

No. 61
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
93rd Legislature
REGULAR SESSION OF 2005

House Chamber, Lansing, Wednesday, June 29, 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—e/d/s	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—excused	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—excused	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—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. John Moolenaar, from the 98th District, offered the following invocation:

“Lord, You are our God and King – most worthy of praise. Our minds cannot comprehend Your greatness – the Maker of heaven and earth, the sea, and everything in them – the Lord, who remains faithful forever. You uphold the cause of the oppressed and give food to the hungry. You set prisoners free, and give sight to the blind, You lift up those who are bowed down and love the righteous. You watch over the alien and sustain the fatherless and the widow, but frustrate the ways of the wicked. You reign forever – for all generations.

We invite Your presence to guide us today in this chamber. Help us to be considerate of each other and as we agree on issues or disagree on issues, give us a spirit of goodwill to work together constructively for the people of our state.

We pray today for healing for Rep. Brandenburg’s son, Brian, from cancer. We also pray for Your healing touch upon Rep. Cheeks as she is in Harper Hospital in Detroit. We also ask that You comfort the family of Rep. Elsenheimer during this time of mourning over the loss of Kevin’s brother, Todd’s, wife Dana.

There are also many people in this chamber who have needs of which we are unaware. I ask that You would meet the needs in a way that blesses our colleagues and glorifies You.

Today as we look forward to celebrating our nation’s freedom over the 4th of July weekend, we especially remember our troops in danger’s way and ask You to protect and watch over them.

I pray in the name of Jesus. Amen.”

The Speaker Pro Tempore assumed the Chair.

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

Rep. Sak moved that Rep. Cheeks be excused from this week’s session.
The motion prevailed.

Notices

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 Nos. 244-270. Had I been present, I would have voted ‘yea’ on Roll Call Nos. 244-253 and 255-270 and ‘nay’ on Roll Call No. 254.”

By unanimous consent the House returned to the order of

Second Reading of Bills

House Bill No. 4403, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 16215 (MCL 333.16215), as amended by 1999 PA 60.

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

The motion prevailed.

House Bill No. 4734, entitled

A bill to amend 1975 PA 228, entitled “Single business tax act,” by amending section 38g (MCL 208.38g), as amended by 2003 PA 249.

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

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

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

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

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

The motion prevailed.

House Bill No. 4733, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding section 35c.

The bill was read a second time.

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

The motion prevailed and 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.

Senate Bill No. 525, entitled

A bill to amend 2003 PA 296, entitled "Michigan early stage venture investment act of 2003," by amending sections 5 and 15 (MCL 125.2235 and 125.2245).

The bill was read a second time.

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

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

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

The motion prevailed.

House Bill No. 4963, entitled

A bill to amend 2000 PA 77, entitled "An act to amend 1949 PA 300, entitled "An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date," by amending sections 625, 803l, 804, and 904 (MCL 257.625, 257.803l, 257.804, and 257.904), sections 625 and 904 as amended by 1999 PA 73, 803l as amended by 1998 PA 68, and section 804 as amended by 1995 PA 129, and by adding sections 6d, 17b, 30b, 811d, 811e, 811f, 811g, and 811h; and to repeal acts and parts of acts," by repealing enacting section 1.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 4938, entitled

A bill to amend 1953 PA 181, entitled "An act relative to investigations in certain instances of the causes of death within this state due to violence, negligence or other act or omission of a criminal nature or to protect public health; to provide for the taking of statements from injured persons under certain circumstances; to abolish the office of coroner and to create the office of county medical examiner in certain counties; to prescribe the powers and duties of county medical examiners; to prescribe penalties for violations of the provisions of this act; and to prescribe a referendum thereon," (MCL 52.201 to 52.216) by adding section 9.

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

The motion prevailed.

House Bill No. 4996, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16625 (MCL 333.16625), as amended by 1991 PA 58.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 4706, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 916 (MCL 436.1916).

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

The substitute (H-3) 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.

Senate Bill No. 306, entitled

A bill to authorize the department of management and budget to convey certain parcels of state owned property in Eaton county; to prescribe conditions for the conveyances; to provide for certain powers and duties of the department of management and budget in implementing those conveyances; to provide for disposition of revenue derived from the conveyances; 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 Regulatory Reform,

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

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

The motion prevailed.

The House returned to the consideration of

House Bill No. 4403, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16215 (MCL 333.16215), as amended by 1999 PA 60.

(The bill was considered earlier today, see today's Journal, p. 1036.)

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

The motion prevailed.

House Bill No. 4402, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1230 and 1230a (MCL 380.1230 and 380.1230a), section 1230 as amended by 1993 PA 284 and section 1230a as added by 1995 PA 83.

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

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

Rep. Hansen 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. 4402, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1230 and 1230a (MCL 380.1230 and 380.1230a), section 1230 as amended by 1993 PA 284 and section 1230a as added by 1995 PA 83.

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.

Second Reading of Bills

House Bill No. 4928, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1535a and 1539b (MCL 380.1535a and 380.1539b), as amended by 2004 PA 51.

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

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

Rep. Palmer 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. 4928, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1535a and 1539b (MCL 380.1535a and 380.1539b), as amended by 2004 PA 51.

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.

Second Reading of Bills

House Bill No. 4929, entitled

A bill to amend 1937 (Ex Sess) PA 4, entitled "An act relative to continuing tenure of office of certificated teachers in public educational institutions; to provide for probationary periods; to regulate discharges or demotions; to provide for resignations and leaves of absence; to create a state tenure commission and to prescribe the powers and duties thereof; and to prescribe penalties for violation of the provisions of this act," by amending section 1 of article IV (MCL 38.101), as amended by 1993 PA 60, and by adding section 1a to article IV.

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

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

Rep. Palmer 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. 4929, entitled

A bill to amend 1937 (Ex Sess) PA 4, entitled "An act relative to continuing tenure of office of certificated teachers in public educational institutions; to provide for probationary periods; to regulate discharges or demotions; to provide for resignations and leaves of absence; to create a state tenure commission and to prescribe the powers and duties

thereof; and to prescribe penalties for violation of the provisions of this act," by amending section 1 of article IV (MCL 38.101), as amended by 1993 PA 60, and by adding section 1a to article IV.

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.

Second Reading of Bills

House Bill No. 4930, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1230d.

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

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. 4930, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1230d.

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.

Second Reading of Bills

House Bill No. 4931, 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.

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

The substitute (H-1) was 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.

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. 4931, 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 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.

Second Reading of Bills

House Bill No. 4932, entitled

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," (MCL 28.721 to 28.732) by amending the title, as amended by 2004 PA 237, and by adding headings for articles I and II and by adding article III.

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

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

Rep. Tobocman moved to amend the bill as follows:

1. Amend page 2, line 9, after "**SCHOOL**" by inserting "**THAT IS REGULARLY OCCUPIED BY MINORS**".
2. Amend page 2, line 14, after "**RESIDE**" by striking out the comma and "**WORK, OR LOITER**".
3. Amend page 2, following line 22, by inserting:

"**(A) AN INDIVIDUAL REQUIRED TO BE REGISTERED UNDER ARTICLE II WHO HAS COMMITTED A LISTED OFFENSE THAT DOES NOT INVOLVE A MINOR.**" and relettering the remaining subdivisions.

4. Amend page 2, line 23, after "**RESIDED**" by striking out "**OR WORKED**".
5. Amend page 2, line 26, after "**RESIDENCE**" by striking out "**OR PLACE OF EMPLOYMENT**".
6. Amend page 3, line 3, after "**RESIDENCE**" by striking out "**OR PLACE OF EMPLOYMENT**".

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

Rep. Vander Veen moved to amend the bill as follows:

1. Amend page 2, line 13, after "**ARTICLE II**" by inserting "**BECAUSE HE OR SHE WAS CONVICTED OF A LISTED OFFENSE THAT IS A FELONY**".

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

Rep. Pearce moved to amend the bill as follows:

1. Amend page 2, following line 11, by inserting:
"**(E) 'WORK' MEANS CONTINUOUS AND REGULAR EMPLOYMENT.**"

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

Rep. Gaffney 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. 4932, entitled

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," (MCL 28.721 to 28.732) by amending the title, as amended by 2004 PA 237, and by adding headings for articles I and II and by adding article III.

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.

Second Reading of Bills

House Bill No. 4933, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 11b of chapter XVII (MCL 777.11b), as amended by 2004 PA 150.

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

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

Rep. Jones 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. 4933, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 11b of chapter XVII (MCL 777.11b), as amended by 2004 PA 150.

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.

Second Reading of Bills

House Bill No. 4991, entitled

A bill to amend 1937 (Ex Sess) PA 4, entitled "An act relative to continuing tenure of office of certificated teachers in public educational institutions; to provide for probationary periods; to regulate discharges or demotions; to provide for resignations and leaves of absence; to create a state tenure commission and to prescribe the powers and duties thereof; and to prescribe penalties for violation of the provisions of this act," by amending section 1 of article IV (MCL 38.101), as amended by 1993 PA 60.

The bill was read a second time.
Rep. Emmons 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. 4991, entitled

A bill to amend 1937 (Ex Sess) PA 4, entitled "An act relative to continuing tenure of office of certificated teachers in public educational institutions; to provide for probationary periods; to regulate discharges or demotions; to provide for resignations and leaves of absence; to create a state tenure commission and to prescribe the powers and duties thereof; and to prescribe penalties for violation of the provisions of this act," by amending section 1 of article IV (MCL 38.101), as amended by 1993 PA 60.

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.

Second Reading of Bills

House Bill No. 4934, entitled

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," by amending sections 5 and 9 (MCL 28.725 and 28.729), section 5 as amended by 2004 PA 240 and section 9 as amended by 2004 PA 237.

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. Ball 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. 4934, entitled

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," by amending sections 5 and 9 (MCL 28.725 and 28.729), section 5 as amended by 2004 PA 240 and section 9 as amended by 2004 PA 237.

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.

Second Reading of Bills

House Bill No. 4935, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 11b of chapter XVII (MCL 777.11b), as amended by 2004 PA 150.

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. Rocca 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. 4935, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 11b of chapter XVII (MCL 777.11b), as amended by 2004 PA 150.

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.

Second Reading of Bills

House Bill No. 4936, 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 section 5 (MCL 722.115), as amended by 2004 PA 315, and by adding sections 5c, 5d, and 5e.

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. Baxter moved to amend the bill as follows:

1. Amend page 12, line 15, after "**FINE**" by striking out "**PUNISHABLE BY**" and inserting "**OF**".

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

Rep. Baxter moved to amend the bill as follows:

1. Amend page 10, line 26, after "**CHECK.**" by inserting "**THE DEPARTMENT MAY PASS ALONG TO THE LICENSEE OR APPLICANT THE ACTUAL COST OR FEE CHARGED BY THE DEPARTMENT OF STATE POLICE FOR PERFORMING A CRIMINAL HISTORY CHECK OR A CRIMINAL RECORDS CHECK.**".

The motion prevailed and the amendment 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.

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. 4936, 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 section 5 (MCL 722.115), as amended by 2004 PA 315, and by adding sections 5c, 5d, and 5e.

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.

Second Reading of Bills

House Bill No. 4937, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 27a to chapter VIII.

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. Lipsey moved to amend the bill as follows:

1. Amend page 1, line 6, after "**RELEVANT.**" by inserting "**IF THE PROSECUTING ATTORNEY INTENDS TO OFFER EVIDENCE UNDER THIS SECTION, THE PROSECUTING ATTORNEY SHALL DISCLOSE THE EVIDENCE TO THE DEFENDANT AT LEAST 15 DAYS BEFORE THE SCHEDULED DATE OF TRIAL OR AT A LATER TIME AS ALLOWED BY THE COURT FOR GOOD CAUSE SHOWN, INCLUDING THE STATEMENTS OF WITNESSES OR A SUMMARY OF THE SUBSTANCE OF ANY TESTIMONY THAT IS EXPECTED TO BE OFFERED.**".

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. 4937, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 27a to chapter VIII.

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.

Second Reading of Bills**House Bill No. 4957, 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-1) previously recommended by the Committee on Judiciary,

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

Rep. Taub 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. 4957, 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 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.

Second Reading of Bills**House Bill No. 4958, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 15g of chapter XVII (MCL 777.15g), as added by 2002 PA 206.

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. Caul moved to amend the bill as follows:

1. Amend page 2, line 5, after "October" by striking out "1" and inserting "15".

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

Rep. Caul 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. 4958, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 15g of chapter XVII (MCL 777.15g), as added by 2002 PA 206.

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.

Second Reading of Bills

Senate Bill No. 130, entitled

A bill to require persons convicted of certain offenses to disclose those offenses before coaching youth; and to provide penalties.

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. 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. 130, entitled

A bill to require persons convicted of certain offenses to disclose those offenses before coaching youth; and to provide penalties.

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.

Second Reading of Bills

House Bill No. 4315, entitled

A bill to amend 1909 PA 283, entitled "An act to revise, consolidate, and add to the laws relating to the establishment, opening, discontinuing, vacating, closing, altering, improvement, maintenance, and use of the public highways and private roads; the condemnation of property and gravel therefor; the building, repairing and preservation of bridges; maintaining public access to waterways under certain conditions; setting and protecting shade trees, drainage, and cutting weeds and brush within this state; providing for the election or appointment and defining the powers, duties, and compensation of state, county, township, and district highway officials; and to prescribe penalties and provide remedies," by amending section 6 (MCL 224.6), as amended by 1982 PA 299.

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

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

Rep. Hoogendyk moved to amend the bill as follows:

1. Amend page 4, line 14, after "COUNTY" by striking out the balance of the line through "RESOLUTION" on line 15 and inserting "BOARD OF COMMISSIONERS RECEIVES A RESOLUTION FROM THE COUNTY ROAD COMMISSION REQUESTING THE INCREASE OR DECREASE. THE COUNTY BOARD OF COMMISSIONERS SHALL CONFIRM OR DENY THE RESOLUTION WITHIN 60 BUSINESS DAYS OF RECEIVING THE RESOLUTION. SHOULD THE COUNTY BOARD OF COMMISSIONERS FAIL TO ACT WITHIN 60 BUSINESS DAYS OF RECEIVING THE RESOLUTION, THE RESOLUTION SHALL NOT BE CONSIDERED AGREED TO BY THE COUNTY BOARD OF COMMISSIONERS AND IT SHALL NOT TAKE EFFECT".

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

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

The motion prevailed.

House Bill No. 4316, entitled

A bill to amend 1966 PA 293, entitled "An act to provide for the establishment of charter counties; to provide for the election of charter commissioners; to prescribe their powers and duties; to prohibit certain acts of a county board of commissioners after the approval of the election of a charter commission; to prescribe the mandatory and permissive

provisions of a charter; to provide for the exercise by a charter county of certain powers whether or not authorized by its charter; and to prescribe penalties and provide remedies,” by amending section 14 (MCL 45.514), as amended by 1982 PA 300.

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

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

Rep. Hoogendyk moved to amend the bill as follows:

1. Amend page 8, line 18, after “COUNTY” by striking out the balance of the line through “RESOLUTION” on line 19 and inserting “BOARD OF COMMISSIONERS RECEIVES A RESOLUTION FROM THE COUNTY ROAD COMMISSION REQUESTING THE INCREASE OR DECREASE. THE COUNTY BOARD OF COMMISSIONERS SHALL CONFIRM OR DENY THE RESOLUTION WITHIN 60 BUSINESS DAYS OF RECEIVING THE RESOLUTION. SHOULD THE COUNTY BOARD OF COMMISSIONERS FAIL TO ACT WITHIN 60 BUSINESS DAYS OF RECEIVING THE RESOLUTION, THE RESOLUTION SHALL NOT BE CONSIDERED AGREED TO AND IT SHALL NOT TAKE EFFECT”.

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

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

The motion prevailed.

House Bill No. 4317, entitled

A bill to amend 1973 PA 139, entitled “An act to provide forms of county government; to provide for county managers and county executives and to prescribe their powers and duties; to abolish certain departments, boards, commissions, and authorities; to provide for transfer of certain powers and functions; to prescribe powers of a board of county commissioners and elected officials; to provide organization of administrative functions; to transfer property; to retain ordinances and laws not inconsistent with this act; to provide methods for abolition of a unified form of county government; and to prescribe penalties and provide remedies,” by amending section 12 (MCL 45.562).

The bill was read a second time.

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

The motion prevailed.

Rep. Sak moved that Rep. Hood 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. 4617, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 20101, 20117, and 20120a (MCL 324.20101, 324.20117, and 324.20120a), section 20101 as amended by 1996 PA 383 and section 20117 as amended and section 20120a as added by 1995 PA 71.

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

Roll Call No. 271

Yeas—77

Accavitti	Gaffney	Mayes	Sak
Acciavatti	Garfield	McConico	Schuitmaker
Amos	Gleason	Meyer	Shaffer
Ball	Gosselin	Moolenaar	Sheen
Baxter	Green	Moore	Sheltrown
Booher	Hansen	Mortimer	Smith, Virgil
Brown	Hildenbrand	Murphy	Spade

Casperson	Hoogendyk	Newell	Stahl
Caswell	Huizenga	Nitz	Stakoe
Caul	Hummel	Nofs	Steil
Clemente	Hune	Palmer	Stewart
Cushingberry	Hunter	Palsrok	Taub
DeRoche	Jones	Pastor	Vagnozzi
Dillon	Kahn	Pavlov	Van Regenmorter
Drolet	Kooiman	Pearce	Vander Veen
Elsenheimer	LaJoy	Plakas	Walker
Emmons	Law, David	Proos	Ward
Espinoza	Leland	Robertson	Wenke
Farhat	Marleau	Rocca	Wojno
Farrah			

Nays—29

Adamini	Condino	Law, Kathleen	Polidori
Anderson	Donigan	Lemmons, Jr.	Smith, Alma
Angerer	Gillard	Lipsey	Tobocman
Bennett	Gonzales	McDowell	Waters
Bieda	Hopgood	Meisner	Whitmer
Byrnes	Kehrl	Miller	Williams
Byrum	Kolb	Phillips	Zelenko
Clack			

In The Chair: Kooiman

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

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

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 20101, 20117, and 20120a (MCL 324.20101, 324.20117, and 324.20120a), section 20101 as amended by 1996 PA 383 and section 20117 as amended and section 20120a as added by 1995 PA 71, and by adding section 20105b.

The motion prevailed.

The House agreed to the title as amended.

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

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

Reps. Tobocman, Zelenko, and Phillips, having reserved the right to explain their protest against the passage of the bill, made the following statement:

"Mr. Speaker and members of the House:

I voted no on HB 4617 because it effectively prevents state action to address contamination in residential areas by making it extremely difficult to gather necessary data and make reasonable inferences about where contamination lies. Specifically, the bill will result in: the waste of public and private sector resources used to assess, clean up, and redevelop contaminated sites; the delay of cleanup and redevelopment of contaminated sites; and a reduction in the number of properties eligible for state and local financial incentives for brownfield redevelopment. Additionally, the bill undermines the ability of prospective property purchasers to find out if a property is contaminated. Finally, it may further require the Department of Environmental Quality to approve the use of cleanup standards that would not provide for long term public health protection in some cases. The bill is bad policy that harms property owners, wastes money, and threatens public health and the environment."

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

“Mr. Speaker and members of the House:

I voted ‘no’ on House Bill 4617 because it would effectively prevent state action to address contamination in residential areas by making it extremely difficult to collect necessary data and make reasonable inferences about where contamination lies. Specifically, House Bill 4617 will result in: the waste of public and private sector resources used to assess, clean up, and redevelop contaminated sites; the delay of cleanup and redevelopment of contaminated sites; and a reduction in the number of properties eligible for state and local financial incentives for brownfield redevelopment. In addition, House Bill 4617 undermines the ability of prospective property purchasers to find out if a property is contaminated. Lastly, the bill may further require the Department of Environmental Quality to approve the use of cleanup standards that would not provide for long term public health protection in some cases. The bill is bad policy that harms property owners, wastes money, and threatens public health protection in some cases. Thus, this bill harms property owners, wastes money, and threatens public health and the environment.”

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Committee on Education, by Rep. Palmer, Chair, reported

House Bill No. 4947, entitled

A bill to amend 1980 PA 300, entitled “The public school employees retirement act of 1979,” by amending sections 4, 8, 25, 26, 34, and 91 (MCL 38.1304, 38.1308, 38.1325, 38.1326, 38.1334, and 38.1391), section 4 as amended by 2003 PA 17, sections 8, 25, and 26 as amended by 1997 PA 143, section 34 as amended by 2002 PA 94, and section 91 as amended by 2004 PA 117, and by adding sections 41b, 109, 110, 111, and 112 and article 7.

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. Palmer, Mortimer, Gosselin, Meyer, Hoogendyk, Vander Veen, Wenke, Elsenheimer, Hildenbrand, Pearce and Proos

Nays: Reps. Ball, Hopgood, Miller, Angerer, Kehrl and Clack

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, June 29, 2005

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

Absent: Rep. Lemmons, III

Excused: Rep. Lemmons, III

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

Senate Bill No. 348, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 51 (MCL 211.51), as amended by 1992 PA 97.

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, Condino, Farrah, Zelenko, Miller and Bennett

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, June 29, 2005

Present: Reps. Sheen, Meyer, Gosselin, Newell, Drolet, Palmer, Hoogendyk, Stakoe, Jones, Condino, Farrah, Zelenko, Miller and Bennett

Absent: Reps. Marleau, Bieda and Meisner

Excused: Reps. Marleau, Bieda and Meisner

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members on Wednesday, June 29:

House Bill Nos. 5006 5007

Senate Bill Nos. 647 648 649

The Clerk announced that the following Senate bills had been received on Wednesday, June 29:

Senate Bill Nos. 373 503 553 578 620

By unanimous consent the House returned to the order of

Messages from the Senate

House Bill No. 4322, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 17766f.

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. 4434, entitled

A bill to amend 1978 PA 368, entitled "An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates," (MCL 333.1101 to 333.25211) by adding section 17753.

The Senate has concurred in the House substitute (H-3) to the Senate substitute (S-1) and agreed to the title as amended.

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

House Bill No. 4714, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 41321; 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.

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. 4715, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 41323; 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.

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. 4716, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 41309 (MCL 324.41309), as added by 2003 PA 270.

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. 4821, entitled

A bill to amend 1967 PA 270, entitled "An act to provide for the release of certain information or data relating to health care research or education, health care entities, practitioners, or professions, or certain governmentally funded programs; to limit the liability with respect to the release of certain information or data; and to safeguard the confidential character of certain information or data," by amending section 1 (MCL 331.531), as amended by 2002 PA 600.

The Senate has passed the bill and ordered that it be given immediate effect.

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

House Bill No. 4465, entitled

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

The 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 amended the title to read as follows:

A bill to amend 1931 PA 328, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts," (MCL 750.1 to 750.568) by adding section 236a.

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

House Bill No. 4541, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending sections 518, 525, and 537 (MCL 436.1518, 436.1525, and 436.1537), section 518 as added by 2002 PA 725, section 525 as amended by 2004 PA 266, and section 537 as amended by 2001 PA 223.

The Senate has amended the bill as follows:

1. Amend page 4, line 10, after "subsection" by striking out "(2)" and inserting "(3)".

The Senate has passed the bill as amended, 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. 4887, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 4, 6, 11, 11a, 11f, 11g, 11j, 18, 19, 20, 20j, 22a, 22b, 22d, 24, 25, 26a, 31a, 31d, 32d, 32j, 39, 39a, 41, 41a, 51a, 51c, 51d, 53a, 54, 56, 57, 61a, 62, 74, 81, 94a, 98, 98b, 107, 147, 158b, and 164c (MCL 388.1604, 388.1606, 388.1611, 388.1611a, 388.1611f, 388.1611g, 388.1611j, 388.1618, 388.1619, 388.1620, 388.1620j, 388.1622a, 388.1622b, 388.1622d, 388.1624, 388.1625, 388.1626a, 388.1631a, 388.1631d, 388.1632d, 388.1632j, 388.1639, 388.1639a, 388.1641, 388.1641a, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1656, 388.1657, 388.1661a, 388.1662, 388.1674, 388.1681, 388.1694a, 388.1698, 388.1698b, 388.1707, 388.1747, 388.1758b, and 388.1764c), sections 4, 6,

11f, 11g, 11j, 19, 20, 20j, 22a, 22b, 24, 26a, 31d, 32d, 32j, 39, 39a, 41, 41a, 51c, 51d, 53a, 54, 56, 57, 61a, 62, 74, 81, 94a, 98, 107, 147, and 158b as amended and section 22d as added by 2004 PA 351, sections 11 and 51a as amended by 2004 PA 518, section 11a as added by 2003 PA 158, section 18 as amended by 2004 PA 414, section 25 as amended by 2000 PA 297, sections 31a and 98b as amended by 2004 PA 593, and section 164c as added by 1995 PA 130, and by adding sections 26b, 32l, 33, 54a, 91, 99a, and 99b; and to repeal acts and parts of acts.

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

The Senate has passed the bill as substituted (S-2) and amended the title to read as follows:

A bill to amend 1979 PA 94, entitled "An act to make appropriations to aid in the support of the public schools and the intermediate school districts of the state; to make appropriations for certain other purposes relating to education; to provide for the disbursement of the appropriations; to supplement the school aid fund by the levy and collection of certain taxes; to authorize the issuance of certain bonds and provide for the security of those bonds; to prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to create certain funds and provide for their expenditure; to prescribe penalties; and to repeal acts and parts of acts," by amending sections 11 and 17b (MCL 388.1611 and 388.1617b), section 11 as amended by 2004 PA 518 and section 17b as amended by 2000 PA 297.

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

Senate Bill No. 373, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 236a.

The Senate has passed the bill.

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

Senate Bill No. 503, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 440 (MCL 206.440), as amended by 1996 PA 484.

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. 553, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 11 (MCL 421.11), as amended by 1995 PA 25.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Employment Relations, Training, and Safety.

Senate Bill No. 578, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7u (MCL 211.7u), as amended by 2003 PA 140.

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. 620, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 236b.

The Senate has passed the bill.

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

Introduction of Bills

Rep. Waters introduced

House Bill No. 5008, entitled

A bill to amend 1972 PA 239, entitled "McCauley-Traxler-Law-Bowman-McNeely lottery act," by amending the title and sections 3, 11, 12, 15, 17, 19, and 23 (MCL 432.3, 432.11, 432.12, 432.15, 432.17, 432.19, and 432.23), the title as amended by 1996 PA 95, section 3 as amended by 1996 PA 167, section 11 as amended by 2004 PA 383, section 12 as amended by 2002 PA 471, and section 23 as amended by 2004 PA 272, and by adding a heading for article 1 and adding article 2.

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

Reps. Lemmons, Jr., Lemmons, III and Sheltroun introduced

House Bill No. 5009, entitled

A bill to prohibit the sale of cellular telephones and pagers to certain minors without written parental consent; and to prescribe civil sanctions.

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

Reps. Lemmons, III and Lemmons, Jr. introduced

House Bill No. 5010, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 20105a and 20120b (MCL 324.20105a and 324.20120b), as added by 1995 PA 71.

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. Lemmons, III and Lemmons, Jr. introduced

House Bill No. 5011, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 20114 (MCL 324.20114), as amended by 1995 PA 71.

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. Lemmons, III and Lemmons, Jr. introduced

House Bill No. 5012, entitled

A bill to amend 1972 PA 284, entitled "Business corporation act," (MCL 450.1101 to 450.2098) by adding section 755.

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

Reps. Lemmons, III and Lemmons, Jr. introduced

House Bill No. 5013, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by amending the title, as amended by 1991 PA 56, and by adding section 304a.

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

Reps. Green, Vagnozzi, Polidori, Ball, Gosselin, David Law, Stakoe, Wenke, Marleau, Hansen, Shaffer, Jones, Moolenaar, Adamini, Mortimer, Gaffney, Wojno, McDowell, Taub, Ward, Vander Veen, Moore, Hildenbrand, Booher, Robertson, Byrnes, Murphy and Nofs introduced

House Bill No. 5014, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 5927 (MCL 333.5927), as added by 1987 PA 258.

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

Reps. Kahn, Polidori, Ball, Gosselin, David Law, Stakoe, Wenke, Marleau, Green, Shaffer, Jones, Moolenaar, Adamini, Mortimer, Gaffney, Wojno, McDowell, Taub, Ward, Vander Veen, Moore, Hildenbrand, Booher, Robertson, Byrnes, Murphy and Nofs introduced

House Bill No. 5015, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 5901, 5909, 5913, 5915, 5919, and 5923 (MCL 333.5901, 333.5909, 333.5913, 333.5915, 333.5919, and 333.5923), as added by 1987 PA 258, and by adding section 5922.

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

Rep. Lemmons, III entered the House Chambers.

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

The House returned to the consideration of
House Bill No. 4402, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1230 and 1230a (MCL 380.1230 and 380.1230a), section 1230 as amended by 1993 PA 284 and section 1230a as added by 1995 PA 83.

(The bill was considered earlier today, see today's Journal p. 1038.)

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. 272

Yeas—107

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

Nays—0

In The Chair: Kooiman

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

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

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1230 and 1230a (MCL 380.1230 and 380.1230a), section 1230 as amended by 1993 PA 284 and section 1230a as added by 1995 PA 83, and by adding section 1230c.

The motion prevailed.

The House agreed to the title as amended.

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 Rep. DeRoche be excused temporarily from today’s session.
The motion prevailed.

The House returned to the consideration of

House Bill No. 4928, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending sections 1535a and 1539b (MCL 380.1535a and 380.1539b), as amended by 2004 PA 51.

(The bill was considered earlier today, see today’s Journal p. 1039.)

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. 273

Yeas—107

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

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. 4929, entitled

A bill to amend 1937 (Ex Sess) PA 4, entitled “An act relative to continuing tenure of office of certificated teachers in public educational institutions; to provide for probationary periods; to regulate discharges or demotions; to provide for resignations and leaves of absence; to create a state tenure commission and to prescribe the powers and duties

thereof; and to prescribe penalties for violation of the provisions of this act,” by amending section 1 of article IV (MCL 38.101), as amended by 1993 PA 60, and by adding section 1a to article IV.

(The bill was considered earlier today, see today’s Journal p. 1039.)

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. 274**Yeas—107**

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

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. 4838, entitled

A bill to amend 1984 PA 431, entitled “The management and budget act,” (MCL 18.1101 to 18.1594) by adding section 1299.

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

Roll Call No. 275**Yeas—107**

Accavitti	Farhat	Lemmons, III	Rocca
Acciavatti	Farrah	Lemmons, Jr.	Sak

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

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

Senate Bill No. 482, entitled

A bill to amend 1996 PA 381, entitled “Brownfield redevelopment financing act,” by amending section 13 (MCL 125.2663), as amended by 2003 PA 259.

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. Huizenga moved to amend the bill as follows:

1. Amend page 34, line 19, after “authority” by inserting “**OR FOR THE PAYMENT OF INTEREST UNDER SECTION 13**”.

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

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

The motion prevailed.

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. 482, entitled

A bill to amend 1996 PA 381, entitled "Brownfield redevelopment financing act," by amending section 13 (MCL 125.2663), as amended by 2003 PA 259.

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

Roll Call No. 276

Yeas—107

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

Nays—0

In The Chair: Kooiman

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

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

A bill to amend 1996 PA 381, entitled "An act to authorize municipalities to create a brownfield redevelopment authority to facilitate the implementation of brownfield plans; to create brownfield redevelopment zones; to promote the revitalization, redevelopment, and reuse of certain property, including, but not limited to, tax reverted, blighted, or functionally obsolete property; to prescribe the powers and duties of brownfield redevelopment authorities; to permit the issuance of bonds and other evidences of indebtedness by an authority; to authorize the acquisition and disposal of certain property; to authorize certain funds; to prescribe certain powers and duties of certain state officers and agencies; and to authorize and permit the use of certain tax increment financing," by amending sections 2, 4, 13, and 15 (MCL 125.2652, 125.2654, 125.2663, and 125.2665), section 2 as amended by 2003 PA 277, section 4 as amended by 2000 PA 145, section 13 as amended by 2003 PA 259, and section 15 as amended by 2003 PA 283.

The motion prevailed.

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

Rep. Sak moved that Rep. Byrum be excused temporarily from today’s session.
 The motion prevailed.

Senate Bill No. 211, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 41301 (MCL 324.41301), as added by 2003 PA 270.

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

Roll Call No. 277

Yeas—104

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

Nays—2

Drolet	Hune
--------	------

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 protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the

powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain 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. 212, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 41303 (MCL 324.41303), as added by 2003 PA 270.

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

Roll Call No. 278

Yeas—105

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

Nays—2

Drolet

Hune

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 protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the

powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain 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. 213, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 41305 (MCL 324.41305), as added by 2003 PA 270, and by adding section 41306.

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

Roll Call No. 279

Yeas—105

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

Nays—2

Drolet

Hune

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 protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the

powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain 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. Sak moved that Rep. Condino be excused temporarily from today’s session.

The motion prevailed.

Senate Bill No. 215, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding sections 41311 and 41313.

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

Roll Call No. 280

Yeas—106

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

Nays—0

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

“An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain 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. 507, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 13e of chapter XVII (MCL 777.13e), as amended by 2003 PA 269.

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

Roll Call No. 281

Yeas—97

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

Nays—9

Caswell	Gosselin	Hummel	Palmer
Drolet	Hoogendyk	Hune	Pastor
Garfield			

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 revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act,”

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. Ward moved that **House Bill No. 4963** be placed on its immediate passage.

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

House Bill No. 4963, entitled

A bill to amend 2000 PA 77, entitled “An act to amend 1949 PA 300, entitled “An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,” by amending sections 625, 803l, 804, and 904 (MCL 257.625, 257.803l, 257.804, and 257.904), sections 625 and 904 as amended by 1999 PA 73, 803l as amended by 1998 PA 68, and section 804 as amended by 1995 PA 129, and by adding sections 6d, 17b, 30b, 811d, 811e, 811f, 811g, and 811h; and to repeal acts and parts of acts,” by repealing enacting section 1.

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

Roll Call No. 282

Yeas—105

Accavitti	Gaffney	Lemmons, Jr.	Rocca
Acciavatti	Garfield	Lipsey	Sak
Adamini	Gillard	Marleau	Schuitmaker
Amos	Gleason	Mayer	Shaffer
Anderson	Gonzales	McConico	Sheen
Angerer	Gosselin	McDowell	Sheltrown
Ball	Green	Meisner	Smith, Alma
Baxter	Hansen	Meyer	Smith, Virgil
Bennett	Hildenbrand	Miller	Spade
Bieda	Hood	Moolenaar	Stahl
Booher	Hoogendyk	Moore	Stakoe

Brown	Hopgood	Mortimer	Steil
Byrnes	Huizenga	Murphy	Stewart
Byrum	Hummel	Newell	Taub
Casperson	Hune	Nitz	Tobocman
Caswell	Hunter	Nofs	Vagnozzi
Caul	Jones	Palmer	Van Regenmorter
Clack	Kahn	Palsrok	Vander Veen
Clemente	Kehrl	Pastor	Walker
Cushingberry	Kolb	Pavlov	Ward
Dillon	Kooiman	Pearce	Waters
Donigan	LaJoy	Phillips	Wenke
Elsenheimer	Law, David	Plakas	Whitmer
Emmons	Law, Kathleen	Polidori	Williams
Espinoza	Leland	Proos	Wojno
Farhat	Lemmons, III	Robertson	Zelenko
Farrah			

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.

Rep. Sak moved that Rep. Byrum be excused temporarily from today's session.

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. 4405, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 17708, 17751, and 17763 (MCL 333.17708, 333.17751, and 333.17763), sections 17708 and 17751 as amended by 1997 PA 153 and section 17763 as amended by 2004 PA 536.

(The bill was received from the Senate on May 17, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until May 18, see House Journal No. 42, p. 630.)

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. 283

Yeas—105

Accavitti	Gaffney	Lemmons, Jr.	Rocca
Acciavatti	Garfield	Lipsey	Sak

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

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. 4607, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 627a (MCL 257.627a), as amended by 2000 PA 110.

(The bill was received from the Senate on June 28, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 60, p. 985.)

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. 284**Yeas—106**

Accavitti	Farrah	Lemmons, Jr.	Rocca
Acciavatti	Gaffney	Lipsey	Sak
Adamini	Garfield	Marleau	Schuitmaker
Amos	Gillard	Mayer	Shaffer
Anderson	Gleason	McConico	Sheen
Angerer	Gonzales	McDowell	Sheltrown
Ball	Gosselin	Meisner	Smith, Alma
Baxter	Green	Meyer	Smith, Virgil

Bennett	Hansen	Miller	Spade
Bieda	Hildenbrand	Moolenaar	Stahl
Booher	Hood	Moore	Stakoe
Brown	Hoogendyk	Mortimer	Steil
Byrnes	Hopgood	Murphy	Stewart
Byrum	Huizenga	Newell	Taub
Casperson	Hummel	Nitz	Tobocman
Caswell	Hune	Nofs	Vagnozzi
Caul	Hunter	Palmer	Van Regenmorter
Clack	Jones	Palsrok	Vander Veen
Clemente	Kahn	Pastor	Walker
Cushingberry	Kehrl	Pavlov	Ward
Dillon	Kolb	Pearce	Waters
Donigan	Kooiman	Phillips	Wenke
Drolet	LaJoy	Plakas	Whitmer
Elsenheimer	Law, David	Polidori	Williams
Emmons	Law, Kathleen	Proos	Wojno
Espinoza	Leland	Robertson	Zelenko
Farhat	Lemmons, III		

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.

Third Reading of Bills**House Bill No. 4037, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 9171.

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

Roll Call No. 285**Yeas—107**

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

Clack	Hunter	Palmer	Vander Veen
Clemente	Jones	Palsrok	Walker
Condino	Kahn	Pastor	Ward
Cushingberry	Kehrl	Pavlov	Waters
Dillon	Kolb	Pearce	Wenke
Donigan	Kooiman	Phillips	Whitmer
Drolet	LaJoy	Plakas	Williams
Elsenheimer	Law, David	Polidori	Wojno
Emmons	Law, Kathleen	Proos	Zelenko
Espinoza	Leland	Robertson	

Nays—0

In The Chair: Kooiman

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

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

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 9723.

The motion prevailed.

The House agreed to the title as amended.

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. 4930, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1230d.

(The bill was considered earlier today, see today's Journal p. 1040.)

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. 286**Yeas—107**

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

Dillon	Kolb	Pearce	Wenke
Donigan	Kooiman	Phillips	Whitmer
Drolet	LaJoy	Plakas	Williams
Elsenheimer	Law, David	Polidori	Wojno
Emmons	Law, Kathleen	Proos	Zelenko
Espinoza	Leland	Robertson	

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. 4931, 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 considered earlier today, see today’s Journal p. 1040.)

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. 287**Yeas—107**

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

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. Sak moved that Rep. Hunter be excused temporarily from today's session.

The motion prevailed.

The House returned to the consideration of

House Bill No. 4932, entitled

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," (MCL 28.721 to 28.732) by amending the title, as amended by 2004 PA 237, and by adding headings for articles I and II and by adding article III.

(The bill was considered earlier today, see today's Journal p. 1041.)

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. 288**Yeas—99**

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

Nays—7

Drolet	Lipse	Smith, Alma	Tobocman
Kolb	McConico	Smith, Virgil	

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, Kooiman, Meyer, Pastor, LaJoy, Acciavatti, Clack, Vagnozzi, Taub, Gleason, Shaffer, Byrum, Sak, Stahl, Farhat, Moolenaar, Palsrok, Booher, Caul, Cushingberry, Elsenheimer, Espinoza, Hansen, Kahn, Kehrl, Lemmons, Jr., Marleau, McDowell and Spade were named co-sponsors of the bill.

The House returned to the consideration of

House Bill No. 4933, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 11b of chapter XVII (MCL 777.11b), as amended by 2004 PA 150.

(The bill was considered earlier today, see today's Journal p. 1041.)

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. 289**Yeas—105**

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

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.

Rep. Sak moved that Reps. Byrum and Condino be excused temporarily from today's session.

The motion prevailed.

The House returned to the consideration of

House Bill No. 4991, entitled

A bill to amend 1937 (Ex Sess) PA 4, entitled "An act relative to continuing tenure of office of certificated teachers in public educational institutions; to provide for probationary periods; to regulate discharges or demotions; to provide for resignations and leaves of absence; to create a state tenure commission and to prescribe the powers and duties thereof; and to prescribe penalties for violation of the provisions of this act," by amending section 1 of article IV (MCL 38.101), as amended by 1993 PA 60.

(The bill was considered earlier today, see today's Journal p. 1042.)

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. 290**Yeas—105**

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

Emmons	Law, Kathleen	Polidori	Williams
Espinoza	Leland	Proos	Wojno
Farhat	Lemmons, III	Robertson	Zelenko
Farrah			

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. 4934, entitled

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," by amending sections 5 and 9 (MCL 28.725 and 28.729), section 5 as amended by 2004 PA 240 and section 9 as amended by 2004 PA 237.

(The bill was considered earlier today, see today's Journal p. 1042.)

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. 291**Yeas—106**

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

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. Sak moved that Rep. Virgil Smith be excused temporarily from today's session.
 The motion prevailed.

Rep. Palmer moved that Rep. DeRoche be excused temporarily from today's session.
 The motion prevailed.

The House returned to the consideration of

House Bill No. 4935, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 11b of chapter XVII (MCL 777.11b), as amended by 2004 PA 150.

(The bill was considered earlier today, see today's Journal p. 1043.)

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. 292

Yeas—106

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

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. 4936, 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 section 5 (MCL 722.115), as amended by 2004 PA 315, and by adding sections 5c, 5d, and 5e.

(The bill was considered earlier today, see today’s Journal p. 1043.)

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. 293

Yeas—105

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

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.

The House returned to the consideration of
House Bill No. 4937, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 27a to chapter VIII.

(The bill was considered earlier today, see today's Journal p. 1044.)

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. 294**Yeas—106**

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

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. 4957, 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 considered earlier today, see today's Journal p. 1045.)

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. 295**Yeas—107**

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

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

The motion prevailed.

The House returned to the consideration of

House Bill No. 4958, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 15g of chapter XVII (MCL 777.15g), as added by 2002 PA 206.

(The bill was considered earlier today, see today's Journal p. 1045.)

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. 296**Yeas—107**

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

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

Senate Bill No. 130, entitled

A bill to require persons convicted of certain offenses to disclose those offenses before coaching youth; and to provide penalties.

(The bill was considered earlier today, see today's Journal p. 1046.)

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. 297**Yeas—107**

Accavitti	Farhat	Lemmons, III	Rocca
Acciavatti	Farrah	Lemmons, Jr.	Sak
Adamini	Gaffney	Lipsev	Schuitmaker
Amos	Garfield	Marleau	Shaffer

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

Nays—0

In The Chair: Kooiman

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

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

A bill to amend 1931 PA 328, entitled “An act to revise, consolidate, codify and add to the statutes relating to crimes; to define crimes and prescribe the penalties therefor; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act,” (MCL 750.1 to 750.568) by adding sections 411u and 411v.

The motion prevailed.

The House agreed to the title as amended.

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

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

Quorum Call

Rep. Stakoe 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. 298

Yeas—87

Accavitti	Farrah	Lemmons, Jr.	Rocca
Acciavatti	Gaffney	Lipsey	Sak
Adamini	Garfield	Marleau	Shaffer
Amos	Gillard	Mayes	Sheltrown

Anderson	Gonzales	McDowell	Spade
Angerer	Gosselin	Meisner	Stahl
Ball	Green	Meyer	Stakoe
Bennett	Hansen	Miller	Steil
Bieda	Hildenbrand	Moolenaar	Stewart
Booher	Hood	Moore	Taub
Brown	Hoogendyk	Mortimer	Tobocman
Byrnes	Hopgood	Murphy	Vagnozzi
Caswell	Hummel	Nitz	Van Regenmorter
Caul	Hune	Nofs	Vander Veen
Clack	Hunter	Palmer	Walker
Clemente	Jones	Palsrok	Ward
Condino	Kehrl	Pastor	Waters
Cushingberry	Kolb	Pavlov	Wenke
Dillon	Kooiman	Phillips	Whitmer
Elsenheimer	LaJoy	Polidori	Williams
Espinoza	Leland	Proos	Wojno
Farhat	Lemmons, III	Robertson	

In The Chair: Kooiman

Rep. Sak moved that Reps. Kathleen Law, Virgil Smith and Zelenko be excused temporarily from today's session. The motion prevailed.

Rep. Sak moved that Rep. Plakas be excused from the balance of today's session. The motion prevailed.

Rep. Steil moved that Rep. Emmons be excused temporarily from today's session. The motion prevailed.

Rep. Palmer moved that Reps. Casperson, Kahn and Sheen be excused temporarily from today's session. The motion prevailed.

Rep. Ward moved that **House Bill No. 4706** be placed on its immediate passage. The motion prevailed, a majority of the members serving voting therefor.

House Bill No. 4706, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 916 (MCL 436.1916).

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

Roll Call No. 299

Yeas—100

Accavitti	Espinoza	Leland	Proos
Acciavatti	Farhat	Lemmons, III	Robertson
Adamini	Farrar	Lemmons, Jr.	Rocca
Amos	Gaffney	Lipsey	Sak
Anderson	Garfield	Marleau	Schuitmaker
Angerer	Gillard	Mayes	Shaffer
Ball	Gleason	McConico	Sheltrown
Baxter	Gonzales	McDowell	Smith, Alma

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

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. Casperson, 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. 299. Had I been present, I would have voted ‘yea’.”

Rep. Emmons, 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. 299. Had I been present, I would have voted ‘yea’.”

Rep. Kahn, 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. 299. Had I been present, I would have voted ‘yea’.”

Notices

Rep. Tobocman, 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 Nos. 251-268. Had I been present, I would have voted ‘yea’ on Roll Call Nos. 251-253 and 255-268 and ‘nay’ on Roll Call No. 254.”

By unanimous consent the House returned to the order of

Third Reading of Bills

Rep. Ward moved that **Senate Bill No. 306** be placed on its immediate passage.

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

Senate Bill No. 306, entitled

A bill to authorize the department of management and budget to convey certain parcels of state owned property in Eaton county; to prescribe conditions for the conveyances; to provide for certain powers and duties of the department of management and budget in implementing those conveyances; to provide for disposition of revenue derived from the conveyances; 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. 300**Yeas—106**

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

Nays—0

In The Chair: Kooiman

The House agreed to the title of the bill.

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

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

Rep. Ward moved that **House Bill No. 4996** be placed on its immediate passage.

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

House Bill No. 4996, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16625 (MCL 333.16625), as amended by 1991 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. 301**Yeas—106**

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

Nays—0

In The Chair: Kooiman

The House agreed to the title of the bill.

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

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

Reps. Waters, Anderson, Stewart, Phillips, Kooiman, Brown, Tobocman, Pastor, Hopgood, Kathleen Law, Bieda, Condino, Vagnozzi, Accavitti, Byrum, Sak, Sheen, Moolenaar, Palsrok, Gillard, Casperson, Caul, Clemente, Cushingberry, Donigan, Elsenheimer, Espinoza, Gosselin, Hansen, Kehrl, Leland, Marleau, Mayes, McDowell, Palmer, Polidori, Proos, Rocca, Sheltrown, Alma Smith and Spade were named co-sponsors of the bill.

Rep. Virgil Smith, 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 Nos. 299-301. Had I been present, I would have voted ‘yea’.”

Second Reading of Bills**House Bill No. 4892, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 30312 (MCL 324.30312), as amended by 2003 PA 14.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Transportation (for amendment, see House Journal No. 60, p. 976),

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.

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. 4892, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 30312 (MCL 324.30312), as amended by 2003 PA 14.

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.

Rep. Ward moved that **House Bill No. 4315** be placed on its immediate passage.

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

House Bill No. 4315, entitled

A bill to amend 1909 PA 283, entitled "An act to revise, consolidate, and add to the laws relating to the establishment, opening, discontinuing, vacating, closing, altering, improvement, maintenance, and use of the public highways and private roads; the condemnation of property and gravel therefor; the building, repairing and preservation of bridges; maintaining public access to waterways under certain conditions; setting and protecting shade trees, drainage, and cutting weeds and brush within this state; providing for the election or appointment and defining the powers, duties, and compensation of state, county, township, and district highway officials; and to prescribe penalties and provide remedies," by amending section 6 (MCL 224.6), as amended by 1982 PA 299.

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

Roll Call No. 302

Yeas—87

Acciavatti	Gleason	Lemmons, III	Robertson
Amos	Gonzales	Lemmons, Jr.	Sak
Anderson	Gosselin	Lipsey	Schuitmaker
Angerer	Green	Marleau	Shaffer
Ball	Hansen	Mayes	Sheen
Baxter	Hildenbrand	McConico	Smith, Alma
Bieda	Hood	McDowell	Spade
Booher	Hoogendyk	Meisner	Stahl
Byrum	Hopgood	Moolenaar	Stakoe
Caul	Huizenga	Moore	Steil
Clack	Hummel	Mortimer	Stewart
Clemente	Hune	Murphy	Taub
Condino	Hunter	Newell	Tobocman
DeRoche	Jones	Nitz	Van Regenmorter
Dillon	Kahn	Nofs	Vander Veen
Donigan	Kehrl	Palmer	Walker
Drolet	Kolb	Pastor	Ward
Elsenheimer	Kooiman	Pavlov	Waters
Emmons	LaJoy	Pearce	Wenke
Espinoza	Law, David	Phillips	Whitmer

Gaffney
GarfieldLaw, Kathleen
LelandPolidori
Proos

Zelenko

Nays—20Accavitti
Adamini
Bennett
Brown
ByrnesCasperson
Caswell
Cushingberry
Farhat
FarrahGillard
Meyer
Miller
Palsrok
RoccaSheltrown
Smith, Virgil
Vagnozzi
Williams
Wojno

In The Chair: Kooiman

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

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

A bill to amend 1909 PA 283, entitled "An act to revise, consolidate, and add to the laws relating to the establishment, opening, discontinuing, vacating, closing, altering, improvement, maintenance, and use of the public highways and private roads; the condemnation of property and gravel therefor; the building, repairing and preservation of bridges; maintaining public access to waterways under certain conditions; setting and protecting shade trees, drainage, and cutting weeds and brush within this state; providing for the election or appointment and defining the powers, duties, and compensation of state, county, township, and district highway officials; and to prescribe penalties and provide remedies," by amending section 6 of chapter IV (MCL 224.6), as amended by 1982 PA 299.

The motion prevailed.

The House agreed to the title as amended.

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

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

Rep. Waters moved that Rep. McConico be excused temporarily from today's session.

The motion prevailed.

Rep. Ward moved that **House Bill No. 4316** be placed on its immediate passage.

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

House Bill No. 4316, entitled

A bill to amend 1966 PA 293, entitled "An act to provide for the establishment of charter counties; to provide for the election of charter commissioners; to prescribe their powers and duties; to prohibit certain acts of a county board of commissioners after the approval of the election of a charter commission; to prescribe the mandatory and permissive provisions of a charter; to provide for the exercise by a charter county of certain powers whether or not authorized by its charter; and to prescribe penalties and provide remedies," by amending section 14 (MCL 45.514), as amended by 1982 PA 300.

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

Roll Call No. 303**Yeas—85**Acciavatti
Amos
Anderson
AngererGosselin
Green
Hansen
HildenbrandLemmons, Jr.
Lipsev
Marleau
MayesSchuitmaker
Shaffer
Sheen
Smith, Alma

Ball	Hood	Meisner	Smith, Virgil
Baxter	Hoogendyk	Moolenaar	Spade
Bieda	Hopgood	Moore	Stahl
Booher	Huizenga	Mortimer	Stakoe
Byrum	Hummel	Murphy	Steil
Caul	Hune	Newell	Stewart
Clack	Hunter	Nitz	Taub
Condino	Jones	Nofs	Tobocman
DeRoche	Kahn	Palmer	Vagnozzi
Dillon	Kehrl	Pastor	Van Regenmorter
Donigan	Kolb	Pavlov	Vander Veen
Drolet	Kooiman	Pearce	Walker
Elsenheimer	LaJoy	Phillips	Ward
Espinoza	Law, David	Polidori	Waters
Gaffney	Law, Kathleen	Proos	Wenke
Garfield	Leland	Robertson	Whitmer
Gleason	Lemmons, III	Sak	Zelenko
Gonzales			

Nays—21

Accavitti	Caswell	Farrah	Palsrok
Adamini	Clemente	Gillard	Rocca
Bennett	Cushingberry	McDowell	Sheltrown
Brown	Emmons	Meyer	Williams
Byrnes	Farhat	Miller	Wojno
Casperson			

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

The motion prevailed.

Rep. Ward moved that **House Bill No. 4317** be placed on its immediate passage.

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

House Bill No. 4317, entitled

A bill to amend 1973 PA 139, entitled "An act to provide forms of county government; to provide for county managers and county executives and to prescribe their powers and duties; to abolish certain departments, boards, commissions, and authorities; to provide for transfer of certain powers and functions; to prescribe powers of a board of county commissioners and elected officials; to provide organization of administrative functions; to transfer property; to retain ordinances and laws not inconsistent with this act; to provide methods for abolition of a unified form of county government; and to prescribe penalties and provide remedies," by amending section 12 (MCL 45.562).

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

Roll Call No. 304**Yeas—86**

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

Nays—20

Accavitti	Casperson	Farhat	Palsrok
Adamini	Caswell	Farrah	Rocca
Bennett	Clemente	Gillard	Sheltrown
Brown	Cushingberry	McDowell	Williams
Byrnes	Emmons	Miller	Wojno

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. Sak moved that Rep. Tobocman be excused temporarily from today's session.

The motion prevailed.

Rep. Ward moved that **House Bill No. 4403** be placed on its immediate passage.

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

House Bill No. 4403, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16215 (MCL 333.16215), as amended by 1999 PA 60.

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

Roll Call No. 305**Yeas—106**

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

Nays—0

In The Chair: Kooiman

The House agreed to the title of the bill.

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

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

Notices

Rep. Meisner, 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 Nos. 252-268. Had I been present, I would have voted ‘yea’ on Roll Call Nos. 252-253 and 255-268 and ‘nay’ on Roll Call No. 254.”

Rep. Byrum, 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 Nos. 252-268. Had I been present, I would have voted ‘yea’ on Roll Call Nos. 252-253 and 255-268 and ‘nay’ on Roll Call No. 254.”

Rep. Condino, 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 Nos. 252-268. Had I been present, I would have voted ‘yea’ on Roll Call Nos. 252-253 and 255-268 and ‘nay’ on Roll Call No. 254.”

Rep. Dillon, 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 Nos. 252-268. Had I been present, I would have voted ‘yea’ on Roll Call Nos. 252-253 and 255-268 and ‘nay’ on Roll Call No. 254.”

By unanimous consent the House returned to the order of

Third Reading of Bills

Rep. Ward moved that **House Bill No. 4733** be placed on its immediate passage.

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

House Bill No. 4733, entitled

A bill to amend 1975 PA 228, entitled “Single business tax act,” (MCL 208.1 to 208.145) by adding section 35c.

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.

Rep. Ward moved that **House Bill No. 4938** be placed on its immediate passage.

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

House Bill No. 4938, entitled

A bill to amend 1953 PA 181, entitled “An act relative to investigations in certain instances of the causes of death within this state due to violence, negligence or other act or omission of a criminal nature or to protect public health; to provide for the taking of statements from injured persons under certain circumstances; to abolish the office of coroner and to create the office of county medical examiner in certain counties; to prescribe the powers and duties of county medical examiners; to prescribe penalties for violations of the provisions of this act; and to prescribe a referendum thereon,” (MCL 52.201 to 52.216) by adding section 9.

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

Roll Call No. 306

Yeas—107

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

Dillon	Kolb	Pearce	Whitmer
Donigan	Kooiman	Phillips	Williams
Drolet	LaJoy	Polidori	Wojno
Elsenheimer	Law, David	Proos	Zelenko
Emmons	Law, Kathleen	Robertson	

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. Sak moved that Rep. Hunter be excused temporarily from today's session.

The motion prevailed.

The House returned to the consideration of

House Bill No. 4733, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding section 35c.

(The bill was considered earlier today, see today's Journal p. 1089.)

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. 307**Yeas—106**

Accavitti	Espinoza	Lemmons, III	Rocca
Acciavatti	Farhat	Lemmons, Jr.	Sak
Adamini	Farrah	Lipsey	Schuitmaker
Amos	Gaffney	Marleau	Shaffer
Anderson	Garfield	Mayes	Sheen
Angerer	Gillard	McConico	Sheltrown
Ball	Gleason	McDowell	Smith, Alma
Baxter	Gonzales	Meisner	Smith, Virgil
Bennett	Gosselin	Meyer	Spade
Bieda	Green	Miller	Stahl
Booher	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
Clack	Hune	Palmer	Vander Veen
Clemente	Jones	Palsrok	Walker
Condino	Kahn	Pastor	Ward
Cushingberry	Kehrl	Pavlov	Waters
DeRoche	Kolb	Pearce	Wenke
Dillon	Kooiman	Phillips	Whitmer

Donigan	LaJoy	Polidori	Williams
Drolet	Law, David	Proos	Wojno
Elsenheimer	Law, Kathleen	Robertson	Zelenko
Emmons	Leland		

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. Ward moved that **House Bill No. 4734** be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

House Bill No. 4734, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 38g (MCL 208.38g), as amended by 2003 PA 249.

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

Roll Call No. 308**Yeas—107**

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

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. Sak moved that Rep. McConico be excused temporarily from today's session.
 The motion prevailed.

Rep. Ward moved that **Senate Bill No. 525** be placed on its immediate passage.
 The motion prevailed, a majority of the members serving voting therefor.

Senate Bill No. 525, entitled

A bill to amend 2003 PA 296, entitled "Michigan early stage venture investment act of 2003," by amending sections 5 and 15 (MCL 125.2235 and 125.2245).

The bill was read a third time.

The question being on the passage of the bill,

Rep. Huizenga moved to amend the bill as follows:

1. Amend page 8, line 6, after "section" by inserting "**AND FROM THE PROCEEDS OF INVESTMENTS MADE BY THE FUND**".

The motion was seconded and the amendment was adopted, a majority of the members present voting therefor.

The question being on the passage of the bill,

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

Roll Call No. 309

Yeas—102

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

Nays—4

Drolet

Garfield

Gosselin

Hoogendyk

In The Chair: Kooiman

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

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

A bill to amend 2003 PA 296, entitled “An act to promote investment in certain businesses; to promote economic development in this state; to provide for a Michigan early stage venture investment corporation; to prescribe the powers and duties of a Michigan early stage venture investment corporation; to prescribe the powers and duties of certain public officers and departments; to establish the Michigan early stage venture investment fund and other funds; to provide for tax credits and incentives; to authorize certain investments; to provide for the expiration of the fund; to provide or allow for appropriations; and to provide penalties and remedies,” by amending sections 3, 5, 15, 17, 19, and 23 (MCL 125.2233, 125.2235, 125.2245, 125.2247, 125.2249, and 125.2253).

The motion prevailed.

The House agreed to the title as amended.

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. 4892, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 30312 (MCL 324.30312), as amended by 2003 PA 14.

(The bill was considered earlier today, see today’s Journal p. 1083.)

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. 310**Yeas—63**

Accavitti	Espinoza	Kooiman	Robertson
Acciavatti	Farhat	LaJoy	Rocca
Adamini	Farrah	Marleau	Schuitmaker
Amos	Garfield	McDowell	Shaffer
Ball	Gleason	Meyer	Sheen
Baxter	Gonzales	Moolenaar	Sheltrown
Booher	Gosselin	Moore	Stahl
Brown	Green	Mortimer	Stakoe
Casperson	Hansen	Newell	Steil
Caswell	Hildenbrand	Nitz	Stewart
Caul	Hoogendyk	Nofs	Taub
DeRoche	Huizenga	Palmer	Van Regenmorter
Dillon	Hummel	Pastor	Vander Veen
Drolet	Hune	Pavlov	Ward
Elsenheimer	Jones	Pearce	Wenke
Emmons	Kahn	Proos	

Nays—44Anderson
AngererGaffney
GillardLemmons, Jr.
LipseySmith, Alma
Smith, Virgil

Bennett	Hood	Mayes	Spade
Bieda	Hopgood	McConico	Tobocman
Byrnes	Hunter	Meisner	Vagnozzi
Byrum	Kehrl	Miller	Walker
Clack	Kolb	Murphy	Waters
Clemente	Law, David	Palsrok	Whitmer
Condino	Law, Kathleen	Phillips	Williams
Cushingberry	Leland	Polidori	Wojno
Donigan	Lemmons, III	Sak	Zelenko

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. Walker moved that his name be removed as co-sponsor of the bill.
 The motion prevailed.

Second Reading of Bills

Senate Bill No. 446, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 224b (MCL 500.224b), as amended by 2002 PA 621.

The bill was read a second time.

Rep. Caswell moved to amend the bill as follows:

1. Amend page 4, line 1, after "**THE**" by inserting "**CENTERS FOR MEDICARE AND MEDICAID SERVICES APPROVED**".

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

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

The motion prevailed.

Rep. Sak moved that Rep. Virgil Smith be excused temporarily from today's session.
 The motion prevailed.

Senate Bill No. 406, 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.

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. McConico moved to amend the bill as follows:

1. Amend page 5, line 9, after "9" by inserting "or that the school district is levying at least 13 mills to pay debt service on outstanding qualified bonds and loans associated with outstanding qualified bonds".

2. Amend page 6, line 8, after “9” by inserting “or the school district is levying at least 13 mills and will continue to apply the 13-mill levy to repay outstanding qualified bonds and the loans associated with those bonds”.

3. Amend page 9, line 3, after “(3)” by inserting “except as provided in subsection (9),”.

4. Amend page 10, following line 26, by inserting:

“(9) Notwithstanding any other provision of this act, if a school district owes the revolving fund an amount for loans made with respect to previously issued qualified bonds, and its computed millage is at least 13 mills, the state treasurer shall enter into a separate loan agreement with the school district for subsequently issued qualified bonds pursuant to which the school district may borrow and the state shall loan the school district from its general fund any amount necessary to pay the difference between what 13 mills generates and principal and interest on all its qualified bonds and outstanding loans related to outstanding qualified bonds. The loan repayment agreement under this section shall require the school district to levy 13 mills until all loans or subsequent loans have been repaid to the state.”.

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

Rep. McConico demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 311

Yeas—51

Accavitti	Dillon	Kolb	Polidori
Adamini	Donigan	Law, Kathleen	Sak
Anderson	Espinoza	Leland	Sheltrown
Angerer	Farrah	Lemmons, III	Smith, Alma
Bennett	Gaffney	Lemmons, Jr.	Spade
Bieda	Gillard	Lipsey	Tobocman
Brown	Gleason	Mayes	Vagnozzi
Byrnes	Gonzales	McConico	Waters
Byrum	Hood	McDowell	Whitmer
Clack	Hopgood	Meisner	Williams
Clemente	Hune	Miller	Wojno
Condino	Hunter	Murphy	Zelenko
Cushingberry	Kehrl	Phillips	

Nays—55

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

Rep. Virgil Smith, 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. 311. Had I been present, I would have voted ‘yea’.”

Rep. Moolenaar moved to amend the bill as follows:

1. Amend page 2, line 20, after “agreement.” by inserting “A qualified bond may include a bond issued to refund loans owed to the state under this act.”.

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

Rep. Moolenaar moved to amend the bill as follows:

1. Amend page 9, line 7, after “payable.” by inserting “This section does not preclude early repayment of qualified bonds or qualified loans.”.

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

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

The motion prevailed.

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. 406, 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.

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

Roll Call No. 312

Yeas—106

Accavitti	Espinoza	Lemmons, III	Rocca
Acciavatti	Farhat	Lemmons, Jr.	Sak
Adamini	Farrah	Lipsey	Schuitmaker
Amos	Gaffney	Marleau	Shaffer
Anderson	Garfield	Mayes	Sheen
Angerer	Gillard	McConico	Sheltrown
Ball	Gleason	McDowell	Smith, Alma
Baxter	Gonzales	Meisner	Smith, Virgil
Bennett	Gosselin	Meyer	Spade
Bieda	Green	Miller	Stahl
Booher	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
Clack	Hunter	Palmer	Vander Veen
Clemente	Jones	Palsrok	Walker
Condino	Kahn	Pastor	Ward
Cushingberry	Kehrl	Pavlov	Waters
DeRoche	Kolb	Pearce	Wenke
Dillon	Kooiman	Phillips	Whitmer

Donigan
Drolet
Elsenheimer
Emmons

LaJoy
Law, David
Law, Kathleen
Leland

Polidori
Proos
Robertson

Williams
Wojno
Zelenko

Nays—1

Hune

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. 407, 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 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.

Rep. Palmer moved that Rep. Van Regenmorter be excused from the balance of today’s session.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 407, 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.

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

Roll Call No. 313

Yeas—105

Accavitti
Acciavatti
Adamini
Amos
Anderson

Espinoza
Farhat
Farrah
Gaffney
Garfield

Leland
Lemmons, III
Lemmons, Jr.
Lipsey
Marleau

Robertson
Rocca
Sak
Schuitmaker
Shaffer

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

Nays—1

Hune

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 the Michigan municipal bond authority and to prescribe its powers and duties; to provide for the issuance of, and terms and conditions for, notes and bonds of the authority; to authorize certain forms of assistance to governmental units including the creation and management of investments; to impose conditions on, grant certain powers to political subdivisions of the state and water suppliers regarding, and allow certain agreements regarding obligations of political subdivisions of this state and water suppliers purchased by the authority; to exempt the property, income, and operation of the authority, its bonds and notes, and the interest on its bonds and notes from certain taxes; to grant powers and impose duties on officers and agencies of the state, political subdivisions of this state, and water suppliers; to accept and expend certain appropriations; 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.

Second Reading of Bills

Senate Bill No. 408, 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 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. 408, 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.

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

Roll Call No. 314

Yeas—104

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

Nays—1

Hune

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. 410, 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 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. 410, 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.

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

Roll Call No. 315

Yeas—105

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

Nays—1

Hune

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 make appropriations to aid in the support of the public schools and the intermediate school districts of the state; to make appropriations for certain other purposes relating to education; to provide for the disbursement of the appropriations; to supplement the school aid fund by the levy and collection of certain taxes; to authorize the issuance of certain bonds and provide for the security of those bonds; to prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to create certain funds and provide for their expenditure; to prescribe 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.

Second Reading of Bills

Senate Bill No. 411, 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 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. 411, 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.

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

Roll Call No. 316

Yeas—106

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

Dillon	Kolb	Pearce	Whitmer
Donigan	Kooiman	Phillips	Williams
Drolet	LaJoy	Polidori	Wojno
Elsenheimer	Law, David	Proos	Zelenko
Emmons	Law, Kathleen		

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 revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act,”

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.

Second Reading of Bills

The House returned to the consideration of

Senate Bill No. 446, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 224b (MCL 500.224b), as amended by 2002 PA 621.

(The bill was considered earlier today, see today’s Journal, p. 1094.)

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. 446, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 224b (MCL 500.224b), as amended by 2002 PA 621.

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

Roll Call No. 317**Yeas—97**

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

Nays—9

Baxter	Gosselin	Hune	Rocca
Drolet	Hoogendyk	Palmer	Schuitmaker
Garfield			

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 revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain

assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker's compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act,"

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.

Second Reading of Bills

Senate Bill No. 447, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 109f (MCL 400.109f), as added by 2000 PA 410.

The bill was read a second time.

Rep. Caswell moved to amend the bill as follows:

1. Amend page 2, line 11, after "QUALITY" by striking out "ASSISTANCE" and inserting "ASSURANCE".

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

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

The motion prevailed.

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. 447, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 109f (MCL 400.109f), as added by 2000 PA 410.

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

Roll Call No. 318

Yeas—97

Accavitti	Espinoza	Lemmons, III	Robertson
Acciavatti	Farhat	Lemmons, Jr.	Sak
Adamini	Farrah	Lipsey	Shaffer
Amos	Gaffney	Marleau	Sheen
Anderson	Gillard	Mayes	Sheltrown
Angerer	Gleason	McConico	Smith, Alma
Ball	Gonzales	McDowell	Smith, Virgil
Bennett	Green	Meisner	Spade
Bieda	Hansen	Meyer	Stahl
Booher	Hildenbrand	Miller	Stakoe
Brown	Hood	Moolenaar	Steil
Byrnes	Hopgood	Moore	Stewart
Byrum	Huizenga	Mortimer	Taub
Casperson	Hummel	Murphy	Tobocman
Caswell	Hunter	Newell	Vagnozzi

Caul	Jones	Nitz	Vander Veen
Clack	Kahn	Nofs	Walker
Clemente	Kehrl	Palsrok	Ward
Condino	Kolb	Pastor	Waters
Cushingberry	Kooiman	Pavlov	Wenke
DeRoche	LaJoy	Pearce	Whitmer
Dillon	Law, David	Phillips	Williams
Donigan	Law, Kathleen	Polidori	Wojno
Elsenheimer	Leland	Proos	Zelenko
Emmons			

Nays—9

Baxter	Gosselin	Hune	Rocca
Drolet	Hoogendyk	Palmer	Schuitmaker
Garfield			

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 protect the welfare of the people of this state; to provide general assistance, hospitalization, infirmary and medical care to poor or unfortunate persons; to provide for compliance by this state with the social security act; to provide protection, welfare and services to aged persons, dependent children, the blind, and the permanently and totally disabled; to administer programs and services for the prevention and treatment of delinquency, dependency and neglect of children; to create a state department of social services; to prescribe the powers and duties of the department; to provide for the interstate and intercounty transfer of dependents; to create county and district departments of social services; to create within certain county departments, bureaus of social aid and certain divisions and offices thereunder; to prescribe the powers and duties of the departments, bureaus and officers; to provide for appeals in certain cases; to prescribe the powers and duties of the state department with respect to county and district departments; to prescribe certain duties of certain other state departments, officers, and agencies; to make an appropriation; to prescribe penalties for the violation of the provisions of this act; and to repeal certain parts of this act on specific dates,”

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.

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Ward and Waters offered the following concurrent resolution:

House Concurrent Resolution No. 18.

A concurrent resolution to amend the Joint Rules of the Senate and House of Representatives.

Resolved by the House of Representatives (the Senate concurring), That Joint Rule 3 of the Joint Rules of the Senate and House of Representatives be amended to read as follows:

“Conference Committees.

Rule 3. (a) The House not concurring in the amendments of the other House shall appoint conferees and notify the amending House of its action. The amending House shall request return of the bill or resolution or appoint conferees. The conference committee shall consist of three members from each House, to be appointed as each House may determine. The first named member of the House in which the bill or resolution originated shall be chairperson of the conference committee, **EXCEPT IN THE CASE OF APPROPRIATION BILLS, THE SPEAKER OR THE SENATE MAJORITY LEADER OF THE ORIGINATING HOUSE MAY APPOINT A CHAIRPERSON FROM EITHER HOUSE.** Upon appointment of conferees by both Houses, the bill or resolution shall be referred to the conference committee. When one House amends or substitutes a bill, but then non-concurs in that bill as amended or substituted, those amendments or that substitute shall not be referred. The conference committee shall serve until the conference report has been adopted by both Houses or rejected by a House.

(b) The conference committees of the two Houses shall vote separately while in conference. The majority of each committee shall constitute a quorum of each committee and shall determine the position to be taken toward the

propositions of the conference committee. If the conferees agree, a report shall be made which shall be signed by at least a majority of the conferees of each House who were present and voted in the conference committee meeting to adopt the report. The bill or resolution, including the original signed conference report and three copies, shall be filed in the House of origin where the question shall be on the adoption of the conference report. If the conference report is adopted, in the House of origin, the bill or resolution, including the original signed conference report, and two copies of the conference report shall be transmitted to the other House where the question shall be on the adoption of the conference report. If the conference report is adopted in the other House the bill or resolution and the original signed copy of the conference report shall be returned to the House of origin and referred for enrollment printing and presentation to the Governor, filing with the Secretary of State, or filing for record with the Secretary of the Senate or Clerk of the House of Representatives.”; and be it further

Resolved by the House of Representatives (the Senate concurring), That Joint Rule 4 of the Joint Rules of the Senate and House of Representatives be amended to read as follows:

“Conference Committee Clerk.

Rule 4. The conference committee clerk shall be from the House of origin, who shall notify the Secretary of the Senate and the Clerk of the House of Representatives of all scheduled meetings for public posting and shall deliver written notice to each member of the conference committee and the majority and minority leaders of each House indicating the time and place of all scheduled meetings. Conference committees on appropriation bills may use fiscal agency personnel **FROM THE SAME HOUSE AS THE CHAIRPERSON** for clerks.”.

Pending the reference of the concurrent resolution to a committee,

Rep. Ward moved that Rule 77 be suspended and the concurrent 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 concurrent resolution,

The concurrent resolution was adopted.

Second Reading of Bills

Senate Bill No. 279, entitled

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending sections 3, 4, 6, 11, 11a, 11f, 11g, 11j, 18, 19, 20, 20j, 22a, 22b, 22d, 24, 25, 26a, 31a, 31d, 32c, 32d, 32j, 37, 39, 39a, 41, 41a, 51a, 51c, 51d, 53a, 54, 56, 57, 61a, 62, 74, 81, 94a, 98, 98b, 99, 107, 147, 158b, and 164c (MCL 388.1603, 388.1604, 388.1606, 388.1611, 388.1611a, 388.1611f, 388.1611g, 388.1611j, 388.1618, 388.1619, 388.1620, 388.1620j, 388.1622a, 388.1622b, 388.1622d, 388.1624, 388.1625, 388.1626a, 388.1631a, 388.1631d, 388.1632c, 388.1632d, 388.1632j, 388.1637, 388.1639, 388.1639a, 388.1641, 388.1641a, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1656, 388.1657, 388.1661a, 388.1662, 388.1674, 388.1681, 388.1694a, 388.1698, 388.1698b, 388.1699, 388.1707, 388.1747, 388.1758b, and 388.1764c), sections 3, 4, 6, 11f, 11g, 11j, 19, 20, 20j, 22a, 22b, 24, 26a, 31d, 32c, 32d, 32j, 37, 39a, 41, 41a, 51c, 51d, 53a, 54, 56, 57, 61a, 62, 74, 81, 94a, 98, 99, 107, 147, and 158b as amended and section 22d as added by 2004 PA 351, sections 11 and 51a as amended by 2004 PA 518, section 11a as added by 2003 PA 158, section 18 as amended by 2004 PA 414, section 25 as amended by 2000 PA 297, sections 31a and 98b as amended by 2004 PA 593, section 39 as amended by 2002 PA 191, and section 164c as added by 1995 PA 130, and by adding sections 26b and 32l; 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 Appropriations,

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

Rep. Hummel 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. Emmons moved to amend the bill as follows:

1. Amend page 22, line 5, after “**THE**” by striking “**2004-2005**” and inserting “**2005-2006**”.

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

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. 279, entitled

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending sections 3, 4, 6, 11, 11a, 11f, 11g, 11j, 18, 19, 20, 20j, 22a, 22b, 22d, 24, 25, 26a, 31a, 31d, 32c, 32d, 32j, 37, 39, 39a, 41, 41a, 51a, 51c, 51d, 53a, 54, 56, 57, 61a, 62, 74, 81, 94a, 98, 98b, 99, 107, 147, 158b, and 164c (MCL 388.1603, 388.1604, 388.1606, 388.1611, 388.1611a, 388.1611f, 388.1611g, 388.1611j, 388.1618, 388.1619, 388.1620, 388.1620j, 388.1622a, 388.1622b, 388.1622d, 388.1624, 388.1625, 388.1626a, 388.1631a, 388.1631d, 388.1632c, 388.1632d, 388.1632j, 388.1637, 388.1639, 388.1639a, 388.1641, 388.1641a, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1656, 388.1657, 388.1661a, 388.1662, 388.1674, 388.1681, 388.1694a, 388.1698, 388.1698b, 388.1699, 388.1707, 388.1747, 388.1758b, and 388.1764c), sections 3, 4, 6, 11f, 11g, 11j, 19, 20, 20j, 22a, 22b, 24, 26a, 31d, 32c, 32d, 32j, 37, 39a, 41, 41a, 51c, 51d, 53a, 54, 56, 57, 61a, 62, 74, 81, 94a, 98, 99, 107, 147, and 158b as amended and section 22d as added by 2004 PA 351, sections 11 and 51a as amended by 2004 PA 518, section 11a as added by 2003 PA 158, section 18 as amended by 2004 PA 414, section 25 as amended by 2000 PA 297, sections 31a and 98b as amended by 2004 PA 593, section 39 as amended by 2002 PA 191, and section 164c as added by 1995 PA 130, and by adding sections 26b and 32l; 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. 319

Yeas—106

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

Nays—0

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

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

A bill to amend 1979 PA 94, entitled "An act to make appropriations to aid in the support of the public schools and the intermediate school districts of the state; to make appropriations for certain other purposes relating to education; to provide for the disbursement of the appropriations; to supplement the school aid fund by the levy and collection of certain taxes; to authorize the issuance of certain bonds and provide for the security of those bonds; to prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to create certain funds and provide for their expenditure; to prescribe penalties; and to repeal acts and parts of acts," by amending sections 11, 11a, 11j, 22a, 22b, 51a, and 51c (MCL 388.1611, 388.1611a, 388.1611j, 388.1622a, 388.1622b, 388.1651a, and 388.1651c), sections 11 and 51a as amended by 2004 PA 518, section 11a as added by 2003 PA 158, and sections 11j, 22a, 22b, and 51c as amended by 2004 PA 351.

The motion prevailed.

The House agreed to the title as amended.

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

Senate Bill No. 551, entitled

A bill to amend 2004 PA 591, entitled "An act to amend 1991 PA 179, entitled "An act to regulate and insure the availability of certain telecommunication services; to prescribe the powers and duties of certain state agencies and officials; to prescribe penalties; to repeal certain acts and parts of acts; and to repeal this act on a specific date," by amending section 213 (MCL 484.2213), as amended by 2000 PA 295; and to repeal acts and parts of acts," by repealing enacting section 1.

(The bill was passed on June 28, see House Journal No. 60, p. 993.)

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

(For first notice, see House Journal No. 60, p. 1033.)

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

Rep. Ward moved that consideration of the motion be postponed for the day.

The motion prevailed.

Senate Bill No. 522, entitled

A bill to amend 1925 PA 368, entitled "An act to prohibit obstructions and encroachments on public highways, to provide for the removal thereof, to prescribe the conditions under which telegraph, telephone, power, and other public utility companies, cable television companies and municipalities may enter upon, construct and maintain telegraph, telephone, power or cable television lines, pipe lines, wires, cables, poles, conduits, sewers and like structures upon, over, across or under public roads, bridges, streets and waters and to provide penalties for the violation of this act," by amending section 13 (MCL 247.183), as amended by 2002 PA 151.

(The bill was passed on June 28, see House Journal No. 60, p. 992.)

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

(For first notice, see House Journal No. 60, p. 1033.)

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

Rep. Ward moved that consideration of the motion be postponed for the day.

The motion prevailed.

By unanimous consent the House considered **House Resolution No. 105** out of numerical order.

Reps. Casperson, Nitz, Booher, Hansen, Shaffer, Stahl, Steil, Emmons, Wenke, Ball, Huizenga, Moore, Farhat, Proos, Jones, Vander Veen, Marleau, Schuitmaker, Hummel, Walker, Mayes and Sheltroun offered the following resolution:

House Resolution No. 105.

A resolution to encourage the Michigan Department of Agriculture and the Michigan Department of Environmental Quality to continue participating in the Michigan Agriculture Environmental Assurance Program and encourage the maximum participation of Michigan farmers.

Whereas, The Michigan Agriculture Environmental Assurance Program (MAEAP) is a voluntary, proactive pollution prevention program for Michigan farmers established as a result of the 1998 Pollution Prevention Strategy developed jointly by the Michigan Department of Agriculture (MDA) and the Michigan Department of Environmental Quality (DEQ). MAEAP is currently represented by a partnership of over 30 federal, state, academic, conservation, and agricultural agencies and organizations dedicated to the economic success of Michigan agriculture and to environmental stewardship; and

Whereas, MAEAP is nationally recognized for its innovative alternative approach to agricultural environmental regulation and is used as a model for partnership-based pollution prevention programs. MAEAP was selected by the Council of State Governments as a regional finalist as one of the most innovative programs among all 50 states; and

Whereas, MAEAP encompasses three systems—livestock, farmstead, and cropping—designed to help farmers evaluate the environmental risks of their operation. Farmers develop and implement economically feasible, effective, and environmentally sound pollution prevention practices; and

Whereas, Through participation in MAEAP, more and more Michigan farmers are learning how to identify and prevent pollution on their farms. Over 3,000 farmers have completed the Phase I educational component of MAEAP and over 100 farmers have completed one or all three of the system verifications. Participation in MAEAP positions farmers to participate in other pollution prevention programs at the state and federal levels; now therefore, be it

Resolved by the House of Representatives, That we encourage the MDA and the DEQ to continue participating in MAEAP and encourage the maximum participation of Michigan farmers; and be it further

Resolved, That copies of this resolution be transmitted to the Michigan Department of Agriculture and the Michigan Department of Environmental Quality.

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.

Second Reading of Bills

House Bill No. 4834, entitled

A bill to regulate the business of providing deferred presentment service transactions; to require the licensing of providers of deferred presentment service transactions; to prescribe powers and duties of certain state agencies and officials; and to prescribe penalties and provide remedies.

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 not adopted, a majority of the members serving not voting therefor.

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

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

Rep. Dillon moved to amend the bill as follows:

1. Amend page 22, following line 26, by inserting:

“(3) A licensee may include an arbitration provision in a deferred presentment service transaction agreement if the arbitration provision meets all of the following:

(a) Provides that the licensee agrees to pay any costs of the arbitration.

(b) Provides that an arbitration proceeding shall be held within 10 miles of the drawer’s address contained in the deferred presentment service transaction agreement unless the drawer consents to another location after an arbitrable dispute occurs.

(c) Provides that an arbitration proceeding shall be conducted by a neutral arbitrator who was not and is not currently being paid by the licensee and who has no financial interest in a party to the arbitration.

(d) Requires that the arbitrator shall provide the drawer with all the substantive rights that the drawer would have if the drawer’s claim were asserted in a court proceeding and shall not limit any other claim or defense the drawer has concerning the claim.”

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

Rep. McConico moved to amend the bill as follows:

1. Amend page 19, line 14, after “into” by striking out the balance of the line through “transaction” on line 15 and inserting “8 deferred presentment service transactions with a licensee in any 12-month period”.

2. Amend page 22, line 13, after “into” by striking out the balance of the line through “transaction” on line 14 and inserting “8 deferred presentment service transactions with a licensee in any 12-month period”.

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

Rep. Drolet moved to amend the bill as follows:

1. Amend page 2, line 6, by striking out all of subdivision (c) and relettering the remaining subdivisions.
2. Amend page 3, line 2, by striking out all of subdivision (f) and relettering the remaining subdivisions.
3. Amend page 11, line 22, after “(3)” by striking out the balance of the line through “a” on line 24 and inserting “A”.
4. Amend page 12, line 21, by striking out all of section 22.
5. Amend page 20, line 18, by striking out all of subdivision (e) and relettering the remaining subdivisions.
6. Amend page 23, line 4, after “interest.” by striking out the balance of the line through “does” on line 7 and inserting “The service fee shall”.
7. Amend page 23, line 9, by striking out “(i)” and inserting “(a)”.
8. Amend page 23, line 11, by striking out “(ii)” and inserting “(b)”.
9. Amend page 23, line 13, by striking out “(iii)” and inserting “(c)”.
10. Amend page 23, line 15, by striking out “(iv)” and inserting “(d)”.
11. Amend page 23, line 17, by striking out “(v)” and inserting “(e)”.
12. Amend page 23, line 19, by striking out “(vi)” and inserting “(f)”.
13. Amend page 23, line 21, by striking out all of subdivision (b).
14. Amend page 26, line 6, after “Sec. 34.” by striking out “(1)”.
15. Amend page 26, line 7, after “doing” by striking out the balance of the line through “applicable” on line 8 and inserting “both of the following”.
16. Amend page 26, line 9, after “(a)” by striking out the balance of the line through “verifying” on line 11 and inserting “Verifying”.
17. Amend page 26, line 17, after “(b)” by striking out the balance of the line through “upon” on line 3 of page 27 and inserting “Obtaining”.
18. Amend page 27, line 10, by striking out the balance of the section.
19. Amend page 29, line 27, after “the” by striking out the balance of the line through “to” on line 4 of page 30 and inserting “licensee shall”.
20. Amend page 30, line 22, by striking out all of subsection (4) and renumbering the remaining subsections.
21. Amend page 34, line 4, by striking out all of subsection (9).

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

Rep. Robertson moved to amend the bill as follows:

1. Amend page 8, line 13, after “(1),” by inserting “except as provided in this subsection.”.
2. Amend page 8, line 16, after “commissioner.” by inserting “However, if 1 person owns 20% or more of the ownership interest in 2 or more licensees, the group of licensees having that common ownership are only obligated to furnish 1 \$50,000.00 surety bond.”.

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

Rep. Robertson moved to amend the bill as follows:

1. Amend page 5, line 11, after “By” by striking out “July 1, 2006” and inserting “December 31, 2007”.
2. Amend page 11, line 7, after “Before” by striking out “October 1, 2006” and inserting “April 1, 2007”.
3. Amend page 11, line 9, after “on” by striking out “September 30, 2007” and inserting “September 30, 2008”.
4. Amend page 44, following line 21, by inserting:
“Enacting section 1. This act takes effect July 31, 2007.”.

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

Rep. McConico 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. 4834, entitled

A bill to regulate the business of providing deferred presentment service transactions; to require the licensing of providers of deferred presentment service transactions; to prescribe powers and duties of certain state agencies and officials; and to prescribe penalties and provide remedies.

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

Roll Call No. 320**Yeas—99**

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

Nays—7

Drolet	Kahn	Palmer	Walker
Emmons	Moolenaar	Schuitmaker	

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. Ward 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.

Rep. Condino moved that the Committee on Employment Relations, Training, and Safety be discharged from further consideration of **House Bill No. 4514**.

(For first notice see House Journal No. 60, p. 1034.)

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

Rep. Condino demanded the yeas and nays.

The demand was supported.

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

The motion prevailed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 321**Yeas—106**

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

Nays—0

In The Chair: Kooiman

Rep. Ward moved that Rule 45(c) be suspended.
 The motion prevailed, 3/5 of the members present voting therefor.
 The bill was placed on the order of Second Reading of Bills.

Rep. Meisner moved that the Committee on Employment Relations, Training, and Safety be discharged from further consideration of **House Bill No. 4515**.

(For first notice see House Journal No. 60, p. 1034.)

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

Rep. Meisner demanded the yeas and nays.

The demand was supported.

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

The motion prevailed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 322**Yeas—105**

Accavitti	Espinoza	Leland	Robertson
Acciavatti	Farhat	Lemmons, III	Rocca
Adamini	Farrah	Lemmons, Jr.	Sak

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

Nays—0

In The Chair: Kooiman

Rep. Ward moved that Rule 45(c) be suspended.
The motion prevailed, 3/5 of the members present voting therefor.
The bill was placed on the order of Second Reading of Bills.

Rep. Miller moved that the Committee on Employment Relations, Training, and Safety be discharged from further consideration of **House Bill No. 4517**.

(For first notice see House Journal No. 60, p. 1034.)

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

Rep. Miller demanded the yeas and nays.

The demand was supported.

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

The motion prevailed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 323**Yeas—106**

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

Bieda	Green	Meyer	Spade
Booher	Hansen	Miller	Stahl
Brown	Hildenbrand	Moolenaar	Stakoe
Byrnes	Hood	Moore	Steil
Byrum	Hoogendyk	Mortimer	Stewart
Casperson	Hopgood	Murphy	Taub
Caswell	Huizenga	Newell	Tobocman
Caul	Hummel	Nitz	Vagnozzi
Clack	Hune	Nofs	Vander Veen
Clemente	Hunter	Palmer	Walker
Condino	Jones	Palsrok	Ward
Cushingberry	Kahn	Pastor	Waters
DeRoche	Kehrl	Pavlov	Wenke
Dillon	Kolb	Pearce	Whitmer
Donigan	Kooiman	Phillips	Williams
Drolet	LaJoy	Polidori	Wojno
Elsenheimer	Law, David	Proos	Zelenko
Emmons	Law, Kathleen		

Nays—0

In The Chair: Kooiman

Rep. Ward moved that Rule 45(c) be suspended.
The motion prevailed, 3/5 of the members present voting therefor.
The bill was placed on the order of Second Reading of Bills.

Rep. Gonzales moved that the Committee on Employment Relations, Training, and Safety be discharged from further consideration of **House Bill No. 4518**.

(For first notice see House Journal No. 60, p. 1034.)

The question being on the motion made by Rep. Gonzales,
Rep. Gonzales demanded the yeas and nays.

The demand was supported.

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

The motion prevailed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 324**Yeas—106**

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

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

Nays—0

In The Chair: Kooiman

Rep. Ward moved that Rule 45(c) be suspended.

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

The bill was placed on the order of Second Reading of Bills.

Rep. Gleason moved that the Committee on Employment Relations, Training, and Safety be discharged from further consideration of **House Bill No. 4519**.

(For first notice see House Journal No. 60, p. 1034.)

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

Rep. Gleason demanded the yeas and nays.

The demand was supported.

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

The motion prevailed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 325**Yeas—106**

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

Donigan
Drolet
Elsenheimer
Emmons

Kooiman
LaJoy
Law, David
Law, Kathleen

Phillips
Polidori
Proos

Williams
Wojno
Zelenko

Nays—0

In The Chair: Kooiman

Rep. Ward moved that Rule 45(c) be suspended.
The motion prevailed, 3/5 of the members present voting therefor.
The bill was placed on the order of Second Reading of Bills.

Rep. Ward moved that the Committee on Tax Policy be discharged from further consideration of **House Bill No. 4804**.
(For first notice see House Journal No. 60, p. 1034.)
The question being on the motion made by Rep. Ward,
The motion prevailed, a majority of the members present voting therefor.
Rep. Ward moved that Rule 45(c) be suspended.
The motion prevailed, 3/5 of the members present voting therefor.
The bill was placed on the order of Second Reading of Bills.

Rep. Ward moved that the Committee on Tax Policy be discharged from further consideration of **House Bill No. 4808**.
(For first notice see House Journal No. 60, p. 1034.)
The question being on the motion made by Rep. Ward,
The motion prevailed, a majority of the members present voting therefor.
Rep. Ward moved that Rule 45(c) be suspended.
The motion prevailed, 3/5 of the members present voting therefor.
The bill was placed on the order of Second Reading of Bills.

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

Reps. Green, Adamini, Anderson, Bieda, Brown, Byrnes, Caswell, Caul, Cushingberry, Elsenheimer, Farhat, Farrah, Hopgood, Kooiman, Lipsey, Miller, Pearce, Phillips, Sak, Stakoe, Tobocman, Vagnozzi, Wojno, Accavitti, Baxter, Booher, Gillard, Gonzales, Gosselin, Hansen, Hildenbrand, Marleau, Meyer, Polidori, Alma Smith, Taub, Vander Veen, Zelenko, Ball, Byrum, Clack, Condino, Gleason, Huizenga, Kolb, Leland, Mayes, McDowell, Mortimer, Nofs, Pastor, Rocca, Shaffer, Stahl, Murphy and Waters offered the following resolution:

House Resolution No. 102.

A resolution recognizing Michigan's food banks for the invaluable service they provide to the residents of this state. Whereas, One in seven people in the United States does not know where their next meal is coming from. In Michigan, a million people are low income and may face a food shortage this year. In 2004, Michigan's food banks distributed 73 million pounds of groceries in all 83 counties of Michigan, valued at \$110 million. Thousands of Michigan residents volunteer their time to food banks, with volunteer labor valued at \$7 million in 2004; and

Whereas, Adequate food and nutrition is essential for health, learning, productivity, and family stability. Hunger is not about calories; it is about securing an acceptable, healthy, safe food supply for a family and knowing it is there day after day. Only 37% of the people who use food banks are using the food stamp program. Cumbersome application processes, stigma, transportation, and confusion about eligibility often hinder participation in public programs. People with food shortages are turning to the non-profit, charity network when they need help; and

Whereas, Hunger is about poverty. It knows no boundaries. Hunger is an emergency that strikes people in rural, suburban, and urban communities. Forty percent of Michigan's hungry live in rural and suburban areas. Fifty percent of those who receive food from emergency food providers are seniors and children. Many seniors struggle on a fixed income with medical expenses eating up much of their available cash; and

Whereas, Food banks and emergency food providers are serving more working poor families than ever. Job losses, plant closings, and financial emergencies often cause families to choose between paying rent and buying food. Of households using food banks, 40% have at least one person working; now, therefore, be it

Resolved by the House of Representatives, That members of this legislative body recognize those organizations that make it their mission to feed the hungry in Michigan, and all those who volunteer their time to help accomplish this goal; and be it further

Resolved, That a copy of this resolution be transmitted to the Food Bank Council of Michigan and Mel Trotter Ministries as evidence of our support for the invaluable service they provide to this state and its residents.

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. Kathleen Law, Hopgood, Kolb, Alma Smith, Lipsey, Anderson, Plakas, Clack, McConico, Murphy, Zelenko, Waters, Meisner, Cushingberry, Adamini, Bieda, Brown, Byrnes, Farrah, Green, Kehrl, Lemmons, Jr., Miller, Pearce, Phillips, Sak, Stakoe, Tobocman, Vagnozzi, Wojno, Accavitti, Gonzales, Marleau, Polidori, Ball, Byrum, Condino, Gleason, Leland, McDowell, Mortimer, Nofs and Shaffer offered the following resolution:

House Resolution No. 103.

A resolution to memorialize the Congress of the United States to hold public hearings on the effects of mercury exposure on public health.

Whereas, The medical and scientific communities have concluded that mercury is a serious threat to public health. Exposure to the metallic, inorganic, and organic forms of mercury can permanently damage the human brain and kidney. The developing fetus is particularly vulnerable to the toxic effects of mercury passed through the mother's blood and may suffer permanent brain damage, mental retardation, incoordination, blindness, seizures, and the inability to speak. Mercury can also damage the central nervous and digestive systems of infants and young children; and

Whereas, Mercury is ubiquitous in our environment and is still found in many products used in our homes, schools, and health care system. Mercury bioaccumulates in fish and wildlife causing many states and the United States Food and Drug Administration to restrict the consumption of sport and commercial fish based on the high levels of mercury in the fish. Mercury is still used in many products, including thermometers and light switches that have been linked to spills causing evacuations of schools. Until 1999 a mercury-containing preservative was widely used in vaccines and only recently has use of this preservative been eliminated from the vaccines routinely administered to newborns. Nevertheless, this mercury-containing preservative is still found in some vaccines administered to children; and

Whereas, Mercury is continually released into the air by a variety of man-made and natural sources, including power plants, cement kilns, incinerators, volcanoes, and oceans. These sources emit different forms of mercury, which may be carried short or long distances in the air before falling to the earth. Much of the mercury emitted to the air finds its way into fish that are eaten by people and wildlife. The effectiveness of pollution control technologies is also highly dependent on the form of mercury emitted. Scientists are still trying to understand how different forms of mercury travel in the air, fall to the earth, and become available for uptake by fish; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to hold public hearings on the hazards of mercury exposure; promote research on ways to reduce mercury exposure; and spur action to control mercury emissions; 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 Government Operations.

Reps. Sak, Kooiman, Hildenbrand, Adamini, Anderson, Brown, Byrnes, Caul, Cushingberry, Elsenheimer, Farrah, Green, Hopgood, Kehrl, Lemmons, Jr., Lipsey, Pearce, Phillips, Plakas, Proos, Sheltroun, Stakoe, Vagnozzi, Wojno, Accavitti, Booher, Gonzales, Gosselin, Hansen, Marleau, Meyer, Polidori, Alma Smith, Spade, Vander Veen, Zelenko, Ball, Byrum, Clack, Condino, Gleason, Kolb, Leland, Mayes, McDowell, Mortimer, Pastor, Murphy, and Waters offered the following resolution:

House Resolution No. 104.

A resolution honoring the 2005 Grand Rapids Community College Raiders Baseball Team on winning the National Junior College Athletic Association Division II World Series title.

Whereas, It is a great privilege and an honor to salute the Grand Rapids Community College Baseball Team on winning the National Junior Athletic Association Division II World Series title. Grand Rapids Community College won the title with a 2-0 win over Parkland Illinois College; and

Whereas, The games were played in Florida, where Grand Rapids Community College Coach Mike Cupples celebrated his first title as head coach. Mike Cupples had served as an assistant under former Head Coach Doug Wabeke since 1992 before taking the position as head coach this year; and

Whereas, The Grand Rapids Community College Raiders Baseball Team became the first team in the Division II league to win the World Series for the third year in a row; and

Whereas, The Raiders Team players to be honored are: Mike Banks, David Buckley, Jason Greening, Ben Knuth, Eric Lawrence, Scott Marks, Cale Ort, Matt Parker, Mitch Scholten, Kevin Chalifour, Chris Rigley, Brian Baker, Mike Lepor, Destan Makonnen, Justin McKenzie, Matt Nunn, Tom Seehafer, Drew Slagter, W.J. Behlke, Matt Garrett, John Gregory, Drew Jenison, Steve Warners, and Nick Williams; and

Whereas, The Raiders Head Coach Mike Cupples, who led the team for his first season, along with Coaches Tom Vos, Jeff Siler, Mike Eddington, Billy Peterson and Trainer Mike Roche are to be honored as well; and

Resolved by the House of Representatives, That the members of this legislative body honor the 2005 Grand Rapids Community College Raiders Baseball Team on winning the National Junior College Athletic Association Division II World Series title. We offer praise to Coach Mike Cupples and the 2005 Raiders Baseball Team; and be it further

Resolved, That a copy of this resolution be transmitted to Coach Cupples, the Grand Rapids Community College Raiders Baseball Team, Grand Rapids Community College President Juan Olivarez, and the Grand Rapids Community College Board of Trustees as evidence of our admiration and esteem.

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 Judiciary, by Rep. Van Regenmorter, Chair, reported

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.

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, Adamini, Bieda and Virgil Smith

Nays: None

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

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.

With the recommendation that the following amendment be adopted and that the bill then pass.

1. Amend page 2, following line 8, by inserting:

"Enacting section 1. This amendatory act takes effect January 1, 2006." and renumbering the remaining enacting section.

The bill and amendment 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, Adamini, Bieda and Virgil Smith

Nays: None

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

House Bill No. 4753, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 168a. With the recommendation that the following amendment be adopted and that the bill then pass.

1. Amend page 2, following line 5, by inserting:

"Enacting section 1. This amendatory act takes effect January 1, 2006."

The bill and amendment 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, Adamini and Bieda

Nays: None

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

House Bill No. 4865, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 217f. 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, Adamini, Bieda and Virgil Smith

Nays: None

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

House Bill No. 4866, entitled

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

With the recommendation that the following amendment be adopted and that the bill then pass.

1. Amend page 3, following line 1, by inserting:

"Enacting section 1. This amendatory act takes effect January 1, 2006." and renumbering the remaining enacting section.

The bill and amendment 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, Adamini, Bieda and Virgil Smith

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, June 29, 2005

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

Absent: Reps. Condino and McConico

Excused: Reps. Condino and McConico

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Huizenga, Chair, of the Committee on Commerce, was received and read:
Meeting held on: Wednesday, June 29, 2005

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

Absent: Reps. David Law and McConico

Excused: Reps. David Law and McConico

Notices

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Employment Relations, Training, and Safety from further consideration of **House Bill No. 4516**.

Rep. Lemmons, Jr.

Introduction of Bills

Rep. Caswell introduced

House Bill No. 5016, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1255a. The bill was read a first time by its title and referred to the Committee on Education.

Reps. Sheltroun, Kehrl, Alma Smith and Farrah introduced

House Bill No. 5017, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 759 and 761 (MCL 168.759 and 168.761), section 759 as amended by 1995 PA 261 and section 761 as amended by 1996 PA 207.

The bill was read a first time by its title and referred to the Committee on House Oversight, Elections, and Ethics.

Reps. Sheltroun, Alma Smith, Kehrl and Farrah introduced

House Bill No. 5018, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 11d of chapter XVII (MCL 777.11d), as added by 2002 PA 31.

The bill was read a first time by its title and referred to the Committee on House Oversight, Elections, and Ethics.

Reps. Casperson, Farhat, Sheen, Schuitmaker, Newell, Emmons, Hansen and Marleau introduced

House Bill No. 5019, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 244 (MCL 257.244), as amended by 2002 PA 642.

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

Rep. Baxter introduced

House Bill No. 5020, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 31104 (MCL 324.31104), as added by 1995 PA 59.

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. Green introduced

House Bill No. 5021, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 9 (MCL 208.9), as amended by 2004 PA 258, and by adding section 35e.

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

Rep. Robertson introduced

House Bill No. 5022, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 2004 PA 394, and by adding section 272.

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

Reps. Hildenbrand and Elsenheimer introduced

House Bill No. 5023, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 1k to chapter IX.

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

Rep. Taub introduced

House Bill No. 5024, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 919 (MCL 600.919).

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

Reps. Hildenbrand, Vander Veen, Gaffney and Mortimer introduced

House Bill No. 5025, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16204 (MCL 333.16204), as added by 1994 PA 234.

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

Reps. Emmons, Hune, Mortimer, Hildenbrand, Farrah, Leland, Marleau, Stahl and Gaffney introduced

House Bill No. 5026, entitled

A bill to regulate warranties on motor vehicle protection products; to provide for the powers and duties of certain state officers and entities; and to prescribe civil sanctions.

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

Reps. Hunter, Tobocman, Mayes, Kolb, Green, Lipsey, McConico, Murphy, Clemente, Dillon, Farrah, Hune, Leland and Lemmons, III introduced

House Bill No. 5027, entitled

A bill to permit the establishment and maintenance of individual or family development accounts; to provide for certain tax deductions and tax credits; to prescribe the requirements of and restrictions on individual or family development accounts; and to provide penalties and remedies.

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

Reps. Palsrok, Casperson, Farhat, Nofs, Kolb, Proos, Farrah, Garfield, Gosselin, Tobocman, Huizenga, Stahl, Lipsey, Amos and Lemmons, III introduced

House Bill No. 5028, entitled

A bill to create and provide for the operation of the Michigan port authority; to provide for the creation and appointment of a board to govern the authority and to prescribe its powers and duties; to provide for the powers and duties of the authority; to extend protections against certain liabilities to the authority; to provide for the issuance of certain bonds, notes, and other obligations; to facilitate the use and development of authority property and port facilities; to promote economic growth; to exempt property, income, and operations of an authority from tax; and to provide an appropriation.

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. Hunter, Kolb, Gillard, Gaffney, Palsrok, Proos, Farrah, Garfield, Gosselin, McConico, Leland, Tobocman, Huizenga, Stahl, Lipsey, Amos, Cheeks and Lemmons, III introduced

House Bill No. 5029, entitled

A bill to amend 1978 PA 639, entitled "Hertel-Law-T. Stopczynski port authority act," by amending sections 2, 4, 8, 9, 12, 13, 14, 15, 16, 18, 22, 23, and 24 (MCL 120.102, 120.104, 120.108, 120.109, 120.112, 120.113, 120.114,

120.115, 120.116, 120.118, 120.122, 120.123, and 120.124), sections 14 and 18 as amended by 2002 PA 412 and section 23 as amended by 1984 PA 256, and by adding sections 1a, 1b, 7a, 18a, 31, and 32; and to repeal acts and parts of acts.

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. Jones moved that the House adjourn.

The motion prevailed, the time being 11:20 p.m.

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

GARY L. RANDALL
Clerk of the House of Representatives