

No. 76
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House of Representatives
93rd Legislature
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House Chamber, Lansing, Wednesday, September 14, 2005.

1:00 p.m.

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

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

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

e/d/s = entered during session

Rep. Mike Nofs, from the 62nd District, offered the following invocation:

“Our heavenly Father, as we come into this chamber today, we have a fresh reminder from Hurricane Katrina that the people of Michigan need responsible, wise, and timely governance. We’ve been reminded of what government is for, why it exists, and the business we are to be about. We are here today to work for the wellbeing of the people of this State. We are *their* elected representatives, we serve at *their* pleasure, and our task is to serve *them*. To accomplish that end, our parties must work together to find our common ground.

Lord, Your wisdom is needed for that to happen. Help us serve Michigan with the selfless determination that we are one people, desirous of the best life this great State can provide for all. May everything we accomplish in this day be pleasing in Your sight. We ask these things in the name of Your son, Jesus our Lord, Amen.”

Rep. Sak moved that Reps. Cushingberry, Hood, Phillips and Zelenko be excused from today’s session.
The motion prevailed.

Notices

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 Nos. 403 and 405-412. Had I been present, I would have voted ‘yea’ on Roll Call Nos. 403 and 405-411 and ‘nay’ on Roll Call No. 412.”

By unanimous consent the House returned to the order of

Reports of Standing Committees

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

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.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

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

Nays: None

Second Reading of Bills

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 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. 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.

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

Roll Call No. 413

Yeas—106

Accavitti	Emmons	Leland	Robertson
Acciavatti	Espinoza	Lemmons, III	Rocca
Adamini	Farhat	Lemmons, Jr.	Sak
Amos	Farrah	Lipsey	Schuitmaker
Anderson	Gaffney	Marleau	Shaffer
Angerer	Garfield	Mayes	Sheen
Ball	Gillard	McConico	Sheltrown
Baxter	Gleason	McDowell	Smith, Alma
Bennett	Gonzales	Meisner	Smith, Virgil
Bieda	Gosselin	Meyer	Spade
Booher	Green	Miller	Stahl
Brandenburg	Hansen	Moolenaar	Stakoe
Brown	Hildenbrand	Moore	Steil
Byrnes	Hoogendyk	Mortimer	Stewart
Byrum	Hopgood	Murphy	Taub
Casperson	Huizenga	Newell	Tobocman
Caswell	Hummel	Nitz	Vagnozzi
Caul	Hune	Nofs	Van Regenmorter
Cheeks	Hunter	Palmer	Vander Veen
Clack	Jones	Palsrok	Walker
Clemente	Kahn	Pastor	Ward
Condino	Kehrl	Pavlov	Waters
DeRoche	Kolb	Pearce	Wenke
Dillon	Kooiman	Plakas	Whitmer
Donigan	LaJoy	Polidori	Williams
Drolet	Law, David	Proos	Wojno
Elsenheimer	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 meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; 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.

House Bill No. 5030, entitled

A bill to amend 1972 PA 348, entitled “An act to regulate relationships between landlords and tenants relative to rental agreements for rental units; to regulate the payment, repayment, use and investment of security deposits; to provide for commencement and termination inventories of rental units; to provide for termination arrangements relative to rental units; to provide for legal remedies; and to provide penalties,” by amending section 11 (MCL 554.611).

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

Roll Call No. 414**Yeas—106**

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

The motion prevailed.

House Bill No. 5039, 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,” by amending section 1 (MCL 52.201), as amended by 2002 PA 22.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Tobocman moved to amend the bill as follows:

1. Amend page 2, line 5, after “**IN**” by striking out “**A STATE THAT BORDERS THIS STATE**” and inserting “**ANOTHER STATE THAT BORDERS THE COUNTY**”.

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

The question being on the passage of the bill,

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

Roll Call No. 415**Yeas—105**

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

Nays—0

In The Chair: Kooiman

The House agreed to the title of the bill.

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

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

Second Reading of Bills**House Bill No. 5067, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending the title and section 105 (MCL 436.1105) and by adding section 914.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 4726, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1177a.

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

The motion prevailed.

House Bill No. 4977, entitled

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

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

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

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

The motion prevailed.

House Bill No. 4978, entitled

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," (MCL 28.421 to 28.435) by adding section 6.

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

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

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

The motion prevailed.

Senate Bill No. 252, entitled

A bill to amend 1943 PA 184, entitled "Township zoning act," by amending section 14 (MCL 125.284).

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.

Senate Bill No. 253, entitled

A bill to amend 1943 PA 183, entitled "County zoning act," by amending section 9 (MCL 125.209), as amended by 2000 PA 385.

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.

Senate Bill No. 254, entitled

A bill to amend 1921 PA 207, entitled "City and village zoning act," by amending section 4 (MCL 125.584), as amended by 2000 PA 383.

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 House Committees be given leave to meet during the balance of today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Lemmons, III, Lemmons, Jr., Accavitti, Adamini, Anderson, Baxter, Bieda, Brandenburg, Brown, Byrnes, Byrum, Caul, Cheeks, Clack, Clemente, Condino, Dillon, Farrah, Garfield, Gonzales, Gosselin, Hildenbrand, Hopgood, Jones, Kehrl, Kolb, Kooiman, Kathleen Law, Leland, Mayes, Meisner, Miller, Murphy, Pearce, Polidori, Sak, Alma Smith, Spade, Stahl, Tobocman, Vagnozzi and Waters offered the following resolution:

House Resolution No. 126.

A resolution honoring the 20th anniversary of the Motown Historical Museum.

Whereas, The year 2005 marks the 20th anniversary of the Motown Historical Museum. The Motown Historical Museum chronicles the unprecedented proliferation of Detroit based genius and talent which reshaped the world's musical landscape. The Motown sound is inextricably linked to the 1960's decade of social change and creative freedom; and

Whereas, The Motown Historical Museum is a wonderful public relation bonanza, for both Detroit and Michigan. With an international appeal, nearly a fourth of its 40,000 annual visitors are foreign nationals. The Museum is an institutional symbol of the world class creativity, character, and professionalism. These traits propelled a fledgling Motown Records into a virtual powerhouse of timeless and classic music. The global proportions of the respect and admiration accorded the Motown phenomenon can hardly be overstated, as Motown Music has become synonymous with the 1960's decade. Any movie or television show with a 1960's theme, must have a soundtrack replete with the Motown Sound, for authenticity; and

Whereas, The Motown Historical Museum was founded April 16, 1985, at 2648 West Grand Boulevard, in Detroit, Michigan. The site of the museum is the two adjacent homes which served as the business office, and recording studio of Motown Records in its prolific formative years. The legendary Studio A is housed in one of the homes dubbed Hitsville by Motown's founder, Berry Gordy Jr. The music which reverberated from Studio A captured the imagination of millions world-wide. Many of Motown's musical stars have achieved iconic status in the cultural history of America. A partial listing of the Motown pantheon of musical luminaries includes: Stevie Wonder, Michael Jackson, Marvin Gaye, Diana Ross and the Supremes, The Temptations, Smoky Robinson and the Miracles, and Martha and the Vandellas; and

Whereas, The Founder and Chief Executive Officer of the Motown Historical Museum is the remarkable big sister of Berry Gordy Jr., Esther Gordy Edwards. This visionary leader was an integral part of Motown Records' brain trust from its inception. Initially, Mrs. Edwards oversaw Motown's finances with the expert assistance of her husband, George Edwards, a certified public accountant, and Michigan state representative. Before serving as Motown's Vice-President and Chief Operating Officer, the versatile Esther Gordy Edwards went on to manage and direct the careers of many top Motown stars as the head of the International Talent Management Incorporated. Over the years, Mrs. Edwards has led Motown's Art Department, Detroit based operations, and the charitable Gordy Foundation; and

Whereas, The Motown Historical Museum is a direct result of Esther Gordy Edwards' prescient creativity. Mrs. Edwards had foresight to collect memorabilia and artifacts from the beginning of Motown in 1959. The world of music history and it admirers are the fortunate beneficiaries of Mrs. Edwards' largesse. For the past twenty years, Esther has been the standard bearer of the Motown Legacy; and

Whereas, The Motown Historical Museum forges mutually beneficial relationships with community based entities, such as: the Detroit Historical Museum, selected public schools, and the Mosaic Youth Theatre; and

Whereas, In 1987, the Motown Historical Museum achieved the designation as an official Michigan Historic Site; now, therefore, be it

Resolved by the House Representatives, That the members of this legislative body honor and applaud, one of Michigan's finest cultural institutions, the Motown Historical Museum, on the occasion of its 20th anniversary; and be it further

Resolved, That copies of this resolution be circulated throughout Michigan, and to the Board of Trustees of the Michigan Historical Museum.

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 Agriculture, by Rep. Nitz, Chair, reported

House Bill No. 4260, entitled

A bill to amend 1951 PA 90, entitled "An act to regulate the conducting of racing meets in the state of Michigan; to provide for the possession, control and disposition of funds held by licensees for the payment of outstanding winning tickets not claimed or demanded by the lawful owners of such funds; and to prescribe penalties for violations of the provisions of this act," by amending section 2 (MCL 431.252), as amended by 1998 PA 505.

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

1. Amend page 2, line 13, after "FOR" by striking out "ANY REASONABLE" and inserting "THE FOLLOWING PURPOSES:

(i) **PURSE SUPPLEMENTS AND BREEDERS' AWARDS FOR LIVE HORSE RACING CONDUCTED AT EITHER OF THE FOLLOWING:**

(A) **FAIRS IN THIS STATE.**

(B) **LICENSED HORSE RACETRACKS WHERE PARI-MUTUEL WAGERING IS CONDUCTED IN THIS STATE.**

(ii) **IF THE CERTIFIED HORSEMEN'S ORGANIZATION CONTRACTS WITH LICENSEES THAT CONDUCT QUARTER HORSE RACES, IN ADDITION TO THE PURPOSES IN SUBPARAGRAPH (i), ANY".**

2. Amend page 2, line 15, after "TO," by striking out "PURSE SUPPLEMENTS,".

3. Amend page 3, following line 22, by inserting:

"(2) A CERTIFIED HORSEMEN'S ORGANIZATION THAT RECEIVES MONEY UNDER THIS SECTION SHALL OBTAIN AN ANNUAL INDEPENDENT AUDIT OF THE EXPENDITURE OF THE MONEY. THE CERTIFIED HORSEMEN'S ORGANIZATION SHALL PROVIDE A COPY OF THE AUDIT TO THE RACING COMMISSIONER. THE FIRST AUDIT SHALL BE PROVIDED TO THE RACING COMMISSIONER ON OR BEFORE 1 YEAR AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION AND EACH SUBSEQUENT AUDIT SHALL BE PROVIDED ON THE SAME DATE OF EACH FOLLOWING YEAR." and renumbering the remaining subsection.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Nitz, Ball, Newell, Casperson, Stahl, Proos, Hune, Mayes, Kathleen Law and Sheltrown

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Nitz, Chair, of the Committee on Agriculture, was received and read:
Meeting held on: Tuesday, September 13, 2005

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

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

House Bill No. 4979, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 272.
With the recommendation that the bill be referred to the Committee on Commerce.

Favorable Roll Call

To Report Out:

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

Nays: None

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

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

Senate Bill No. 92, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 272.
With the recommendation that the bill be referred to the Committee on Commerce.

Favorable Roll Call

To Report Out:

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

Nays: None

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

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

Senate Bill No. 521, 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.

With the recommendation that the bill be referred to the Committee on Commerce.

Favorable Roll Call

To Report Out:

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

Nays: None

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

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Sheen, Chair, of the Committee on Tax Policy, was received and read:
Meeting held on: Wednesday, September 14, 2005

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

Absent: Rep. Zelenko

Excused: Rep. Zelenko

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Palmer, Chair, of the Committee on Education, was received and read:
Meeting held on: Wednesday, September 14, 2005

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

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills and joint resolution had been printed and placed upon the files of the members on Wednesday, September 14:

House Bill Nos.	5154	5155	5156	5157	5158	5159	5160	5161	5162	5163	5164	5165	5166	5167
	5168	5169	5170	5171	5172	5173	5174	5175	5176	5177	5178			
House Joint Resolution														
Senate Bill Nos.	750	751	752	753	754	755								

The Clerk announced that the following Senate bill had been received on Wednesday, September 14:
Senate Bill No. 719

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

House Bill No. 4402, entitled

A bill to amend 1976 PA 451, entitled "An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts," 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 Senate has concurred in the House amendment to the Senate substitute (S-1).

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

House Bill No. 4928, entitled

A bill to amend 1976 PA 451, entitled "An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts," by amending sections 1535a and 1539b (MCL 380.1535a and 380.1539b), as amended by 2004 PA 51, and by adding sections 1230f and 1230g.

The Senate has concurred in the House amendments to the Senate substitute (S-2).

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

House Bill No. 4930, entitled

A bill to amend 1976 PA 451, entitled "An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts," (MCL 380.1 to 380.1852) by adding section 1230d.

The Senate has concurred in the House amendment to the Senate substitute (S-1).

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

Senate Bill No. 719, entitled

A bill to amend 1972 PA 299, entitled "An act to provide for the assessment, collection and disposition of the costs of regulation of public utilities," by amending section 1 (MCL 460.111), as amended by 1992 PA 36.

The Senate has passed the bill.

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

Notices

The Speaker appointed as conferees, on the part of the House of Representatives for **House Bill No. 4834**, Reps. Robertson, Palsrok and McConico.

Communications from State Officers

The following communications from the Auditor General were received and read:

September 13, 2005

Enclosed is a copy of the following audit report and/or report summary:
Performance audit of
Central Michigan University
September 2005

September 13, 2005

Enclosed is a copy of the following audit report and/or report summary:
Performance audit of
Michigan Technological University
September 2005

Sincerely,
Thomas H. McTavish, C.P.A.
Auditor General

The communications were referred to the Clerk and the accompanying reports referred to the Committee on Government Operations.

Introduction of Bills

Reps. Taub, Marleau, Elsenheimer, Amos, Garfield, Hune, Gaffney, Sheen, David Law, Vander Veen, Stakoe, Hildenbrand, Nofs, Drolet, Hummel, Emmons, Shaffer and Pavlov introduced

House Bill No. 5179, entitled

A bill to amend 1951 PA 35, entitled "An act to authorize intergovernmental contracts between municipal corporations; to authorize any municipal corporation to contract with any person or any municipal corporation to furnish any lawful

municipal service to property outside the corporate limits of the first municipal corporation for a consideration; to prescribe certain penalties; to authorize contracts between municipal corporations and with certain nonprofit public transportation corporations to form group self-insurance pools; and to prescribe conditions for the performance of those contracts,” by amending the title and sections 1, 5, 7, 7a, 10, and 12 (MCL 124.1, 124.5, 124.7, 124.7a, 124.10, and 124.12), the title and section 7 as amended and section 7a as added by 1988 PA 36, section 1 as amended by 1996 PA 289, section 5 as amended by 1999 PA 83, and sections 10 and 12 as added by 1982 PA 138.

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

Rep. Jones introduced

House Bill No. 5180, entitled

A bill to amend 1846 RS 171, entitled “Of county jails and the regulation thereof,” by amending sections 4 and 4a (MCL 801.4 and 801.4a), as amended by 1984 PA 119.

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

Rep. Hansen moved that the House adjourn.

The motion prevailed, the time being 2:25 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, September 15, at 10:30 a.m.

GARY L. RANDALL
Clerk of the House of Representatives