavatti	Garfield	Meyer	Schuitmaker
Amos	Gosselin	Moore	Shaffer
Ball	Green	Mortimer	Sheen
Baxter	Hansen	Nitz	Stahl
Booher	Hildenbrand	Palmer	Stakoe
Brandenburg	Hoogendyk	Palsrok	Steil
Casperson	Hune	Pastor	Taub
Caswell	Jones	Pavlov	Van Regenmorter
Caul	Kahn	Pearce	Vander Veen
Drolet	Kooiman	Proos	Walker
Elsenheimer	LaJoy	Robertson	Ward
Emmons	Law, David	Rocca	Wenke
Farhat	Marleau		

Nays—47

Accavitti	Dillon	Law, Kathleen	Sak
Adamini	Donigan	Leland	Sheltrown
Anderson	Espinoza	Lemmons, III	Smith, Alma
Angerer	Farrar	Lemmons, Jr.	Smith, Virgil
Bennett	Gaffney	Mayes	Spade
Bieda	Gillard	McConico	Tobocman
Brown	Gleason	McDowell	Vagnozzi
Byrnes	Gonzales	Meisner	Waters
Cheeks	Hood	Miller	Williams
Clack	Hopgood	Murphy	Wojno
Condino	Hunter	Plakas	Zelenko
Cushingberry	Kolb	Polidori	

In The Chair: Kooiman

Rep. Tobocman, having reserved the right to explain his nay vote, made the following statement:

“Mr. Speaker and members of the House:

I voted against this amendment because it places a cap on one specific district for no other reason than to oppress one group to benefit a worthy cause, early childhood development. The amendment would steal money from the Detroit Public School district to be spread around the state for no other reason than to punish Detroit. Until Detroit schools succeed, our state cannot succeed. Any measure that arbitrarily cuts the largest district is suspect. Given the high percentage of minority children, the measure reeks of racist overtones.

I firmly believe that one could not get 50 members of this chamber to treat any other school with such disdain.”

The question being on the passage of the bill,

The question being on the seconding of the motion made previously by Rep. Williams,
The motion did not prevail, a majority of members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 542**Yeas—49**

Accavitti	Cushingberry	Kolb	Polidori
Adamini	Dillon	Law, Kathleen	Sak
Anderson	Donigan	Leland	Sheltrown
Angerer	Espinoza	Lemmons, III	Smith, Alma
Bennett	Farrar	Lemmons, Jr.	Smith, Virgil
Bieda	Gillard	Mayes	Spade
Brown	Gleason	McConico	Tobocman
Byrnes	Gonzales	McDowell	Vagnozzi
Byrum	Hood	Meisner	Waters
Cheeks	Hopgood	Miller	Williams
Clack	Hunter	Murphy	Wojno
Clemente	Kahn	Plakas	Zelenko
Condino			

Nays—56

Acciavatti	Gaffney	Meyer	Rocca
Amos	Garfield	Moolenaar	Schuitmaker
Ball	Gosselin	Moore	Shaffer
Baxter	Green	Mortimer	Sheen
Booher	Hansen	Newell	Stahl
Brandenburg	Hildenbrand	Nitz	Stakoe
Casperson	Hoogendyk	Nofs	Steil
Caswell	Hummel	Palmer	Stewart
Caul	Hune	Palsrok	Taub
DeRoche	Jones	Pastor	Van Regenmorter
Drolet	Kooiman	Pavlov	Vander Veen
Elsenheimer	LaJoy	Pearce	Walker
Emmons	Law, David	Proos	Ward
Farhat	Marleau	Robertson	Wenke

In The Chair: Kooiman

Rep. Palmer moved that Rep. Huizenga be excused temporarily from today's session.
The motion prevailed.

The question being on the passage of the bill,
The bill was then passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 543**Yeas—90**

Accavitti	Dillon	Law, David	Robertson
Acciavatti	Donigan	Law, Kathleen	Rocca

Adamini	Elsenheimer	Marleau	Sak
Amos	Emmons	Mayes	Schuitmaker
Anderson	Espinoza	McDowell	Shaffer
Angerer	Farhat	Meyer	Sheen
Ball	Farrah	Miller	Sheltrown
Baxter	Gaffney	Moolenaar	Spade
Bennett	Garfield	Moore	Stahl
Bieda	Gillard	Mortimer	Stakoe
Booher	Gleason	Murphy	Steil
Brandenburg	Gonzales	Newell	Stewart
Brown	Green	Nitz	Taub
Byrnes	Hansen	Nofs	Vagnozzi
Byrum	Hildenbrand	Palmer	Van Regenmorter
Casperson	Hoogendyk	Palsrok	Vander Veen
Caswell	Hummel	Pastor	Walker
Caul	Hune	Pavlov	Ward
Cheeks	Jones	Pearce	Wenke
Clack	Kahn	Plakas	Williams
Clemente	Kolb	Polidori	Wojno
Condino	Kooiman	Proos	Zelenko
DeRoche	LaJoy		

Nays—15

Cushingberry	Hopgood	Lemmons, Jr.	Smith, Virgil
Drolet	Hunter	McConico	Tobocman
Gosselin	Leland	Meisner	Waters
Hood	Lemmons, III	Smith, Alma	

In The Chair: Kooiman

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

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

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 3, 6, 11, 11a, 11f, 11g, 11j, 11k, 14, 15, 17a, 17b, 18, 20, 20j, 22a, 22b, 22d, 24, 25a, 26a, 26b, 31a, 31d, 31f, 32c, 32d, 32j, 32k, 32l, 34, 37, 39a, 41, 41a, 51a, 51c, 51d, 53a, 54, 54a, 56, 57, 61a, 62, 74, 81, 94a, 98, 98b, 99, 99b, 101, 107, 121, 147, 161a, and 167 (MCL 388.1603, 388.1606, 388.1611, 388.1611a, 388.1611f, 388.1611g, 388.1611j, 388.1611k, 388.1614, 388.1615, 388.1617a, 388.1617b, 388.1618, 388.1620, 388.1620j, 388.1622a, 388.1622b, 388.1622d, 388.1624, 388.1625a, 388.1626a, 388.1626b, 388.1631a, 388.1631d, 388.1631f, 388.1632c, 388.1632d, 388.1632j, 388.1632k, 388.1632l, 388.1634, 388.1637, 388.1639a, 388.1641, 388.1641a, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1654a, 388.1656, 388.1657, 388.1661a, 388.1662, 388.1674, 388.1681, 388.1694a, 388.1698, 388.1698b, 388.1699, 388.1699b, 388.1701, 388.1707, 388.1721, 388.1747, 388.1761a, and 388.1767), sections 3, 6, 11, 11a, 11g, 11j, 15, 18, 20j, 22a, 22b, 22d, 24, 26a, 31d, 32c, 32d, 32j, 37, 39a, 41, 41a, 51c, 51d, 53a, 54, 56, 57, 61a, 62, 74, 81, 94a, 98, 98b, 99, 101, 107, 147, and 167 as amended and sections 11k, 26b, 31f, 32l, 54a, and 99b as added by 2005 PA 155, section 11f as amended by 2006 PA 119, section 14 as amended by 1993 PA 336, section 17a as amended by 2005 PA 95, section 17b as amended by 2005 PA 150, section 20 as amended and section 34 as added by 2006 PA 120, sections 25a and 161a as added by 1998 PA 553, section 31a as amended by 2006 PA 121, section 32k as added by 2004 PA 351, section 51a as amended by 2006 PA 90, and section 121 as amended by 1995 PA 130, and by adding sections 11m, 22c, 32b, 54b, 57a, 66, 92, 99c, 99d, 99e, 99f, and 104; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

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

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

House Bill No. 5952, entitled

A bill to amend 2000 PA 403, entitled "Motor fuel tax act," by repealing section 124 (MCL 207.1124).

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Nitz, Ball, Newell, Casperson, Stahl, Proos, Hune, Mayes, Spade, Kathleen Law and Sheltroun

Nays: None

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

Senate Bill No. 1074, entitled

A bill to amend 2000 PA 403, entitled "Motor fuel tax act," by amending section 8 (MCL 207.1008), as amended by 2002 PA 668.

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. Nitz, Ball, Newell, Casperson, Stahl, Proos, Hune, Mayes, Spade, Kathleen Law and Sheltroun

Nays: None

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

Senate Bill No. 1075, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 213 (MCL 18.1213).

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Nitz, Ball, Newell, Casperson, Stahl, Proos, Hune, Mayes, Spade, Kathleen Law and Sheltroun

Nays: None

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

Senate Bill No. 1078, entitled

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending sections 3, 6, and 8 (MCL 125.2683, 125.2686, and 125.2688), section 3 as amended by 2005 PA 275, section 6 as amended by 2006 PA 116, and section 8 as amended by 2003 PA 266, and by adding section 8e.

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. Nitz, Ball, Newell, Casperson, Stahl, Proos, Hune, Mayes, Spade, Kathleen Law and Sheltroun

Nays: None

The Committee on Agriculture, by Rep. Nitz, Chair, reported
Senate Bill No. 1079, entitled

A bill to amend 1984 PA 44, entitled "Motor fuels quality act," by amending sections 2, 3, 4a, 5, 6, and 7 (MCL 290.642, 290.643, 290.644a, 290.645, 290.646, and 290.647), sections 2 and 7 as amended by 1993 PA 236, sections 3 and 5 as amended by 2002 PA 13, section 4a as amended by 2002 PA 425, and section 6 as amended by 2004 PA 278.

With the recommendation that the substitute (H-3) 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. Nitz, Ball, Newell, Casperson, Stahl, Proos, Hune, Mayes, Spade, Kathleen Law and Sheltroun

Nays: None

The Committee on Agriculture, by Rep. Nitz, Chair, reported
House Resolution No. 249.

A resolution to express support for the 25 x 25 vision that by 2025, Michigan and American farms and forests will provide 25 percent of the total energy consumed in the United States while continuing to produce safe, abundant, and affordable food, feed, and fiber.

(For text of resolution, see House Journal No. 39, p. 935.)

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. Nitz, Ball, Newell, Casperson, Stahl, Proos, Hune, Mayes, Spade, Kathleen Law and Sheltroun

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, May 23, 2006

Present: Reps. Nitz, Ball, Newell, Casperson, Stahl, Proos, Hune, Mayes, Spade, Kathleen Law and Sheltroun

The Committee on Tax Policy, by Rep. Sheen, Chair, reported
House Bill No. 5545, entitled

A bill to amend 1985 PA 106, entitled "State convention facility development act," by amending section 3 (MCL 207.623).

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Sheen, Meyer, Newell, Palmer, Stakoe, Jones, Marleau, Bieda, Farrah, Zelenko, Miller, Bennett and Mayes

Nays: None

The Committee on Tax Policy, by Rep. Sheen, Chair, reported
Senate Bill No. 1101, entitled

A bill to amend 1993 PA 331, entitled "State education tax act," by amending section 5b (MCL 211.905b), as amended by 2004 PA 543.

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. Sheen, Gosselin, Newell, Palmer, Stakoe, Jones, Marleau, Bieda, Farrah, Zelenko, Miller, Bennett and Mayes

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, May 24, 2006

Present: Reps. Sheen, Meyer, Gosselin, Newell, Drolet, Palmer, Hoogendyk, Stakoe, Jones, Marleau, Bieda, Farrah, Zelenko, Miller, Meisner, Bennett and Mayes

The Committee on Judiciary, by Rep. Van Regenmorter, Chair, reported

House Bill No. 5879, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17015 (MCL 333.17015), as amended by 2002 PA 685.

With the recommendation that the substitute (H-2) 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. Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Elsenheimer, Jones, David Law and Rocca

Nays: Reps. Condino, Adamini, McConico, Bieda and Virgil Smith

The Committee on Judiciary, by Rep. Van Regenmorter, Chair, reported

House Bill No. 5880, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17515 (MCL 333.17515), as added by 1993 PA 133, and by adding section 17015a.

With the recommendation that the substitute (H-2) 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. Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Elsenheimer, Jones, David Law, Rocca and Bieda

Nays: Reps. Condino, Adamini, McConico and Virgil Smith

The Committee on Judiciary, by Rep. Van Regenmorter, Chair, reported

House Bill No. 5881, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 2975.

With the recommendation that the substitute (H-2) 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. Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Elsenheimer, Jones, David Law, Rocca and Bieda

Nays: Reps. Condino, Adamini, McConico and Virgil Smith

The Committee on Judiciary, by Rep. Van Regenmorter, Chair, reported

House Bill No. 5882, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 15a. With the recommendation that the substitute (H-3) 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. Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Elsenheimer, Jones, David Law and Rocca

Nays: Reps. Condino, Adamini, McConico, Bieda and Virgil Smith

The Committee on Judiciary, by Rep. Van Regenmorter, Chair, reported

House Bill No. 5883, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16a of chapter XVII (MCL 777.16a), as amended by 2004 PA 216.

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. Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Elsenheimer, Jones, David Law and Rocca

Nays: Reps. Condino, Adamini, McConico, Bieda and Virgil Smith

The Committee on Judiciary, by Rep. Van Regenmorter, Chair, reported

Senate Concurrent Resolution No. 39.

A concurrent resolution to request the State Bar of Michigan and the National Legal Aid and Defender Association to issue a joint report to the Legislature on the number and types of cases and the costs resulting from court-appointed attorneys for indigent criminal cases in Michigan.

(For text of concurrent resolution, see House Journal No. 30, p. 652.)

With the recommendation that the concurrent resolution be adopted.

The concurrent resolution was laid over one day under the rules.

Favorable Roll Call

To Report Out:

Yeas: Reps. Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Elsenheimer, Jones, David Law, Rocca, Condino, Adamini, McConico, Bieda and Virgil Smith

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Van Regenmorter, Chair, of the Committee on Judiciary, was received and read:

Meeting held on: Wednesday, May 24, 2006

Present: Reps. Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Elsenheimer, Jones, David Law, Rocca, Condino, Adamini, McConico, Bieda and Virgil Smith

Absent: Rep. Lipsey

Excused: Rep. Lipsey

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Wenke, Chair, of the Committee on Higher Education and Career Preparation, was received and read:

Meeting held on: Tuesday, May 23, 2006

Present: Reps. Wenke, Emmons, Ward, Byrnes and Spade

Absent: Reps. Palmer and Lipsey

Excused: Reps. Palmer and Lipsey

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Nofs, Chair, of the Committee on Energy and Technology, was received and read:

Meeting held on: Wednesday, May 24, 2006

Present: Reps. Nofs, Proos, Drolet, Emmons, Garfield, Huizenga, LaJoy, Palsrok, Stahl, Baxter, Moore, Schuitmaker, Dillon, Accavitti, Mayes, Hunter, Hopgood, Clemente and Gillard

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, May 24, 2006

Present: Reps. Palmer, Mortimer, Gosselin, Meyer, Hoogendyk, Vander Veen, Wenke, Ball, Hildenbrand, Pearce, Proos, Robertson, Hopgood, Miller, Angerer, Virgil Smith, Clack, Vagnozzi and Polidori

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills and joint resolution had been printed and placed upon the files of the members on Wednesday, May 24:

House Bill Nos. 6099 6100

House Joint Resolution X

Senate Bill Nos. 1275 1276 1277 1278 1279 1280

The Clerk announced that the following Senate bills had been received on Wednesday, May 24:

Senate Bill Nos. 499 1080 1087 1089 1090 1091 1092 1093 1094 1096 1097 1105

By unanimous consent the House returned to the order of

Messages from the Senate**House Bill No. 4977, entitled**

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending section 5I (MCL 28.425I), as amended by 2002 PA 719.

The Senate has substituted (S-3) the bill.

The Senate has passed the bill as substituted (S-3), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain

circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending section 51 (MCL 28.4251), as amended by 2006 PA 92.

The Speaker announced that pursuant to Rule 45, the bill was laid over one day.

House Bill No. 5192, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 43502, 43517, 43520, and 43525 (MCL 324.43502, 324.43517, 324.43520, and 324.43525), sections 43502 and 43525 as amended by 1996 PA 585 and sections 43517 and 43520 as added by 1995 PA 57.

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 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," by amending sections 43502, 43505, 43517, 43520, 43523, 43525, 43525a, 43527, and 43553 (MCL 324.43502, 324.43505, 324.43517, 324.43520, 324.43523, 324.43525, 324.43525a, 324.43527, and 324.43553), sections 43502, 43505, 43523, 43525, and 43527 as amended by 1996 PA 585, sections 43517 and 43520 as added by 1995 PA 57, section 43525a as added by 1998 PA 291, and section 43553 as amended by 2004 PA 587.

The Speaker announced that pursuant to Rule 45, the bill was laid over one day.

Senate Bill No. 499, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 73102 and 73105 (MCL 324.73102 and 324.73105), section 73102 as amended by 1998 PA 546 and section 73105 as added by 1995 PA 58.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Conservation, Forestry, and Outdoor Recreation.

Senate Bill No. 1080, entitled

A bill to make appropriations for the department of agriculture for the fiscal year ending September 30, 2007; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to require reports, audits, and plans; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by certain state agencies.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Appropriations.

Senate Bill No. 1087, entitled

A bill to make, supplement, and adjust appropriations for the departments of attorney general, civil rights, civil service, information technology, management and budget, state, and treasury, the executive office, and the legislative branch for the fiscal year ending September 30, 2007; to provide for the expenditure of these appropriations; to provide for the funding of certain work projects; to provide for the imposition of certain fees; to establish or continue certain funds, programs, and categories; to transfer certain funds; to prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances; to prescribe the powers and duties of certain principal executive departments and state agencies, officials, and employees; and to provide for the disposition of fees and other income received by the various principal executive departments and state agencies.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Appropriations.

Senate Bill No. 1089, entitled

A bill to make appropriations for the department of history, arts, and libraries for the fiscal year ending September 30, 2007; to provide for the expenditure of those appropriations; to provide for the disposition of fees and other income received by the state agencies; to create funds; to provide for the disbursement of certain grants; to provide for reports; to prescribe powers and duties of certain state departments and certain state and local agencies and officers; and to repeal acts and parts of acts.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Appropriations.

Senate Bill No. 1090, entitled

A bill to make appropriations for the department of human services and certain state purposes related to public welfare services for the fiscal year ending September 30, 2007; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to provide for reports; to provide for the disposition of fees and other income received by the state agency; and to provide for the powers and duties of certain individuals, local governments, and state departments, agencies, and officers.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Appropriations.

Senate Bill No. 1091, entitled

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 2007; to provide for the expenditure of these appropriations; to place certain restrictions on the expenditure of these appropriations; to prescribe the powers and duties of certain officials and employees; to require certain reports; and to provide for the disposition of fees and other income received by the judicial branch.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Appropriations.

Senate Bill No. 1092, entitled

A bill to make appropriations for the department of labor and economic growth and certain other state purposes for the fiscal year ending September 30, 2007; to provide for the expenditure of those appropriations; to provide for the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Appropriations.

Senate Bill No. 1093, entitled

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 2007; to provide for the expenditure of the appropriations; to provide for certain powers and duties of the department of military and veterans affairs, other state agencies, and local units of government related to the appropriations; and to provide for the preparation of certain reports related to the appropriations.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Appropriations.

Senate Bill No. 1094, entitled

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2007; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Appropriations.

Senate Bill No. 1096, entitled

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2007; to provide for the expenditure of those appropriations; to provide for certain reports and

the consideration of those reports; to provide for the disposition of other income received by the various state agencies; to provide for certain emergency powers; and to provide for the powers and duties of certain committees, certain state agencies, and certain employees.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Appropriations.

Senate Bill No. 1097, entitled

A bill to make appropriations for the state transportation department and certain transportation purposes for the fiscal year ending September 30, 2007; 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.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Appropriations.

Senate Bill No. 1105, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 43502, 43505, 43506, 43517, 43520, and 43525 (MCL 324.43502, 324.43505, 324.43506, 324.43517, 324.43520, and 324.43525), sections 43502, 43505, 43506, and 43525 as amended by 1996 PA 585 and sections 43517 and 43520 as added by 1995 PA 57.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Conservation, Forestry, and Outdoor Recreation.

Messages from the Governor

Date: May 23, 2006

Time: 11:40 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5887 (Public Act No. 148, I.E.), being

An act to amend 1931 PA 328, entitled "An act to revise, consolidate, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act," (MCL 750.1 to 750.568) by adding section 167d.

(Filed with the Secretary of State May 24, 2006, at 2:30 p.m.)

Date: May 23, 2006

Time: 11:42 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5888 (Public Act No. 149, I.E.), being

An act to amend 1927 PA 175, entitled "An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation

of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending section 16i of chapter XVII (MCL 777.16i), as amended by 2003 PA 268. (Filed with the Secretary of State May 24, 2006, at 2:32 p.m.)

Quorum Call

Rep. Booher questioned the presence of a quorum and moved that the roll be called and printed in the Journal. The motion prevailed.

The roll was called and the Clerk announced that a quorum was present. The following is the roll call:

Roll Call No. 544

Yeas—104

Accavitti	Elsenheimer	Law, Kathleen	Robertson
Acciavatti	Emmons	Leland	Rocca
Adamini	Espinoza	Lemmons, III	Sak
Amos	Farhat	Lemmons, Jr.	Schuitmaker
Anderson	Farrah	Marleau	Shaffer
Angerer	Gaffney	Mayes	Sheen
Ball	Garfield	McConico	Sheltrown
Baxter	Gillard	McDowell	Smith, Alma
Bennett	Gleason	Meisner	Smith, Virgil
Bieda	Gonzales	Meyer	Spade
Booher	Gosselin	Miller	Stahl
Brandenburg	Green	Moolenaar	Stakoe
Brown	Hansen	Moore	Steil
Byrnes	Hildenbrand	Mortimer	Stewart
Byrum	Hood	Murphy	Taub
Casperson	Hoogendyk	Newell	Tobocman
Caswell	Hopgood	Nitz	Vagnozzi
Caul	Hummel	Nofs	Van Regenmorter
Cheeks	Hune	Palmer	Vander Veen
Clack	Hunter	Palsrok	Walker
Clemente	Jones	Pastor	Ward
Condino	Kahn	Pavlov	Waters
Cushingberry	Kolb	Pearce	Wenke
Dillon	Kooiman	Plakas	Williams
Donigan	LaJoy	Polidori	Wojno
Drolet	Law, David	Proos	Zelenko

In The Chair: Kooiman

By unanimous consent the House returned to the order of

Third Reading of Bills

Rep. Ward moved that **House Bill No. 5977** be placed on its immediate passage. The motion prevailed, a majority of the members serving voting therefor.

House Bill No. 5977, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1284b (MCL 380.1284b), as amended by 2005 PA 144.

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

Roll Call No. 545**Yeas—105**

Accavitti	Elsenheimer	Law, Kathleen	Robertson
Acciavatti	Emmons	Leland	Rocca
Adamini	Espinoza	Lemmons, III	Sak
Amos	Farhat	Lemmons, Jr.	Schuitmaker
Anderson	Farrah	Marleau	Shaffer
Angerer	Gaffney	Mayes	Sheen
Ball	Garfield	McConico	Sheltrown
Baxter	Gillard	McDowell	Smith, Alma
Bennett	Gleason	Meisner	Smith, Virgil
Bieda	Gonzales	Meyer	Spade
Booher	Gosselin	Miller	Stahl
Brandenburg	Green	Moolenaar	Stakoe
Brown	Hansen	Moore	Steil
Byrnes	Hildenbrand	Mortimer	Stewart
Byrum	Hood	Murphy	Taub
Casperson	Hoogendyk	Newell	Tobocman
Caswell	Hopgood	Nitz	Vagnozzi
Caul	Hummel	Nofs	Van Regenmorter
Cheeks	Hune	Palmer	Vander Veen
Clack	Hunter	Palsrok	Walker
Clemente	Jones	Pastor	Ward
Condino	Kahn	Pavlov	Waters
Cushingberry	Kolb	Pearce	Wenke
DeRoche	Kooiman	Plakas	Williams
Dillon	LaJoy	Polidori	Wojno
Donigan	Law, David	Proos	Zelenko
Drolet			

Nays—0

In The Chair: Kooiman

The House agreed to the title of the bill.

Rep. Ward moved that **House Bill No. 6069** be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

House Bill No. 6069, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1225 (MCL 380.1225), as amended by 2002 PA 246.

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

Roll Call No. 546**Yeas—105**

Accavitti	Elsenheimer	Law, Kathleen	Robertson
Acciavatti	Emmons	Leland	Rocca
Adamini	Espinoza	Lemmons, III	Sak
Amos	Farhat	Lemmons, Jr.	Schuitmaker
Anderson	Farrah	Marleau	Shaffer
Angerer	Gaffney	Mayes	Sheen

Ball	Garfield	McConico	Sheltrown
Baxter	Gillard	McDowell	Smith, Alma
Bennett	Gleason	Meisner	Smith, Virgil
Bieda	Gonzales	Meyer	Spade
Booher	Gosselin	Miller	Stahl
Brandenburg	Green	Moolenaar	Stakoe
Brown	Hansen	Moore	Steil
Byrnes	Hildenbrand	Mortimer	Stewart
Byrum	Hood	Murphy	Taub
Casperson	Hoogendyk	Newell	Tobocman
Caswell	Hopgood	Nitz	Vagnozzi
Caul	Hummel	Nofs	Van Regenmorter
Cheeks	Hune	Palmer	Vander Veen
Clack	Hunter	Palsrok	Walker
Clemente	Jones	Pastor	Ward
Condino	Kahn	Pavlov	Waters
Cushingberry	Kolb	Pearce	Wenke
DeRoche	Kooiman	Plakas	Williams
Dillon	LaJoy	Polidori	Wojno
Donigan	Law, David	Proos	Zelenko
Drolet			

Nays—0

In The Chair: Kooiman

The House agreed to the title of the bill.

Rep. Ward moved that **Senate Bill No. 1184** be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

Senate Bill No. 1184, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” (MCL 380.1 to 380.1852) by adding section 1752.
Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 547

Yeas—105

Accavitti	Elsenheimer	Law, Kathleen	Robertson
Acciavatti	Emmons	Leland	Rocca
Adamini	Espinoza	Lemmons, III	Sak
Amos	Farhat	Lemmons, Jr.	Schuitmaker
Anderson	Farrah	Marleau	Shaffer
Angerer	Gaffney	Mayes	Sheen
Ball	Garfield	McConico	Sheltrown
Baxter	Gillard	McDowell	Smith, Alma
Bennett	Gleason	Meisner	Smith, Virgil
Bieda	Gonzales	Meyer	Spade
Booher	Gosselin	Miller	Stahl
Brandenburg	Green	Moolenaar	Stakoe
Brown	Hansen	Moore	Steil
Byrnes	Hildenbrand	Mortimer	Stewart
Byrum	Hood	Murphy	Taub
Casperson	Hoogendyk	Newell	Tobocman
Caswell	Hopgood	Nitz	Vagnozzi

Caul	Hummel	Nofs	Van Regenmorter
Cheeks	Hune	Palmer	Vander Veen
Clack	Hunter	Palsrok	Walker
Clemente	Jones	Pastor	Ward
Condino	Kahn	Pavlov	Waters
Cushingberry	Kolb	Pearce	Wenke
DeRoche	Kooiman	Plakas	Williams
Dillon	LaJoy	Polidori	Wojno
Donigan	Law, David	Proos	Zelenko
Drolet			

Nays—0

In The Chair: Kooiman

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

“An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts.”

The House agreed to the full title.

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

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

Rep. Waters demanded the yeas and nays.

The demand was supported.

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

The motion prevailed, 2/3 of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 548

Yeas—105

Accavitti	Elsenheimer	Law, Kathleen	Robertson
Acciavatti	Emmons	Leland	Rocca
Adamini	Espinoza	Lemmons, III	Sak
Amos	Farhat	Lemmons, Jr.	Schuitmaker
Anderson	Farrah	Marleau	Shaffer
Angerer	Gaffney	Mayes	Sheen
Ball	Garfield	McConico	Sheltrown
Baxter	Gillard	McDowell	Smith, Alma
Bennett	Gleason	Meisner	Smith, Virgil
Bieda	Gonzales	Meyer	Spade
Booher	Gosselin	Miller	Stahl
Brandenburg	Green	Moolenaar	Stakoe
Brown	Hansen	Moore	Steil
Byrnes	Hildenbrand	Mortimer	Stewart
Byrum	Hood	Murphy	Taub
Casperson	Hoogendyk	Newell	Tobocman
Caswell	Hopgood	Nitz	Vagnozzi
Caul	Hummel	Nofs	Van Regenmorter
Cheeks	Hune	Palmer	Vander Veen

Clack	Hunter	Palsrok	Walker
Clemente	Jones	Pastor	Ward
Condino	Kahn	Pavlov	Waters
Cushingberry	Kolb	Pearce	Wenke
DeRoche	Kooiman	Plakas	Williams
Dillon	LaJoy	Polidori	Wojno
Donigan	Law, David	Proos	Zelenko
Drolet			

Nays—0

In The Chair: Kooiman

By unanimous consent the House returned to the order of
Messages from the Senate

The Speaker laid before the House

House Bill No. 4138, entitled

A bill to provide for standards of accessibility for certain publicly funded housing; and to provide for certain powers and duties of certain state authorities.

(The bill was received from the Senate on May 11, with substitute (S-1) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until May 16, see House Journal No. 46, p. 1114.)

The question being on concurring in the substitute (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. 549**Yeas—104**

Accavitti	Elsenheimer	Law, Kathleen	Robertson
Acciavatti	Emmons	Leland	Rocca
Adamini	Espinoza	Lemmons, III	Sak
Amos	Farhat	Lemmons, Jr.	Schuitmaker
Anderson	Farrah	Marleau	Shaffer
Angerer	Gaffney	Mayes	Sheen
Ball	Garfield	McConico	Sheltrown
Baxter	Gillard	McDowell	Smith, Alma
Bennett	Gleason	Meisner	Smith, Virgil
Bieda	Gonzales	Meyer	Spade
Booher	Gosselin	Miller	Stahl
Brandenburg	Green	Moolenaar	Stakoe
Brown	Hansen	Moore	Steil
Byrnes	Hildenbrand	Mortimer	Stewart
Byrum	Hood	Murphy	Taub
Casperson	Hoogendyk	Newell	Tobocman
Caswell	Hopgood	Nitz	Vagnozzi
Caul	Hummel	Nofs	Van Regenmorter
Cheeks	Hune	Palmer	Vander Veen
Clack	Hunter	Palsrok	Walker
Clemente	Jones	Pastor	Ward
Condino	Kahn	Pavlov	Waters
Cushingberry	Kolb	Pearce	Wenke
DeRoche	Kooiman	Plakas	Williams
Dillon	LaJoy	Polidori	Wojno
Donigan	Law, David	Proos	Zelenko

Nays—1

Drolet

In The Chair: Kooiman

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

Third Reading of Bills**House Bill No. 4431, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 316 (MCL 750.316), as amended by 2004 PA 58.

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

Roll Call No. 550**Yeas—106**

Accavitti	Elsenheimer	Law, Kathleen	Robertson
Acciavatti	Emmons	Leland	Rocca
Adamini	Espinoza	Lemmons, III	Sak
Amos	Farhat	Lemmons, Jr.	Schuitmaker
Anderson	Farrah	Marleau	Shaffer
Angerer	Gaffney	Mayer	Sheen
Ball	Garfield	McConico	Sheltrown
Baxter	Gillard	McDowell	Smith, Alma
Bennett	Gleason	Meisner	Smith, Virgil
Bieda	Gonzales	Meyer	Spade
Booher	Gosselin	Miller	Stahl
Brandenburg	Green	Moolenaar	Stakoe
Brown	Hansen	Moore	Steil
Byrnes	Hildenbrand	Mortimer	Stewart
Byrum	Hood	Murphy	Taub
Casperson	Hoogendyk	Newell	Tobocman
Caswell	Hopgood	Nitz	Vagnozzi
Caul	Huizenga	Nofs	Van Regenmorter
Cheeks	Hummel	Palmer	Vander Veen
Clack	Hune	Palsrok	Walker
Clemente	Hunter	Pastor	Ward
Condino	Jones	Pavlov	Waters
Cushingberry	Kahn	Pearce	Wenke
DeRoche	Kolb	Plakas	Williams
Dillon	Kooiman	Polidori	Wojno
Donigan	LaJoy	Proos	Zelenko
Drolet	Law, David		

Nays—0

In The Chair: Kooiman

The House agreed to the title of the bill.

Senate Bill No. 1112, entitled

A bill to amend 1917 PA 167, entitled "Housing law of Michigan," by amending section 85a (MCL 125.485a), as added by 2003 PA 307.

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

Roll Call No. 551**Yeas—106**

Accavitti	Elsenheimer	Law, Kathleen	Robertson
Acciavatti	Emmons	Leland	Rocca
Adamini	Espinoza	Lemmons, III	Sak
Amos	Farhat	Lemmons, Jr.	Schuitmaker
Anderson	Farrah	Marleau	Shaffer
Angerer	Gaffney	Mayes	Sheen
Ball	Garfield	McConico	Sheltrown
Baxter	Gillard	McDowell	Smith, Alma
Bennett	Gleason	Meisner	Smith, Virgil
Bieda	Gonzales	Meyer	Spade
Booher	Gosselin	Miller	Stahl
Brandenburg	Green	Moolenaar	Stakoe
Brown	Hansen	Moore	Steil
Byrnes	Hildenbrand	Mortimer	Stewart
Byrum	Hood	Murphy	Taub
Casperson	Hoogendyk	Newell	Tobocman
Caswell	Hopgood	Nitz	Vagnozzi
Caul	Huizenga	Nofs	Van Regenmorter
Cheeks	Hummel	Palmer	Vander Veen
Clack	Hune	Palsrok	Walker
Clemente	Hunter	Pastor	Ward
Condino	Jones	Pavlov	Waters
Cushingberry	Kahn	Pearce	Wenke
DeRoche	Kolb	Plakas	Williams
Dillon	Kooiman	Polidori	Wojno
Donigan	LaJoy	Proos	Zelenko
Drolet	Law, David		

Nays—0

In The Chair: Kooiman

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

"An act to promote the health, safety and welfare of the people by regulating the maintenance, alteration, health, safety, and improvement of dwellings; to define the classes of dwellings affected by the act, and to establish administrative requirements; to prescribe procedures for the maintenance, improvement, or demolition of certain commercial buildings; to establish remedies; to provide for enforcement; to provide for the demolition of certain dwellings; and to fix penalties for the violation of this act,"

The House agreed to the full title.

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

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

Rep. Waters demanded the yeas and nays.

The demand was supported.

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

The motion prevailed, 2/3 of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 552**Yeas—106**

Accavitti	Elsenheimer	Law, Kathleen	Robertson
Acciavatti	Emmons	Leland	Rocca
Adamini	Espinoza	Lemmons, III	Sak
Amos	Farhat	Lemmons, Jr.	Schuitmaker
Anderson	Farrah	Marleau	Shaffer
Angerer	Gaffney	Mayes	Sheen
Ball	Garfield	McConico	Sheltrown
Baxter	Gillard	McDowell	Smith, Alma
Bennett	Gleason	Meisner	Smith, Virgil
Bieda	Gonzales	Meyer	Spade
Booher	Gosselin	Miller	Stahl
Brandenburg	Green	Moolenaar	Stakoe
Brown	Hansen	Moore	Steil
Byrnes	Hildenbrand	Mortimer	Stewart
Byrum	Hood	Murphy	Taub
Casperson	Hoogendyk	Newell	Tobocman
Caswell	Hopgood	Nitz	Vagnozzi
Caul	Huizenga	Nofs	Van Regenmorter
Cheeks	Hummel	Palmer	Vander Veen
Clack	Hune	Palsrok	Walker
Clemente	Hunter	Pastor	Ward
Condino	Jones	Pavlov	Waters
Cushingberry	Kahn	Pearce	Wenke
DeRoche	Kolb	Plakas	Williams
Dillon	Kooiman	Polidori	Wojno
Donigan	LaJoy	Proos	Zelenko
Drolet	Law, David		

Nays—0

In The Chair: Kooiman

Senate Bill No. 1115, entitled

A bill to prescribe certain duties of the department of state police with respect to certain illegal drug manufacturing laboratories.

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

Roll Call No. 553**Yeas—106**

Accavitti	Elsenheimer	Law, Kathleen	Robertson
Acciavatti	Emmons	Leland	Rocca
Adamini	Espinoza	Lemmons, III	Sak
Amos	Farhat	Lemmons, Jr.	Schuitmaker
Anderson	Farrah	Marleau	Shaffer
Angerer	Gaffney	Mayes	Sheen
Ball	Garfield	McConico	Sheltrown
Baxter	Gillard	McDowell	Smith, Alma
Bennett	Gleason	Meisner	Smith, Virgil
Bieda	Gonzales	Meyer	Spade
Booher	Gosselin	Miller	Stahl
Brandenburg	Green	Moolenaar	Stakoe

Brown	Hansen	Moore	Steil
Byrnes	Hildenbrand	Mortimer	Stewart
Byrum	Hood	Murphy	Taub
Casperson	Hoogendyk	Newell	Tobocman
Caswell	Hopgood	Nitz	Vagnozzi
Caul	Huizenga	Nofs	Van Regenmorter
Cheeks	Hummel	Palmer	Vander Veen
Clack	Hune	Palsrok	Walker
Clemente	Hunter	Pastor	Ward
Condino	Jones	Pavlov	Waters
Cushingberry	Kahn	Pearce	Wenke
DeRoche	Kolb	Plakas	Williams
Dillon	Kooiman	Polidori	Wojno
Donigan	LaJoy	Proos	Zelenko
Drolet	Law, David		

Nays—0

In The Chair: Kooiman

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

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

A bill to prescribe certain powers and duties of the department of community health and the department of state police with respect to certain illegal drug manufacturing laboratories.

The motion prevailed.

The House agreed to the title as amended.

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

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

Rep. Waters demanded the yeas and nays.

The demand was supported.

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

The motion prevailed, 2/3 of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 554**Yeas—106**

Accavitti	Elsenheimer	Law, Kathleen	Robertson
Acciavatti	Emmons	Leland	Rocca
Adamini	Espinoza	Lemmons, III	Sak
Amos	Farhat	Lemmons, Jr.	Schuitmaker
Anderson	Farrar	Marleau	Shaffer
Angerer	Gaffney	Mayes	Sheen
Ball	Garfield	McConico	Sheltrown
Baxter	Gillard	McDowell	Smith, Alma
Bennett	Gleason	Meisner	Smith, Virgil
Bieda	Gonzales	Meyer	Spade
Booher	Gosselin	Miller	Stahl
Brandenburg	Green	Moolenaar	Stakoe
Brown	Hansen	Moore	Steil
Byrnes	Hildenbrand	Mortimer	Stewart
Byrum	Hood	Murphy	Taub
Casperson	Hoogendyk	Newell	Tobocman
Caswell	Hopgood	Nitz	Vagnozzi
Caul	Huizenga	Nofs	Van Regenmorter
Cheeks	Hummel	Palmer	Vander Veen
Clack	Hune	Palsrok	Walker

Clemente	Hunter	Pastor	Ward
Condino	Jones	Pavlov	Waters
Cushingberry	Kahn	Pearce	Wenke
DeRoche	Kolb	Plakas	Williams
Dillon	Kooiman	Polidori	Wojno
Donigan	LaJoy	Proos	Zelenko
Drolet	Law, David		

Nays—0

In The Chair: Kooiman

Senate Bill No. 1119, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” (MCL 600.101 to 600.9947) by adding section 2975.

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

Roll Call No. 555

Yeas—105

Accavitti	Emmons	Law, Kathleen	Robertson
Acciavatti	Espinoza	Leland	Rocca
Adamini	Farhat	Lemmons, III	Sak
Amos	Farrah	Lemmons, Jr.	Schuitmaker
Anderson	Gaffney	Marleau	Shaffer
Angerer	Garfield	Mayes	Sheen
Ball	Gillard	McConico	Sheltrown
Baxter	Gleason	McDowell	Smith, Alma
Bennett	Gonzales	Meisner	Smith, Virgil
Bieda	Gosselin	Meyer	Spade
Booher	Green	Miller	Stahl
Brandenburg	Hansen	Moolenaar	Stakoe
Brown	Hildenbrand	Moore	Steil
Byrnes	Hood	Mortimer	Stewart
Byrum	Hoogendyk	Murphy	Taub
Casperson	Hopgood	Newell	Tobocman
Caswell	Huizenga	Nitz	Vagnozzi
Caul	Hummel	Nofs	Van Regenmorter
Cheeks	Hune	Palmer	Vander Veen
Clack	Hunter	Palsrok	Walker
Clemente	Jones	Pastor	Ward
Condino	Kahn	Pavlov	Waters
Cushingberry	Kolb	Pearce	Wenke
DeRoche	Kooiman	Plakas	Williams
Dillon	LaJoy	Polidori	Wojno
Donigan	Law, David	Proos	Zelenko
Elsenheimer			

Nays—1

Drolet

In The Chair: Kooiman

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

“An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts,”

The House agreed to the full title.

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

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

Rep. Waters demanded the yeas and nays.

The demand was supported.

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

The motion prevailed, 2/3 of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 556

Yeas—105

Accavitti	Emmons	Law, Kathleen	Robertson
Acciavatti	Espinoza	Leland	Rocca
Adamini	Farhat	Lemmons, III	Sak
Amos	Farrah	Lemmons, Jr.	Schuitmaker
Anderson	Gaffney	Marleau	Shaffer
Angerer	Garfield	Mayes	Sheen
Ball	Gillard	McConico	Sheltrown
Baxter	Gleason	McDowell	Smith, Alma
Bennett	Gonzales	Meisner	Smith, Virgil
Bieda	Gosselin	Meyer	Spade
Booher	Green	Miller	Stahl
Brandenburg	Hansen	Moolenaar	Stakoe
Brown	Hildenbrand	Moore	Steil
Byrnes	Hood	Mortimer	Stewart
Byrum	Hoogendyk	Murphy	Taub
Casperson	Hopgood	Newell	Tobocman
Caswell	Huizenga	Nitz	Vagnozzi
Caul	Hummel	Nofs	Van Regenmorter
Cheeks	Hune	Palmer	Vander Veen
Clack	Hunter	Palsrok	Walker
Clemente	Jones	Pastor	Ward
Condino	Kahn	Pavlov	Waters
Cushingberry	Kolb	Pearce	Wenke
DeRoche	Kooiman	Plakas	Williams
Dillon	LaJoy	Polidori	Wojno
Donigan	Law, David	Proos	Zelenko
Elsenheimer			

Nays—1

Drolet

In The Chair: Kooiman

Senate Bill No. 1116, entitled

A bill to amend 1975 PA 238, entitled “Child protection law,” by amending sections 3, 8, and 17 (MCL 722.623, 722.628, and 722.637), section 3 as amended by 2002 PA 693, section 8 as amended by 2004 PA 195, and section 17 as added by 1997 PA 168.

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

Roll Call No. 557**Yeas—106**

Accavitti	Elsenheimer	Law, Kathleen	Robertson
Acciavatti	Emmons	Leland	Rocca
Adamini	Espinoza	Lemmons, III	Sak
Amos	Farhat	Lemmons, Jr.	Schuitmaker
Anderson	Farrah	Marleau	Shaffer
Angerer	Gaffney	Mayes	Sheen
Ball	Garfield	McConico	Sheltrown
Baxter	Gillard	McDowell	Smith, Alma
Bennett	Gleason	Meisner	Smith, Virgil
Bieda	Gonzales	Meyer	Spade
Booher	Gosselin	Miller	Stahl
Brandenburg	Green	Moolenaar	Stakoe
Brown	Hansen	Moore	Steil
Byrnes	Hildenbrand	Mortimer	Stewart
Byrum	Hood	Murphy	Taub
Casperson	Hoogendyk	Newell	Tobocman
Caswell	Hopgood	Nitz	Vagnozzi
Caul	Huizenga	Nofs	Van Regenmorter
Cheeks	Hummel	Palmer	Vander Veen
Clack	Hune	Palsrok	Walker
Clemente	Hunter	Pastor	Ward
Condino	Jones	Pavlov	Waters
Cushingberry	Kahn	Pearce	Wenke
DeRoche	Kolb	Plakas	Williams
Dillon	Kooiman	Polidori	Wojno
Donigan	LaJoy	Proos	Zelenko
Drolet	Law, David		

Nays—0

In The Chair: Kooiman

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

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

A bill to amend 1975 PA 238, entitled "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," by amending sections 8 and 17 (MCL 722.628 and 722.637), section 8 as amended by 2004 PA 195 and section 17 as added by 1997 PA 168.

The motion prevailed.

The House agreed to the title as amended.

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

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

Rep. Waters demanded the yeas and nays.

The demand was supported.

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

The motion prevailed, 2/3 of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 558**Yeas—106**

Accavitti	Elsenheimer	Law, Kathleen	Robertson
Acciavatti	Emmons	Leland	Rocca
Adamini	Espinoza	Lemmons, III	Sak
Amos	Farhat	Lemmons, Jr.	Schuitmaker
Anderson	Farrah	Marleau	Shaffer
Angerer	Gaffney	Mayes	Sheen
Ball	Garfield	McConico	Sheltrown
Baxter	Gillard	McDowell	Smith, Alma
Bennett	Gleason	Meisner	Smith, Virgil
Bieda	Gonzales	Meyer	Spade
Booher	Gosselin	Miller	Stahl
Brandenburg	Green	Moolenaar	Stakoe
Brown	Hansen	Moore	Steil
Byrnes	Hildenbrand	Mortimer	Stewart
Byrum	Hood	Murphy	Taub
Casperson	Hoogendyk	Newell	Tobocman
Caswell	Hopgood	Nitz	Vagnozzi
Caul	Huizenga	Nofs	Van Regenmorter
Cheeks	Hummel	Palmer	Vander Veen
Clack	Hune	Palsrok	Walker
Clemente	Hunter	Pastor	Ward
Condino	Jones	Pavlov	Waters
Cushingberry	Kahn	Pearce	Wenke
DeRoche	Kolb	Plakas	Williams
Dillon	Kooiman	Polidori	Wojno
Donigan	LaJoy	Proos	Zelenko
Drolet	Law, David		

Nays—0

In The Chair: Kooiman

Second Reading of Bills**House Bill No. 5795, 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 years ending September 30, 2006 and September 30, 2007; to provide for certain conditions on appropriations; 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-1) previously recommended by the Committee on Appropriations,

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

Rep. Miller moved to amend the bill as follows:

1. Amend page 533, following line 7, by inserting:

“Sec. 1020. The fund shall provide no assistance to an enterprise that is owned or operated by an entity that is 1 of the following:

(a) A business enterprise that is currently located in the United States for the purpose of inducing the business to relocate outside the United States.

(b) A business enterprise currently located in this state for the purpose of inducing the enterprise to relocate outside this state if the incentive or inducement is likely to reduce the number of employees of the business enterprise in this state.

(c) A business that contributes to the violation of internationally recognized workers rights, as defined in section 507(4) of the trade act of 1974, 19 USC 2467(4), of workers in a country other than the United States, including any designated zone or area in that country.

(d) A corporation or an affiliate of the corporation incorporated in a tax haven country after September 11, 2001, but with the United States as the principal market for the public trading of the corporation's stock, as determined by the strategic economic investment board. As used in this section, "tax haven country" includes a country with tax laws that facilitate avoidance by a corporation or an affiliate of the corporation of the United States tax obligations, including Barbados, Bermuda, British Virgin Islands, Cayman Islands, Commonwealth of the Bahamas, Cyprus, Gibraltar, Isle of Man, the Principality of Liechtenstein, the Principality of Monaco, and the Republic of the Seychelles."

The question being on the adoption of the amendment offered by Rep. Miller,

Rep. Ward moved that consideration of the amendment be postponed temporarily.

The motion prevailed.

Rep. Sak moved to amend the bill as follows:

1. Amend page 592, line 27, by striking out "\$1,385,000" and inserting "\$1,785,000" and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 593, line 16, by striking out "\$34,566,100" and inserting "\$34,966,100" and adjusting the subtotals, totals, and section 201 accordingly.

The question being on the adoption of the amendments offered by Rep. Sak,

Rep. Ward moved that consideration of the amendments be postponed temporarily.

The motion prevailed.

Rep. Alma Smith moved to amend the bill as follows:

1. Amend page 42, line 19, by increasing the \$100 amount by \$199,999,900.00 and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 42, line 23, by increasing the \$100 amount by \$199,999,900.00 and adjusting the subtotals, totals, and section 201 accordingly.

3. Amend page 104, line 4, by striking out all of section 1503.

The question being on the adoption of the amendments offered by Rep. Alma Smith,

Rep. Ward moved that consideration of the amendments be postponed temporarily.

The motion prevailed.

Rep. Williams moved to amend the bill as follows:

1. Amend page 43, line 13, by increasing the \$1,226,791,400.00 amount by \$300,000.00 and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 44, line 18, by increasing the \$4,008,079,600.00 amount by \$169,100.00 and adjusting the subtotals, totals, and section 201 accordingly.

3. Amend page 44, line 23, by increasing the \$1,443,346,000.00 amount by \$130,900.00 and adjusting the subtotals, totals, and section 201 accordingly.

4. Amend page 112, line 7, after "(b)" by striking out "Six dollars for a non-emergent" and inserting "Three dollars for a".

The question being on the adoption of the amendments offered by Rep. Williams,

Rep. Ward moved that consideration of the amendments be postponed temporarily.

The motion prevailed.

Rep. Hood moved to amend the bill as follows:

1. Amend page 262, line 25, by striking out "15,190,100" and inserting "28,908,300" and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 328, line 16, by striking out all of section 957 and inserting:

"Sec. 957. From the funds appropriated in part 1 for SHARE grants, the department shall distribute to certain cities, villages, and townships an amount such that the percentage increase in the total combined distribution under this

section, section 13 of the Glenn Steil state revenue sharing act of 1971, 1971 PA 140, MCL 141.913, and section 10 of article IX of the state constitution of 1963 for the 2006-2007 state fiscal year from the total combined distribution under section 13 of the Glenn Steil state revenue sharing act of 1971, 1971 PA 140, MCL 141.913, and section 10 of article IX of the state constitution of 1963 for the 2005-2006 state fiscal year is equal to, but does not exceed, the percentage increase from the total combined distribution under section 13 of the Glenn Steil state revenue sharing act of 1971, 1971 PA 140, MCL 141.91, and section 10 of article IX of the state constitution of 1963 for the 2005-2006 state fiscal year of any city, village, or township that does not receive a distribution from this appropriation.”.

3. Amend page 657, following line 4, by inserting:

“Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 93rd Legislature are enacted into law:

(a) House Bill No. 4909.

(b) House Bill No. 4951.

(c) House Bill No. 4953.

The question being on the adoption of the amendments offered by Rep. Hood,

Rep. Ward moved that consideration of the amendments be postponed temporarily.

The motion prevailed.

Rep. Hood moved to amend the bill as follows:

1. Amend page 262, line 25, by striking out “15,190,100” and inserting “17,753,400” and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 328, line 16, by striking out all of section 957 and inserting:

“Sec. 957. From the funds appropriated in part 1 for SHARE grants, the department shall distribute to certain cities, villages, and townships an amount such that the percentage increase in the total combined distribution under this section, section 13 of the Glenn Steil state revenue sharing act of 1971, 1971 PA 140, MCL 141.913, and section 10 of article IX of the state constitution of 1963 for the 2006-2007 state fiscal year from the total combined distribution under section 13 of the Glenn Steil state revenue sharing act of 1971, 1971 PA 140, MCL 141.913, and section 10 of article IX of the state constitution of 1963 for the 2005-2006 state fiscal year is equal to, but does not exceed, the percentage increase from the total combined distribution under section 13 of the Glenn Steil state revenue sharing act of 1971, 1971 PA 140, MCL 141.91, and section 10 of article IX of the state constitution of 1963 for the 2005-2006 state fiscal year of any city, village, or township that does not receive a distribution from this appropriation.”.

The question being on the adoption of the amendments offered by Rep. Hood,

Rep. Ward moved that consideration of the amendments be postponed temporarily.

The motion prevailed.

Rep. Alma Smith moved to amend the bill as follows:

1. Amend page 193, line 21, after “facility,” by inserting “not already included in part 1,”.

The question being on the adoption of the amendment offered by Rep. Alma Smith,

Rep. Waters demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Rep. Alma Smith,

The amendment was not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 559

Yeas—52

Accavitti	Cushingberry	Law, Kathleen	Polidori
Adamini	Dillon	Leland	Sak
Anderson	Donigan	Lemmons, III	Sheltrown
Angerer	Espinoza	Lemmons, Jr.	Smith, Alma
Bennett	Farrah	Mayes	Smith, Virgil
Bieda	Gillard	McConico	Spade
Brown	Gleason	McDowell	Stewart
Byrnes	Gonzales	Meisner	Tobocman
Byrum	Hood	Miller	Vagnozzi

Cheeks	Hopgood	Mortimer	Waters
Clack	Hunter	Murphy	Williams
Clemente	Kahn	Nofs	Wojno
Condino	Kolb	Plakas	Zelenko

Nays—54

Acciavatti	Gaffney	Marleau	Rocca
Amos	Garfield	Meyer	Schuitmaker
Ball	Gosselin	Moolenaar	Shaffer
Baxter	Green	Moore	Sheen
Booher	Hansen	Newell	Stahl
Brandenburg	Hildenbrand	Nitz	Stakoe
Casperson	Hoogendyk	Palmer	Steil
Caswell	Huizenga	Palsrok	Taub
Caul	Hummel	Pastor	Van Regenmorter
DeRoche	Hune	Pavlov	Vander Veen
Drolet	Jones	Pearce	Walker
Elsenheimer	Kooiman	Proos	Ward
Emmons	LaJoy	Robertson	Wenke
Farhat	Law, David		

In The Chair: Kooiman

Rep. Waters moved that Rep. Murphy be excused temporarily from today's session.
The motion prevailed.

Rep. Alma Smith moved to amend the bill as follows:

1. Amend page 175, following line 9, by inserting:

“Sec. 609. (1) In order to expend funds appropriated in part 1 for parole board operations and other expenses related to the parole board, the department shall meet the following conditions:

(a) Parole board interviews shall be recorded on videotape, audiotape, or an equivalent digital or other recording method. Any board member not present at the interview who votes on the prisoner's release shall review the recording before voting. The audiotape, videotape, or other recording shall be preserved in the prisoner's parole board file until it is replaced by a recording of a subsequent interview or the prisoner is discharged.

(b) If the parole board makes a final determination not to release a prisoner, the written explanation for the reason for denial shall include specific facts supporting the denial.

(c) If the parole board denies parole to a prisoner whose parole guidelines score does not indicate a low probability of parole, the parole board shall reconsider that prisoner for parole no later than 12 months following the denial. If the parole board denies parole to a prisoner whose parole guidelines score indicates a low probability of parole, the parole board shall reconsider that prisoner for parole no later than 24 months following the denial. This subdivision does not apply to prisoners subject to parole under section 34(6) of the corrections code of 1953, 1953 PA 232, MCL 791.234(6).

(2) Nothing in this section should be construed to make parole denial appealable in court.”

The question being on the adoption of the amendment offered by Rep. Alma Smith,

Rep. Alma Smith demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Rep. Alma Smith,

The amendment was not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 560**Yeas—47**

Accavitti	Condino	Kolb	Sak
Adamini	Cushingberry	Law, Kathleen	Sheltrown
Anderson	Dillon	Leland	Smith, Alma
Angerer	Donigan	Lemmons, III	Smith, Virgil
Bennett	Espinoza	Lemmons, Jr.	Spade
Bieda	Farrah	Mayes	Tobocman
Brown	Gillard	McConico	Vagnozzi
Byrnes	Gleason	McDowell	Waters
Byrum	Gonzales	Meisner	Williams
Cheeks	Hood	Miller	Wojno
Clack	Hopgood	Plakas	Zelenko
Clemente	Hunter	Polidori	

Nays—58

Acciavatti	Garfield	Meyer	Rocca
Amos	Gosselin	Moolenaar	Schuitmaker
Ball	Green	Moore	Shaffer
Baxter	Hansen	Mortimer	Sheen
Booher	Hildenbrand	Newell	Stahl
Brandenburg	Hoogendyk	Nitz	Stakoe
Casperson	Huizenga	Nofs	Steil
Caswell	Hummel	Palmer	Stewart
Caul	Hune	Palsrok	Taub
DeRoche	Jones	Pastor	Van Regenmorter
Drolet	Kahn	Pavlov	Vander Veen
Elsenheimer	Kooiman	Pearce	Walker
Emmons	LaJoy	Proos	Ward
Farhat	Law, David	Robertson	Wenke
Gaffney	Marleau		

In The Chair: Kooiman

Rep. Cushingberry moved to amend the bill as follows:

1. Amend page 33, line 17, by striking out “1,562,400” and inserting “1,802,400” and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 34, line 4, by striking out “\$1,562,500” and inserting “\$1,802,500” and adjusting the subtotals, totals, and section 201 accordingly.

The question being on the adoption of the amendments offered by Rep. Cushingberry,

Rep. Ward moved that consideration of the amendments be postponed temporarily.

The motion prevailed.

Rep. Alma Smith moved to amend the bill as follows:

1. Amend page 42, following line 6, by inserting:

“Senior citizen centers staffing..... 1,068,700”

and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 42, line 17, by striking out “\$33,749,100” and inserting “\$34,817,800” and adjusting the subtotals, totals, and section 201 accordingly.

The question being on the adoption of the amendments offered by Rep. Alma Smith,

Rep. Ward moved that consideration of the amendments be postponed temporarily.

The motion prevailed.

Rep. Williams moved to amend the bill as follows:

1. Amend page 33, line 19, by striking out “1,192,500” and inserting “1,592,500” and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 34, line 4, by striking out “\$1,562,500” and inserting “\$1,962,500” and adjusting the subtotals, totals, and section 201 accordingly.

The question being on the adoption of the amendments offered by Rep. Williams,

Rep. Williams demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Rep. Williams,

The amendments were not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 561

Yeas—53

Accavitti	Dillon	Law, Kathleen	Polidori
Adamini	Donigan	Leland	Sak
Anderson	Espinoza	Lemmons, III	Sheltrown
Angerer	Farrah	Lemmons, Jr.	Smith, Alma
Bennett	Gaffney	Mayes	Smith, Virgil
Bieda	Gillard	McConico	Spade
Brown	Gleason	McDowell	Stewart
Byrnes	Gonzales	Meisner	Tobocman
Byrum	Hood	Miller	Vagnozzi
Cheeks	Hopgood	Murphy	Waters
Clack	Hunter	Nofs	Williams
Clemente	Kahn	Palsrok	Wojno
Condino	Kolb	Plakas	Zelenko
Cushingberry			

Nays—53

Acciavatti	Garfield	Marleau	Rocca
Amos	Gosselin	Meyer	Schuitmaker
Ball	Green	Moolenaar	Shaffer
Baxter	Hansen	Moore	Sheen
Booher	Hildenbrand	Mortimer	Stahl
Brandenburg	Hoogendyk	Newell	Stakoe
Casperson	Huizenga	Nitz	Steil
Caswell	Hummel	Palmer	Taub
Caul	Hune	Pastor	Van Regenmorter
DeRoche	Jones	Pavlov	Vander Veen
Drolet	Kooiman	Pearce	Walker
Elsenheimer	LaJoy	Proos	Ward
Emmons	Law, David	Robertson	Wenke
Farhat			

In The Chair: Kooiman

Rep. Cushingberry moved to amend the bill as follows:

1. Amend page 450, line 27, by striking out “19,865,700” and inserting “19,957,500” and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 451, line 4, by striking out “1,958,500” and inserting “2,297,700” and adjusting the subtotals, totals, and section 201 accordingly.

3. Amend page 451, line 5, by striking out “77,800” and inserting “80,400” and adjusting the subtotals, totals, and section 201 accordingly.

4. Amend page 460, following line 6, by striking out all of section 307 and inserting the following:

“Sec. 307. Funds appropriated in part 1 for court of appeals operations include \$654,300.00 in restricted revenues deriving from increases in filing, motion fees, and copy fees. It is the intent of the legislature that these revenues be utilized to further ongoing efforts toward reducing the amount of time taken to process and dispose of appeals.”.

The question being on the adoption of the amendments offered by Rep. Cushingberry,

Rep. Cushingberry demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Rep. Cushingberry,

The amendments were not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 562

Yeas—47

Accavitti	Cushingberry	Law, Kathleen	Sak
Adamini	Dillon	Leland	Sheltrown
Anderson	Donigan	Lemmons, III	Smith, Alma
Angerer	Espinoza	Lemmons, Jr.	Smith, Virgil
Bennett	Farrah	Mayer	Spade
Brown	Gillard	McConico	Tobocman
Byrnes	Gleason	McDowell	Vagnozzi
Byrum	Gonzales	Meisner	Waters
Cheeks	Hood	Miller	Williams
Clack	Hopgood	Murphy	Wojno
Clemente	Hunter	Plakas	Zelenko
Condino	Kolb	Polidori	

Nays—59

Acciavatti	Gaffney	Marleau	Rocca
Amos	Garfield	Meyer	Schuitmaker
Ball	Gosselin	Moolenaar	Shaffer
Baxter	Green	Moore	Sheen
Bieda	Hansen	Mortimer	Stahl
Booher	Hildenbrand	Newell	Stakoe
Brandenburg	Hoogendyk	Nitz	Steil
Casperson	Huizenga	Nofs	Stewart
Caswell	Hummel	Palmer	Taub
Caul	Hune	Palsrok	Van Regenmorter
DeRoche	Jones	Pastor	Vander Veen
Drolet	Kahn	Pavlov	Walker
Elsenheimer	Kooiman	Pearce	Ward
Emmons	LaJoy	Proos	Wenke
Farhat	Law, David	Robertson	

In The Chair: Kooiman

Rep. Cushingberry moved to amend the bill as follows:

1. Amend page 452, line 14, by striking out “50.0” and inserting “57.0” and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 452, line 15, by striking out “42.0” and inserting “49.0” and adjusting the subtotals, totals, and section 201 of article 11 accordingly.

3. Amend page 461, following line 4, by striking out all of section 309 and inserting:

“Sec. 309. Funds appropriated in part 1 for the appellate public defender program include funding for hiring of additional attorneys and support staff to assist the state appellate defender with ongoing workload needs.”.

The question being on the adoption of the amendments offered by Rep. Cushingberry,

Rep. Cushingberry demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Rep. Cushingberry,

The amendments were not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 563

Yeas—41

Accavitti	Cushingberry	Leland	Sak
Adamini	Farrah	Lemmons, III	Sheltrown
Anderson	Gillard	Lemmons, Jr.	Smith, Alma
Bennett	Gleason	Mayes	Smith, Virgil
Bieda	Gonzales	McConico	Tobocman
Brown	Hood	Meisner	Vagnozzi
Byrnes	Hopgood	Murphy	Waters
Byrum	Hunter	Nofs	Williams
Cheeks	Kolb	Plakas	Wojno
Clack	Law, Kathleen	Polidori	Zelenko
Condino			

Nays—65

Acciavatti	Espinoza	Law, David	Robertson
Amos	Farhat	Marleau	Rocca
Angerer	Gaffney	McDowell	Schuitmaker
Ball	Garfield	Meyer	Shaffer
Baxter	Gosselin	Miller	Sheen
Booher	Green	Moolenaar	Spade
Brandenburg	Hansen	Moore	Stahl
Casperson	Hildenbrand	Mortimer	Stakoe
Caswell	Hoogendyk	Newell	Steil
Caul	Huizenga	Nitz	Stewart
Clemente	Hummel	Palmer	Taub
DeRoche	Hune	Palsrok	Van Regenmorter
Dillon	Jones	Pastor	Vander Veen
Donigan	Kahn	Pavlov	Walker
Drolet	Kooiman	Pearce	Ward
Elsenheimer	LaJoy	Proos	Wenke
Emmons			

In The Chair: Kooiman

Rep. Cushingberry moved to amend the bill as follows:

1. Amend page 452, line 14, by striking out “50.0” and inserting “60.0” and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 452, line 15, by striking out “42.0” and inserting “52.0” and adjusting the subtotals, totals, and section 201 accordingly.

3. Amend page 452, line 15, by striking out “5,495,000” and inserting “5,737,400” and adjusting the subtotals, totals, and section 201 accordingly.

4. Amend page 452, following line 15, by inserting:

“Indigent defense grants to counties..... \$ 969,700”

and adjusting the subtotals, totals, and section 201 accordingly.

5. Amend page 452, following line 22, by inserting:

“Indigent defense counsel fund 1,212,100”

and adjusting the subtotals, totals, and section 201 accordingly.

6. Amend page 461, following line 4, by striking out all of section 309 and inserting:

“Sec. 309. Funds appropriated in part 1 of this article for indigent defense grants to counties are appropriated to reimburse counties for the expenses of providing legal counsel to indigent criminal defendants, as provided by section 177 of the revised judicature act, 1961 PA 236, MCL 600.177. Funds distributed under this section shall be distributed proportionately based on each county’s number of criminal cases.”

The question being on the adoption of the amendments offered by Rep. Cushingberry,

Rep. Cushingberry demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Rep. Cushingberry,

The amendments were not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 564

Yeas—41

Accavitti	Cushingberry	Kooiman	Sak
Adamini	Farrah	Law, Kathleen	Sheltrown
Anderson	Gillard	Leland	Smith, Alma
Bennett	Gleason	Lemmons, III	Smith, Virgil
Bieda	Gonzales	Lemmons, Jr.	Tobocman
Brown	Hood	McConico	Vagnozzi
Byrnes	Hopgood	Miller	Waters
Byrum	Hunter	Murphy	Williams
Cheeks	Jones	Plakas	Wojno
Clack	Kolb	Polidori	Zelenko
Condino			

Nays—65

Acciavatti	Espinoza	Mayes	Robertson
Amos	Farhat	McDowell	Rocca
Angerer	Gaffney	Meisner	Schuitmaker
Ball	Garfield	Meyer	Shaffer
Baxter	Gosselin	Moolenaar	Sheen
Booher	Green	Moore	Spade
Brandenburg	Hansen	Mortimer	Stahl
Casperson	Hildenbrand	Newell	Stakoe
Caswell	Hoogendyk	Nitz	Steil
Caul	Huizenga	Nofs	Stewart
Clemente	Hummel	Palmer	Taub
DeRoche	Hune	Palsrok	Van Regenmorter
Dillon	Kahn	Pastor	Vander Veen
Donigan	LaJoy	Pavlov	Walker
Drolet	Law, David	Pearce	Ward
Elsenheimer	Marleau	Proos	Wenke
Emmons			

In The Chair: Kooiman

Rep. Cushingberry moved to amend the bill as follows:

1. Amend page 533, following line 7, by inserting:

“Sec. 1020. From the funds appropriated in part 1 for job creation services, \$250,000.00 shall be allocated to establish a trade office in a Middle Eastern country on the African continent.”.

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

Rep. Williams moved to amend the bill as follows:

1. Amend page 43, line 13, by increasing the \$1,226,791,400.00 amount by \$300,000.00 and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 44, line 18, by increasing the \$4,008,079,600.00 amount by \$169,100.00 and adjusting the subtotals, totals, and section 201 accordingly.

3. Amend page 44, line 23, by increasing the \$1,443,346,000.00 amount by \$130,900.00 and adjusting the subtotals, totals, and section 201 accordingly.

4. Amend page 112, line 7, after “(b)” by striking out “Six” and inserting “Three”.

The question being on the adoption of the amendments offered by Rep. Williams,

Rep. Ward moved that consideration of the amendments be postponed temporarily.

The motion prevailed.

Rep. Kolb moved to amend the bill as follows:

1. Amend page 355, line 20, by striking out all of article 10 and inserting:

“ARTICLE 10
HUMAN SERVICES
PART 1
LINE-ITEM APPROPRIATIONS

Sec. 101. Subject to the conditions set forth in this article, the amounts listed in this part are appropriated for the department for the fiscal year ending September 30, 2007, from the funds indicated in this part. The following is a summary of the appropriations in this part:

DEPARTMENT OF HUMAN SERVICES

APPROPRIATION SUMMARY:

Full-time equated classified positions.....	10,253.7	
Full-time equated unclassified positions.....	5.0	
Total full-time equated positions	10,258.7	
GROSS APPROPRIATION.....		\$ 4,470,615,600
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers	1,102,700	
ADJUSTED GROSS APPROPRIATION		\$ 4,469,512,900
Federal revenues:		
Total federal revenues	3,147,082,900	
Special revenue funds:		
Total private revenues	9,914,100	
Total local revenues	52,939,500	
Total other state restricted revenues	66,868,600	
State general fund/general purpose		\$ 1,192,707,800
Sec. 102. EXECUTIVE OPERATIONS (VULNERABLE)		
Total full-time equated positions	439.3	
Full-time equated unclassified positions.....	5.0	
Full-time equated classified positions.....	434.3	
Unclassified salaries—5.0 FTE positions		\$ 537,200
Salaries and wages—298.3 FTE positions.....		15,940,400
Contractual services, supplies, and materials		5,928,600
Demonstration projects—12.0 FTE positions		6,709,000
Inspector general salaries and wages—106.0 FTE positions		5,731,100
Electronic benefit transfer EBT.....		7,333,600
Office of professional development—12.0 FTE positions		2,340,400
Michigan community service commission—6.0 FTE positions		9,430,800
State office of administrative hearings and rules.....		3,214,300
GROSS APPROPRIATION.....		\$ 57,165,400

For Fiscal Year
Ending Sept. 30,
2007

Appropriated from:	
Federal revenues:	
Total federal revenues	36,889,200
Special revenue funds:	
Total private revenues	2,199,600
Total local revenues	200,000
State general fund/general purpose	\$ 17,876,600
Sec. 103. CHILD SUPPORT ENFORCEMENT (VULNERABLE)	
Full-time equated classified positions.....	213.7
Child support enforcement operations—207.7 FTE positions	\$ 22,980,200
Legal support contracts	139,753,600
Child support incentive payments	32,409,600
State disbursement unit—6.0 FTE positions	18,481,900
GROSS APPROPRIATION	\$ 213,625,300
Appropriated from:	
Federal revenues:	
Total federal revenues	197,714,500
Special revenue funds:	
Total local revenues	940,000
State general fund/general purpose	\$ 14,970,800
Sec. 104. COMMUNITY ACTION AND ECONOMIC OPPORTUNITY (VULNERABLE)	
Full-time equated classified positions	16.0
Bureau of community action and economic opportunity operations—16.0 FTE positions.....	\$ 1,721,300
Community services block grants	27,159,900
Weatherization assistance.....	18,460,200
GROSS APPROPRIATION	\$ 47,341,400
Appropriated from:	
Federal revenues:	
Total federal revenues	47,341,400
Special revenue funds:	
State general fund/general purpose	\$ 0
Sec. 105. ADULT AND FAMILY SERVICES (VULNERABLE)	
Full-time equated classified positions	49.2
Executive direction and support—6.0 FTE positions	\$ 505,900
Domestic violence prevention and treatment—5.5 FTE positions	14,629,000
Rape prevention and services.....	2,600,000
Guardian contract.....	600,000
Adult services policy and administration—6.0 FTE positions.....	609,300
Income support policy and administration—31.7 FTE positions	6,050,200
Employment and training support services.....	27,137,000
Wage employment verification reporting	848,700
Urban and rural empowerment/enterprise zones.....	100
Nutrition education	8,569,900
Marriage and fatherhood initiatives.....	1,450,000
Homeless prevention and elder law of Michigan food for the elderly project	200,000
GROSS APPROPRIATION	\$ 63,200,100
Appropriated from:	
Federal revenues:	
Total federal revenues	47,545,500
Special revenue funds:	
State general fund/general purpose	\$ 15,654,600
Sec. 106. CHILD AND FAMILY SERVICES (VULNERABLE)	
Full-time equated classified positions	81.7
Salaries and wages—29.7 FTE positions.....	\$ 1,775,300
Contractual services, supplies, and materials	1,034,800
Refugee assistance program—2.9 FTE positions.....	12,700,300
Foster care payments.....	144,091,600

For Fiscal Year
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Wayne County foster care payments	62,536,500
Adoption subsidies.....	233,968,600
Adoption support services—7.7 FTE positions	14,354,700
Youth in transition—2.0 FTE positions	13,241,100
Interstate compact.....	231,600
Children’s benefit fund donations	21,000
Teenage parent counseling—2.3 FTE positions.....	3,815,800
Families first.....	16,946,700
Child safety and permanency planning.....	16,286,700
Strong families/safe children.....	13,395,300
Child protection/community partners—18.3 FTE positions.....	5,539,400
Zero to three	3,843,800
Family group decision making	2,454,700
Family reunification program.....	3,977,100
Family preservation and prevention services administration—14.5 FTE positions.....	2,252,300
Black child and family institute	100,000
Children’s trust fund administration—4.3 FTE positions	552,600
Children’s trust fund grants.....	3,825,100
Attorney general contract.....	3,209,200
Prosecuting attorney contracts	1,061,700
GROSS APPROPRIATION.....	\$ 561,215,900

Appropriated from:

Federal revenues:

Total federal revenues	346,633,600
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Special revenue funds:

Private - children’s benefit fund donations.....	21,000
Private - collections	3,840,600
Local funds - county chargeback.....	24,538,000
Children’s trust fund	3,326,900
State general fund/general purpose	\$ 182,855,800

Sec. 107. JUVENILE JUSTICE SERVICES (SAFETY)

Full-time equated classified positions.....	714.5
High security juvenile services—311.0 FTE positions	\$ 28,286,000
Medium security juvenile services—254.0 FTE positions.....	19,607,400
Low security juvenile services—34.0 FTE positions.....	3,022,800
Community juvenile justice centers—37.0 FTE positions	3,408,700
Child care fund	178,000,000
Child care fund administration—5.8 FTE positions	848,300
County juvenile officers.....	3,765,600
Community support services—2.0 FTE positions.....	1,492,200
Juvenile justice field staff, administration and maintenance—50.0 FTE positions	8,033,500
Federally funded activities—13.7 FTE positions.....	1,816,200
W.J. Maxey memorial fund.....	45,000
Juvenile accountability incentive block grant—3.0 FTE positions	2,606,700
Committee on juvenile justice administration—4.0 FTE positions.....	496,500
Committee on juvenile justice grants	5,000,000
GROSS APPROPRIATION.....	\$ 256,428,900

Appropriated from:

Federal revenues:

Total federal revenues	98,553,100
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Special revenue funds:

Total private revenues	645,000
Local funds - county chargeback.....	26,742,800
State general fund/general purpose	\$ 130,488,000

Sec. 108. LOCAL OFFICE STAFF AND OPERATIONS (VULNERABLE)

Full-time equated classified positions.....	7,967.9
Field staff, salaries and wages—7,819.1 FTE positions	\$ 380,181,900

For Fiscal Year
Ending Sept. 30,
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Contractual services, supplies, and materials	17,705,800
Medical/psychiatric evaluations	4,300,000
Donated funds positions—11.0 FTE positions.....	829,500
Training and program support—49.0 FTE positions.....	7,022,200
Food stamp reinvestment—78.8 FTE positions	11,315,300
Wayne County gifts and bequests.....	100,000
Volunteer services and reimbursement	1,544,900
SSI advocates—10.0 FTE positions	853,900
GROSS APPROPRIATION	\$ 423,853,500
Appropriated from:	
Federal revenues:	
Total federal revenues	252,885,600
Special revenue funds:	
Local funds - donated funds.....	214,300
Private funds - donated funds.....	178,200
Private funds - Wayne County gifts	100,000
Private funds - hospital contributions.....	1,910,300
Supplemental security income recoveries.....	853,900
State general fund/general purpose	\$ 167,711,200
Sec. 109. DISABILITY DETERMINATION SERVICES (VULNERABLE)	
Full-time equated classified positions.....	568.4
Disability determination operations—545.9 FTE positions	\$ 80,510,700
Medical consultation program—18.4 FTE positions	2,942,600
Retirement disability determination—4.1 FTE positions.....	813,700
GROSS APPROPRIATION	\$ 84,267,000
Appropriated from:	
Interdepartmental grant revenues:	
IDG from DMB - office of retirement systems	1,102,700
ADJUSTED GROSS APPROPRIATION	\$ 83,164,300
Appropriated from:	
Federal revenues:	
Total federal revenues	80,189,700
Special revenue funds:	
State general fund/general purpose	\$ 2,974,600
Sec. 110. CENTRAL SUPPORT ACCOUNTS (VULNERABLE, EFFECTIVE GOVERNMENT)	
Rent	\$ 42,481,300
Occupancy charge	9,361,400
Travel.....	5,696,600
Equipment.....	145,300
Worker's compensation	4,231,000
Advisory commissions	17,900
Human resources optimization user charges.....	634,500
Payroll taxes and fringe benefits	242,865,500
GROSS APPROPRIATION	\$ 305,433,500
Appropriated from:	
Federal revenues:	
Total federal revenues	188,173,000
Special revenue funds:	
Local funds - county chargeback.....	304,400
Private funds - hospital contributions.....	1,019,400
State general fund/general purpose	\$ 115,936,700
Sec. 111. OFFICE OF CHILDREN AND ADULT LICENSING (SAFETY)	
Full-time equated classified positions.....	208.0
AFC, children's welfare and day care licensure—208.0 FTE positions.....	\$ 22,608,600
GROSS APPROPRIATION	\$ 22,608,600
Appropriated from:	
Federal revenues:	
Total federal revenues	11,880,000

For Fiscal Year
Ending Sept. 30,
2007

Special revenue funds:	
Licensing fees	646,400
Health systems fees and collections	115,900
State general fund/general purpose	\$ 9,966,300
Sec. 112. PUBLIC ASSISTANCE (VULNERABLE)	
Family independence program	\$ 338,422,500
State disability assistance payments	36,281,700
Food assistance program benefits.....	1,221,340,900
State supplementation	59,535,200
State supplementation administration.....	2,493,200
Low-income home energy assistance program	116,467,700
Food bank funding	525,000
Homeless shelter contracts	11,646,700
Multicultural assimilation funding	1,715,500
Indigent burial	5,909,300
Emergency services local office allocations	21,865,500
Day care services	483,188,900
GROSS APPROPRIATION.....	\$ 2,299,392,100
Appropriated from:	
Federal revenues:	
Total federal revenues	1,742,046,300
Special revenue funds:	
Child support collections	47,710,700
Supplemental security income recoveries.....	9,104,800
Public assistance recoupment revenue.....	5,110,000
State general fund/general purpose	\$ 495,420,300
Sec. 113. INFORMATION TECHNOLOGY (VULNERABLE, EFFECTIVE GOVERNMENT)	
Information technology services and projects	\$ 84,803,600
Child support automation	51,280,300
GROSS APPROPRIATION.....	\$ 136,083,900
Appropriated from:	
Federal revenues:	
Total federal revenues	97,231,000
Special revenue funds:	
State general fund/general purpose	\$ 38,852,900

**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 2006-2007 is \$1,259,576,400.00 and state spending from state resources to be paid to local units of government for fiscal year 2006-2007 is \$96,930,200.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

**DEPARTMENT OF HUMAN SERVICES
JUVENILE JUSTICE SERVICES**

Child care fund	91,430,100
County juvenile officers	3,276,000
PUBLIC ASSISTANCE	
State disability program	2,224,100
TOTAL	\$ 96,930,200

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

Sec. 203. As used in this article:

- (a) "AFC" means adult foster care.
- (b) "Department" means the department of human services.
- (c) "FTE" means full-time equated.
- (d) "GED" means general educational development.

(e) "RSDI" means retirement survivors disability insurance.

(f) "SSI" means supplemental security income.

(g) "Temporary assistance for needy families" or "TANF" or "title IV-A" means part A of title IV of the social security act, 42 USC 601 to 604, 605 to 608, and 609 to 619.

(h) "Title IV-D" means part D of title IV of the social security act, 42 USC 651 to 655, and 656 to 669b.

(i) "Title IV-E" means part E of title IV of the social security act, 42 USC 670 to 673, 673b to 679, and 679b.

(j) "VA" means veterans affairs.

Sec. 204. The department of civil service shall bill the department at the end of the first fiscal quarter for the 1% charge authorized by section 5 of article XI of the state constitution of 1963. Payments shall be made for the total amount of the billing by the end of the second fiscal quarter.

Sec. 205. (1) A hiring freeze is imposed on the state classified civil service. State departments and agencies are prohibited from hiring any new full-time state classified civil service employees and prohibited from filling any vacant state classified civil service positions. This hiring freeze does not apply to internal transfers of classified employees from 1 position to another within a department.

(2) The state budget director may grant exceptions to this hiring freeze when the state budget director believes that the hiring freeze will result in rendering a state department or agency unable to deliver basic services, cause loss of revenue to the state, result in the inability of the state to receive federal funds, or necessitate additional expenditures that exceed any savings from maintaining a vacancy. The state budget director shall report quarterly to the chairpersons of the senate and house of representatives appropriations committees and the senate and house fiscal agencies and policy offices on the number of exceptions to the hiring freeze approved during the previous quarter and the reasons to justify the exception.

Sec. 206. (1) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$200,000,000.00 for federal contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this article under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(2) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$5,000,000.00 for state restricted contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this article under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(3) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$20,000,000.00 for local contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this article under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

(4) In addition to the funds appropriated in part 1, there is appropriated an amount not to exceed \$20,000,000.00 for private contingency funds. These funds are not available for expenditure until they have been transferred to another line item in this article under section 393(2) of the management and budget act, 1984 PA 431, MCL 18.1393.

Sec. 208. Unless otherwise specified, the department shall use the Internet to fulfill the reporting requirements of this article. 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.

Sec. 209. Funds appropriated in part 1 shall not be used for the purchase of foreign goods or services, or both, if competitively priced and 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 value.

Sec. 210. The director shall take all reasonable steps to ensure businesses in deprived and depressed communities compete for and perform contracts to provide services or supplies, or both. The director shall strongly encourage firms with which the department contracts to subcontract with certified businesses in depressed and deprived communities for services, supplies, or both.

Sec. 212. In addition to funds appropriated in part 1 for all programs and services, there is appropriated for write-offs of accounts receivable, deferrals, and for prior year obligations in excess of applicable prior year appropriations, an amount equal to total write-offs and prior year obligations, but not to exceed amounts available in prior year revenues or current year revenues that are in excess of the authorized amount.

Sec. 213. The department may retain all of the state's share of food assistance overissuance collections as an offset to general fund/general purpose costs. Retained collections shall be applied against federal funds deductions in all appropriation units where department costs related to the investigation and recoupment of food assistance overissuances are incurred. Retained collections in excess of such costs shall be applied against the federal funds deducted in the executive operations appropriation unit.

Sec. 214. (1) The department shall submit a report to the chairpersons of the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies and policy offices, and the state budget director on the details of allocations within program budgeting line items and within the salaries and wages line items in all appropriation units. The report shall include a listing, by account, dollar amount, and fund source, of salaries and

wages; longevity and insurance; retirement; contractual services, supplies, and materials; equipment; travel; and grants within each program line item appropriated for the fiscal year ending September 30, 2007.

(2) On a bimonthly basis, the department shall report on the number of FTEs in pay status by type of staff.

Sec. 215. If a legislative objective of this article or the social welfare act, 1939 PA 280, MCL 400.1 to 400.119b, cannot be implemented without loss of federal financial participation because implementation would conflict with or violate federal regulations, the department shall notify the state budget director, the house and senate appropriations committees, and the house and senate fiscal agencies and policy offices of that fact.

Sec. 217. (1) Due to the current budgetary problems in this state, out-of-state travel for the fiscal year ending September 30, 2007 shall be limited to situations in which 1 or more of the following conditions apply:

(a) The travel is required by legal mandate or court order or for law enforcement purposes.

(b) The travel is necessary to protect the health or safety of Michigan citizens or visitors or to assist other states in similar circumstances.

(c) The travel is necessary to produce budgetary savings or to increase state revenues, including protecting existing federal funds or securing additional federal funds.

(d) The travel is necessary to comply with federal requirements.

(e) The travel is necessary to secure specialized training for staff that is not available within this state.

(f) The travel is financed entirely by federal or nonstate funds.

(2) If out-of-state travel is necessary but does not meet 1 or more of the conditions in subsection (1), the state budget director may grant an exception to allow the travel. Any exceptions granted by the state budget director shall be reported on a monthly basis to the senate and house standing committees on appropriations.

(3) Not later than January 1 of each year, each department shall prepare a travel report listing all travel by classified and unclassified employees outside this state in the immediately preceding fiscal year that was funded in whole or in part with funds appropriated in the department's budget. The report shall be submitted to the chairs and members of the house and senate appropriations committees, the fiscal agencies, and the state budget director. The report shall include the following information:

(a) The name of each person receiving reimbursement for travel outside this state or whose travel costs were paid by this state.

(b) The destination of each travel occurrence.

(c) The dates of each travel occurrence.

(d) A brief statement of the reason for each travel occurrence.

(e) The transportation and related costs of each travel occurrence, including the proportion funded with state general fund/general purpose revenues, the proportion funded with state restricted revenues, the proportion funded with federal revenues, and the proportion funded with other revenues.

(f) A total of all out-of-state travel funded for the immediately preceding fiscal year.

Sec. 218. The department shall prepare a report on the TANF federal block grant. The report shall include projected expenditures for the current fiscal year, an accounting of any previous year funds carried forward, and a summary of all interdepartmental or interagency agreements relating to the use of TANF funds. The report shall be forwarded to the state budget director and the house and senate appropriations subcommittees on the department budget and the house and senate fiscal agencies and policy offices within 10 days after presentation of the executive budget.

Sec. 221. If the revenue collected by the department from private and local sources exceeds the amount spent from amounts appropriated in part 1, the revenue may be carried forward, with approval from the state budget director, into the subsequent fiscal year.

Sec. 227. The department, with the approval of the state budget director, is authorized to realign sources of financing authorizations in order to maximize temporary assistance for needy families' maintenance of effort countable expenditures. This realignment of financing shall not be made until 15 days after notifying the chairs of the house and senate appropriations subcommittees on the department budget and house and senate fiscal agencies, and shall not produce an increase or decrease in any line-item expenditure authorization.

Sec. 259. From the funds appropriated in part 1 for information technology, the department shall pay user fees to the department of information technology for technology-related services and projects. Such user fees shall be subject to provisions of an interagency agreement between the department and the department of information technology.

Sec. 260. Amounts appropriated in part 1 for information technology may be designated as work projects and carried forward to support technology projects under the direction of the department of information technology. Funds designated in this manner are not available for expenditure until approved as work projects under section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a.

Sec. 269. If title IV-D-related child support collections are escheated, the state budget director is authorized to adjust the sources of financing for the funds appropriated in part 1 for legal support contracts to reduce federal authorization by 66% of the escheated amount and increase general fund/general purpose authorization by the same amount. This budget adjustment is required to offset the loss of federal revenue due to the escheated amount being counted as title IV-D program income in accordance with federal regulations at 45 CFR 304.50.

Sec. 279. All contracts relating to human services entered into or renewed by the department on or after October 1, 2006 shall be performance-based contracts that employ a client-centered results-oriented process that is based on measurable performance indicators and desired outcomes and includes the annual assessment of the quality of services provided.

COMMUNITY ACTION AND ECONOMIC OPPORTUNITY

Sec. 301. Not later than September 30 of each year, the department shall submit for public hearing to the chairpersons of the house and senate appropriations subcommittees dealing with appropriations for the department budget the proposed use and distribution plan for community services block grant funds appropriated in part 1 for the succeeding fiscal year.

Sec. 302. The department shall develop a plan based on recommendations from the department of civil rights and from Native American organizations to assure that the community services block grant funds are equitably distributed. The plan must be developed by October 31, 2006, and the plan shall be delivered to the appropriations subcommittees on the department budget in the senate and house, the senate and house fiscal agencies, and the state budget director.

Sec. 303. (1) Of the funds appropriated in part 1 for community services block grants, \$2,350,000.00 represents TANF funding earmarked for community action agencies.

(2) In addition to the money referred to in subsection (1), the department shall award up to \$500,000.00 to community action agencies for earned income tax credit (EITC) education and outreach. Emphasis shall be on clients who have never filed for the EITC, clients with children, and clients for whom receipt of the EITC will make it easier for them to move off public assistance.

Sec. 305. The appropriation in part 1 for the weatherization program shall be expended in such a manner that at least 25% of the households weatherized under the program shall be households of families receiving 1 or more of the following:

- (a) Family independence assistance.
- (b) State disability assistance.
- (c) Food assistance.
- (d) Supplemental security income.

ADULT AND FAMILY SERVICES

Sec. 415. Funds appropriated in part 1 for marriage and fatherhood initiatives are contingent upon receipt of new federal funding available for marriage and family formation grants. The department with the approval of the state budget director is authorized to increase federal spending authority for marriage and fatherhood initiatives if marriage and family formation grants exceed the spending authority in part 1. This authorization adjustment shall be made 15 days after notifying the chairs of the senate and house appropriations subcommittees on the department budget and senate and house fiscal agencies.

Sec. 418. From the funds appropriated in part 1 for employment and training support services, the department may expand the availability of individual development accounts (IDAs) with \$200,000.00 for allocation to qualified IDA programs established through the Michigan IDA partnership to serve TANF eligible households in Michigan. The Michigan IDA partnership shall encourage each TANF eligible household served to claim the federal earned income tax credit (EITC) and to incorporate all or part of any tax credit received in the household's IDA savings plan, and shall provide the household with information concerning available free tax assistance resources. In addition, the Michigan IDA partnership and its program sites shall participate in community EITC coalitions established under the plan to increase the EITC participation of TANF families referenced in section 666.

Sec. 421. The department shall allow private nationally accredited foster care and adoption agencies to conduct their own staff training, based on current department policies and procedures provided that the agency trainer and training materials are accredited by the department, and that the agency documents to the department that the training was provided. The department shall provide access to any training materials requested by the private agencies to facilitate this training. The intent of the legislature is to reduce training and travel costs for both the department and the private agencies.

Sec. 423. (1) From the money appropriated in part 1 for food for the elderly, the department shall allocate money to assist the state's elderly population to participate in the food assistance program. The money may be used as state matching funds to acquire available United States department of agriculture funding to provide outreach program activities, such as eligibility screening and information services, as part of a statewide food stamp helpline.

(2) The department may accept any private money that may be donated to the department to support food stamp outreach efforts in this state. The department shall request a waiver from the United States department of agriculture to permit the donated private money to be used as a match to obtain additional federal food stamp outreach funds from the United States department of agriculture. The department shall use both the private donated money and any federal match funds that may be available as a result of the donated money to contract for additional outreach services as authorized by the department's United States department of agriculture-approved food stamp outreach plan.

CHILD AND FAMILY SERVICES

Sec. 501. The following goal is established by state law. During fiscal year 2006-2007, not more than 3,000 children supervised by the department shall remain in foster care longer than 24 months. The department shall give priority to

reducing the number of children under 1 year of age in foster care. During the annual budget presentation, the department shall report the number of children supervised by the department and by private agencies who remain in foster care between 12 and 24 months, and those who remain in foster care longer than 24 months.

Sec. 502. From the funds appropriated in part 1 for foster care, the department shall provide 50% reimbursement to Indian tribal governments for foster care expenditures for children who are under the jurisdiction of Indian tribal courts and who are not otherwise eligible for federal foster care cost sharing.

Sec. 503. The department shall continue adoption subsidy payments to families after the eighteenth birthday of an adoptee who meets the following criteria:

- (a) Has not yet graduated from high school or passed a high school equivalency examination.
- (b) Is making progress toward completing high school.
- (c) Has not yet reached his or her nineteenth birthday.
- (d) Is not eligible for federal supplemental security income (SSI) payments.

Sec. 504. The department's ability to satisfy appropriation deducts in part 1 for foster care private collections shall not be limited to collections and accruals pertaining to services provided only in the current fiscal year but shall include revenues collected during the fiscal year in excess of the amount specified in part 1.

Sec. 508. (1) In addition to the amount appropriated in part 1 for children's trust fund grants, money granted or money received as gifts or donations to the children's trust fund created by 1982 PA 249, MCL 21.171 to 21.172, is appropriated for expenditure.

(2) The state child abuse and neglect prevention board may initiate a joint project with another state agency to the extent that the project supports the programmatic goals of both the state child abuse and neglect prevention board and the state agency. The department may invoice the state agency for shared costs of a joint project in an amount authorized by the state agency, and the state child abuse and neglect prevention board may receive and expend funds for shared costs of a joint project in addition to those authorized by part 1.

(3) From the funds appropriated in part 1 for the children's trust fund, the department may utilize interest and investment revenue from the current fiscal year only for programs, administration, services, or all sanctioned by the child abuse and neglect prevention board.

Sec. 509. (1) From the funds appropriated in part 1, the department shall not expend funds to preserve or reunite a family, unless there is a court order requiring the preservation or reuniting of the family or the court denies the petition, if either of the following would result:

- (a) A child would be living in the same household with a parent or other adult who has been convicted of criminal sexual conduct against a child.
- (b) A child would be living in the same household with a parent or other adult against whom there is a substantiated charge of sexual abuse against a child.

(2) Notwithstanding subsection (1), this section shall not prohibit counseling or other services provided by the department, if the service is not directed toward influencing the child to remain in an abusive environment, justifying the actions of the abuser, or reuniting the family.

Sec. 510. The department shall not be required to put up for bids contracts with service providers if currently only 1 provider in the service area exists.

Sec. 513. The department shall not expend funds appropriated in part 1 to pay for the placement of a child in an out-of-state facility unless all of the following conditions are met:

- (a) There is no appropriate placement available in this state within 100 miles of the child's home, while an out-of-state placement does exist within 100 miles of the child's home.
- (b) The out-of-state facility meets all of the licensing standards of this state for a comparable facility.
- (c) The out-of-state facility meets all of the applicable licensing standards of the state in which it is located.
- (d) The department has done an on-site visit to the out-of-state facility, reviewed the facility records, and reviewed licensing records and reports on the facility and believes that the facility is an appropriate placement for the child.

Sec. 517. (1) From the funds appropriated in part 1, the department is authorized to allocate funds to multipurpose collaborative bodies. Priority for activities and services will be given to at-risk children and families and cases classified by the department as category III or category IV under sections 8 and 8d of the child protection law, 1975 PA 238, MCL 722.628 and 722.628d.

(2) Funds appropriated in part 1 for zero to three may be used to fund community-based collaborative prevention services designed to do any of the following:

- (a) Foster positive parenting skills especially for parents of children under 3 years of age.
- (b) Improve parent/child interaction.
- (c) Promote access to needed community services.
- (d) Increase local capacity to serve families at risk.
- (e) Improve school readiness.
- (f) Support healthy family environments that discourage alcohol, tobacco, and other drug use.

(3) The appropriation provided for in subsection (2) is to fund secondary prevention programs as defined in the children's trust fund's preapplication materials for fiscal year 2006-2007 direct services grants.

(4) Projects funded through the appropriation provided for in subsection (2) shall meet all of the following criteria:
(a) Be awarded through a joint request for proposal process established by the department in conjunction with the children's trust fund and the state human services directors.

(b) Be secondary prevention initiatives. Funds are not intended to be expended in cases in which neglect or abuse has been substantiated.

(c) Demonstrate that the planned services are part of a community's integrated comprehensive family support strategy endorsed by the local multipurpose collaborative body.

(d) Provide a 25% local match of which not more than 10% is in-kind goods or services unless the maximum percentage is waived by the state human services directors.

(5) As used in this section, "state human services directors" means the director of the department of community health, the director of the department of education, and the director of the department.

Sec. 523. (1) From the funds appropriated in part 1 for youth in transition, domestic violence prevention and treatment, and teenage parent counseling, the department is authorized to make allocations of TANF funds only to the agencies that report necessary data to the department for the purpose of meeting TANF eligibility reporting requirements.

(2) The agencies receiving teenage parent counseling TANF funds shall report to the department on both of the following:

(a) Whether program services have impacted the following issue areas:

(i) The number of teen participants having fewer repeat pregnancies.

(ii) The completion rate for high school diplomas or GEDs.

(iii) The teen participants' rate of self-sufficiency.

(iv) The number of father participants.

(b) How many teens participate in the programs and have access to any or all of the following services:

(i) Adult supervised, supportive living arrangements.

(ii) Pregnancy prevention services or referrals.

(iii) Required completion of high school or receipt of GED, including child care to assist young mothers to focus on achievement.

(iv) Support services, including, but not limited to, health care, transportation, and counseling.

(v) Parenting and life-skills training.

(vi) Education, job training, and employment services.

(vii) Transition services in order to achieve self-sufficiency.

(viii) Instruction on self-protection.

(3) Agencies receiving teenage parent counseling funds shall provide at least 10% in matching funds, through any combination of local, state, or federal funds or in-kind or other donations.

Sec. 531. (1) From the funds appropriated in part 1, the department shall make claims for and pay to local units of government a portion of federal title IV-E revenues earned as a result of eligible costs incurred by local units of government.

(2) The department shall make payments under subsection (1) only to local units of government that have entered into formal agreements with the department. The agreement must include all of the following:

(a) Provide for the department to retain 50% of the federal revenues earned.

(b) Provide for department review and approval of the local unit's plan for allocating costs to title IV-E.

(c) Provide for the local unit of government to submit bills at times, and in the format, specified by the department.

(d) Specify that the local unit of government is responsible for meeting all federal title IV-E regulation requirements, including reporting requirements, with regard to the activities and costs being billed to title IV-E.

(e) Provide for the local unit of government to pay the state for the amount of any federal revenues paid to the local unit that may subsequently be disallowed by the federal government.

(f) Be signed by the director of the department, the chief executive officer of the local government agency providing the title IV-E services, the chair of the county board of commissioners, and the chief executive officer of the county.

Sec. 532. (1) The department, in collaboration with representatives of private child and family agencies, shall continue to review policies, practices, and procedures involving the annual licensing review and the annual contract compliance review conducted by the department regarding child placing agencies and child caring institutions. The review shall include efforts to identify duplication of staff activities and information sought from child placing agencies and child caring institutions in the annual review process.

(2) The department shall develop a streamlined licensing contract compliance review process where possible, including potential for utilizing deeming status for nationally accredited agencies. The department shall report to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies and policy offices, and the state budget director on or before January 15, 2007 on the implementation of the licensing and contract compliance review process.

Sec. 549. The department shall meet with personnel employed by the office of the children's ombudsman and the state court administrative office's foster care review board to investigate streamlining the oversight process for child welfare services and to ensure appropriate and adequate oversight while reducing duplication and redundancy between government offices.

PUBLIC ASSISTANCE

Sec. 601. (1) The department may terminate a vendor payment for shelter upon written notice from the appropriate local unit of government that a recipient's rental unit is not in compliance with applicable local housing codes or when the landlord is delinquent on property tax payments. A landlord shall be considered to be in compliance with local housing codes when the department receives from the landlord a signed statement stating that the rental unit is in compliance with local housing codes and that statement is not contradicted by the recipient and the local housing authority. The department shall terminate vendor payments if a taxing authority notifies the department that taxes are delinquent.

(2) Whenever a client agrees to the release of his or her name and address to the local housing authority, the department shall request from the local housing authority information regarding whether the housing unit for which vendoring has been requested meets applicable local housing codes. Vendoring shall be terminated for those units that the local authority indicates in writing do not meet local housing codes until such time as the local authority indicates in writing that local housing codes have been met.

(3) In order to participate in the rent vendoring programs of the department, a landlord shall cooperate in weatherization and conservation efforts directed by the department or by an energy provider participating in an agreement with the department when the landlord's property has been identified as needing services.

Sec. 603. (1) The department, as it determines is appropriate, shall enter into agreements with energy providers by which cash assistance recipients and the energy providers agree to permit the department to make direct payments to the energy providers on behalf of the recipient. The payments may include heat and electric payment requirements from recipient grants and amounts in excess of the payment requirements.

(2) The department shall establish caps for natural gas, wood, electric heat service, deliverable fuel heat services, and for electric service based on available federal funds.

(3) The department shall review and adjust the standard utility allowance for the state food assistance program to ensure that it reflects current energy costs in the state.

Sec. 604. (1) The department shall operate a state disability assistance program. Except as provided in subsection (3), persons eligible for this program shall include needy citizens of the United States or aliens exempted from the supplemental security income citizenship requirement who are at least 18 years of age or emancipated minors meeting 1 or more of the following requirements:

(a) A recipient of supplemental security income, social security, or medical assistance due to disability or 65 years of age or older.

(b) A person with a physical or mental impairment which meets federal supplemental security income disability standards, except that the minimum duration of the disability shall be 90 days. Substance abuse alone is not defined as a basis for eligibility.

(c) A resident of an adult foster care facility, a home for the aged, a county infirmary, or a substance abuse treatment center.

(d) A person receiving 30-day postresidential substance abuse treatment.

(e) A person diagnosed as having acquired immunodeficiency syndrome.

(f) A person receiving special education services through the local intermediate school district.

(g) A caretaker of a disabled person as defined in subdivision (a), (b), (e), or (f) above.

(2) Applicants for and recipients of the state disability assistance program shall be considered needy if they:

(a) Meet the same asset test as is applied to applicants for the family independence program.

(b) Have a monthly budgetable income that is less than the payment standards.

(3) Except for a person described in subsection (1)(c) or (d), a person is not disabled for purposes of this section if his or her drug addiction or alcoholism is a contributing factor material to the determination of disability. "Material to the determination of disability" means that, if the person stopped using drugs or alcohol, his or her remaining physical or mental limitations would not be disabling. If his or her remaining physical or mental limitations would be disabling, then the drug addiction or alcoholism is not material to the determination of disability and the person may receive state disability assistance. Such a person must actively participate in a substance abuse treatment program, and the assistance must be paid to a third party or through vendor payments. For purposes of this section, substance abuse treatment includes receipt of inpatient or outpatient services or participation in alcoholics anonymous or a similar program.

(4) A refugee or asylee who loses his or her eligibility for the federal supplemental security income program by virtue of exceeding the maximum time limit for eligibility as delineated in 8 USC 1612 and who otherwise meets the eligibility criteria under this section shall be eligible to receive benefits under the state disability assistance program.

Sec. 605. The level of reimbursement provided to state disability assistance recipients in licensed adult foster care facilities shall be the same as the prevailing supplemental security income rate under the personal care category.

Sec. 606. County department offices shall require each recipient of state disability assistance who has applied with the social security administration for supplemental security income to sign a contract to repay any assistance rendered through the state disability assistance program upon receipt of retroactive supplemental security income benefits.

Sec. 607. The department's ability to satisfy appropriation deductions in part 1 for state disability assistance/supplemental security income recoveries and public assistance recoupment revenues shall not be limited to recoveries and accruals pertaining to state disability assistance, or family independence assistance grant payments provided only in the current fiscal year, but shall include all related net recoveries received during the current fiscal year.

Sec. 608. Adult foster care facilities providing domiciliary care or personal care to residents receiving supplemental security income or homes for the aged serving residents receiving supplemental security income shall not require those residents to reimburse the home or facility for care at rates in excess of those legislatively authorized. To the extent permitted by federal law, adult foster care facilities and homes for the aged serving residents receiving supplemental security income shall not be prohibited from accepting third-party payments in addition to supplemental security income provided that the payments are not for food, clothing, shelter, or result in a reduction in the recipient's supplemental security income payment.

Sec. 610. In developing good cause criteria for the state emergency relief program, the department shall grant exemptions if the emergency resulted from unexpected expenses related to maintaining or securing employment.

Sec. 611. (1) The department shall not require providers of burial services to accept state payment for indigent burials as payments in full. Each provider shall be permitted to collect additional payment from relatives or other persons on behalf of the deceased. The total in additional payments shall not exceed \$2,600.00.

(2) Any additional payment collected pursuant to subsection (1) shall not increase the maximum charge limit for state payment as established by law.

Sec. 612. For purposes of determining housing affordability eligibility for state emergency relief, a group is considered to have sufficient income to meet ongoing housing expenses if their total housing obligation does not exceed 75% of their total net income.

Sec. 613. From the funds appropriated in part 1 for state emergency relief, the maximum allowable charge limit for indigent burials shall be \$909.00. The funds shall be distributed as follows: \$579.00 for funeral directors; \$192.00 for cemeteries or crematoriums; and \$138.00 for the provider of the vault.

Sec. 614. The funds available in part 1 for burial services shall be available if the deceased was an eligible recipient and an application for emergency relief funds was made within 10 days of the burial or cremation of the deceased person. Each provider of burial services shall be paid directly by the department.

Sec. 615. Except as required by federal law or regulations, funds appropriated in part 1 shall not be used to provide public assistance to a person who is an illegal alien. This section shall not prohibit the department from entering into contracts with food banks or emergency shelter providers who may, as a normal part of doing business, provide food or emergency shelter to individuals.

Sec. 617. In operating the family independence program with funds appropriated in part 1, the department shall not approve as a minor parent's adult supervised household a living arrangement in which the minor parent lives with his or her partner as the supervising adult.

Sec. 618. The department may only reduce, terminate, or suspend assistance provided under the social welfare act, 1939 PA 280, MCL 400.1 to 400.119b, without prior notice in 1 or more of the following situations:

- (a) The only eligible recipient has died.
- (b) A recipient member of a program group or family independence assistance group has died.
- (c) A recipient child is removed from his or her family home by court action.
- (d) A recipient requests in writing that his or her assistance be reduced, terminated, or suspended.
- (e) A recipient has been approved to receive assistance in another state.
- (f) A change in either state or federal law that requires automatic grant adjustments for classes of recipients.
- (g) The only eligible recipient in the household has been incarcerated.
- (h) A recipient is no longer a Michigan resident.
- (i) A recipient is closed on one case to be activated on another.
- (j) Federal payments (other than RSDI, railroad retirement or VA) to the group have begun or increased.
- (k) A recipient is disqualified for intentional program violation.
- (l) When the department's negative action is upheld in an administrative hearing.

Sec. 619. The department shall exempt from the denial of title IV-A assistance and food assistance benefits, contained in 21 USC 862a, any individual who has been convicted of a felony that included the possession, use, or distribution of a controlled substance, after August 22, 1996, provided that the individual is not in violation of his or her probation or parole requirements. Benefits shall be provided to such individuals as follows:

- (a) A third-party payee or vendor shall be required for any cash benefits provided.
- (b) An authorized representative shall be required for food assistance receipt.

Sec. 620. The department with the approval of the state budget director is authorized to increase federal spending authority for food assistance program benefits if projected caseload spending will exceed the spending authority in part 1.

This authorization adjustment shall be made 15 days after notifying the chairs of the house and senate appropriations subcommittees on the department budget and house and senate fiscal agencies.

Sec. 621. Funds appropriated in part 1 may be used to support multicultural assimilation and support services. The department shall distribute all of the funds described in this section based on assessed community needs.

Sec. 631. The department shall maintain policies and procedures to achieve all of the following:

(a) The identification of individuals on entry into the system who have a history of domestic violence, while maintaining the confidentiality of that information.

(b) Referral of persons so identified to counseling and supportive services.

(c) In accordance with a determination of good cause, the waiving of certain requirements of family independence programs where compliance with those requirements would make it more difficult for the individual to escape domestic violence or would unfairly penalize individuals who have been victims of domestic violence or who are at risk of further domestic violence.

Sec. 635. Within 6 business days of receiving all information necessary to process an application for payments for child day care, the department shall determine whether the child day care provider to whom the payments, if approved, would be made, is listed on the child abuse and neglect central registry. If the provider is listed on the central registry, the department shall immediately send written notice denying the applicant's request for child day care payments.

Sec. 640. (1) From the funds appropriated in part 1 for day care services, the department may continue to provide infant and toddler incentive payments to child day care providers serving children from 0 to 2-1/2 years of age who meet licensing or training requirements.

(2) The use of the funds under this section should not be considered an ongoing commitment of funding.

Sec. 641. In collaboration with Central Michigan University, the department shall develop and disseminate read, educate, and develop youth (R.E.A.D.Y.) kits to parents of preschool and kindergarten children to provide these parents with information about how they can prepare their children for reading success.

Sec. 643. As a condition of receipt of federal TANF funds, homeless shelters shall collaborate with the department to obtain necessary TANF eligibility information on families as soon as possible after admitting a family to the homeless shelter. From the funds appropriated in part 1 for homeless shelter contracts, the department is authorized to make allocations of TANF funds only to the agencies that report necessary data to the department for the purpose of meeting TANF eligibility reporting requirements. Homeless shelters that do not report necessary data to the department for the purpose of meeting TANF eligibility reporting requirements will not receive reimbursements which exceed the per diem amount they received in fiscal year 2000. The use of TANF funds under this section should not be considered an ongoing commitment of funding.

Sec. 645. An individual or family is considered homeless, for purposes of eligibility for state emergency relief, if living temporarily with others in order to escape domestic violence. For purposes of this section, domestic violence is defined and verified in the same manner as in the department's policies on good cause for not cooperating with child support and paternity requirements.

Sec. 648. From the funds appropriated in part 1 for public assistance, the department may make assistance payments to recipients beyond the 5-year limit set by the personal responsibility and work opportunity reconciliation act of 1996, Public Law 104-193, 110 Stat. 2105, providing the recipient is complying with asset, income, and participation standards set as a condition of eligibility to receive assistance and clearly demonstrates that he or she is making progress in becoming self-sufficient.

Sec. 649. (1) If a family independence program assistance recipient does not meet the recipient's personal responsibility plan or personal work plan requirements, the department shall impose a penalty.

(2) The department shall implement a schedule of sanctions for instances of noncompliance as described in this subsection. After termination of family independence program assistance, the penalty shall be as follows:

(a) For the first instance of noncompliance, the recipient's program group is ineligible for family independence program assistance for not less than 90 days.

(b) For the second instance of noncompliance, the recipient's program group is ineligible for family independence program assistance for not less than 90 days.

(c) For all subsequent instances of noncompliance, the recipient's program group is ineligible for family independence program assistance for not less than 180 days.

Sec. 653. From the funds appropriated in part 1 for food assistance, an individual who is the victim of domestic violence and does not qualify for any other exemption may be exempt from the 3-month in 36-month limit on receiving food assistance under 7 USC 2015. This exemption can be extended an additional 3 months upon demonstration of continuing need.

Sec. 657. (1) The department shall fund a statewide before- or after-school program to provide youth with a safe, engaging environment to motivate and inspire learning outside the traditional classroom setting. Before- or after-school program eligibility is limited to geographic areas near school buildings that do not meet federal no child left behind annual yearly progress (AYP) requirements and that include the before- or after-school programs in the AYP plans as a means to improve outcomes. Before-school programs are limited to elementary school-aged children. Effective

before- or after-school programs combine academic, enrichment, and recreation activities to guide learning and inspire children and youth in various activities. The before- or after-school programs can meet the needs of the communities served by the programs.

(2) The department shall work in collaboration with independent contractors to put into practice a program establishing quality before- or after-school programs for children in kindergarten to ninth grades. In order for an independent contractor to receive TANF funds, a child served must be a member of a family with an income that does not exceed 200% of the federal poverty guidelines published by the United States department of health and human services.

(3) The department shall, through a competitive bid process, provide grants or contracts up to \$5,000,000.00 in TANF funds for the program based on community needs. A county shall receive no more than 20% of the funds appropriated in part 1 for this program. From the funds appropriated in part 1 for before- or after-school programs within day care services, the department is authorized to make allocations of funds only to the agencies that report necessary data to the department for the purpose of meeting TANF and maintenance of effort eligibility reporting requirements. The use of funds under this section should not be considered an ongoing commitment of funding.

(4) The before- or after-school programs shall include academic assistance, including assistance with reading and writing, and at least 3 of the following topics:

- (a) Abstinence-based pregnancy prevention.
- (b) Chemical abuse and dependency including nonmedical services.
- (c) Gang violence prevention.
- (d) Preparation toward future self-sufficiency.
- (e) Leadership development.
- (f) Case management or mentoring.
- (g) Parental involvement.
- (h) Anger management.

(5) The department may enter into grants or contracts with independent contractors including, but not limited to, faith-based organizations, boys or girls clubs, schools, or nonprofit organizations. The department shall grant priority in funding independent contractors who secure at least 25% in matching funds. The matching funds may either be fulfilled through local, state, or federal funds, and/or through in-kind or other donations.

(6) A referral to a program may be made by, but is not limited to, any of the following: a teacher, counselor, parent, police officer, judge, or social worker.

Sec. 660. From the funds appropriated in part 1 for food bank funding, the department is authorized to make allocations of TANF funds only to the agencies that report necessary data to the department for the purpose of meeting TANF eligibility reporting requirements. The agencies that do not report necessary data to the department for the purpose of meeting TANF eligibility reporting requirements will not receive allocations in excess of those received in fiscal year 2000. The use of TANF funds under this section should not be considered an ongoing commitment of funding.

Sec. 665. The department may partner with the department of transportation to use TANF and other sources of available funding to support public transportation needs of TANF-eligible individuals. This partnership shall place a priority on transportation needs for employment or seeking employment or medical or health-related transportation.

Sec. 666. The department shall continue efforts to increase the participation of eligible family independence program recipients in the federal earned income tax credit.

Sec. 668. (1) In coordination with the Michigan alliance of boys and girls clubs, the department may expend \$250,000.00 to make allocations for a statewide collaborative project to develop a community-based program available to children ages 6 to 15.

(2) The department shall grant priority in funding to programs that provide at least 10% in matching funds. The matching funds requirement shall be fulfilled through any combination of local, state, or federal funds or in-kind or other donations. A program that cannot meet the matching requirement shall not be excluded from applying for a contract.

Sec. 669. (1) The department shall distribute cash and food assistance to recipients electronically by using debit cards.

(2) The department shall allocate up to \$7,167,500.00 for the annual clothing allowance. The allowance shall be granted to all eligible children as defined by the department.

Sec. 674. The department shall develop and implement a plan to reduce waste, fraud, and abuse within the child day care program, including feasibility for expanding wage match and employer verification, unannounced home call verification at day care sites, compliance with recommendations of the auditor general in the May 2005 performance audit of the child day care and child welfare licensing divisions, and other process changes. Beginning December 31, 2005, the department shall report annually to the senate and house appropriations subcommittees for the department budget, the senate and house fiscal agencies and policy offices, and the state budget director on plan details and implementation status.

Sec. 676. (1) The department shall collaborate with the state board of education to extend the duration of the Michigan after-school partnership and oversee its efforts to implement the policy recommendations and strategic next steps identified in the Michigan after-school initiative's report of December 15, 2003.

(2) From the funds appropriated in part 1, \$25,000.00 may be used to support the Michigan after-school partnership and shall be used to leverage other private and public funding to engage the public and private sectors in building and sustaining high-quality out-of-school-time programs and resources. The co-chairs shall name a fiduciary agent and may authorize the fiduciary to expend funds and hire people to accomplish the work of the Michigan after-school partnership.

(3) Each year, on or before December 31, the Michigan after-school partnership shall report its progress in reaching the recommendations set forth in the Michigan after-school initiative's report to the senate and house committees on appropriations, the senate and house fiscal agencies and policy offices, and the state budget director.

Sec. 677. The department shall establish a state goal for the percentage of family independence program (FIP) cases involved in employment activities. The percentage established shall not be less than 50%. On a quarterly basis, the department shall report to the senate and house appropriations subcommittees on the department budget, the senate and house fiscal agencies and policy offices, and the state budget director on the current percentage of FIP cases involved in employment activities. If the FIP case percentage is below the goal for more than 2 consecutive quarters, the department shall develop a plan to increase the percentage of FIP cases involved in employment-related activities. The department shall deliver the plan during the next annual budget presentation to the senate and house appropriations subcommittees on the department budget.

Sec. 678. Of the funds appropriated in part 1 for day care services, \$15,000,000.00 represents additional funding included in the line item to support an across-the-board increase in day care subsidy rates paid by the department to day care providers.

JUVENILE JUSTICE SERVICES

Sec. 705. (1) The department, in conjunction with private juvenile justice residential programs, shall develop a methodology for measuring goals, objectives, and performance standards for the delivery of juvenile justice residential programs based on national standards and best practice. These goals, objectives, and performance standards shall apply to both public and private delivery of juvenile justice residential programs, and data shall be collected from both private and public juvenile justice residential programs that can be used to evaluate performance achievements, including, but not limited to, the following:

- (a) Admission and release data and other information related to demographics of population served.
- (b) Program descriptions and information related to treatment, educational services, and conditions of confinement.
- (c) Program outcomes including recidivism rates for youth served by the facility.

(2) The department during the annual budget presentation shall outline the progress of the development of the goals, objectives, and performance standards, as well as the information collected through the implementation of the performance measurement program. The presentation shall include all of the following:

- (a) Trends in census and population demographics.
- (b) Program outcomes.
- (c) Staff and resident safety.
- (d) Facility profile.
- (e) Fiscal information necessary for qualitative understanding of program operations and comparative costs of public and private facilities.

Sec. 706. Counties shall be subject to 50% charge-back for the use of alternative regional detention services, if those detention services do not fall under the basic provision of section 117e of the social welfare act, 1939 PA 280, MCL 400.117e, or if a county operates those detention services programs primarily with professional rather than volunteer staff.

Sec. 707. In order to be reimbursed for child care fund expenditures, counties are required to submit department-developed reports to enable the department to document potential federally claimable expenditures. This requirement is in accordance with the reporting requirements specified in section 117a(7) of the social welfare act, 1939 PA 280, MCL 400.117a.

Sec. 708. As a condition of receiving funds appropriated in part 1 for the child care fund, by February 15, 2007, counties shall have an approved service spending plan for the fiscal year ending September 30, 2007. Counties must submit the service spending plan to the department by December 15, 2006 for approval.

LOCAL OFFICE SERVICES

Sec. 751. (1) From the funds appropriated in part 1, the department shall implement school-based family resource centers based on the following guidelines:

- (a) The center is supported by the local school district.
- (b) The programs and information provided at the center do not conflict with sections 1169, 1507, and 1507b of the revised school code, 1976 PA 451, MCL 380.1169, 380.1507, and 380.1507b.

(c) Notwithstanding subdivision (b), the center shall provide information regarding crisis pregnancy centers or adoption service providers in the area.

(2) The department shall notify the senate and house subcommittees on the department budget, the senate and house fiscal agencies and policy offices, and the state budget office of family resource center expansion efforts and shall provide all of the following at the beginning of the selection process or no later than 5 days after eligible schools receive opportunity notification:

- (a) A list of eligible schools.
- (b) The selection criteria to be used.
- (c) The projected number to be opened.
- (d) The financial implications for expansion, including funding sources.

DISABILITY DETERMINATION SERVICES

Sec. 801. The department disability determination services in agreement with the department of management and budget office of retirement systems will develop the medical information and make recommendations for medical disability retirement for state employees, state police, judges, and school teachers.

CHILD SUPPORT ENFORCEMENT

Sec. 901. (1) The appropriations in part 1 assume a total federal child support incentive payment of \$26,500,000.00.

(2) From the federal money received for child support incentive payments, \$12,000,000.00 shall be retained by the state and expended for child support program expenses.

(3) From the federal money received for child support incentive payments, \$14,500,000.00 shall be paid to the counties based on each county's performance level for each of the federal performance measures as established in the code of federal regulations (CFR 45.305.2).

(4) If the child support incentive payment to the state from the federal government is greater than \$26,500,000.00, then 100% of the excess shall be retained by the state and is appropriated until the total retained by the state reaches \$15,397,400.00.

(5) If the child support incentive payment to the state from the federal government is greater than the amount needed to satisfy the provisions identified in subsections (1), (2), (3), and (4), the additional funds shall be subject to appropriation by the legislature.

(6) If the child support incentive payment to the state from the federal government is less than \$26,500,000.00, then the state and county share shall each be reduced by 50% of the shortfall.

Sec. 905. Of the funds appropriated in part 1 for child support collections, \$1,000,000.00 shall be allocated to counties for the local match for friend of the court services legal support contracts and to payments to county prosecutors for related legal services.

OFFICE OF CHILDREN AND ADULT LICENSING

Sec. 1001. The department shall assess fees in the licensing and regulation of child care organizations as defined in 1973 PA 116, MCL 722.111 to 722.128, and adult foster care facilities as defined in the adult foster care facility licensing act, 1979 PA 218, MCL 400.701 to 400.737. Fees collected by the department shall be used exclusively for the purpose of licensing and regulating child care organizations and adult foster care facilities.

Sec. 1002. The department shall furnish the clerk of the house, the secretary of the senate, the senate and house fiscal agencies and policy offices, the state budget office, and all members of the house and senate appropriations committees with a summary of any evaluation reports and subsequent approvals or disapprovals of juvenile residential facilities operated by the department, as required by section 6 of 1973 PA 116, MCL 722.116. If no evaluations are conducted during the fiscal year, the department shall notify the fiscal agencies and all members of the appropriate subcommittees of the house and senate appropriations committees.

Sec. 1005. The department shall implement a performance-based licensing model with available resources that will assure compliance with department policy and statutory mandates. This model will prioritize licensing activities based on risk to the vulnerable children and adults residing in or receiving services from licensees.”.

The question being on the adoption of the amendment offered by Rep. Kolb,

Rep. Ward moved that consideration of the amendment be postponed temporarily.

The motion prevailed.

Reps. Booher, Hildenbrand, Pearce and Emmons moved to amend the bill as follows:

1. Amend page 582, following line 21, by inserting:

“Sec. 804. The department shall accept donations for trail development if the donation is for at least \$950,000.00 and the sole condition for the donation is a dedication to a person or group.”.

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

Rep. Cushingberry moved to amend the bill as follows:

1. Amend page 174, line 19, after “general” by inserting a comma and “county prosecutors,”.

2. Amend page 276, following line 7, by inserting:

“Sec. 311. As a condition of expending funds appropriated in part 1 on participation in the parole and probation special operations program provided under article 4 of this act, the attorney general shall cooperate with local prosecutors on implementation of the parole and probation special operations program.”.

The question being on the adoption of the amendments offered by Rep. Cushingberry,

Rep. Ward moved that consideration of the amendments be postponed temporarily.
The motion prevailed.

Rep. Cushingberry moved to amend the bill as follows:

1. Amend page 387, following line 13, by inserting:

“Sec. 401. The department and the department of transportation shall collaborate to ensure available transportation funding to assist public assistance clients in getting to and from employment is fully utilized. This includes ensuring that all matchable federal dollars available to Michigan are claimed by the state. The department shall submit a report identifying available federal and state dollars for this purpose and outlining fiscal year 2005-2006 spending in this area to the house and senate appropriations subcommittees on the department budget and the department of transportation budget, the house and senate fiscal agencies and the house and senate policy offices by February 1, 2007.”.

The question being on the adoption of the amendment offered by Rep. Cushingberry,

Rep. Ward moved that consideration of the amendment be postponed temporarily.
The motion prevailed.

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

The question being on the adoption of the substitute (H-3) offered by Rep. Brown,

Rep. Ward moved that consideration of the substitute be postponed temporarily.
The motion prevailed.

Rep. Pastor moved to amend the bill as follows:

1. Amend page 193, following line 23, by inserting:

“Sec. 1013. All parolees shall be given regular tests to screen for the use of drugs or alcohol. If on any test, a parolee tests positive for the use of 1 or more substances prohibited by the order of parole, the department shall immediately return that parolee to prison to serve the remainder of their statutory maximum sentence.”.

The question being on the adoption of the amendment offered by Rep. Pastor,

Rep. Ward demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Rep. Pastor,

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

Roll Call No. 565

Yeas—85

Accavitti	Elsenheimer	LaJoy	Robertson
Acciavatti	Emmons	Law, David	Rocca
Adamini	Espinoza	Marleau	Sak
Amos	Farhat	Mayes	Schuitmaker
Anderson	Farrah	McDowell	Shaffer
Angerer	Gaffney	Meyer	Sheen
Ball	Garfield	Miller	Sheltrown
Baxter	Gillard	Moolenaar	Spade
Bieda	Gleason	Moore	Stahl
Booher	Gonzales	Mortimer	Stakoe
Brandenburg	Gosselin	Newell	Steil
Brown	Green	Nitz	Stewart
Byrnes	Hansen	Nofs	Taub
Byrum	Hildenbrand	Palmer	Van Regenmorter
Casperson	Hoogendyk	Palsrok	Vander Veen
Caswell	Huizenga	Pastor	Walker

Caul	Hummel	Pavlov	Ward
Clack	Hune	Pearce	Wenke
Clemente	Jones	Plakas	Williams
DeRoche	Kahn	Polidori	Wojno
Dillon	Kooiman	Proos	Zelenko
Donigan			

Nays—21

Bennett	Hopgood	Lemmons, III	Smith, Alma
Cheeks	Hunter	Lemmons, Jr.	Smith, Virgil
Condino	Kolb	McConico	Tobocman
Cushingberry	Law, Kathleen	Meisner	Vagnozzi
Drolet	Leland	Murphy	Waters
Hood			

In The Chair: Kooiman

Rep. Pastor moved to amend the bill as follows:

1. Amend page 193, following line 23, by inserting:

“Sec. 1013. The parole board shall not grant parole to an inmate eligible for parole unless the inmate had 3 negative drug and alcohol tests within the 3 months immediately prior to the grant of parole.”.

The question being on the adoption of the amendment offered by Rep. Pastor,

Rep. Ward demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Rep. Pastor,

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

Roll Call No. 566**Yeas—86**

Accavitti	Elsenheimer	Law, David	Robertson
Acciavatti	Emmons	Law, Kathleen	Rocca
Adamini	Espinoza	Marleau	Sak
Amos	Farhat	Mayes	Schuitmaker
Anderson	Farrah	McDowell	Shaffer
Angerer	Gaffney	Meyer	Sheen
Ball	Garfield	Miller	Sheltrown
Baxter	Gillard	Moolenaar	Spade
Bennett	Gleason	Moore	Stahl
Booher	Gosselin	Mortimer	Stakoe
Brandenburg	Green	Newell	Steil
Brown	Hansen	Nitz	Stewart
Byrnes	Hildenbrand	Nofs	Taub
Byrum	Hoogendyk	Palmer	Van Regenmorter
Casperson	Hopgood	Palsrok	Vander Veen
Caswell	Huizenga	Pastor	Walker
Caul	Hummel	Pavlov	Ward
Clemente	Hune	Pearce	Wenke
DeRoche	Jones	Plakas	Williams
Dillon	Kahn	Polidori	Wojno
Donigan	Kooiman	Proos	Zelenko
Drolet	LaJoy		

Nays—20

Bieda	Gonzales	Lemmons, III	Smith, Alma
Cheeks	Hood	Lemmons, Jr.	Smith, Virgil
Clack	Hunter	McConico	Tobocman
Condino	Kolb	Meisner	Vagnozzi
Cushingberry	Leland	Murphy	Waters

In The Chair: Kooiman

Rep. Bieda, having reserved the right to explain his nay vote, made the following statement:

“Mr. Speaker and members of the House:

I voted ‘no’ on the Rep. Pastor amendment because it appears to create an inflexible standard that should not be a sole determinant for cases considered for parole. This type of amendment seems designed and predicated on a ‘get tough’ standard, but hardly a ‘get smart’ approach. While illegal drug use (this amendment doesn’t safe guard against ‘false positives’) can be a problem, a hard-line test for parole should not be totally dependant on tests that may or may not be correct or without failure. Because of this concern, and because all available evidence suggest that existing policies adequately address this issue, I voted ‘no’ on this amendment.”

Rep. Pastor moved to amend the bill as follows:

1. Amend page 193, following line 23, by inserting:

“Sec. 1013. The department shall increase by 5% the copayments paid by prisoners for nonemergency health care.”.

The question being on the adoption of the amendment offered by Rep. Pastor,

Rep. Ward demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Rep. Pastor,

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

Roll Call No. 567**Yeas—73**

Accavitti	Elsenheimer	Law, Kathleen	Rocca
Acciavatti	Emmons	Marleau	Sak
Adamini	Espinoza	Mayes	Schuitmaker
Amos	Farhat	McDowell	Shaffer
Angerer	Gaffney	Meyer	Sheen
Ball	Garfield	Moolenaar	Sheltrown
Baxter	Gosselin	Moore	Spade
Booher	Green	Mortimer	Stahl
Brandenburg	Hansen	Newell	Stakoe
Brown	Hildenbrand	Nitz	Steil
Byrnes	Hoogendyk	Nofs	Stewart
Byrum	Huizenga	Palmer	Taub
Casperson	Hummel	Palsrok	Van Regenmorter
Caswell	Hune	Pastor	Vander Veen
Caul	Jones	Pavlov	Walker
Clemente	Kooiman	Polidori	Ward
DeRoche	LaJoy	Proos	Wenke
Donigan	Law, David	Robertson	Wojno
Drolet			

Nays—33

Anderson	Gillard	Leland	Plakas
Bennett	Gleason	Lemmons, III	Smith, Alma
Bieda	Gonzales	Lemmons, Jr.	Smith, Virgil
Cheeks	Hood	McConico	Tobocman
Clack	Hopgood	Meisner	Vagnozzi
Condino	Hunter	Miller	Waters
Cushingberry	Kahn	Murphy	Williams
Dillon	Kolb	Pearce	Zelenko
Farrah			

In The Chair: Kooiman

Rep. Drolet moved to amend the bill as follows:

1. Amend page 236, line 2, by striking out “12,967,100” and inserting “12,626,700”.
2. Amend page 236, line 12, by striking out “780,500” and inserting “754,600”.
3. Amend page 237, line 7, by striking out “12,840,100” and inserting “12,713,700”.
4. Amend page 237, line 8, by striking out “8,586,900” and inserting “8,527,200”.
5. Amend page 237, line 10, by striking out “2,114,600” and inserting “2,091,100”.
6. Amend page 238, line 4, by striking out “3,818,800” and inserting “3,797,300”.
7. Amend page 250, line 23, by striking out “2,712,000” and inserting “2,596,400”.
8. Amend page 251, line 13, by striking out “23,775,400” and inserting “23,270,800”.
9. Amend page 252, line 16, by striking out “22,617,800” and inserting “22,142,500”.
10. Amend page 253, line 11, by striking out “73,410,800” and inserting “70,982,200”.
11. Amend page 253, line 12, by striking out “36,201,900” and inserting “35,439,200”.
12. Amend page 254, line 16, by striking out “2,821,600” and inserting “2,696,900”.
13. Amend page 254, line 24, by striking out “9,795,500” and inserting “9,581,700”.
14. Amend page 255, line 9, by striking out “23,629,300” and inserting “23,340,900” and adjusting the subtotals, totals, and section 201 in article 7 accordingly.
15. Amend page 513, line 22, by striking out “9,798,000” and inserting “15,308,700” and adjusting the subtotals, totals, and section 201 in article 13 accordingly.
16. Amend page 533, following line 7, by inserting:

“Sec. 1020. From the funds appropriated in part 1 for economic development job training grants, \$5,510,700.00 shall be used only to retrain local workers who have lost their jobs with a private firm due to permanent facility closure. The appropriation may be used for costs including tuition reimbursements, equipment, supplies, textbooks, staff, and programming costs associated with retraining these workers. Priority shall be given to the purchase of equipment needed to retrain the eligible workers to reenter the workforce. The appropriation shall not be expended on buildings or on building additions and shall not be expended on administrative or indirect costs.”

The question being on the adoption of the amendments offered by Rep. Drolet,

Rep. Ward demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Rep. Drolet,

The amendments were not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 568**Yeas—37**

Acciavatti	Elsenheimer	Law, David	Shaffer
Amos	Garfield	Marleau	Sheen
Ball	Gosselin	Nitz	Stahl
Baxter	Green	Palmer	Stakoe
Booher	Hildenbrand	Pastor	Taub
Brandenburg	Hoogendyk	Pavlov	Van Regenmorter

Casperson	Huizenga	Robertson	Walker
Caswell	Hummel	Rocca	Ward
DeRoche	Kooiman	Schuitmaker	Wenke
Drolet			

Nays—69

Accavitti	Espinoza	Leland	Plakas
Adamini	Farhat	Lemmons, III	Polidori
Anderson	Farrah	Lemmons, Jr.	Proos
Angerer	Gaffney	Mayes	Sak
Bennett	Gillard	McConico	Sheltrown
Bieda	Gleason	McDowell	Smith, Alma
Brown	Gonzales	Meisner	Smith, Virgil
Byrnes	Hansen	Meyer	Spade
Byrum	Hood	Miller	Steil
Caul	Hopgood	Moolenaar	Stewart
Cheeks	Hune	Moore	Tobocman
Clack	Hunter	Mortimer	Vagnozzi
Clemente	Jones	Murphy	Vander Veen
Condino	Kahn	Newell	Waters
Cushingberry	Kolb	Nofs	Williams
Dillon	LaJoy	Palsrok	Wojno
Donigan	Law, Kathleen	Pearce	Zelenko
Emmons			

In The Chair: Kooiman

Rep. Drolet moved to amend the bill as follows:

1. Amend page 233, line 4, by striking out “2,851,500” and inserting “3,351,500”.
2. Amend page 236, line 2, by striking out “12,967,100” and inserting “12,467,100” and adjusting the subtotals, totals, and section 201 accordingly.

The question being on the adoption of the amendments offered by Rep. Drolet,

Rep. Ward demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Rep. Drolet,

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

Roll Call No. 569**Yeas—66**

Accavitti	Elsenheimer	Law, David	Schuitmaker
Acciavatti	Emmons	Marleau	Shaffer
Amos	Espinoza	Meyer	Sheen
Angerer	Farhat	Moolenaar	Sheltrown
Ball	Farrah	Mortimer	Spade
Baxter	Gaffney	Newell	Stahl
Booher	Garfield	Nitz	Stakoe
Brandenburg	Gosselin	Nofs	Steil
Byrnes	Hansen	Palmer	Stewart
Byrum	Hildenbrand	Palsrok	Taub
Casperson	Hoogendyk	Pastor	Van Regenmorter
Caswell	Huizenga	Pavlov	Vander Veen

Clemente	Hummel	Polidori	Walker
DeRoche	Hune	Robertson	Ward
Dillon	Kahn	Rocca	Wenke
Donigan	Kooiman	Sak	Wojno
Drolet	LaJoy		

Nays—40

Adamini	Gillard	Leland	Pearce
Anderson	Gleason	Lemmons, III	Plakas
Bennett	Gonzales	Lemmons, Jr.	Proos
Bieda	Green	Mayes	Smith, Alma
Brown	Hood	McConico	Smith, Virgil
Caul	Hopgood	McDowell	Tobocman
Cheeks	Hunter	Meisner	Vagnozzi
Clack	Jones	Miller	Waters
Condino	Kolb	Moore	Williams
Cushingberry	Law, Kathleen	Murphy	Zelenko

In The Chair: Kooiman

Rep. Proos moved to amend the bill as follows:

1. Amend page 7, line 13, by striking out “50,000” and inserting “200,000”.
2. Amend page 7, line 18, by striking out “50,000” and inserting “200,000”.
3. Amend page 204, line 26, by striking out “350,000” and inserting “200,000”.
4. Amend page 205, line 1, by striking out “50,000” and inserting “200,000”.

The question being on the adoption of the amendments offered by Rep. Proos,

Rep. Ward demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Rep. Proos,

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

Roll Call No. 570**Yeas—65**

Acciavatti	Espinoza	McDowell	Sak
Amos	Farhat	Meyer	Schuitmaker
Angerer	Garfield	Moolenaar	Shaffer
Ball	Gosselin	Moore	Sheen
Baxter	Green	Mortimer	Sheltrown
Booher	Hansen	Newell	Spade
Brandenburg	Hildenbrand	Nitz	Stahl
Byrnes	Hoogendyk	Nofs	Stakoe
Casperson	Huizenga	Palmer	Steil
Caswell	Hummel	Palsrok	Stewart
Caul	Hune	Pastor	Taub
Clemente	Jones	Pavlov	Van Regenmorter
DeRoche	Kahn	Pearce	Vander Veen
Donigan	Kooiman	Proos	Walker
Drolet	LaJoy	Robertson	Ward
Elsenheimer	Marleau	Rocca	Wenke
Emmons			

Nays—41

Accavitti	Dillon	Law, David	Plakas
Adamini	Farrah	Law, Kathleen	Polidori
Anderson	Gaffney	Leland	Smith, Alma
Bennett	Gillard	Lemmons, III	Smith, Virgil
Bieda	Gleason	Lemmons, Jr.	Tobocman
Brown	Gonzales	Mayes	Vagnozzi
Byrum	Hood	McConico	Waters
Cheeks	Hopgood	Meisner	Williams
Clack	Hunter	Miller	Wojno
Condino	Kolb	Murphy	Zelenko
Cushingberry			

In The Chair: Kooiman

Rep. Proos moved to amend the bill as follows:

1. Amend page 7, line 4, by striking out “32.7 FTE positions” and inserting “37.7 FTE positions”.
2. Amend page 7, line 4, by striking out “3,155,300” and inserting “4,155,300”.
3. Amend page 8, line 4, by striking out “4,184,700” and inserting “5,184,700” and adjusting the totals, subtotals, and section 201 in article 1 accordingly.
4. Amend page 204, line 22, by striking out “121.4 FTE positions” and inserting “116.4 FTE positions”.
5. Amend page 204, line 22, by striking out “10,578,900” and inserting “9,578,900”.
6. Amend page 206, line 5, by striking out “7,202,700” and inserting “6,202,700” and adjusting the totals, subtotals, and section 201 in article 6 accordingly.

The question being on the adoption of the amendments offered by Rep. Proos,

Rep. Ward demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Rep. Proos,

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

Roll Call No. 571**Yeas—60**

Acciavatti	Espinoza	Marleau	Robertson
Amos	Farhat	McDowell	Rocca
Angerer	Garfield	Meyer	Schuitmaker
Ball	Gosselin	Moolenaar	Shaffer
Baxter	Green	Moore	Sheen
Booher	Hansen	Mortimer	Sheltrown
Byrnes	Hildenbrand	Newell	Spade
Casperson	Hoogendyk	Nitz	Stahl
Caswell	Huizenga	Nofs	Steil
Caul	Hummel	Palmer	Stewart
DeRoche	Hune	Palsrok	Taub
Donigan	Jones	Pastor	Van Regenmorter
Drolet	Kahn	Pavlov	Vander Veen
Elsenheimer	Kooiman	Pearce	Walker
Emmons	LaJoy	Proos	Wenke

Nays—46

Accavitti	Cushingberry	Law, Kathleen	Sak
Adamini	Dillon	Leland	Smith, Alma

Anderson	Farrah	Lemmons, III	Smith, Virgil
Bennett	Gaffney	Lemmons, Jr.	Stakoe
Bieda	Gillard	Mayes	Tobocman
Brandenburg	Gleason	McConico	Vagnozzi
Brown	Gonzales	Meisner	Ward
Byrum	Hood	Miller	Waters
Cheeks	Hopgood	Murphy	Williams
Clack	Hunter	Plakas	Wojno
Clemente	Kolb	Polidori	Zelenko
Condino	Law, David		

In The Chair: Kooiman

Rep. Gosselin moved to amend the bill as follows:

1. Amend page 359, line 2, by striking out “33,489,700” and inserting “34,489,700” and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 359, line 14, by striking out “11,089,900” and inserting “12,089,900” and adjusting the subtotals, totals, and section 201 accordingly.

3. Amend page 364, line 20, by striking out “293,092,200” and inserting “292,092,200” and adjusting the subtotals, totals, and section 201 accordingly.

4. Amend page 365, line 13, by striking out “456,953,900” and inserting “455,953,900” and adjusting the subtotals, totals, and section 201 accordingly.

The question being on the adoption of the amendments offered by Rep. Gosselin,

Rep. Ward demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Rep. Gosselin,

The amendments were not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 572

Yeas—45

Acciavatti	Gaffney	Marleau	Schuitmaker
Amos	Garfield	McDowell	Shaffer
Angerer	Gosselin	Meyer	Sheen
Ball	Hansen	Newell	Spade
Baxter	Hildenbrand	Nitz	Steil
Brandenburg	Hoogendyk	Palmer	Stewart
Caswell	Huizenga	Palsrok	Taub
DeRoche	Hummel	Pastor	Van Regenmorter
Drolet	Hune	Pavlov	Vander Veen
Elsenheimer	Kooiman	Robertson	Ward
Emmons	LaJoy	Rocca	Wenke
Farhat			

Nays—61

Accavitti	Dillon	Law, Kathleen	Polidori
Adamini	Donigan	Leland	Proos
Anderson	Espinoza	Lemmons, III	Sak
Bennett	Farrah	Lemmons, Jr.	Sheltrown
Bieda	Gillard	Mayes	Smith, Alma
Booher	Gleason	McConico	Smith, Virgil
Brown	Gonzales	Meisner	Stahl

Byrnes	Green	Miller	Stakoe
Byrum	Hood	Moolenaar	Tobocman
Casperson	Hopgood	Moore	Vagnozzi
Caul	Hunter	Mortimer	Walker
Cheeks	Jones	Murphy	Waters
Clack	Kahn	Nofs	Williams
Clemente	Kolb	Pearce	Wojno
Condino	Law, David	Plakas	Zelenko
Cushingberry			

In The Chair: Kooiman

Rep. Gosselin moved to amend the bill as follows:

1. Amend page 646, following line 23, by inserting:

“Sec. 655. It is the intent of the legislature that the department restore to its 5-year plan the design and construction phases for the widening of I-75 from 8 Mile Road to M-59 in Oakland county.”.

The question being on the adoption of the amendment offered by Rep. Gosselin,

Rep. Ward demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Rep. Gosselin,

The amendment was not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 573

Yeas—48

Acciavatti	Gaffney	Law, David	Rocca
Amos	Garfield	Marleau	Schuitmaker
Ball	Gosselin	Moolenaar	Shaffer
Baxter	Hansen	Newell	Sheen
Bieda	Hildenbrand	Nitz	Stahl
Booher	Hoogendyk	Nofs	Stakoe
Brandenburg	Huizenga	Palmer	Stewart
Condino	Hune	Pastor	Taub
DeRoche	Jones	Pavlov	Vander Veen
Drolet	Kolb	Pearce	Walker
Elsenheimer	Kooiman	Proos	Ward
Farhat	LaJoy	Robertson	Wenke

Nays—55

Accavitti	Cushingberry	Leland	Sak
Adamini	Dillon	Lemmons, III	Sheltrown
Anderson	Donigan	Lemmons, Jr.	Smith, Alma
Angerer	Emmons	Mayer	Smith, Virgil
Bennett	Espinoza	McConico	Spade
Brown	Farrar	McDowell	Steil
Byrnes	Gillard	Meisner	Tobocman
Byrum	Gleason	Meyer	Vagnozzi
Casperson	Green	Miller	Van Regenmorter
Caswell	Hood	Moore	Waters
Caul	Hummel	Mortimer	Williams
Cheeks	Hunter	Palsrok	Wojno

Clack
Clemente

Kahn
Law, Kathleen

Plakas
Polidori

Zelenko

In The Chair: Kooiman

Rep. Jones moved to amend the bill as follows:

1. Amend page 470, line 1, by striking out “6,333,100” and inserting “6,583,100”.
2. Amend page 470, line 21, by striking out “10,285,700” and inserting “10,535,700”.
3. Amend page 471, line 22, by striking out “25,846,300” and inserting “25,596,300”.
4. Amend page 472, line 1, by striking out “2,202,000” and inserting “1,952,000” and adjusting the subtotals, totals, and section 201 accordingly.

5. Amend page 491, following line 7, by inserting:

“Sec. 318. (1) Of the funds appropriated in part 1, no funds shall be used to support the development of, staffing of, or activities promoting the development of guidelines, rules, standards, protocols, or other similar mandates that are more stringent than federal voluntary ergonomics guidelines. This section does not prohibit any person from adopting, or working with the state to develop, voluntary ergonomics standards.

(2) On March 1, 2007 and September 1, 2007, the department shall provide a report to the fiscal agencies and appropriation subcommittees of any staffing time or activities regarding the development of a voluntary or mandatory, or both, ergonomic standard, whether contained in rules, guidelines, policy directives, or bulletins.”.

The question being on the adoption of the amendments offered by Rep. Jones,

Rep. Ward demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Rep. Jones,

Rep. Ward moved that consideration of the amendments be postponed temporarily.

The motion prevailed.

Rep. Pastor moved to amend the bill as follows:

1. Amend page 145, line 15, by striking out “294,400” and inserting “94,400” and adjusting the subtotals, totals, and section 201 in article 4 accordingly.

2. Amend page 513, line 22, by increasing the \$9,798,000 amount by \$200,000 and adjusting the subtotals, totals, and section 201 in article 13 accordingly.

3. Amend page 533, following line 7, by inserting:

“Sec. 1020. From the funds appropriated in part 1 for economic development job training grants, \$200,000.00 shall be used only to retrain local workers who have lost their jobs with a private firm due to permanent facility closure. The appropriation may be used for costs including tuition reimbursements, equipment, supplies, textbooks, staff, and programming costs associated with retraining these workers. Priority shall be given to the purchase of equipment needed to retrain the eligible workers to reenter the workforce. The appropriation shall not be expended on buildings or on building additions and shall not be expended on administrative or indirect costs.”.

The question being on the adoption of the amendments offered by Rep. Pastor,

Rep. Ward demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Rep. Pastor,

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

Roll Call No. 574

Yeas—82

Accavitti
Acciavatti
Adamini
Amos
Anderson
Angerer
Ball
Baxter

Drolet
Elsenheimer
Emmons
Espinoza
Farhat
Farrah
Gaffney
Garfield

Kooiman
LaJoy
Law, David
Marleau
Mayes
McDowell
Meyer
Miller

Proos
Robertson
Rocca
Sak
Schuitmaker
Shaffer
Sheen
Sheltrown

Bieda	Gillard	Moolenaar	Spade
Booher	Gleason	Moore	Stahl
Brandenburg	Gosselin	Mortimer	Stakoe
Brown	Green	Newell	Steil
Byrnes	Hansen	Nitz	Stewart
Byrum	Hildenbrand	Nofs	Taub
Casperson	Hoogendyk	Palmer	Van Regenmorter
Caswell	Hopgood	Palsrok	Vander Veen
Caul	Huizenga	Pastor	Walker
Clemente	Hummel	Pavlov	Ward
DeRoche	Hune	Pearce	Wenke
Dillon	Jones	Polidori	Wojno
Donigan	Kahn		

Nays—24

Bennett	Hood	Lemmons, Jr.	Smith, Virgil
Cheeks	Hunter	McConico	Tobocman
Clack	Kolb	Meisner	Vagnozzi
Condino	Law, Kathleen	Murphy	Waters
Cushingberry	Leland	Plakas	Williams
Gonzales	Lemmons, III	Smith, Alma	Zelenko

In The Chair: Kooiman

Rep. Hoogendyk moved to amend the bill as follows:

1. Amend page 477, line 12, by striking out "\$20,000,000" and inserting "\$20,100,000".
2. Amend page 479, line 7, by striking out "242,900" and inserting "142,900" and adjusting the subtotals, totals, and section 201 accordingly.
3. Amend page 508, following 16, by inserting:

"Sec. 408. From the funds appropriated in part 1 for adult basic education, the department shall allocate \$100,000.00 in addition to the amount allocated for fiscal year 2005-2006 for the purpose of English as second language training."

The question being on the adoption of the amendments offered by Rep. Hoogendyk,

Rep. Ward demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Rep. Hoogendyk,

The amendments were not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 575**Yeas—42**

Acciavatti	Emmons	Marleau	Rocca
Amos	Gaffney	McDowell	Sak
Angerer	Garfield	Moore	Shaffer
Baxter	Gosselin	Mortimer	Sheen
Booher	Hildenbrand	Newell	Sheltrown
Brandenburg	Hoogendyk	Nitz	Spade
Byrnes	Hummel	Palmer	Steil
DeRoche	Hune	Pastor	Taub
Donigan	Jones	Pavlov	Van Regenmorter
Drolet	Kooiman	Robertson	Wojno
Elsenheimer	Law, David		

Nays—64

Accavitti	Dillon	Law, Kathleen	Proos
Adamini	Espinoza	Leland	Schuitmaker
Anderson	Farhat	Lemmons, III	Smith, Alma
Ball	Farrah	Lemmons, Jr.	Smith, Virgil
Bennett	Gillard	Mayes	Stahl
Bieda	Gleason	McConico	Stakoe
Brown	Gonzales	Meisner	Stewart
Byrum	Green	Meyer	Tobocman
Casperson	Hansen	Miller	Vagnozzi
Caswell	Hood	Moolenaar	Vander Veen
Caul	Hopgood	Murphy	Walker
Cheeks	Huizenga	Nofs	Ward
Clack	Hunter	Palsrok	Waters
Clemente	Kahn	Pearce	Wenke
Condino	Kolb	Plakas	Williams
Cushingberry	LaJoy	Polidori	Zelenko

In The Chair: Kooiman

Rep. Ward moved that consideration of the bill be postponed temporarily.
The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

The House returned to the consideration of

House Bill No. 5796, 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 years ending September 30, 2006 and September 30, 2007; to provide for certain conditions on appropriations; and to provide for the expenditure of the appropriations.

(The bill was considered earlier today, see today's Journal p. 1236.)

The question being on the passage of the bill,

Reps. Cushingberry and Vagnozzi moved to amend the bill.

The question being on the seconding of the motion made by Reps. Cushingberry and Vagnozzi,

Rep. Waters demanded the yeas and nays.

The demand was supported.

The question being on the seconding of the motion made by Reps. Cushingberry and Vagnozzi,

The motion did not prevail, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 576**Yeas—48**

Accavitti	Condino	Kolb	Polidori
Adamini	Cushingberry	Law, Kathleen	Sak
Anderson	Dillon	Leland	Sheltrown
Angerer	Donigan	Lemmons, III	Smith, Alma
Bennett	Espinoza	Lemmons, Jr.	Smith, Virgil
Bieda	Farrah	Mayes	Spade
Brown	Gillard	McConico	Tobocman
Byrnes	Gleason	McDowell	Vagnozzi
Byrum	Gonzales	Meisner	Waters
Cheeks	Hood	Miller	Williams

Clack
ClementeHopgood
HunterMurphy
PlakasWojno
Zelenko**Nays—58**Acciavatti
Amos
Ball
Baxter
Booher
Brandenburg
Casperson
Caswell
Caul
DeRoche
Drolet
Elsenheimer
Emmons
Farhat
GaffneyGarfield
Gosselin
Green
Hansen
Hildenbrand
Hoogendyk
Huizenga
Hummel
Hune
Jones
Kahn
Kooiman
LaJoy
Law, David
MarleauMeyer
Moolenaar
Moore
Mortimer
Newell
Nitz
Nofs
Palmer
Palsrok
Pastor
Pavlov
Pearce
Proos
RobertsonRocca
Schuitmaker
Shaffer
Sheen
Stahl
Stakoe
Steil
Stewart
Taub
Van Regenmorter
Vander Veen
Walker
Ward
Wenke

In The Chair: Kooiman

The question being on the passage of the bill,

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

Rep. Sak moved to amend the bill.

The question being on the seconding of the motion made by Rep. Sak,

Rep. Waters demanded the yeas and nays.

The demand was supported.

The question being on the seconding of the motion made by Rep. Sak,

The motion did not prevail, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 577**Yeas—48**Accavitti
Adamini
Anderson
Angerer
Bennett
Bieda
Brown
Byrnes
Byrum
Cheeks
Clack
ClementeCondino
Dillon
Donigan
Espinoza
Farrah
Gillard
Gleason
Gonzales
Hood
Hopgood
Hunter
KolbLaw, Kathleen
Leland
Lemmons, III
Lemmons, Jr.
Mayes
McConico
McDowell
Meisner
Miller
Murphy
Plakas
PolidoriSak
Sheltrown
Smith, Alma
Smith, Virgil
Spade
Stakoe
Tobocman
Vagnozzi
Waters
Williams
Wojno
Zelenko

Nays—57

Acciavatti	Garfield	Marleau	Robertson
Amos	Gosselin	Meyer	Rocca
Ball	Green	Moolenaar	Schuitmaker
Baxter	Hansen	Moore	Shaffer
Booher	Hildenbrand	Mortimer	Sheen
Brandenburg	Hoogendyk	Newell	Stahl
Casperson	Huizenga	Nitz	Steil
Caswell	Hummel	Nofs	Stewart
Caul	Hune	Palmer	Taub
DeRoche	Jones	Palsrok	Van Regenmorter
Drolet	Kahn	Pastor	Vander Veen
Elsenheimer	Kooiman	Pavlov	Walker
Emmons	LaJoy	Pearce	Ward
Farhat	Law, David	Proos	Wenke
Gaffney			

In The Chair: Kooiman

The question being on the passage of the bill,

Rep. Sak moved to amend the bill as follows:

1. Amend page 2, line 16, by striking out all of section 102 and inserting:

“Sec. 102. OPERATIONS (PREPARED FOR JOBS)

Alpena Community College	\$	4,953,000
Bay de Noc Community College.....		4,799,600
Delta College		13,457,400
Glen Oaks Community College.....		2,261,400
Gogebic Community College		4,079,500
Grand Rapids Community College.....		16,881,100
Henry Ford Community College		20,530,000
Jackson Community College.....		11,338,700
Kalamazoo Valley Community College.....		11,645,200
Kellogg Community College.....		9,132,300
Kirtland Community College		2,780,200
Lake Michigan College		4,926,900
Lansing Community College.....		29,190,700
Macomb Community College.....		31,175,500
Mid Michigan Community College.....		4,152,500
Monroe County Community College.....		4,054,700
Montcalm Community College		2,918,600
C.S. Mott Community College.....		14,731,900
Muskegon Community College		8,371,200
North Central Michigan College		2,837,800
Northwestern Michigan College.....		8,533,900
Oakland Community College		19,701,900
St. Clair County Community College.....		6,610,400
Schoolcraft College.....		11,504,800
Southwestern Michigan College.....		6,182,700
Washtenaw Community College.....		11,843,800
Wayne County Community College		15,355,300
West Shore Community College		2,157,700
GROSS APPROPRIATION.....	\$	286,108,700”

and adjusting the subtotals, totals, and section 201 accordingly.

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

The question being on the passage of the bill,

Rep. Alma Smith moved to amend the bill as follows:

1. Amend page 54, line 13, after "year." by inserting "Tuition grant awards shall not be made to students whose household income exceeds \$100,000.00."

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

The question being on the passage of the bill,

Reps. Adamini and Brown moved to amend the bill as follows:

1. Amend page 47, line 2, by striking out "45,164,600" and inserting "45,879,000" and adjusting the subtotals, totals, and section 201 accordingly.

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

The question being on the passage of the bill,

Rep. Sak moved to amend the bill as follows:

1. Amend page 49, line 26, by striking out "1,000,000" and inserting "2,000,000" and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 62, following line 25, by inserting:

"Sec. 316. Of the funds appropriated in part 1 for the children of veterans tuition grant program, the appropriation of \$1,000,000.00 from general fund/general purpose revenue shall be reduced by the amount received from the children of veterans tuition grant program check-off box in section 437 of the income tax act of 1967, 1967 PA 281, MCL 206.437."

The motion was seconded and the amendments were not adopted, a majority of the members serving not voting therefor.

The question being on the passage of the bill,

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

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

The question being on the passage of the bill,

Rep. Nitz moved to amend the bill as follows:

1. Amend page 8, following line 9, by inserting:

"Diesel fuel quality inspection program 100".

2. Amend page 8, line 21, by striking out "\$3,027,200" and inserting "\$3,027,300" and adjusting the subtotals, totals, and section 201 accordingly.

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

The question being on the passage of the bill,

Rep. Moore moved to amend the bill as follows:

1. Amend page 30, following line 13, by inserting:

"PART 1A
LINE-ITEM APPROPRIATION
FISCAL YEAR 2005-2006

Sec. 151. Subject to the conditions set forth in this article, the amounts listed in this part are appropriated for community colleges and certain other state purposes relating to education for the fiscal year ending September 30, 2006, from the funds indicated in this part. The following is a summary of the appropriations in this part:

COMMUNITY COLLEGES

APPROPRIATION SUMMARY:

GROSS APPROPRIATION.....	\$	200,000
Total interdepartmental grants and intradepartmental transfers		0
ADJUSTED GROSS APPROPRIATION	\$	200,000
Total federal revenues		0
Total local revenues		0
Total private revenues		0
Total other state restricted revenues		0
State general fund/general purpose	\$	200,000

For Fiscal Year
Ending Sept. 30,
2006

Sec. 152. OPERATIONS (PREPARED FOR JOBS)

Mid Michigan Community College.....	\$	200,000
GROSS APPROPRIATION.....	\$	200,000
Appropriated from:		
State general fund/general purpose	\$	200,000”

and adjusting the subtotals, totals, and section 1201 accordingly.

The motion was seconded and the amendment was adopted, a majority of the members serving voting therefor.
The question being on the passage of the bill,

Rep. Casperson moved to amend the bill as follows:

1. Amend page 28, line 25, by striking out all of section 102 and inserting:

“Sec. 102. OPERATIONS (PREPARED FOR JOBS)

Alpena Community College.....	\$	4,879,400
Bay de Noc Community College.....		4,926,800
Delta College.....		13,231,500
Glen Oaks Community College.....		2,222,000
Gogebic Community College.....		4,025,900
Grand Rapids Community College.....		16,616,100
Henry Ford Community College.....		20,225,000
Jackson Community College.....		11,180,600
Kalamazoo Valley Community College.....		11,452,200
Kellogg Community College.....		8,987,800
Kirtland Community College.....		2,732,800
Lake Michigan College.....		4,844,100
Lansing Community College.....		28,733,300
Macomb Community College.....		30,675,000
Mid Michigan Community College.....		4,291,300
Monroe County Community College.....		3,986,200
Montcalm Community College.....		2,875,000
C.S. Mott Community College.....		14,511,700
Muskegon Community College.....		8,251,000
North Central Michigan College.....		2,796,100
Northwestern Michigan College.....		8,414,700
Oakland Community College.....		19,371,100
St. Clair County Community College.....		6,495,000
Schoolcraft College.....		11,335,000
Southwestern Michigan College.....		6,088,700
Washtenaw Community College.....		11,608,300
Wayne County Community College.....		15,126,000
West Shore Community College.....		2,124,100
GROSS APPROPRIATION.....	\$	282,006,700

Appropriated from:

State general fund/general purpose	\$	282,006,700”
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and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 30, line 8, by striking out “645,400” and inserting “245,400” and adjusting the subtotals, totals, and section 201 accordingly.

3. Amend page 30, following line 13, by inserting:

**“PART 1A
LINE-ITEM APPROPRIATION
FISCAL YEAR 2005-2006**

Sec. 151. Subject to the conditions set forth in this article, the amounts listed in this part are appropriated for community colleges and certain other state purposes relating to education for the fiscal year ending September 30, 2006, from the funds indicated in this part. The following is a summary of the appropriations in this part:

COMMUNITY COLLEGES

APPROPRIATION SUMMARY:

GROSS APPROPRIATION.....	\$	200,000
Total interdepartmental grants and intradepartmental transfers		0
ADJUSTED GROSS APPROPRIATION	\$	200,000
Total federal revenues		0

	For Fiscal Year Ending Sept. 30, 2006
Total local revenues	0
Total private revenues	0
Total other state restricted revenues	0
State general fund/general purpose	\$ 200,000
Sec. 152. OPERATIONS (PREPARED FOR JOBS)	
Bay de Noc Community College.....	\$ 200,000
GROSS APPROPRIATION.....	\$ 200,000
Appropriated from:	
State general fund/general purpose	\$ 200,000”.

4. Amend page 48, following line 2, by inserting:

“PART 2A
PROVISIONS CONCERNING APPROPRIATIONS FOR
FISCAL YEAR 2005-2006

GENERAL SECTIONS

Sec. 1201. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1A for fiscal year 2005-2006 is \$200,000.00 and state spending from state resources to be paid to local units of government for fiscal year 2005-2006 is \$200,000.00. The itemized statement below identifies appropriations from which spending to local units of government will occur:

Operations.....	\$ 200,000
TOTAL	\$ 200,000

Sec. 1202. The appropriations authorized under part 1A of this article are subject to the management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594.” and adjusting the subtotals, totals, and section 201 accordingly.

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

The question being on the passage of the bill,

Rep. Pastor moved to amend the bill as follows:

1. Amend page 36, following line 26, by inserting:

“Sec. 250. A community college shall not enter into any contract for construction, alteration, repair, or special maintenance that discriminates against a person based upon race, color, religion, sex, national origin, height, weight, age, marital status, or other legally protected characteristic, membership, or nonmembership in any labor organization, or requires that any bidder, contractor, subcontractor, or construction management enter into, or adhere to, agreements with 1 or more labor organizations with respect to the contract or any related construction contract.”.

2. Amend page 385, following line 22, by inserting:

“Sec. 221. A state university shall not enter into any contract for construction, alteration, repair, or special maintenance that discriminates against a person based upon race, color, religion, sex, national origin, height, weight, age, marital status, or other legally protected characteristic, membership, or nonmembership in any labor organization, or requires that any bidder, contractor, subcontractor, or construction management enter into, or adhere to, agreements with 1 or more labor organizations with respect to the contract or any related construction contract.”.

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

The question being on the passage of the bill,

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

1. Amend page 50, line 27, by striking out “4,963,800” and inserting “5,163,800” and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 51, line 14, by striking out “2,461,509,800” and inserting “2,461,709,800” and adjusting the subtotals, totals, and section 201 accordingly.

3. Amend page 51, line 21, by striking out “1,159,885,700” and inserting “1,160,085,700” and adjusting the subtotals, totals, and section 201 accordingly.

4. Amend page 83, line 17, by striking out all of section 403 and inserting:

“Sec. 403. From the funds appropriated in part 1 for multicultural services, the department shall ensure that CMHSPs or specialty prepaid health plans meet with multicultural service providers to develop a workable framework for contracting, service delivery, and reimbursement.”.

5. Amend page 101, following line 17, by inserting:

“Sec. 475. From the funds appropriated in part 1 for multicultural services, \$990,000.00 shall be allocated to the Jewish federation of metropolitan Detroit.”.

6. Amend page 107, line 3, by striking out all of section 713 and inserting:

“Sec. 713. The department is directed to continue support of multicultural agencies that provide primary care services from the funds appropriated in part 1 and to ensure that 100% of these funds are allocated to these agencies in a timely fashion.”.

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

The question being on the passage of the bill,

Rep. Caswell moved to amend the bill as follows:

1. Amend page 50, following line 12, by inserting:

“Cost allocation work group..... 100,000”.

2. Amend page 50, line 13, by striking out “50,317,200” and inserting “50,417,200”.

3. Amend page 50, line 20, by striking out “14,442,100” and inserting “14,542,100” and adjusting the subtotals, totals, and section 201 accordingly.

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

The question being on the passage of the bill,

Rep. Caswell moved to amend the bill as follows:

1. Amend page 162, following line 20, by inserting:

“Sec. 1764. The department will annually certify rates paid to Medicaid health plans as being actuarially sound in accordance with federal requirements and will provide a copy of the rate certification and approval immediately to the house of representatives and senate appropriations subcommittees on community health and the house and senate fiscal agencies.”.

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

Rep. Ward moved to reconsider the vote by which the House adopted the amendment.

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

The question being on the adoption of the amendment offered by Rep. Caswell,

Rep. Ward moved that consideration of the amendment be postponed temporarily.

The motion prevailed.

The question being on the passage of the bill,

Rep. Caswell moved to amend the bill as follows:

1. Amend page 61, line 1, by striking out “14,870,200” and inserting “16,105,300” and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 61, line 9, by striking out “375,400” and inserting “1,610,500” and adjusting the subtotals, totals, and section 201 accordingly.

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

The question being on the passage of the bill,

Rep. Hoogendyk moved to amend the bill as follows:

1. Amend page 59, following line 12, by inserting:

“Ultrasound equipment fund..... 100,000”

and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 59, line 19, by striking out “\$4,648,400” and inserting “\$4,748,400” and adjusting the subtotals, totals, and section 201 accordingly.

3. Amend page 117, following line 26, by inserting:

“Sec. 1115. From the funds appropriated in part 1 for ultrasound equipment fund, \$100,000.00 shall be deposited to the ultrasound equipment fund created within the state treasury pursuant to section 9141 of the public health code, 1978 PA 368, MCL 333.9141. The funds shall be used to provide grants for the purchase of ultrasound equipment and for administration of the grant program pursuant to section 9141 of the public health code, 1978 PA 368, MCL 333.9141.”.

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

The question being on the passage of the bill,

Rep. Pastor moved to amend the bill as follows:

1. Amend page 96, line 13, by striking out all of section 459.

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

The question being on the passage of the bill,

Rep. Nofs moved to amend the bill as follows:

1. Amend page 213, following line 23, by inserting:

“Sec. 1013. (1) Except as provided by subsection (2), the department shall impose a 35% surcharge on all items purchased by prisoners in state facilities. The 35% surcharge shall be separate from and in addition to any other surcharge or mark-up imposed on goods purchased by prisoners before the effective date of this section; the department may continue to mark up items as necessary to meet costs, fulfill the assumptions of part 1 of this article regarding resident store revenue, and support prisoner benefit funds at the same level that existed prior to the effective date of this section. The department shall increase the maximum amount, if any, of money or scrip that prisoners are allowed to spend, in accordance with this section.

(2) The following items shall be exempt from the 35% surcharge imposed by this section:

- (a) Mandatory health care products.
- (b) Over-the-counter personal care products.
- (c) Hygiene products.
- (d) Stationery.
- (e) Cosmetics.

(3) The department shall remit the total of the surcharges imposed under this section quarterly to the state treasurer for deposit in the trooper recruit school fund created under section 819b of the Michigan vehicle code, 1949 PA 300, MCL 257.819b. Funds generated under this section for the trooper recruit school fund may be appropriated only for training new state police trooper recruits and may not be appropriated for any other purpose.”.

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

The question being on the passage of the bill,

Rep. Mortimer moved to amend the bill as follows:

1. Amend page 234, line 17, after “theories.” by inserting “The subject area content expectations for social studies shall not prohibit or discourage the use of the word ‘American’ in referring to a citizen of the United States.”.

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

The question being on the passage of the bill,

The question being on the adoption of the amendment offered previously by Rep. Caswell,

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

The question being on the passage of the bill,

Rep. Farhat moved to amend the bill as follows:

1. Amend page 228, following line 18, by inserting:

“Sec. 221. The department, in collaboration with the Michigan commission on law enforcement standards, shall contract for a statewide standardized crisis management system that provides first responders and emergency managers with fact-based information when responding to emergencies at public schools.”.

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

The question being on the passage of the bill,

Rep. Brandenburg moved to amend the bill as follows:

1. Amend page 251, line 16, by striking out “\$252,241,400.00” and inserting “\$283,229,200.00”.

2. Amend page 251, line 18, by striking out “\$5,150,000.00” and inserting “\$5,650,000.00”.

3. Amend page 251, following line 22, by inserting:

“City of St. Clair Shores – Lange/Revere Canals 500,000”.

4. Amend page 252, line 4, by striking out “5,150,000” and inserting “5,650,000”.

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

The question being on the passage of the bill,

Rep. Farhat moved to amend the bill as follows:

1. Amend page 249, following line 21, by inserting:

“Muskegon County 200,000”.

2. Amend page 250, line 21, by striking out “5,779,900” and inserting “5,979,900” and adjusting the subtotals, totals, and section 201 accordingly.

3. Amend page 273, following line 18, by inserting:

“Sec. 1004. The appropriation in part 1 for Muskegon County is to provide partial funding support for the development of a wetlands at the Muskegon County wastewater treatment facility along the Little Black Creek.”.

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

The question being on the passage of the bill,

Rep. Pastor moved to amend the bill as follows:

1. Amend page 245, by striking out all of line 4.
2. Amend page 245, by striking out all of line 5.
3. Amend page 245, by striking out all of line 19.
4. Amend page 245, by striking out all of line 20.
5. Amend page 245, by striking out all of line 21.
6. Amend page 247, by striking out all of line 17.
7. Amend page 247, by striking out all of line 18.
8. Amend page 248, line 1, by striking out “24,145,600” and inserting “3,276,900”.
9. Amend page 248, by striking out all of line 4, and adjusting the subtotals, totals, and section 201 accordingly.
10. Amend page 265, line 18, by striking out all of section 230.

The motion was seconded and the amendments were adopted, a majority of the members serving voting therefor. The question being on the passage of the bill,

Rep. Newell moved to amend the bill as follows:

1. Amend page 465, following line 25, by inserting:

“Sec. 401. From the funds appropriated in part 1 for domestic violence prevention and treatment, the department shall allocate \$75,000.00 in TANF funds to Barry County for services that comply with all domestic violence board standards and reporting requirements.”.

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

The question being on the passage of the bill,

Reps. Hoogendyk and Huizenga moved to amend the bill as follows:

1. Amend page 306, following line 6, by inserting:

“(14) TOBACCO SECURITIZATION ECONOMIC DEVELOPMENT

Life science technology	\$	1,000,000
GROSS APPROPRIATION.....	\$	1,000,000

Appropriated from:

Special revenue funds:

21st century jobs fund.....	1,000,000
State general fund/general purpose	\$ 0”

and adjusting the subtotals, totals, and section 201 accordingly.”.

2. Amend page 374, following line 26, by inserting:

“Sec. 975. The funds appropriated in part 1 for life science technology shall be allocated to the core technology alliance to implement and fund a grant program for early drug discover.”.

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

The question being on the passage of the bill,

Rep. Shaffer moved to amend the bill as follows:

1. Amend page 440, line 11, by striking out all of line 11 and adjusting the subtotals, totals, and section 201 accordingly.
2. Amend page 440, line 13, by striking out “122,488,000” and inserting “125,488,000” and adjusting the subtotals, totals, and section 201 accordingly.

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

The question being on the passage of the bill,

Rep. Acciavatti moved to amend the bill as follows:

1. Amend page 369, following line 19, by inserting:

“Sec. 949. From the funds appropriated in part 1, the state treasurer shall develop a cost allocation plan to identify the actual costs of work based on time and effort performed by the department of treasury for state restricted transportation funds. The cost allocation plan shall specifically identify the costs of collecting constitutionally restricted motor fuel taxes. The cost allocation plan shall be submitted to the senate and house of representatives standing committees on appropriations subcommittees on general government, the senate and house fiscal agencies, the auditor general, and the state budget director by November 1. The cost allocation plan shall be subject to audit by the auditor general.”.

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

The question being on the passage of the bill,

Reps. Palsrok, Walker and Elsenheimer moved to amend the bill as follows:

1. Amend page 24, line 23, after “program.” by inserting “It is the intent of the legislature that \$975,000.00 from the agricultural development fund created in section 2 of the Julian-Stille value-added act, 2000 PA 322, MCL 285.302,

be allocated to the Cherry Marketing Institute to be used for marketing assessments and for the promotion of the health benefits of tart cherries by the cherry industry administrative board.”.

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

The question being on the passage of the bill,

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

1. Amend page 414, line 16, by striking out “10,094,300” and inserting “10,594,300” and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 430, following line 21, by inserting:

“Sec. 408. From the funds appropriated in article 9, section 104, arts and cultural grants, at least \$800,000.00 shall be made available exclusively for grants to organizations that operate and maintain multi-cultural heritage centers as determined by the MCACA. These funds may be used to support programs or facility maintenance.”.

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

The question being on the passage of the bill,

Rep. Casperson moved to amend the bill as follows:

1. Amend page 379, line 20, by striking out “45,164,600” and inserting “46,164,600” and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 398, following line 21, by inserting:

“(c) An amount of \$1,000,000.00 for Northern Michigan University to aid the university in the transition to the state university funding model described in this section.”.

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

The question being on the passage of the bill,

Rep. Kooiman moved to amend the bill as follows:

1. Amend page 411, line 16, after “teaching” by striking out the balance of the line through “German” on line 18 and inserting “in critical shortage areas, as determined by the superintendent of public instruction”.

2. Amend page 411, line 19, by striking out all of section 712 and inserting:

“Sec. 712. Not later than February 1, 2007, each of Michigan’s public universities shall submit to the state budget director, members of the house of representatives and the senate, and the house and senate fiscal agencies a report on all of the following for academic year 2005-2006 for the university:

(a) The amount of private, state, and federal research funding sought after, pledged, or received.

(b) The number of businesses, companies, or organizations that used licensed or patented technology developed at the university.

(c) How many of those businesses, companies, or organizations are domiciled in the state of Michigan and whose primary business location is the state of Michigan.

(d) How many jobs were created in Michigan as a direct result of any new businesses, companies, or organizations that were created or any businesses, companies, or organizations that expanded, if known. The university shall make a concerted effort to obtain this information.

(e) The length of time it took for the university to transfer its technology outside the university. The metric used to measure technology transfer shall be the date of disclosure to the date a licensure or option agreement is executed.

(f) The number of patent applications filed by that university, the number of patents granted to that university, and the number of those patents that were used commercially within the state of Michigan.

(g) Intellectual property rights policies.

(h) The number of jobs created or retained in the state of Michigan that are directly attributable to research and technology transfer at the university, if known. The university shall make a concerted effort to obtain this information.

(i) The number of students who graduated from the university with an advanced degree in mathematics, science, health care, or engineering, and the number of those graduates that remained in Michigan to work and how long and in what capacity they plan to work, if known. The university shall make a concerted effort to obtain this information.”.

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

The question being on the passage of the bill,

Rep. Hummel moved to amend the bill as follows:

1. Amend page 541, following line 22, by inserting:

“Sec. 313. It is the intent of the legislature that from the funds appropriated in part 1 for the training institute, training shall be provided to judges on judicial responsibilities under Michigan rules of evidence pertaining to expert witnesses. Training shall include, but not be limited to, instruction on the responsibility of the courts to guard against and exclude unreliable expert testimony and in regard to all of the following:

(a) Whether expert witness testimony is needed.

(b) Whether an individual proposed as an expert witness meets Michigan standards on qualification as an expert witness.

(c) Whether the manner in which an expert witness extrapolates and interprets data is science-based with sufficient facts to support the data.

(d) Whether a proposed expert’s testimony correctly applies well-established principles and methods to the facts of the case.

(e) Whether the alleged facts or data upon which an expert witness’s opinion is based are likely to be allowed as evidence in the case.”.

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

The question being on the passage of the bill,

Rep. Mortimer moved to amend the bill as follows:

1. Amend page 548, line 15, by striking out “20,019,200” and inserting “20,119,200”.

2. Amend page 549, line 17, by striking out “217,500” and inserting “317,500”.

3. Amend page 572, following line 11, by inserting:

“Sec. 353. From the funds appropriated in part 1 for commercial services, the department shall allocate \$100,000.00 for the resumption of printing of the red book. The red book shall include, but is not limited to, real estate laws and regulations and related statutes.”.

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

The question being on the passage of the bill,

Reps. Gosselin, Marleau, LaJoy and Drolet moved to amend the bill as follows:

1. Amend page 569, following line 19, by inserting:

“Sec. 319. (1) Of the funds appropriated in part 1, no funds shall be used to support the development and enforcement of, or activities that promote the development and enforcement of, guidelines, standards, protocols, or other similar mandates that place more onerous measures on professional employment organizations than currently prescribed by statute.

(2) The department shall use the funds appropriated in part 1 to implement the current section 22b of the Michigan employment security act, 1939 (Ex Sess) PA 1, MCL 421.22b.

(3) As used in this section, a professional employer organization is defined as an organization that provides the management and administration of the human resources and employer risk of another entity by contractually assuming substantial employer rights, responsibilities, and risk through a professional employer agreement that establishes an employer relationship with the leased officers or employees assigned to the other entity by doing all of the following:

(a) Maintaining the right of direction and control of the employees’ work, although this responsibility may be shared with the other entity.

(b) Paying wages and employment taxes of the employees out of its own accounts.

(c) Reporting, collecting, and depositing state and federal employment taxes for the employees.

(d) Retaining the right to hire and fire employees.”.

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

The question being on the passage of the bill,

Rep. Farhat moved to amend the bill as follows:

1. Amend page 548, line 13, by striking out all of line 13 and inserting:

“Fire fighting training council.....	1,710,400
Fire marshal program.....	432,600
Fire safety program funding—57.0 FTE positions	4,190,100”.

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

The question being on the passage of the bill,

Rep. Brandenburg moved to amend the bill as follows:

1. Amend page 550, line 25, after “Wage and hour division” by striking out “31.0” and inserting “35.0”.

2. Amend page 550, line 25, by striking out “2,670,500” and inserting “2,670,600”.

3. Amend page 551, line 15, by striking out “9,946,400” and inserting “9,946,500” and adjusting the subtotals, totals, and section 201 accordingly.

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

The question being on the passage of the bill,

Rep. Ward moved to amend the bill as follows:

1. Amend page 641, following line 17, by inserting:

“Island Lake shooting range dispute resolution.....	500,000”.
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2. Amend page 642, line 6, by striking out “0” and inserting “500,000” and adjusting the subtotals, totals, and section 201 accordingly.

3. Amend page 660, following line 10, by inserting:

“Sec. 709. The appropriation in section 108 for dispute resolution – Island Lake shooting range is available to pay for expenses necessary to follow recommendations of an adjudicating body to resolve use conflicts at Island Lake state park.”.

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

The question being on the passage of the bill,

Rep. Baxter moved to amend the bill as follows:

1. Amend page 646, following line 1, by inserting:

“Grant to Jackson County - Cascades park..... 500,000”.

2. Amend page 646, line 5, by striking out “0” and inserting “500,000” and adjusting the subtotals, totals, and section 201 accordingly.

3. Amend page 662, following line 25, by inserting:

“Sec. 1103. The grant to Jackson County – Cascades park is contingent on the availability of \$500,000.00 matching funds.”.

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

The question being on the passage of the bill,

Rep. Casperson moved to amend the bill as follows:

1. Amend page 661, following line 6, by inserting:

“Sec. 804. Of the funds appropriated in part 1, the department shall, subject to the forest certification process, prescribe appropriate treatment on not less than 63,000 acres at the current average rate of 12.5 to 13 cords per acre, and put those cords up for sale in 2007, provided that the department shall take into consideration the impact of timber harvesting on wildlife habitat and recreation uses. The department shall, subject to the forest certification process, increase marking or treatment of hardwood timber for sale and harvest by 10% over 2005 levels. In addition, the department shall take into consideration silvicultural analysis and report annually to the legislature on plans and efforts to address factors limiting management of timber. The department shall provide quarterly reports on the number of acres treated, pursuant to this section, to the senate and house appropriations subcommittees on natural resources and the standing committees of the senate and house of representatives with primary responsibility for natural resources issues.”.

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

The question being on the passage of the bill,

Rep. Nitz moved to amend the bill as follows:

1. Amend page 666, line 25, by striking out “14,024,700” and inserting “15,524,700” and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 667, line 9, by striking out “536,500” and inserting “2,036,500” and adjusting the subtotals, totals, and section 201 accordingly.

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

The question being on the passage of the bill,

Rep. Caul moved to amend the bill as follows:

1. Amend page 683, following line 1, by inserting:

“Sec. 226. The department shall place emphasis on recruiting MCOLES certified police officers for the trooper recruit school. Emphasis shall be given in the hiring process to those officers who are on layoff and possess valid MCOLES certification. Any emphasis given in the recruiting and selection process shall be consistent with the department’s hiring standards and in accordance with civil service rules. The department shall report to the chairpersons of the senate and house of representatives standing committees on appropriations the results of its recruitment and selection process, including the actual number of certified officers selected for the recruit school by September 30, 2007”.

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

The question being on the passage of the bill,

Reps. Schuitmaker and Jones moved to amend the bill as follows:

1. Amend page 690, following line 20, by inserting:

“Sec. 1102. From the funds appropriated in part 1 for special investigations, the department shall utilize 2.0 FTE positions to serve as data collectors for methamphetamine incident reports. The department shall provide a report to

the chairpersons of the senate and house of representatives standing committees on appropriations no later than April 1, 2007 concerning methamphetamine related criminal activities.”.

The motion was seconded and the amendment was adopted, a majority of the members serving voting therefor.
The question being on the passage of the bill,

Rep. Mortimer moved to amend the bill as follows:

1. Amend page 725, following line 8, by inserting:

“Sec. 655. It is the intent of the legislature that the department expend not less than \$32,000.00 for a safe routes to schools project in Eaton Rapids, Michigan, involving extension of and improvements to sidewalks along North State Street from Gould to beyond Greyhound Drive, as well as connecting streets in neighborhoods near Eaton Rapids High School, Eaton Rapids Middle School, Greyhound Intermediate School, and Lockwood Elementary School.”.

The motion was seconded and the amendment was adopted, a majority of the members serving voting therefor.
The question being on the passage of the bill,

Rep. Acciavatti moved to amend the bill as follows:

1. Amend page 722, following line 11, by inserting:

“(4) In addition to the requirements of subsection (3), the state treasurer shall develop a cost allocation plan to identify the actual costs of work based on time and effort performed by the Michigan department of treasury for state-restricted transportation funds. The cost allocation plan shall specifically identify the costs of collecting constitutionally restricted motor fuel taxes. The cost allocation plan shall be submitted to the senate and house of representatives standing committees on appropriations subcommittees on general government, the senate and house fiscal agencies, the auditor general, and the state budget director by November 1. The cost allocation plan shall be subject to audit by the auditor general.”.

The motion was seconded and the amendment was adopted, a majority of the members serving voting therefor.
The question being on the passage of the bill,

Reps. Mortimer and Taub moved to amend the bill as follows:

1. Amend page 725, following line 5, by inserting:

“Sec. 614. From the funds appropriated in part 1, not less than \$15,000,000.00 shall be expended to widen US-127 to 4 lanes between M-50 and US-12.”.

The motion was seconded and the amendment was adopted, a majority of the members serving voting therefor.
The question being on the passage of the bill,

Reps. Baxter and Taub moved to amend the bill as follows:

1. Amend page 725, following line 5, by inserting:

“Sec. 613. From the funds appropriated in part 1, not less than \$500,000.00 shall be expended for the implementation of a comprehensive signage program on I-94, US-127, US-223, M-50, US-23, and I-69 to assist traffic coming from all directions to the Michigan international speedway.”.

The motion was seconded and the amendment was adopted, a majority of the members serving voting therefor.
The question being on the passage of the bill,

Rep. Caswell moved to amend the bill as follows:

1. Amend page 725, following line 8, by inserting:

“Sec. 655. It is the intent of the legislature that the department upgrade that section of M-49 from M-99 to US-12 to standards necessary for designation as a designated highway as provided under sections 717 and 718 of the Michigan vehicle code, 1949 PA 300, MCL 257.717 and 257.718, and for inclusion as a “green” special designated highway on the department’s truck operator’s map.”.

The motion was seconded and the amendment was adopted, a majority of the members serving voting therefor.
The question being on the passage of the bill,

Rep. Caswell moved to amend the bill as follows:

1. Amend page 734, following line 7, by inserting:

“Sec. 738. It is the intent of the legislature that sufficient funds be allocated from the appropriation in section 117 to complete the rehabilitation of rail track between Hillsdale to Quincy.”.

The motion was seconded and the amendment was adopted, a majority of the members serving voting therefor.
The question being on the passage of the bill,

Rep. LaJoy moved to amend the bill as follows:

1. Amend page 718, following line 22, by inserting:

“Sec. 393. No funds appropriated in part 1 may be expended for the study of a new crossing of the Detroit River between Detroit, Michigan and Windsor, Ontario without prior approval of the house and senate committees on transportation.”.

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

The question being on the passage of the bill,

Rep. Taub moved to amend the bill as follows:

1. Amend page 719, line 23, after “parties.” by inserting “The state-restricted transportation funds received in exchange for federal aid shall be used for the same purpose for which the federal aid had been programmed.”.

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

The question being on the passage of the bill,

Rep. Ward moved to amend the bill as follows:

1. Amend page 725, following line 8, by inserting:

“Sec 655. It is the intent of the legislature that the department proceed with a congestion mitigation corridor study of US-23 from M-14 to I-96 in Washtenaw and Livingston counties, including environmental assessment of transportation improvements to US-23.”.

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

The question being on the passage of the bill,

Reps. Booher, Hildenbrand, Pearce and Emmons moved to amend the bill as follows:

1. Amend page 661, following line 6, by inserting:

“Sec. 806. The department shall accept donations for trail development if the donation is for at least \$950,000.00 and the sole condition for the donation is a dedication to a person or group.”.

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

The question being on the passage of the bill,

Rep. Hummel moved to amend the bill as follows:

1. Amend page 63, line 13, by increasing the \$1,226,791,400.00 amount by “\$8,311,800.00” and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 63, line 15, by decreasing the \$293,357,100.00 amount by “\$2,770,600.00” and adjusting the subtotals, totals, and section 201 accordingly.

3. Amend page 64, line 3, by decreasing the \$2,202,846,400.00 amount by “\$5,541,200.00” and adjusting the subtotals, totals, and section 201 accordingly.

4. Amend page 133, line 7, after “services,” by striking out “\$41,558,900.00” and inserting “\$33,247,100.00”.

5. Amend page 133, line 8, by striking out “\$18,128,000.00” and inserting “\$14,502,400.00”.

6. Amend page 162, following line 20, by inserting:

“Sec. 1764. (1) From the funds appropriated in part 1 for hospital services and therapy, \$8,311,800.00 shall be allocated to out-state hospitals based on a formula that is weighted proportional to each eligible hospital’s uncompensated care.

(2) Upon federal approval of the \$5,000,000.00 DSH pool in section 1717, the funding in subsection (1) shall be allocated to increase the pharmacy dispensing fee authorized in section 1620(1) by \$0.62 per prescription. Any amount of funding in subsection (1) that is not expended for the dispensing fee increase shall be expended as specified in subsection (1).”.

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

The question being on the passage of the bill,

Rep. Booher moved to amend the bill as follows:

1. Amend page 30, line 8, by striking out “645,400” and inserting “651,100” and adjusting the subtotals, totals, and section 201 accordingly.

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

The question being on the passage of the bill,

Rep. Pastor moved to amend the bill as follows:

1. Amend page 273, following line 18, by inserting:

“Sec. 1005. Any governmental unit shall be eligible for a loan for each sewage disposal system operated by that unit of government.”.

The motion was seconded and the amendment was adopted, a majority of the members serving voting therefor.
The question being on the passage of the bill,

Rep. Caswell moved to amend the bill as follows:

1. Amend page 379, line 8, by striking out “29,176,400” and inserting “29,476,400” and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 400, following line 24, by inserting:

“Sec. 434. From the funds appropriated in part 1 for the cooperative extension service, \$300,000.00 shall be expended for local 4-H programs. Those expenditures shall be above and beyond the amount of funds expended and distributed under an existing formula for local 4-H programs in previous fiscal years.”.

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

The question being on the passage of the bill,

Rep. Adamini moved to amend the bill.

The question being on the seconding of the motion made by Rep. Adamini,

Rep. Waters demanded the yeas and nays.

The demand was supported.

The question being on the seconding of the motion made by Rep. Adamini,

Point of Order

Rep. Ward requested a point of order on whether the amendment is properly before the House.

The Chair ruled that the amendment is not properly before the House as a bill which amends a statute cannot be tie-barred to an Appropriations bill.

Rep. Waters appealed the decision of the Chair.

The question being, “Shall the judgment of the Chair stand as the judgment of the House?”

The judgment of the Chair stood as the judgment of the House, a majority of the members present voting therefor, by yeas and nays, as follows:

Roll Call No. 578

Yeas—58

Acciavatti	Garfield	Meyer	Rocca
Amos	Gosselin	Moolenaar	Schuitmaker
Ball	Green	Moore	Shaffer
Baxter	Hansen	Mortimer	Sheen
Booher	Hildenbrand	Newell	Stahl
Brandenburg	Hoogendyk	Nitz	Stakoe
Casperson	Huizenga	Nofs	Steil
Caswell	Hummel	Palmer	Stewart
Caul	Hune	Palsrok	Taub
DeRoche	Jones	Pastor	Van Regenmorter
Drolet	Kahn	Pavlov	Vander Veen
Elsenheimer	Kooiman	Pearce	Walker
Emmons	LaJoy	Proos	Ward
Farhat	Law, David	Robertson	Wenke
Gaffney	Marleau		

Nays—48

Accavitti	Condino	Kolb	Polidori
Adamini	Cushingberry	Law, Kathleen	Sak

Anderson	Dillon	Leland	Sheltrown
Angerer	Donigan	Lemmons, III	Smith, Alma
Bennett	Espinoza	Lemmons, Jr.	Smith, Virgil
Bieda	Farrah	Mayes	Spade
Brown	Gillard	McConico	Tobocman
Byrnes	Gleason	McDowell	Vagnozzi
Byrum	Gonzales	Meisner	Waters
Cheeks	Hood	Miller	Williams
Clack	Hopgood	Murphy	Wojno
Clemente	Hunter	Plakas	Zelenko

In The Chair: Kooiman

The question being on the passage of the bill,

Rep. Alma Smith moved to amend the bill.

The question being on the seconding of the motion made by Rep. Alma Smith,

Rep. Waters demanded the yeas and nays.

The demand was supported.

The question being on the seconding of the motion made by Rep. Alma Smith,

The motion did not prevail, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 579

Yeas—48

Accavitti	Condino	Kolb	Polidori
Adamini	Cushingberry	Law, Kathleen	Sak
Anderson	Dillon	Leland	Sheltrown
Angerer	Donigan	Lemmons, III	Smith, Alma
Bennett	Espinoza	Lemmons, Jr.	Smith, Virgil
Bieda	Farrah	Mayes	Spade
Brown	Gillard	McConico	Tobocman
Byrnes	Gleason	McDowell	Vagnozzi
Byrum	Gonzales	Meisner	Waters
Cheeks	Hood	Miller	Williams
Clack	Hopgood	Murphy	Wojno
Clemente	Hunter	Plakas	Zelenko

Nays—58

Acciavatti	Garfield	Meyer	Rocca
Amos	Gosselin	Moolenaar	Schuitmaker
Ball	Green	Moore	Shaffer
Baxter	Hansen	Mortimer	Sheen
Booher	Hildenbrand	Newell	Stahl
Brandenburg	Hoogendyk	Nitz	Stakoe
Casperson	Huizenga	Nofs	Steil
Caswell	Hummel	Palmer	Stewart
Caul	Hune	Palsrok	Taub

DeRoche	Jones	Pastor	Van Regenmorter
Drolet	Kahn	Pavlov	Vander Veen
Elsenheimer	Kooiman	Pearce	Walker
Emmons	LaJoy	Proos	Ward
Farhat	Law, David	Robertson	Wenke
Gaffney	Marleau		

In The Chair: Kooiman

The question being on the passage of the bill,

Rep. Ward moved to amend the bill as follows:

1. Amend page 160, following line 26, by inserting:

“Sec. 1757. The department shall direct the department of human services to obtain proof from all Medicaid recipients that they are legal United States citizens or otherwise legally residing in this country before approving Medicaid eligibility. In all instances in which the department becomes aware that a person that is residing in this country illegally has either obtained or applied for Medicaid, the department shall refer the matter to an appropriate law enforcement authority for further action.”.

The motion was seconded.

The question being on the adoption of the amendment offered by Rep. Ward,

Rep. Ward demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Rep. Ward,

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

Roll Call No. 580

Yeas—77

Accavitti	Drolet	LaJoy	Robertson
Acciavatti	Elsenheimer	Law, David	Rocca
Amos	Emmons	Marleau	Sak
Anderson	Espinoza	Mayer	Schuitmaker
Angerer	Farhat	McDowell	Shaffer
Ball	Gaffney	Meyer	Sheen
Baxter	Garfield	Miller	Sheltrown
Bieda	Gleason	Moolenaar	Spade
Booher	Gosselin	Moore	Stahl
Brandenburg	Green	Mortimer	Stakoe
Brown	Hansen	Newell	Steil
Byrnes	Hildenbrand	Nitz	Stewart
Byrum	Hoogendyk	Nofs	Taub
Casperson	Huizenga	Palmer	Van Regenmorter
Caswell	Hummel	Palsrok	Vander Veen
Caul	Hune	Pastor	Walker
Clemente	Jones	Pavlov	Ward
DeRoche	Kahn	Pearce	Wenke
Dillon	Kooiman	Proos	Wojno
Donigan			

Nays—28

Bennett	Gonzales	Lemmons, III	Smith, Alma
Cheeks	Hood	Lemmons, Jr.	Smith, Virgil
Clack	Hopgood	McConico	Tobocman
Condino	Hunter	Meisner	Vagnozzi

Cushingberry
 Farrah
 Gillard

Kolb
 Law, Kathleen
 Leland

Murphy
 Plakas
 Polidori

Waters
 Williams
 Zelenko

In The Chair: Kooiman

The question being on the passage of the bill,

Rep. Jones moved to amend the bill as follows:

1. Amend page 569, following line 19, by inserting:

“Sec. 318. (1) Of the funds appropriated in part 1, no funds shall be used to support the development of, staffing of, or activities promoting the development of guidelines, rules, standards, protocols, or other similar mandates that are more stringent than federal voluntary ergonomics guidelines. This section does not prohibit any person from adopting, or working with the state to develop, voluntary ergonomics standards.

(2) On March 1, 2007 and September 1, 2007, the department shall provide a report to the fiscal agencies and appropriations subcommittees of any staffing time or activities regarding the development of a voluntary or mandatory, or both, ergonomic standard, whether contained in rules, guidelines, policy directives, or bulletins.”.

The motion was seconded.

The question being on the adoption of the amendment offered by Rep. Jones,

Rep. Ward demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Rep. Jones,

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

Roll Call No. 581

Yeas—57

Acciavatti
 Amos
 Ball
 Baxter
 Booher
 Brandenburg
 Casperson
 Caswell
 Caul
 DeRoche
 Drolet
 Elsenheimer
 Emmons
 Gaffney
 Garfield

Gosselin
 Green
 Hansen
 Hildenbrand
 Hoogendyk
 Huizenga
 Hummel
 Hune
 Jones
 Kahn
 Kooiman
 LaJoy
 Law, David
 Marleau

Meyer
 Moolenaar
 Moore
 Mortimer
 Newell
 Nitz
 Nofs
 Palmer
 Palsrok
 Pastor
 Pavlov
 Pearce
 Proos
 Robertson

Rocca
 Schuitmaker
 Shaffer
 Sheen
 Stahl
 Stakoe
 Steil
 Stewart
 Taub
 Van Regenmorter
 Vander Veen
 Walker
 Ward
 Wenke

Nays—49

Accavitti
 Adamini
 Anderson
 Angerer
 Bennett
 Bieda
 Brown
 Byrnes
 Byrum
 Cheeks

Cushingberry
 Dillon
 Donigan
 Espinoza
 Farhat
 Farrah
 Gillard
 Gleason
 Gonzales
 Hood

Kolb
 Law, Kathleen
 Leland
 Lemmons, III
 Lemmons, Jr.
 Mayes
 McConico
 McDowell
 Meisner
 Miller

Polidori
 Sak
 Sheltroun
 Smith, Alma
 Smith, Virgil
 Spade
 Tobocman
 Vagnozzi
 Waters
 Williams

Clack
Clemente
Condino

Hopgood
Hunter

Murphy
Plakas

Wojno
Zelenko

In The Chair: Kooiman

Rep. Bieda, having reserved the right to explain his nay vote, made the following statement:

“Mr. Speaker and members of the House:

This amendment, offered for the first time at 11:50 pm, is a anti-worker protection measure that will do nothing to improve the state’s business climate or competitiveness, and much to restrict the valid operation of state governmental efforts to improve the health and safety of workers in this state. Thus I voted ‘no’ on record roll call vote 581.”

The question being on the passage of the bill,

Rep. Alma Smith moved to amend the bill.

The question being on the seconding of the motion made by Rep. Alma Smith,

Rep. Alma Smith demanded the yeas and nays.

The demand was supported.

The question being on the seconding of the motion made by Rep. Alma Smith,

The motion did not prevail, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 582

Yeas—50

Accavitti	Cushingberry	Kolb	Polidori
Adamini	Dillon	Law, Kathleen	Sak
Anderson	Donigan	Leland	Sheltrown
Angerer	Espinoza	Lemmons, III	Smith, Alma
Bennett	Farrah	Lemmons, Jr.	Smith, Virgil
Bieda	Gaffney	Mayes	Spade
Brown	Gillard	McConico	Tobocman
Byrnes	Gleason	McDowell	Vagnozzi
Byrum	Gonzales	Meisner	Waters
Cheeks	Hood	Miller	Williams
Clack	Hopgood	Murphy	Wojno
Clemente	Hune	Plakas	Zelenko
Condino	Hunter		

Nays—56

Acciavatti	Garfield	Meyer	Rocca
Amos	Gosselin	Moolenaar	Schuitmaker

Ball	Green	Moore	Shaffer
Baxter	Hansen	Mortimer	Sheen
Booher	Hildenbrand	Newell	Stahl
Brandenburg	Hoogendyk	Nitz	Stakoe
Casperson	Huizenga	Nofs	Steil
Caswell	Hummel	Palmer	Stewart
Caul	Jones	Palsrok	Taub
DeRoche	Kahn	Pastor	Van Regenmorter
Drolet	Kooiman	Pavlov	Vander Veen
Elsenheimer	LaJoy	Pearce	Walker
Emmons	Law, David	Proos	Ward
Farhat	Marleau	Robertson	Wenke

In The Chair: Kooiman

The question being on the passage of the bill,

After debate,

Rep. Ward demanded the previous question.

The demand was supported.

The question being, "Shall the main question now be put?"

The previous question was ordered.

The question being on the passage of the bill,

The bill was then passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 583

Yeas—60

Acciavatti	Gaffney	Marleau	Robertson
Amos	Garfield	McDowell	Rocca
Ball	Gosselin	Meyer	Schuitmaker
Baxter	Green	Moolenaar	Shaffer
Booher	Hansen	Moore	Sheen
Brandenburg	Hildenbrand	Mortimer	Stahl
Casperson	Hoogendyk	Newell	Stakoe
Caswell	Huizenga	Nitz	Steil
Caul	Hummel	Nofs	Stewart
DeRoche	Hune	Palmer	Taub
Drolet	Jones	Palsrok	Van Regenmorter
Elsenheimer	Kahn	Pastor	Vander Veen
Emmons	Kooiman	Pavlov	Walker
Espinoza	LaJoy	Pearce	Ward
Farhat	Law, David	Proos	Wenke

Nays—46

Accavitti	Condino	Law, Kathleen	Sak
Adamini	Cushingberry	Leland	Sheltrown
Anderson	Dillon	Lemmons, III	Smith, Alma
Angerer	Donigan	Lemmons, Jr.	Smith, Virgil
Bennett	Farrah	Mayes	Spade
Bieda	Gillard	McConico	Tobocman
Brown	Gleason	Meisner	Vagnozzi
Byrnes	Gonzales	Miller	Waters
Byrum	Hood	Murphy	Williams
Cheeks	Hopgood	Plakas	Wojno

Clack
Clemente

Hunter
Kolb

Polidori

Zelenko

In The Chair: Kooiman

The House agreed to the title of the bill.

Rep. Ward moved that House Committees be given leave to meet during the balance of today's session.
The motion prevailed.

Rep. Ward moved that when the House adjourns today it stand adjourned until Thursday, May 25, at 12:01 a.m.
The motion prevailed.

Introduction of Bills

Rep. Drolet introduced

House Bill No. 6101, entitled

A bill to amend 2000 PA 489, entitled "Michigan trust fund act," by amending sections 2 and 9 (MCL 12.252 and 12.259), section 2 as amended and section 9 as added by 2005 PA 232; and to repeal acts and parts of acts.

The bill was read a first time by its title and referred to the Committee on Government Operations.

Rep. Drolet introduced

House Bill No. 6102, entitled

A bill to repeal 2005 PA 226, entitled "Michigan tobacco settlement finance authority act," (MCL 129.261 to 129.279).

The bill was read a first time by its title and referred to the Committee on Government Operations.

Rep. Drolet introduced

House Bill No. 6103, entitled

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," by amending sections 4, 5, 7, and 13 (MCL 125.2004, 125.2005, 125.2007, and 125.2013), as amended by 2005 PA 225; and to repeal acts and parts of acts.

The bill was read a first time by its title and referred to the Committee on Government Operations.

Reps. Acciavatti and Steil introduced

House Bill No. 6104, entitled

A bill to amend 1967 (Ex Sess) PA 7, entitled "Urban cooperation act of 1967," by amending section 5 (MCL 124.505), as amended by 1985 PA 10.

The bill was read a first time by its title and referred to the Committee on Local Government and Urban Policy.

Reps. Rocca, Brandenburg, Acciavatti, Gosselin, Palsrok, Stahl, Garfield, Stewart, Stakoe, Ward, Marleau, Casperson and Drolet introduced

House Bill No. 6105, entitled

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public and certain private utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers;

to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts,” by amending section 6 (MCL 460.6), as amended by 2005 PA 190, and by adding section 6q.

The bill was read a first time by its title and referred to the Committee on Local Government and Urban Policy.

Reps. Angerer, Spade, McDowell, Sheltroun, Adamini, Brown, Lemmons, Jr., Cushingberry, Sak, Gillard, Condino, Accavitti, Wojno, Gleason, Clack, Gonzales, Donigan, Kathleen Law, Vagnozzi, Miller, Leland, Kolb, Clemente, Anderson, Farrah, Hood, Bennett, Espinoza, Plakas, Tobocman, Mayes, Polidori, Meisner, Zelenko, Williams, Hopgood, Alma Smith, Waters, Byrum and Byrnes introduced

House Bill No. 6106, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 483a (MCL 750.483a), as added by 2000 PA 451.

The bill was read a first time by its title and referred to the Committee on Judiciary.

Reps. Miller, Lemmons, Jr., Bennett, Byrum, Condino, Accavitti, Wojno, Gleason, Clack, Gonzales, Kathleen Law, Vagnozzi, Polidori, Meisner, Spade, Zelenko, Williams, Hopgood, Alma Smith, Waters, Gillard, Kolb, Clemente, Anderson, Farrah, Hood, Espinoza, Angerer, Tobocman, Mayes and Leland introduced

House Bill No. 6107, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16x of chapter XVII (MCL 777.16x), as amended by 2006 PA 40.

The bill was read a first time by its title and referred to the Committee on Judiciary.

Reps. Mayes, Huizenga, Meisner and Spade introduced

House Bill No. 6108, entitled

A bill to amend 2000 PA 146, entitled “Obsolete property rehabilitation act,” by amending section 8 (MCL 125.2788).

The bill was read a first time by its title and referred to the Committee on Commerce.

Reps. Jones, Stakoe, Steil, Wenke, Alma Smith, Schuitmaker, Acciavatti, Nofs, Hune, Nitz, Espinoza, Miller, Newell, Gosselin, Cushingberry, Ball, Vander Veen, Green, Marleau, Gaffney, Mortimer, Sheltroun, Brandenburg, Stahl, LaJoy, Pearce, Kahn, Hansen, Elsenheimer and Sheen introduced

House Bill No. 6109, entitled

A bill to restrict the use and disclosure of certain statements made by law enforcement officers.

The bill was read a first time by its title and referred to the Committee on Judiciary.

Rep. Moore moved that the House adjourn.

The motion prevailed, the time being 11:55 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, May 25, at 12:01 a.m.

