

No. 73
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House Chamber, Lansing, Wednesday, July 25, 2007.

1:30 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	Dillon—present	Lahti—present	Pearce—present
Acciavatti—present	Donigan—present	LaJoy—present	Polidori—present
Agema—present	Ebli—present	Law, David—present	Proos—present
Amos—present	Elsenheimer—present	Law, Kathleen—present	Robertson—present
Angerer—present	Emmons—present	LeBlanc—present	Rocca—present
Ball—present	Espinoza—present	Leland—present	Sak—present
Bauer—present	Farrah—present	Lemmons—present	Schuitmaker—present
Bennett—present	Gaffney—present	Lindberg—present	Scott—present
Bieda—present	Garfield—present	Marleau—present	Shaffer—present
Booher—present	Gillard—present	Mayes—present	Sheen—excused
Brandenburg—present	Gonzales—present	McDowell—present	Sheltrown—present
Brown—present	Green—present	Meadows—present	Simpson—present
Byrnes—present	Griffin—present	Meekhof—present	Smith, Alma—present
Byrum—present	Hammel—present	Meisner—present	Smith, Virgil—present
Calley—present	Hammon—present	Melton—present	Spade—present
Casperson—present	Hansen—present	Meltzer—present	Stahl—present
Caswell—present	Hildenbrand—present	Miller—present	Stakoe—present
Caul—present	Hood—present	Moolenaar—present	Steil—present
Cheeks—present	Hoogendyk—present	Moore—present	Tobocman—present
Clack—present	Hopgood—excused	Moss—present	Vagnozzi—present
Clemente—present	Horn—present	Nitz—present	Valentine—present
Condino—present	Huizenga—present	Nofs—present	Walker—present
Constan—present	Hune—present	Opsommer—present	Ward—present
Corriveau—present	Jackson—present	Palmer—present	Warren—present
Coulouris—present	Johnson—present	Palsrok—present	Wenke—present
Cushingberry—present	Jones, Rick—present	Pastor—present	Wojno—present
Dean—present	Jones, Robert—present	Pavlov—present	Young—present
DeRoche—present	Knollenberg—present		

e/d/s = entered during session

Rep. Tom Pearce, from the 73rd District, offered the following invocation:

“It is our confession Lord that we are weak but You are strong.

You are the Alpha and Omega, the beginning and the end. You are our redeemer. Through You and You alone comes our salvation. You are to be exalted to the highest place and at the name of Jesus every knee should bow in heaven and on earth and under the earth and every tongue confess that Jesus Christ is Lord.

Lord, it is my prayer today that a wave of humility would wash over this capitol. That we, Your servants, would humble ourselves and seek Your face. Deafen us to self-interest so that we may hear Your voice. Blind us from special-interest that we may see this state and its people through Your eyes. Expose our feeble attempts to manipulate You and each other to fulfill our own agendas, that we may be forced to seek Your strength, Your wisdom and Your heart. So that at the end of the day, it is You, not anyone of us, who receives the honor and glory for the healing of this great state.

Now unto Him who is able to keep us from falling, unto him be honor and glory forever and ever. Amen.”

Rep. Booher moved that Rep. Sheen be excused from today’s session.
The motion prevailed.

Rep. Tobocman moved that Rep. Hopgood be excused from today’s session.
The motion prevailed.

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

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

Third Reading of Bills

House Bill No. 4533, entitled

A bill to amend 1947 PA 336, entitled “An act to prohibit strikes by certain public employees; to provide review from disciplinary action with respect thereto; to provide for the mediation of grievances and the holding of elections; to declare and protect the rights and privileges of public employees; and to prescribe means of enforcement and penalties for the violation of the provisions of this act,” by amending section 15 (MCL 423.215), as amended by 1994 PA 112.

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

Roll Call No. 267

Yeas—59

Accavitti	Coulouris	Johnson	Rocca
Angerer	Cushingberry	Jones, Robert	Sak
Bauer	Dean	Lahti	Scott
Bennett	Donigan	Law, Kathleen	Sheltrown
Bieda	Ebli	LeBlanc	Simpson
Brown	Espinoza	Leland	Smith, Alma
Byrnes	Farrah	Lemmons	Smith, Virgil
Byrum	Gaffney	Lindberg	Spade
Casperson	Gillard	Mayes	Tobocman
Cheeks	Gonzales	McDowell	Vagnozzi
Clack	Griffin	Meadows	Valentine

Clemente	Hammel	Meisner	Warren
Condino	Hammon	Melton	Wojno
Constan	Hood	Miller	Young
Corriveau	Jackson	Polidori	

Nays—46

Acciavatti	Hansen	Meltzer	Pearce
Agema	Hildenbrand	Moolenaar	Proos
Amos	Hoogendyk	Moore	Robertson
Ball	Horn	Moss	Schuitmaker
Booher	Huizenga	Nitz	Shaffer
Brandenburg	Hune	Nofs	Stahl
Calley	Jones, Rick	Opsommer	Stakoe
Caswell	Knollenberg	Palmer	Steil
Caul	LaJoy	Palsrok	Walker
Elsenheimer	Law, David	Pastor	Ward
Garfield	Marleau	Pavlov	Wenke
Green	Meekhof		

In The Chair: Sak

The House agreed to the title of the bill.

Rep. Tobocman moved to reconsider the vote by which the House passed the bill.

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

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. 268**Yeas—60**

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

Nays—46

Acciavatti	Hansen	Meltzer	Pearce
Agema	Hildenbrand	Moolenaar	Proos

Amos	Hoogendyk	Moore	Robertson
Ball	Horn	Moss	Schuitmaker
Booher	Huizenga	Nitz	Shaffer
Brandenburg	Hune	Nofs	Stahl
Calley	Jones, Rick	Opsommer	Stakoe
Caswell	Knollenberg	Palmer	Steil
Caul	LaJoy	Palsrok	Walker
Elsenheimer	Law, David	Pastor	Ward
Garfield	Marleau	Pavlov	Wenke
Green	Meekhof		

In The Chair: Sak

The House agreed to the title of the bill.

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

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

House Bill No. 4869, entitled

A bill to amend 2004 PA 403, entitled "Michigan boxing regulatory act," by amending sections 1, 10, 11, 20, 21, 22, 31, 32, 33, 34, 35, 47, 48, 51, 53, 54, 55, 56, 57, and 58 (MCL 338.3601, 338.3610, 338.3611, 338.3620, 338.3621, 338.3622, 338.3631, 338.3632, 338.3633, 338.3634, 338.3635, 338.3647, 338.3648, 338.3651, 338.3653, 338.3654, 338.3655, 338.3656, 338.3657, and 338.3658), sections 11, 31, 33, 34, 47, 48, and 54 as amended by 2005 PA 49.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion was seconded and the substitute (H-1) 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 1, line 2, by striking out all of line 2 and inserting "“**BARB FARRAH MICHIGAN UNARMED COMBAT REGULATORY ACT**”.”.

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,

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

Roll Call No. 269

Yeas—94

Accavitti	Dillon	Knollenberg	Pavlov
Acciavatti	Donigan	Lahti	Pearce
Agema	Ebli	LaJoy	Polidori
Amos	Elsenheimer	Law, David	Proos
Angerer	Emmons	LeBlanc	Robertson
Bennett	Espinoza	Leland	Rocca
Booher	Farrah	Lemmons	Schuitmaker
Brandenburg	Gaffney	Marleau	Scott
Brown	Garfield	Mayer	Shaffer
Byrnes	Gillard	McDowell	Simpson
Byrum	Gonzales	Meadows	Smith, Alma
Calley	Griffin	Meekhof	Smith, Virgil
Casperson	Hammel	Meisner	Spade
Caswell	Hammon	Melton	Stahl
Caul	Hansen	Meltzer	Steil
Cheeks	Hildenbrand	Miller	Tobocman

Clack	Hood	Moore	Vagnozzi
Condino	Hoogendyk	Moss	Valentine
Constan	Horn	Nitz	Ward
Corriveau	Huizenga	Opsommer	Warren
Coulouris	Hune	Palmer	Wenke
Cushingberry	Jackson	Palsrok	Wojno
Dean	Johnson	Pastor	Young
DeRoche	Jones, Rick		

Nays—14

Ball	Green	Moolenaar	Sheltrown
Bauer	Jones, Robert	Nofs	Stakoe
Bieda	Law, Kathleen	Sak	Walker
Clemente	Lindberg		

In The Chair: Sak

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

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

A bill to amend 2004 PA 403, entitled “Michigan boxing regulatory act,” by amending sections 1, 10, 11, 12, 20, 21, 22, 31, 32, 33, 34, 35, 47, 48, 51, 53, 54, 55, 56, 57, and 58 (MCL 338.3601, 338.3610, 338.3611, 338.3612, 338.3620, 338.3621, 338.3622, 338.3631, 338.3632, 338.3633, 338.3634, 338.3635, 338.3647, 338.3648, 338.3651, 338.3653, 338.3654, 338.3655, 338.3656, 338.3657, and 338.3658), sections 11, 31, 33, 34, 47, 48, and 54 as amended by 2005 PA 49.

The motion prevailed.

The House agreed to the title as amended.

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

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

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

“Mr. Speaker and members of the House:

After much consideration, I voted ‘no’ on House Bills 4869 and 4870 because I do not believe this change in the law either benefits society, nor advances the culture of our state. I would not feel comfortable with children being exposed to this type of violence, and I sincerely believe that a civilized society would not recognize this as a legitimate sport. ‘Ultimate Fighting Championships’ glorify violence, and appeal to the baser instincts of human nature. I know the long-term as well as the short term health risks of more traditional fighting sports such as boxing, and I am sincerely concerned with expanding our definition of sport to include this type of activity. Because of these concerns I voted ‘no’ on both bills.”

Rep. Tobocman moved that Rep. Condino be excused temporarily from today’s session.

The motion prevailed.

Rep. Ward moved that Rep. DeRoche be excused temporarily from today’s session.

The motion prevailed.

House Bill No. 4870, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 447 (MCL 750.447), as amended by 2004 PA 404.

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

Roll Call No. 270**Yeas—93**

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

Nays—13

Ball	Jones, Robert	Moolenaar	Sheltrown
Bauer	Law, Kathleen	Nofs	Stakoe
Bieda	Lindberg	Sak	Walker
Green			

In The Chair: Sak

The House agreed to the title of the bill.

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

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

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

"Mr. Speaker and members of the House:

After much consideration, I voted 'no' on House Bills 4869 and 4870 because I do not believe this change in the law either benefits society, nor advances the culture of our state. I would not feel comfortable with children being exposed

to this type of violence, and I sincerely believe that a civilized society would not recognize this as a legitimate sport. ‘Ultimate Fighting Championships’ glorify violence, and appeal to the baser instincts of human nature. I know the long-term as well as the short term health risks of more traditional fighting sports such as boxing, and I am sincerely concerned with expanding our definition of sport to include this type of activity. Because of these concerns I voted ‘no’ on both bills.”

House Bill No. 4956, entitled

A bill to amend 2000 PA 92, entitled “Food law of 2000,” by amending sections 1105, 1107, 1109, 2111, 2113, 2119, 2123, 2125, 2129, 3103, 3119, 3121, 3123, 3125, 3127, 3135, 3137, 3139, 4101, 4103, 4105, 4107, 4111, 4113, 4116, 4117, 4125, 5101, 5105, 5107, 6101, 6115, 6129, 6137, 6147, 6149, 7105, 7113, 7115, 7119, 7125, 7137, 8105, and 8107 (MCL 289.1105, 289.1107, 289.1109, 289.2111, 289.2113, 289.2119, 289.2123, 289.2125, 289.2129, 289.3103, 289.3119, 289.3121, 289.3123, 289.3125, 289.3127, 289.3135, 289.3137, 289.3139, 289.4101, 289.4103, 289.4105, 289.4107, 289.4111, 289.4113, 289.4116, 289.4117, 289.4125, 289.5101, 289.5105, 289.5107, 289.6101, 289.6115, 289.6129, 289.6137, 289.6147, 289.6149, 289.7105, 289.7113, 289.7115, 289.7119, 289.7125, 289.7137, 289.8105, and 289.8107), sections 1109, 3119, 4111, 4117, 6101, and 6149 as amended by 2002 PA 487 and section 4116 as added by 2004 PA 267, and by adding sections 6140 and 7106; 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. 271

Yeas—106

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

Nays—0

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

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

A bill to amend 2000 PA 92, entitled "Food law of 2000," by amending sections 1105, 1107, 1109, 2111, 2113, 2119, 2123, 2125, 2129, 3103, 3119, 3121, 3123, 3125, 3127, 3135, 3137, 3139, 4101, 4103, 4105, 4107, 4111, 4113, 4116, 4117, 4125, 5101, 5105, 5107, 6101, 6115, 6129, 6137, 6147, 6149, 7105, 7113, 7115, 7119, 7125, 7137, 8105, and 8107 (MCL 289.1105, 289.1107, 289.1109, 289.2111, 289.2113, 289.2119, 289.2123, 289.2125, 289.2129, 289.3103, 289.3119, 289.3121, 289.3123, 289.3125, 289.3127, 289.3135, 289.3137, 289.3139, 289.4101, 289.4103, 289.4105, 289.4107, 289.4111, 289.4113, 289.4116, 289.4117, 289.4125, 289.5101, 289.5105, 289.5107, 289.6101, 289.6115, 289.6129, 289.6137, 289.6147, 289.6149, 289.7105, 289.7113, 289.7115, 289.7119, 289.7125, 289.7137, 289.8105, and 289.8107), sections 1109, 3119, 4111, 4117, 6101, and 6149 as amended by 2002 PA 487 and section 4116 as added by 2004 PA 267, and by adding sections 6140, 6150, and 7106; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

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

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

Reps. Accavitti, Ball, Bauer, Bieda, Booher, Brown, Calley, Caul, Cheeks, Corriveau, Coulouris, Cushingberry, Donigan, Espinoza, Gaffney, Gillard, Gonzales, Griffin, Hammon, Hansen, Horn, Johnson, Rick Jones, Robert Jones, Kathleen Law, LeBlanc, Leland, Lemmons, Meadows, Meekhof, Moolenaar, Nitz, Nofs, Opsommer, Polidori, Proos, Sak, Sheltroun, Alma Smith, Stahl and Warren were named co-sponsors of the bill.

House Bill No. 4553, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 759 (MCL 168.759), as amended by 1995 PA 261.

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

Roll Call No. 272

Yeas—96

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

Nays—12

Agema	Garfield	Knollenberg	Palmer
Caswell	Hoogendyk	Meekhof	Shaffer
Caul	Huizenga	Meltzer	Stahl

In The Chair: Sak

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

House Bill No. 4447, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 509o (MCL 168.509o), as added by 1994 PA 441.

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

Roll Call No. 273

Yeas—58

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

Nays—50

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

In The Chair: Sak

The House agreed to the title of the bill.
Rep. Tobocman moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.
Reps. Accavitti, Bieda, Brown, Byrnes, Byrum, Cheeks, Cushingberry, Donigan, Gonzales, Griffin, Hammon, Lemmons and Sak were named co-sponsors of the bill.

House Bill No. 4448, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 307 and 315 (MCL 257.307 and 257.315), section 307 as amended by 2006 PA 298 and section 315 as amended by 1999 PA 118.

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

Roll Call No. 274**Yeas—57**

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

Nays—51

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

In The Chair: Sak

The House agreed to the title of the bill.

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

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

Second Reading of Bills**House Bill No. 4641, entitled**

A bill to amend 1956 PA 40, entitled "The drain code of 1956," by amending section 21 (MCL 280.21), as amended by 1989 PA 134.

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

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

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

1. Amend page 4, line 2, after “**ACT,**” by inserting “**INCLUDING, BUT NOT LIMITED TO, OPERATING SEWERS, LAKE LEVEL AND SOIL EROSION ENFORCEMENT, AND FACILITATING COMPLIANCE WITH FEDERAL CLEAN WATER ACT MANDATES,**”.

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

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

The motion prevailed.

House Bill No. 4642, entitled

A bill to amend 1956 PA 40, entitled “The drain code of 1956,” by amending section 6 (MCL 280.6).

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

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

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

The motion prevailed.

House Bill No. 4643, entitled

A bill to amend 1956 PA 40, entitled “The drain code of 1956,” by amending section 247 (MCL 280.247).

The bill was read a second time.

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

The motion prevailed.

House Bill No. 4644, entitled

A bill to amend 1956 PA 40, entitled “The drain code of 1956,” by amending section 421 (MCL 280.421).

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

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

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

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

Rep. Ball moved to amend the bill as follows:

1. Amend page 2, line 4, after “**UNDER**” by inserting “**AN ESTABLISHED ROAD OR ROAD RIGHT-OF-WAY AND IS UNDER**”.

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

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

The motion prevailed.

House Bill No. 4688, entitled

A bill to amend 1956 PA 40, entitled “The drain code of 1956,” by amending section 196 (MCL 280.196), as amended by 1989 PA 149.

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

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

Rep. Nitz moved to amend the bill as follows:

1. Amend page 5, line 22, after “**ACT**” by striking out “**AND IN COUNTIES WITH A POPULATION EXCEEDING 750,000**”.

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

Rep. Nitz 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
Reports of Standing Committees

The Committee on Appropriations, by Rep. Cushingberry, Chair, reported
House Bill No. 4354, entitled

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2008; 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.

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. Cushingberry, Gillard, Bauer, Bennett, Byrnes, Cheeks, Espinoza, Gonzales, Hammel, Hood, Jackson, Lahti, LeBlanc, McDowell, Sak, Alma Smith, Spade and Vagnozzi

Nays: Reps. Acciavatti, Brandenburg, Amos and Agema

The Committee on Appropriations, by Rep. Cushingberry, Chair, reported
House Bill No. 4358, entitled

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2008; to provide for the expenditure of those appropriations; to create certain funds and accounts; to require certain reports; to prescribe the 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.

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. Cushingberry, Gillard, Bauer, Bennett, Byrnes, Cheeks, Espinoza, Gonzales, Hammel, Hood, Jackson, Lahti, LeBlanc, McDowell, Sak, Alma Smith, Spade and Vagnozzi

Nays: Reps. Acciavatti, Brandenburg, Amos, Booher, Hansen, Agema, Moss and Nofs

The Committee on Appropriations, by Rep. Cushingberry, Chair, reported
House Bill No. 4829, entitled

A bill to make, supplement, and adjust appropriations for the department of natural resources for the fiscal year ending September 30, 2007; to provide for the expenditure of the appropriations; and to prescribe certain conditions for the appropriations.

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. Cushingberry, Gillard, Bauer, Bennett, Byrnes, Cheeks, Espinoza, Gonzales, Hammel, Hood, Jackson, Lahti, LeBlanc, McDowell, Alma Smith, Spade, Vagnozzi, Acciavatti, Caswell, Shaffer, Brandenburg, Amos, Booher, Caul, Hansen, Proos, Agema, Moss and Nofs

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, July 25, 2007

Present: Reps. Cushingberry, Gillard, Bauer, Bennett, Byrnes, Cheeks, Espinoza, Gonzales, Hammel, Hood, Jackson, Lahti, LeBlanc, McDowell, Sak, Alma Smith, Spade, Vagnozzi, Acciavatti, Caswell, Shaffer, Brandenburg, Amos, Booher, Caul, Hansen, Proos, Agema, Moss and Nofs

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Knollenberg, David Law, Moss, Bieda, Casperson, Clack, Condino, Dean, DeRoche, Garfield, Hildenbrand, Horn, Rick Jones, LaJoy, Palmer, Pastor, Proos, Scott, Stahl and Wojno offered the following resolution:

House Resolution No. 159.

A resolution to urge the President of the United States, the United States Congress and the United States Department of State to consult with appropriate officials in Syria, Lebanon, and the Palestinian Authority regarding the status of missing Israeli soldiers and demand the immediate and unconditional release of three Israeli soldiers currently believed to be held by Hamas and Hezbollah.

Whereas, The United States Congress expressed its concern for Israeli soldiers missing in Lebanon and the Hezbollah-controlled territory of Lebanon in Public Law 106-89 (113 Stat. 1305; November 8, 1999) which required the Secretary of State to probe into the disappearance of Israeli soldiers with appropriate government officials of Syria, Lebanon, the Palestinian Authority, and other governments in the region, and to submit to the Congress reports on those efforts and any subsequent discovery of relevant information; and

Whereas, Israel completed its withdrawal from southern Lebanon on May 24, 2000. On June 18, 2000, the United Nations Security Council welcomed and endorsed United Nations Secretary-General Kofi Annan's report that Israel had withdrawn completely from Lebanon under the terms of United Nations Security Council Resolution 425 (1978). Nearly five years later, Israel completed its withdrawal from Gaza on September 12, 2005; and

Whereas, On June 25, 2006, Hamas and allied terrorists crossed into Israel to attack a military post, killing two soldiers and wounding a third, Gilad Shalit, who was kidnapped. On July 12, 2006, Hezbollah terrorists crossed into Israel to attack Israeli troops patrolling the Israeli side of the border with Lebanon, killing three, wounding two, and kidnapping two Israelis, Ehud Goldwasser and Eldad Regev; and

Whereas, Gilad Shalit has been held in captivity by Hamas for more than a year, while Ehud Goldwasser and Eldad Regev have been held by Hezbollah for a year. Hamas and Hezbollah have withheld all information on the health and welfare of these kidnapped men. Additionally, contrary to the most basic standards of humanitarian conduct, Hamas and Hezbollah have prevented access to the Israeli captives by competent medical personnel and representatives of the International Committee of the Red Cross. This failure to meet even the most basic medical needs of the kidnapped soldiers must be reversed at once; and

Whereas, It is incumbent upon our government to express its vigorous support and unwavering commitment to the welfare and survival of the state of Israel as a Jewish and democratic state with secure borders, and its vested interest in achieving a resolution to the Israeli-Palestinian conflict through the creation of a viable and independent Palestinian state living in peace alongside the state of Israel. The United States government should convey its ongoing concern for the families of Gilad Shalit, Ehud Goldwasser, and Eldad Regev and all other missing Israeli soldiers as well as its full commitment to seek the immediate and unconditional release of the Israeli captives; and

Whereas, As a function of the precepts on which this country was founded, we must condemn Hamas and Hezbollah for the cross-border attacks and kidnappings which precipitated weeks of intensive armed conflict among Israel, Hezbollah, and armed Palestinian groups, and condemn Iran and Syria, the primary state sponsors of global terrorism and the patrons of Hezbollah and Hamas, for their ongoing support of international terrorism; now, therefore, be it

Resolved by the House of Representatives, That we urge the President of the United States, the United States Congress, and the United States Department of State to consult with appropriate officials in Syria, Lebanon, and the Palestinian Authority regarding the status of missing Israeli soldiers and demand the immediate and unconditional release of three Israeli soldiers currently believed to be held by Hamas and Hezbollah; and be it further

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

The resolution was referred to the Committee on Government Operations.

Reps. Griffin, Simpson, Acciavatti, LeBlanc, Pavlov, Angerer, Bieda, Brown, Byrum, Casperson, Caswell, Clack, Clemente, Condino, Constan, Dean, DeRoche, Farrah, Garfield, Hammel, Hildenbrand, Horn, Rick Jones, Robert Jones, Knollenberg, LaJoy, Kathleen Law, Lemmons, Marleau, Melton, Moore, Palmer, Pastor, Proos, Scott, Spade, Stahl, Steil, Tobocman, Vagnozzi and Wojno offered the following resolution:

House Resolution No. 160.

A resolution to commemorate August 2007 as Michigan International Speedway Month in the state of Michigan.

Whereas, Michigan International Speedway, a 2-mile oval race track, is one of the premier motorsports facilities in the country; and

Whereas, Michigan International Speedway, a 132,000-seat race track built in 1968 and nestled on 1,400 acres located in the heart of Michigan's "Irish Hills"; and

Whereas, Michigan International Speedway hosts two NASCAR NEXTEL Cup Series races each year, the two largest single-day sporting events in the state of Michigan; and

Whereas, Michigan International Speedway is the largest contributor to the local sports economy, bringing in nearly than \$300 million annually, an amount that is the economic equivalent of the Super Bowl and greater than the contributions of most Michigan sports combined; and

Whereas, During the two NASCAR NEXTEL Cup Series weekends, Michigan International Speedway attracts fans from all 50 states and 13 countries, along with more than 10 million television viewers worldwide; and

Whereas, Michigan International Speedway attracts more Fortune 500 companies at the venue on any given race weekend than other sports combined, nationally and locally; and

Whereas, Fifty-five percent of the fans who attend events at Michigan International Speedway come from outside the state of Michigan, contributing to the growth of the state's tourism economy; and

Whereas, Events at Michigan International Speedway attract numerous media outlets from around the world, providing the state of Michigan with positive exposure; and

Whereas, Michigan International Speedway hosts the Spirit of America 800, the state's largest, single-day blood drive and largest September 11th blood drive in the nation; and

Whereas, Michigan International Speedway is a valued corporate citizen whose contributions are not just financial. The speedway hosts several fund-raising events throughout the year, and makes significant charitable contributions; and

Whereas, Charitable groups that work Michigan International Speedway events, collectively earn about \$500,000 annually for their efforts; and

Whereas, Michigan International Speedway's NASCAR NEXTEL Cup Series, NASCAR Busch Series, NASCAR Craftsman Truck Series, ARCA RE/MAX Series and IRL IndyCar Series races during the summer showcase the talents of America's best and most recognized driver/athletes; now, therefore, be it

Resolved by House of Representatives, That the members of this legislative body commemorate August 2007 as Michigan International Speedway Month in the state of Michigan.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reports of Standing Committees

The Committee on Tax Policy, by Rep. Bieda, Chair, reported

House Bill No. 4337, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 9f (MCL 211.9f), as amended by 2004 PA 79.

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. Bieda, Farrah, Robert Jones, Mayes, Meisner, Melton, Sheltroun, Warren, Young, Meltzer, Steil and Calley

Nays: None

The Committee on Tax Policy, by Rep. Bieda, Chair, reported

House Bill No. 4891, entitled

A bill to amend 1941 PA 122, entitled "An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of this state; to prescribe certain powers and duties of the state treasurer; to establish the collection duties of certain other state departments for money or accounts owed to this state; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments, and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," by amending section 6a (MCL 205.6a), as added by 2006 PA 12.

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. Bieda, Farrah, Robert Jones, Mayes, Meisner, Melton, Sheltroun, Warren, Young, Meltzer, Steil and Calley

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, July 25, 2007

Present: Reps. Bieda, Farrah, Robert Jones, Mayes, Meisner, Melton, Sheltroun, Warren, Young, Meltzer, Steil and Calley

Absent: Reps. Condino, Sheen, Pastor, Palmer and Wenke

Excused: Reps. Condino, Sheen, Pastor, Palmer and Wenke

The Committee on Judiciary, by Rep. Condino, Chair, reported

House Bill No. 4938, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13p of chapter XVII (MCL 777.13p), as amended by 2005 PA 279.

With the recommendation that the bill be referred to the Committee on Regulatory Reform.

Favorable Roll Call

To Report Out:

Yeas: Reps. Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Scott, Warren, Schuitmaker, Elsenheimer, Rick Jones and Rocca

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Regulatory Reform.

The Committee on Judiciary, by Rep. Condino, Chair, reported

House Bill No. 4963, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 2505 (MCL 339.2505), as amended by 2003 PA 196.

With the recommendation that the bill be referred to the Committee on Regulatory Reform.

Favorable Roll Call

To Report Out:

Yeas: Reps. Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Scott, Warren, Schuitmaker, Elsenheimer, Rick Jones and Rocca

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Regulatory Reform.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, July 25, 2007

Present: Reps. Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Scott, Virgil Smith, Warren, Schuitmaker, Elsenheimer, Rick Jones and Rocca

Absent: Reps. David Law and Stakoe

Excused: Reps. David Law and Stakoe

The Committee on Military and Veterans Affairs and Homeland Security, by Rep. Polidori, Chair, reported

House Bill No. 4745, entitled

A bill to amend 1955 PA 133, entitled "An act to provide for the granting of military leaves and providing re-employment protection for officers and enlisted men of the military or naval forces of the state or of the United States," (MCL 32.271 to 32.274) by amending the title and by adding section 3b.

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. Polidori, Brown, Dean, Lemmons, Sheltroun and Garfield

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Polidori, Chair, of the Committee on Military and Veterans Affairs and Homeland Security, was received and read:

Meeting held on: Wednesday, July 25, 2007

Present: Reps. Polidori, Brown, Dean, Lemmons, Sheltroun, Garfield and Horn

Absent: Reps. Emmons and Pastor

Excused: Reps. Emmons and Pastor

Introduction of Bills

Rep. Hildenbrand introduced

House Bill No. 5063, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1146 (MCL 380.1146), as amended by 2006 PA 303.

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

Reps. Meadows, Kathleen Law, Alma Smith, Vagnozzi, Gonzales, Clack, Miller, Hammel, Brown, Condino and Valentine introduced

House Bill No. 5064, entitled

A bill to amend 1974 PA 154, entitled "Michigan occupational safety and health act," (MCL 408.1001 to 408.1094) by adding section 14o.

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

Reps. McDowell, Sak, LeBlanc, Alma Smith, Byrnes, Vagnozzi, Wojno, Accavitti, Kathleen Law, Bieda, Polidori, Constan, Robert Jones, Clack, Bauer, Young, Simpson, Donigan, Valentine, Warren, Meadows, Miller, Melton, Hammel, Espinoza, Brown, Lemmons, Meisner, Sheltroun, Hammon, Tobocman, Corriveau, Farrah, Cushingberry, Jackson, Johnson, Coulouris, Brandenburg and Dean introduced

House Bill No. 5065, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 32701 and 32702 (MCL 324.32701 and 324.32702), as amended by 2006 PA 33.

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

Reps. Meadows, Sak, Vagnozzi, LeBlanc, Bieda, Alma Smith, Byrnes, Wojno, Accavitti, Kathleen Law, Polidori, Constan, Robert Jones, Clack, Bauer, Young, Simpson, Donigan, Valentine, Warren, McDowell, Miller, Melton, Hammel, Espinoza, Brown, Lemmons, Meisner, Sheltroun, Hammon, Tobocman, Corriveau, Farrah, Cushingberry, Jackson, Johnson, Coulouris, Brandenburg and Dean introduced

House Bill No. 5066, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 32705, 32706, 32707, 32708, and 32708a (MCL 324.32705, 324.32706, 324.32707, 324.32708, and 324.32708a), sections 32705 and 32708 as amended and section 32708a as added by 2006 PA 35, section 32706 as amended by 1996 PA 434, and section 32707 as amended by 2006 PA 33, and by adding section 32708b.

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

Reps. Brown, Sak, Vagnozzi, LeBlanc, Alma Smith, Byrnes, Wojno, Accavitti, Kathleen Law, Bieda, Polidori, Constan, Robert Jones, Clack, Bauer, Young, Simpson, Donigan, Valentine, Warren, Meadows, McDowell, Miller, Melton, Hammel, Espinoza, Lemmons, Meisner, Sheltroun, Hammon, Tobocman, Corriveau, Farrah, Cushingberry, Jackson, Johnson, Coulouris, Brandenburg and Dean introduced

House Bill No. 5067, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 32710 and 32713 (MCL 324.32710 and 324.32713), section 32710 as added by 1995 PA 59 and section 32713 as amended by 2006 PA 33.

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

Reps. Coulouris, Sak, LeBlanc, Vagnozzi, Wojno, Bieda, Alma Smith, Byrnes, Accavitti, Kathleen Law, Polidori, Constan, Robert Jones, Clack, Bauer, Simpson, Donigan, Valentine, Warren, Meadows, McDowell, Miller, Young, Melton, Brown, Hammel, Espinoza, Lemmons, Meisner, Sheltroun, Hammon, Tobocman, Corriveau, Farrah, Cushingberry, Jackson, Johnson, Brandenburg and Dean introduced

House Bill No. 5068, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 32721 and 32723 (MCL 324.32721 and 324.32723), as added by 2006 PA 33.

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

Reps. Warren, Alma Smith, Sak, Byrnes, LeBlanc, Vagnozzi, Wojno, Accavitti, Kathleen Law, Bieda, Polidori, Constan, Robert Jones, Clack, Bauer, Simpson, Donigan, Valentine, Meadows, McDowell, Miller, Melton, Young, Hammel, Espinoza, Brown, Lemmons, Meisner, Sheltroun, Hammon, Tobocman, Corriveau, Farrah, Cushingberry, Jackson, Johnson, Coulouris, Brandenburg and Dean introduced

House Bill No. 5069, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 32722 (MCL 324.32722), as added by 2006 PA 33; and to repeal acts and parts of acts.

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

Reps. Sak, LeBlanc, Vagnozzi, Wojno, Bieda, Alma Smith, Byrnes, Accavitti, Kathleen Law, Polidori, Constan, Robert Jones, Clack, Bauer, Angerer, Clemente, Simpson, Donigan, Valentine, Warren, Meadows, McDowell, Miller, Young, Melton, Hammel, Espinoza, Brown, Lemmons, Meisner, Sheltroun, Hammon, Tobocman, Corriveau, Farrah, Cushingberry, Jackson, Johnson, Coulouris, Brandenburg and Dean introduced

House Bill No. 5070, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 32725 and 32726 (MCL 324.32725 and 324.32726), section 32725 as added by 2006 PA 36 and section 32726 as added by 2006 PA 33; and to repeal acts and parts of acts.

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

Reps. Corriveau, Sak, LeBlanc, Alma Smith, Byrnes, Vagnozzi, Wojno, Accavitti, Bieda, Kathleen Law, Polidori, Constan, Robert Jones, Bauer, Simpson, Donigan, Valentine, Warren, Meadows, McDowell, Miller, Melton, Young, Hammel, Espinoza, Brown, Lemmons, Meisner, Sheltroun, Hammon, Tobocman, Farrah, Cushingberry, Jackson, Johnson, Coulouris, Brandenburg and Dean introduced

House Bill No. 5071, entitled

A bill to amend 1976 PA 399, entitled "Safe drinking water act," by amending section 4 (MCL 325.1004), as amended by 2006 PA 601.

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

Reps. Valentine, Sak, Alma Smith, Byrnes, LeBlanc, Vagnozzi, Wojno, Accavitti, Bieda, Kathleen Law, Polidori, Constan, Robert Jones, Bauer, Simpson, Donigan, Warren, Meadows, McDowell, Miller, Young, Melton, Brown, Hammel, Espinoza, Lemmons, Meisner, Sheltroun, Hammon, Tobocman, Corriveau, Farrah, Cushingberry, Jackson, Johnson, Coulouris, Brandenburg and Dean introduced

House Bill No. 5072, entitled

A bill to amend 1976 PA 399, entitled "Safe drinking water act," by amending section 17 (MCL 325.1017), as amended by 2006 PA 37.

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

Reps. Kathleen Law, Alma Smith, Sak, Byrnes, LeBlanc, Vagnozzi, Wojno, Accavitti, Bieda, Polidori, Constan, Robert Jones, Bauer, Angerer, Clemente, Simpson, Donigan, Valentine, Warren, Meadows, McDowell, Miller, Young, Melton, Brown, Hammel, Espinoza, Lemmons, Meisner, Sheltroun, Hammon, Tobocman, Corriveau, Farrah, Cushingberry, Jackson, Johnson, Coulouris, Brandenburg and Dean introduced

House Bill No. 5073, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 32729.

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

By unanimous consent the House returned to the order of

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members on Wednesday, July 25:

House Bill Nos.	5044	5045	5046	5047	5048	5049	5050	5051	5052	5053	5054	5055	5056	5057
	5058	5059	5060	5061	5062									
Senate Bill Nos.	644	645	646	647	648	649	650	651	652					

The Clerk announced that the following Senate bill had been received on Wednesday, July 25:

Senate Bill No. 435

Messages from the Senate

Senate Bill No. 435, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8152 (MCL 600.8152), as amended by 2002 PA 92.

The Senate has passed the bill.

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

Announcements by the Clerk

July 24, 2007

Received from the Auditor General a copy of the following audit report and/or report summary:

Performance audit of the Mainframe Operating System Controls for the Unemployment Insurance Agency's Information Systems, Department of Information Technology and Department of Labor and Economic Growth, July 2007.

Richard J. Brown
Clerk of the House

Rep. Tobocman moved that Rep. Gillard be excused temporarily from today’s session.
The motion prevailed.

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

House Bill No. 4354, entitled

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2008; 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.

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. Elsenheimer moved to amend the bill as follows:

1. Amend page 30, line 14, after “issues.” by inserting **“THE GENERAL FUND APPROPRIATED IN THIS SECTION SHALL BE DISTRIBUTED ON A PRO RATA BASIS BASED UPON THE AMOUNT OF TIMBER BEING MARKED EVERY QUARTER AS REPORTED.”**

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

Rep. Ward demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 275

Yeas—51

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

Nays—56

Accavitti	Coulouris	Johnson	Polidori
Angerer	Cushingberry	Jones, Robert	Sak
Bauer	Dean	Lahti	Scott
Bennett	Dillon	Law, Kathleen	Sheltrown
Bieda	Donigan	LeBlanc	Simpson
Brown	Ebli	Leland	Smith, Alma
Byrnes	Espinoza	Lemmons	Smith, Virgil
Byrum	Farrah	Lindberg	Spade
Cheeks	Gonzales	Mayes	Tobocman
Clack	Griffin	McDowell	Vagnozzi

Clemente	Hammel	Meadows	Valentine
Condino	Hammon	Meisner	Warren
Constan	Hood	Melton	Wojno
Corriveau	Jackson	Miller	Young

In The Chair: Sak

Rep. Meltzer moved to amend the bill as follows:

1. Amend page 4, line 17, by striking out “2,217,700”, and inserting “1,997,600”.
2. Amend page 4, line 27, by striking out “2,040,500”, and inserting “1,820,400”.
3. Amend page 5, line 25, by striking out “2,684,200”, and inserting “2,540,300”.
4. Amend page 6, line 14, by striking out “1,666,000”, and inserting “1,522,100”.
5. Amend page 7, line 9, by striking out “20,310,600”, and inserting “20,014,100”.
6. Amend page 7, line 20, by striking out “6,912,600”, and inserting “6,616,100”.
7. Amend page 9, line 3, by striking out “27,630,000”, and inserting “26,000,600”.
8. Amend page 9, line 17, by striking out “10,653,600”, and inserting “9,024,200”.
9. Amend page 9, line 27, by striking out “20,094,000”, and inserting “17,613,900”.
10. Amend page 10, line 12, by striking out “18,897,000”, and inserting “16,416,900”.
11. Amend page 11, line 9, by striking out “14,643,300”, and inserting “14,439,700”.
12. Amend page 12, line 6, by striking out “1,702,200”, and inserting “1,498,600”.
13. Amend page 12, line 18, by striking out “32,742,600”, and inserting “29,888,700”.
14. Amend page 13, line 2, by striking out “18,963,200”, and inserting “16,109,300”.
15. Amend page 13, line 11, by striking out “4,700,000”, and inserting “4,575,000”.
16. Amend page 13, line 16, by striking out “1,715,000”, and inserting “1,590,000”, and amending the subtotals, totals, and section 201 accordingly.
17. Amend page 23, following line 19, by striking out all of section 218.

The question being on the adoption of the amendments offered by Rep. Meltzer,
Rep. Ward demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 276

Yeas—50

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

Nays—58

Accavitti	Cushingberry	Jones, Robert	Sak
Angerer	Dean	Lahti	Scott
Bauer	Dillon	Law, Kathleen	Sheltrown

Bennett	Donigan	LeBlanc	Simpson
Bieda	Ebli	Leland	Smith, Alma
Brown	Espinoza	Lemmons	Smith, Virgil
Byrnes	Farrah	Lindberg	Spade
Byrum	Gillard	Mayes	Tobocman
Cheeks	Gonzales	McDowell	Vagnozzi
Clack	Griffin	Meadows	Valentine
Clemente	Hammel	Meisner	Warren
Condino	Hammon	Melton	Wenke
Constan	Hood	Miller	Wojno
Corriveau	Jackson	Polidori	Young
Coulouris	Johnson		

In The Chair: Sak

Rep. Moore moved to amend the bill as follows:

1. Amend page 26, following line 24, by inserting:

“Sec. 406. The department shall not increase campground reservation, permit, or user fees at any time during the fiscal year ending September 30, 2008.”.

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

Rep. Ward demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 277

Yeas—51

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

Nays—57

Accavitti	Cushingberry	Johnson	Polidori
Angerer	Dean	Jones, Robert	Sak
Bauer	Dillon	Lahti	Scott
Bennett	Donigan	Law, Kathleen	Sheltrown
Bieda	Ebli	LeBlanc	Simpson
Brown	Espinoza	Leland	Smith, Alma
Byrnes	Farrah	Lemmons	Smith, Virgil
Byrum	Gillard	Lindberg	Spade
Cheeks	Gonzales	Mayes	Tobocman
Clack	Griffin	McDowell	Vagnozzi

Clemente	Hammel	Meadows	Valentine
Condino	Hammon	Meisner	Warren
Constan	Hood	Melton	Wojno
Corriveau	Jackson	Miller	Young
Coulouris			

In The Chair: Sak

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4354, entitled

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2008; 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.

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

Roll Call No. 278

Yeas—58

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

Nays—50

Acciavatti	Gaffney	Marleau	Pavlov
Agema	Garfield	Meekhof	Pearce
Amos	Green	Meltzer	Proos
Ball	Hansen	Moolenaar	Robertson
Booher	Hildenbrand	Moore	Schuitmaker
Brandenburg	Hoogendyk	Moss	Shaffer
Calley	Horn	Nitz	Stahl
Casperson	Huizenga	Nofs	Stakoe
Caswell	Hune	Opsommer	Steil

Caul
DeRoche
Elsenheimer
Emmons

Jones, Rick
Knollenberg
LaJoy
Law, David

Palmer
Palsrok
Pastor

Walker
Ward
Wenke

In The Chair: Sak

The House agreed to the title of the bill.

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

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

Second Reading of Bills

House Bill No. 4829, entitled

A bill to make, supplement, and adjust appropriations for the department of natural resources for the fiscal year ending September 30, 2007; to provide for the expenditure of the appropriations; and to prescribe certain conditions for 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. Valentine moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4829, entitled

A bill to make, supplement, and adjust appropriations for the department of natural resources for the fiscal year ending September 30, 2007; to provide for the expenditure of the appropriations; and to prescribe certain conditions for the appropriations.

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

Roll Call No. 279

Yeas—100

Accavitti
Acciavatti
Agema
Amos
Angerer
Ball
Bauer
Bennett
Bieda
Booher
Brown
Byrnes
Byrum
Calley
Casperson
Caswell

Dean
DeRoche
Dillon
Donigan
Ebli
Elsenheimer
Emmons
Espinoza
Farrah
Gaffney
Gillard
Gonzales
Green
Griffin
Hammel
Hammon

Lahti
LaJoy
Law, David
Law, Kathleen
LeBlanc
Leland
Lemmons
Lindberg
Marleau
Mayer
McDowell
Meadows
Meekhof
Meisner
Melton
Meltzer

Pearce
Polidori
Proos
Robertson
Rocca
Sak
Schuitmaker
Scott
Shaffer
Sheltrown
Simpson
Smith, Alma
Smith, Virgil
Spade
Stahl
Stakoe

Caul	Hansen	Miller	Steil
Cheeks	Hildenbrand	Moolenaar	Tobocman
Clack	Hood	Moore	Vagnozzi
Clemente	Horn	Moss	Valentine
Condino	Huizenga	Nitz	Walker
Constan	Jackson	Nofs	Ward
Corriveau	Johnson	Opsommer	Warren
Coulouris	Jones, Rick	Palsrok	Wenke
Cushingberry	Jones, Robert	Pavlov	Young

Nays—8

Brandenburg	Hoogendyk	Knollenberg	Pastor
Garfield	Hune	Palmer	Wojno

In The Chair: Sak

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

Second Reading of Bills

House Bill No. 4358, entitled

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2008; to provide for the expenditure of those appropriations; to create certain funds and accounts; to require certain reports; to prescribe the 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.

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.

Reps. Espinoza, Miller and Pavlov moved to amend the bill as follows:

1. Amend page 14, following line 9, by inserting:
 “Real-time water quality monitoring 250,000”.
2. Amend page 15, following line 1, by inserting:
 “Settlement funds 250,000”

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

3. Amend page 32, following line 5, by inserting:

“Sec. 903. The appropriation in part 1 for real-time water quality monitoring is a grant to Macomb County and St. Clair County to support a real-time water quality monitoring program in the St. Clair watershed. By September 30, 2008, grant recipients shall report to the department on plan’s implementation, and status of the project. The department shall forward the report to the state budget director, the house and senate appropriations subcommittees on environmental quality, the house and senate standing committees on natural resources and environmental issues, and the house and senate fiscal agencies. Funding is contingent upon development of a department approved plan for long term funding of operation and maintenance of the real-time monitoring system for the Huron-Erie corridor.”.

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4358, entitled

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2008; to provide for the expenditure of those appropriations; to create certain funds and accounts; to require certain reports; to prescribe the 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.

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

Roll Call No. 280

Yeas—59

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

Nays—49

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

In The Chair: Sak

The House agreed to the title of the bill.

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

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

By unanimous consent the House returned to the order of
Motions and Resolutions

Rep. Tobocman moved that when the House adjourns today it stand adjourned until Wednesday, August 1, at 1:30 p.m.
The motion prevailed.

Reports of Standing Committees

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Virgil Smith, Chair, of the Committee on Insurance, was received and read:
Meeting held on: Wednesday, July 25, 2007

Present: Reps. Virgil Smith, Farrah, Condino, Constan, Johnson, Lemmons, Polidori, Scott, Simpson, Wojno, Hune, Robertson, Hildenbrand, Moore and Rocca

Absent: Reps. Emmons and David Law

Excused: Reps. Emmons and David Law

Rep. Green moved that the House adjourn.
The motion prevailed, the time being 7:00 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, August 1, at 1:30 p.m.

RICHARD J. BROWN
Clerk of the House of Representatives