

**No. 65**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**92nd Legislature**  
**REGULAR SESSION OF 2004**

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House Chamber, Lansing, Wednesday, July 14, 2004.

10:00 a.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	Garfield—present	Meisner—present	Sheen—present
Acciavatti—present	Gieleghem—present	Meyer—present	Sheltrown—present
Adamini—present	Gillard—present	Middaugh—present	Shulman—present
Amos—present	Gleason—present	Milosch—present	Smith—present
Anderson—present	Hager—present	Minore—present	Spade—present
Bieda—present	Hardman—present	Moolenaar—present	Stahl—present
Bisbee—present	Hart—present	Mortimer—present	Stakoe—present
Bradstreet—present	Hood—present	Murphy—present	Stallworth—present
Brandenburg—present	Hoogendyk—present	Newell—present	Steil—present
Brown—present	Hopgood—present	Nitz—present	Stewart—present
Byrum—present	Howell—present	Nofs—present	Tabor—present
Casperson—present	Huizenga—present	O’Neil—present	Taub—present
Caswell—present	Hummel—present	Palmer—present	Tobocman—present
Caul—present	Hune—present	Palsrok—present	Vagnozzi—present
Cheeks—present	Hunter—present	Pappageorge—present	Van Regenmorter—present
Clack—present	Jamnick—present	Pastor—present	Vander Veen—present
Condino—present	Johnson, Rick—present	Phillips—present	Voorhees—present
Daniels—present	Johnson, Ruth—present	Plakas—present	Walker—present
Dennis—present	Julian—present	Pumford—present	Ward—present
DeRoche—present	Koetje—present	Reeves—present	Waters—present
DeRossett—present	Kolb—present	Richardville—present	Wenke—present
Drolet—present	Kooiman—present	Rivet—present	Whitmer—present
Ehardt—excused	LaJoy—present	Robertson—present	Williams—present
Elkins—present	LaSata—present	Rocca—present	Wojno—present
Emmons—present	Law—present	Sak—present	Woodward—present
Farhat—present	Lipsey—present	Shackleton—present	Woronchak—present
Farrah—present	McConico—present	Shaffer—present	Zelenko—present

e/d/s = entered during session

Rep. Neal Nitz, from the 78th District, offered the following invocation:

“In this quiet moment, Lord, before the day begins, before we raise our voices in affirmation or dissent, before we assert our minds or our wills, we turn to ask You that our thoughts be Your thoughts, our hopes, Your hopes, and our dreams, Your dreams.

For the possibilities of this day, for the opportunities You have given each of us to serve You and others, for all the ways that You have graced us already with joy of Your presence and with the love of family and friends—with all the riches of our daily lives, we give You thanks.

Lord, walk with us today through our many tasks, granting us joy in all that we do, peace in knowing we have done it as well as we can, and forgiveness, if we fail, whether individually or collectively, to do what You would have us to do.

Grant us also Lord, the grace to listen to others, even when we disagree, the sharpness of mind to sort out what is good from what isn't, and from the largeness of heart to recognize when others are right, and we are wrong.

And may we have the grace, Lord, at the end of this day, as of every day, when we have laid aside all our tasks, to look back and see that You have once again filled this day with unexpected joys and with unexpected blessings, and that You have turned our small and often bumbling efforts into something greater than we could have hoped.

And so, at the beginning of this day, in the quietness of this moment while the day is still fresh, we lift up our hearts to You and ask for Your presence, Your guidance, and Your grace. In Jesus' name, we pray. Amen.”

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

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

The Clerk announced the enrollment printing and presentation to the Governor on Wednesday, July 7, for her approval of the following bills:

**Enrolled House Bill No. 5148 at 10:00 a.m.**  
**Enrolled House Bill No. 5174 at 10:02 a.m.**  
**Enrolled House Bill No. 5175 at 10:04 a.m.**  
**Enrolled House Bill No. 5176 at 10:06 a.m.**  
**Enrolled House Bill No. 5177 at 10:08 a.m.**  
**Enrolled House Bill No. 5178 at 10:10 a.m.**  
**Enrolled House Bill No. 5243 at 10:12 a.m.**  
**Enrolled House Bill No. 5930 at 10:14 a.m.**

The Clerk announced that the following bills had been printed and placed upon the files of the members on Wednesday, July 7:

**House Bill Nos. 6066 6067 6068 6069 6070 6071 6072 6073 6074 6075 6076 6077 6078**  
**Senate Bill Nos. 1337 1338 1339**

The Clerk announced the enrollment printing and presentation to the Governor on Friday, July 9, for her approval of the following bills:

**Enrolled House Bill No. 4013 at 2:04 p.m.**  
**Enrolled House Bill No. 4338 at 2:06 p.m.**  
**Enrolled House Bill No. 5931 at 2:08 p.m.**  
**Enrolled House Bill No. 5979 at 2:10 p.m.**  
**Enrolled House Bill No. 5240 at 2:12 p.m.**  
**Enrolled House Bill No. 5195 at 2:14 p.m.**  
**Enrolled House Bill No. 4920 at 2:16 p.m.**

The Clerk announced the enrollment printing and presentation to the Governor on Monday, July 12, for her approval of the following bills:

**Enrolled House Bill No. 4947 at 2:42 p.m.**  
**Enrolled House Bill No. 5021 at 2:44 p.m.**

**Enrolled House Bill No. 5376 at 2:46 p.m.**  
**Enrolled House Bill No. 5969 at 2:48 p.m.**  
**Enrolled House Bill No. 5647 at 2:50 p.m.**  
**Enrolled House Bill No. 5674 at 2:52 p.m.**  
**Enrolled House Bill No. 5716 at 2:54 p.m.**  
**Enrolled House Bill No. 5932 at 2:56 p.m.**  
**Enrolled House Bill No. 5928 at 2:58 p.m.**

The Clerk announced the enrollment printing and presentation to the Governor on Wednesday, July 14, for her approval of the following bills:

**Enrolled House Bill No. 5742 at 2:37 p.m.**  
**Enrolled House Bill No. 5743 at 2:39 p.m.**

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

The Committee on Appropriations, by Rep. Shulman, Chair, reported  
**House Bill No. 6074, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 21506, 21508, 21546, and 21548 (MCL 324.21506, 324.21508, 324.21546, and 324.21548), sections 21506 and 21508 as amended by 1995 PA 269 and sections 21546 and 21548 as amended by 1996 PA 181; and to repeal acts and parts of acts.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills and laid over one day under the rules.

#### Favorable Roll Call

To Report Out:

Yeas: Reps. Shulman, Emmons, Pumford, Shackleton, Kooiman, Newell, Farhat, Steil, Whitmer, Brown, Kolb, Phillips, Plakas, Reeves, Williams, Cheeks, Hunter, Sak and Zelenko

Nays: Reps. Acciavatti, Amos, Caswell, Hoogendyk, Moolenaar, Pastor, Shaffer, Taub and Walker

#### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, July 14, 2004

Present: Reps. Shulman, Emmons, Pumford, Shackleton, Kooiman, Newell, Stewart, Acciavatti, Amos, Caswell, Farhat, Hoogendyk, Moolenaar, Pastor, Shaffer, Steil, Taub, Walker, Mortimer, Whitmer, Brown, Kolb, Phillips, Plakas, Reeves, Williams, Cheeks, Hunter, Sak, Zelenko and O'Neil

Absent: Reps. Caul and Brandenburg

Excused: Reps. Caul and Brandenburg

The Committee on Family and Children Services, by Rep. Stahl, Vice-Chair, reported  
**House Bill No. 5590, entitled**

A bill to establish the foster care independence program; to provide certain services for certain youth in foster care due to child abuse or child neglect; and to prescribe the duties of certain state departments.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills and laid over one day under the rules.

#### Favorable Roll Call

To Report Out:

Yeas: Reps. Hager, Stahl, Hart, Vander Veen, Voorhees, Sheen and Clack

Nays: None

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, July 14, 2004

Present: Reps. Hager, Stahl, Hart, Vander Veen, Voorhees, Sheen and Clack

Absent: Reps. Hardman and Elkins

Excused: Reps. Hardman and Elkins

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

**House Bill No. 5810, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 4bb.

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills and laid over one day under the rules.

## Favorable Roll Call

To Report Out:

Yeas: Reps. Wenke, Sheen, Koetje, Woronchak, Meyer, Drolet, Hummel, Palmer, Milosch, Nofs and Stakoe

Nays: Reps. O'Neil, Minore, Farrah, Bieda and Condino

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

**House Bill No. 5811, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 269.

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills and laid over one day under the rules.

## Favorable Roll Call

To Report Out:

Yeas: Reps. Wenke, Sheen, Koetje, Woronchak, Meyer, Drolet, Hummel, Palmer, Milosch, Nofs and Stakoe

Nays: Reps. O'Neil, Minore, Farrah, Bieda and Condino

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

**House Bill No. 5812, entitled**

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding section 39a.

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills and laid over one day under the rules.

## Favorable Roll Call

To Report Out:

Yeas: Reps. Wenke, Sheen, Koetje, Woronchak, Meyer, Drolet, Hummel, Palmer, Milosch, Nofs and Stakoe

Nays: Reps. O'Neil, Minore, Farrah, Bieda and Condino

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

**House Bill No. 6068, entitled**

A bill to amend 1937 PA 94, entitled "Use tax act," (MCL 205.91 to 205.111) by adding section 4y.

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 and laid over one day under the rules.

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Wenke, Sheen, Koetje, Woronchak, Meyer, Drolet, Hummel, Palmer, Milosch, Nofs and Stakoe

Nays: Reps. Minore, Farrah, Bieda and Condino

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, July 14, 2004

Present: Reps. Wenke, Sheen, Koetje, Woronchak, Meyer, Drolet, Hummel, Palmer, Milosch, Nofs, Stakoe, O'Neil, Minore, Farrah, Bieda and Condino

Absent: Rep. Zelenko

Excused: Rep. Zelenko

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. LaJoy, Vice-Chair, of the Committee on Land Use and Environment, was received and read:

Meeting held on: Wednesday, July 14, 2004

Present: Reps. Ruth Johnson, LaJoy, Nitz, Ward, Farrah, Dennis and Law

Absent: Reps. Ehardt, DeRossett, Milosch and Gielegem

Excused: Reps. Ehardt, DeRossett, Milosch and Gielegem

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Vander Veen, Vice-Chair, of the Committee on Health Policy, was received and read:

Meeting held on: Wednesday, July 14, 2004

Present: Reps. Vander Veen, Ruth Johnson, Rocca, Hart, Woronchak, Van Regenmorter, Robertson, Gaffney, Hune, Ward, Adamini, Wojno, O'Neil and Gillard

Absent: Reps. Ehardt, Hardman and Clack

Excused: Reps. Ehardt, Hardman and Clack

**Messages from the Senate****House Bill No. 4612, entitled**

A bill to amend the Initiated Law of 1996, entitled "Michigan gaming control and revenue act," by amending section 12 (MCL 432.212), as amended by 1997 PA 69.

The Senate has appointed Senators Sikkema, Stamas and Emerson as conferees to join with Representatives Rick Johnson, Julian and Daniels.

The bill was referred to the Conference Committee on July 13, 2004.

**Messages from the Governor**

Date: July 8, 2004

Time: 9:05 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4062 (Public Act No. 189, I.E.), being**

An act 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,” by amending section 21799a (MCL 333.21799a), as amended by 2003 PA 3.

(Filed with the Secretary of State July 8, 2004, at 9:46 a.m.)

Date: July 8, 2004

Time: 9:07 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4127 (Public Act No. 190, I.E.), being**

An act to amend 1956 PA 218, entitled “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,” (MCL 500.100 to 500.8302) by adding section 2110b.

(Filed with the Secretary of State July 8, 2004, at 9:48 a.m.)

Date: July 8, 2004

Time: 9:09 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4232 (Public Act No. 191, I.E.), being**

An act to amend 1998 PA 58, entitled “An act to create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state liquor stores; to provide for the care and

treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; and to repeal acts and parts of acts," by amending section 531 (MCL 436.1531), as amended by 2002 PA 725.

(Filed with the Secretary of State July 8, 2004, at 9:50 a.m.)

Date: July 8, 2004

Time: 9:11 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4930 (Public Act No. 192, I.E.), being**

An act to amend 1998 PA 58, entitled "An act to create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state liquor stores; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; and to repeal acts and parts of acts," by amending section 515 (MCL 436.1515).

(Filed with the Secretary of State July 8, 2004, at 9:52 a.m.)

Date: July 8, 2004

Time: 9:13 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4769 (Public Act No. 193, I.E.), being**

An act to amend 1939 PA 280, entitled "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," by amending sections 115b, 115f, 115g, and 117e (MCL 400.115b, 400.115f, 400.115g, and 400.117e), section 115b as amended by 1998 PA 516, sections 115f and 115g as amended by 2002 PA 648, and section 117e as amended by 1983 PA 222.

(Filed with the Secretary of State July 8, 2004, at 9:54 a.m.)

Date: July 8, 2004

Time: 9:15 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5492 (Public Act No. 194, I.E.), being**

An act to amend 1998 PA 58, entitled "An act to create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic

liquor traffic within this state and to provide for the power to establish state liquor stores; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; and to repeal acts and parts of acts," (MCL 436.1101 to 436.2303) by adding section 514a.

(Filed with the Secretary of State July 8, 2004, at 9:56 a.m.)

Date: July 8, 2004

Time: 9:17 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5589 (Public Act No. 195, I.E.), being**

An act to amend 1975 PA 238, entitled "An act to require the reporting of child abuse and neglect by certain persons; to permit the reporting of child abuse and neglect by all persons; to provide for the protection of children who are abused or neglected; to authorize limited detainment in protective custody; to authorize medical examinations; to prescribe the powers and duties of the state department of social services to prevent child abuse and neglect; to prescribe certain powers and duties of local law enforcement agencies; to safeguard and enhance the welfare of children and preserve family life; to provide for the appointment of legal counsel; to provide for the abrogation of privileged communications; to provide civil and criminal immunity for certain persons; to provide rules of evidence in certain cases; to provide for confidentiality of records; to provide for the expungement of certain records; to prescribe penalties; and to repeal certain acts and parts of acts," by amending section 8 (MCL 722.628), as amended by 2002 PA 690.

(Filed with the Secretary of State July 8, 2004, at 9:58 a.m.)

Date: July 12, 2004

Time: 10:30 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5807 (Public Act No. 197, I.E.), being**

An act to amend 1923 PA 238, entitled "An act authorizing the formation of corporations for the purpose of generating, manufacturing, producing, gathering, storing, transmitting, distributing, transforming, selling and supplying electric energy or gas, either artificial or natural, or both electric energy and gas, to the public generally, or to public utilities or natural gas companies, and providing for and giving to such corporations and also to corporations heretofore lawfully organized, among other things, for such purposes; to corporations heretofore lawfully organized, or that may hereafter be lawfully organized and duly authorized to carry on the electric or gas business as a public utility in the state of Michigan; and to foreign corporations heretofore lawfully organized or that may hereafter be lawfully organized, among other things, for such purposes, and duly authorized to carry on business in the state of Michigan, the right to condemn private property for the uses provided for herein," by amending section 3 (MCL 486.253) and by adding section 5.

(Filed with the Secretary of State July 12, 2004, at 11:12 a.m.)

Date: July 12, 2004

Time: 10:32 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5808 (Public Act No. 198, I.E.), being**

An act to amend 1995 PA 30, entitled "An act to regulate the location and construction of certain electric transmission lines; to prescribe powers and duties of the Michigan public service commission and to give precedence to its determinations in certain circumstances; and to prescribe the powers and duties of certain local units of government and officials of those local units of government," by amending sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, and 15 (MCL 460.562, 460.563, 460.564, 460.565, 460.566, 460.567, 460.568, 460.569, 460.570, 460.571, 460.573, and 460.575).

(Filed with the Secretary of State July 12, 2004, at 11:14 a.m.)



Date: July 12, 2004  
Time: 10:34 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4710 (Public Act No. 199, I.E.), being**

An act to amend 1967 PA 281, entitled “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,” by amending section 311 (MCL 206.311), as amended by 1987 PA 254.

(Filed with the Secretary of State July 12, 2004, at 11:16 a.m.)

Date: July 12, 2004  
Time: 10:36 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5232 (Public Act No. 200, I.E.), being**

An act 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,” by amending sections 16181, 20910, 20920, 20921, and 20923 (MCL as 333.16181, 333.20910, 333.20920, 333.20921, and 333.20923), section 16181 amended by 2000 PA 256 and sections 20910, 20920, 20921, and 20923 as amended by 2000 PA 375.

(Filed with the Secretary of State July 12, 2004, at 11:18 a.m.)

Date: July 13, 2004  
Time: 8:40 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5094 (Public Act No. 201, I.E.), being**

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 impose liability upon the state or local agencies; to provide appropriations for certain purposes; 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 section 613a (MCL 257.613a).

(Filed with the Secretary of State July 13, 2004, at 10:45 a.m.)

Date: July 13, 2004  
Time: 8:42 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5243 (Public Act No. 202, I.E.), being**

An act to amend 1996 PA 376, entitled “An act to create and expand certain renaissance zones; to foster economic opportunities in this state; to facilitate economic development; to stimulate industrial, commercial, and residential improvements; to prevent physical and infrastructure deterioration of geographic areas in this state; to authorize expenditures; to provide exemptions and credits from certain taxes; to create certain obligations of this state and local governmental units; to require disclosure of certain transactions and gifts; to provide for appropriations; and to prescribe the powers and duties of certain state and local departments, agencies, and officials,” by amending section 8d (MCL 125.2688d), as added by 2003 PA 266.

(Filed with the Secretary of State July 13, 2004, at 10:47 a.m.)

Date: July 14, 2004  
Time: 7:22 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4770 (Public Act No. 203, I.E.), being**

An act to amend 1971 PA 174, entitled “An act to create the office of child support; and to prescribe certain powers and duties of the office, certain public and private agencies, and certain employers and former employers,” (MCL 400.231 to 400.240) by adding section 6a.

(Filed with the Secretary of State July 14, 2004, at 9:18 a.m.)

Date: July 14, 2004  
Time: 7:24 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4768 (Public Act No. 204, I.E.), being**

An act to amend 1956 PA 205, entitled “An act to confer upon circuit courts jurisdiction over proceedings to compel and provide support of children born out of wedlock; to prescribe the procedure for determination of such liability; to authorize agreements providing for furnishing of such support and to provide for the enforcement thereof; and to prescribe penalties for the violation of certain provisions of this act,” by amending section 2 (MCL 722.712), as amended by 1998 PA 113.

(Filed with the Secretary of State July 14, 2004, at 9:20 a.m.)

Date: July 14, 2004  
Time: 7:26 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4771 (Public Act No. 205, I.E.), being**

An act to amend 1961 PA 236, entitled “An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts,” by amending section 2529 (MCL 600.2529), as amended by 2003 PA 178.

(Filed with the Secretary of State July 14, 2004, at 9:22 a.m.)

Date: July 14, 2004  
Time: 7:28 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4772 (Public Act No. 206, I.E.), being**

An act to amend 1982 PA 295, entitled “An act to provide for and to supplement statutes that provide for the provisions and enforcement of support, health care, and parenting time orders with respect to divorce, separate maintenance, paternity, child custody and support, and spousal support; to prescribe and authorize certain provisions

of those orders; to prescribe the powers and duties of the circuit court and friend of the court; to prescribe certain duties of certain employers and other sources of income; to provide for penalties and remedies; and to repeal acts and parts of acts," by amending sections 7, 13, 27, 33, 35, and 42a (MCL 552.607, 552.613, 552.627, 552.633, 552.635, and 552.642a), section 7 as amended by 2002 PA 572, section 13 as amended by 1998 PA 334, section 27 as amended by 2001 PA 106, sections 33 and 35 as amended by 2002 PA 567, and section 42a as added by 2002 PA 568.

(Filed with the Secretary of State July 14, 2004, at 9:24 a.m.)

Date: July 14, 2004

Time: 7:30 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4773 (Public Act No. 207, I.E.), being**

An act to amend 1982 PA 294, entitled "An act to revise and consolidate the laws relating to the friend of the court; to provide for the appointment or removal of the friend of the court; to create the office of the friend of the court; to establish the rights, powers, and duties of the friend of the court and the office of the friend of the court; to establish a state friend of the court bureau and to provide the powers and duties of the bureau; to prescribe powers and duties of the circuit court and of certain state and local agencies and officers; to establish friend of the court citizen advisory committees; to prescribe certain duties of certain employers and former employers; and to repeal acts and parts of acts," by amending sections 17, 17b, and 19 (MCL 552.517, 552.517b, and 552.519), sections 17 and 17b as amended by 2002 PA 571 and section 19 as amended by 2002 PA 569.

(Filed with the Secretary of State July 14, 2004, at 9:26 a.m.)

Date: July 14, 2004

Time: 7:32 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4774 (Public Act No. 208, I.E.), being**

An act to amend 1982 PA 295, entitled "An act to provide for and to supplement statutes that provide for the provisions and enforcement of support, health care, and parenting time orders with respect to divorce, separate maintenance, paternity, child custody and support, and spousal support; to prescribe and authorize certain provisions of those orders; to prescribe the powers and duties of the circuit court and friend of the court; to prescribe certain duties of certain employers and other sources of income; to provide for penalties and remedies; and to repeal acts and parts of acts," by amending sections 2 and 3a (MCL 552.602 and 552.603a), section 2 as amended by 2002 PA 572 and section 3a as amended by 2003 PA 276, and by adding section 3d.

(Filed with the Secretary of State July 14, 2004, at 9:28 a.m.)

Date: July 14, 2004

Time: 7:34 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4775 (Public Act No. 209, I.E.), being**

An act to amend 1956 PA 205, entitled "An act to confer upon circuit courts jurisdiction over proceedings to compel and provide support of children born out of wedlock; to prescribe the procedure for determination of such liability; to authorize agreements providing for furnishing of such support and to provide for the enforcement thereof; and to prescribe penalties for the violation of certain provisions of this act," by amending section 7 (MCL 722.717), as amended by 2001 PA 109.

(Filed with the Secretary of State July 14, 2004, at 9:30 a.m.)

Date: July 14, 2004

Time: 7:36 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4776 (Public Act No. 210, I.E.), being**

An act to amend 1982 PA 294, entitled "An act to revise and consolidate the laws relating to the friend of the court; to provide for the appointment or removal of the friend of the court; to create the office of the friend of the court; to establish the rights, powers, and duties of the friend of the court and the office of the friend of the court; to establish a state friend of the court bureau and to provide the powers and duties of the bureau; to prescribe powers and duties

of the circuit court and of certain state and local agencies and officers; to establish friend of the court citizen advisory committees; to prescribe certain duties of certain employers and former employers; and to repeal acts and parts of acts," by amending sections 2, 2a, 3, 4, 4a, 7, and 9 (MCL 552.502, 552.502a, 552.503, 552.504, 552.504a, 552.507, and 552.509), sections 2, 2a, and 9 as amended by 2002 PA 571, section 3 as amended by 1996 PA 365, sections 4 and 4a as added by 1996 PA 366, and section 7 as amended by 1996 PA 144, and by adding section 7a.

(Filed with the Secretary of State July 14, 2004, at 9:32 a.m.)

Date: July 14, 2004

Time: 7:38 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4792 (Public Act No. 211, I.E.), being**

An act to amend 1982 PA 295, entitled "An act to provide for and to supplement statutes that provide for the provisions and enforcement of support, health care, and parenting time orders with respect to divorce, separate maintenance, paternity, child custody and support, and spousal support; to prescribe and authorize certain provisions of those orders; to prescribe the powers and duties of the circuit court and friend of the court; to prescribe certain duties of certain employers and other sources of income; to provide for penalties and remedies; and to repeal acts and parts of acts," (MCL 552.601 to 552.650) by adding section 5e.

(Filed with the Secretary of State July 14, 2004, at 9:34 a.m.)

Date: July 14, 2004

Time: 7:48 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5148 (Public Act No. 212, I.E.), being**

An act to amend 1962 PA 174, entitled "An act to enact the uniform commercial code, relating to certain commercial transactions in or regarding personal property and contracts and other documents concerning them, including sales, commercial paper, bank deposits and collections, letters of credit, bulk transfers, warehouse receipts, bills of lading, other documents of title, investment securities, leases, and secured transactions, including certain sales of accounts, chattel paper and contract rights; to provide for public notice to third parties in certain circumstances; to regulate procedure, evidence and damages in certain court actions involving such transactions, contracts or documents; to make uniform the law with respect thereto; to make an appropriation; to provide penalties; and to repeal certain acts and parts of acts," by amending sections 9501 and 9525 (MCL 440.9501 and 440.9525), section 9501 as amended and section 9525 as added by 2000 PA 348.

(Filed with the Secretary of State July 14, 2004, at 9:36 a.m.)

Date: July 14, 2004

Time: 7:40 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5174 (Public Act No. 213, I.E.), being**

An act 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," by amending sections 16 and 18 (MCL 750.16 and 750.18), section 16 as amended by 2002 PA 672.

(Filed with the Secretary of State July 14, 2004, at 3:10 p.m.)

Date: July 14, 2004

Time: 7:42 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5175 (Public Act No. 214, I.E.), being**

An act 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,” by amending sections 16221, 16226, 17763, and 17764 (MCL 333.16221, 333.16226, 333.17763, and 333.17764), sections 16221 and 16226 as amended by 2004 PA 48 and section 17763 as amended by 1997 PA 153.

(Filed with the Secretary of State July 14, 2004, at 3:12 p.m.)

Date: July 14, 2004

Time: 7:44 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5176 (Public Act No. 215, I.E.), being**

An act to amend 1927 PA 175, entitled “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,” by amending section 13n of chapter XVII (MCL 777.13n), as amended by 2003 PA 309.

(Filed with the Secretary of State July 14, 2004, at 3:14 p.m.)

Date: July 14, 2004

Time: 7:46 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5177 (Public Act No. 216, I.E.), being**

An act to amend 1927 PA 175, entitled “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," by amending section 16a of chapter XVII (MCL 777.16a), as amended by 2000 PA 279. (Filed with the Secretary of State July 14, 2004, at 3:16 p.m.)

Date: July 14, 2004  
Time: 9:56 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5930 (Public Act No. 217, I.E.), being**

An act to amend 1956 PA 218, entitled "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," (MCL 500.100 to 500.8302) by adding section 8115a.

(Filed with the Secretary of State July 14, 2004, at 3:18 p.m.)

Date: July 14, 2004  
Time: 9:55 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5178 (Public Act No. 218, I.E.), being**

An act to amend 1953 PA 232, entitled "An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to allow for the operation of certain facilities by private entities; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the

violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act," by amending section 34 (MCL 791.234), as amended by 2002 PA 670.

(Filed with the Secretary of State July 14, 2004, at 3:20 p.m.)

### Communications from State Officers

The following communication from the Department of Labor and Economic Growth was received and read:

July 1, 2004

In accordance with Public Act 304 of 1982, the attached 2003 Annual Report for the Michigan Utility Consumer Representation Fund is transmitted to the Legislature.

The state's six largest utilities were required, under this Act, to contribute a total of \$981,150 to fund intervention participation in cost increase and reconciliation cases filed by utilities with the Michigan Public Service Commission. 47.5% of the revenue is allocated to fund intervenor grants, 47.5 of the revenue is allocated to the Department of Attorney General, and the remaining 5% is available for administrative costs.

The Utility Consumer Participation Board grant recipients reported disallowed costs by the Michigan Public Service Commission for 2003 in the amount of \$93,035,177. This action was a result of intervention efforts either by grantees alone, or in conjunction with other parties. The Utility Consumer Participation Board awarded \$305,273 for calendar year 2003. The Attorney General's Office expended \$403,068 in calendar year 2003 for intervention by that Office on behalf of the utility ratepayers of Michigan.

The Attorney General's Office will send their P.A. 304 Annual Report under separate cover.

Sincerely,  
UTILITY CONSUMER PARTICIPATION BOARD  
Dr. Harry Trebing, Chair

The communication was referred to the Clerk.

### Introduction of Bills

Reps. Law, Farrah, Bieda, Lipsey, Byrum, Kolb, Tobocman, Anderson, Minore, Jamnick, Gielegem, Zelenko, Waters, Sak, O'Neil, Vagnozzi, Adamini, Condino, Meisner, Hopgood, Wojno and Cheeks introduced

#### **House Bill No. 6079, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 3101 (MCL 324.3101), as amended by 2004 PA 90, and by adding section 3109c.

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

Rep. Accavitti introduced

#### **House Bill No. 6080, entitled**

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding section 37g.

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

Rep. Accavitti introduced

#### **House Bill No. 6081, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 269.

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

Rep. Accavitti introduced

#### **House Bill No. 6082, entitled**

A bill to provide for the certification of job skills training programs; to prescribe powers and duties of certain state departments; and to provide for the promulgation of rules.

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

Rep. Waters moved that Reps. Cheeks, Lipsey and McConico 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. 5463, entitled**

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding section 37f. (The bill was received from the Senate on June 30, with substitute (S-1), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until July 1, see House Journal No. 62, p. 1542.) 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. 673****Yeas—103**

Accavitti	Gielegem	Milosch	Shulman
Acciavatti	Gillard	Minore	Smith
Adamini	Gleason	Moolenaar	Spade
Amos	Hager	Mortimer	Stahl
Anderson	Hardman	Murphy	Stakoe
Bieda	Hart	Newell	Stallworth
Bisbee	Hood	Nitz	Steil
Bradstreet	Hoogendyk	Nofs	Stewart
Brandenburg	Hopgood	O'Neil	Tabor
Brown	Howell	Palmer	Taub
Byrum	Hummel	Palsrok	Tobocman
Casperson	Hune	Pappageorge	Vagnozzi
Caswell	Hunter	Pastor	Van Regenmorter
Caul	Jamnick	Phillips	Vander Veen
Clack	Johnson, Rick	Plakas	Voorhees
Condino	Johnson, Ruth	Pumford	Walker
Daniels	Julian	Reeves	Ward
Dennis	Koetje	Richardville	Waters
DeRoche	Kolb	Rivet	Wenke
Drolet	Kooiman	Robertson	Whitmer
Elkins	LaJoy	Rocca	Williams
Emmons	LaSata	Sak	Wojno
Farhat	Law	Shackleton	Woodward
Farrah	Meisner	Shaffer	Woronchak
Gaffney	Meyer	Sheen	Zelenko
Garfield	Middaugh	Sheltrown	

**Nays—0**

In The Chair: Julian

The House agreed to the title as amended.  
 The bill was referred to the Clerk for enrollment printing and presentation to the Governor.



The Speaker laid before the House

**House Bill No. 5598, entitled**

A bill to amend 1936 (Ex Sess) PA 1, entitled “Michigan employment security act,” by amending section 43 (MCL 421.43), as amended by 2000 PA 490.

(The bill was received from the Senate on June 30, with substitute (S-2), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until July 1, see House Journal No. 62, p. 1542.)

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

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

**Roll Call No. 674**

**Yeas—105**

Accavitti	Gillard	Middaugh	Sheltrown
Acciavatti	Gleason	Milosch	Shulman
Adamini	Hager	Minore	Smith
Amos	Hardman	Moolenaar	Spade
Anderson	Hart	Mortimer	Stahl
Bieda	Hood	Murphy	Stakoe
Bisbee	Hoogendyk	Newell	Stallworth
Bradstreet	Hopgood	Nitz	Steil
Brandenburg	Howell	Nofs	Stewart
Brown	Hummel	O’Neil	Tabor
Byrum	Hune	Palmer	Taub
Casperson	Hunter	Palsrok	Tobocman
Caswell	Jamnick	Pappageorge	Vagnozzi
Caul	Johnson, Rick	Pastor	Van Regenmorter
Clack	Johnson, Ruth	Phillips	Vander Veen
Condino	Julian	Plakas	Voorhees
Daniels	Koetje	Pumford	Walker
Dennis	Kolb	Reeves	Ward
DeRoche	Kooiman	Richardville	Waters
Drolet	LaJoy	Rivet	Wenke
Elkins	LaSata	Robertson	Whitmer
Emmons	Law	Rocca	Williams
Farhat	Lipsey	Sak	Wojno
Farrah	McConico	Shackleton	Woodward
Gaffney	Meisner	Shaffer	Woronchak
Garfield	Meyer	Sheen	Zelenko
Gielegem			

**Nays—0**

In The Chair: Julian

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. 5653, entitled**

A bill to amend 1933 PA 167, entitled “General sales tax act,” (MCL 205.51 to 205.78) by adding section 4bb.

(The bill was received from the Senate on June 30, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until July 1, see House Journal No. 62, p. 1543.)

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. 675****Yeas—106**

Accavitti	Gillard	Middaugh	Sheltrown
Acciavatti	Gleason	Milosch	Shulman
Adamini	Hager	Minore	Smith
Amos	Hardman	Moolenaar	Spade
Anderson	Hart	Mortimer	Stahl
Bieda	Hood	Murphy	Stakoe
Bisbee	Hoogendyk	Newell	Stallworth
Bradstreet	Hopgood	Nitz	Steil
Brandenburg	Howell	Nofs	Stewart
Brown	Huizenga	O'Neil	Tabor
Byrum	Hummel	Palmer	Taub
Casperson	Hune	Palsrok	Tobocman
Caswell	Hunter	Pappageorge	Vagnozzi
Caul	Jamnick	Pastor	Van Regenmorter
Clack	Johnson, Rick	Phillips	Vander Veen
Condino	Johnson, Ruth	Plakas	Voorhees
Daniels	Julian	Pumford	Walker
Dennis	Koetje	Reeves	Ward
DeRoche	Kolb	Richardville	Waters
Drolet	Kooiman	Rivet	Wenke
Elkins	LaJoy	Robertson	Whitmer
Emmons	LaSata	Rocca	Williams
Farhat	Law	Sak	Wojno
Farrah	Lipsey	Shackleton	Woodward
Gaffney	McConico	Shaffer	Woronchak
Garfield	Meisner	Sheen	Zelenko
Gielegem	Meyer		

**Nays—0**

In The Chair: Julian

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.

Rep. Hart moved that Rep. Pumford be excused temporarily from today's session.  
The motion prevailed.

Rep. Nofs moved that Rep. DeRossett be excused temporarily from today's session.  
The motion prevailed.

The Speaker laid before the House

**House Bill No. 4260, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 174a (MCL 750.174a), as added by 2000 PA 222.

(The bill was received from the Senate on July 6, with amendments, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 64, p. 1649.)

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

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

**Roll Call No. 676****Yeas—104**

Accavitti	Gieleghem	Meyer	Sheltrown
Acciavatti	Gillard	Middaugh	Shulman
Adamini	Gleason	Milosch	Smith
Amos	Hager	Minore	Spade
Anderson	Hardman	Moolenaar	Stahl
Bieda	Hart	Mortimer	Stakoe
Bisbee	Hood	Murphy	Stallworth
Bradstreet	Hoogendyk	Newell	Steil
Brandenburg	Hopgood	Nitz	Stewart
Brown	Howell	Nofs	Tabor
Byrum	Huizenga	O'Neil	Taub
Casperson	Hummel	Palmer	Tobocman
Caswell	Hune	Palsrok	Vagnozzi
Caul	Hunter	Pappageorge	Van Regenmorter
Clack	Jamnick	Pastor	Vander Veen
Condino	Johnson, Ruth	Phillips	Voorhees
Daniels	Julian	Plakas	Walker
Dennis	Koetje	Reeves	Ward
DeRoche	Kolb	Richardville	Waters
Drolet	Kooiman	Rivet	Wenke
Elkins	LaJoy	Robertson	Whitmer
Emmons	LaSata	Rocca	Williams
Farhat	Law	Sak	Wojno
Farrah	Lipsey	Shackleton	Woodward
Gaffney	McConico	Shaffer	Woronchak
Garfield	Meisner	Sheen	Zelenko

**Nays—0**

In The Chair: Julian

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.

Rep. Palmer moved that Reps. Kooiman and Rick Johnson be excused temporarily from today's session.  
The motion prevailed.

Rep. LaSata moved that Rep. Caul be excused temporarily from today's session.  
The motion prevailed.

The Speaker laid before the House

**House Bill No. 4729, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 8313, 8314, 8327, 8329, and 8333 (MCL 324.8313, 324.8314, 324.8327, 324.8329, and 324.8333) as amended by 2002 PA 418.

(The bill was received from the Senate on July 6, with substitute (S-1), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 64, p. 1649.)

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. 677****Yeas—102**

Accavitti	Gillard	Milosch	Shulman
Acciavatti	Gleason	Minore	Smith
Adamini	Hager	Moolenaar	Spade
Amos	Hardman	Mortimer	Stahl
Anderson	Hart	Murphy	Stakoe
Bieda	Hood	Newell	Stallworth
Bisbee	Hoogendyk	Nitz	Steil
Bradstreet	Hopgood	Nofs	Stewart
Brandenburg	Howell	O'Neil	Tabor
Brown	Huizenga	Palmer	Taub
Byrum	Hummel	Palsrok	Tobocman
Casperson	Hune	Pappageorge	Vagnozzi
Caswell	Hunter	Pastor	Van Regenmorter
Clack	Jamnick	Phillips	Vander Veen
Condino	Johnson, Ruth	Plakas	Voorhees
Daniels	Julian	Reeves	Walker
Dennis	Koetje	Richardville	Ward
DeRoche	Kolb	Rivet	Waters
Drolet	LaJoy	Robertson	Wenke
Elkins	LaSata	Rocca	Whitmer
Emmons	Law	Sak	Williams
Farhat	Lipsey	Shackleton	Wojno
Farrah	McConico	Shaffer	Woodward
Gaffney	Meisner	Sheen	Woronchak
Garfield	Meyer	Sheltrown	Zelenko
Gielegem	Middaugh		

**Nays—0**

In The Chair: Julian

The House agreed to the title as amended.

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

Rep. Waters moved that Reps. Daniels and McConico be excused temporarily from today's session.  
The motion prevailed.

The Speaker laid before the House

**House Bill No. 4730, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 30113 (MCL 324.30113), as amended by 1995 PA 171, and by adding part 33; and to repeal acts and parts of acts.

(The bill was received from the Senate on July 6, with substitute (S-4), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 64, p. 1649.)

The question being on concurring in the substitute (S-4) made to the bill by the Senate,

The substitute (S-4) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 678****Yeas—101**

Accavitti	Gillard	Milosch	Shulman
Acciavatti	Gleason	Minore	Smith
Adamini	Hager	Moolenaar	Spade
Amos	Hardman	Mortimer	Stahl
Anderson	Hart	Murphy	Stakoe
Bieda	Hood	Newell	Stallworth
Bisbee	Hoogendyk	Nitz	Steil
Bradstreet	Hopgood	Nofs	Stewart
Brandenburg	Howell	O'Neil	Tabor
Brown	Huizenga	Palmer	Taub
Byrum	Hummel	Palsrok	Tobocman
Casperson	Hune	Pappageorge	Vagnozzi
Caswell	Hunter	Pastor	Van Regenmorter
Caul	Jamnack	Phillips	Vander Veen
Clack	Johnson, Ruth	Plakas	Voorhees
Condino	Julian	Reeves	Walker
Dennis	Koetje	Richardville	Ward
DeRoche	Kolb	Rivet	Waters
Drolet	LaJoy	Robertson	Wenke
Elkins	LaSata	Rocca	Whitmer
Emmons	Law	Sak	Williams
Farhat	Lipsey	Shackleton	Wojno
Farrah	Meisner	Shaffer	Woodward
Gaffney	Meyer	Sheen	Woronchak
Garfield	Middaugh	Sheltrown	Zelenko
Gielegem			

**Nays—0**

In The Chair: Julian

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. 5482, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," (MCL 168.1 to 168.992) by adding section 679a.

(The bill was received from the Senate on July 6, with amendments, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 64, p. 1650.)

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

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

**Roll Call No. 679****Yeas—102**

Accavitti	Gillard	Milosch	Shulman
Acciavatti	Gleason	Minore	Smith
Adamini	Hager	Moolenaar	Spade
Amos	Hardman	Mortimer	Stahl
Anderson	Hart	Murphy	Stakoe
Bieda	Hood	Newell	Stallworth

Bisbee	Hoogendyk	Nitz	Steil
Bradstreet	Hopgood	Nofs	Stewart
Brandenburg	Howell	O'Neil	Tabor
Brown	Huizenga	Palmer	Taub
Byrum	Hummel	Palsrok	Tobocman
Casperson	Hune	Pappageorge	Vagnozzi
Caswell	Hunter	Pastor	Van Regenmorter
Caul	Jamnick	Phillips	Vander Veen
Clack	Johnson, Ruth	Plakas	Voorhees
Condino	Julian	Reeves	Walker
Dennis	Koetje	Richardville	Ward
DeRoche	Kolb	Rivet	Waters
Drolet	Kooiman	Robertson	Wenke
Elkins	LaJoy	Rocca	Whitmer
Emmons	LaSata	Sak	Williams
Farhat	Law	Shackleton	Wojno
Farrah	Lipsey	Shaffer	Woodward
Gaffney	Meisner	Sheen	Woronchak
Garfield	Meyer	Sheltrown	Zelenko
Gielegheem	Middaugh		

### Nays—0

In The Chair: Julian

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. 5665, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 261c.

(The bill was received from the Senate on July 6, 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. 64, p. 1599.)

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. 680

### Yeas—103

Accavitti	Gillard	Milosch	Shulman
Acciavatti	Gleason	Minore	Smith
Adamini	Hager	Moolenaar	Spade
Amos	Hardman	Mortimer	Stahl
Anderson	Hart	Murphy	Stakoe
Bieda	Hood	Newell	Stallworth
Bisbee	Hoogendyk	Nitz	Steil
Bradstreet	Hopgood	Nofs	Stewart
Brandenburg	Howell	O'Neil	Tabor
Brown	Huizenga	Palmer	Taub
Byrum	Hummel	Palsrok	Tobocman
Casperson	Hune	Pappageorge	Vagnozzi
Caswell	Hunter	Pastor	Van Regenmorter

Caul	Jamnick	Phillips	Vander Veen
Clack	Johnson, Ruth	Plakas	Voorhees
Condino	Julian	Pumford	Walker
Dennis	Koetje	Reeves	Ward
DeRoche	Kolb	Richardville	Waters
Drolet	Kooiman	Rivet	Wenke
Elkins	LaJoy	Robertson	Whitmer
Emmons	LaSata	Rocca	Williams
Farhat	Law	Sak	Wojno
Farrah	Lipsey	Shackleton	Woodward
Gaffney	Meisner	Shaffer	Woronchak
Garfield	Meyer	Sheen	Zelenko
Gielegem	Middaugh	Sheltrown	

### Nays—0

In The Chair: Julian

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. 5698, 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 5j (MCL 28.425j), as amended by 2002 PA 719.

(The bill was received from the Senate on July 6, with substitute (S-1) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 64, p. 1650.)

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. 681

### Yeas—104

Accavitti	Gillard	Middaugh	Sheltrown
Acciavatti	Gleason	Milosch	Shulman
Adamini	Hager	Minore	Smith
Amos	Hardman	Moolenaar	Spade
Anderson	Hart	Mortimer	Stahl
Bieda	Hood	Murphy	Stakoe
Bisbee	Hoogendyk	Newell	Stallworth
Bradstreet	Hopgood	Nitz	Steil
Brandenburg	Howell	Nofs	Stewart
Brown	Huizenga	O’Neil	Tabor
Byrum	Hummel	Palmer	Taub
Casperson	Hune	Palsrok	Tobocman
Caswell	Hunter	Pappageorge	Vagnozzi
Caul	Jamnick	Pastor	Van Regenmorter

Clack	Johnson, Rick	Phillips	Vander Veen
Condino	Johnson, Ruth	Plakas	Voorhees
Dennis	Julian	Pumford	Walker
DeRoche	Koetje	Reeves	Ward
Drolet	Kolb	Richardville	Waters
Elkins	Kooiman	Rivet	Wenke
Emmons	LaJoy	Robertson	Whitmer
Farhat	LaSata	Rocca	Williams
Farrah	Law	Sak	Wojno
Gaffney	Lipsey	Shackleton	Woodward
Garfield	Meisner	Shaffer	Woronchak
Gielegem	Meyer	Sheen	Zelenko

**Nays—0**

In The Chair: Julian

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

The Speaker laid before the House

**House Bill No. 5823, entitled**

A bill to amend 1893 PA 206, entitled “The general property tax act,” (MCL 211.1 to 211.157) by adding section 7ii. (The bill was received from the Senate on July 6, 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. 64, p. 1599.)

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. 682****Yeas—102**

Accavitti	Gleason	Minore	Shulman
Acciavatti	Hager	Moolenaar	Smith
Adamini	Hardman	Mortimer	Spade
Amos	Hart	Murphy	Stahl
Anderson	Hood	Newell	Stakoe
Bieda	Hoogendyk	Nitz	Stallworth
Bisbee	Hopgood	Nofs	Steil
Bradstreet	Howell	O’Neil	Stewart
Brandenburg	Huizenga	Palmer	Tabor
Brown	Hummel	Palsrok	Taub
Byrum	Hune	Pappageorge	Tobocman
Casperson	Hunter	Pastor	Vagnozzi
Caswell	Jamnick	Phillips	Van Regenmorter
Caul	Johnson, Rick	Plakas	Vander Veen
Clack	Johnson, Ruth	Pumford	Voorhees
Condino	Julian	Reeves	Walker
Dennis	Koetje	Richardville	Ward
DeRoche	Kolb	Rivet	Waters
Elkins	Kooiman	Robertson	Wenke
Emmons	LaJoy	Rocca	Whitmer
Farhat	LaSata	Sak	Williams
Farrah	Law	Shackleton	Wojno



Gaffney  
Garfield  
Gielegghem  
Gillard

Lipsey  
Meyer  
Middaugh  
Milosch

Shaffer  
Sheen  
Sheltrown

Woodward  
Woronchak  
Zelenko

### Nays—2

Drolet

Meisner

In The Chair: Julian

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. 5824, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” (MCL 211.1 to 211.157) by adding section 9j. (The bill was received from the Senate on July 6, 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. 64, p. 1599.)

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. 683

### Yeas—102

Accavitti  
Acciavatti  
Adamini  
Amos  
Anderson  
Bieda  
Bisbee  
Bradstreet  
Brandenburg  
Brown  
Byrum  
Casperson  
Caswell  
Caul  
Clack  
Condino  
Dennis  
DeRoche  
Elkins  
Emmons  
Farhat  
Farrah  
Gaffney  
Garfield  
Gielegghem  
Gillard

Gleason  
Hager  
Hardman  
Hart  
Hood  
Hoogendyk  
Hopgood  
Howell  
Huizenga  
Hummel  
Hune  
Hunter  
Jammnick  
Johnson, Rick  
Johnson, Ruth  
Julian  
Koetje  
Kolb  
Kooiman  
LaJoy  
LaSata  
Law  
Lipsey  
Meyer  
Middaugh  
Milosch

Minore  
Moolenaar  
Mortimer  
Murphy  
Newell  
Nitz  
Nofs  
O’Neil  
Palmer  
Palsrok  
Pappageorge  
Pastor  
Phillips  
Plakas  
Pumford  
Reeves  
Richardville  
Rivet  
Robertson  
Rocca  
Sak  
Shackleton  
Shaffer  
Sheen  
Sheltrown

Shulman  
Smith  
Spade  
Stahl  
Stakoe  
Stallworth  
Steil  
Stewart  
Tabor  
Taub  
Tobocman  
Vagnozzi  
Van Regenmorter  
Vander Veen  
Voorhees  
Walker  
Ward  
Waters  
Wenke  
Whitmer  
Williams  
Wojno  
Woodward  
Woronchak  
Zelenko

**Nays—2**

Drolet

Meisner

In The Chair: Julian

The House agreed to the full title of the bill.

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

**Second Reading of Bills****House Joint Resolution Z, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by adding sections 40 and 41 to article IX, to provide for the establishment of the Michigan conservation and recreation legacy fund and the Michigan game and fish protection trust fund.

The joint resolution was read a second time.

Rep. Richardville moved to substitute (H-2) the joint resolution.

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

Rep. Gillard moved to amend the joint resolution as follows:

1. Amend page 3, line 15, after “**land**” by inserting “**that has been or will be**”.
2. Amend page 3, line 15, after “**protection**” by inserting “**fund or**”.
3. Amend page 5, line 23, after “**land**” by inserting “**that has been or will be**”.
4. Amend page 5, line 24, after “**the**” by inserting “**recreational snowmobile trail improvement fund or**”.
5. Amend page 7, line 15, after “**land**” by inserting “**that has been or will be**”.
6. Amend page 7, line 16, after “**the**” by inserting “**Michigan state waterways fund or**”.

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

Rep. Richardville moved that the joint resolution be placed on the order of Third Reading of Bills.

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

Rep. Richardville moved that the joint resolution 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 Joint Resolution Z, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by adding sections 40 and 41 to article IX, to provide for the establishment of the Michigan conservation and recreation legacy fund and the Michigan game and fish protection trust fund.

Was read a third time and adopted, 2/3 of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 684****Yeas—104**

Accavitti	Gillard	Middaugh	Sheltrown
Acciavatti	Gleason	Milosch	Shulman
Adamini	Hager	Minore	Smith
Amos	Hardman	Moolenaar	Spade
Anderson	Hart	Mortimer	Stahl
Bieda	Hood	Murphy	Stakoe
Bisbee	Hoogendyk	Newell	Stallworth
Bradstreet	Hopgood	Nitz	Steil

Brandenburg	Howell	Nofs	Stewart
Brown	Huizenga	O'Neil	Tabor
Byrum	Hummel	Palmer	Taub
Casperson	Hune	Palsrok	Tobocman
Caswell	Hunter	Pappageorge	Vagnozzi
Caul	Jamnick	Pastor	Van Regenmorter
Clack	Johnson, Rick	Phillips	Vander Veen
Condino	Johnson, Ruth	Plakas	Voorhees
Dennis	Julian	Pumford	Walker
DeRoche	Koetje	Reeves	Ward
Drolet	Kolb	Richardville	Waters
Elkins	Kooiman	Rivet	Wenke
Emmons	LaJoy	Robertson	Whitmer
Farhat	LaSata	Rocca	Williams
Farrah	Law	Sak	Wojno
Gaffney	Lipsey	Shackleton	Woodward
Garfield	Meisner	Shaffer	Woronchak
Gielegem	Meyer	Sheen	Zelenko

### Nays—0

In The Chair: Julian

The question being on agreeing to the title of the joint resolution,  
Rep. Richardville moved to amend the title to read as follows:

A joint resolution proposing an amendment to the state constitution of 1963, by adding sections 40, 41, and 42 to article IX, to provide for the establishment of the Michigan conservation and recreation legacy fund, the Michigan game and fish protection trust fund, and the Michigan nongame fish and wildlife trust fund.

The motion prevailed.

The House agreed to the title as amended.

### Second Reading of Bills

#### House Bill No. 5870, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 502, 503, 1604, 1609, 1902, 12115, 40114, 40119, 41711, 42506, 42712, 43504, 43546, 43553, 43556, 43557, 43701, 43702, 43703, 43704, 44105, 45705, 45907, 47303, 47332, 48737, 48740, 64108, 71101, 71106, 71108, 74101, 74108, 74114, 74122, 78101, 78105, 78110, 78111, 78115, 79114, 80104, 80115, 80118, 80119, 81101, 81110, 81117, 81119, 81130, 81147, 82101, 82102a, 82106, 82109, 82110, 82111, 82118, 83101, 83103, 83104, and 83106 (MCL 324.502, 324.503, 324.1604, 324.1609, 324.1902, 324.12115, 324.40114, 324.40119, 324.41711, 324.42506, 324.42712, 324.43504, 324.43546, 324.43553, 324.43556, 324.43557, 324.43701, 324.43702, 324.43703, 324.43704, 324.44105, 324.45705, 324.45907, 324.47303, 324.47332, 324.48737, 324.48740, 324.64108, 324.71101, 324.71106, 324.71108, 324.74101, 324.74108, 324.74114, 324.74122, 324.78101, 324.78105, 324.78110, 324.78111, 324.78115, 324.79114, 324.80104, 324.80115, 324.80118, 324.80119, 324.81101, 324.81110, 324.81117, 324.81119, 324.81130, 324.81147, 324.82101, 324.82102a, 324.82106, 324.82109, 324.82110, 324.82111, 324.82118, 324.83101, 324.83103, 324.83104, and 324.83106), section 502 as amended by 2002 PA 148, section 503 as amended by 1998 PA 419, sections 1604 and 1609 as added by 1995 PA 60, section 1902 as amended by 2002 PA 52, sections 40114, 40119, 41711, 42712, 43504, 43557, 44105, 45705, 45907, 47303, 47332, 48737, 48740, and 64108 as added by 1995 PA 57, section 42506 as amended by 2002 PA 356, sections 43546, 43553, and 43556 as amended by 1996 PA 585, sections 43701, 43702, and 43703 as amended by 2001 PA 50, section 43704 as amended by 2002 PA 56, sections 71101, 71106, 71108, 74101, 74108, 74114, 74122, 78105, 78111, 79114, 80118, 80119, 81110, 81119, 82102a, and 82111 as added by 1995 PA 58, section 78101 as amended by 1998 PA 210, sections 78110 and 78115 as amended by 2003 PA 19, section 80104 as amended by 1997 PA 102, section 80115 as amended by 2003 PA 292, sections 81101, 81117, and 81130 as amended by 2003 PA 111, section 81147 as amended by 1996 PA 175, sections 82101, 82106, and 82109 as amended by 2003 PA 230, section 82110 as amended by 2001 PA 16, section 82118 as amended by 2001 PA 15, and sections 83101,

83103, 83104, and 83106 as added by 1998 PA 418, and by amending the headings to parts 437 and 711 and by adding part 20; and to repeal acts and parts of acts.

The bill was read a second time.

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

The motion prevailed.

Rep. Richardville 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. 5870, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 502, 503, 1604, 1609, 1902, 12115, 40114, 40119, 41711, 42506, 42712, 43504, 43546, 43553, 43556, 43557, 43701, 43702, 43703, 43704, 44105, 45705, 45907, 47303, 47332, 48737, 48740, 64108, 71101, 71106, 71108, 74101, 74108, 74114, 74122, 78101, 78105, 78110, 78111, 78115, 79114, 80104, 80115, 80118, 80119, 81101, 81110, 81117, 81119, 81130, 81147, 82101, 82102a, 82106, 82109, 82110, 82111, 82118, 83101, 83103, 83104, and 83106 (MCL 324.502, 324.503, 324.1604, 324.1609, 324.1902, 324.12115, 324.40114, 324.40119, 324.41711, 324.42506, 324.42712, 324.43504, 324.43546, 324.43553, 324.43556, 324.43557, 324.43701, 324.43702, 324.43703, 324.43704, 324.44105, 324.45705, 324.45907, 324.47303, 324.47332, 324.48737, 324.48740, 324.64108, 324.71101, 324.71106, 324.71108, 324.74101, 324.74108, 324.74114, 324.74122, 324.78101, 324.78105, 324.78110, 324.78111, 324.78115, 324.79114, 324.80104, 324.80115, 324.80118, 324.80119, 324.81101, 324.81110, 324.81117, 324.81119, 324.81130, 324.81147, 324.82101, 324.82102a, 324.82106, 324.82109, 324.82110, 324.82111, 324.82118, 324.83101, 324.83103, 324.83104, and 324.83106), section 502 as amended by 2002 PA 148, section 503 as amended by 1998 PA 419, sections 1604 and 1609 as added by 1995 PA 60, section 1902 as amended by 2002 PA 52, sections 40114, 40119, 41711, 42712, 43504, 43557, 44105, 45705, 45907, 47303, 47332, 48737, 48740, and 64108 as added by 1995 PA 57, section 42506 as amended by 2002 PA 356, sections 43546, 43553, and 43556 as amended by 1996 PA 585, sections 43701, 43702, and 43703 as amended by 2001 PA 50, section 43704 as amended by 2002 PA 56, sections 71101, 71106, 71108, 74101, 74108, 74114, 74122, 78105, 78111, 79114, 80118, 80119, 81110, 81119, 82102a, and 82111 as added by 1995 PA 58, section 78101 as amended by 1998 PA 210, sections 78110 and 78115 as amended by 2003 PA 19, section 80104 as amended by 1997 PA 102, section 80115 as amended by 2003 PA 292, sections 81101, 81117, and 81130 as amended by 2003 PA 111, section 81147 as amended by 1996 PA 175, sections 82101, 82106, and 82109 as amended by 2003 PA 230, section 82110 as amended by 2001 PA 16, section 82118 as amended by 2001 PA 15, and sections 83101, 83103, 83104, and 83106 as added by 1998 PA 418, and by amending the headings to parts 437 and 711 and by adding part 20; 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. 685

#### Yeas—102

Accavitti	Gillard	Milosch	Sheltrown
Acciavatti	Gleason	Minore	Shulman
Adamini	Hager	Moolenaar	Smith
Amos	Hardman	Mortimer	Spade
Anderson	Hart	Murphy	Stahl
Bieda	Hood	Newell	Stallworth
Bisbee	Hoogendyk	Nitz	Steil
Bradstreet	Hopgood	Nofs	Stewart
Brandenburg	Howell	O'Neil	Tabor
Brown	Huizenga	Palmer	Taub
Byrum	Hummel	Palsrok	Tobocman
Casperson	Hune	Pappageorge	Vagnozzi
Caswell	Hunter	Pastor	Van Regenmorter
Caul	Johnson, Rick	Phillips	Vander Veen
Clack	Johnson, Ruth	Plakas	Voorhees
Condino	Julian	Pumford	Walker
Dennis	Koetje	Reeves	Ward
DeRoche	Kolb	Richardville	Waters

Drolet	Kooiman	Rivet	Wenke
Elkins	LaJoy	Robertson	Whitmer
Emmons	LaSata	Rocca	Williams
Farhat	Law	Sak	Wojno
Farrah	Lipsey	Shackleton	Woodward
Gaffney	Meisner	Shaffer	Woronchak
Garfield	Meyer	Sheen	Zelenko
Gielegem	Middaugh		

### Nays—0

In The Chair: Julian

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

Rep. Richardville 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 301, 502, 503, 1604, 1609, 1902, 12115, 40114, 40119, 41711, 42506, 42712, 43504, 43546, 43553, 43556, 43557, 43701, 43702, 43703, 43901, 43902, 43903, 44104, 44105, 44501, 44511, 44518, 45705, 45907, 47303, 47332, 48737, 48740, 64108, 71101, 71106, 71108, 74101, 74108, 74114, 74122, 78101, 78105, 78110, 78111, 78115, 78503, 79114, 80104, 80115, 80118, 80119, 81101, 81110, 81117, 81119, 81130, 81147, 82101, 82102a, 82106, 82109, 82110, 82111, 82118, 83101, 83103, 83104, and 83106 (MCL 324.301, 324.502, 324.503, 324.1604, 324.1609, 324.1902, 324.12115, 324.40114, 324.40119, 324.41711, 324.42506, 324.42712, 324.43504, 324.43546, 324.43553, 324.43556, 324.43557, 324.43701, 324.43702, 324.43703, 324.43901, 324.43902, 324.43903, 324.44104, 324.44105, 324.44501, 324.44511, 324.44518, 324.45705, 324.45907, 324.47303, 324.47332, 324.48737, 324.48740, 324.64108, 324.71101, 324.71106, 324.71108, 324.74101, 324.74108, 324.74114, 324.74122, 324.78101, 324.78105, 324.78110, 324.78111, 324.78115, 324.78503, 324.79114, 324.80104, 324.80115, 324.80118, 324.80119, 324.81101, 324.81110, 324.81117, 324.81119, 324.81130, 324.81147, 324.82101, 324.82102a, 324.82106, 324.82109, 324.82110, 324.82111, 324.82118, 324.83101, 324.83103, 324.83104, and 324.83106), section 502 as amended by 2002 PA 148, section 503 as amended by 1998 PA 419, sections 1604 and 1609 as added by 1995 PA 60, section 1902 as amended by 2002 PA 52, sections 40114, 40119, 41711, 42712, 43504, 43557, 43901, 43903, 44104, 44105, 44501, 44511, 44518, 45705, 45907, 47303, 47332, 48737, 48740, and 64108 as added by 1995 PA 57, section 42506 as amended by 2002 PA 356, sections 43546, 43553, and 43556 as amended by 1996 PA 585, sections 43701, 43702, and 43703 as amended by 2001 PA 50, section 43902 as amended by 2002 PA 55, sections 71101, 71106, 71108, 74101, 74108, 74114, 74122, 78105, 78111, 78503, 79114, 80118, 80119, 81110, 81119, 82102a, and 82111 as added by 1995 PA 58, section 78101 as amended by 1998 PA 210, sections 78110 and 78115 as amended by 2003 PA 19, section 80104 as amended by 1997 PA 102, section 80115 as amended by 2003 PA 292, sections 81101, 81117, and 81130 as amended by 2003 PA 111, section 81147 as amended by 1996 PA 175, sections 82101, 82106, and 82109 as amended by 2003 PA 230, section 82110 as amended by 2001 PA 16, section 82118 as amended by 2001 PA 15, and sections 83101, 83103, 83104, and 83106 as added by 1998 PA 418, and by amending the headings to parts 437, 439, and 711 and by adding part 20; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

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

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

Reps. Anderson, Pappageorge, Zelenko, Kolb, Middaugh, Newell, Dennis, Rivet, Sheltroun, Brown, Hopgood, Law, Bieda, Vagnozzi, Accavitti, Ward, Byrum, Sak, Elkins, Moolenaar, Palsrok and Mortimer were named co-sponsors of the bill.

By unanimous consent the House returned to the order of

### Messages from the Senate

The Speaker laid before the House

#### House Bill No. 5878, entitled

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending section 525 (MCL 436.1525), as amended by 2002 PA 76.

(The bill was received from the Senate on July 6, with an amendment, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 64, p. 1600.)

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

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

**Roll Call No. 686****Yeas—102**

Accavitti	Gleason	Milosch	Sheltrown
Acciavatti	Hager	Minore	Shulman
Adamini	Hardman	Moolenaar	Smith
Amos	Hart	Mortimer	Spade
Anderson	Hood	Murphy	Stahl
Bieda	Hoogendyk	Newell	Stakoe
Bisbee	Hopgood	Nitz	Stallworth
Brandenburg	Howell	Nofs	Steil
Brown	Huizenga	O'Neil	Stewart
Byrum	Hummel	Palmer	Tabor
Casperson	Hune	Palsrok	Taub
Caswell	Hunter	Pappageorge	Tobocman
Caul	Jamnack	Pastor	Vagnozzi
Clack	Johnson, Rick	Phillips	Vander Veen
Condino	Johnson, Ruth	Plakas	Voorhees
Dennis	Julian	Pumford	Walker
DeRoche	Koetje	Reeves	Ward
Drolet	Kolb	Richardville	Waters
Elkins	Kooiman	Rivet	Wenke
Emmons	LaJoy	Robertson	Whitmer
Farhat	LaSata	Rocca	Williams
Farrah	Law	Sak	Wojno
Gaffney	Lipsey	Shackleton	Woodward
Garfield	Meisner	Shaffer	Woronchak
Gielegghem	Meyer	Sheen	Zelenko
Gillard	Middaugh		

**Nays—2**

Bradstreet                      Van Regenmorter

In The Chair: Julian

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. 5884, entitled**

A bill to amend 2001 PA 267, entitled "Manufacturing milk law of 2001," (MCL 288.561 to 288.740) by adding section 110a.

(The bill was received from the Senate on July 6, with an amendment, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 64, p. 1600.)

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

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

**Roll Call No. 687****Yeas—102**

Accavitti	Gleason	Minore	Shulman
Acciavatti	Hager	Moolenaar	Smith

Adamini	Hardman	Mortimer	Spade
Amos	Hart	Murphy	Stahl
Anderson	Hood	Newell	Stakoe
Bieda	Hoogendyk	Nitz	Stallworth
Bisbee	Hopgood	Nofs	Steil
Bradstreet	Howell	O'Neil	Stewart
Brandenburg	Huizenga	Palmer	Tabor
Brown	Hummel	Palsrok	Taub
Byrum	Hune	Pappageorge	Tobocman
Casperson	Jamnick	Pastor	Vagnozzi
Caswell	Johnson, Rick	Phillips	Van Regenmorter
Caul	Johnson, Ruth	Plakas	Vander Veen
Clack	Julian	Pumford	Voorhees
Condino	Koetje	Reeves	Walker
Dennis	Kolb	Richardville	Ward
Drolet	Kooiman	Rivet	Waters
Elkins	LaJoy	Robertson	Wenke
Emmons	LaSata	Rocca	Whitmer
Farhat	Law	Sak	Williams
Farrah	Lipsey	Shackleton	Wojno
Gaffney	Meisner	Shaffer	Woodward
Garfield	Meyer	Sheen	Woronchak
Gielegthem	Middaugh	Sheltrown	Zelenko
Gillard	Milosch		

**Nays—1**

DeRoche

In The Chair: Julian

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. 5888, entitled**

A bill to amend 1950 (Ex Sess) PA 27, entitled "Motor vehicle sales finance act," by amending section 4 (MCL 492.104) and by adding section 6a.

(The bill was received from the Senate on July 6, 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. 64, p. 1600.)

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. 688****Yeas—104**

Accavitti	Gillard	Middaugh	Sheltrown
Acciavatti	Gleason	Milosch	Shulman
Adamini	Hager	Minore	Smith
Amos	Hardman	Moolenaar	Spade
Anderson	Hart	Mortimer	Stahl
Bieda	Hood	Murphy	Stakoe

Bisbee	Hoogendyk	Newell	Stallworth
Bradstreet	Hopgood	Nitz	Steil
Brandenburg	Howell	Nofs	Stewart
Brown	Huizenga	O'Neil	Tabor
Byrum	Hummel	Palmer	Taub
Casperson	Hune	Palsrok	Tobocman
Caswell	Hunter	Pappageorge	Vagnozzi
Caul	Jamnick	Pastor	Van Regenmorter
Clack	Johnson, Rick	Phillips	Vander Veen
Condino	Johnson, Ruth	Plakas	Voorhees
Dennis	Julian	Pumford	Walker
DeRoche	Koetje	Reeves	Ward
Drolet	Kolb	Richardville	Waters
Elkins	Kooiman	Rivet	Wenke
Emmons	LaJoy	Robertson	Whitmer
Farhat	LaSata	Rocca	Williams
Farrah	Law	Sak	Wojno
Gaffney	Lipsey	Shackleton	Woodward
Garfield	Meisner	Shaffer	Woronchak
Gieleghem	Meyer	Sheen	Zelenko

### Nays—0

In The Chair: Julian

The House agreed to the full title of the bill.

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

### Second Reading of Bills

#### House Bill No. 4817, entitled

A bill to amend 1846 RS 65, entitled "Of alienation by deed, and the proof and recording of conveyances, and the canceling of mortgages," by amending sections 41 and 44 (MCL 565.41 and 565.44).

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. Farhat moved to amend the bill as follows:

1. Amend page 2, line 5, after "**was**" by striking out "**received by**" and inserting "**filed with**".

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

Rep. Tobocman moved to amend the bill as follows:

1. Amend page 3, line 3, after "mortgage." by inserting "**The mortgagor may also recover reasonable attorney fees and costs associated with bringing an action under this section.**".

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

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

The motion prevailed.

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

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

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Rep. Sak moved that Rep. Plakas 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**

**House Bill No. 4817, entitled**

A bill to amend 1846 RS 65, entitled "Of alienation by deed, and the proof and recording of conveyances, and the canceling of mortgages," by amending sections 41 and 44 (MCL 565.41 and 565.44).

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

**Roll Call No. 689**

**Yeas—103**

Accavitti	Gillard	Middaugh	Shulman
Acciavatti	Gleason	Milosch	Smith
Adamini	Hager	Minore	Spade
Amos	Hardman	Moolenaar	Stahl
Anderson	Hart	Mortimer	Stakoe
Bieda	Hood	Murphy	Stallworth
Bisbee	Hoogendyk	Newell	Steil
Bradstreet	Hopgood	Nitz	Stewart
Brandenburg	Howell	Nofs	Tabor
Brown	Huizenga	O'Neil	Taub
Byrum	Hummel	Palmer	Tobocman
Casperson	Hune	Palsrok	Vagnozzi
Caswell	Hunter	Pappageorge	Van Regenmorter
Caul	Jamnick	Pastor	Vander Veen
Clack	Johnson, Rick	Phillips	Voorhees
Condino	Johnson, Ruth	Pumford	Walker
Dennis	Julian	Reeves	Ward
DeRoche	Koetje	Richardville	Waters
Drolet	Kolb	Rivet	Wenke
Elkins	Kooiman	Robertson	Whitmer
Emmons	LaJoy	Rocca	Williams
Farhat	LaSata	Sak	Wojno
Farrah	Law	Shackleton	Woodward
Gaffney	Lipsey	Shaffer	Woronchak
Garfield	Meisner	Sheen	Zelenko
Gielegem	Meyer	Sheltrown	

**Nays—0**

In The Chair: Julian

The House agreed to the title of the bill.

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

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

By unanimous consent the House returned to the order of

**Messages from the Senate**

The Speaker laid before the House

**House Bill No. 5895, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20162 (MCL 333.20162) and by adding section 20935.

(The bill was received from the Senate on July 6, with amendments, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 64, p. 1600.)

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

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

**Roll Call No. 690****Yeas—103**

Accavitti	Gillard	Middaugh	Shulman
Acciavatti	Gleason	Milosch	Smith
Adamini	Hager	Minore	Spade
Amos	Hardman	Moolenaar	Stahl
Anderson	Hart	Mortimer	Stakoe
Bieda	Hood	Murphy	Stallworth
Bisbee	Hoogendyk	Newell	Steil
Bradstreet	Hopgood	Nitz	Stewart
Brandenburg	Howell	Nofs	Tabor
Brown	Huizenga	O'Neil	Taub
Byrum	Hummel	Palmer	Tobocman
Casperson	Hune	Palsrok	Vagnozzi
Caswell	Hunter	Pappageorge	Van Regenmorter
Caul	Jamnack	Pastor	Vander Veen
Clack	Johnson, Rick	Phillips	Voorhees
Condino	Johnson, Ruth	Pumford	Walker
Dennis	Julian	Reeves	Ward
DeRoche	Koetje	Richardville	Waters
Drolet	Kolb	Rivet	Wenke
Elkins	Kooiman	Robertson	Whitmer
Emmons	LaJoy	Rocca	Williams
Farhat	LaSata	Sak	Wojno
Farrah	Law	Shackleton	Woodward
Gaffney	Lipsey	Shaffer	Woronchak
Garfield	Meisner	Sheen	Zelenko
Gielegem	Meyer	Sheltrown	

**Nays—0**

In The Chair: Julian

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. 5900, entitled**

A bill to amend 1956 PA 217, entitled "Electrical administrative act," by amending section 3 (MCL 338.883), as amended by 1997 PA 120.

(The bill was received from the Senate on July 6, with an amendment, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 64, p. 1651.)

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

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

**Roll Call No. 691****Yeas—103**

Accavitti	Gillard	Middaugh	Shulman
Acciavatti	Gleason	Milosch	Smith
Adamini	Hager	Minore	Spade
Amos	Hardman	Moolenaar	Stahl
Anderson	Hart	Mortimer	Stakoe

Bieda	Hood	Murphy	Stallworth
Bisbee	Hoogendyk	Newell	Steil
Bradstreet	Hopgood	Nitz	Stewart
Brandenburg	Howell	Nofs	Tabor
Brown	Huizenga	O'Neil	Taub
Byrum	Hummel	Palmer	Tobocman
Casperson	Hune	Palsrok	Vagnozzi
Caswell	Hunter	Pappageorge	Van Regenmorter
Caul	Jamnack	Pastor	Vander Veen
Clack	Johnson, Rick	Phillips	Voorhees
Condino	Johnson, Ruth	Pumford	Walker
Dennis	Julian	Reeves	Ward
DeRoche	Koetje	Richardville	Waters
Drolet	Kolb	Rivet	Wenke
Elkins	Kooiman	Robertson	Whitmer
Emmons	LaJoy	Rocca	Williams
Farhat	LaSata	Sak	Wojno
Farrah	Law	Shackleton	Woodward
Gaffney	Lipsey	Shaffer	Woronchak
Garfield	Meisner	Sheen	Zelenko
Gielegem	Meyer	Sheltrown	

### Nays—0

In The Chair: Julian

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.

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The Speaker Pro Tempore called Associate Speaker Pro Tempore Vander Veen to the Chair.

The Speaker laid before the House

#### House Bill No. 6005, entitled

A bill to amend 1895 PA 3, entitled "The general law village act," by amending sections 1 and 5 of chapter II and section 1 of chapter III (MCL 62.1, 62.5, and 63.1), as amended by 2003 PA 305.

(The bill was received from the Senate on July 6, with an amendment, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 64, p. 1651.)

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

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

#### Roll Call No. 692

#### Yeas—101

Accavitti	Gillard	Meyer	Sheen
Acciavatti	Gleason	Middaugh	Shulman
Adamini	Hager	Milosch	Smith
Amos	Hardman	Minore	Spade
Anderson	Hart	Moolenaar	Stahl
Bieda	Hood	Mortimer	Stakoe
Bisbee	Hoogendyk	Murphy	Steil

Bradstreet	Hopgood	Newell	Stewart
Brandenburg	Howell	Nitz	Tabor
Brown	Huizenga	Nofs	Taub
Byrum	Hummel	O'Neil	Tobocman
Casperson	Hune	Palmer	Vagnozzi
Caswell	Hunter	Palsrok	Van Regenmorter
Caul	Jamnick	Pappageorge	Vander Veen
Clack	Johnson, Rick	Pastor	Voorhees
Condino	Johnson, Ruth	Phillips	Walker
Dennis	Julian	Pumford	Ward
DeRoche	Koetje	Reeves	Waters
Drolet	Kolb	Richardville	Wenke
Elkins	Kooiman	Rivet	Whitmer
Emmons	LaJoy	Robertson	Williams
Farhat	LaSata	Rocca	Wojno
Farrah	Law	Sak	Woodward
Gaffney	Lipsey	Shackleton	Woronchak
Garfield	Meisner	Shaffer	Zelenko
Gielegghem			

### Nays—1

Sheltrown

In The Chair: Vander Veen

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.

Rep. Waters moved that Rep. Stallworth be excused temporarily from today's session.  
The motion prevailed.

The Speaker laid before the House

#### **Senate Bill No. 1228, entitled**

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts," by amending sections 5 and 9a (MCL 722.115 and 722.119a), section 5 as amended by 1998 PA 519 and section 9a as added by 1980 PA 232.

(The bill was received from the Senate on July 6, with an amendment to the House substitute (H-1) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 64, p. 1600.)

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

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

### Roll Call No. 693

### Yeas—102

Accavitti	Gillard	Middaugh	Sheltrown
Acciavatti	Gleason	Milosch	Shulman
Adamini	Hager	Minore	Smith
Amos	Hardman	Moolenaar	Spade

Anderson	Hart	Mortimer	Stahl
Bieda	Hood	Murphy	Stakoe
Bisbee	Hoogendyk	Newell	Steil
Bradstreet	Hopgood	Nitz	Stewart
Brandenburg	Howell	Nofs	Tabor
Brown	Huizenga	O'Neil	Taub
Byrum	Hummel	Palmer	Tobocman
Casperson	Hune	Palsrok	Vagnozzi
Caswell	Hunter	Pappageorge	Van Regenmorter
Caul	Jamnick	Pastor	Vander Veen
Clack	Johnson, Rick	Phillips	Voorhees
Condino	Johnson, Ruth	Pumford	Walker
Dennis	Julian	Reeves	Ward
DeRoche	Koetje	Richardville	Waters
Drolet	Kolb	Rivet	Wenke
Elkins	Kooiman	Robertson	Whitmer
Emmons	LaJoy	Rocca	Williams
Farhat	LaSata	Sak	Wojno
Farrah	Law	Shackleton	Woodward
Gaffney	Lipsey	Shaffer	Woronchak
Garfield	Meisner	Sheen	Zelenko
Gielegghem	Meyer		

### Nays—0

In The Chair: Vander Veen

### Third Reading of Bills

#### House Bill No. 5417, entitled

A bill to amend 1939 PA 280, entitled “The social welfare act,” by repealing section 14i (MCL 400.14i).  
(The bill was read a third time and postponed temporarily on June 30, see House Journal No. 62, p. 1575.)  
The question being on the passage of the bill,

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

### Second Reading of Bills

#### House Bill No. 5417, entitled

A bill to amend 1939 PA 280, entitled “The social welfare act,” by repealing section 14i (MCL 400.14i).  
Rep. Clack moved to reconsider the vote by which the House did not adopt the amendment offered previously by Rep. Clack.  
The motion prevailed, a majority of the members present voting therefor.

Rep. Clack moved to amend the bill as follows:

1. Amend page 1, line 2, after “MCL 400.14i,” by striking out “is repealed” and inserting “shall not apply after December 31, 2005”.

The question being on the adoption of the amendment offered previously by Rep. Clack,  
The amendment was adopted, a majority of the members serving voting therefor.

Rep. Clack moved that the bill be placed on the order of Third Reading of Bills.  
The motion prevailed.

Rep. Richardville 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. 5417, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," by repealing section 14i (MCL 400.14i).

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. 694**

**Yeas—102**

Accavitti	Gillard	Middaugh	Sheltrown
Acciavatti	Gleason	Milosch	Shulman
Adamini	Hager	Minore	Smith
Amos	Hardman	Moolenaar	Spade
Anderson	Hart	Mortimer	Stahl
Bieda	Hood	Murphy	Stakoe
Bisbee	Hoogendyk	Newell	Steil
Bradstreet	Hopgood	Nitz	Stewart
Brandenburg	Howell	Nofs	Tabor
Brown	Huizenga	O'Neil	Taub
Byrum	Hummel	Palmer	Tobocman
Casperson	Hune	Palsrok	Vagnozzi
Caswell	Hunter	Pappageorge	Van Regenmorter
Caul	Jamnick	Pastor	Vander Veen
Clack	Johnson, Rick	Phillips	Voorhees
Condino	Johnson, Ruth	Pumford	Walker
Dennis	Julian	Reeves	Ward
DeRoche	Koetje	Richardville	Waters
Drolet	Kolb	Rivet	Wenke
Elkins	Kooiman	Robertson	Whitmer
Emmons	LaJoy	Rocca	Williams
Farhat	LaSata	Sak	Wojno
Farrah	Law	Shackleton	Woodward
Gaffney	Lipsey	Shaffer	Woronchak
Garfield	Meisner	Sheen	Zelenko
Gielegem	Meyer		

**Nays—0**

In The Chair: Vander Veen

The House agreed to the title of the bill.

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

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

**Senate Bill No. 1051, entitled**

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending sections 1105, 2114, 2301, 2714, 2902, 3715, 3803, 3917, 3918, 3920, 3923, 7303, 7307, 7406, and 7408 (MCL 700.1105, 700.2114, 700.2301, 700.2714, 700.2902, 700.3715, 700.3803, 700.3917, 700.3918, 700.3920, 700.3923, 700.7303, 700.7307, 700.7406, and 700.7408), sections 1105, 2114, 3917, and 7303 as amended by 2000 PA 54, and by adding section 7410.

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

**Roll Call No. 695****Yeas—101**

Accavitti	Gillard	Meyer	Sheltrown
Acciavatti	Gleason	Middaugh	Shulman
Adamini	Hager	Milosch	Smith
Amos	Hardman	Minore	Spade
Anderson	Hart	Moolenaar	Stahl
Bieda	Hood	Mortimer	Stakoe
Bisbee	Hoogendyk	Murphy	Steil
Bradstreet	Hopgood	Newell	Stewart
Brandenburg	Howell	Nitz	Tabor
Brown	Huizenga	Nofs	Taub
Byrum	Hummel	O'Neil	Tobocman
Casperson	Hune	Palmer	Vagnozzi
Caswell	Hunter	Palsrok	Van Regenmorter
Caul	Jamnick	Pappageorge	Vander Veen
Clack	Johnson, Rick	Pastor	Voorhees
Condino	Johnson, Ruth	Phillips	Walker
Dennis	Julian	Pumford	Ward
DeRoche	Koetje	Richardville	Waters
Drolet	Kolb	Rivet	Wenke
Elkins	Kooiman	Robertson	Whitmer
Emmons	LaJoy	Rocca	Williams
Farhat	LaSata	Sak	Wojno
Farrah	Law	Shackleton	Woodward
Gaffney	Lipsey	Shaffer	Woronchak
Garfield	Meisner	Sheen	Zelenko
Gielegem			

**Nays—0**

In The Chair: Vander Veen

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

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

A bill to amend 1998 PA 386, entitled "An act to codify, revise, consolidate, and classify aspects of the law relating to wills and intestacy, relating to the administration and distribution of estates of certain individuals, relating to trusts, and relating to the affairs of certain individuals under legal incapacity; to provide for the powers and procedures of the court that has jurisdiction over these matters; to provide for the validity and effect of certain transfers, contracts, and deposits that relate to death; to provide procedures to facilitate enforcement of certain trusts; and to repeal acts and parts of acts," by amending sections 1105, 2114, 2301, 2714, 2902, 2910, 3715, 3803, 3917, 3920, 3923, 7303, 7307, 7406, and 7408 (MCL 700.1105, 700.2114, 700.2301, 700.2714, 700.2902, 700.2910, 700.3715, 700.3803, 700.3917, 700.3920, 700.3923, 700.7303, 700.7307, 700.7406, and 700.7408), sections 1105, 2114, 3917, and 7303 as amended by 2000 PA 54, and by adding section 7410.

The motion prevailed.

The House agreed to the title as amended.

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

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

**Senate Bill No. 927, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 43705 (MCL 324.43705), as added by 2001 PA 50.

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

**Roll Call No. 696****Yeas—102**

Accavitti	Gillard	Middaugh	Sheltrown
Acciavatti	Gleason	Milosch	Shulman
Adamini	Hager	Minore	Smith
Amos	Hardman	Moolenaar	Spade
Anderson	Hart	Mortimer	Stahl
Bieda	Hood	Murphy	Stakoe
Bisbee	Hoogendyk	Newell	Steil
Bradstreet	Hopgood	Nitz	Stewart
Brandenburg	Howell	Nofs	Tabor
Brown	Huizenga	O'Neil	Taub
Byrum	Hummel	Palmer	Tobocman
Casperson	Hune	Palsrok	Vagnozzi
Caswell	Hunter	Pappageorge	Van Regenmorter
Caul	Jamnack	Pastor	Vander Veen
Clack	Johnson, Rick	Phillips	Voorhees
Condino	Johnson, Ruth	Pumford	Walker
Dennis	Julian	Reeves	Ward
DeRoche	Koetje	Richardville	Waters
Drolet	Kolb	Rivet	Wenke
Elkins	Kooiman	Robertson	Whitmer
Emmons	LaJoy	Rocca	Williams
Farhat	LaSata	Sak	Wojno
Farrah	Law	Shackleton	Woodward
Gaffney	Lipsey	Shaffer	Woronchak
Garfield	Meisner	Sheen	Zelenko
Gielegem	Meyer		

**Nays—0**

In The Chair: Vander Veen

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. Richardville moved that the bill be given immediate effect.

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

**House Bill No. 5971, entitled**

A bill to amend 1964 PA 170, entitled “An act to make uniform the liability of municipal corporations, political subdivisions, and the state, its agencies and departments, officers, employees, and volunteers thereof, and members of certain boards, councils, and task forces when engaged in the exercise or discharge of a governmental function, for injuries to property and persons; to define and limit this liability; to define and limit the liability of the state when engaged in a proprietary function; to authorize the purchase of liability insurance to protect against loss arising out of this liability; to provide for defending certain claims made against public officers, employees, and volunteers and for paying damages sought or awarded against them; to provide for the legal defense of public officers, employees, and volunteers; to provide for reimbursement of public officers and employees for certain legal expenses; and to repeal acts and parts of acts,” by amending sections 1 and 7 (MCL 691.1401 and 691.1407), section 1 as amended by 2001 PA 131 and section 7 as amended by 2000 PA 318.

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



**Roll Call No. 697****Yeas—102**

Accavitti	Gillard	Middaugh	Sheltrown
Acciavatti	Gleason	Milosch	Shulman
Adamini	Hager	Minore	Smith
Amos	Hardman	Moolenaar	Spade
Anderson	Hart	Mortimer	Stahl
Bieda	Hood	Murphy	Stakoe
Bisbee	Hoogendyk	Newell	Steil
Bradstreet	Hopgood	Nitz	Stewart
Brandenburg	Howell	Nofs	Tabor
Brown	Huizenga	O'Neil	Taub
Byrum	Hummel	Palmer	Tobocman
Casperson	Hune	Palsrok	Vagnozzi
Caswell	Hunter	Pappageorge	Van Regenmorter
Caul	Jamnick	Pastor	Vander Veen
Clack	Johnson, Rick	Phillips	Voorhees
Condino	Johnson, Ruth	Pumford	Walker
Dennis	Julian	Reeves	Ward
DeRoche	Koetje	Richardville	Waters
Drolet	Kolb	Rivet	Wenke
Elkins	Kooiman	Robertson	Whitmer
Emmons	LaJoy	Rocca	Williams
Farhat	LaSata	Sak	Wojno
Farrah	Law	Shackleton	Woodward
Gaffney	Lipsey	Shaffer	Woronchak
Garfield	Meisner	Sheen	Zelenko
Gielegem	Meyer		

**Nays—0**

In The Chair: Vander Veen

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

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

A bill to amend 1964 PA 170, entitled "An act to make uniform the liability of municipal corporations, political subdivisions, and the state, its agencies and departments, officers, employees, and volunteers thereof, and members of certain boards, councils, and task forces when engaged in the exercise or discharge of a governmental function, for injuries to property and persons; to define and limit this liability; to define and limit the liability of the state when engaged in a proprietary function; to authorize the purchase of liability insurance to protect against loss arising out of this liability; to provide for defending certain claims made against public officers, employees, and volunteers and for paying damages sought or awarded against them; to provide for the legal defense of public officers, employees, and volunteers; to provide for reimbursement of public officers and employees for certain legal expenses; and to repeal acts and parts of acts," by amending section 7 (MCL 691.1407), as amended by 2000 PA 318.

The motion prevailed.

The House agreed to the title as amended.

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

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

**House Bill No. 6061, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 759a (MCL 168.759a), as amended by 1999 PA 216; 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. 698****Yeas—102**

Accavitti	Gillard	Middaugh	Sheltrown
Acciavatti	Gleason	Milosch	Shulman
Adamini	Hager	Minore	Smith
Amos	Hardman	Moolenaar	Spade
Anderson	Hart	Mortimer	Stahl
Bieda	Hood	Murphy	Stakoe
Bisbee	Hoogendyk	Newell	Steil
Bradstreet	Hopgood	Nitz	Stewart
Brandenburg	Howell	Nofs	Tabor
Brown	Huizenga	O'Neil	Taub
Byrum	Hummel	Palmer	Tobocman
Casperson	Hune	Palsrok	Vagnozzi
Caswell	Hunter	Pappageorge	Van Regenmorter
Caul	Jamnick	Pastor	Vander Veen
Clack	Johnson, Rick	Phillips	Voorhees
Condino	Johnson, Ruth	Pumford	Walker
Dennis	Julian	Reeves	Ward
DeRoche	Koetje	Richardville	Waters
Drolet	Kolb	Rivet	Wenke
Elkins	Kooiman	Robertson	Whitmer
Emmons	LaJoy	Rocca	Williams
Farhat	LaSata	Sak	Wojno
Farrah	Law	Shackleton	Woodward
Gaffney	Lipsey	Shaffer	Woronchak
Garfield	Meisner	Sheen	Zelenko
Gielegem	Meyer		

**Nays—0**

In The Chair: Vander Veen

The House agreed to the title of the bill.

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

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

**House Bill No. 6028, entitled**

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

The bill was read a third time.

The question being on the passage of the bill,

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

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

The question being on the passage of the bill,

Rep. Jamnick moved to amend the bill as follows:

1. Amend page 2, line 4, after "**the**" by striking out "**provision in** section 759" and inserting "**provisions in subsections (5) and (6)**".

2. Amend page 2, line 14, by striking out "section 759b" and inserting "**this section**".

3. Amend page 5, following line 23, by inserting:

**"(5) Any time during the 75 days before a primary election or special primary election, but not later than 2 p.m. of the Saturday immediately before the primary election or special primary election, an elector who wants to vote as an absent voter may apply for an absent voter ballot. The elector shall apply in person or by mail with**

the clerk of the city, township, or village in which the elector is registered. An application received before a primary election or special primary election may be either for that primary election only or for that primary election and the election that follows.

(6) Except as otherwise provided in subsection (5), at any time during the 75 days before an election, but not later than 2 p.m. of the Saturday before the election, an elector who wants to vote as an absent voter may apply for an absent voter ballot. The elector shall apply in person or by mail with the clerk of the city, township, or village in which the voter is registered.

(7) An application for an absent voter ballot under subsection (5) or (6) may be made in any of the following ways:

(a) By a written request signed by the elector.

(b) On an absent voter ballot application form provided for that purpose by the clerk of the city, township, or village.

(c) On a federal postcard application.

(8) An applicant for an absent voter ballot shall sign the application. A clerk or assistant clerk shall not deliver an absent voter ballot to an applicant who does not sign the application. Other than the applicant; a member of the applicant's immediate family; a person residing in the applicant's household; a person whose job normally includes the handling of mail, but only during the course of his or her employment; a registered elector requested by the applicant; or a clerk, assistant of the clerk, or other authorized election official, a person shall not be in possession of a signed absent voter ballot application. A registered elector who is requested by the applicant to return his or her absent voter ballot application shall sign the certificate on the absent voter ballot application.

(9) The clerk of the city, township, or village shall have absent voter ballot application forms available in the office of the clerk at all times and shall furnish an absent voter ballot application form to anyone upon a verbal or written request. The absent voter ballot application shall be in substantially the following form:

“Application for absent voter ballot for:

[ ] The primary election or special primary election to be held on \_\_\_\_\_ [date].

[ ] The election to be held on \_\_\_\_\_ [date].

(Check applicable election or elections)

I, \_\_\_\_\_, a qualified and registered elector of the \_\_\_\_\_ precinct of the township of \_\_\_\_\_ or village of \_\_\_\_\_ or of the \_\_\_\_\_ ward of the city of \_\_\_\_\_, in the county of \_\_\_\_\_ and state of Michigan, apply for an official ballot, or ballots, to be voted by me at the election or elections as requested in this application.

Send absent voter ballot to me at:

\_\_\_\_\_

(Street No. or R.R.)

\_\_\_\_\_

(Post Office) (State) (Zip Code)

My registered address \_\_\_\_\_

(Street No. or R.R.)

\_\_\_\_\_

(Post Office) (State) (Zip Code)

Date \_\_\_\_\_

I certify that the statements in this absent voter ballot application are true.

\_\_\_\_\_

(Signature)

**WARNING**

A person making a materially false statement in this absent voter ballot application is guilty of a misdemeanor. It is a violation of Michigan election law for a person other than those listed in the instructions to return, offer to return, agree to return, or solicit to return your absent voter ballot application to the clerk. An assistant authorized by the clerk who receives absent voter ballot applications at a location other than the office of the clerk must have credentials signed by the clerk. Ask to see his or her credentials before entrusting your application to a person claiming to have the clerk's authorization to return your application.

**Certificate of Authorized Registered  
Elector Returning Absent Voter  
Ballot Application**

I certify that my name is \_\_\_\_\_, my address is \_\_\_\_\_, and my date of birth is \_\_\_\_\_; that I am delivering the absent voter ballot application of \_\_\_\_\_ at his or her request; that I did not solicit or request to return the application; that I have not made any markings on the application; that I have not

altered the application in any way; that I have not influenced the applicant; and that I am aware that a materially false statement in this certificate is a violation of Michigan election law.

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Signature)"

(10) The following instructions for an applicant for an absent voter ballot shall be included with each application furnished an applicant:

**INSTRUCTIONS FOR APPLICANTS FOR ABSENT VOTER BALLOTS**

**Step 1. After completely filling out the application, sign and date the application in the place designated. Your signature must appear on the application or you will not receive an absent voter ballot.**

**Step 2. Deliver the application by 1 of the following methods:**

(a) Place the application in an envelope addressed to the appropriate clerk and place the necessary postage upon the return envelope and deposit it in the United States mail or with another public postal service, express mail service, parcel post service, or common carrier.

(b) Deliver the application personally to the office of the clerk, to the clerk, or to an authorized assistant of the clerk.

(c) In either (a) or (b), a member of the immediate family of the voter including a father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandparent, or grandchild or a person residing in the voter's household may mail or deliver the application to the clerk for the applicant.

(d) If an applicant cannot return the application in any of the above methods, the applicant may select any registered elector to return the application. The person returning the application must sign and return the certificate at the bottom of the application.

(11) A person who prints and distributes absent voter ballot applications shall print on the application the warning, certificate of authorized registered elector returning absent voter ballot application, and instructions required under subsections (9) and (10).

(12) A person who makes a materially false statement in an absent voter ballot application is guilty of a misdemeanor. A person who forges a signature on an absent voter ballot application is guilty of a felony. A person who is not authorized in this act and who both distributes absent voter ballot applications to absent voters and returns those absent voter ballot applications to a clerk or assistant of the clerk is guilty of a misdemeanor.

(13) Notwithstanding subsections (5) and (6), a registered elector may apply for an absent voter ballot at any time before 4 p.m. on election day if an event has occurred at a time that made it impossible to apply for absent voter ballots by the statutory deadline provided by this section. The application shall be called an emergency absent voter ballot application.

(14) Emergency absent voter ballot applications under subsection (13) may be made by letter or on a form prescribed by the secretary of state, approved by the board of state canvassers, and provided by the clerk. The application shall set forth that the voter is qualified to vote in the election and that an event occurred at such a time to make it impossible to file an application for an absent voter ballot by the statutory deadline provided by this section. The secretary of state shall prescribe a standard emergency absent voter ballot application form, subject to approval by the board of state canvassers, including the size of the form and the color of paper upon which the form is printed.

(15) A person intentionally making a materially false statement in an emergency absent voter ballot application under subsection (13) is guilty of a felony. A person aiding or abetting another person to make a materially false statement in an emergency absent voter ballot application is guilty of a felony.

(16) Upon receipt by the clerk of a valid application for an emergency absent voter ballot under subsection (13), the clerk may deliver the absent voter ballot to the applicant in person, through a deputy or an election assistant, or at his or her office to a person named by the applicant in the emergency absent voter ballot application. The absent voter may return the absent voter ballot to the clerk in any manner. However, to be valid, the absent voter shall return the absent voter ballot to the clerk in the sealed envelope provided for that purpose and in time to be delivered to the polls before 8 p.m. on election day.

(17) As used in this act, "absent voter" means a qualified and registered elector who votes without attending the polls on the day of an election. Absent voter does not include a person who has moved outside of this state, regardless of the length of his or her residence outside of this state, and who no longer maintains an actual residence in this state. The storage of personal effects or household goods, the ownership of property that is rented or leased to others, or occasional brief visits to a former domicile in this state while residing outside of this state for most of the year does not constitute a residence for voting purposes in this state, except for each of the following:

(a) A person described in section 1 of article II of the state constitution of 1963 and statutes enacted under that section.

(b) A person described in section 759a.

Enacting section 1. Sections 758, 759, and 759b of the Michigan election law, 1954 PA 116, MCL 168.758, 168.759, and 168.759b, are repealed.” and renumbering the remaining enacting section.

The question being on the seconding of the motion made by Rep. Jamnick,  
The motion was not seconded.

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. 699****Yeas—100**

Accavitti	Gillard	Meyer	Sheltrown
Acciavatti	Gleason	Middaugh	Shulman
Adamini	Hager	Milosch	Smith
Amos	Hardman	Minore	Spade
Anderson	Hart	Moolenaar	Stahl
Bieda	Hood	Mortimer	Stakoe
Bisbee	Hoogendyk	Murphy	Steil
Bradstreet	Hopgood	Newell	Stewart
Brandenburg	Howell	Nitz	Tabor
Brown	Huizenga	Nofs	Taub
Byrum	Hummel	O’Neil	Tobocman
Casperson	Hune	Palmer	Vagnozzi
Caswell	Hunter	Palsrok	Van Regenmorter
Caul	Jamnick	Pappageorge	Vander Veen
Clack	Johnson, Rick	Pastor	Voorhees
Condino	Johnson, Ruth	Phillips	Walker
DeRoche	Julian	Pumford	Ward
Drolet	Koetje	Reeves	Waters
Elkins	Kolb	Richardville	Wenke
Emmons	Kooiman	Robertson	Whitmer
Farhat	LaJoy	Rocca	Williams
Farrah	LaSata	Sak	Wojno
Gaffney	Law	Shackleton	Woodward
Garfield	Lipsey	Shaffer	Woronchak
Gielegem	Meisner	Sheen	Zelenko

**Nays—0**

In The Chair: Vander Veen

The House agreed to the title of the bill.

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

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

The Speaker Pro Tempore resumed the Chair.

**Second Reading of Bills****House Bill No. 5906, entitled**

A bill to allow governing boards of certain public bodies to create law enforcement agencies and grant certain powers and authority to law enforcement officers employed by those agencies; to require those law enforcement officers to meet certain standards; to prescribe certain powers and duties of those law enforcement agencies; to provide

for certain powers of public bodies; and to provide for certain powers and duties of state and local agencies and officers.

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

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

Rep. Van Regenmorter moved to amend the bill as follows:

1. Amend page 1, line 3, after "act" by striking out the comma and "public" and inserting a colon and:

"(a) "Governing entity" means either of the following, as applicable:

(i) For any public body except a public body described in subparagraph (ii), the governing board of the public body.

(ii) In the case of a public body that is a qualifying school district under part 5a of the revised school code, 1976 PA 451, MCL 380.371 to 380.376, the chief executive officer of the school district, subject to the concurrence of the school reform board of the school district.

(b) "Public".

2. Amend page 1, line 5, by striking out "(a)" and inserting "(i)".

3. Amend page 2, line 4, by striking out "(b)" and inserting "(ii)".

4. Amend page 2, line 9, after "governing" by striking out "board" and inserting "entity".

5. Amend page 2, line 23, after "governing" by striking out "board" and inserting "entity".

6. Amend page 3, line 10, by striking out "board" and inserting "entity".

7. Amend page 3, line 12, after "governing" by striking out "board" and inserting "entity".

8. Amend page 3, line 19, after "governing" by striking out "board" and inserting "entity".

9. Amend page 4, line 3, after "address" by striking out "grievances" and inserting "public complaints".

10. Amend page 8, line 2, after "officers" by inserting "or through deputization by a county sheriff".

11. Amend page 8, line 3, after "governing" by striking out "board" and inserting "entity".

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

Rep. Van Regenmorter moved to amend the bill as follows:

1. Amend page 2, line 24, after "attorney" by striking out "and the sheriff".

2. Amend page 3, line 2, after "village." by inserting "If the property of the public body is not located entirely within 1 city, township, or village, the public body also shall obtain the approval of the sheriff of each county within which the public body owns, maintains, or controls property."

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

Rep. Van Regenmorter moved to amend the bill as follows:

1. Amend page 4, line 23, after "sheriff" by inserting "or chief of police".

2. Amend page 5, line 18, after "sheriff," by striking out "and" and inserting "or".

3. Amend page 5, line 22, after "sheriffs," by striking out "and" and inserting "or".

4. Amend page 5, line 27, after "sheriffs" by inserting "or chiefs of police".

5. Amend page 6, line 2, after "sheriff" by inserting "or chief of police".

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

Reps. Van Regenmorter and Hunter moved to amend the bill as follows:

1. Amend page 8, line 16, after "agencies." by inserting "If the public law enforcement agency is a qualifying school district under Section 2(b)(ii), the memorandum of understanding shall also establish jurisdiction of the public law enforcement agency."

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

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

The motion prevailed.

Rep. Richardville 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. 5906, entitled**

A bill to allow governing boards of certain public bodies to create law enforcement agencies and grant certain powers and authority to law enforcement officers employed by those agencies; to require those law enforcement officers to meet certain standards; to prescribe certain powers and duties of those law enforcement agencies; to provide for certain powers of public bodies; and to provide for certain powers and duties of state and local agencies and officers.

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

**Roll Call No. 700****Yeas—85**

Accavitti	Hardman	Middaugh	Sheltrown
Acciavatti	Hart	Milosch	Shulman
Adamini	Hood	Moolenaar	Smith
Amos	Hoogendyk	Mortimer	Spade
Bieda	Howell	Newell	Stahl
Bisbee	Huizenga	Nitz	Stakoe
Bradstreet	Hummel	Nofs	Steil
Brandenburg	Hune	Palmer	Stewart
Brown	Hunter	Palsrok	Tabor
Casperson	Johnson, Rick	Pappageorge	Taub
Caswell	Johnson, Ruth	Pastor	Tobocman
Caul	Julian	Phillips	Van Regenmorter
Condino	Koetje	Pumford	Vander Veen
DeRoche	Kolb	Reeves	Voorhees
Drolet	Kooiman	Richardville	Walker
Elkins	LaJoy	Robertson	Ward
Emmons	LaSata	Rocca	Waters
Farhat	Law	Sak	Wenke
Gaffney	Lipsey	Shackleton	Wojno
Gielegghem	Meisner	Shaffer	Woodward
Gillard	Meyer	Sheen	Woronchak
Hager			

**Nays—16**

Anderson	Farrah	Jamnick	Vagnozzi
Byrum	Garfield	Minore	Whitmer
Clack	Gleason	Murphy	Williams
Dennis	Hopgood	O'Neil	Zelenko

In The Chair: Julian

The House agreed to the title of the bill.

Rep. Richardville 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. 5907, entitled**

A bill to amend 1965 PA 203, entitled "Commission on law enforcement standards act," by amending sections 2 and 9 (MCL 28.602 and 28.609), section 2 as amended by 2001 PA 186 and section 9 as amended by 1998 PA 237.

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

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

Rep. Van Regenmorter moved to amend the bill as follows:

1. Amend page 3, line 24, after "(iii)" by inserting "The sergeant at arms or any assistant sergeant at arms of either house of the legislature who is commissioned as a police officer by that respective house of the legislature as provided by the legislative sergeant at arms police powers act, **2001 PA 185, MCL 4.381 to 4.382.**".

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

Rep. Meisner moved to amend the bill as follows:

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

“(vi) **A fire arson investigator from a fire department within a city with a population of not less than 750,000 who is sworn and fully empowered by the city chief of police.**”

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

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

The motion prevailed.

Rep. Richardville 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. 5907, entitled**

A bill to amend 1965 PA 203, entitled “Commission on law enforcement standards act,” by amending sections 2 and 9 (MCL 28.602 and 28.609), section 2 as amended by 2001 PA 186 and section 9 as amended by 1998 PA 237.

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

**Roll Call No. 701**

**Yeas—86**

Accavitti	Hager	Middaugh	Shulman
Acciavatti	Hardman	Milosch	Smith
Adamini	Hart	Moolenaar	Spade
Amos	Hood	Mortimer	Stahl
Bieda	Hoogendyk	Newell	Stakoe
Bisbee	Howell	Nitz	Steil
Bradstreet	Huizenga	Nofs	Stewart
Brandenburg	Hummel	Palmer	Tabor
Brown	Hune	Palsrok	Taub
Casperson	Hunter	Pappageorge	Tobocman
Caswell	Johnson, Rick	Pastor	Vagnozzi
Caul	Johnson, Ruth	Pumford	Van Regenmorter
Condino	Julian	Reeves	Vander Veen
DeRoche	Koetje	Richardville	Voorhees
Drolet	Kolb	Robertson	Walker
Elkins	Kooiman	Rocca	Ward
Emmons	LaJoy	Sak	Waters
Farhat	LaSata	Shackleton	Wenke
Gaffney	Law	Shaffer	Wojno
Garfield	Lipsey	Sheen	Woodward
Gielegem	Meisner	Sheltrown	Woronchak
Gillard	Meyer		

**Nays—15**

Anderson	Farrah	Minore	Whitmer
Byrum	Gleason	Murphy	Williams
Clack	Hopgood	O’Neil	Zelenko
Dennis	Jamnick	Phillips	

In The Chair: Julian



The House agreed to the title of the bill.  
 Rep. Richardville 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. 1001, entitled**

A bill to amend 1937 PA 94, entitled "Use tax act," (MCL 205.91 to 205.111) by adding section 4y.  
 The bill was read a second time.

Rep. Richardville moved that the bill be placed on the order of Third Reading of Bills.  
 The motion prevailed.

Rep. Richardville 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. 1001, entitled**

A bill to amend 1937 PA 94, entitled "Use tax act," (MCL 205.91 to 205.111) by adding section 4y.  
 Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 702**

**Yeas—101**

Accavitti	Gillard	Meyer	Sheltrown
Acciavatti	Gleason	Middaugh	Shulman
Adamini	Hager	Milosch	Smith
Amos	Hardman	Minore	Spade
Anderson	Hart	Moolenaar	Stahl
Bieda	Hood	Mortimer	Stakoe
Bisbee	Hoogendyk	Murphy	Steil
Bradstreet	Hopgood	Newell	Stewart
Brandenburg	Howell	Nitz	Tabor
Brown	Huizenga	Nofs	Taub
Byrum	Hummel	O'Neil	Tobocman
Casperson	Hune	Palmer	Vagnozzi
Caswell	Hunter	Palsrok	Van Regenmorter
Caul	Jamnack	Pappageorge	Vander Veen
Clack	Johnson, Rick	Pastor	Voorhees
Condino	Johnson, Ruth	Phillips	Walker
Dennis	Julian	Pumford	Ward
DeRoche	Koetje	Reeves	Waters
Drolet	Kolb	Richardville	Wenke
Elkins	Kooiman	Robertson	Whitmer
Emmons	LaJoy	Rocca	Williams
Farhat	LaSata	Sak	Wojno
Farrah	Law	Shackleton	Woodward
Gaffney	Lipsey	Shaffer	Woronchak
Garfield	Meisner	Sheen	Zelenko
Gielegem			

**Nays—0**

In The Chair: Julian

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

“An act to provide for the levy, assessment and collection of a specific excise tax on the storage, use or consumption in this state of tangible personal property and certain services; to appropriate the proceeds thereof; and to prescribe penalties for violations of the provisions of this act,”

The House agreed to the full title.

Rep. Richardville 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. 1003, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” (MCL 206.1 to 206.532) by adding section 269. The bill was read a second time.

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

The motion prevailed.

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

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

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Rep. Sheltroun moved that Rep. Rivet be excused temporarily from today’s session. The motion prevailed.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### Senate Bill No. 1003, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” (MCL 206.1 to 206.532) by adding section 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. 703

#### Yeas—101

Accavitti	Gillard	Meyer	Sheltroun
Acciavatti	Gleason	Middaugh	Shulman
Adamini	Hager	Milosch	Smith
Amos	Hardman	Minore	Spade
Anderson	Hart	Moolenaar	Stahl
Bieda	Hood	Mortimer	Stakoe
Bisbee	Hoogendyk	Murphy	Steil
Bradstreet	Hopgood	Newell	Stewart
Brandenburg	Howell	Nitz	Tabor
Brown	Huizenga	Nofs	Taub
Byrum	Hummel	O’Neil	Tobocman
Casperson	Hune	Palmer	Vagnozzi
Caswell	Hunter	Palsrok	Van Regenmorter
Caul	Jamnick	Pappageorge	Vander Veen
Clack	Johnson, Rick	Pastor	Voorhees
Condino	Johnson, Ruth	Phillips	Walker
Dennis	Julian	Pumford	Ward
DeRoche	Koetje	Reeves	Waters
Drolet	Kolb	Richardville	Wenke
Elkins	Kooiman	Robertson	Whitmer

Emmons  
Farhat  
Farrah  
Gaffney  
Garfield  
Gielegthem

LaJoy  
LaSata  
Law  
Lipsey  
Meisner

Rocca  
Sak  
Shackleton  
Shaffer  
Sheen

Williams  
Wojno  
Woodward  
Woronchak  
Zelenko

### Nays—0

In The Chair: Julian

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. Richardville 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. 1297, entitled

A bill to authorize the state administrative board to convey certain parcels of state owned property in various counties; to prescribe conditions for the conveyances; to provide for the disposal of certain buildings; to provide for certain powers and duties of certain state departments in regard to the parcels of property; 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 amendments previously recommended by the Committee on Regulatory Reform (for amendments, see House Journal No. 64, p. 1644),

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

Rep. Rocca moved to amend the bill as follows:

1. Amend page 4, line 26, after “provide” by striking out the balance of the line through “The” on line 3 of page 5 and inserting “that the”.

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

Rep. Rick Johnson moved to amend the bill as follows:

1. Amend page 17, following line 2, following section 5, by inserting:

“Sec. 6. (1) The department of natural resources, on behalf of the state, may convey to Osceola county, for consideration of \$1.00, certain property under the jurisdiction of the department of natural resources and located in Rose Lake township, Osceola county, Michigan, commonly known as Sunrise Lake park, and further described as follows:

A parcel of land located in Section 24, T19N, R9W, Rose Lake Township, Osceola county, containing 72.4 acres, more or less.

(2) The description of the property in subsection (1) is approximate and for purposes of the conveyance is subject to adjustments as the state administrative board or the attorney general considers necessary by survey or other legal description.

(3) The conveyance authorized by this section shall provide for all of the following:

(a) The property shall be used exclusively for public recreational purposes and if any fee, term, or condition for the use of the property is imposed on members of the public, or if any of those fees, terms, or conditions are waived for use of this property, resident and nonresident members of the public shall be subject to the same fees, terms, conditions, and waivers.

(b) Upon termination of the use described in subdivision (a) or use for any other purpose, the state may reenter and repossess the property, terminating the grantee's estate in the property.

(c) If the grantee disputes the state's exercise of its right of reentry and fails to promptly deliver possession of the property to the state, the attorney general, on behalf of the state, may bring an action to quiet title to, and regain possession of, the property.

(4) The conveyance authorized by this section shall be by quitclaim deed approved by the attorney general and shall reserve mineral rights to the state.

(5) The revenue received under this section shall be deposited in the state treasury and credited to the general fund."

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

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

The motion prevailed.

Rep. Richardville 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. 1297, entitled

A bill to authorize the state administrative board to convey certain parcels of state owned property in various counties; to prescribe conditions for the conveyances; to provide for the disposal of certain buildings; to provide for certain powers and duties of certain state departments in regard to the parcels of property; 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. 704

#### Yeas—100

Accavitti	Gielegem	Meisner	Sheltrown
Acciavatti	Gillard	Meyer	Shulman
Adamini	Gleason	Middaugh	Smith
Amos	Hager	Milosch	Spade
Anderson	Hardman	Minore	Stahl
Bieda	Hart	Moolenaar	Stakoe
Bisbee	Hood	Mortimer	Steil
Bradstreet	Hoogendyk	Murphy	Stewart
Brandenburg	Hopgood	Newell	Tabor
Brown	Howell	Nitz	Taub
Byrum	Huizenga	Nofs	Tobocman
Casperson	Hummel	O'Neil	Vagnozzi
Caswell	Hune	Palmer	Van Regenmorter
Caul	Hunter	Palsrok	Vander Veen
Clack	Jamnick	Pappageorge	Voorhees
Condino	Johnson, Rick	Pastor	Walker
Dennis	Johnson, Ruth	Phillips	Ward
DeRoche	Julian	Pumford	Waters
Drolet	Koetje	Richardville	Wenke
Elkins	Kolb	Robertson	Whitmer
Emmons	Kooiman	Rocca	Williams
Farhat	LaJoy	Sak	Wojno
Farrah	LaSata	Shackleton	Woodward
Gaffney	Law	Shaffer	Woronchak
Garfield	Lipsey	Sheen	Zelenko

#### Nays—0

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

### Second Reading of Bills

Rep. Richardville moved that Rule 48 be suspended.  
The motion prevailed, 3/5 of the members present voting therefor.

#### House Bill No. 6074, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 21506, 21508, 21546, and 21548 (MCL 324.21506, 324.21508, 324.21546, and 324.21548), sections 21506 and 21508 as amended by 1995 PA 269 and sections 21546 and 21548 as amended by 1996 PA 181; and to repeal acts and parts of acts.

The bill was read a second time.

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

Rep. Pumford moved to amend the bill as follows:

1. Amend page 16, line 4, by striking out "**December 31, 2004**" and inserting "**September 30, 2006**".  
The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Pumford moved to amend the bill as follows:

1. Amend page 6, line 14, by striking out all of subsection 5, and inserting:

**"(5) Any unencumbered funds in the fund at the end of the fiscal year ending September 30, 2004 shall lapse to the cleanup and redevelopment fund. Any revenue collected after October 1, 2004 shall be deposited into the Michigan underground storage tank financial assurance fund. Funds can be appropriated after the advisory council established in section 21552 makes its report."**

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

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

The motion prevailed.

Rep. Richardville 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. 6074, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 21506, 21508, 21546, and 21548 (MCL 324.21506, 324.21508, 324.21546, and 324.21548), sections 21506 and 21508 as amended by 1995 PA 269 and sections 21546 and 21548 as amended by 1996 PA 181; 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. 705

#### Yeas—87

Accavitti	Hager	Meisner	Sheen
Acciavatti	Hardman	Meyer	Shulman
Adamini	Hart	Middaugh	Smith
Amos	Hood	Milosch	Spade
Anderson	Hoogendyk	Minore	Stakoe
Bieda	Hopgood	Mortimer	Stewart
Brandenburg	Howell	Murphy	Tabor

Brown	Huizenga	Newell	Taub
Byrum	Hummel	Nitz	Tobocman
Casperson	Hune	Nofs	Vagnozzi
Caul	Hunter	Palmer	Van Regenmorter
Clack	Jamnick	Palsrok	Vander Veen
Condino	Johnson, Rick	Pappageorge	Walker
Dennis	Johnson, Ruth	Pastor	Waters
DeRoche	Julian	Phillips	Wenke
Elkins	Koetje	Pumford	Whitmer
Emmons	Kolb	Richardville	Williams
Farhat	Koosman	Robertson	Wojno
Farrah	LaJoy	Rocca	Woodward
Gaffney	LaSata	Sak	Woronchak
Gielegem	Law	Shackleton	Zelenko
Gleason	Lipsey	Shaffer	

### Nays—13

Bisbee	Garfield	O'Neil	Steil
Bradstreet	Gillard	Sheltrown	Voorhees
Caswell	Moolenaar	Stahl	Ward
Drolet			

In The Chair: Julian

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

Rep. Richardville 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 20113, 21506, 21508, 21546, 21548, and 21550 (MCL 324.20113, 324.21506, 324.21508, 324.21546, 324.21548, and 324.21550), section 20113 as amended by 1996 PA 383, sections 21506 and 21508 as amended by 1995 PA 269, sections 21546 and 21548 as amended by 1996 PA 181, and section 21550 as amended by 1995 PA 252, and by adding section 21552; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

Rep. Richardville 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. 5055, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 9105, 9106, and 9112 (MCL 324.9105, 324.9106, and 324.9112), as amended by 2000 PA 504.

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

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

Rep. Ward moved to amend the bill as follows:

1. Amend page 1, line 10, after "**part**" by striking out the balance of the subsection and inserting "**may be transferred. The present and proposed permit holders shall jointly notify the appropriate county enforcing agency or municipal enforcing agency of the proposed transfer in writing prior to the transfer of the permit. The current permit holder is responsible for all violations of this part, the rules promulgated pursuant to this part, an applicable local ordinance, or the subject permit on the relevant property on which the permitted earth change is taking place or has taken place.**"

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. Richardville moved that the bill be placed on its immediate passage.

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

Rep. Minore moved that Rep. Jamnick 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. 5055, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 9105, 9106, and 9112 (MCL 324.9105, 324.9106, and 324.9112), as amended by 2000 PA 504.

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

**Roll Call No. 706**

**Yeas—99**

Accavitti	Gielegem	Meyer	Shulman
Acciavatti	Gillard	Middaugh	Smith
Adamini	Gleason	Milosch	Spade
Amos	Hager	Minore	Stahl
Anderson	Hardman	Moolenaar	Stakoe
Bieda	Hart	Mortimer	Steil
Bisbee	Hood	Murphy	Stewart
Bradstreet	Hoogendyk	Newell	Tabor
Brandenburg	Hopgood	Nitz	Taub
Brown	Howell	Nofs	Tobocman
Byrum	Huizenga	O’Neil	Vagnozzi
Casperson	Hummel	Palmer	Van Regenmorter
Caswell	Hune	Palsrok	Vander Veen
Caul	Hunter	Pappageorge	Voorhees
Clack	Johnson, Rick	Pastor	Walker
Condino	Johnson, Ruth	Phillips	Ward
Dennis	Julian	Pumford	Waters
DeRoche	Koetje	Richardville	Wenke
Drolet	Kolb	Robertson	Whitmer
Elkins	Kooiman	Rocca	Williams
Emmons	LaJoy	Sak	Wojno
Farhat	LaSata	Shackleton	Woodward
Farrah	Law	Shaffer	Woronchak
Gaffney	Lipsey	Sheen	Zelenko
Garfield	Meisner	Sheltrown	

**Nays—0**

In The Chair: Julian

The question being on agreeing to the title of the bill,  
Rep. Richardville 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 section 9112 (MCL 324.9112), as amended by 2000 PA 504.

The motion prevailed.

The House agreed to the title as amended.

Rep. Richardville 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. 6047, entitled

A bill to amend 2003 PA 226, entitled "Joint municipal planning act," by amending section 5 (MCL 125.135).

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

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.

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

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

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Rep. Hardman moved that Rep. Reeves 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

#### House Bill No. 6047, entitled

A bill to amend 2003 PA 226, entitled "Joint municipal planning act," by amending section 5 (MCL 125.135).

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

#### Roll Call No. 707

#### Yeas—95

Accavitti	Gleason	Middaugh	Smith
Acciavatti	Hager	Milosch	Spade
Adamini	Hardman	Minore	Stahl
Amos	Hart	Moolenaar	Stakoe
Anderson	Hood	Mortimer	Steil
Bieda	Hoogendyk	Murphy	Stewart
Bisbee	Hopgood	Newell	Tabor
Brandenburg	Howell	Nitz	Taub
Brown	Huizenga	Nofs	Tobocman
Byrum	Hummel	O'Neil	Vagnozzi
Casperson	Hune	Palmer	Van Regenmorter
Caswell	Hunter	Palsrok	Vander Veen
Caul	Johnson, Rick	Pappageorge	Voorhees
Clack	Johnson, Ruth	Pastor	Walker
Condino	Julian	Phillips	Ward
Dennis	Koetje	Pumford	Waters
DeRoche	Kolb	Richardville	Wenke
Elkins	Kooiman	Robertson	Whitmer
Emmons	LaJoy	Rocca	Williams
Farhat	LaSata	Sak	Wojno
Farrah	Law	Shackleton	Woodward
Gaffney	Lipsey	Shaffer	Woronchak
Gielegem	Meisner	Sheen	Zelenko
Gillard	Meyer	Shulman	



**Nays—4**

Bradstreet

Drolet

Garfield

Sheltrown

In The Chair: Julian

The House agreed to the title of the bill.

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

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

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Rep. Richardville moved that when the House adjourns today it stand adjourned until Wednesday, July 21, at 10:00 a.m.  
The motion prevailed.

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

The Committee on Judiciary, by Rep. Howell, Chair, reported

**Senate Bill No. 757, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 5475a.  
With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills and laid over one day under the rules.

## Favorable Roll Call

To Report Out:

Yeas: Reps. Howell, LaSata, Van Regenmorter, Pappageorge, Voorhees, Gaffney, Garfield, Lipsey, Adamini, Bieda, Condino and Smith

Nays: Rep. Koetje

The Committee on Judiciary, by Rep. Howell, Chair, reported

**Senate Bill No. 1244, entitled**

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," (MCL 700.1101 to 700.8102) by adding section 3619.

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 and laid over one day under the rules.

## Favorable Roll Call

To Report Out:

Yeas: Reps. Howell, LaSata, Van Regenmorter, Koetje, Pappageorge, Voorhees, Gaffney, Garfield, Lipsey, Adamini, Bieda, Condino and Smith

Nays: None

The Committee on Judiciary, by Rep. Howell, Chair, reported

**Senate Bill No. 1252, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2543 (MCL 600.2543), as amended by 1986 PA 308.

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 and laid over one day under the rules.

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Howell, LaSata, Van Regenmorter, Koetje, Pappageorge, Voorhees, Gaffney, Garfield, Lipsey, Adamini, Bieda, Condino and Smith

Nays: None

The Committee on Judiciary, by Rep. Howell, Chair, reported

**Senate Bill No. 1328, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 224a (MCL 750.224a), as amended by 2002 PA 709.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills and laid over one day under the rules.

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Howell, LaSata, Van Regenmorter, Koetje, Pappageorge, Voorhees, Gaffney, Garfield, Lipsey, Adamini, Bieda, Condino and Smith

Nays: None

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, July 14, 2004

Present: Reps. Howell, LaSata, Van Regenmorter, Koetje, Pappageorge, Voorhees, Gaffney, Garfield, Wenke, Lipsey, Adamini, Bieda, Condino and Smith

Absent: Rep. Bradstreet

Excused: Rep. Bradstreet

Rep. Koetje moved that the House adjourn.

The motion prevailed, the time being 6:45 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, July 21, at 10:00 a.m.

GARY L. RANDALL  
Clerk of the House of Representatives