

**No. 14**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**93rd Legislature**  
**REGULAR SESSION OF 2006**

---

---

House Chamber, Lansing, Tuesday, February 14, 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—present	Sak—present
Amos—present	Farhat—present	Lemmons, Jr.—present	Schuitmaker—present
Anderson—present	Farrah—present	Lipsey—present	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—excused	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	Whitmer—present
Dillon—present	Kooiman—present	Plakas—present	Williams—present
Donigan—present	LaJoy—present	Polidori—present	Wojno—present
Drolet—present	Law, David—present	Proos—present	Zelenko—present

e/d/s = entered during session

Rep. George Cushingberry, Jr., from the 8th District, offered the following invocation:

“Almighty Father, omnipotent and omniscient God of the Torah, the Bible and the Koran, we ask You today to bless us and to forgive us of our sins. Father, be with us as we travel the byways and highways of this great state. Let us remember that Jesus taught us the greatest of all commandments are two; to love You and to love others as ourselves. Let us demonstrate our love by giving peace to those who are in prison, by assisting the poor and less fortunate, by being there for the sick and afflicted and by bringing love, truth and kindness to all that we meet. On this St. Valentine’s Day we ask You to cloak us in Your spirit so that we may produce love for Your society. Amen.”

---

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

### **Motions and Resolutions**

Reps. Taub, Accavitti, Ball, Bieda, Brandenburg, Byrum, Condino, Elsenheimer, Farhat, Garfield, Gosselin, Green, Hildenbrand, LaJoy, Lemmons, III, Lemmons, Jr., Marleau, Miller, Palmer, Palsrok, Pastor, Proos, Rocca, Shaffer, Virgil Smith, Vander Veen, Waters, Wojno and Zelenko offered the following resolution:

#### **House Resolution No. 197.**

A resolution commemorating March 2006 as Ethnic and Cultural Heritage Month in the state of Michigan.

Whereas, The culture of the people in the state of Michigan has continually been renewed and enriched by the many different people who have chosen to come to Michigan, become citizens, and call this state their home for many decades; and

Whereas, Each individual brings with them a part of his or her own heritage. Over time, each heritage becomes part of our common heritage, leading us to become more unified people; and

Whereas, Michigan is fortunate to count among its population large numbers of citizens of numerous descents who, together, make important contributions to our economy and society through their commitment to numerous professions, commerce, family, and the arts; and

Whereas, We must foster an interest in the heritage, culture, and history of all people. We must pass that understanding and knowledge on to the next generation, awakening awareness in every American community of the quality of contributions that all types of ethnicities can bring to our modern American lifestyle as we realize that we are all Americans together; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body commemorate March 2006 as Ethic and Cultural Heritage Month in the state of Michigan.

Pending the reference of the resolution to a committee,

Rep. Ward moved that Rule 77 be suspended and the resolution be considered at this time.

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

The question being on the adoption of the resolution,

The resolution was adopted.

### **Reports of Standing Committees**

The Committee on Government Operations, by Rep. Drolet, Chair, reported

#### **House Bill No. 5521, entitled**

A bill to amend 1971 PA 140, entitled “Glenn Steil state revenue sharing act of 1971,” (MCL 141.901 to 141.921) by adding section 20a.

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. Drolet, Hoogendyk, Gosselin, Garfield and Sheen

Nays: Reps. Tobocman and Lemmons, III

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Drolet, Chair, of the Committee on Government Operations, was received and read:

Meeting held on: Tuesday, February 14, 2006

Present: Reps. Drolet, Hoogendyk, Gosselin, Garfield, Sheen, Tobocman and Lemmons, III

Absent: Reps. Emmons and Lipsey

Excused: Reps. Emmons and Lipsey

The Committee on Senior Health, Security, and Retirement, by Rep. Vander Veen, Chair, reported

**House Bill No. 5348, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3901 (MCL 500.3901), as added by 1992 PA 84, and by adding section 3902; and to repeal acts and parts of acts.

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. Vander Veen, Green, Stahl, Proos, Zelenko, Clack and Vagnozzi

Nays: None

The Committee on Senior Health, Security, and Retirement, by Rep. Vander Veen, Chair, reported

**House Bill No. 5349, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 3915, 3927, 3935, and 3942 (MCL 500.3915, 500.3927, 500.3935, and 500.3942), as added by 1992 PA 84, and by adding sections 3906, 3910, 3910a, 3910b, 3925, 3926, 3926a, 3941a, and 3942b.

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. Vander Veen, Green, Stahl, Proos, Zelenko and Clack

Nays: None

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Vander Veen, Chair, of the Committee on Senior Health, Security, and Retirement, was received and read:

Meeting held on: Tuesday, February 14, 2006

Present: Reps. Vander Veen, Green, Stahl, Proos, Zelenko, Clack and Vagnozzi

Absent: Reps. Van Regenmorter and Polidori

Excused: Reps. Van Regenmorter and Polidori

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Elsenheimer, Chair, of the Committee on Tort Reform, was received and read:  
 Meeting held on: Tuesday, February 14, 2006  
 Present: Reps. Elsenheimer, Kahn, Gaffney, Huizenga, Hune, Adamini, McConico and Bieda

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Gaffney, Chair, of the Committee on Health Policy, was received and read:  
 Meeting held on: Tuesday, February 14, 2006  
 Present: Reps. Gaffney, Robertson, Vander Veen, Hune, Nofs, Ball, Green, Kahn, Mortimer, Adamini, Wojno, McDowell, Murphy, Gleason and Angerer  
 Absent: Reps. Newell and Ward  
 Excused: Reps. Newell and Ward

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Nitz, Chair, of the Committee on Agriculture, was received and read:  
 Meeting held on: Tuesday, February 14, 2006  
 Present: Reps. Nitz, Ball, Casperson, Stahl, Proos, Hune, Mayes, Spade, Kathleen Law and Sheltroun  
 Absent: Rep. Newell  
 Excused: Rep. Newell

**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 Friday, February 10:

**House Bill Nos. 5660 5661 5662 5663 5664 5665 5666 5667 5668 5669 5670**  
**House Joint Resolution S**  
**Senate Bill Nos. 1042 1043 1044**

The Clerk announced the enrollment printing and presentation to the Governor on Tuesday, February 14, for her approval of the following bill:

**Enrolled House Bill No. 5471 at 10:20 a.m.**

The Clerk announced that the following Senate bills had been received on Tuesday, February 14:

**Senate Bill Nos. 1024 1026 1027 1028 1029 1030**

By unanimous consent the House returned to the order of

**Messages from the Senate****House Bill No. 4544, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 508 (MCL 750.508), as amended by 2002 PA 672.

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

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

**House Bill No. 4727, 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 2003 PA 313.

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

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

**House Bill No. 5043, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 540 (MCL 750.540).

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

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

**House Bill No. 5044, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16z of chapter XVII (MCL 777.16z), as amended by 2004 PA 157.

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

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

**Senate Bill No. 1024, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 540 (MCL 750.540).

The Senate has passed the bill.

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

**Senate Bill No. 1026, entitled**

A bill to amend 1969 PA 306, entitled "Administrative procedures act of 1969," by amending section 32 (MCL 24.232).

The Senate has passed the bill.

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

**Senate Bill No. 1027, entitled**

A bill to amend 1979 PA 218, entitled "Adult foster care facility licensing act," by amending section 10 (MCL 400.710), as amended by 1986 PA 257.

The Senate has passed the bill.

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

**Senate Bill No. 1028, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 1 and 6 (MCL 400.1 and 400.6), as amended by 1995 PA 223.

The Senate has passed the bill.

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

**Senate Bill No. 1029, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 2233 (MCL 333.2233), as amended by 1996 PA 67.

The Senate has passed the bill.

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

**Senate Bill No. 1030, entitled**

A bill to amend 1974 PA 258, entitled "Mental health code," by amending sections 114 and 114a (MCL 330.1114 and 330.1114a), section 114 as amended and section 114a as added by 1995 PA 290.

The Senate has passed the bill.

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

**Notices**

Pursuant to Rule 44, the Speaker has made the following reassignment:

**House Bill No. 5663** referred to the Committee on Insurance.

### Messages from the Governor

The following message from the Governor was received February 13, 2006 and read:

#### EXECUTIVE ORDER No. 2006 – 4

#### AMENDMENT OF EXECUTIVE ORDER 2005-14

#### MICHIGAN LONG-TERM CARE SUPPORTS AND SERVICES ADVISORY COMMISSION

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the State of Michigan in the Governor;

WHEREAS, Section 4 of Article V of the Michigan Constitution of 1963 authorizes the establishment of temporary commissions or agencies for special purposes;

WHEREAS, the Michigan Long-Term Care Supports and Services Advisory Commission was created by Executive Order 2005-14;

WHEREAS, it is necessary and desirable to amend Executive Order 2005-14 to expand the membership of the Advisory Commission;

NOW, THEREFORE, I, Jennifer M. Granholm, Governor of the State of Michigan, by virtue of the power and authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, order the following:

A. Section III.B of Executive Order 2005-14 is amended to read as follows:

“B. The Commission shall consist of 17 members appointed by the Governor, including each of the following:

1. Nine members representing primary or secondary consumers of long-term care supports and services.
2. Three members representing providers of Medicaid-funded long-term care supports and services.
3. Three members representing direct care staff providing long-term care supports and services.
4. Two members representing the general public.”

B. Section III.D of Executive Order 2005-14 is amended to read as follows:

“D. Except as otherwise provided in this Section III.D, a member of the Commission appointed under Section III.B shall be appointed to serve for a term of 4 years. To provide for staggered terms, of the members initially appointed under Section III.B, 4 members shall be appointed for a term expiring on December 31, 2006; 4 members shall be appointed for a term expiring on December 31, 2007; 4 members shall be appointed for a term expiring on December 31, 2008; and 5 members shall be appointed for a term expiring on December 31, 2009. A member appointed under Section III.B shall continue to serve until a successor is appointed and qualified.”

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 13th day of February, in the year of our Lord, two thousand and six.

Jennifer M. Granholm

Governor

By the Governor:

Terri L. Land

Secretary of State

The message was referred to the Clerk.

Date: February 9, 2006

Time: 11:59 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5281 (Public Act No. 16, I.E.), being**

An act to amend 1956 PA 40, entitled “An act to codify the laws relating to the laying out of drainage districts, the consolidation of drainage districts, the construction and maintenance of drains, sewers, pumping equipment, bridges, culverts, fords, and the structures and mechanical devices to properly purify the flow of drains; to provide for flood control projects; to provide for water management, water management districts, and subdistricts, and for flood control and drainage projects within drainage districts; to provide for the assessment and collection of taxes; to provide for the investment of funds; to provide for the deposit of funds for future maintenance of drains; to authorize public corporations to impose taxes for the payment of assessments in anticipation of which bonds are issued; to provide for

the issuance of bonds by drainage districts and for the pledge of the full faith and credit of counties for payment of the bonds; to authorize counties to impose taxes when necessary to pay principal and interest on bonds for which full faith and credit is pledged; to validate certain acts and bonds; and to prescribe penalties,” by amending section 514 (MCL 280.514).  
(Filed with the Secretary of State February 9, 2006, at 3:34 p.m.)

Date: February 9, 2006  
Time: 12:01 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4855 (Public Act No. 17, I.E.), being**

An act to amend 1933 PA 167, entitled “An act to provide for the raising of additional public revenue by prescribing certain specific taxes, fees, and charges to be paid to the state for the privilege of engaging in certain business activities; to provide, incident to the enforcement thereof, for the issuance of licenses to engage in such occupations; to provide for the ascertainment, assessment and collection thereof; to appropriate the proceeds thereof; and to prescribe penalties for violations of the provisions of this act,” by amending section 4x (MCL 205.54x), as amended by 2004 PA 173.

(Filed with the Secretary of State February 9, 2006, at 3:36 p.m.)

Date: February 9, 2006  
Time: 12:03 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4856 (Public Act No. 18, I.E.), being**

An act to amend 1937 PA 94, entitled “An act to provide for the levy, assessment and collection of a specific excise tax on the storage, use or consumption in this state of tangible personal property and certain services; to appropriate the proceeds thereof; and to prescribe penalties for violations of the provisions of this act,” by amending section 4k (MCL 205.94k), as amended by 2002 PA 669.

(Filed with the Secretary of State February 9, 2006, at 3:38 p.m.)

Date: February 9, 2006  
Time: 12:05 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5104 (Public Act No. 19, I.E.), being**

An act to amend 1949 PA 300, entitled “An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,” by amending section 627 (MCL 257.627), as amended by 2004 PA 62.

(Filed with the Secretary of State February 9, 2006, at 3:40 p.m.)

Date: February 14, 2006  
Time: 7:32 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5559 (Public Act No. 21, I.E.), being**

An act to amend 1995 PA 24, entitled “An act to promote economic growth and job creation within this state; to create and regulate the Michigan economic growth authority; to prescribe the powers and duties of the authority and

of state and local officials; to assess and collect a fee; to approve certain plans and the use of certain funds; and to provide qualifications for and determine eligibility for tax credits and other incentives for authorized businesses and for qualified taxpayers,” by amending sections 3 and 8 (MCL 207.803 and 207.808), section 3 as amended by 2004 PA 398 and section 8 as amended by 2005 PA 185.

(Filed with the Secretary of State February 14, 2006, at 8:00 a.m.)

### Communications from State Officers

The following communication from the Department of Human Services was received and read:

February 7, 2006

Pursuant to Section 1002 of P.A. 147 of 2005, we are enclosing a copy of the following reports:

<u>Type of Report</u>	<u>Facility</u>	<u>Report #</u>	<u>License #</u>
Interim	Montmorency County DHS		CP600201311

This report was performed in compliance with the requirements of P.A. 116 of 1973 as amended, and the Administrative Rules for Child Caring Institutions. The report may also be viewed on our website, within 48 hours, under “News, Publications & Information” at the following address: <http://www.michigan.gov/dhs/>.

If you have any questions regarding this information, please feel free to contact Miriam E.J. Bullock at 517-373-8383.

Sincerely,  
Marianne Udow  
Director

The communication was referred to the Clerk.

### Introduction of Bills

Reps. Pearce, Moore, Jones, Garfield, Ball, Sheen, Nofs, Spade and Kahn introduced

**House Bill No. 5671, entitled**

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 27a (MCL 211.27a), as amended by 2005 PA 23.

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

Reps. Vander Veen, Garfield, Shaffer, Gosselin, Kooiman, Polidori, Spade, Huizenga, Ball, Gleason, Taub, Marleau, Green, Vagnozzi, Van Regenmorter, Amos, Pastor, Pearce, Newell, Miller and Ward introduced

**House Bill No. 5672, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 17766 (MCL 333.17766), as amended by 2004 PA 329, and by adding part 52A.

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

Reps. Spade, Alma Smith, Shaffer, Stahl, Gillard, McDowell, Polidori, Bennett, Sheltroun, Miller and Brown introduced

**House Bill No. 5673, entitled**

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

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

Reps. Walker, Elsenheimer, Palsrok and Amos introduced

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



Rep. Baxter introduced

**House Bill No. 5675, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1230, 1230a, 1230d, 1230g, 1535a, and 1539b (MCL 380.1230, 380.1230a, 380.1230d, 380.1230g, 380.1535a, and 380.1539b), section 1230 as amended by 2005 PA 129, section 1230a as amended by 2005 PA 138, section 1230d as added by 2005 PA 131, and section 1230g as and sections 1535a and 1539b as amended by 2005 PA 130, and by adding section 1230h.

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

Reps. Wenke, Sheltroun, Amos, Brandenburg, Garfield, Plakas, Taub and Jones introduced

**House Bill No. 5676, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 80163 (MCL 324.80163), as added by 1995 PA 58.

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

Reps. Wenke, Mortimer, Byrnes, Vander Veen, Jones, Shaffer, Gaffney, Stewart, Tobocman, Gillard and Farhat introduced

**House Bill No. 5677, entitled**

A bill to make uniform the law relating to the designation of agents to act for principals under powers of attorney; to provide for the powers of designated agents; to provide for an optional form for powers of attorney; to provide remedies; and to repeal acts and parts of acts.

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

Reps. Ward, Moore, Walker, Elsenheimer, Gillard, Brown, Adamini, McConico, Tobocman, McDowell, Sheltroun, Mayes, Espinoza, Hune, Hansen, Hunter, Gonzales, Jones, Virgil Smith, Murphy, Lipsey, Kahn, Kooiman, Caul, Huizenga, Vander Veen, Pearce, Steil, Newell, Booher, Shaffer, Pavlov, Emmons, Baxter, Farhat, Casperson, Ball, Schuitmaker, Hoogendyk, Mortimer, Acciavatti, Nitz, Stahl, Caswell, Hummel, Nofs, Van Regenmorter, Meyer, Cheeks and Sheen introduced

**House Bill No. 5678, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 20 (MCL 388.1620), as amended by 2005 PA 155.

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

Reps. Ward, Moore, Walker, Elsenheimer, Gillard, Brown, Adamini, McConico, Tobocman, McDowell, Sheltroun, Mayes, Espinoza, Hune, Hansen, Hunter, Gonzales, Virgil Smith, Murphy, Lipsey, Jones, Kooiman, Vander Veen, Caul, Huizenga, Wenke, Pearce, Steil, Newell, Booher, Shaffer, Pavlov, Emmons, Baxter, Farhat, Casperson, Ball, Schuitmaker, Hoogendyk, Mortimer, Acciavatti, Nitz, Stahl, Caswell, Hummel, Nofs, Kahn, Van Regenmorter, Meyer, Cheeks and Sheen introduced

**House Joint Resolution T, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 11 of article IX, to provide for a maximum funding differential among local school districts.

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

By unanimous consent the House returned to the order of

**Second Reading of Bills**

**House Bill No. 5562, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 541 (MCL 436.1541).

The bill was read a second time.

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

The motion prevailed.

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

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

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

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

**House Bill No. 5562, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 541 (MCL 436.1541).  
Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 72**

**Yeas—94**

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

**Nays—12**

Caswell	Gosselin	Pearce	Taub
Condino	Law, David	Stahl	Van Regenmorter
Garfield	Marleau	Stakoe	Vander Veen

In The Chair: Kooiman

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

**Second Reading of Bills**

**Senate Bill No. 658, entitled**

A bill to amend 1889 PA 39, entitled "An act to authorize the formation of corporations for the purchase and improvement of grounds to be occupied for summer homes, for camp-meetings, for meetings of assemblies or

associations and societies organized for intellectual and scientific culture and for the promotion of the cause of religion and morality, or for any or all of such purposes; and to impose certain duties on the department of commerce,” by amending section 4 (MCL 455.54), as amended by 1982 PA 85.

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. 751, entitled**

A bill to amend 1929 PA 137, entitled “An act to authorize the formation of corporations by summer resort owners; to authorize the purchase, improvement, sale, and lease of lands; to authorize the exercise of certain police powers over the lands owned by said corporation and within its jurisdiction; to impose certain duties on the department of commerce; and to provide penalties for the violation of by-laws established under police powers,” by amending section 19 (MCL 455.219).

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. 128, entitled**

A bill to amend 1994 PA 295, entitled “Sex offenders registration act,” by amending section 10 (MCL 28.730), as amended by 2004 PA 240.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Judiciary (for amendment, see House Journal No. 9, p. 133),

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. 5627, entitled**

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending sections 111 and 913 (MCL 436.1111 and 436.1913).

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

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

Rep. Rocca 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. 5497, entitled**

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 1204c (MCL 500.1204c), as amended by 2005 PA 247.

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

#### **Roll Call No. 73**

#### **Yeas—106**

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

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

**Nays—0**

In The Chair: Kooiman

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

—————

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

Rep. Ward moved that House Committees be given leave to meet during the balance of today's session.  
The motion prevailed.

—————

Rep. Whitmer moved that the House adjourn.  
The motion prevailed, the time being 4:00 p.m.

Associate Speaker Pro Tempore Caswell declared the House adjourned until Wednesday, February 15, at 1:00 p.m.

GARY L. RANDALL  
Clerk of the House of Representatives