

**No. 34**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**93rd Legislature**  
**REGULAR SESSION OF 2005**

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House Chamber, Lansing, Wednesday, April 27, 2005.

1:00 p.m.

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

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

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

Rep. John Garfield, from the 45th District, offered the following invocation:

“The word of God is intended to be a help and an inspiration to us at all times. Father, help us to be inspired to do Thy will. To guide this noble body with faith and wisdom. To love Thy neighbor as Thyself. To encourage friendship, faith, hope, love, forgiveness, humility and peace. In Jesus name we pray. Amen.”

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

### Second Reading of Bills

#### **House Bill No. 4594, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 7410 (MCL 333.7410), as amended by 2000 PA 302.

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

The motion prevailed.

#### **House Bill No. 4595, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 7410a (MCL 333.7410a), as amended by 2000 PA 314.

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

The motion prevailed.

#### **House Bill No. 4118, entitled**

A bill to amend 1976 PA 451, entitled “The revised school code,” (MCL 380.1 to 380.1852) by adding section 1318. The bill was read a second time.

Rep. Kehrl moved to amend the bill as follows:

1. Amend page 1, line 1, after “**DISTRICT**” by striking out “**OR**” and inserting a comma.
2. Amend page 1, line 2, after “**ACADEMY**” by inserting a comma and “**OR GOVERNING BODY OF A NONPUBLIC SCHOOL**”.
3. Amend page 1, line 6, after the first “**BOARD**” by striking out “**OR**” and inserting a comma.
4. Amend page 1, line 6, after “**DIRECTORS**” by inserting a comma and “**OR GOVERNING BODY**”.

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

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

The motion prevailed.

#### **House Bill No. 4596, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 18 of chapter XVII (MCL 777.18), as amended by 2000 PA 304.

The bill was read a second time.

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

The motion prevailed.

By unanimous consent the House returned to the order of

**Messages from the Senate**

**House Bill No. 4570, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 34d (MCL 211.34d), as amended by 1996 PA 476.

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.

By unanimous consent the House returned to the order of

**Motions and Resolutions**

Reps. Waters, Accavitti, Anderson, Byrnes, Clack, Cushingberry, Farrah, Gonzales, Kathleen Law, Lemmons, III, Lemmons, Jr., Miller, Murphy, Sak, Virgil Smith, Tobocman, Vagnozzi and Wojno offered the following resolution:

**House Resolution No. 59.**

A resolution urging Wayne State University to reconsider the closing of its College of Urban, Labor, and Metropolitan Affairs.

Whereas, Wayne State University established the College of Urban, Labor, and Metropolitan Affairs (CULMA) in 1985 to coordinate and strengthen programming that advances the university's urban mission; and

Whereas, CULMA maintains a special commitment to address the social, economic, and political issues facing urban areas generally – and Detroit particularly. CULMA serves as the university's center for research, teaching, community engagement, and policy analysis in urban affairs and workplace issues; and

Whereas, The college houses 14 departments, centers, and programs that produce significant studies for the surrounding community. CULMA makes substantial outreach efforts for the nontraditional student. CULMA is an interdisciplinary setting that exists as an urban lighthouse for education agendas within the City of Detroit; and

Whereas, The far-reaching consequences for employees, students, faculty, and supporters from the closure have not been addressed. Prospective CULMA students want to secure degrees within CULMA. That is why they intentionally selected Detroit and the College of Urban, Labor, and Metropolitan Affairs, and not Liberal Arts, Social Work, Education or other colleges; and

Whereas, We recognize the significant academic contributions of CULMA and the disadvantageous effects that would result if CULMA were dissolved. If CULMA closed, Detroit will lose a strong foundation from its edifice. In addition, we urge President Reid, the Provost, and the Board of Governors to examine any and all alternatives that would prevent the closing of the college; now, therefore, be it

Resolved by the House of Representatives, That we urge Wayne State University to reconsider the closing of its College of Urban, Labor, and Metropolitan Affairs; and be it further

Resolved, That a copy of this resolution be transmitted to the administrators of Wayne State University as evidence of our support of the College of Urban, Labor, and Metropolitan Affairs.

The resolution was referred to the Committee on Government Operations.

**Reports of Standing Committees**

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

**House Bill No. 4558, entitled**

A bill to amend 1855 PA 105, entitled "An act to regulate the disposition of the surplus funds in the state treasury; to provide for the deposit of surplus funds in certain financial institutions; to lend surplus funds pursuant to loan agreements secured by certain commercial, agricultural, or industrial real and personal property; to authorize the loan of surplus funds to certain municipalities; to authorize the participation in certain loan programs; to authorize an appropriation; and to prescribe the duties of certain state agencies," by amending the title and section 2e (MCL 21.142e), the title as amended by 1993 PA 44 and section 2e as amended by 2004 PA 342.

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

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

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Nitz, Ball, Newell, Casperson, Stahl, Proos, Hune, Mayes, Spade and Kathleen Law  
Nays: None

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

**House Bill No. 4623, entitled**

A bill to amend 1970 PA 29, entitled "An act relating to potatoes; to create a potato commission; to prescribe its powers and duties and authority; to impose an assessment on the privilege of introducing potatoes into the channels of trade and commerce; to provide for the collection of the assessment; to provide for penalties; and to repeal certain acts and parts of acts," by amending section 2 (MCL 290.422), as amended by 2000 PA 5.

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

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

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Nitz, Ball, Newell, Casperson, Stahl, Proos, Hune, Mayes, Spade and Kathleen Law  
Nays: None

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, April 26, 2005

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

Absent: Rep. Sheltrown

Excused: Rep. Sheltrown

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

**House Bill No. 4484, entitled**

A bill to amend 1987 PA 96, entitled "The mobile home commission act," by amending section 30i (MCL 125.2330i), as added by 2003 PA 44.

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. Robertson, Green, Huizenga, Hune, Palsrok, Hunter, 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, April 27, 2005

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

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, April 26, 2005

Present: Reps. Wenke, Emmons, Palmer, Ward, Byrnes, Lipsey and Kehrl

## 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, April 27, 2005

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

Absent: Reps. Garfield, LaJoy and Hunter

Excused: Reps. Garfield, LaJoy and Hunter

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, April 27, 2005

Present: Reps. Palmer, Mortimer, Gosselin, Meyer, Hoogendyk, Vander Veen, Wenke, Ball, Elsenheimer, Hildenbrand, Pearce, Proos, Hopgood, Angerer, Lemmons, III, Virgil Smith and Kehrl

Absent: Reps. Miller and Clack

Excused: Reps. Miller and Clack

**Announcement by the Clerk of Printing and Enrollment**

The Clerk announced that the following bills and joint resolution had been printed and placed upon the files of the members on Wednesday, April 27:

**House Bill Nos. 4660 4661 4662 4663 4664 4665 4666 4667 4668 4669 4670 4671 4672 4673**  
**4674 4675 4676**

**House Joint Resolution H**

The Clerk announced that the following Senate bills had been received on Wednesday, April 27:

**Senate Bill Nos. 167 257 332 371**

By unanimous consent the House returned to the order of

**Messages from the Senate****Senate Bill No. 167, entitled**

A bill to provide for occupational regulatory agencies to allow the use of on-line or other electronic continuing education and continuing competency programs under certain circumstances; to provide for certain powers and duties for certain state regulatory agencies; and to provide for the promulgation of rules.

The Senate has passed the bill.

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

**Senate Bill No. 257, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 531 (MCL 436.1531), as amended by 2004 PA 191.

The Senate has passed the bill.

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

**Senate Bill No. 332, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 3103, 3104, 3109, and 3112 (MCL 324.3103, 324.3104, 324.3109, and 324.3112), sections 3103 and 3112 as amended by 2004 PA 91 and section 3104 as amended by 2004 PA 325.

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. 371, entitled**

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending section 8d (MCL 125.2688d), as amended by 2004 PA 202.

The Senate has passed the bill.

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

### Communications from State Officers

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

April, 2005

Pursuant to Section 1002 of P.A. 344 of 2004, we are enclosing a copy of the following reports:

<u>Type of Report</u>	<u>Facility</u>	<u>Report #</u>	<u>License#</u>
Special Investigation Report	Adrian Training School	SIR#2004C0212033	CS460200931
Special Investigation Report	Adrian Training School	SIR#2004C0212042	CS460200931
Special Investigation Report	Adrian Training School	SIR#2005C0212001	CS460200931
Special Investigation Report	Adrian Training School	SIR#2005C0212002	CS460200931

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

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

Sincerely,  
Marianne Udow  
Director

The communication was referred to the Clerk.

### Introduction of Bills

Reps. David Law and Taub introduced

**House Bill No. 4677, entitled**

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 87.

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

Reps. Hunter, Gonzales, Clack, Vagnozzi, Tobocman, Bennett, Zelenko, Williams, Hopgood, Alma Smith, Farrah, Byrnes, Donigan, Kolb, McConico, Gleason, Lemmons, Jr. and Cheeks introduced

**House Bill No. 4678, entitled**

A bill to create the new Michigan merit scholarship trust fund; to provide for the administration of the new Michigan merit scholarship program; to provide for the powers and duties of certain state officers and entities; and to repeal acts and parts of acts.

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

Reps. Ward, Farhat, Stewart, Lemmons, III and Walker introduced

**House Bill No. 4679, entitled**

A bill to amend 1975 PA 197, entitled "An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts;

to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials,” by amending sections 1, 3, 4, and 7 (MCL 125.1651, 125.1653, 125.1654, and 125.1657), sections 1 and 7 as amended by 2004 PA 196, section 3 as amended by 2004 PA 521, and section 4 as amended by 1987 PA 66.

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

Reps. Wojno, Nofs, Angerer, Spade, Polidori, Miller, Sheltroun, Meisner, Bieda, Condino, Kahn, Moore, Garfield, Meyer, Gaffney, Stahl, Hune, Whitmer, Wenke, Stakoe, Mortimer, LaJoy, Green, Steil, David Law, Farhat, Caul, Amos and Pavlov introduced

**House Bill No. 4680, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 492b.

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

Reps. Nofs, Wojno, Spade, Polidori, Miller, Sheltroun, Meisner, Bieda, Condino, Kahn, Moore, Garfield, Meyer, Gaffney, Stahl, Hune, Whitmer, Wenke, Mortimer, LaJoy, Green, Steil, David Law, Farhat, Stakoe, Baxter, Caul, Amos and Pavlov introduced

**House Bill No. 4681, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16x of chapter XVII (MCL 777.16x), as amended by 2003 PA 313.

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

Reps. Clemente, Mayes, Meisner, Donigan, Gonzales, Dillon, Tobocman, Lipsey, Kolb, Farrah, Clack, Polidori, Hopgood, Kathleen Law and Plakas introduced

**House Bill No. 4682, entitled**

A bill to amend 1995 PA 24, entitled “Michigan economic growth authority act,” by amending section 8 (MCL 207.808), as amended by 2004 PA 398.

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

Rep. David Law introduced

**House Bill No. 4683, entitled**

A bill to amend 1941 PA 207, entitled “Fire prevention code,” by amending section 3c (MCL 29.3c), as amended by 1996 PA 152, and by adding section 21.

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

Rep. Palmer moved that Rep. Caswell be excused temporarily from today’s session.

The motion prevailed.

By unanimous consent the House returned to the order of

**Third Reading of Bills**

**House Bill No. 4450, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 217 (MCL 257.217), as amended by 2002 PA 652.

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

**Roll Call No. 89**

**Yeas—108**

Accavitti  
Acciavatti

Emmons  
Espinoza

Leland  
Lemmons, III

Robertson  
Rocca

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

Rep. Caswell, 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. 89. Had I been present, I would have voted ‘yea’.”

#### House Bill No. 4451, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 80320 (MCL 324.80320), as added by 1995 PA 58.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

#### House Bill No. 4452, entitled

A bill to amend 1987 PA 96, entitled “The mobile home commission act,” by amending section 30d (MCL 125.2330d).

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



**Roll Call No. 90****Yeas—109**

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

**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.

**House Bill No. 4453, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 81108 (MCL 324.81108), as added by 1995 PA 58.

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

**Roll Call No. 91****Yeas—109**

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

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

### 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.

### House Bill No. 4454, entitled

A bill to amend 1962 PA 174, entitled "Uniform commercial code," by amending section 9311 (MCL 440.9311), as amended by 2001 PA 145.

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

### Roll Call No. 92

### Yeas—109

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

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

**Nays—0**

In The Chair: Kooiman

The House agreed to the title of the bill.

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

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

The House returned to the consideration of

**House Bill No. 4451, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 80320 (MCL 324.80320), as added by 1995 PA 58.

(The bill was considered earlier today, see today’s Journal p. 512.)

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. 93****Yeas—109**

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

Condino	Kahn	Pavlov	Waters
Cushingberry	Kehrl	Pearce	Wenke
DeRoche	Kolb	Phillips	Whitmer
Dillon	Kooiman	Plakas	Williams
Donigan	Law, David	Polidori	Wojno
Drolet	Law, Kathleen	Proos	Zelenko
Elsenheimer			

**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.

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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  
**Reports of Standing Committees**

The Committee on Judiciary, by Rep. Van Regenmorter, Chair, reported  
**House Bill No. 4133, entitled**  
A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by repealing section 1831 (MCL 600.1831).  
With the recommendation that the bill be referred to the Committee on Local Government and Urban Policy.

Favorable Roll Call

To Report Out:

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

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Local Government and Urban Policy.

The Committee on Judiciary, by Rep. Van Regenmorter, Chair, reported  
**House Bill No. 4161, entitled**  
A bill to amend 1996 PA 305, entitled "Acknowledgment of parentage act," by repealing section 6 (MCL 722.1006).  
With the recommendation that the substitute (H-2) be adopted and that the bill then pass.  
The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

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

Nays: Rep. Virgil Smith

The Committee on Judiciary, by Rep. Van Regenmorter, Chair, reported  
**House Bill No. 4544, entitled**

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

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.  
The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

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

Nays: None

The Committee on Judiciary, by Rep. Van Regenmorter, Chair, reported  
**House Bill No. 4614, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 81101, 81134, 81135, 81136, 81137, 81140, 81141, and 81144 (MCL 324.81101, 324.81134, 324.81135, 324.81136, 324.81137, 324.81140, 324.81141, and 324.81144), section 81101 as amended by 2003 PA 111, section 81134 as amended by 2001 PA 12, section 81135 as amended by 1999 PA 22, sections 81136 and 81141 as amended by 1996 PA 175, and sections 81137, 81140, and 81144 as added by 1995 PA 58, and by adding section 81140b.

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, Nofs, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey, Adamini and Bieda

Nays: None

The Committee on Judiciary, by Rep. Van Regenmorter, Chair, reported  
**House Bill No. 4615, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 80101, 80171, 80176, 80180, 80183, 80184, 80187, and 80190 (MCL 324.80101, 324.80171, 324.80176, 324.80180, 324.80183, 324.80184, 324.80187, and 324.80190), sections 80101, 80171, and 80190 as added by 1995 PA 58, section 80176 as amended by 2001 PA 12, and sections 80180, 80183, 80184, and 80187 as amended by 1996 PA 174.

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, Nofs, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey, Condino, Adamini and Bieda

Nays: None

The Committee on Judiciary, by Rep. Van Regenmorter, Chair, reported  
**House Bill No. 4616, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 82101, 82127, 82136, 82139, 82140, and 82143 (MCL 324.82101, 324.82127, 324.82136, 324.82139, 324.82140, and 324.82143), section 82101 as amended by 2004 PA 587, section 82127 as amended by 2001 PA 12, section 82136 as added by 1995 PA 58, and sections 82139, 82140, and 82143 as amended by 1996 PA 183.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.  
The bill and substitute were referred to the order of Second Reading of Bills.

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Elsenheimer, Jones, David Law, 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, April 27, 2005

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

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Rep. Pastor moved that the House adjourn.  
The motion prevailed, the time being 2:45 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, April 28, at 10:30 a.m.

GARY L. RANDALL  
Clerk of the House of Representatives