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House Chamber, Lansing, Thursday, June 23, 2005.

10:30 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	Emmons—present	Leland—present	Robertson—e/d/s
Acciavatti—present	Espinoza—present	Lemmons, III—present	Rocca—present
Adamini—present	Farhat—present	Lemmons, Jr.—excused	Sak—present
Amos—present	Farrah—present	Lipsey—present	Schuitmaker—present
Anderson—present	Gaffney—present	Marleau—present	Shaffer—present
Angerer—present	Garfield—present	Mayes—present	Sheen—present
Ball—present	Gillard—present	McConico—e/d/s	Sheltrown—present
Baxter—present	Gleason—present	McDowell—present	Smith, Alma—present
Bennett—present	Gonzales—present	Meisner—present	Smith, Virgil—present
Bieda—present	Gosselin—present	Meyer—present	Spade—present
Booher—present	Green—present	Miller—present	Stahl—present
Brandenburg—present	Hansen—present	Moolenaar—present	Stakoe—present
Brown—present	Hildenbrand—present	Moore—present	Steil—present
Byrnes—present	Hood—present	Mortimer—present	Stewart—present
Byrum—present	Hoogendyk—present	Murphy—present	Taub—present
Casperson—present	Hopgood—present	Newell—present	Tobocman—present
Caswell—e/d/s	Huizenga—present	Nitz—present	Vagnozzi—present
Caul—present	Hummel—present	Nofs—present	Van Regenmorter—present
Cheeks—present	Hune—present	Palmer—present	Vander Veen—present
Clack—present	Hunter—present	Palsrok—present	Walker—present
Clemente—present	Jones—present	Pastor—present	Ward—present
Condino—present	Kahn—present	Pavlov—present	Waters—present
Cushingberry—present	Kehrl—present	Pearce—present	Wenke—present
DeRoche—present	Kolb—present	Phillips—present	Whitmer—present
Dillon—present	Kooiman—present	Plakas—present	Williams—present
Donigan—present	LaJoy—present	Polidori—present	Wojno—present
Drolet—present	Law, David—present	Proos—present	Zelenko—present
Elsenheimer—present	Law, Kathleen—present		

e/d/s = entered during session

Rep. Michael C. Murphy, from the 68th District, offered the following invocation:

“Search us O God and know our hearts. Try us and know our thoughts. Lord, lead us in Your way, everlasting. We thank You for this day, we thank You, Lord, for another day, another opportunity to serve here in the Michigan House of Representatives. We pray, Lord, that You would be with us as we deliberate, as we debate, as we discuss and as we agree. We pray, Lord, that You would just touch every member of this distinguished body. Lord, let us never forget what the prophet Michael said: that we should do justice, love mercy, and walk humbly, that the words of our mouths and let the mediations of our hearts be acceptable in Thy sight, O Lord, our strength and our redeemer. Amen.”

Rep. Miller moved that Rep. Lemmons, Jr. be excused from today’s session.
The motion prevailed.

Second Reading of Bills

House Bill No. 4588, entitled

A bill to amend 1985 PA 87, entitled “Crime victim’s rights act,” by amending sections 2, 6, 13a, 16, 16a, 18, 18a, 19, 20, 21, 31, 44, 44a, 46, 47, 61, 65, 76, 76a, 78, and 81 (MCL 780.752, 780.756, 780.763a, 780.766, 780.766a, 780.768, 780.768a, 780.769, 780.770, 780.771, 780.781, 780.794, 780.794a, 780.796, 780.797, 780.811, 780.815, 780.826, 780.826a, 780.828, and 780.831), sections 2, 6, 13a, 16, 18a, 19, 21, 31, 44, 46, 61, 65, 76, and 78 as amended by 2000 PA 503, sections 16a, 44a, and 76a as amended by 2003 PA 98, and sections 18, 47, and 81 as amended by 1996 PA 562, and by adding section 19a.

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

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

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

Senate Bill No. 136, entitled

A bill to prohibit the issuance or manufacture of false academic credentials; and to provide remedies.

The bill was read a second time.

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

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4852, entitled

A bill to amend 1963 PA 181, entitled “Motor carrier safety act of 1963,” by amending the title and sections 1a, 2d, 3, 4, 5, 6, 7, 7a, 7b, 7c, 7d, 11, and 12 (MCL 480.11a, 480.12d, 480.13, 480.14, 480.15, 480.16, 480.17, 480.17a, 480.17b, 480.17c, 480.17d, 480.21, and 480.22), the title and sections 1a, 2d, 3, 4, and 6 as amended and sections 7d and 12 as added by 1995 PA 265, section 5 as added by 1998 PA 337, sections 7, 7b, and 11 as amended by 2000 PA 98, section 7a as added by 1988 PA 359, and section 7c as amended by 2004 PA 168, and by adding sections 4a, 13, 14, and 15; and to repeal acts and parts of acts.

The bill was read a third time.

The question being on the passage of the bill,

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

Senate Bill No. 303, entitled

A bill to amend 1984 PA 431, entitled “The management and budget act,” by amending section 261 (MCL 18.1261), as amended by 1993 PA 46.

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

Roll Call No. 222**Yeas—106**

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

Nays—0

In The Chair: Kooiman

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

“An act to prescribe the powers and duties of the department of management and budget; to define the authority and functions of its director and its organizational entities; to authorize the department to issue directives; to provide for the capital outlay program; to provide for the leasing, planning, constructing, maintaining, altering, renovating, demolishing, conveying of lands and facilities; to provide for centralized administrative services such as purchasing, payroll, record retention, data processing, and publishing and for access to certain services; to provide for a system of internal accounting and administrative control for certain principal departments; to provide for an internal auditor in certain principal departments; to provide for certain powers and duties of certain state officers and agencies; to codify, revise, consolidate, classify, and add to the powers, duties, and laws relative to budgeting, accounting, and the regulating of appropriations; to provide for the implementation of certain constitutional provisions; to create funds and accounts; to make appropriations; to prescribe remedies and penalties; to rescind certain executive reorganization orders; to prescribe penalties; and to repeal certain acts and parts of acts,”

The House agreed to the full title.

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

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

Senate Bill No. 167, entitled

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

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

Roll Call No. 223**Yeas—106**

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

Nays—0

In The Chair: Kooiman

The House agreed to the title of the bill.

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

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

Second Reading of Bills

The House returned to the consideration of

House Bill No. 4588, entitled

A bill to amend 1985 PA 87, entitled "Crime victim's rights act," by amending sections 2, 6, 13a, 16, 16a, 18, 18a, 19, 20, 21, 31, 44, 44a, 46, 47, 61, 65, 76, 76a, 78, and 81 (MCL 780.752, 780.756, 780.763a, 780.766, 780.766a, 780.768, 780.768a, 780.769, 780.770, 780.771, 780.781, 780.794, 780.794a, 780.796, 780.797, 780.811, 780.815, 780.826, 780.826a, 780.828, and 780.831), sections 2, 6, 13a, 16, 18a, 19, 21, 31, 44, 46, 61, 65, 76, and 78 as amended by 2000 PA 503, sections 16a, 44a, and 76a as amended by 2003 PA 98, and sections 18, 47, and 81 as amended by 1996 PA 562, and by adding section 19a.

(The bill was considered earlier today, see today's Journal, p. 948.)

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

1. Amend page 7, line 3, after “CORRECTIONS” by inserting “OR THE SHERIFF, AS APPLICABLE,”.
2. Amend page 7, following line 7, by inserting:

“(3) IF THE DEPARTMENT OF CORRECTIONS DETERMINES THAT A DEFENDANT WHO WAS, IN THE DEFENDANT’S JUDGMENT OF SENTENCE, NOT PROHIBITED FROM BEING OR PERMITTED TO BE PLACED IN THE SPECIAL ALTERNATIVE INCARCERATION UNIT ESTABLISHED UNDER SECTION 3 OF THE SPECIAL ALTERNATIVE INCARCERATION ACT, 1988 PA 287, MCL 798.13, MEETS THE ELIGIBILITY REQUIREMENTS OF SECTION 34A(2) AND (3) OF THE CORRECTIONS CODE OF 1953, 1953 PA 232, MCL 791.234A, THE DEPARTMENT OF CORRECTIONS SHALL NOTIFY THE VICTIM, IF THE VICTIM HAS SUBMITTED A WRITTEN REQUEST FOR NOTIFICATION UNDER SECTION 19, OF THE PROPOSED PLACEMENT OF THE DEFENDANT IN THE SPECIAL ALTERNATIVE INCARCERATION UNIT NOT LATER THAN 30 DAYS BEFORE PLACEMENT IS INTENDED TO OCCUR. IN MAKING THE DECISION ON WHETHER OR NOT TO OBJECT TO THE PLACEMENT OF THE DEFENDANT IN A SPECIAL ALTERNATIVE INCARCERATION UNIT AS REQUIRED BY SECTION 34A(4) OF THE CORRECTIONS CODE OF 1953, 1953 PA 232, MCL 791.234A, THE SENTENCING JUDGE OR THE JUDGE’S SUCCESSOR SHALL REVIEW AN IMPACT STATEMENT SUBMITTED BY THE VICTIM UNDER SECTION 14.”.

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

Rep. Condino moved to amend the bill as follows:

1. Amend page 1, following “THE PEOPLE OF THE STATE OF MICHIGAN ENACT:” by inserting:

“Sec. 1. This act shall be known and may be cited as the “WILLIAM VAN REGENMORTER crime victim’s rights act”.”.

The question being on the adoption of the amendment offered by Rep. Condino,

Rep. Condino demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Rep. Condino,

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

Roll Call No. 224

Yeas—104

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

Nays—0

In The Chair: Kooiman

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

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

Reps. Caswell, Robertson and McConico entered the House Chambers.

Quorum Call

Rep. Hildenbrand questioned the presence of a quorum and moved that the roll be called and printed in the Journal.
The motion prevailed.

The roll was called and the Clerk announced that a quorum was present.
The following is the roll call:

Roll Call No. 225**Yeas—108**

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

In The Chair: Kooiman

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Hopgood, Anderson, Kathleen Law, Accavitti, Adamini, Bieda, Brown, Byrnes, Cheeks, Clack, Cushingberry, Farrah, Gleason, Gonzales, Hunter, Kahn, Kehrl, Kolb, Lemmons, III, Lipsey, Meisner, Miller, Mortimer, Murphy, Phillips, Plakas, Polidori, Sak, Alma Smith, Tobocman, Vagnozzi, Waters, Wojno and Zelenko offered the following resolution:

House Resolution No. 98.

A resolution to memorialize the Congress of the United States to preserve funding for the Upward Bound program.

Whereas, Education is the key to our future. This has been the impetus behind many of our nation's ground-breaking education initiatives such as Head Start and the Pell Grant program. These programs are designed to help young people along a continuum that encompasses their entire school life. Chief among these critical initiatives for achieving collegiate entrance and success is Upward Bound, which assists low-income high school students, low-income first-generation military veterans, and high school students from families in which neither parent has a bachelor's degree; and

Whereas, Upward Bound is one of our nation's best investments. The program prepares thousands of young people for the challenges and opportunities of college each and every year through counseling, academic enrichment, and its work-study programs. Today, when much of our nation is focused on college student retention and graduation rates, Upward Bound is making a real difference. The program has touched the lives of countless numbers of young people who have gone on to successful and productive careers. Clearly, the opportunity and hope of Upward Bound touch us all; and

Whereas, The administration has proposed the elimination of the Upward Bound program. This approach would be short-sighted and counterproductive, considering the emphasis we are now placing on education's role in the marketplace of the future. Indeed, such a move would exemplify the dictum, penny-wise and pound-foolish; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to preserve funding for the Upward Bound program; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

The resolution was referred to the Committee on Education.

Reps. Byrnes, Hopgood, Condino, Accavitti, Wojno, Kathleen Law, Gillard, Gonzales, Kehrl, Espinoza, Spade, Clemente, Angerer, Plakas, Miller, Sheltrown, Donigan, Mayes, Alma Smith, Brown, Adamini, Anderson, Williams, Phillips, Polidori, Waters, Jones, Meisner, Murphy, Hood, Virgil Smith, Gleason, Lipsey, Sak, Acciavatti, Ball, Bieda, Clack, Farrah, Kahn, Kolb, Lemmons, III, Mortimer, Nofs, Tobocman, Vagnozzi and Zelenko offered the following resolution:

House Resolution No. 99.

A resolution to memorialize the Congress of the United States to enact the International Solid Waste Importation and Management Act of 2005 or other laws to permit states to prohibit or limit the importation of foreign and out-of-state solid waste.

Whereas, The United States Supreme Court has ruled that state authority to control the importation of solid waste is limited. Every year, the amount of solid waste imported into Michigan from other states and Canada increases significantly, more than doubling since 1996. The over 18 million cubic yards of solid waste now annually shipped from Canada and other states comprises 28 percent of all trash deposited in Michigan landfills; and

Whereas, Several measures have been considered by Congress to address the issue of extending authority to states to regulate or ban out-of-state solid waste. The International Solid Waste Importation and Management Act of 2005, to allow states more control over foreign waste imports, has been reported by the United States House of Representatives Energy and Commerce Subcommittee on Environmental and Hazardous Waste. Under this bill, H.R. 2491, states would be granted authority to impose restrictions on the importation of foreign municipal waste. In addition, the United States Environmental Protection Agency would be required to enforce the 1986 *Agreement Concerning the Transboundary Movement of Hazardous Waste* between the United States and Canada and give considerable deference to the desire of state governments to allow or restrict importation of foreign solid waste; and

Whereas, The disposal of unlimited volumes of trash from Canada and other states subverts a state's ability to plan effectively for its own waste disposal needs and undermines local recycling efforts. The obligation to monitor sites to protect human health and the environment will continue for many years after any disposal contract has expired. The imposition on public infrastructure, state and local public safety agencies, and the quality of life for Michigan residents is significant. Clearly, any state accepting these long-term costs and risks should be able to regulate out-of-state waste; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to enact the International Solid Waste Importation and Management Act of 2005 or other laws to permit states to prohibit or limit the importation of foreign and out-of-state solid waste; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

The resolution was referred to the Committee on Natural Resources, Great Lakes, Land Use, and Environment.

Reps. Acciavatti, Palsrok, Mortimer, Robertson, Rocca, Palmer, Pavlov, Accavitti, Miller, Taub, Brandenburg, Sheen, Vander Veen, Walker, Jones, Steil, Schuitmaker, LaJoy, Stahl, Proos, David Law, Stakoe, Newell, Emmons, Meyer, Nitz, Nofs, Farhat, Marleau, Hune, Moore, Pearce, Hildenbrand, Gaffney, Booher, Caswell, Caul, Ball, Kahn, Huizenga, Wenke, Gosselin, Casperson, Baxter, Shaffer, Hansen and Elsenheimer offered the following resolution:

House Resolution No. 100.

A resolution to memorialize the Congress of the United States to enact the International Solid Waste Importation and Management Act of 2005 to permit states to regulate the importation of foreign municipal solid waste.

Whereas, For many years, Michigan has wrestled with finding the best strategies to manage solid waste to protect our environment and achieve the highest standards of health and safety. This formidable task has been made more challenging by the United States Supreme Court ruling in the 1992 *Fort Gratiot Sanitary Landfill v Michigan Department of Natural Resources* case. The Supreme Court determined that states could not regulate or ban the importation of solid waste and that only Congress has the authority to regulate interstate commerce; and

Whereas, Michigan has been especially frustrated by increasing volumes of imported trash. Fully one-fourth of all trash dumped in landfills in Michigan originates from outside of the state, including 18 percent that comes from Canada. While the amount of out-of-state waste coming into Michigan continues to increase, Michigan-generated waste declined by two percent in 2004. Accepting unlimited volumes of trash from Canada and other states requires a long-term commitment to monitor sites to protect human health and the environment; and

Whereas, A bill to allow states more control over foreign waste imports has been reported by the United States House of Representatives Energy and Commerce Subcommittee on Environmental and Hazardous Waste. Under this bill, H.R. 2491, the United States Environmental Protection Agency would be required to enforce the 1986 *Agreement Concerning the Transboundary Movement of Hazardous Waste* between the United States and Canada and give considerable deference to the desire of state governments as to whether to allow importation of foreign solid waste; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to enact the International Solid Waste Importation and Management Act of 2005 to permit states to regulate the importation of foreign municipal solid waste; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

The resolution was referred to the Committee on Natural Resources, Great Lakes, Land Use, and Environment.

Rep. Cheeks offered the following resolution:

House Resolution No. 101.

A resolution to urge the Macomb and Oakland County Sheriff's Departments to contribute to the security effort to protect the public at events held in Detroit for a professional sports team that plays its games outside the city.

Whereas, The safety of the public requires a considerable commitment of resources. Given the financial pressures facing our state's largest city, the costs of providing protection and crowd control at events that can draw hundreds of thousands of people can be overwhelming; and

Whereas, Events involving the major professional sports teams of Detroit—especially when a team plays all of its games in a neighboring community—routinely bring large numbers of people from outside the city. The majority of these visitors coming to join with people of Wayne County to participate in these festive events are from the Oakland County and Macomb County areas; and

Whereas, It is altogether appropriate that the considerable extra costs involved in hosting a major gathering or parade attended by people from neighboring communities be shared by all of the communities involved. With a sharing of this load, far higher levels of order and safety can be maintained for the benefit of everyone; now, therefore, be it

Resolved by the House of Representatives, That we urge the Macomb and Oakland County Sheriff's Departments to contribute to the security effort to protect the public at events held in Detroit for a professional sports team that plays its games outside the city; and be it further

Resolved, That copies of this resolution be transmitted to the boards of commissioners for Macomb County and Oakland County and the Oakland County Executive.

The resolution was referred to the Committee on Government Operations.

Reports of Standing Committees

The Committee on Natural Resources, Great Lakes, Land Use, and Environment, by Rep. Palsrok, Chair, reported **House Bill No. 4803, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1284b (MCL 380.1284b), as amended by 2001 PA 167.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Palsrok, Pavlov, Meyer, Palmer, LaJoy, Ward, Elsenheimer, Moore, Pearce, Gillard, Kathleen Law and Bennett

Nays: Reps. Miller and Donigan

The Committee on Natural Resources, Great Lakes, Land Use, and Environment, by Rep. Palsrok, Chair, reported **Senate Bill No. 211, entitled**

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

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

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Palsrok, Pavlov, Meyer, Palmer, LaJoy, Ward, Elsenheimer, Moore, Pearce, Gillard, Miller, Byrnes, Kathleen Law, Bennett and Donigan

Nays: None

The Committee on Natural Resources, Great Lakes, Land Use, and Environment, by Rep. Palsrok, Chair, reported **Senate Bill No. 212, entitled**

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

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

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Palsrok, Pavlov, Meyer, Palmer, LaJoy, Ward, Elsenheimer, Moore, Pearce, Gillard, Miller, Byrnes, Kathleen Law, Bennett and Donigan

Nays: None

The Committee on Natural Resources, Great Lakes, Land Use, and Environment, by Rep. Palsrok, Chair, reported **Senate Bill No. 213, entitled**

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

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

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Palsrok, Pavlov, Meyer, Palmer, LaJoy, Ward, Elsenheimer, Moore, Pearce, Gillard, Miller, Byrnes, Kathleen Law, Bennett and Donigan

Nays: None

The Committee on Natural Resources, Great Lakes, Land Use, and Environment, by Rep. Palsrok, Chair, reported **Senate Bill No. 215, entitled**

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

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

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Palsrok, Pavlov, Meyer, Palmer, LaJoy, Ward, Elsenheimer, Moore, Pearce, Gillard, Miller, Byrnes, Kathleen Law, Bennett and Donigan

Nays: None

The Committee on Natural Resources, Great Lakes, Land Use, and Environment, by Rep. Palsrok, Chair, reported **Senate Bill No. 507, entitled**

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

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

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Palsrok, Pavlov, Meyer, Palmer, LaJoy, Ward, Elsenheimer, Moore, Pearce, Gillard, Miller, Byrnes, Kathleen Law, Bennett and Donigan

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Palsrok, Chair, of the Committee on Natural Resources, Great Lakes, Land Use, and Environment, was received and read:

Meeting held on: Thursday, June 23, 2005

Present: Reps. Palsrok, Pavlov, Meyer, Palmer, LaJoy, Ward, Elsenheimer, Moore, Pearce, Gillard, Miller, Byrnes, Kathleen Law, Bennett and Donigan

The Committee on Conservation, Forestry, and Outdoor Recreation, by Rep. Casperson, Chair, reported **House Bill No. 4522, 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 2004 PA 254.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Casperson, Hildenbrand, Garfield, Nitz, Stakoe, Baxter, Rocca, McDowell, Sheltroun, Gillard and Espinoza

Nays: None

The Committee on Conservation, Forestry, and Outdoor Recreation, by Rep. Casperson, Chair, reported

House Bill No. 4642, 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 12 (MCL 28.432), as amended by 2004 PA 99.

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

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Casperson, Hildenbrand, Garfield, Nitz, Stakoe, Baxter, Rocca, McDowell, Sheltroun, Gillard and Espinoza

Nays: None

The Committee on Conservation, Forestry, and Outdoor Recreation, by Rep. Casperson, Chair, reported

House Bill No. 4643, 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 51 (MCL 28.4251), as amended by 2002 PA 719.

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

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Casperson, Hildenbrand, Garfield, Nitz, Stakoe, Baxter, Rocca, McDowell, Sheltroun, Gillard and Espinoza

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Casperson, Chair, of the Committee on Conservation, Forestry, and Outdoor Recreation, was received and read:

Meeting held on: Thursday, June 23, 2005

Present: Reps. Casperson, Hildenbrand, Garfield, Nitz, Stakoe, Baxter, Rocca, McDowell, Sheltroun, Gillard and Espinoza

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, June 23, 2005

Present: Reps. Hune, Robertson, Emmons, Gaffney, Sheen, Ball, Hildenbrand, David Law, Marleau, Mortimer, Hood, Adamini, Leland, Anderson, Wojno, Condino and Farrah

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, June 23, 2005

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

Absent: Rep. Wenke

Excused: Rep. Wenke

Messages from the Senate

House Bill No. 4831, entitled

A bill to make, supplement, adjust, and consolidate appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal year ending September 30, 2006; to provide for certain conditions on appropriations; and to provide for the expenditure of the appropriations.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1) and amended the title to read as follows:

A bill to make, supplement, adjust, and consolidate appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal years ending September 30, 2005 and September 30, 2006; to provide for certain conditions on appropriations; and to provide for the expenditure of the appropriations.

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

Senate Concurrent Resolution No. 24.

A concurrent resolution to urge the United States Coast Guard to continue to operate a cutter ship out of Charlevoix.

Whereas, The United States Coast Guard has announced plans to scale back the number of cutter ships serving the Great Lakes. Under this proposal, the three ships, which operate out of Duluth, Port Huron, and Charlevoix, will be reduced to two when the *Acacia*, which is kept at Charlevoix, is decommissioned in 2006; and

Whereas, The United States Coast Guard Cutter *Acacia*, built in 1944, provides essential navigational, search and rescue, and other services. Its work tending to nearly 200 navigation aids and keeping channels open by breaking ice is of great importance to commerce and public safety. In addition, there have been occasions when this ship has helped in emergency situations, including missions to maintain services to the population on Beaver Island; and

Whereas, Reducing the number of ships providing buoy-tending and ice-cutting services by one-third would be a major blow to the individuals and businesses that rely upon the lakes. It is difficult to imagine how the vast areas of the Great Lakes could be covered by only two ships without a serious reduction in services and more difficulties in navigation on the lakes; and

Whereas, Charlevoix's role in lifesaving and promoting safe and efficient transportation on the Great Lakes is well established. The Coast Guard has operated a nautical rescue station in Charlevoix since 1889. The work carried out by the *Acacia* is an important component of these services and a valued resource for the community and the area. Having such a vessel is important to the area's economy on several levels, including tourism; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we urge the United States Coast Guard to continue to operate a cutter ship out of Charlevoix when the United States Coast Guard Cutter *Acacia* is decommissioned in 2006; and be it further

Resolved, That copies of this resolution be transmitted to the United States Coast Guard 9th District Headquarters in Cleveland, the United States Secretary of Transportation, the Commandant of the United States Coast Guard, and the members of the Michigan congressional delegation.

The Senate has adopted the concurrent resolution.

The concurrent resolution was referred to the Committee on Natural Resources, Great Lakes, Land Use, and Environment.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members on Thursday, June 23:

House Bill Nos. 4982 4983 4984 4985 4986 4987 4988 4989 4990

Introduction of Bills

Reps. Byrnes, Hoppood, Condino, Accavitti, Wojno, Kathleen Law, Gillard, Gonzales, Kehrl, Espinoza, Spade, Angerer, Plakas, Miller, Sheltroun, Donigan, Mayes, Alma Smith, Brown, Adamini, Anderson, Williams, Phillips, Clemente, Polidori, Waters, Jones, Meisner, Murphy, Hood, Virgil Smith, Gleason and Lipsey introduced

House Bill No. 4992, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 11526d.

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

Reps. Kooiman and Byrnes introduced

House Bill No. 4993, entitled

A bill to amend 1986 PA 196, entitled "Public transportation authority act," by amending section 18 (MCL 124.468).

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

Reps. Bieda, Alma Smith, Donigan, Kathleen Law and Gleason introduced

House Bill No. 4994, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding section 416e.

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

Reps. Bieda, Alma Smith, Donigan, Kathleen Law and Gleason introduced

House Bill No. 4995, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3406s.

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

Reps. Vander Veen, Stahl, Gleason, Kahn, Walker, Newell, Mortimer, Green, Zelenko, Wojno, Clack, Hune, Moore, Amos, Jones, Gaffney, Murphy, Angerer, Byrnes, Garfield, Lemmons, Jr., Pearce, Booher, Shaffer, Ward, Robertson, Brandenburg, Meyer, Stakoe, Caswell, Nofs, Ball, Hildenbrand, Taub, Farrah, Gonzales and Lemmons, III introduced

House Bill No. 4996, entitled

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

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

Rep. Hunter introduced

House Bill No. 4997, entitled

A bill to amend 1996 PA 354, entitled "Savings bank act," by repealing section 514 (MCL 487.3514).

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

Reps. Clemente, Byrnes, Mayes and Sak introduced

House Bill No. 4998, entitled

A bill to amend 1980 PA 307, entitled "Savings and loan act of 1980," by repealing section 1135 (MCL 491.1135).

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

Rep. Hune introduced

House Bill No. 4999, entitled

A bill to amend 2003 PA 215, entitled "Credit union act," by repealing section 307 (MCL 490.307).

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

Rep. Green introduced

House Bill No. 5000, entitled

A bill to amend 1999 PA 276, entitled "Banking code of 1999," by repealing section 4406 (MCL 487.14406).

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

Rep. Sak moved that Rep. Whitmer 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. 302, entitled

A bill to amend 1988 PA 112, entitled "The business opportunity act for persons with disabilities," by amending section 3 (MCL 450.793), as amended by 1998 PA 73.

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

Roll Call No. 226

Yeas—107

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

Nays—1

Drolet

In The Chair: Kooiman

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

“An act to provide competitive opportunity in state procurements of goods, services, and construction for businesses owned by persons with disabilities; to provide powers and duties of the governor; to prescribe powers and duties of certain state departments and agencies; and to provide penalties.”

The House agreed to the full title.

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

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

House Bill No. 4148, entitled

A bill to consolidate certain state human resource operations in the department of civil service; to create certain offices; and to impose certain duties and responsibilities on certain state officials and employees.

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

Roll Call No. 227**Yeas—57**

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

Nays—52

Accavitti	Cushingberry	Kolb	Polidori
Adamini	Dillon	Law, Kathleen	Sak
Anderson	Donigan	Leland	Sheltrown
Angerer	Espinoza	Lemmons, III	Smith, Alma
Bennett	Farrah	Lipsey	Smith, Virgil
Bieda	Gillard	Mayes	Spade
Brown	Gleason	McConico	Tobocman
Byrnes	Gonzales	McDowell	Vagnozzi
Byrum	Hood	Meisner	Waters
Cheeks	Hopgood	Miller	Whitmer
Clack	Hune	Murphy	Williams

Clemente
Condino

Hunter
Kehrl

Phillips
Plakas

Wojno
Zelenko

In The Chair: Kooiman

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

Second Reading of Bills

Senate Bill No. 356, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 5309a.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Natural Resources, Great Lakes, 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. Ward moved that the bill be placed on its immediate passage.

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 356, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 5309a.

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

Roll Call No. 228

Yeas—106

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

DeRoche
Dillon
Donigan
Drolet

Kehrl
Kolb
Kooiman
LaJoy

Pearce
Phillips
Plakas

Williams
Wojno
Zelenko

Nays—3

Smith, Alma

Smith, Virgil

Tobocman

In The Chair: Kooiman

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

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

A bill to amend 1994 PA 451, entitled "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," by amending section 4108 (MCL 324.4108).

The motion prevailed.

The House agreed to the title as amended.

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

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

Second Reading of Bills

Senate Bill No. 419, entitled

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts," by amending section 6 (MCL 460.6), as amended by 1993 PA 355.

Was read a second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Natural Resources, Great Lakes, Land Use, and Environment,

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 419, entitled

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to

create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts," by amending section 6 (MCL 460.6), as amended by 1993 PA 355.

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

Roll Call No. 229**Yeas—102**

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

Nays—7

Angerer	Donigan	Smith, Alma	Tobocman
Clemente	Gonzales	Smith, Virgil	

In The Chair: Kooiman

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

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

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public

utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts," by amending the title and section 6 (MCL 460.6), the title as amended by 2000 PA 141 and section 6 as amended by 1993 PA 355.

The motion prevailed.

The House agreed to the title as amended.

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

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

Second Reading of Bills

House Bill No. 4860, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 3109 (MCL 324.3109).

Was read a second time, and the question being on the adoption of the proposed substitute (H-4) previously recommended by the Committee on Natural Resources, Great Lakes, Land Use, and Environment,

The substitute (H-4) was adopted, a majority of the members serving voting therefor.

Rep. Elsenheimer moved to amend the bill as follows:

1. Amend page 2, line 17, after "**RESPONSIBLE**" by inserting "**OR SUBJECT TO THE REMEDIES PROVIDED IN SECTION 3115**".

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4860, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 3109 (MCL 324.3109).

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

Roll Call No. 230

Yeas—109

Accavitti	Emmons	Law, Kathleen	Robertson
Acciavatti	Espinoza	Leland	Rocca
Adamini	Farhat	Lemmons, III	Sak
Amos	Farrah	Lipsey	Schuitmaker
Anderson	Gaffney	Marleau	Shaffer
Angerer	Garfield	Mayer	Sheen
Ball	Gillard	McConico	Sheltrown
Baxter	Gleason	McDowell	Smith, Alma
Bennett	Gonzales	Meisner	Smith, Virgil
Bieda	Gosselin	Meyer	Spade
Booher	Green	Miller	Stahl
Brandenburg	Hansen	Moolenaar	Stakoe

Brown	Hildenbrand	Moore	Steil
Byrnes	Hood	Mortimer	Stewart
Byrum	Hoogendyk	Murphy	Taub
Casperson	Hopgood	Newell	Tobocman
Caswell	Huizenga	Nitz	Vagnozzi
Caul	Hummel	Nofs	Van Regenmorter
Cheeks	Hune	Palmer	Vander Veen
Clack	Hunter	Palsrok	Walker
Clemente	Jones	Pastor	Ward
Condino	Kahn	Pavlov	Waters
Cushingberry	Kehrl	Pearce	Wenke
DeRoche	Kolb	Phillips	Whitmer
Dillon	Kooiman	Plakas	Williams
Donigan	LaJoy	Polidori	Wojno
Drolet	Law, David	Proos	Zelenko
Elsenheimer			

Nays—0

In The Chair: Kooiman

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

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

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 3109 (MCL 324.3109), as amended by 2005 PA 32.

The motion prevailed.

The House agreed to the title as amended.

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

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

Second Reading of Bills

Senate Bill No. 79, entitled

A bill to amend 1967 (Ex Sess) PA 7, entitled “Urban cooperation act of 1967,” by amending section 8a (MCL 124.508a), as amended by 1996 PA 45.

(The bill was read a second time, amendment offered and bill postponed for the day on June 15, see House Journal No. 55, p. 862.)

Rep. Espinoza moved to amend the bill as follows:

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

“Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 93rd Legislature are enacted into law:

(a) House Bill No. 4758.

(b) House Bill No. 4759.”.

The question being on the adoption of the amendment offered previously by Rep. Espinoza,

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

Rep. Kehrl moved to amend the bill as follows:

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

“Enacting section 1. This amendatory act does not take effect unless House Bill No. 4760 of the 93rd Legislature is enacted into law.”.

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

Rep. Miller moved to amend the bill as follows:

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

“Enacting section 1. This amendatory act does not take effect unless House Bill No. 4761 of the 93rd Legislature is enacted into law.”.

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

Rep. McDowell moved to amend the bill as follows:

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

“Enacting section 1. This amendatory act does not take effect unless House Bill No. 4762 of the 93rd Legislature is enacted into law.”.

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

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

The motion prevailed.

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

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

Rep. Sak moved that Rep. Dillon 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. 79, entitled

A bill to amend 1967 (Ex Sess) PA 7, entitled “Urban cooperation act of 1967,” by amending section 8a (MCL 124.508a), as amended by 1996 PA 45.

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

Roll Call No. 231

Yeas—107

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

DeRoche
Donigan
Drolet
Elsenheimer

Kooiman
LaJoy
Law, David
Law, Kathleen

Plakas
Polidori
Proos
Robertson

Williams
Wojno
Zelenko

Nays—0

In The Chair: Kooiman

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

“An act to provide for interlocal public agency agreements; to provide standards for those agreements and for the filing and status of those agreements; to permit the allocation of certain taxes or money received from tax increment financing plans as revenues; to permit tax sharing; to provide for the imposition of certain surcharges; to provide for additional approval for those agreements; and to prescribe penalties and provide remedies,”

The House agreed to the full title.

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

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

Rep. Hood moved that Reps. Alma Smith and Virgil Smith be excused temporarily from today's session.
The motion prevailed.

Rep. Waters moved to reconsider the vote by which the House gave the bill immediate effect.

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

Rep. Waters demanded the yeas and nays.

The demand was supported.

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

The motion did not prevail, a majority of members present not voting therefor, by yeas and nays, as follows:

Roll Call No. 232

Yeas—49

Accavitti
Adamini
Anderson
Angerer
Bennett
Bieda
Brown
Byrnes
Byrum
Cheeks
Clack
Clemente
Condino

Cushingberry
Dillon
Donigan
Espinoza
Farrah
Gillard
Gleason
Gonzales
Hood
Hopgood
Hunter
Kehrl

Kolb
Law, Kathleen
Leland
Lemmons, III
Lipsey
Mayes
McConico
McDowell
Meisner
Miller
Murphy
Phillips

Plakas
Polidori
Sak
Sheltrown
Spade
Tobocman
Vagnozzi
Waters
Whitmer
Williams
Wojno
Zelenko

Nays—58

Acciavatti
Amos

Garfield
Gosselin

Meyer
Moolenaar

Rocca
Schuitmaker

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

In The Chair: Kooiman

By unanimous consent the House returned to the order of
Motions and Resolutions

Rep. Ward moved to suspend that portion of Rule 44 requiring bills to be handed to the Clerk three hours prior to calling the House to order.

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

Introduction of Bills

Reps. Garfield, Stahl, Sheen, Hoogendyk, Gosselin, Drolet, Vander Veen, Stakoe and Shaffer introduced
House Bill No. 5001, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 500.1101 to 500.1704) by adding section 602a.

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

Reps. Alma Smith, Brown, Adamini, Whitmer, Cushingberry, Gillard, Meisner, Williams, Anderson, Condino, Vagnozzi, Hopgood, Caswell, Tobocman, Shaffer and Farhat introduced

House Bill No. 5002, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20161 (MCL 333.20161), as amended by 2004 PA 469.

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

Reps. Caswell, Alma Smith, Hildenbrand and Pastor introduced

House Bill No. 5003, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 109 (MCL 400.109), as amended by 2002 PA 673.

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

Reps. LaJoy, Pastor, Acciavatti, Nitz, Stewart and Garfield introduced

House Bill No. 5004, entitled

A bill to amend 1965 PA 261, entitled "An act to authorize the creation and to prescribe the powers and duties of county and regional parks and recreation commissions; and to prescribe the powers and duties of county boards of commissioners with respect to county and regional parks and recreation commissions," (MCL 46.351 to 46.367) by adding section 5a.

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

Reps. Huizenga and Dillon introduced

House Bill No. 5005, entitled

A bill to create the 21st century jobs fund authority; to create a board; to create funds and accounts; to prescribe the powers and duties of the authority; to create and operate certain programs; and to make loans and investments.

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

Rep. Kehrl moved that the House adjourn.

The motion prevailed, the time being 3:25 p.m.

The Speaker Pro Tempore declared the House adjourned until Tuesday, June 28, at 1:00 p.m.

GARY L. RANDALL
Clerk of the House of Representatives