

**No. 83**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**93rd Legislature**  
**REGULAR SESSION OF 2006**

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House Chamber, Lansing, Wednesday, September 20, 2006.

12:00 Noon.

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

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

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

e/d/s = entered during session

Rep. Mary D. Waters, from the 4th District, offered the following invocation:

“Most Gracious Father,

Thank You for this wonderful day, a new day that we have never seen. Thank You for life, love, trials, understanding, hardship and friendships. Lord, we Your children know that everything happens for a reason and there is a season for every purpose under Heaven. Please help us to walk the path You have prepared for us with grace and dignity.

Father God, if we have done anything to displease You by thought, word or deed, please forgive us and continue to show us Your mercy and Your grace.

As we attempt to do the ‘peoples work’ help us all to understand what a serious job we have being public servants. Help us to move out of our own way and truly do our jobs as we promised You and our constituents we would do. Let us all treat each other with respect and wisdom because no one woman or man is better than the other.

Father, I pray for all these things I have placed before You in Your son’s name. Amen.”

Rep. Hildenbrand moved that Reps. Sheen and Taub be excused temporarily from today’s session.  
The motion prevailed.

### Third Reading of Bills

#### Senate Bill No. 1052, entitled

A bill to amend 1995 PA 279, entitled “Horse racing law of 1995,” by amending sections 2 and 4 (MCL 431.302 and 431.304).

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

#### Roll Call No. 1042

#### Yeas—103

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

**Nays—0**

In The Chair: Kooiman

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

“An act to license and regulate the conducting of horse race meetings in this state with pari-mutuel wagering on the results of horse races and persons involved in horse racing and pari-mutuel gaming activities at such race meetings; to create the office of racing commissioner; to prescribe the powers and duties of the racing commissioner; to prescribe certain powers and duties of the department of agriculture and the director of the department of agriculture; to provide for the promulgation of rules; to provide for the imposition of taxes and fees and the disposition of revenues; to impose certain taxes; to create funds; to legalize and permit the pari-mutuel method of wagering on the results of live and simulcast races at licensed race meetings in this state; to appropriate the funds derived from pari-mutuel wagering on the results of horse races at licensed race meetings in this state; to prescribe remedies and penalties; and to repeal acts and parts of acts,”

The House agreed to the full title.

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

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

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

“Mr. Speaker and members of the House:

I was absent from the Chamber when the vote was taken on Roll Call No. 1042. Had I been present, I would have voted ‘yea’.”

**Senate Bill No. 1226, entitled**

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending section 703 (MCL 436.1703), as amended by 2004 PA 63.

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

**Roll Call No. 1043****Yeas—103**

Accavitti	Elsenheimer	Law, David	Robertson
Acciavatti	Emmons	Law, Kathleen	Rocca
Adamini	Espinoza	Leland	Sak
Amos	Farhat	Lemmons, Jr.	Schuitmaker
Anderson	Farrah	Lipsey	Shaffer
Angerer	Gaffney	Marleau	Sheltrown
Ball	Garfield	Mayer	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	Newell	Vagnozzi
Caswell	Hopgood	Nitz	Van Regenmorter
Caul	Huizenga	Nofs	Vander Veen
Cheeks	Hummel	Palmer	Walker
Clack	Hune	Palsrok	Ward

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

**Nays—1**

Drolet

In The Chair: Kooiman

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

“An act to create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state liquor stores; to prohibit the use of certain devices for the dispensing of alcoholic vapor; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; and to repeal acts and parts of acts.”

The House agreed to the full title.

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

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

**Senate Bill No. 1128, entitled**

A bill to amend 1982 PA 295, entitled “Support and parenting time enforcement act,” (MCL 552.601 to 552.650) by adding section 15a.

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

**Roll Call No. 1044****Yeas—105**

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

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

### Nays—0

In The Chair: Kooiman

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

“An act to provide for and to supplement statutes that provide for the provisions and enforcement of support, health care, and parenting time orders with respect to divorce, separate maintenance, paternity, child custody and support, and spousal support; to prescribe and authorize certain provisions of those orders; to prescribe the powers and duties of the circuit court and friend of the court; to prescribe certain duties of certain employers and other sources of income; to provide for penalties and remedies; and to repeal acts and parts of acts,”

The House agreed to the full title.

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

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

#### **House Bill No. 6440, entitled**

A bill to amend 1994 PA 204, entitled “The children’s ombudsman act,” by amending the title and section 3 (MCL 722.923), as amended by 2004 PA 560.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

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Rep. Lemmons, III entered the House Chambers.

### **Second Reading of Bills**

#### **House Bill No. 6039, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding section 2511.

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

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

Rep. Newell 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.

By unanimous consent the House returned to the order of

**Third Reading of Bills**

**House Bill No. 6039, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 2511. Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1045**

**Yeas—100**

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

**Nays—6**

Drolet	Gosselin	Palmer	Sheen
Garfield	Hoogendyk		

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**

**House Bill No. 6323, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 7405, 17703, 17708, 17709, 17745, 17751, and 17763 (MCL 333.7405, 333.17703, 333.17708, 333.17709, 333.17745, 333.17751, and 333.17763),

section 7405 as amended by 2004 PA 536, section 17703 as amended by 1992 PA 281, sections 17708, 17751, and 17763 as amended by 2005 PA 85, and section 17745 as amended by 1997 PA 186, and by adding section 17754.

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

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

Rep. Newell moved to amend the bill as follows:

1. Amend page 11, line 2, after the first “**THE**” by striking out “**NAME**” and inserting “**IDENTITY**”.

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

Rep. Gleason moved to amend the bill as follows:

1. Amend page 11, line 22, after “Sec. 17763.” by inserting “(1)”.

2. Amend page 12, following line 24, by inserting:

“(2) **THE DEPARTMENT SHALL PROVIDE NOTICE TO CONSUMERS ON ITS WEBSITE THAT SOME MEDICATIONS APPROVED BY THE FEDERAL DRUG ADMINISTRATION MAY CAUSE HARM OR EVEN DEATH AND THAT MICHIGAN RESIDENTS HAVE NO RIGHT TO REDRESS FOR SUCH INJURIES.**”.

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

Rep. Sak demanded the yeas and nays.

The demand was supported.

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

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

The motion prevailed.

#### **House Bill No. 5003, entitled**

A bill to amend 1939 PA 280, entitled “The social welfare act,” by amending section 109 (MCL 400.109), as amended by 2002 PA 673.

The bill was read a second time.

Rep. Caswell 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.

By unanimous consent the House returned to the order of

#### **Third Reading of Bills**

#### **House Bill No. 5003, entitled**

A bill to amend 1939 PA 280, entitled “The social welfare act,” by amending section 109 (MCL 400.109), as amended by 2002 PA 673.

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

#### **Roll Call No. 1046**

#### **Yeas—106**

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

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

### Nays—0

In The Chair: Kooiman

The House agreed to the title of the bill.

Rep. Ward 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

The Speaker moved that there be a Call of the House.

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

### Proceedings Under the Call

The roll of the House was called by the Clerk and Rep. McConico was reported absent.

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Rep. Ward moved that the Sergeant at Arms be dispatched after the absentees.

The motion prevailed.

\_\_\_\_\_

Rep. Ward moved that the House proceed with the business under the Call.

The motion prevailed.

### Second Reading of Bills

#### House Bill No. 6303, entitled

A bill to amend 1996 PA 381, entitled "Brownfield redevelopment financing act," by amending section 13 (MCL 125.2663), as amended by 2006 PA 32.

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

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

Rep. Kooiman 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.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### House Bill No. 6303, entitled

A bill to amend 1996 PA 381, entitled "Brownfield redevelopment financing act," by amending section 13 (MCL 125.2663), as amended by 2006 PA 32.

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

#### Roll Call No. 1047

#### Yeas—106

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

#### Nays—0

In The Chair: Kooiman

The House agreed to the title of the bill.

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

#### House Bill No. 6318, entitled

A bill to amend 1969 PA 306, entitled “Administrative procedures act of 1969,” by amending section 5 (MCL 24.205), as amended by 2004 PA 23.

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

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

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.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### House Bill No. 6318, entitled

A bill to amend 1969 PA 306, entitled “Administrative procedures act of 1969,” by amending section 5 (MCL 24.205), as amended by 2004 PA 23.

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

#### Roll Call No. 1048

#### Yeas—106

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

#### Nays—0

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.

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

The Committee on Senior Health, Security, and Retirement, by Rep. Vander Veen, Chair, reported  
**House Bill No. 6478, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 112b, 112c, and 112e (MCL 400.112b, 400.112c, and 400.112e), as added by 1995 PA 85; and to repeal acts and parts of acts.

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

Nays: None

The Committee on Senior Health, Security, and Retirement, by Rep. Vander Veen, Chair, reported  
**Senate Bill No. 1357, entitled**

A bill to amend 1945 PA 47, entitled "An act to authorize 2 or more cities, townships, and villages, or any combination of cities, townships, and villages, to incorporate a hospital authority for planning, promoting, acquiring, constructing, improving, enlarging, extending, owning, maintaining, and operating 1 or more community hospitals and related buildings or structures and related facilities; to provide for the sale, lease, or other transfer of a hospital owned by a hospital authority to a nonprofit corporation established under the laws of this state for no or nominal monetary consideration; to define hospitals and community hospitals; to provide for changes in the membership therein; to authorize the cities, townships, and villages to levy taxes for community hospital purposes; to provide for the issuance of bonds; to provide for the pledge of assessments; to provide for borrowing money for operation and maintenance and issuing notes for operation and maintenance; to validate elections heretofore held and notes heretofore issued; to validate bonds heretofore issued; to authorize condemnation proceedings; to grant certain powers of a body corporate; to validate and ratify the organization, existence, and membership of entities acting as hospital authorities under the act and the actions taken by hospital authorities and by the members of the hospital authorities; and to prescribe penalties and provide remedies," by amending section 1 (MCL 331.1).

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, Stahl, Proos, Zelenko, Clack and Vagnozzi

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, September 19, 2006

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

Absent: Reps. Green, Van Regenmorter and Polidori

Excused: Reps. Green, Van Regenmorter and Polidori

### Second Reading of Bills

#### House Bill No. 6478, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 112b, 112c, and 112e (MCL 400.112b, 400.112c, and 400.112e), as added by 1995 PA 85; and to repeal acts and parts of acts.

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

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

Rep. Vander Veen 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.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### House Bill No. 6478, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 112b, 112c, and 112e (MCL 400.112b, 400.112c, and 400.112e), as added by 1995 PA 85; 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. 1049

#### Yeas—105

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

**Nays—1**

Drolet

In The Chair: Kooiman

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****House Bill No. 6358, entitled**

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public and certain private utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts," (MCL 460.1 to 460.10cc) by adding section 6r.

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

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

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

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

Rep. Proos 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.

By unanimous consent the House returned to the order of

**Third Reading of Bills****House Bill No. 6358, entitled**

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public and certain private utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts," (MCL 460.1 to 460.10cc) by adding section 6r.

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

**Roll Call No. 1050****Yeas—101**

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

**Nays—5**

Drolet	Gosselin	Hoogendyk	Palmer
Garfield			

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.

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

**House Bill No. 6089, entitled**

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 2b (MCL 205.92b), as added by 2004 PA 172.

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

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

**House Bill No. 6090, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 1a (MCL 205.51a), as added by 2004 PA 173.

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

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

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

The House agreed to the full title of the bill.

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

The Speaker laid before the House

**House Bill No. 5349, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 1204c, 3915, 3927, 3935, and 3942 (MCL 500.1204c, 500.3915, 500.3927, 500.3935, and 500.3942), section 1204c as amended by 2006 PA 109 and sections 3915, 3927, 3935, and 3942 as added by 1992 PA 84, and by adding sections 1204f, 3906, 3910, 3910a, 3910b, 3925, 3926, 3926a, and 3941a.

(The bill was received from the Senate on September 14, with substitute (S-1), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until September 19, see House Journal No. 81, p. 2534.)

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

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

**Roll Call No. 1051****Yeas—101**

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

**Nays—5**Drolet  
Gosselin

Hoogendyk

Palmer

Sheen

In The Chair: Kooiman

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

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

The Committee on Appropriations, by Rep. Hummel, Chair, reported  
**House Bill No. 6055, entitled**

A bill to create the state facility authority; to create certain state authorities; to create funds and accounts; to prescribe the powers and duties of the authority; to operate certain facilities; and to prescribe the powers and duties of certain state and local officials.

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. Hummel, Pastor, Acciavatti, Stewart, Amos, Brandenburg, Caswell, Farhat, Moolenaar, Shaffer, Steil, Taub, Booher, Caul, Hansen, Kahn, Brown, Kolb, Sak, Cushingberry, Cheeks, Williams, Plakas, Alma Smith, Gonzales, Hood and Murphy

Nays: None

The Committee on Appropriations, by Rep. Hummel, Chair, reported  
**Senate Bill No. 1371, entitled**

A bill to amend 2002 PA 591, entitled "Michigan nursing scholarship act," by amending section 2 (MCL 390.1182).

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. Hummel, Pastor, Acciavatti, Stewart, Amos, Brandenburg, Caswell, Farhat, Moolenaar, Shaffer, Steil, Taub, Booher, Caul, Hansen, Kahn, Brown, Kolb, Sak, Cushingberry, Williams, Plakas, Alma Smith, Gonzales, Hood and Murphy

Nays: None

**COMMITTEE ATTENDANCE REPORT**

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

Meeting held on: Wednesday, September 20, 2006

Present: Reps. Hummel, Pastor, Acciavatti, Stewart, Amos, Brandenburg, Caswell, Farhat, Moolenaar, Shaffer, Steil, Taub, Booher, Caul, Hansen, Kahn, Brown, Kolb, Sak, Cushingberry, Cheeks, Williams, Plakas, Alma Smith, Gonzales, Hood and Murphy

Absent: Reps. Kooiman and Walker

Excused: Reps. Kooiman and Walker

**Messages from the Senate****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.

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

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

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

The House agreed to the full title of the bill.

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

**House Bill No. 6162, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 30306b.

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

The Senate has passed the bill as substituted (S-2), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

Rep. Ward moved that Rule 45 be suspended.

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

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

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

The motion prevailed.

By unanimous consent the House returned to the order of

**Reports of Standing Committees**

The Committee on Banking and Financial Services, by Rep. Robertson, Chair, reported

**House Bill No. 6299, entitled**

A bill to amend 1999 PA 276, entitled "Banking code of 1999," by amending sections 4401 and 4405 (MCL 487.14401 and 487.14405).

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. Robertson, Huizenga, Hune, Palsrok, Hunter, Dillon, Clemente and Mayes

Nays: None

**COMMITTEE ATTENDANCE REPORT**

The following report, submitted by Rep. Robertson, Chair, of the Committee on Banking and Financial Services, was received and read:

Meeting held on: Wednesday, September 20, 2006

Present: Reps. Robertson, Huizenga, Hune, Palsrok, Hunter, Dillon, Clemente and Mayes

Absent: Rep. Green

Excused: Rep. Green

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

**House Bill No. 6028, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7cc (MCL 211.7cc), as amended by 2003 PA 247.

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

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

Favorable Roll Call

To Report Out:

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

Nays: Rep. Zelenko

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

**House Bill No. 6209, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7o (MCL 211.7o), as amended by 2004 PA 576.

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. Sheen, Meyer, Gosselin, Newell, Drolet, Palmer, Hoogendyk, Stakoe, Jones, Marleau, Farrah, Zelenko, Miller, Bennett and Mayes

Nays: None

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

**Senate Bill No. 926, entitled**

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," by amending section 74 (MCL 125.2074), as amended by 1987 PA 278.

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

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

Favorable Roll Call

To Report Out:

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

Nays: None

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

**House Resolution No. 266.**

A resolution to memorialize the Congress of the United States to enact the Hearing Aid Tax Credit Act.

(For text of resolution, see House Journal No. 48, p. 1161.)

With the recommendation that the following substitute (H-1) be adopted and that the resolution then be adopted.

**Substitute for House Resolution No. 266.**

A resolution to memorialize the Congress of the United States to enact the Hearing Aid Assistance Tax Credit Act.

Whereas, Hearing is clearly one of our most essential senses. It is often taken for granted, unfortunately, until the time one begins to experience hearing loss. At this point it is too late to reverse the damage. Hearing aids are the ready solution to the problems associated with hearing loss, but the costs associated with good quality equipment is expensive, is not always covered by one's insurance or Medicaid, and is too often foregone for more immediate needs. A federal tax credit would provide immediate and necessary relief for tens of thousands; and

Whereas, Indeed, it has been estimated that hearing aids would help ninety-five percent of those suffering from hearing loss. Only twenty-two percent of the population, however, currently uses a hearing device, because the average out-of-pocket costs associated with hearing aids is over \$2,800. Thousands upon thousands of individuals and family members are impacted by these soaring costs. It is estimated that close to 2 million people are affected by untreated hearing loss; and

Whereas, In Michigan, legislation was enacted in 1978 to exempt hearing aids from the state sales tax. This initiative was a clear recognition of the importance of cost savings to those in need of hearing aids. The Congress should follow this stellar example and enact similar tax incentives in the U.S. Tax Code; now, therefore, be it

Resolved by the House of Representatives, That we hereby memorialize the Congress of the United States to enact the Hearing Aid Assistance Tax Credit Act; and be it further

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

The resolution and substitute were laid over one day under the rules.

#### Favorable Roll Call

To Report Out:

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

Nays: None

#### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, September 20, 2006

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

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

#### **House Bill No. 5252, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 66.

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

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

#### Favorable Roll Call

To Report Out:

Yeas: Reps. Van Regenmorter, Schuitmaker, Newell, Jones, David Law, Rocca, Lipsey, Condino, Adamini and Bieda

Nays: None

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

#### **House Bill No. 6348, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 2157b.

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. Van Regenmorter, Schuitmaker, Newell, Jones, David Law, Rocca, Lipsey, Condino, Adamini and Bieda

Nays: None

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

**House Bill No. 6365, entitled**

A bill to amend 1949 PA 38, entitled "An act concerning perpetuities and the suspension of the absolute power of alienation with respect to interests in real property, making uniform the law as to real and personal property; and repealing sections 14, 15, 16, 17, 18, 19, 20 and 23 of chapter 62 of the Revised Statutes of 1846, being sections 554.14, 554.15, 554.16, 554.17, 554.18, 554.19, 554.20 and 554.23, respectively, of the Compiled Laws of 1948," by amending the title and section 3 (MCL 554.53), section 3 as amended by 1988 PA 417; 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. Van Regenmorter, Schuitmaker, Newell, Jones, David Law, Rocca, Lipsey, Condino, Adamini and Bieda

Nays: None

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

**House Bill No. 6366, entitled**

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending sections 2702 and 2722 (MCL 700.2702 and 700.2722), section 2702 as amended by 2000 PA 54.

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. Van Regenmorter, Schuitmaker, Newell, Jones, David Law, Rocca, Lipsey, Condino, Adamini and Bieda

Nays: None

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

**House Bill No. 6403, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 2976.

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

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

Favorable Roll Call

To Report Out:

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

Nays: None

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

**House Bill No. 6404, entitled**

A bill to amend 1935 PA 59, entitled "An act to provide for the public safety; to create the Michigan state police, and provide for the organization thereof; to transfer thereto the offices, duties and powers of the state fire marshal, the state oil inspector, the department of the Michigan state police as heretofore organized, and the department of public safety; to create the office of commissioner of the Michigan state police; to provide for an acting commissioner and for the appointment of the officers and members of said department; to prescribe their powers, duties, and immunities; to provide the manner of fixing their compensation; to provide for their removal from office; and to repeal Act No. 26

of the Public Acts of 1919, being sections 556 to 562, inclusive, of the Compiled Laws of 1929, and Act No. 123 of the Public Acts of 1921, as amended, being sections 545 to 555, inclusive, of the Compiled Laws of 1929,” by amending section 6 (MCL 28.6), as amended by 2000 PA 83.

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

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

Favorable Roll Call

To Report Out:

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

Nays: None

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

**House Bill No. 6405, entitled**

A bill to amend 1939 PA 288, entitled “Probate code of 1939,” by amending sections 1, 2, and 14 of chapter XIIA (MCL 712A.1, 712A.2, and 712A.14), as amended by 2001 PA 211.

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

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

Favorable Roll Call

To Report Out:

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

Nays: None

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

**House Bill No. 6406, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 15b of chapter IV (MCL 764.15b), as amended by 2001 PA 209.

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

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Van Regenmorter, Schuitmaker, Newell, Jones, David Law, Rocca, Lipsey, Condino, Adamini and Bieda

Nays: None

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

**House Bill No. 6416, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 7524 (MCL 333.7524), as amended by 1994 PA 8.

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. Van Regenmorter, Schuitmaker, Newell, Jones, David Law, Rocca, Lipsey, Condino, Adamini and Bieda

Nays: None

The Committee on Judiciary, by Rep. Van Regenmorter, Chair, reported  
**Senate Bill No. 701, entitled**

A bill to amend 1968 PA 319, entitled "An act to provide a uniform crime reporting system; to provide for the submitting of such report to the department of state police; to require submission of the report by certain police agencies; to require the reporting on wanted persons and stolen vehicles; to require the reporting of information regarding certain persons and unidentified bodies of deceased persons; to prescribe certain powers and duties of law enforcement agencies; and to vest the director of the department of state police with certain authority," by amending section 8 (MCL 28.258), as amended by 2002 PA 718.

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. Van Regenmorter, Schuitmaker, Newell, Jones, David Law, Rocca, Lipsey, Condino, Adamini and Bieda  
 Nays: None

#### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, September 20, 2006

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

Absent: Reps. Stakoe and McConico

Excused: Reps. Stakoe and McConico

#### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, September 19, 2006

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

Absent: Rep. Drolet

Excused: Rep. Drolet

#### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, September 20, 2006

Present: Reps. LaJoy, Gosselin, Meyer, Nitz, Wenke, Pavlov, Pearce, Anderson, Byrnes, Kathleen Law and Leland

Absent: Reps. David Law, Casperson, Moore, Gleason, Condino and Tobocman

Excused: Reps. David Law, Casperson, Moore, Gleason, Condino and Tobocman

#### Messages from the Senate

##### House Bill No. 6150, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 18103, 18105, and 18115 (MCL 333.18103, 333.18105, and 333.18115), section 18103 as amended by 1993 PA 79, section 18105 as amended by 1989 PA 262, and section 18115 as added by 1988 PA 421, and by adding sections 16605 and 16620.

The Senate has concurred in the House amendment to the Senate substitute (S-1), agreed to the title of the bill as amended and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

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

**House Bill No. 6164, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 30307 (MCL 324.30307), as amended by 2004 PA 325.

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

The House agreed to the full title.

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

**House Bill No. 6197, entitled**

A bill to amend 2003 PA 238, entitled "Michigan notary public act," by amending sections 5, 11, 13, 15, 17, 19, 21, 25, 31, 35, 51, and 53 (MCL 55.265, 55.271, 55.273, 55.275, 55.277, 55.279, 55.281, 55.285, 55.291, 55.295, 55.311, and 55.313).

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

The House agreed to the full title.

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

**House Bill No. 6248, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 126.

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

The House agreed to the full title.

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

**House Bill No. 5408, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 43510, 43511, 43513, and 43516 (MCL 324.43510, 324.43511, 324.43513, and 324.43516), sections 43510 and 43516 as amended by 2004 PA 129, section 43511 as added by 1995 PA 57, and section 43513 as amended by 1998 PA 129.

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. 5942, entitled**

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending sections 4, 8a, and 11 (MCL 125.2684, 125.2688a, and 125.2691), section 4 as amended by 2002 PA 477 and section 8a as amended by 2006 PA 116.

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. 6032, entitled**

A bill to amend 2000 PA 251, entitled "Patient's right to independent review act," by amending section 3 (MCL 550.1903).

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.

### Communications from State Officers

The following communication from the Secretary of State was received and read:

Notice of Filing  
Administrative Rules

January 19, 2006

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Michigan Department of Labor and Economic Growth, State Office of Administrative Hearings and Rules filed at 2:14 P.M. this date, administrative rule (06-01-05) for the Department of State Police, Michigan Commission on Law Enforcement Standards, entitled “*Justice Training Fund Programs*” These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, 45a(6), of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

Sincerely,  
Terri Lynn Land  
Secretary of State  
Robin Houston, Office Supervisor  
Office of the Great Seal

The communication was referred to the Clerk.

Rep. McConico entered the House Chambers.

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

The House returned to the consideration of  
**House Bill No. 6162, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 30306b.

(The bill was considered earlier today, see today’s Journal, p. 2613.)

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

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

**Roll Call No. 1052**

**Yeas—107**

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

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

**Nays—0**

In The Chair: Kooiman

The House agreed to the full title of the bill.

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

**House Bill No. 6165, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 30313b.

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

The Senate has passed the bill as substituted (S-2), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

Rep. Ward moved that Rule 45 be suspended.

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

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

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

**Roll Call No. 1053****Yeas—107**

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

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

### Nays—0

In The Chair: Kooiman

The House agreed to the full title of the bill.

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

### Second Reading of Bills

#### House Bill No. 6055, entitled

A bill to create the state facility authority; to create certain state authorities; to create funds and accounts; to prescribe the powers and duties of the authority; to operate certain facilities; and to prescribe the powers and duties of certain state and local officials.

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. Casperson 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.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### House Bill No. 6055, entitled

A bill to create the state facility authority; to create certain state authorities; to create funds and accounts; to prescribe the powers and duties of the authority; to operate certain facilities; and to prescribe the powers and duties of certain state and local officials.

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

### Roll Call No. 1054

### Yeas—101

Accavitti	Elsenheimer	Lemmons, III	Rocca
Acciavatti	Emmons	Lemmons, Jr.	Sak
Adamini	Espinoza	Lipsev	Schuitmaker
Amos	Farhat	Marleau	Shaffer
Anderson	Farrah	Mayes	Sheen

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

#### Nays—6

Drolet	Gosselin	Hune	Pearce
Garfield	Hoogendyk		

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. 1371, entitled

A bill to amend 2002 PA 591, entitled “Michigan nursing scholarship act,” by amending section 2 (MCL 390.1182).  
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.

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

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

By unanimous consent the House returned to the order of

#### Third Reading of Bills

##### Senate Bill No. 1371, entitled

A bill to amend 2002 PA 591, entitled “Michigan nursing scholarship act,” by amending section 2 (MCL 390.1182).  
Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1055****Yeas—107**

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

**Nays—0**

In The Chair: Kooiman

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

“An act to establish an educational scholarship program for eligible resident students enrolled in certain nursing programs; to prescribe conditions for repayment of the scholarships; to provide for the administration of the Michigan nursing scholarship program; and to prescribe certain powers and duties of certain state officers, agencies, and departments.”

The House agreed to the full title.

**Second Reading of Bills****House Bill No. 6430, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 411u.

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

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

Rep. Kolb moved to amend the bill as follows:

1. Amend page 2, following line 14, by inserting:

**“(6) THE DEPARTMENT OF STATE POLICE, IN COOPERATION WITH THE DEPARTMENT OF EDUCATION, SHALL DEVELOP OR SELECT MATERIALS ON INTERNET SAFETY. THESE MATERIALS**

SHALL INCLUDE, BUT ARE NOT LIMITED TO, INFORMATION THAT WILL HELP CHILDREN, PARENTS, AND TEACHERS IDENTIFY, AVOID, AND DEAL WITH POTENTIAL THREATS TO A CHILD’S SAFETY. THE DEPARTMENT OF STATE POLICE SHALL MAKE THOSE MATERIALS AVAILABLE TO SCHOOL DISTRICTS, PUBLIC SCHOOL ACADEMIES, NONPUBLIC SCHOOLS, LIBRARIES, AND ANY OTHER ENTITY THAT PROVIDES PUBLIC ACCESS TO THE INTERNET. THE DEPARTMENT OF STATE POLICE SHALL ALSO ENSURE THAT PARENTS, TEACHERS, AND OTHER MEMBERS OF THE PUBLIC HAVE ACCESS TO THOSE MATERIALS.” and renumbering the remaining subsection.

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

Rep. David Law 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.

By unanimous consent the House returned to the order of

**Third Reading of Bills**

**House Bill No. 6430, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 411u. Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1056**

**Yeas—107**

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

**Nays—0**

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.

Rep. Ward moved that **Senate Bill No. 1371** be given immediate effect.  
 The motion prevailed, 2/3 of the members serving voting therefor.

### Second Reading of Bills

#### House Bill No. 6431, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16t of chapter XVII (MCL 777.16t), as amended by 2004 PA 112.

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

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

Rep. Farhat 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.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### House Bill No. 6431, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16t of chapter XVII (MCL 777.16t), as amended by 2004 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. 1057

#### Yeas—107

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

DeRoche  
Dillon  
Donigan  
Drolet

Kolb  
Kooiman  
LaJoy  
Law, David

Pearce  
Plakas  
Polidori  
Proos

Williams  
Wojno  
Zelenko

### 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.

Pending the Third Reading of  
**House Bill No. 5278, entitled**

A bill to amend 1919 PA 339, entitled “Dog law of 1919,” (MCL 287.261 to 287.290) by adding section 14a.

Rep. Ward moved to reconsider the vote by which the House placed the bill on the order of Third Reading of Bills.  
The motion prevailed, a majority of the members present voting therefor.

### Second Reading of Bills

**House Bill No. 5278, entitled**

A bill to amend 1919 PA 339, entitled “Dog law of 1919,” (MCL 287.261 to 287.290) by adding section 14a.

Rep. Ward moved to reconsider the vote by which the House adopted the amendment offered previously by Rep. Ward.

The motion prevailed, a majority of the members serving voting therefor.  
The question being on the adoption of the amendment offered previously by Rep. Ward,  
Rep. Ward withdrew the amendment.

Rep. Bieda 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.

By unanimous consent the House returned to the order of

### Third Reading of Bills

**House Bill No. 5278, entitled**

A bill to amend 1919 PA 339, entitled “Dog law of 1919,” (MCL 287.261 to 287.290) by adding section 14a.

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

### Roll Call No. 1058

### Yeas—85

Accavitti  
Acciavatti  
Adamini  
Amos  
Anderson  
Angerer

Donigan  
Elsenheimer  
Emmons  
Espinoza  
Farhat  
Farrah

Leland  
Lemmons, III  
Lemmons, Jr.  
Lipsey  
Marleau  
Mayes

Proos  
Robertson  
Rocca  
Sak  
Schuitmaker  
Shaffer

Ball	Gaffney	McConico	Sheltrown
Bennett	Gillard	McDowell	Smith, Alma
Bieda	Gleason	Meisner	Spade
Booher	Gonzales	Meyer	Stakoe
Brown	Hansen	Miller	Stewart
Byrnes	Hood	Moolenaar	Tobocman
Byrum	Hopgood	Moore	Vagnozzi
Casperson	Hune	Mortimer	Van Regenmorter
Caul	Hunter	Murphy	Walker
Cheeks	Kahn	Newell	Ward
Clack	Kolb	Nitz	Waters
Clemente	Kooiman	Nofs	Wenke
Condino	LaJoy	Palsrok	Williams
Cushingberry	Law, David	Plakas	Wojno
DeRoche	Law, Kathleen	Polidori	Zelenko
Dillon			

#### Nays—22

Baxter	Green	Palmer	Smith, Virgil
Brandenburg	Hildenbrand	Pastor	Stahl
Caswell	Hoogendyk	Pavlov	Steil
Drolet	Huizenga	Pearce	Taub
Garfield	Hummel	Sheen	Vander Veen
Gosselin	Jones		

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.

By unanimous consent the House returned to the order of

#### Motions and Resolutions

Rep. Waters moved that the Committee on Government Operations be discharged from further consideration of **House Resolution No. 287.**

(For first notice see House Journal No. 82, p. 2587.)

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

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

#### Reports of Standing Committees

The Speaker laid before the House

#### House Resolution No. 287.

A resolution to memorialize the Congress of the United States to enact legislation to direct the Joint Committee on the Library to accept the donation of a bust depicting Sojourner Truth for display in our nation's capitol.

(For text of resolution, see House Journal No. 67, p. 1887.)

(The resolution was discharged from the Committee on Government Operations on September 20.)

The question being on the adoption of the resolution,

The resolution was adopted.

**Third Reading of Bills**

The House returned to the consideration of

**House Bill No. 6440, entitled**

A bill to amend 1994 PA 204, entitled “The children’s ombudsman act,” by amending the title and section 3 (MCL 722.923), as amended by 2004 PA 560.

(The bill was considered earlier today, see today’s Journal, p. 2601.)

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. 1059**

**Yeas—67**

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

**Nays—40**

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

In The Chair: Kooiman

The House agreed to the title of the bill.

Rep. Tobocman, 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:

I voted against HB 6440 because I do not believe that placing the Children’s Ombudsman under the direction of the Legislature will solve any of the current problems in the foster care system. I have heard no information to date that

the current structure to the Ombudsman's office has inhibited its effectiveness. Problems in the foster care system are not solved by reshuffling the organizational chart for the Ombudsman, unless it is shown that the current structure is a barrier to the Ombudsman's effectiveness.

Michigan need only look to other states, such as New Jersey, and the great work of Kevin Ryan at the Department of Children and Families, to understand that the Ombudsman need not be under the state legislature to be effective. Let us focus on the breakdown in the foster care system and not on the organizational chart of government if we are serious about protecting our children."

---

Rep. Ward moved that the Call of the House be lifted.  
The motion prevailed.

### Quorum Call

Rep. Huizenga questioned the presence of a quorum and moved that the roll be called and printed in the Journal.  
The motion prevailed.  
The roll was called and the Clerk announced that a quorum was present.  
The following is the roll call:

#### Roll Call No. 1060

#### Yeas—105

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

In The Chair: Kooiman

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

The Committee on Energy and Technology, by Rep. Nofs, Chair, reported  
**House Bill No. 6456, entitled**

A bill to provide for state video service authorization; to promote competition in providing video services; to ensure local control of rights-of-way; to provide for fees payable to local units of government; to provide for local programming; and to prescribe the powers and duties of certain state and local agencies and officials.

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

Nays: Rep. Clemente

#### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, September 20, 2006

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

#### 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 Tuesday, September 19:

**House Bill Nos. 6535 6536 6537**

The Clerk announced that the following bills had been printed and placed upon the files of the members on Wednesday, September 20:

**Senate Bill Nos. 1451 1452 1453 1454 1455 1456 1457 1458 1459 1460 1461 1462 1463**

The Clerk announced the enrollment printing and presentation to the Governor on Wednesday, September 20, for her approval of the following bills:

**Enrolled House Bill No. 4431 at 11:01 a.m.**

**Enrolled House Bill No. 5454 at 11:03 a.m.**

**Enrolled House Bill No. 5455 at 11:05 a.m.**

**Enrolled House Bill No. 5672 at 11:07 a.m.**

**Enrolled House Bill No. 6253 at 11:09 a.m.**

The Clerk announced that the following Senate bills had been received on Wednesday, September 20:

**Senate Bill Nos. 1253 1254 1372 1373 1398 1408 1409 1410 1411 1412 1416 1417 1426**

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

**Senate Bill No. 1253, entitled**

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations;

to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts,” (MCL 722.111 to 722.128) by adding sections 3f and 5h.

The Senate has passed the bill.

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

**Senate Bill No. 1254, entitled**

A bill to amend 1975 PA 238, entitled “Child protection law,” by amending section 8d (MCL 722.628d), as amended by 2002 PA 661.

The Senate has passed the bill.

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

**Senate Bill No. 1372, entitled**

A bill to amend 1933 PA 167, entitled “General sales tax act,” by amending section 5b (MCL 205.55b), as amended by 2004 PA 173.

The Senate has passed the bill.

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

**Senate Bill No. 1373, entitled**

A bill to amend 1937 PA 94, entitled “Use tax act,” by amending section 6a (MCL 205.96a), as amended by 2004 PA 172.

The Senate has passed the bill.

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

**Senate Bill No. 1398, entitled**

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 11a (MCL 380.11a), as amended by 2003 PA 299.

The Senate has passed the bill.

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

**Senate Bill No. 1408, entitled**

A bill to amend 1963 PA 42, entitled “An act to provide for the termination of dormant oil and gas interests in land owned by persons other than the owners of the surface and for the vesting of title to same in the surface owners in the absence of the filing of a notice of claim of interest within a specified period of time,” by amending sections 1, 2, and 4 (MCL 554.291, 554.292, and 554.294).

The Senate has passed the bill.

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

**Senate Bill No. 1409, entitled**

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

The Senate has passed the bill.

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

**Senate Bill No. 1410, entitled**

A bill to amend 1975 PA 238, entitled “Child protection law,” by amending sections 3 and 8 (MCL 722.623 and 722.628), section 3 as amended by 2006 PA 264 and section 8 as amended by 2006 PA 256.

The Senate has passed the bill.

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

**Senate Bill No. 1411, entitled**

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts," by amending sections 5 and 5e (MCL 722.115 and 722.115e), section 5 as amended by 2006 PA 51 and section 5e as added by 2005 PA 133, and by adding sections 5h and 5i.

The Senate has passed the bill.

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

**Senate Bill No. 1412, entitled**

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 7 (MCL 722.627), as amended by 2004 PA 563.

The Senate has passed the bill.

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

**Senate Bill No. 1416, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 9206, 9208, and 9227 (MCL 333.9206, 333.9208, and 333.9227), section 9206 as amended by 1996 PA 540, section 9208 as amended by 2000 PA 90, and section 9227 as amended by 2006 PA 91, and by adding section 9205b.

The Senate has passed the bill.

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

**Senate Bill No. 1417, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1177 (MCL 380.1177), as amended by 2000 PA 91.

The Senate has passed the bill.

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

**Senate Bill No. 1426, entitled**

A bill to provide that certain entities contracting with state and local units of government are subject to the patient's right to independent review act.

The Senate has passed the bill.

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

**Introduction of Bills**

Reps. McDowell, Polidori, Bieda, Wojno, Alma Smith, Byrnes, Kolb, Leland, Donigan, Angerer, Miller, Tobocman, Lipsey, Espinoza, Anderson, Williams and Gleason introduced

**House Bill No. 6538, entitled**

A bill to establish a grant program for the repayment of interest on state and federal student loans of eligible technology degree holders; to establish a fund for payment of grants awarded under this act; to provide for administration of the fund; and to prescribe certain powers and duties of certain state officers, agencies, and departments.

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

Reps. Kolb, Tobocman, Polidori, Alma Smith, Lipsey and Plakas introduced

**House Bill No. 6539, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 2508.

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

Reps. Kolb, Lipsey, Alma Smith, Tobocman and Plakas introduced

**House Bill No. 6540, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 56.

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

Rep. Kolb introduced

**House Bill No. 6541, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 2005 PA 214.

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

Reps. Gaffney, Kahn, Hune, Hildenbrand, Marleau and Ward introduced

**House Bill No. 6542, 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. Kahn, Jones, Brandenburg, Stewart, Meyer, Gaffney, Moore, Ball, David Law, Stakoe, Pearce, Garfield, Pavlov, Moolenaar, Walker, Shaffer, Amos, Wenke, Hune, Hildenbrand and Vander Veen introduced

**House Bill No. 6543, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 411u.

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

Reps. Kahn, Jones, Brandenburg, Stewart, Meyer, Gaffney, Moore, Ball, David Law, Stakoe, Pearce, Garfield, Pavlov, Moolenaar, Walker, Shaffer, Amos, Wenke, Hune, Hildenbrand and Vander Veen introduced

**House Bill No. 6544, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16t of chapter XVII (MCL 777.16t), as amended by 2004 PA 112.

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

By unanimous consent the House returned to the order of

**Motions and Resolutions**

Reps. Hildenbrand, Accavitti, Ball, Baxter, Bennett, Bieda, Brandenburg, Byrnes, Byrum, Casperson, Caul, Condino, Elsenheimer, Emmons, Farrah, Gaffney, Garfield, Gillard, Gleason, Gonzales, Gosselin, Green, Hansen, Hopgood, Jones, Kolb, Kooiman, LaJoy, Lemmons, III, Marleau, McDowell, Meyer, Miller, Mortimer, Murphy, Nitz, Palsrok, Pastor, Pavlov, Pearce, Plakas, Polidori, Proos, Sak, Alma Smith, Stahl, Stakoe, Taub, Tobocman, Vander Veen, Zelenko, Acciavatti, Farhat, Lipsey, Palmer, Shaffer and Sheltroun offered the following resolution:

**House Resolution No. 309.**

A resolution declaring October 2006 as Michigan Rett Syndrome Awareness Month.

Whereas, Rett Syndrome is a neurological disorder found almost exclusively in girls and considered to be one of the four "female" diseases. Rett Syndrome is caused by a random mutation in the MeCP2 gene found on the X chromosome and is found to affect girls of all nationalities. Rett Syndrome was first described by Dr. Andreas Rett in 1966 but did not get recognition in the United States until 1983. Although improving, it is for this reason that this debilitating disease is absent in the minds of the general public and medical community. Rett Syndrome was thought to affect 1 in 10,000 female births, but many scientists now think it is more prevalent and often misdiagnosed as autism or cerebral palsy; and

Whereas, Children with Rett Syndrome appear to develop normally for the first six to eighteen months after birth, then enter into a rapid degenerative stage of the disease. The child rapidly begins to lose their speech, parents will never again hear the words mommy or daddy from their daughters. Instead the ability to communicate verbally is replaced with the use of their beautiful penetrating eyes. Many children that once were able to crawl or walk find themselves unable to perform these functions. Purposeful hand use is lost as well and replaced with repetitive

movements; the girls can no longer feed themselves or even hold onto their favorite toy. Additional symptoms that define the syndrome include; digestive difficulties, breathing abnormalities, severe acid reflux, and loss of appetite, which often results in a feeding tube. Many girls also develop seizures and severe scoliosis. It is a life of pain, frustration, and total dependence; and

Whereas, There are approximately 20,000 children in the United States who suffer from Rett Syndrome. And while there is not a known cure for this debilitating disease, there have been tremendous strides made in recent years. For instance, in 1999 the gene MeCP2 was identified as the cause of Rett Syndrome. This discovery has lured many of the most brilliant scientific minds into the field and has brought renewed hope to the families and friends of the afflicted; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare October 2006 as Michigan Rett Syndrome Awareness Month. We encourage all Michigan citizens to educate themselves about Rett Syndrome.

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.

Reps. Acciavatti, Ball, Palsrok, Accavitti, Angerer, Bennett, Bieda, Brandenburg, Byrnes, Byrum, Casperson, Caul, Donigan, Elsenheimer, Emmons, Farrah, Gaffney, Gillard, Gleason, Green, Hansen, Hopgood, Jones, Kolb, Kooiman, LaJoy, Lemmons, III, Marleau, McDowell, Miller, Mortimer, Nitz, Pastor, Pavlov, Pearce, Proos, Robertson, Rocca, Sak, Alma Smith, Stahl, Stakoe, Taub, Walker, Zelenko, Farhat, Palmer, Shaffer and Sheltroun offered the following resolution:

**House Resolution No. 310.**

A resolution to memorialize the United States Senate pass and the President of the United States sign legislation to permit the states to regulate the importation of foreign municipal solid waste.

Whereas, In 1992, the United States Supreme Court, in *Fort Gratiot Sanitary Landfill v. Michigan Department of Natural Resources*, ruled that states could not regulate or ban the importation of solid waste because Congress has exclusive authority to regulate interstate commerce. Since that time, the amount of solid waste transported from Canada for disposal in Michigan landfills has continued to increase at an alarming rate; and

Whereas, Michigan has become one of the country's largest recipients of imported solid waste. More than 18 percent of all trash dumped in landfills in Michigan originates in Canada. This situation will only become a bigger issue in the future as landfill space in Michigan begins to decline; and

Whereas, The United States House of Representatives recently passed H.R. 2491, the International Solid Waste Importation and Management Act of 2005. This bill would provide states with the authority to enact laws or issue regulations or orders restricting the receipt and disposal of foreign municipal solid waste within their borders; and

Whereas, Six Ontario municipalities, including Toronto, have recently agreed to stop sending municipal solid waste to Michigan for landfill disposal as of 2010. However, this agreement affects just one-third of the solid waste coming into Michigan from Canada. Industrial and commercial solid waste imported into our state by private haulers is not covered under the agreement and will continue to be disposed of in Michigan after 2010; and

Whereas, Some out-of-state shipments of solid waste have been found to contain medical waste, illegal drugs, and illegal currency. Customs officials do not have an effective method to screen solid waste hauling vehicles for chemical, nuclear, biological, and radiological weapons; and

Whereas, We should pursue all avenues available to reduce and eventually stop the foreign solid waste being brought into Michigan for disposal. To do this, we need to support H.R. 2491 and continue to push for funding for inspections of Canadian trash trucks that will enter our state even if municipal solid waste shipments are halted; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the United States Senate pass and the President of the United States sign H.R. 2491 to permit the states to regulate the importation of foreign municipal solid waste; and be it further

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

The resolution was referred to the Committee on Natural Resources, Great Lakes, Land Use, and Environment.

Reps. Vander Veen, Emmons, Ball, Newell, Taub, Kahn, Mortimer, Accavitti, Baxter, Bieda, Brandenburg, Byrnes, Byrum, Casperson, Caul, Clack, Condino, Elsenheimer, Farrah, Gaffney, Garfield, Gillard, Gleason, Gonzales, Gosselin, Green, Hansen, Hopgood, Jones, Kolb, Kooiman, LaJoy, Marleau, McDowell, Meyer, Miller, Murphy, Nitz,

Palsrok, Pavlov, Pearce, Plakas, Polidori, Proos, Sak, Alma Smith, Stahl, Stakoe, Tobocman, Zelenko, Acciavatti, Lipsey, Palmer, Shaffer and Sheltroun offered the following resolution:

**House Resolution No. 311.**

A resolution designating the month of October 2006 as Physical Therapy Month in the state of Michigan.

Whereas, The state of Michigan encourages options for an active and healthy lifestyle; and

Whereas, Michigan Physical Therapy Association speaks for the best interests of the public in recommending physical therapy by a licensed physical therapist to achieve physical fitness; and

Whereas, Through a national effort, Michigan Physical Therapy Association and community members are encouraged to join together to raise awareness of the importance of preventive health during the month of October 2006; and

Whereas, This effort will bring awareness to our community, and around the country, of healthier and more active lifestyles; now, therefore, be it

Resolved by House of Representatives, That the members of this legislative body designate the month of October 2006 as Physical Therapy Month in the state of Michigan and in doing so, urge all citizens to join in a national effort to raise health and fitness awareness.

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.

Reps. Sak, Ball, Bieda, Brandenburg, Byrnes, Byrum, Clack, Condino, Farrah, Gillard, Gleason, Gonzales, Green, Hopgood, Kolb, Kathleen Law, Lemmons, III, McDowell, Miller, Murphy, Palsrok, Polidori, Alma Smith, Tobocman, Zelenko, Acciavatti and Lipsey offered the following resolution:

**House Resolution No. 312.**

A resolution to request the United States Coast Guard to reevaluate its plan to conduct live fire gun exercises in Great Lakes safety zones.

Whereas, The United States Coast Guard has proposed the establishment of safety zones throughout the Great Lakes in order to conduct live fire gun exercises with Coast Guard cutters and small boats. The training area safety zones are planned for all of the Great Lakes and more than two dozen of these zones are envisioned; and

Whereas, These United States Coast Guard Water Training Areas may create hazards to vessels and people from projectile ricochets that could damage vessels and injure or kill people should civilian vessels enter these safety zones during training exercises. The local Captain of the Port will have the duty to notify boaters of the activation of these zones during exercises. The large numbers of recreational and commercial vessels that use our Great Lakes will make this a daunting task to accomplish each and every time a safety zone is activated or suspended. Enforcing the zones to keep unwary boaters away from the zones will be an added burden as well; and

Whereas, The importance of Great Lakes commerce and recreation to the people of Michigan may make the establishment of Coast Guard live fire gun exercise training areas a burden on the state of Michigan. Questions concerning the potential environmental impact of this live fire training are troubling given the importance of the Great Lakes to our state. Our people and industries are already struggling to emerge from the economic dislocations of this decade. We must preserve the Great Lakes for their prime uses of recreation and commerce, and explore other more innovative ways to maintain the training edge of our Coast Guard sailors; now, therefore, be it

Resolved by the House of Representatives, That we request the United States Coast Guard to reevaluate its plan to conduct live fire gun exercises in Great Lakes safety zones; and be it further

Resolved, That copies of this resolution be transmitted to the Commandant of the United States Coast Guard and the Secretary of the United States Department of Homeland Security.

The resolution was referred to the Committee on Government Operations.

Reps. Miller, Accavitti, Ball, Bieda, Brandenburg, Byrnes, Byrum, Clack, Condino, Donigan, Elsenheimer, Emmons, Farrah, Gaffney, Garfield, Gillard, Gleason, Gonzales, Green, Hansen, Hopgood, Jones, Kolb, Kathleen Law, Lemmons, III, McDowell, Mortimer, Murphy, Palsrok, Pearce, Plakas, Polidori, Rocca, Sak, Alma Smith, Tobocman, Zelenko, Acciavatti, Farhat, Lipsey and Sheltroun offered the following resolution:

**House Resolution No. 313.**

A resolution to memorialize the United States Congress to approve full federal funding for the barriers designed to protect the Great Lakes from Asian carp.

Whereas, Two species of Asian carp are on the verge of invading the Great Lakes. Silver carp and bighead carp have advanced up the Mississippi River since they escaped from Arkansas fish farms in the early 1980s, and now have been identified as close as 50 miles to Lake Michigan in the Illinois River near Chicago; and

Whereas, Asian carp pose a significant risk to the ecology and economy of the Great Lakes region. Asian carp can grow as large as 100 pounds and are voracious feeders. They would compete with native fish and could become a dominant species in the Great Lakes, threatening the Great Lakes' \$4 billion commercial and recreational fishery. In addition, silver carp can jump up to 10 feet out of the water when disturbed, posing a risk to recreational boaters. In several states, leaping carp have injured boaters; and

Whereas, Asian carp are the latest in a long line of exotic species to threaten the Great Lakes. Past invasions of the Great Lakes by exotic species like zebra and quagga mussels and sea lampreys have severely affected the Great Lakes. It is estimated that over \$40 million per year is spent to control these two exotic species. Scientists project that Asian carp could have a similar impact on the Great Lakes; and

Whereas, The United States Army Corps of Engineers operates a temporary demonstration barrier in the Chicago Sanitary and Ship Canal to prevent the movement of Asian carp into the Great Lakes. In addition, the Army Corps and the state of Illinois are constructing a permanent electrical barrier to replace the temporary barrier; and

Whereas, Over \$12 million has been spent to date on construction and operation of the electrical barriers. To help match federal funding, the state of Michigan has contributed nearly \$70,000 toward the completion of the permanent electrical barrier; and

Whereas, Current funding is insufficient to complete construction of the permanent barrier and only covers operation of the temporary barrier through the first half of fiscal year 2007. In addition, there is no funding to renovate the temporary barrier as a permanent backup to the new barrier; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the United States Congress to approve full federal funding to complete construction and ensure permanent operation and maintenance of both electrical barriers in the Chicago Sanitary and Ship Canal to protect the Great Lakes from Asian carp; and be it further

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

The resolution was referred to the Committee on Natural Resources, Great Lakes, Land Use, and Environment.

Reps. Gonzales, Clack, Zelenko, Gleason, Vagnozzi, Robertson, Hummel, Stahl, Stewart, Sak, Meisner, Murphy, Farrah, Alma Smith, Espinoza, McDowell, Tobocman, Polidori, Byrnes, Accavitti, Kolb, Lipsey, Ward and Byrum offered the following resolution:

**House Resolution No. 314.**

A resolution to recognize the University of Michigan-Flint as they commemorate 50 Years of Excellence.

Whereas, In 1944, the Flint Board of Education requested that a University of Michigan Extension Office open in Flint. Three years later, the Regents of the University funded a study exploring the possibilities for higher education in Flint; and

Whereas, The community responded enthusiastically to the study which called for the establishment of a four-year liberal arts college in Flint comparable to the College of Literature, Science and the Arts on the Ann Arbor campus; and

Whereas, The city assisted the university by supplying buildings and land. Money was donated by local philanthropist Charles Stewart Mott. Cooperation between the community and the University of Michigan brought about the opening of a two-year senior college in 1956, which offered baccalaureate degree programs in the liberal arts and sciences and in the professional fields of education and business administration. Approximately 167 junior students enrolled the first semester; and

Whereas, The Flint Board of Education proposed that the University of Michigan expand the senior college to a four-year institution. The Board of Regents adopted the proposal in 1964. The first freshman class was admitted the next year making the Flint College the first four-year University of Michigan program offered outside of Ann Arbor; and

Whereas, In 1970, the North Central Association of Colleges and Schools accredited the Flint College. In 1971, the Regents officially changed the name of the institution to the University of Michigan-Flint. That same year, University of Michigan President Robben Fleming appointed the first Chancellor of the University of Michigan-Flint, William E. Moran; and

Whereas, Chancellor Moran commissioned an Academic Planning Board to develop a master plan for the university. Responding to the needs of the community, the Board identified major areas of program development for the University, including professional and career-oriented programs. Subsequent chancellors continued planning for the future growth of the University. These plans led to the establishment of graduate degrees, new academic units, service units, WFUM-TV, and the expansion of the campus into downtown Flint. Through the combined efforts of Flint citizens and city government, the university acquired 42 acres along the Flint River in 1971. The campus occupied its first building in 1977; and

Whereas, In 1997, the campus acquired an additional 25 acres immediately north of the Flint River, where the William S. White Building was completed in 2002; and

Whereas, U-M Flint students choose from over 100 undergraduate and 27 graduate programs in the liberal arts and in a number of pre-professional and professional fields. Over 400 faculty members are devoted to the University's standard of excellence in teaching, and the knowledge, skills, and talents of 350 full-time staff members contribute to the success of U-M Flint and the surrounding community; and

Whereas, In 2006, the University of Michigan – Flint will celebrate 50 Years of Excellence. The expansion of the university remains as a work in progress to meet the needs of the community and to foster a collegiate atmosphere for the more than 6,000 students in pursuit of a quality education; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body recognize the University of Michigan-Flint as they commemorate 50 Years of Excellence, and we encourage all citizens to recognize and applaud the many contributions made by these individuals to enhance the quality of life in this state.

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.

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

Rep. Stakoe moved to suspend that portion of Rule 44 requiring bills to be handed to the Clerk three hours prior to calling the House to order.

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

### **Introduction of Bills**

Rep. Taub introduced

**House Bill No. 6545, 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.

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

Reps. Marleau, Baxter, Nitz, Farhat, Amos, Moolenaar, Jones, Kahn, Acciavatti, Pavlov, Emmons, Stakoe, Hildenbrand, Garfield, Brandenburg, Moore, Stahl and Pastor introduced

**House Bill No. 6546, entitled**

A bill to amend 1981 PA 125, entitled "The secondary mortgage loan act," by amending section 27 (MCL 493.77), as amended by 1997 PA 91.

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

Reps. Kolb and Tobocman introduced

**House Bill No. 6547, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 5519.

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

Reps. Kolb and Tobocman introduced

**House Bill No. 6548, entitled**

A bill to amend 1945 PA 281, entitled "An act to provide for regional planning; the creation, organization, powers and duties of regional planning commissions; the provision of funds for the use of regional planning commissions; and the supervision of the activities of regional planning commissions under the provisions of this act," (MCL 125.11 to 125.25) by adding section 28.

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

Rep. Kolb introduced

**House Bill No. 6549, entitled**

A bill to amend 1945 PA 281, entitled "An act to provide for regional planning; the creation, organization, powers and duties of regional planning commissions; the provision of funds for the use of regional planning commissions; and the supervision of the activities of regional planning commissions under the provisions of this act," (MCL 125.11 to 125.25) by adding section 27.

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

Reps. Kolb and Tobocman introduced

**House Bill No. 6550, entitled**

A bill to amend 1945 PA 281, entitled "An act to provide for regional planning; the creation, organization, powers and duties of regional planning commissions; the provision of funds for the use of regional planning commissions; and the supervision of the activities of regional planning commissions under the provisions of this act," by amending the title and section 1 (MCL 125.11) and by adding section 26.

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

Rep. Kolb introduced

**House Bill No. 6551, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 1907 (MCL 324.1907), as added by 1995 PA 60.

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

Rep. Gillard introduced

**House Bill No. 6552, entitled**

A bill to provide for the establishment of local tourism improvement tax increment finance authorities; to prescribe the powers and duties of the authorities; to promote economic development and job creation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans and development areas; to create a board; to prescribe the powers and duties of the board; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to prescribe powers and duties of certain state officials; to provide for rule promulgation; and to provide for enforcement of the act.

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

Reps. Stakoe, Van Regenmorter, Schuitmaker, Hansen, Sheen, David Law, Jones, Pearce, Caul, Marleau, Casperson, Brandenburg, Newell, Elsenheimer, Lipsey, Bieda, Condino and Gleason introduced

**House Bill No. 6553, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 39 of chapter XVII (MCL 777.39), as added by 1998 PA 317.

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

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The Speaker Pro Tempore resumed the Chair.

By unanimous consent the House returned to the order of

**Second Reading of Bills**

**House Bill No. 6365, entitled**

A bill to amend 1949 PA 38, entitled "An act concerning perpetuities and the suspension of the absolute power of alienation with respect to interests in real property, making uniform the law as to real and personal property; and

repealing sections 14, 15, 16, 17, 18, 19, 20 and 23 of chapter 62 of the Revised Statutes of 1846, being sections 554.14, 554.15, 554.16, 554.17, 554.18, 554.19, 554.20 and 554.23, respectively, of the Compiled Laws of 1948," by amending the title and section 3 (MCL 554.53), section 3 as amended by 1988 PA 417; and to repeal acts and parts of acts.

The bill was read a second time.

Rep. Schuitmaker moved to amend the bill as follows:

1. Amend page 2, line 10, after "**BEGINNING**" by striking out the balance of the line through "**SECTION,**" on line 11 and inserting "**JANUARY 1, 2007,**".

2. Amend page 2, following line 14, by inserting:

"Enacting section 2. This amendatory act takes effect January 1, 2007.

Enacting section 3. This amendatory act does not take effect unless House Bill No. 6366 of the 93rd Legislature is enacted into law."

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

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

The motion prevailed.

### **House Bill No. 6366, entitled**

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending sections 2702 and 2722 (MCL 700.2702 and 700.2722), section 2702 as amended by 2000 PA 54.

The bill was read a second time.

Rep. Schuitmaker moved to amend the bill as follows:

1. Amend page 5, following line 17, by inserting:

"Enacting section 1. This amendatory act takes effect January 1, 2007." and renumbering the remaining enacting section.

2. Amend page 5, line 19, after "unless" by striking out the balance of the line through "07009'06)" on line 20 and inserting "House Bill No. 6365".

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

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

The motion prevailed.

### **House Bill No. 6403, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 2976.

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

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

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

1. Amend page 1, line 2, after "**THE**" by striking out "**SUPERINTENDENT,**" and inserting "**SUPERINTENDENT OR HIS OR HER DESIGNEE,**".

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

Rep. Mortimer moved to amend the bill as follows:

1. Amend page 1, line 6, after "**(2)**" by inserting "**WITHIN 7 DAYS OF THE COMMENCEMENT OF THE ACTION,**".

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

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

1. Amend page 2, line 2, after "**28.722**" by inserting a comma and "**OR IF THE INDIVIDUAL IS NOT A STUDENT OF THE DISTRICT SEEKING THE STUDENT BODY PROTECTION ORDER, ANY OF THE FOLLOWING:**

**(A) SECTION 7401 OF THE PUBLIC HEALTH CODE, 1978 PA 368, MCL 333.7401 (MANUFACTURING, CREATING, DELIVERING, OR POSSESSING WITH INTENT TO MANUFACTURE, CREATE, OR DELIVER A CONTROLLED SUBSTANCE, PRESCRIPTION FORM).**

**(B) SECTION 7401A OF THE PUBLIC HEALTH CODE, 1978 PA 368, MCL 333.7401A (DELIVERY OF CONTROLLED SUBSTANCE).**

**(C) SECTION 7401B OF THE PUBLIC HEALTH CODE, 1978 PA 368, MCL 333.7401B (MANUFACTURE, DELIVERY, OR POSSESSION OF GHB).**

**(D) SECTION 7401C OF THE PUBLIC HEALTH CODE, 1978 PA 368, MCL 333.7401C (MANUFACTURE OF CONTROLLED SUBSTANCE - OPERATING A DRUG LAB).**

**(E) SECTION 7402 OF THE PUBLIC HEALTH CODE, 1978 PA 368, MCL 333.7402 (CREATING, MANUFACTURING, DELIVERING, OR POSSESSING WITH INTENT TO DELIVER COUNTERFEIT SUBSTANCE OR CONTROLLED SUBSTANCE ANALOGUE).**

**(F) SECTION 7410A OF THE PUBLIC HEALTH CODE, 1978 PA 368, MCL 333.7410A (DELIVERY OR INTENT TO DELIVER CONTROLLED SUBSTANCE IN OR WITHIN PUBLIC OR PRIVATE PARK).**

**(G) SECTION 7416 OF THE PUBLIC HEALTH CODE, 1978 PA 368, MCL 333.7416 (RECRUITING, INDUCING, SOLICITING, OR COERCING MINOR TO COMMIT FELONY INVOLVING DRUGS)".**

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

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

The motion prevailed.

#### **House Bill No. 6404, entitled**

A bill to amend 1935 PA 59, entitled "An act to provide for the public safety; to create the Michigan state police, and provide for the organization thereof; to transfer thereto the offices, duties and powers of the state fire marshal, the state oil inspector, the department of the Michigan state police as heretofore organized, and the department of public safety; to create the office of commissioner of the Michigan state police; to provide for an acting commissioner and for the appointment of the officers and members of said department; to prescribe their powers, duties, and immunities; to provide the manner of fixing their compensation; to provide for their removal from office; and to repeal Act No. 26 of the Public Acts of 1919, being sections 556 to 562, inclusive, of the Compiled Laws of 1929, and Act No. 123 of the Public Acts of 1921, as amended, being sections 545 to 555, inclusive, of the Compiled Laws of 1929," by amending section 6 (MCL 28.6), as amended by 2000 PA 83.

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

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

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

The motion prevailed.

#### **House Bill No. 6405, entitled**

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending sections 1, 2, and 14 of chapter XIIA (MCL 712A.1, 712A.2, and 712A.14), as amended by 2001 PA 211.

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

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

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

The motion prevailed.

#### **House Bill No. 6406, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 15b of chapter IV (MCL 764.15b), as amended by 2001 PA 209.

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

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

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

The motion prevailed.

#### **House Bill No. 6299, entitled**

A bill to amend 1999 PA 276, entitled "Banking code of 1999," by amending sections 4401 and 4405 (MCL 487.14401 and 487.14405).

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

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

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

The motion prevailed.

**House Bill No. 6209, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7o (MCL 211.7o), as amended by 2004 PA 576.

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

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

Rep. Kooiman moved to substitute (H-4) the bill.

The motion prevailed and the substitute (H-4) was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

**House Bill No. 6363, entitled**

A bill to amend 1976 PA 390, entitled "Emergency management act," by amending section 5 (MCL 30.405), as amended by 1990 PA 50.

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

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

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

The motion prevailed.

**House Bill No. 6364, entitled**

A bill to amend 1945 PA 302, entitled "An act authorizing the governor to proclaim a state of emergency, and to prescribe the powers and duties of the governor with respect thereto; and to prescribe penalties," by amending section 1 (MCL 10.31).

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

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

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

The motion prevailed.

**House Bill No. 4042, entitled**

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

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

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

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

The motion prevailed.

**Introduction of Bills**

Rep. Hildenbrand introduced

**House Bill No. 6554, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 2501, 2502a, 2503, 2504, 2505, 2506, 2507, 2512, 2512c, and 2514 (MCL 339.2501, 339.2502a, 339.2503, 339.2504, 339.2505, 339.2506, 339.2507, 339.2512, 339.2512c, and 339.2514), sections 2501, 2504, and 2505 as amended by 2003 PA 196, section 2502a as added by 2002 PA 611, section 2503 as amended by 1990 PA 269, sections 2506 and 2507 as amended by 1988 PA 463, section 2512 as amended by 2002 PA 42, and section 2512c as added by 1994 PA 333.

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

Rep. Kolb introduced

**House Bill No. 6555, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 2a of chapter IV (MCL 764.2a), as amended by 2002 PA 483.

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

Reps. Kooiman and Stakoe introduced

**House Bill No. 6556, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 310f.

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

Reps. Hopgood, Vagnozzi, Kathleen Law, Meisner, Donigan, Alma Smith, Tobocman and Condino introduced

**House Bill No. 6557, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17211 (MCL 333.17211).

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

Reps. Tobocman, Hunter, Kolb, Alma Smith, Mayes and Vagnozzi introduced

**House Bill No. 6558, entitled**

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding section 33.

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

Reps. Byrnes, Tobocman, Angerer, Alma Smith, Lipsey, Kolb and Sheltroun introduced

**House Bill No. 6559, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 556 (MCL 750.556).

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

Reps. Tobocman, Condino, Alma Smith, Lipsey and Kolb introduced

**House Bill No. 6560, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing sections 32, 102, 103, 335, and 337 (MCL 750.32, 750.102, 750.103, 750.335, and 750.337).

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

Reps. Condino, Tobocman, Alma Smith, Lipsey and Kolb introduced

**House Bill No. 6561, entitled**

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

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

Reps. Tobocman, Kolb and Alma Smith introduced

**House Bill No. 6562, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing sections 338, 338a, and 338b (MCL 750.338, 750.338a, and 750.338b).

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

Reps. Kolb, Tobocman and Alma Smith introduced

**House Bill No. 6563, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16q of chapter XVII (MCL 777.16q), as amended by 2002 PA 261.

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

Reps. Alma Smith, Lipsey, Kolb, Sheltroun, Stewart and Tobocman introduced

**House Bill No. 6564, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing chapter LXXXIII (MCL 750.541 to 750.543).

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

Reps. Williams, Anderson, Adamini, Brown, Gleason, Sak, Sheltroun, Tobocman, Cushingberry, Murphy, Zelenko, Clack, Meisner, Accavitti, Virgil Smith, Donigan, Espinoza, Mayes, Plakas, Alma Smith, Cheeks, Hunter, Gillard, Kathleen Law and Lemmons, III introduced

**House Bill No. 6565, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 17780.

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

Reps. Anderson, Tobocman, Williams, Vagnozzi, Lipsey, Donigan, Miller, Cushingberry, Kathleen Law, Polidori and Bennett introduced

**House Bill No. 6566, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 17781.

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

Rep. Williams introduced

**House Bill No. 6567, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 17782.

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

Reps. Donigan, Miller, Bennett, Alma Smith, Tobocman and McDowell introduced

**House Bill No. 6568, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding part 96A.

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

Reps. Donigan, Angerer, Byrum, Hopgood, Kathleen Law, Anderson, Alma Smith, Condino, Miller, McDowell, Plakas, Gonzales, Gleason, Leland, Vagnozzi, Cushingberry, Tobocman, Polidori, Espinoza, Bennett, Bieda and Lemmons, III introduced

**House Bill No. 6569, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 9655.

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

Reps. Angerer, Byrum, Hopgood, Kathleen Law, Anderson, Alma Smith, Condino, Miller, McDowell, Plakas, Gonzales, Bieda, Leland, Gleason, Vagnozzi, Cushingberry, Tobocman, Polidori, Espinoza, Bennett and Lemmons, III introduced

**House Bill No. 6570, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 9657.

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

Reps. Miller, Angerer, Byrum, Donigan, Hopgood, Kathleen Law, Anderson, Alma Smith, Condino, McDowell, Plakas, Gonzales, Vagnozzi, Cushingberry, Tobocman, Polidori, Espinoza, Bennett, Bieda and Lemmons, III introduced

**House Bill No. 6571, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 9659.

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

Reps. McDowell, Angerer, Byrum, Donigan, Hopgood, Kathleen Law, Anderson, Alma Smith, Condino, Miller, Plakas, Gonzales, Bieda, Gleason, Leland, Vagnozzi, Cushingberry, Tobocman, Polidori, Espinoza, Bennett and Lemmons, III introduced

**House Bill No. 6572, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 9661.

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

Reps. Espinoza, Angerer, Byrum, Donigan, Hopgood, Kathleen Law, Anderson, Alma Smith, Condino, Miller, McDowell, Plakas, Gonzales, Bieda, Gleason, Leland, Vagnozzi, Cushingberry, Tobocman, Polidori, Bennett and Lemmons, III introduced

**House Bill No. 6573, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 9663. The bill was read a first time by its title and referred to the Committee on Health Policy.

Reps. Lipsey and Bieda introduced

**House Bill No. 6574, entitled**

A bill to amend 1982 PA 325, entitled "An act to authorize county sheriffs to declare a county jail overcrowding state of emergency; to prescribe the powers and duties of certain judges, county sheriffs, and other county officials; and to provide remedies for a county jail overcrowding state of emergency," (MCL 801.51 to 801.64) by adding section 9a.

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

Reps. Lipsey and Bieda introduced

**House Bill No. 6575, entitled**

A bill to amend 1982 PA 325, entitled "An act to authorize county sheriffs to declare a county jail overcrowding state of emergency; to prescribe the powers and duties of certain judges, county sheriffs, and other county officials; and to provide remedies for a county jail overcrowding state of emergency," (MCL 801.51 to 801.64) by adding section 9b.

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

Reps. Pastor, Sheen, Palmer, Gosselin, Acciavatti, Marleau, LaJoy, Moore, Moolenaar, Brandenburg, Shaffer, Amos, Elsenheimer, Booher, Casperson, Gillard, Baxter, Huizenga, Stakoe, Hoogendyk, Pavlov, Hune, Taub, Stahl and Vander Veen introduced

**House Bill No. 6576, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 30104b.

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

Reps. Pastor, Sheen, Palmer, Gosselin, Acciavatti, Marleau, LaJoy, Moore, Moolenaar, Brandenburg, Shaffer, Amos, Elsenheimer, Booher, Casperson, Gillard, Baxter, Huizenga, Stakoe, Hoogendyk, Pavlov, Hune, Taub, Stahl and Vander Veen introduced

**House Bill No. 6577, entitled**

A bill to amend 1976 PA 399, entitled "Safe drinking water act," by amending sections 4 and 21 (MCL 325.1004 and 325.1021), section 4 as amended by 2006 PA 37, and by adding section 4a.

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

Reps. Kooiman, Stahl and Pastor introduced

**House Bill No. 6578, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 57f (MCL 400.57f), as amended by 2001 PA 280, and by adding sections 57s, 57t, 57u, and 57v.

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

Reps. Kooiman, Stahl and Pastor introduced

**House Bill No. 6579, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 57f and 57g (MCL 400.57f and 400.57g), as amended by 2001 PA 280; and to repeal acts and parts of acts.

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

Reps. Kooiman, Stahl and Pastor introduced

**House Bill No. 6580, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 14i, 57, 57a, and 57e (MCL 400.14i, 400.57, 400.57a, and 400.57e), section 14i as amended by 2005 PA 333, section 57 as added by 1995 PA 223, section 57a as amended by 1999 PA 26, and section 57e as amended by 2001 PA 280, and by adding section 57w.

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

Reps. Shaffer, Kooiman, Stahl and Pastor introduced

**House Bill No. 6581, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 57b (MCL 400.57b), as amended by 1999 PA 9.

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

Reps. Nitz, Kooiman, Stahl and Pastor introduced

**House Bill No. 6582, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding sections 57q and 57r.

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

Reps. Pearce, Kooiman, Stahl and Pastor introduced

**House Bill No. 6583, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 57p.

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

Reps. Palsrok, Kooiman, Stahl and Pastor introduced

**House Bill No. 6584, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 57g (MCL 400.57g), as amended by 2001 PA 280.

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

Reps. Pastor, Kooiman and Stahl introduced

**House Bill No. 6585, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 57a (MCL 400.57a), as amended by 1999 PA 26.

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

Reps. Stahl, Kooiman and Pastor introduced

**House Bill No. 6586, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 57, 57d, and 57e (MCL 400.57, 400.57d, and 400.57e), section 57 as added by 1995 PA 223, section 57d as amended by 2005 PA 323, and section 57e as amended by 2001 PA 280.

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

Reps. Kolb, Kooiman, Stahl and Pastor introduced

**House Bill No. 6587, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 57n.

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

Reps. Gaffney, Kahn, Hune, Hildenbrand, Marleau and Ward introduced

**House Joint Resolution CC, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 3 of article IX, to limit the increase in property's taxable value following a transfer of ownership.

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

Reps. Newell, Schuitmaker, Emmons, Meyer, Walker, Moore, Elsenheimer, Nofs, Stewart, Hansen, Wenke, Jones, Pearce, Steil, Green, Caul, Proos, LaJoy, Marleau, Nitz, David Law, Farrah, Booher, Moolenaar, Pavlov, Shaffer, Amos, Van Regenmorter, Stakoe, Hildenbrand, Caswell, Stahl, Vander Veen, Huizenga, Farhat, Palsrok, Baxter, Accavitti, Mayes, Clemente, Robertson, Sak, Ball, Acciavatti, Mortimer and McDowell introduced

**House Joint Resolution DD, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 15 of article I, to allow the prohibition of bail for a person who is indicted for or arraigned on a warrant charging attempted murder.

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

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

By unanimous consent the House returned to the order of

**Motions and Resolutions**

Rep. Ward moved that when the House adjourns today it stand adjourned until Thursday, September 21, at 12:01 a.m.

The motion prevailed.

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Rep. Hood moved that the House adjourn.  
The motion prevailed, the time being 11:59 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, September 21, at 12:01 a.m.

GARY L. RANDALL  
Clerk of the House of Representatives

