

**No. 33**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**93rd Legislature**  
**REGULAR SESSION OF 2005**

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House Chamber, Lansing, Tuesday, April 26, 2005.

1:00 p.m.

The House was called to order by Associate Speaker Pro Tempore Caswell.

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—excused
Angerer—present	Garfield—present	Mayes—present	Sheen—present
Ball—present	Gillard—present	McConico—present	Sheltrown—excused
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—excused	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—present	Polidori—present	Wojno—present
Drolet—present	Law, David—present	Proos—present	Zelenko—present
Elsenheimer—present	Law, Kathleen—present		

e/d/s = entered during session

Rep. Edward J. Gaffney, from the 1st District, offered the following invocation:

“O God our refuge and our strength, look down with favor upon us. Give us wisdom to know how to vote for what is best for the people of the State of Michigan. Give us compassion and strength so we may do what is truly right for all the people of our state and shine Your light on all of us so that we will be infused with the spirit of Your love. Shine Your light so we may know the truth. So that we may one day say ‘I’ve seen the light, I’ve seen the light. Praise the Lord, I’ve seen the light!’ Amen.”

The Speaker Pro Tempore assumed the Chair.

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

Rep. Sak moved that Reps. Cushingberry and Sheltroun be excused from today’s session.  
The motion prevailed.

### Reports of Standing Committees

The Speaker laid before the House  
**House Concurrent Resolution No. 8.**

A concurrent resolution to urge the United States Nuclear Regulatory Commission to extend the operating license of the Palisades Nuclear Power Plant.

(For text of concurrent resolution, see House Journal No. 27, p. 383.)

(The concurrent resolution was reported by the Committee on Energy and Technology on April 20, consideration of which, under the rules, was postponed until April 21.)

The question being on the adoption of the concurrent resolution,  
The concurrent resolution was adopted.

The Speaker laid before the House  
**House Concurrent Resolution No. 9.**

A concurrent resolution to urge the United States Nuclear Regulatory Commission to extend the operating license of the D.C. Cook Nuclear Power Plant.

(For text of concurrent resolution, see House Journal No. 27, p. 384.)

(The concurrent resolution was reported by the Committee on Energy and Technology on April 20, consideration of which, under the rules, was postponed until April 21.)

The question being on the adoption of the concurrent resolution,  
The concurrent resolution was adopted.

By unanimous consent the House returned to the order of

### Motions and Resolutions

Reps. Kathleen Law, Zelenko, Clack, Hopgood, Miller, Plakas, Hood, Wojno, Anderson, Kolb, Farrah, Williams, Sak, Kehrl, Vagnozzi, Lemmons, III, Accavitti, Adamini, Bennett, Bieda, Brandenburg, Brown, Byrnes, Byrum, Cheeks, Espinoza, Farhat, Gillard, Gleason, Gonzales, Gosselin, Green, Jones, Lemmons, Jr., Lipsey, Meisner, Nofs, Phillips, Polidori, Alma Smith, Spade, Tobocman and Waters offered the following resolution:

**House Resolution No. 58.**

A resolution recognizing April 28, 2005, as Workers Memorial Day in the state of Michigan.

Whereas, Since 1989, people throughout the world observe Workers Memorial Day on April 28th. It is a day to remember those who have suffered and died on the job; and

Whereas, It is important to remember those who have died in workplace catastrophes, suffered diseases because of exposure to toxic substances, or been injured because of dangerous conditions; and

Whereas, April 28th is the anniversary of the Occupational Safety and Health Administration. Every year on April 28th, people in hundreds of communities and worksites recognize workers who have been killed or injured on the job. Trade unionists around the world now mark April 28th as an International Day of Mourning; and

Whereas, Workers Memorial Day is observed in nearly one hundred countries. It has been officially endorsed by the International Confederation of Free Trade Unions and the International Labor Organization. Five countries - Canada, Portugal, Spain, Taiwan, and Thailand - formally recognize April 28th as Workers Memorial Day; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body recognize April 28, 2005, as Workers Memorial Day in the state of Michigan.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

### Reports of Standing Committees

The Committee on Health Policy, by Rep. Gaffney, Chair, reported

**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.

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. Gaffney, Newell, Robertson, Vander Veen, Hune, Nofs, Ball, Green, Kahn, Mortimer, Adamini, Wojno, McDowell, Murphy and Angerer

Nays: None

The Committee on Health Policy, by Rep. Gaffney, Chair, reported

**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.

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. Gaffney, Newell, Robertson, Vander Veen, Hune, Nofs, Ball, Green, Kahn, Mortimer, Adamini, Wojno, McDowell, Murphy and Angerer

Nays: None

The Committee on Health Policy, by Rep. Gaffney, Chair, reported

**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.

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. Gaffney, Newell, Robertson, Vander Veen, Hune, Nofs, Ball, Green, Kahn, Mortimer, Adamini, Wojno, McDowell, Murphy and Angerer  
 Nays: None

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Gaffney, Chair, of the Committee on Health Policy, was received and read:  
 Meeting held on: Tuesday, April 26, 2005

Present: Reps. Gaffney, Newell, Robertson, Vander Veen, Hune, Nofs, Ball, Green, Kahn, Mortimer, Adamini, Wojno, McDowell, Murphy and Angerer

Absent: Reps. Ward and Gleason

Excused: Reps. Ward and Gleason

The Committee on Transportation, by Rep. LaJoy, Chair, reported

**House Bill No. 4602, entitled**

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 10c (MCL 247.660c), as amended by 2002 PA 498.

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. LaJoy, David Law, Gosselin, Meyer, Casperson, Wenke, Pavlov, Anderson, Byrnes, Murphy, Kathleen Law, Gleason and Leland

Nays: None

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. LaJoy, Chair, of the Committee on Transportation, was received and read:  
 Meeting held on: Tuesday, April 26, 2005

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

Absent: Reps. Moore and Hood

Excused: Reps. Moore and Hood

The Committee on Regulatory Reform, by Rep. Rocca, Chair, reported

**House Bill No. 4541, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 518 (MCL 436.1518), as added by 2002 PA 725.

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. Rocca, Jones, Gaffney, Palsrok, Wojno, McDowell and Virgil Smith

Nays: Rep. Van Regenmorter

The Committee on Regulatory Reform, by Rep. Rocca, Chair, reported

**Senate Bill No. 199, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 1021 (MCL 436.2021), as amended by 2002 PA 725.

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. Rocca, Jones, Gaffney, Wojno, McDowell and Virgil Smith

Nays: Rep. Van Regenmorter

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Rocca, Chair, of the Committee on Regulatory Reform, was received and read:

Meeting held on: Tuesday, April 26, 2005

Present: Reps. Rocca, Jones, Van Regenmorter, Gaffney, Palsrok, Wojno, McDowell and Virgil Smith

Absent: Rep. Lemmons, III

Excused: Rep. Lemmons, III

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Stahl, Chair, of the Committee on Family and Children Services, was received and read:

Meeting held on: Wednesday, April 20, 2005

Present: Reps. Stahl, Pearce, Vander Veen, Sheen, Clack, Spade and Lemmons, Jr.

Absent: Reps. Hoogendyk and Polidori

Excused: Reps. Hoogendyk and Polidori

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Monday, April 25, 2005

Present: Reps. Sheen, Meyer, Newell, Drolet, Hoogendyk, Stakoe, Jones, Marleau, Condino, Bieda, Farrah, Miller and Meisner

Absent: Reps. Gosselin, Palmer, Zelenko and Bennett

Excused: Reps. Gosselin, Palmer, Zelenko and Bennett

### COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Huizenga, Chair, of the Committee on Commerce, was received and read:  
Meeting held on: Tuesday, April 26, 2005

Present: Reps. Huizenga, Baxter, Emmons, Palsrok, Wenke, Green, Hildenbrand, Jones, David Law, Marleau, Pavlov, Schuitmaker, Meisner, Tobocman, Murphy, Dillon, Bennett, Accavitti and McConico

#### 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 Thursday, April 21:

**Senate Bill Nos. 400 401 402**

The Clerk announced that the following bills had been printed and placed upon the files of the members on Friday, April 22:

**House Bill Nos. 4644 4645 4646 4647 4648 4649 4650 4651 4652 4653 4654 4655 4656 4657  
4658 4659**

**Senate Bill Nos. 403 404 405 406 407 408 409 410 411 412 413 414 415 416**

The Clerk announced the enrollment printing and presentation to the Governor on Tuesday, April 26, for her approval of the following bills:

**Enrolled House Bill No. 4414 at 11:48 a.m.**

**Enrolled House Bill No. 4415 at 11:50 a.m.**

**Enrolled House Bill No. 4227 at 11:52 a.m.**

The Clerk announced that the following Senate bill had been received on Tuesday, April 26:

**Senate Bill No. 225**

By unanimous consent the House returned to the order of

#### Messages from the Senate

##### Senate Bill No. 225, entitled

A bill to create an agricultural tourism advisory commission; to provide for its powers and duties; and to repeal acts and parts of acts.

The Senate has passed the bill.

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

#### Messages from the Governor

Date: April 25, 2005

Time: 11:10 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

##### Enrolled House Bill No. 4233 (Public Act No. 7, I.E.), being

An act to amend 1995 PA 279, entitled “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,” by amending section 16 (MCL 431.316).

(Filed with the Secretary of State April 25, 2005, at 1:10 p.m.)

Date: April 25, 2005  
Time: 11:12 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4117 (Public Act No. 8, I.E.), being**

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

(Filed with the Secretary of State April 25, 2005, at 1:12 p.m.)

**Communications from State Officers**

The following communication from the Auditor General was received and read:

April 21, 2005

Enclosed is a copy of the following audit report and/or report summary:

Performance audit of the Veterans Affairs Directorate,

Department of Military and Veterans Affairs

April 2005

Sincerely,

Thomas H. McTavish, C.P.A.

Auditor General

The communication was referred to the Clerk and the accompanying report referred to the Committee on Government Operations.

**Introduction of Bills**

Reps. Hopgood, Clack, Miller, Polidori, Donigan, Kathleen Law, Clemente, Farrah, Byrum, Vagnozzi, Waters, Murphy, Zelenko, Meisner, Accavitti, Condino, Alma Smith, Lipsey, Kolb, Gonzales, Plakas, Hood, Brown, Adamini, Williams, Phillips, Wojno, Anderson, Lemmons, Jr., Tobocman, Gleason, Hunter, Sak, McConico, Whitmer and Lemmons, III introduced

**House Bill No. 4660, entitled**

A bill to prescribe the procedures, terms, and conditions for the qualification or approval of school bonds and other bonds; to authorize this state to make loans to certain school districts for the payment of certain bonds and to authorize schools to borrow from this state for that purpose; to prescribe the terms and conditions of certain loans to school districts; to prescribe the powers and duties of certain state agencies and certain state and local officials; to provide for certain fees; to prescribe certain penalties; and to repeal acts and parts of acts.

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

Reps. Waters, Cushingberry, Meisner, Anderson, Williams, Miller, Byrum, Whitmer, McConico, Murphy, Farrah, Clack, Clemente and Lemmons, III introduced

**House Bill No. 4661, entitled**

A bill to amend 1985 PA 227, entitled “Shared credit rating act,” by amending the title and sections 3, 7, and 8 (MCL 141.1053, 141.1057, and 141.1058), the title and sections 3 and 7 as amended by 2000 PA 416 and section 8 as amended by 2003 PA 109, and by adding section 16c.

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

Reps. Miller, Polidori, Spade, Clemente, Kehrl, Clack, Zelenko, Hopgood, Phillips, Leland, Bieda, Condino, Meisner, Accavitti, Waters, Cushingberry, Byrum, Cheeks and Lemmons, III introduced

**House Bill No. 4662, entitled**

A bill to amend 1961 PA 112, entitled “An act to authorize and provide for the issuance, sale, and refunding of bonds, notes, or commercial paper of the state; to provide funds for making loans to school districts for payment of principal and interest on certain school bonds; to provide for use of moneys repaid to the state by school districts; and to make an appropriation,” by amending sections 2 and 4 (MCL 388.982 and 388.984), section 2 as amended by 2000 PA 245 and section 4 as amended by 1991 PA 64.

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

Reps. Mayes, Leland, Clemente, Anderson, Sheltroun, Condino, Murphy and Whitmer introduced  
**House Bill No. 4663, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 17a (MCL 388.1617a), as amended by 2002 PA 71.

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

Reps. Clack, Kehrl, Zelenko, Miller, Clemente, Hopgood, Phillips, Tobocman, Donigan, Farrah, Murphy, Accavitti, Polidori, Lemmons, Jr., Waters, Meisner, Whitmer, Hunter, Kathleen Law, Sak, McConico, Vagnozzi, Gonzales, Alma Smith, Espinoza, Byrum, Gleason, Condino, Kolb, Leland, Mayes, Adamini, Plakas, Wojno, Cushingberry, Lipsey, Cheeks and Lemmons, III introduced

**House Bill No. 4664, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13p of chapter XVII (MCL 777.13p), as amended by 2004 PA 418.

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

Reps. Condino, Miller, Byrum, Clack, Gleason, Alma Smith, Hopgood, Vagnozzi, Donigan, Accavitti, Farrah, Mayes, Lemmons, III, Polidori and Tobocman introduced

**House Bill No. 4665, entitled**

A bill to amend 1964 PA 183, entitled "An act creating the state building authority with power to acquire, construct, furnish, equip, own, improve, enlarge, operate, mortgage, and maintain facilities for the use of the state or any of its agencies; to act as a developer or co-owner of facilities as a condominium project for the use of the state or any of its agencies; to authorize the execution of leases pertaining to those facilities by the building authority with the state or any of its agencies; to authorize the payment of true rentals by the state; to provide for the issuance of revenue obligations by the building authority to be paid from the true rentals to be paid by the state and other resources and security provided for and pledged by the building authority; to authorize the creation of funds; to authorize the conveyance of lands by the state or any of its agencies for the purposes authorized in this act; to authorize the appointment of a trustee for bondholders; to permit remedies for the benefit of parties in interest; to provide for other powers and duties of the authority; and to provide for other matters in relation to the authority and its obligations," by amending sections 1, 1a, 3, and 7 (MCL 830.411, 830.411a, 830.413, and 830.417), sections 1 and 7 as amended by 1994 PA 252 and sections 1a and 3 as amended by 1988 PA 248.

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

Reps. Lemmons, III, Clemente, Sheltroun, Cushingberry, Accavitti, Gonzales, Bieda, Gleason, Miller, Condino, Alma Smith, Tobocman, Hunter, Polidori, Waters, Kathleen Law, Clack, Lipsey, Hopgood, Donigan, McConico, Whitmer, Lemmons, Jr. and Cheeks introduced

**House Bill No. 4666, 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 and 3 (MCL 125.1651 and 125.1653), section 1 as amended by 2004 PA 196 and section 3 as amended by 2004 PA 521, and by adding section 3e.

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

Reps. Clemente, Miller, Clack, Tobocman, Hopgood, Lemmons, Jr., Cushingberry, Waters, Plakas, Murphy, Hood, Hunter and Lemmons, III introduced

**House Bill No. 4667, entitled**

A bill to amend 1980 PA 450, entitled "The tax increment finance authority act," by amending sections 1 and 3 (MCL 125.1801 and 125.1803), section 1 as amended by 1998 PA 499 and section 3 as amended by 1983 PA 148, and by adding section 3a.

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



Reps. Lemmons, Jr., Lemmons, III, Sheltroun, Leland, Alma Smith and Clack introduced

**House Bill No. 4668, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 12905 and 12922 (MCL 333.12905 and 333.12922), section 12905 as amended by 1993 PA 242, and by amending the heading to part 129; and to repeal acts and parts of acts.

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

Reps. Vander Veen, Caswell, Taub, Green, Amos, Huizenga, Stahl, Ball, Sheen, Kahn, Pearce, Newell, Emmons and Farhat introduced

**House Bill No. 4669, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16277 (MCL 333.16277), as added by 2001 PA 172.

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

Reps. Newell, Green, Vander Veen, Caswell, Amos, Taub, Huizenga, Stahl, Ball, Sheen, Nofs, Shaffer, Walker, Meyer, Moore, Van Regenmorter, Kahn, Pearce, Emmons, Mortimer, Casperson, Hansen and Farhat introduced

**House Bill No. 4670, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 16184.

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

Reps. Wojno, Mortimer, Green, Gleason, Shaffer, Sak, Leland, Bieda and Kahn introduced

**House Bill No. 4671, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16131 and 16263 (MCL 333.16131 and 333.16263), as amended by 2004 PA 97, and by adding section 16346 and part 183A.

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

Reps. Angerer, Kehrl, Polidori, Spade, Wojno, Byrnes, Vagnozzi, Sheltroun, Lemmons, Jr., Donigan, Clemente, Gonzales, Condino, McDowell, Espinoza, Alma Smith, Waters, Bieda, Gleason, Hune, Gaffney, Jones, Kathleen Law, Hopgood, Hansen, Byrum, Plakas, Pearce, Green, Mortimer, Ball, Wenke, Anderson and Nofs introduced

**House Bill No. 4672, entitled**

A bill to require certain credit reporting agencies to place security alerts and security freezes on certain consumer credit information; to authorize and limit fees; and to provide remedies.

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

Reps. Pavlov, Acciavatti, Rocca, Mortimer, Taub, Robertson, Huizenga, Palsrok, Hildenbrand, Espinoza, Leland, Mayes and Sheltroun introduced

**House Bill No. 4673, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 317a.

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

Reps. Pavlov, Acciavatti, Rocca, Mortimer, Taub, Robertson, Huizenga, Palsrok, Hildenbrand, Espinoza, McDowell, Leland, Mayes and Sheltroun introduced

**House Bill No. 4674, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16p of chapter XVII (MCL 777.16p), as amended by 2000 PA 279.

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

Reps. Caul, Baxter, LaJoy, Stakoe, Taub, Robertson, Wenke, Palsrok, Moore, Hummel, Gosselin, Nitz, Mayes, Emmons, Vander Veen, Hune, Nofs, Green, Kehrl, Spade, Espinoza, Gleason, Moolenaar, Dillon and Newell introduced

**House Bill No. 4675, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 2685 and 2688 (MCL 333.2685 and 333.2688).

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

Reps. Moolenaar, Pastor, Robertson, Hummel, Steil, Stakoe, LaJoy, Taub, Stahl, Casperson, Walker, Moore, Sheltroun, Wenke, Shaffer, Palsrok, Gosselin, Hansen, Gaffney, Van Regenmorter, Mayes, Emmons, Hoogendyk, Caswell, Nitz, Farhat, Green, David Law, Caul, Vander Veen, Drolet, Pavlov, Nofs, Booher, Garfield, Baxter, Newell, Mortimer, Hune, Schuitmaker, Meyer, Pearce, Brandenburg, Acciavatti, Espinoza, Spade, Brown, Dillon, Gleason, McDowell, Proos and Clemente introduced

**House Bill No. 4676, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 2690 (MCL 333.2690).

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

Reps. Lemmons, Jr., Lemmons, III, Clack, Virgil Smith, Hunter, Zelenko and Cushingberry introduced

**House Joint Resolution H, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by repealing section 54 of article IV, to repeal term limits for legislators.

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

By unanimous consent the House returned to the order of

**Second 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 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. Robertson moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

**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 second time.

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

The motion prevailed.

**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.

The bill was read a second time.

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

The motion prevailed.

**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.

The bill was read a second time.

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

The motion prevailed.

By unanimous consent the House returned to the order of

**Third Reading of Bills**

**House Bill No. 4366, entitled**

A bill to repeal 1897 PA 160, entitled "An act to establish a lien upon horses and other animals for the cost of shoeing the same," (MCL 570.351 to 570.363).

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

**Roll Call No. 84****Yeas—107**

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

**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.

Reps. McConico, Stewart, Zelenko, Kathleen Law, Gleason, Ward, Sak, Ball, Baxter, Cheeks, Elsenheimer, Hansen, Hildenbrand, Kahn, Mayes, Moore and Rocca were named co-sponsors of the bill.

**House Bill No. 4528, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 24 of chapter VII (MCL 767.24), as amended by 2004 PA 458.

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

**Roll Call No. 85****Yeas—107**

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

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

### 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.

Reps. McConico, Anderson, Kooiman, Meyer, Virgil Smith, Farrah, Pastor, Kathleen Law, Vagnozzi, Hune, Ward, Sak, Nitz, Farhat, Moolenaar, Palsrok, Dillon, Ball, Booher, Caul, Cheeks, Espinoza, Green, Hansen, Kahn, Leland, Lemmons, III, Lemmons, Jr., Mayes, McDowell, Mortimer, Pearce, Polidori and Proos were named co-sponsors of the bill.

### Second Reading of Bills

#### 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 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. Robertson moved to amend the bill as follows:

1. Amend page 1, line 7, after "application," by striking out "a fee of \$1.00,".
2. Amend page 3, line 22, after "statements," by inserting "and".
3. Amend page 3, line 23, by striking out "**AND** a fee of \$1.00".

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

Rep. Hunter 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**

The Speaker laid before the House  
**House Bill No. 4012, entitled**

A bill to amend 1986 PA 281, entitled “The local development financing act,” by amending sections 4 and 16 (MCL 125.2154 and 125.2166), section 4 as amended by 2000 PA 248.

(The bill was received from the Senate on April 21, with amendments, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 32, p. 484.)

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

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

**Roll Call No. 86**

**Yeas—107**

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

**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.

The Speaker laid before the House  
**House Bill No. 4013, entitled**

A bill to amend 1980 PA 450, entitled “The tax increment finance authority act,” by amending sections 3 and 17 (MCL 125.1803 and 125.1817), section 3 as amended by 1983 PA 148.

(The bill was received from the Senate on April 21, with amendments, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 32, p. 485.)

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

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

**Roll Call No. 87****Yeas—107**

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

**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.

The Speaker laid before the House

**House Bill No. 4318, 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 3 and 18 (MCL 125.1653 and 125.1668), section 3 as amended by 2004 PA 521.

(The bill was received from the Senate on April 21, with substitute (S-1), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 32, p. 485.)

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. 88****Yeas—104**

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

**Nays—3**

Anderson	Garfield	Plakas
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In The Chair: Kooiman

The House agreed to the title as amended.

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

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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.

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Rep. Pavlov moved that the House adjourn.  
The motion prevailed, the time being 2:35 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, April 27, at 1:00 p.m.

