No. 40 STATE OF MICHIGAN

JOURNAL OF THE

House of Representatives

94th Legislature REGULAR SESSION OF 2008

House Chamber, Lansing, Wednesday, April 30, 2008.

1:30 p.m.

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

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

Accavitti—present Acciavatti—present Agema—present Amos—present Angerer—present Ball—present Bauer—present Bennett—present Bieda—present Booher—present Brandenburg—present Brown—present Byrnes—present Byrum—present Calley—present Casperson—present Caswell—present Caul—present Cheeks—e/d/s Clack—present Clemente—present Condino—present Constan—present Corriveau—present Coulouris—present Cushingberry—present Dean—present

Dillon—present Donigan—present Ebli—present Elsenheimer—present Emmons—present Espinoza—present Farrah—present Garfield—present Gillard—present Gonzales—present Green—present Griffin—present Hammel—present Hammon—present Hansen—present Hildenbrand—present Hood—present Hoogendyk—present Hopgood—present Horn—present Huizenga—present Hune—present Jackson—present Johnson—present Jones, Rick—present Jones, Robert—present Knollenberg—present

Lahti—present LaJoy—present Law, David—present Law, Kathleen—present LeBlanc—present Leland—present Lemmons—present Lindberg—present Marleau—present Mayes—present McDowell—present Meadows—present Meekhof-present Meisner—present Melton—present Meltzer—present Miller—present Moolenaar—present Moore—present Moss—present Nitz—present Nofs—present Opsommer—present Palmer—present Palsrok—present Pastor—present

Pavlov—present

Pearce—present Polidori—present Proos-present Robertson—present Rocca—present Sak—present Schuitmaker—present Scott—excused Shaffer—present Sheen—present Sheltrown—present Simpson—present Smith, Alma—present Smith, Virgil—present Spade—present Stahl—present Stakoe—present Steil-excused Tobocman—present Vagnozzi—present Valentine—present Walker—present Ward—present Warren—present Wenke—present Wojno—present Young—present

DeRoche—present

Rep. Andy Coulouris, from the 95th District, offered the following invocation:

"Almighty and most merciful God, You command us to offer food to the hungry and satisfy the needs of the afflicted: Grant that Your holy and life-giving Spirit may so move every human heart; that we may give of ourselves in the service of others until poverty and hunger cease in all the world.

Let us pray for schools and centers of learning throughout the world, for those who lack access to basic education, and for the light of knowledge to blossom and shine in the lives of all God's people.

Let us pray for an end to the waste and desecration of God's creation, for access to the fruits of creation to be shared equally among all people, and for communities and nations to find sustenance in the fruits of the earth and the water God has given us.

Let us pray for an end to the divisions and inequalities that scar God's creation, particularly the barriers to freedom faced by God's children throughout the world because of gender; that all who have been formed in God's image might have equality in pursuit of the blessings of creation.

O God, in whom there is neither male nor female, Jew nor Gentile, slave nor free: Unite the wills of all people, that the walls which divide us and limit equality among Your children may crumble, suspicions disappear, and hatreds cease; so that all may live together in justice, harmony, and peace.

God of love, in Your mercy, Hear our prayer."

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

Rep. Tobocman moved that Rep. Scott be excused from today's session. The motion prevailed.

Messages from the Senate

The Speaker laid before the House

House Bill No. 4433, entitled

A bill to amend 1973 PA 186, entitled "Tax tribunal act," by amending sections 3, 31, and 32 (MCL 205.703, 205.731, and 205.732), section 3 as amended by 1992 PA 172, and by adding section 47.

(The bill was received from the Senate on April 29, 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. 39, p. 896.)

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. 328

Yeas-106

Accavitti Acciavatti	Donigan Ebli	Lahti LaJoy	Pavlov Pearce
Agema	Elsenheimer	Law, David	Polidori
Amos	Emmons Espinoza	Law, Kathleen LeBlanc	Proos Robertson
Angerer Ball	Farrah	Leland	Rocca
Bauer	Gaffney	Lemmons	Sak
Bennett	Garfield	Lindberg	Schuitmaker
Bieda	Gillard	Marleau	Shaffer
Booher	Gonzales	Mayes	Sheen
Brandenburg	Green	McDowell	Sheltrown
Brown	Griffin	Meadows	Simpson
Byrnes	Hammel	Meekhof	Smith, Alma
Byrum	Hammon	Meisner	Smith, Virgil

Calley Casperson Caul Hood Clack Clemente Condino Horn Constan Corriveau Hune Coulouris Cushingberry Dean DeRoche Dillon

Hansen Melton Hildenbrand Meltzer Miller Hoogendyk Moolenaar Hopgood Moore Moss Huizenga Nitz Nofs Jackson Opsommer Johnson Palmer Jones, Rick **Palsrok** Jones, Robert Pastor Knollenberg

Spade Stahl Stakoe Tobocman Vagnozzi Valentine Walker Ward Warren Wenke Wojno Young

Nays—1

Caswell

In The Chair: Sak

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. 4436, entitled

A bill to amend 1973 PA 186, entitled "Tax tribunal act," by amending section 62 (MCL 205.762), as amended by 1995 PA 232.

(The bill was received from the Senate on April 29, with substitute (S-2), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 39, p. 896.) 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. 329 Yeas—107

Accavitti Dillon Acciavatti Donigan Ebli Agema Amos Elsenheimer Angerer **Emmons** Ball Espinoza Bauer Farrah Bennett Gaffney Garfield Bieda Gillard Booher Brandenburg Gonzales Brown Green Byrnes Griffin Byrum Hammel Calley Hammon Casperson Hansen Caswell Hildenbrand Caul Hood

Knollenberg Lahti LaJoy Law, David Law, Kathleen LeBlanc Leland Lemmons Lindberg Marleau Mayes **McDowell** Meadows Meekhof Meisner Melton Meltzer Miller

Pavlov Pearce Polidori Proos Robertson Rocca Sak Schuitmaker Shaffer Sheen Sheltrown Simpson Smith, Alma Smith, Virgil Spade Stahl Stakoe Tobocman

Clack Hoogendyk Moolenaar Vagnozzi Hopgood Valentine Clemente Moore Condino Walker Horn Moss Constan Huizenga Nitz Ward Corriveau Hune Warren Nofs Jackson Opsommer Wenke Coulouris Palmer Cushingberry Johnson Wojno Jones, Rick Palsrok Dean Young DeRoche Jones, Robert Pastor

Nays—0

In The Chair: Sak

The House agreed to the full title.

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

Second Reading of Bills

House Bill No. 5893, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending sections 201 and 203 (MCL 208.1201 and 208.1203), section 201 as amended by 2007 PA 145.

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

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

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

The motion prevailed.

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

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

Gonzales

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5893, entitled

Brandenburg

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending sections 201 and 203 (MCL 208.1201 and 208.1203), section 201 as amended by 2007 PA 145.

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

Roll Call No. 330 Yeas—107

Accavitti Dillon Knollenberg Pavlov Pearce Acciavatti Donigan Lahti Polidori Agema Ebli LaJoy Law, David Amos Elsenheimer Proos **Emmons** Law, Kathleen Robertson Angerer Ball Espinoza LeBlanc Rocca Farrah Leland Sak Bauer Schuitmaker Bennett Gaffney Lemmons Bieda Garfield Lindberg Shaffer Gillard Marleau Booher Sheen

Mayes

Sheltrown

Brown **Byrnes** Byrum Calley Casperson Caswell Caul Clack Clemente Condino Constan Corriveau Coulouris Cushingberry Dean DeRoche

Green McDowell Griffin Meadows Hammel Meekhof Hammon Meisner Hansen Melton Hildenbrand Meltzer Hood Miller Hoogendyk Moolenaar Hopgood Moore Horn Moss Huizenga Nitz Hune Nofs Jackson Opsommer Johnson Palmer Jones, Rick Palsrok Jones, Robert Pastor

Simpson
Smith, Alma
Smith, Virgil
Spade
Stahl
Stakoe
Tobocman
Vagnozzi
Valentine
Walker
Ward
Warren
Wenke
Wojno
Young

Nays-0

In The Chair: Sak

The House agreed to the title of the bill.

Rep. Tobocman 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. 4657, entitled

A bill to amend 2004 PA 479, entitled "Michigan housing and community development fund act," by amending sections 2, 3, 5, 6, and 8 (MCL 125.2822, 125.2823, 125.2825, 125.2826, and 125.2828).

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

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

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

The motion prevailed.

Rep. Tobocman 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. 4657, entitled

A bill to amend 2004 PA 479, entitled "Michigan housing and community development fund act," by amending sections 2, 3, 5, 6, and 8 (MCL 125.2822, 125.2823, 125.2825, 125.2826, and 125.2828).

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

Roll Call No. 331 Yeas—107

Accavitti Dillon Knollenberg Pavlov Acciavatti Donigan Lahti Pearce Agema Ebli LaJoy Polidori

Proos

Amos Elsenheimer Law, David Angerer **Emmons** Espinoza Ball Bauer Farrah Bennett Gaffney Bieda Garfield Gillard Booher Brandenburg Gonzales Green Brown **Byrnes** Griffin Byrum Hammel Calley Hammon Casperson Hansen Caswell Hildenbrand Caul Hood Clack Hoogendyk Clemente Hopgood Condino Horn Constan Huizenga Corriveau Hune Coulouris Jackson Cushingberry Johnson Jones, Rick Dean

Jones, Robert

Law, Kathleen Robertson LeBlanc Rocca Leland Sak Lemmons Schuitmaker Shaffer Lindberg Marleau Sheen Mayes Sheltrown McDowell Simpson Meadows Smith, Alma Meekhof Smith, Virgil Meisner Spade Melton Stahl Meltzer Stakoe Miller Tobocman Moolenaar Vagnozzi Moore Valentine Moss Walker Nitz Ward Nofs Warren Opsommer Wenke Wojno Palmer Palsrok Young Pastor

Nays—0

In The Chair: Sak

DeRoche

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

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

A bill to repeal 2004 PA 479, entitled "Michigan housing and community development fund act," (MCL 125.2821 to 125.2829).

The motion prevailed.

The House agreed to the title as amended.

Rep. Angerer 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. 4658, entitled

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," by amending sections 58, 58a, 58b, and 58c (MCL 125.1458, 125.1458a, 125.1458b, and 125.1458c), as added by 2004 PA 480.

Was read a second time, and the question being on the adoption of the proposed substitute (H-4) previously recommended by the Committee on New Economy and Quality of Life,

The substitute (H-4) was not adopted, a majority of the members serving not voting therefor.

Rep. Tobocman moved to substitute (H-5) the bill.

The motion prevailed and the substitute (H-5) was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

Rep. Angerer 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. 4658, entitled

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," by amending sections 58, 58a, 58b, and 58c (MCL 125.1458, 125.1458a, 125.1458b, and 125.1458c), as added by 2004 PA 480.

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

Roll Call No. 332

Yeas-107

Accavitti Dillon Knollenberg Acciavatti Donigan Lahti Ebli LaJoy Agema Law, David Amos Elsenheimer **Emmons** Law, Kathleen Angerer Ball Espinoza LeBlanc Farrah Leland Bauer Gaffney Bennett Lemmons Garfield Lindberg Bieda Booher Gillard Marleau Brandenburg Gonzales Mayes Green McDowell Brown **Byrnes** Griffin Meadows Byrum Hammel Meekhof Calley Hammon Meisner Casperson Hansen Melton Caswell Hildenbrand Meltzer Caul Hood Miller Clack Hoogendyk Moolenaar Clemente Hopgood Moore Condino Horn Moss Constan Huizenga Nitz Corriveau Hune Nofs Jackson Opsommer Coulouris Cushingberry Johnson Palmer Jones, Rick Dean Palsrok DeRoche Jones, Robert Pastor

Polidori Proos Robertson Rocca Sak Schuitmaker Shaffer Sheen Sheltrown Simpson Smith, Alma Smith, Virgil Spade Stahl Stakoe Tobocman Vagnozzi Valentine Walker Ward Warren Wenke Wojno Young

Pavlov

Pearce

Navs—0

In The Chair: Sak

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

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

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," by amending sections 22, 58, 58a, 58b, and 58c (MCL 125.1422, 125.1458, 125.1458a, 125.1458b, and 125.1458c), section 22 as amended by 2002 PA 385 and sections 58, 58a, 58b, and 58c as added by 2004 PA 480, and by adding sections 58e and 58f.

The motion prevailed.

The House agreed to the title as amended.

Rep. Angerer 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. 5952, entitled

A bill to amend 1970 PA 169, entitled "Local historic districts act," by amending section 3 (MCL 399.203), as amended by 2001 PA 67.

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

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

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

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

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

The motion prevailed.

Rep. Angerer 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. 5952, entitled

A bill to amend 1970 PA 169, entitled "Local historic districts act," by amending section 3 (MCL 399.203), as amended by 2001 PA 67.

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

Roll Call No. 333

Yeas—107

Accavitti	Dillon	Knollenberg	Pavlov
Acciavatti	Donigan	Lahti	Pearce
Agema	Ebli	LaJoy	Polidori
Amos	Elsenheimer	Law, David	Proos
Angerer	Emmons	Law, Kathleen	Robertson
Ball	Espinoza	LeBlanc	Rocca
Bauer	Farrah	Leland	Sak
Bennett	Gaffney	Lemmons	Schuitmaker
Bieda	Garfield	Lindberg	Shaffer
Booher	Gillard	Marleau	Sheen
Brandenburg	Gonzales	Mayes	Sheltrown
Brown	Green	McDowell	Simpson
Byrnes	Griffin	Meadows	Smith, Alma
Byrum	Hammel	Meekhof	Smith, Virgil
Calley	Hammon	Meisner	Spade
Casperson	Hansen	Melton	Stahl
Caswell	Hildenbrand	Meltzer	Stakoe
Caul	Hood	Miller	Tobocman
Clack	Hoogendyk	Moolenaar	Vagnozzi
Clemente	Hopgood	Moore	Valentine
Condino	Horn	Moss	Walker
Constan	Huizenga	Nitz	Ward
Corriveau	Hune	Nofs	Warren
Coulouris	Jackson	Opsommer	Wenke
Cushingberry	Johnson	Palmer	Wojno
Dean	Jones, Rick	Palsrok	Young
DeRoche	Jones, Robert	Pastor	

Nays—0

In The Chair: Sak

The House agreed to the title of the bill.

Rep. Angerer 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. 5008, entitled

A bill to enact the uniform securities act (2002) relating to the issuance, offer, sale, or purchase of securities; to prohibit fraudulent practices in relation to securities; to establish civil and criminal sanctions for violations of the act and civil sanctions for violation of the rules promulgated pursuant to the act; to require the registration of broker-dealers, agents, investment advisers, and securities; to make uniform the law with reference to securities; and to repeal acts and parts of acts.

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

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

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

The motion prevailed.

Rep. Angerer 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. 5008, entitled

A bill to enact the uniform securities act (2002) relating to the issuance, offer, sale, or purchase of securities; to prohibit fraudulent practices in relation to securities; to establish civil and criminal sanctions for violations of the act and civil sanctions for violation of the rules promulgated pursuant to the act; to require the registration of broker-dealers, agents, investment advisers, and securities; to make uniform the law with reference to securities; 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. 334 Yeas—106

Accavitti Dillon Acciavatti Donigan Ebli Agema Elsenheimer Amos Angerer Emmons Ball Espinoza Farrah Bauer Gaffney Bennett Bieda Garfield Gillard Booher Brandenburg Gonzales Brown Green **Byrnes** Griffin Byrum Hammel Calley Hammon Casperson Hansen Hildenbrand Caswell Caul Hood

Lahti LaJoy Law, David Law, Kathleen LeBlanc Leland Lemmons Lindberg Marleau Mayes McDowell Meadows Meekhof Meisner Melton Meltzer Miller Moolenaar

Pavlov Pearce Polidori Proos Robertson Rocca Sak Schuitmaker Shaffer Sheen Sheltrown Simpson Smith, Alma Smith, Virgil Spade Stahl Stakoe

Tobocman

Clack Hoogendyk Moore Vagnozzi Hopgood Valentine Clemente Moss Walker Condino Horn Nitz Constan Huizenga Nofs Ward Warren Corriveau Hune Opsommer Jackson Wenke Coulouris Palmer Wojno Cushingberry Johnson Palsrok Dean Jones, Rick Pastor Young

DeRoche Jones, Robert

Navs—0

In The Chair: Sak

The House agreed to the title of the bill.

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

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

Reps. Agema, Angerer, Ball, Bieda, Brown, Calley, Casperson, Clack, Condino, Cushingberry, DeRoche, Gonzales, Hansen, Hildenbrand, Jackson, Johnson, Robert Jones, David Law, Kathleen Law, Mayes, Meadows, Meekhof, Meisner, Melton, Meltzer, Moolenaar, Opsommer, Palsrok, Pearce, Polidori, Sak and Spade were named co-sponsors of the bill.

Second Reading of Bills

House Bill No. 5009, entitled

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," by amending section 23 (MCL 125.2023), as amended by 2002 PA 556.

The bill was read a second time.

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

The motion prevailed.

Booher

Rep. Angerer 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. 5009, entitled

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," by amending section 23 (MCL 125.2023), as amended by 2002 PA 556.

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

Roll Call No. 335 **Yeas—107**

Gillard

Accavitti Dillon Knollenberg Pavlov Donigan Pearce Acciavatti Lahti LaJoy Polidori Agema Ebli Amos Elsenheimer Law, David Proos **Emmons** Law, Kathleen Robertson Angerer Ball Espinoza LeBlanc Rocca Bauer Farrah Leland Sak Bennett Gaffney Lemmons Schuitmaker Bieda Garfield Lindberg Shaffer

Marleau

Sheen

Brandenburg Gonzales Mayes Green McDowell Brown Griffin **Byrnes** Meadows Byrum Hammel Meekhof Calley Hammon Meisner Casperson Hansen Melton Caswell Hildenbrand Meltzer Miller Caul Hood Clack Hoogendyk Moolenaar Clemente Hopgood Moore Horn Condino Moss Constan Huizenga Nitz Corriveau Hune Nofs Jackson Opsommer Coulouris Cushingberry Johnson Palmer Jones, Rick Palsrok Dean DeRoche Jones, Robert Pastor

Sheltrown Simpson Smith, Alma Smith, Virgil Spade Stahl Stakoe Tobocman Vagnozzi Valentine Walker Ward Warren Wenke Wojno Young

Nays—0

In The Chair: Sak

The House agreed to the title of the bill.

Rep. Angerer 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. 5010, entitled

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending section 20 (MCL 445.920). The bill was read a second time.

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

The motion prevailed.

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

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

Rep. Cheeks entered the House Chambers.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5010, entitled

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending section 20 (MCL 445.920). Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 336 Yeas—108

Accavitti DeRoche Jones, Robert Pastor Acciavatti Dillon Knollenberg Pavlov Agema Donigan Ebli Amos Elsenheimer Angerer Ball **Emmons** Bauer Espinoza Farrah Bennett Gaffney Bieda Booher Garfield Gillard Brandenburg Gonzales Brown **Byrnes** Green Griffin Byrum Calley Hammel Hammon Casperson Caswell Hansen Hildenbrand Caul Cheeks Hood Hoogendyk Clack Hopgood Clemente Condino Horn Constan Huizenga Corriveau Hune Coulouris Jackson

Lahti LaJov Law, David Law, Kathleen LeBlanc Leland Lemmons Lindberg Marleau Mayes McDowell Meadows Meekhof Meisner Melton Meltzer Miller Moolenaar Moore Moss Nitz Nofs Opsommer Palmer **Palsrok**

Proos Robertson Rocca Sak Schuitmaker Shaffer Sheen Sheltrown Simpson Smith, Alma Smith, Virgil Spade Stahl Stakoe Tobocman Vagnozzi Valentine Walker Ward Warren Wenke Woino Young

Pearce

Polidori

Nays—0

In The Chair: Sak

Cushingberry

Dean

The House agreed to the title of the bill.

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

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

Johnson

Jones, Rick

Second Reading of Bills

House Bill No. 5011, entitled

A bill to amend 1971 PA 227, entitled "An act to prescribe the rights and duties of parties to home solicitation sales; to regulate certain telephone solicitation; to provide for the powers and duties of certain state officers and entities; and to prescribe penalties and remedies," by amending section 1 (MCL 445.111), as amended by 2002 PA 612.

The bill was read a second time.

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

The motion prevailed.

Rep. Angerer 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. 5011, entitled

A bill to amend 1971 PA 227, entitled "An act to prescribe the rights and duties of parties to home solicitation sales; to regulate certain telephone solicitation; to provide for the powers and duties of certain state officers and entities; and to prescribe penalties and remedies," by amending section 1 (MCL 445.111), as amended by 2002 PA 612.

Yeas—108

Accavitti DeRoche Jones, Robert Pastor Acciavatti Dillon Knollenberg Pavlov Agema Donigan Lahti Pearce LaJoy Polidori Amos Ebli Law, David Angerer Elsenheimer Proos Ball Emmons Law, Kathleen Robertson Bauer Espinoza LeBlanc Rocca Farrah Leland Sak Bennett Bieda Gaffney Lemmons Schuitmaker Garfield Booher Lindberg Shaffer Brandenburg Gillard Marleau Sheen Brown Gonzales Mayes Sheltrown **Byrnes** Green McDowell Simpson Griffin Byrum Meadows Smith, Alma Calley Hammel Meekhof Smith, Virgil Casperson Hammon Meisner Spade Caswell Hansen Melton Stahl Hildenbrand Caul Meltzer Stakoe Cheeks Hood Miller Tobocman Clack Hoogendyk Moolenaar Vagnozzi Valentine Clemente Hopgood Moore Horn Walker Condino Moss Huizenga Ward Constan Nitz Corriveau Hune Nofs Warren Coulouris Jackson Opsommer Wenke Cushingberry Johnson Palmer Wojno Dean Jones, Rick Palsrok Young

Nays—0

In The Chair: Sak

The House agreed to the title of the bill.

Rep. Angerer 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. 5012, entitled

A bill to amend 1965 PA 314, entitled "Public employee retirement system investment act," by amending section 13 (MCL 38.1133), as amended by 2000 PA 307.

The bill was read a second time.

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

The motion prevailed.

Rep. Angerer 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. 5012, entitled

A bill to amend 1965 PA 314, entitled "Public employee retirement system investment act," by amending section 13 (MCL 38.1133), as amended by 2000 PA 307.

Yeas—108

Accavitti DeRoche Jones, Robert Pastor Dillon Knollenberg Pavlov Acciavatti Donigan Lahti Pearce Agema LaJoy Polidori Ebli Amos Law, David Angerer Elsenheimer Proos Ball **Emmons** Law, Kathleen Robertson Bauer Espinoza LeBlanc Rocca Bennett Farrah Leland Sak Gaffney Schuitmaker Bieda Lemmons Booher Garfield Lindberg Shaffer Gillard Brandenburg Marleau Sheen Gonzales Mayes Sheltrown Brown McDowell **Byrnes** Green Simpson Byrum Griffin Meadows Smith, Alma Hammel Calley Meekhof Smith, Virgil Casperson Hammon Meisner Spade Stahl Caswell Hansen Melton Caul Hildenbrand Meltzer Stakoe Miller Cheeks Hood Tobocman Moolenaar Clack Hoogendyk Vagnozzi Clemente Hopgood Moore Valentine Condino Horn Moss Walker Constan Huizenga Nitz Ward Corriveau Warren Hune Nofs Jackson Wenke Coulouris Opsommer Cushingberry Johnson Palmer Woino Dean Jones, Rick Palsrok Young

Nays—0

In The Chair: Sak

The House agreed to the title of the bill.

Rep. Angerer 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. 5014, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 159g and 411j (MCL 750.159g and 750.411j), section 159g as amended by 2002 PA 124 and section 411j as amended by 2002 PA 136.

The bill was read a second time.

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

The motion prevailed.

Rep. Angerer 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. 5014, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 159g and 411j (MCL 750.159g and 750.411j), section 159g as amended by 2002 PA 124 and section 411j as amended by 2002 PA 136.

Yeas—108

Accavitti DeRoche Jones, Robert Pastor Knollenberg Pavlov Acciavatti Dillon Agema Donigan Lahti Pearce Amos Ebli LaJoy Polidori Law, David Angerer Elsenheimer Proos Law, Kathleen Ball Emmons Robertson Espinoza LeBlanc Rocca Bauer Farrah Leland Bennett Sak Gaffney Lemmons Schuitmaker Bieda Booher Garfield Lindberg Shaffer Brandenburg Gillard Marleau Sheen Brown Gonzales Mayes Sheltrown **Byrnes** Green McDowell Simpson Byrum Griffin Meadows Smith, Alma Hammel Calley Meekhof Smith, Virgil Casperson Hammon Meisner Spade Caswell Hansen Melton Stahl Caul Hildenbrand Meltzer Stakoe Cheeks Hood Miller Tobocman Clack Hoogendyk Moolenaar Vagnozzi Clemente Hopgood Moore Valentine Condino Horn Moss Walker Constan Huizenga Nitz Ward Corriveau Hune Nofs Warren Coulouris Jackson Opsommer Wenke Wojno Palmer Cushingberry Johnson Dean Jones, Rick Palsrok Young

Nays-0

In The Chair: Sak

The House agreed to the title of the bill.

Rep. Angerer 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. 5015, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 4701 (MCL 600.4701), as amended by 2002 PA 142.

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

The motion prevailed.

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

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

Rep. Angerer moved that Rep. Gillard 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. 5015, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 4701 (MCL 600.4701), as amended by 2002 PA 142.

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

Roll Call No. 340

Yeas-107

Accavitti Acciavatti	DeRoche Dillon	Knollenberg Lahti	Pavlov Pearce
			
Agema	Donigan	LaJoy	Polidori
Amos	Ebli	Law, David	Proos
Angerer	Elsenheimer	Law, Kathleen	Robertson
Ball	Emmons	LeBlanc	Rocca
Bauer	Espinoza	Leland	Sak
Bennett	Farrah	Lemmons	Schuitmaker
Bieda	Gaffney	Lindberg	Shaffer
Booher	Garfield	Marleau	Sheen
Brandenburg	Gonzales	Mayes	Sheltrown
Brown	Green	McDowell	Simpson
Byrnes	Griffin	Meadows	Smith, Alma
Byrum	Hammel	Meekhof	Smith, Virgil
Calley	Hammon	Meisner	Spade
Casperson	Hansen	Melton	Stahl
Caswell	Hildenbrand	Meltzer	Stakoe
Caul	Hood	Miller	Tobocman
Cheeks	Hoogendyk	Moolenaar	Vagnozzi
Clack	Hopgood	Moore	Valentine
Clemente	Horn	Moss	Walker
Condino	Huizenga	Nitz	Ward
Constan	Hune	Nofs	Warren
Corriveau	Jackson	Opsommer	Wenke
Coulouris	Johnson	Palmer	Wojno
Cushingberry	Jones, Rick	Palsrok	Young
Dean	Jones, Robert	Pastor	-

Nays—0

In The Chair: Sak

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

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

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 4701 (MCL 600.4701), as amended by 2007 PA 156.

The motion prevailed.

The House agreed to the title as amended.

Rep. Angerer 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. 5016, entitled

A bill to amend 1980 PA 307, entitled "Savings and loan act of 1980," by amending section 515 (MCL 491.515), as added by 1987 PA 106.

The bill was read a second time.

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

The motion prevailed.

Rep. Angerer 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. 5016, entitled

A bill to amend 1980 PA 307, entitled "Savings and loan act of 1980," by amending section 515 (MCL 491.515), as added by 1987 PA 106.

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

Roll Call No. 341

Yeas—107

Accavitti DeRoche Knollenberg Pavlov Acciavatti Dillon Lahti Pearce Donigan LaJoy Polidori Agema Ebli Law, David Amos Proos Elsenheimer Law, Kathleen Angerer Ball **Emmons** LeBlanc Espinoza Bauer Leland Farrah Bennett Lemmons Gaffney Lindberg Bieda Booher Garfield Marleau Gonzales Brandenburg Maves Brown Green McDowell **Byrnes** Griffin Meadows **Byrum** Hammel Meekhof Hammon Meisner Calley Casperson Hansen Melton Caswell Hildenbrand Meltzer Caul Hood Miller Cheeks Hoogendyk Moolenaar Clack Hopgood Moore Clemente Horn Moss Huizenga Condino Nitz Constan Hune Nofs Corriveau Jackson Opsommer Coulouris Johnson Palmer Cushingberry Young Jones, Rick Palsrok Jones, Robert Dean Pastor

Robertson Rocca Sak Schuitmaker Shaffer Sheen Sheltrown Simpson Smith, Alma Smith, Virgil Spade Stahl Stakoe Tobocman Vagnozzi Valentine Walker Ward Warren Wenke Woino

The House agreed to the title of the bill.

Rep. Angerer 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. 5017, entitled

A bill to amend 1986 PA 316, entitled "Michigan education trust act," by amending section 19 (MCL 390.1439). The bill was read a second time.

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

The motion prevailed.

Rep. Angerer 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. 5017, entitled

A bill to amend 1986 PA 316, entitled "Michigan education trust act," by amending section 19 (MCL 390.1439). Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 342

Yeas-107

Accavitti DeRoche Knollenberg Pavlov Pearce Acciavatti Dillon Lahti Agema Donigan LaJoy Polidori Ebli Law, David **Proos** Amos Elsenheimer Law, Kathleen Robertson Angerer Ball **Emmons** LeBlanc Rocca Bauer Espinoza Leland Sak Lemmons Bennett Farrah Schuitmaker Bieda Gaffney Lindberg Shaffer Booher Garfield Marleau Sheen Gonzales Brandenburg Maves Sheltrown Brown Green McDowell Simpson **Byrnes** Griffin Meadows Smith, Alma Byrum Hammel Meekhof Smith, Virgil Calley Hammon Meisner Spade Casperson Hansen Melton Stahl Caswell Hildenbrand Meltzer Stakoe Caul Hood Miller Tobocman Cheeks Hoogendyk Moolenaar Vagnozzi Clack Hopgood Moore Valentine Walker Clemente Horn Moss Huizenga Ward Condino Nitz Constan Warren Hune Nofs Corriveau Jackson Opsommer Wenke Coulouris Johnson Palmer Wojno Jones, Rick Palsrok Young Cushingberry Dean Jones, Robert Pastor

Dean

The House agreed to the title of the bill.

Rep. Angerer 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. 5018, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 14j of chapter XVII (MCL 777.14j), as added by 2002 PA 29.

The bill was read a second time.

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

The motion prevailed.

Rep. Angerer 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. 5018, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 14j of chapter XVII (MCL 777.14j), as added by 2002 PA 29.

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

Yeas—107

Pastor

Roll Call No. 343

Accavitti	DeRoche	Knollenberg
Acciavatti	Dillon	Lahti
Agema	Donigan	LaJoy
Amos	Ebli	Law, David
Angerer	Elsenheimer	Law, Kathleen
Ball	Emmons	LeBlanc
Bauer	Espinoza	Leland
Bennett	Farrah	Lemmons
Bieda	Gaffney	Lindberg
Booher	Garfield	Marleau
Brandenburg	Gonzales	Mayes
Brown	Green	McDowell
Byrnes	Griffin	Meadows
Byrum	Hammel	Meekhof
Calley	Hammon	Meisner
Casperson	Hansen	Melton
Caswell	Hildenbrand	Meltzer
Caul	Hood	Miller
Cheeks	Hoogendyk	Moolenaar
Clack	Hopgood	Moore
Clemente	Horn	Moss
Condino	Huizenga	Nitz
Constan	Hune	Nofs
Corriveau	Jackson	Opsommer
Coulouris	Johnson	Palmer
Cushingberry	Jones, Rick	Palsrok

Jones, Robert

Pearce Polidori Proos Robertson Rocca Sak Schuitmaker Shaffer Sheen Sheltrown Simpson Smith, Alma Smith, Virgil Spade Stahl Stakoe Tobocman Vagnozzi Valentine Walker Ward Warren Wenke Wojno Young

Payloy

Pavlov Pearce

Polidori

Robertson

Schuitmaker Shaffer

Proos

Rocca

Sheen

Spade

Stahl

Stakoe

Tobocman

Vagnozzi

Valentine

Walker

Warren

Ward

Sheltrown

Smith, Alma

Smith, Virgil

Simpson

Sak

Nays—0

In The Chair: Sak

The House agreed to the title of the bill.

Rep. Angerer 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. 5019, entitled

A bill to amend 1986 PA 157, entitled "Michigan export development act," by amending section 10 (MCL 447.160), as amended by 2002 PA 302.

The bill was read a second time.

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

The motion prevailed.

Rep. Angerer 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. 5019, entitled

A bill to amend 1986 PA 157, entitled "Michigan export development act," by amending section 10 (MCL 447.160), as amended by 2002 PA 302.

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

Roll Call No. 344 Yeas—107

Accavitti DeRoche Knollenberg Acciavatti Dillon Lahti Donigan LaJoy Agema Ebli Law, David Amos Elsenheimer Angerer Law, Kathleen Ball **Emmons** LeBlanc Bauer Espinoza Leland Bennett Farrah Lemmons Bieda Gaffney Lindberg Booher Garfield Marleau Brandenburg Gonzales Mayes Brown Green **McDowell** Byrnes Griffin Meadows Hammel Meekhof Byrum Calley Hammon Meisner Casperson Hansen Melton Caswell Hildenbrand Meltzer Caul Hood Miller Cheeks Hoogendyk Moolenaar Hopgood Clack Moore Clemente Horn Moss Condino Huizenga Nitz Constan Hune Nofs

CorriveauJacksonOpsommerWenkeCoulourisJohnsonPalmerWojnoCushingberryJones, RickPalsrokYoungDeanJones, RobertPastor

Navs—0

In The Chair: Sak

The House agreed to the title of the bill.

Rep. Angerer 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. 5020, entitled

A bill to amend 1987 PA 173, entitled "Mortgage brokers, lenders, and servicers licensing act," by amending sections 1a and 29 (MCL 445.1651a and 445.1679), section 1a as amended by 2002 PA 391 and section 29 as amended by 1996 PA 210.

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

The motion prevailed.

Rep. Angerer 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. 5020, entitled

A bill to amend 1987 PA 173, entitled "Mortgage brokers, lenders, and servicers licensing act," by amending sections 1a and 29 (MCL 445.1651a and 445.1679), section 1a as amended by 2002 PA 391 and section 29 as amended by 1996 PA 210.

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

Roll Call No. 345 Yeas—107

Accavitti Acciavatti Agema Amos Angerer	DeRoche Dillon Donigan Ebli Elsenheimer	Knollenberg Lahti LaJoy Law, David Law, Kathleen	Pavlov Pearce Polidori Proos Robertson
Ball	Emmons	LeBlanc	Rocca
Bauer	Espinoza	Leland	Sak
Bennett	Farrah	Lemmons	Schuitmaker
Bieda	Gaffney	Lindberg	Shaffer
Booher	Garfield	Marleau	Sheen
Brandenburg	Gonzales	Mayes	Sheltrown
Brown	Green	McDowell	Simpson
Byrnes	Griffin	Meadows	Smith, Alma
Byrum	Hammel	Meekhof	Smith, Virgil

Calley Hammon Meisner Casperson Hansen Melton Caswell Hildenbrand Meltzer Caul Hood Miller Cheeks Hoogendyk Moolenaar Hopgood Clack Moore Horn Clemente Moss Condino Huizenga Nitz Constan Nofs Hune Corriveau Jackson Opsommer Coulouris Johnson Palmer Cushingberry Jones, Rick Palsrok Dean Jones, Robert Pastor

Spade Stahl Stakoe Tobocman Vagnozzi Valentine Walker Ward Warren Wenke Wojno Young

Nays—0

In The Chair: Sak

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

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

A bill to amend 1987 PA 173, entitled "Mortgage brokers, lenders, and servicers licensing act," by amending sections 1a and 29 (MCL 445.1651a and 445.1679), section 1a as amended by 2008 PA 66 and section 29 as amended by 2008 PA 71.

The motion prevailed.

The House agreed to the title as amended.

Rep. Angerer 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. 5022, entitled

A bill to amend 1994 PA 160, entitled "Credit services protection act," by amending section 2 (MCL 445.1822). The bill was read a second time.

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

The motion prevailed.

Rep. Angerer 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. 5022, entitled

A bill to amend 1994 PA 160, entitled "Credit services protection act," by amending section 2 (MCL 445.1822). Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 346 Yeas—107

DeRoche Knollenberg Pavlov Accavitti Acciavatti Dillon Lahti Pearce Donigan LaJov Polidori Agema Ebli Law, David Amos Proos Law, Kathleen Elsenheimer Robertson Angerer **Emmons** LeBlanc Ball Rocca

Bauer Espinoza Farrah Bennett Gaffney Bieda Booher Garfield Gonzales Brandenburg Brown Green Griffin **Byrnes Byrum** Hammel Hammon Calley Casperson Hansen Caswell Hildenbrand Caul Hood Cheeks Hoogendyk Clack Hopgood Clemente Horn Condino Huizenga Hune Constan Corriveau Jackson

Leland Lemmons Lindberg Marleau Mayes McDowell Meadows Meekhof Meisner Melton Meltzer Miller Moolenaar Moore Moss Nitz Nofs Opsommer Palmer **Palsrok** Pastor

Schuitmaker Shaffer Sheen Sheltrown Simpson Smith, Alma Smith, Virgil Spade Stahl Stakoe Tobocman Vagnozzi Valentine Walker Ward Warren Wenke Wojno Young

Sak

Nays—0

In The Chair: Sak

Coulouris

Dean

Cushingberry

The House agreed to the title of the bill.

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

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

Johnson

Jones, Rick

Jones, Robert

Second Reading of Bills

House Bill No. 5023, entitled

A bill to amend 1962 PA 192, entitled "Professional service corporation act," by amending section 8 (MCL 450.228), as amended by 1998 PA 48.

The bill was read a second time.

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

The motion prevailed.

Rep. Angerer 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. 5023, entitled

A bill to amend 1962 PA 192, entitled "Professional service corporation act," by amending section 8 (MCL 450.228), as amended by 1998 PA 48.

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

Roll Call No. 347 Yeas—106

Accavitti	DeRoche	Lahti	Pavlov
Acciavatti	Dillon	LaJoy	Pearce

Agema Amos Angerer Ball Bauer Bennett Bieda Booher Brandenburg Brown **Byrnes** Byrum Calley Casperson Caswell Caul Cheeks Clack Clemente Condino Constan Corriveau

Donigan Ebli Elsenheimer Espinoza Farrah Gaffney Garfield Gonzales Green Griffin Hammel Hammon Hansen Hildenbrand Hood Hoogendyk Hopgood Horn Huizenga Hune

Jackson

Johnson

Jones, Rick

Jones, Robert

Knollenberg

Law, David Law, Kathleen LeBlanc Leland Lemmons Lindberg Marleau Maves McDowell Meadows Meekhof Meisner Melton Meltzer Miller Moolenaar Moore Moss Nitz Nofs Opsommer Palmer Palsrok Pastor

Robertson Rocca Sak Schuitmaker Shaffer Sheen Sheltrown Simpson Smith, Alma Smith, Virgil Spade Stahl Stakoe Tobocman Vagnozzi Valentine Walker Ward Warren Wenke Wojno Young

Polidori

Proos

Nays—0

In The Chair: Sak

Coulouris

Dean

Cushingberry

The House agreed to the title of the bill.

Rep. Angerer 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. 5024, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 21528 and 50510 (MCL 324.21528 and 324.50510), section 21528 as amended by 1996 PA 181 and section 50510 as amended by 2002 PA 387.

The bill was read a second time.

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

The motion prevailed.

Rep. Angerer 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. 5024, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 21528 and 50510 (MCL 324.21528 and 324.50510), section 21528 as amended by 1996 PA 181 and section 50510 as amended by 2002 PA 387.

Yeas—107

Accavitti DeRoche Knollenberg Pavlov Acciavatti Dillon Lahti Pearce Polidori Agema Donigan LaJoy Amos Ebli Law, David Proos Law, Kathleen Angerer Elsenheimer Robertson Ball **Emmons** LeBlanc Rocca Espinoza Bauer Leland Sak Bennett Farrah Lemmons Schuitmaker Bieda Gaffney Lindberg Shaffer Garfield Booher Marleau Sheen Brandenburg Gonzales Mayes Sheltrown Green McDowell Simpson Brown **Byrnes** Griffin Meadows Smith, Alma Smith, Virgil Byrum Hammel Meekhof Calley Hammon Meisner Spade Stahl Casperson Hansen Melton Caswell Hildenbrand Meltzer Stakoe Caul Hood Miller Tobocman Cheeks Hoogendyk Moolenaar Vagnozzi Clack Hopgood Moore Valentine Clemente Horn Moss Walker Condino Huizenga Nitz. Ward Constan Hune **Nofs** Warren Corriveau Jackson Opsommer Wenke Woino Coulouris Johnson Palmer Cushingberry Jones, Rick Palsrok Young Dean Jones, Robert Pastor

Navs—0

In The Chair: Sak

The House agreed to the title of the bill.

Rep. Angerer 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. 5903, entitled

A bill to require disclosure of certain information in connection with refund anticipation loans; to prescribe certain duties and obligations of the parties to a refund anticipation loan; and to prescribe penalties.

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

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

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

The motion prevailed.

Rep. Angerer 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. 5903, entitled

A bill to require disclosure of certain information in connection with refund anticipation loans; to prescribe certain duties and obligations of the parties to a refund anticipation loan; and to prescribe penalties.

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

Roll Call No. 349

Yeas—102

Accavitti	DeRoche	Knollenberg	Pastor
Acciavatti	Dillon	Lahti	Pavlov
Amos	Donigan	LaJoy	Pearce
Angerer	Ebli	Law, David	Polidori
Ball	Elsenheimer	Law, Kathleen	Proos
Bauer	Emmons	LeBlanc	Robertson
Bennett	Espinoza	Leland	Rocca
Bieda	Farrah	Lemmons	Sak
Booher	Gaffney	Lindberg	Schuitmaker
Brandenburg	Gonzales	Marleau	Shaffer
Brown	Green	Mayes	Sheltrown
Byrnes	Griffin	McDowell	Simpson
Byrum	Hammel	Meadows	Smith, Alma
Calley	Hammon	Meekhof	Smith, Virgil
Casperson	Hansen	Meisner	Spade
Caswell	Hildenbrand	Melton	Stakoe
Caul	Hood	Meltzer	Tobocman
Cheeks	Hoogendyk	Miller	Vagnozzi
Clack	Hopgood	Moolenaar	Valentine
Clemente	Horn	Moore	Walker
Condino	Huizenga	Moss	Ward
Constan	Hune	Nitz	Warren
Corriveau	Jackson	Nofs	Wenke
Coulouris	Johnson	Opsommer	Wojno
Cushingberry	Jones, Rick	Palsrok	Young
Dean	Jones, Robert		-

Nays-5

Agema	Palmer	Sheen	Stahl
Garfield			

In The Chair: Sak

The House agreed to the title of the bill.

Rep. Angerer 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. 5574, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 13805, 13807, 13809, 13811, 13813, 13819, 13830, and 13831 (MCL 333.13805, 333.13807, 333.13809, 333.13811, 333.13813, 333.13819, 333.13830, and

333.13831), sections 13805, 13807, 13809, and 13811 as added by 1990 PA 21 and sections 13813, 13819, 13830, and 13831 as added by 1990 PA 18, and by adding section 13816.

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

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

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

The motion prevailed.

Rep. Angerer 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. 5574, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 13805, 13807, 13809, 13811, 13813, 13819, 13830, and 13831 (MCL 333.13805, 333.13807, 333.13809, 333.13811, 333.13813, 333.13819, 333.13830, and 333.13831), sections 13805, 13807, 13809, and 13811 as added by 1990 PA 21 and sections 13813, 13819, 13830, and 13831 as added by 1990 PA 18, and by adding section 13816.

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

Roll Call No. 350

Yeas—56

Accavitti	Coulouris	Jackson	Polidori
Angerer	Cushingberry	Johnson	Sak
Bauer	Dean	Jones, Robert	Sheltrown
Bennett	Dillon	Law, David	Simpson
Bieda	Donigan	Law, Kathleen	Smith, Alma
Brown	Ebli	LeBlanc	Smith, Virgil
Byrnes	Espinoza	Leland	Spade
Byrum	Farrah	Lemmons	Tobocman
Cheeks	Gillard	Mayes	Vagnozzi
Clack	Gonzales	McDowell	Valentine
Clemente	Hammel	Meadows	Warren
Condino	Hammon	Meisner	Wenke
Constan	Hood	Melton	Wojno
Corriveau	Hopgood	Miller	Young

Nays—52

Acciavatti	Gaffney	LaJoy	Pastor
Agema	Garfield	Lindberg	Pavlov
Amos	Green	Marleau	Pearce
Ball	Griffin	Meekhof	Proos
Booher	Hansen	Meltzer	Robertson
Brandenburg	Hildenbrand	Moolenaar	Rocca
Calley	Hoogendyk	Moore	Schuitmaker
Casperson	Horn	Moss	Shaffer
Caswell	Huizenga	Nitz	Sheen
Caul	Hune	Nofs	Stahl
DeRoche	Jones, Rick	Opsommer	Stakoe

Elsenheimer Knollenberg Palmer Walker Emmons Lahti Palsrok Ward

In The Chair: Sak

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

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

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 13815 (MCL 333.13815), as added by 1990 PA 21.

The motion prevailed.

The House agreed to the title as amended.

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

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

Rep. Hildenbrand demanded the yeas and nays.

The demand was supported.

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

The motion did not prevail, 2/3 of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 351

Yeas—58

Accavitti Cushingberry Johnson Sak Angerer Dean Jones, Robert Sheltrown Bauer Dillon Law, David Simpson Bennett Donigan Law, Kathleen Smith, Alma Bieda Ebli LeBlanc Smith, Virgil Brown Espinoza Leland Spade Farrah **Byrnes** Lemmons Tobocman **Byrum** Gillard Maves Vagnozzi Valentine Cheeks Gonzales McDowell Ward Clack Griffin Meadows Clemente Hammel Meisner Warren Wenke Condino Hammon Melton Wojno Constan Miller Hood Corriveau Hopgood Polidori Young Jackson Coulouris

Nays-50

Acciavatti Gaffney Lindberg Pastor Garfield Pavlov Agema Marleau Amos Green Meekhof Pearce Ball Hansen Meltzer Proos Booher Hildenbrand Moolenaar Robertson Brandenburg Hoogendyk Moore Rocca Horn Moss Schuitmaker Calley Huizenga Casperson Nitz Shaffer Caswell Hune Sheen Nofs Caul Jones, Rick Opsommer Stahl DeRoche Knollenberg Palmer Stakoe Elsenheimer Lahti **Palsrok** Walker **Emmons** LaJoy

Polidori

Sheltrown

Smith, Alma

Smith, Virgil

Tobocman

Vagnozzi

Valentine

Simpson

Spade

Ward Warren

Wenke

Wojno

Young

Sak

Second Reading of Bills

House Bill No. 5575, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 13805, 13807, 13809, 13810, 13811, 13813, 13815, 13817, 13819, 13821, 13823, 13825, 13827, 13829, 13830, and 13831 (MCL 333.13805, 333.13807, 333.13809, 333.13810, 333.13811, 333.13813, 333.13815, 333.13817, 333.13819, 333.13821, 333.13823, 333.13825, 333.13827, 333.13829, 333.13829, 333.13830, and 333.13831), sections 13805, 13807, 13809, 13810, 13811, and 13815 as added by 1990 PA 21, sections 13813, 13817, 13819, 13823, 13825, 13827, 13829, 13830, and 13831 as added by 1990 PA 18, and section 13821 as amended by 1996 PA 67, and by adding sections 13812, 13820, 13832, and 13833.

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

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

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

The motion prevailed.

Rep. Angerer 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. 5575, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 13805, 13807, 13809, 13810, 13811, 13813, 13815, 13817, 13819, 13821, 13823, 13825, 13827, 13829, 13830, and 13831 (MCL 333.13805, 333.13807, 333.13809, 333.13810, 333.13811, 333.13813, 333.13815, 333.13817, 333.13819, 333.13821, 333.13823, 333.13825, 333.13827, 333.13829, 333.13829, 333.13830, and 333.13831), sections 13805, 13807, 13809, 13810, 13811, and 13815 as added by 1990 PA 21, sections 13813, 13817, 13819, 13823, 13825, 13827, 13829, 13830, and 13831 as added by 1990 PA 18, and section 13821 as amended by 1996 PA 67, and by adding sections 13812, 13820, 13832, and 13833.

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

Yeas—61

Roll Call No. 352

Accavitti Dean Lahti Angerer Dillon LaJoy Bauer Donigan Law, David Bennett Ebli Law, Kathleen Bieda Espinoza LeBlanc Farrah Brown Leland **Byrnes** Gillard Lemmons **Byrum** Gonzales Lindberg Hammel Cheeks Marleau Clack Hammon Maves Clemente Hood McDowell Condino Hopgood Meadows Jackson Constan Meisner Corriveau Johnson Melton Coulouris Jones, Robert Miller Cushingberry

Nays-47

Acciavatti Emmons Knollenberg Pavlov Agema Gaffney Meekhof Pearce Amos Garfield Meltzer Ball Green Moolenaar Griffin Booher Moore Brandenburg Hansen Moss Callev Hildenbrand Nitz Casperson Hoogendyk Nofs Caswell Horn Opsommer Caul Huizenga Palmer DeRoche Hune **Palsrok** Elsenheimer Jones, Rick Pastor

Robertson Rocca Schuitmaker Shaffer Sheen Stahl Stakoe Walker

Proos

In The Chair: Sak

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

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

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 13805, 13807, 13809, 13810, 13811, 13813, 13817, 13819, 13821, 13823, 13825, 13827, 13829, 13830, and 13831 (MCL 333.13805, 333.13807, 333.13809, 333.13810, 333.13811, 333.13813, 333.13817, 333.13819, 333.13821, 333.13823, 333.13825, 333.13827, 333.13829, 333.13830, and 333.13831), sections 13805, 13807, 13809, 13810, and 13811 as added by 1990 PA 21, sections 13813, 13817, 13819, 13823, 13825, 13827, 13829, 13830, and 13831 as added by 1990 PA 18, and section 13821 as amended by 1996 PA 67, and by adding sections 13812, 13820, 13832, and 13833.

The motion prevailed.

The House agreed to the title as amended.

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Committee on Energy and Technology, by Rep. Accavitti, Chair, reported

Senate Bill No. 108, entitled

A bill to amend 2002 PA 48, entitled "Metropolitan extension telecommunications rights-of-way oversight act," by amending section 13 (MCL 484.3113).

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. Accavitti, Mayes, Angerer, Brown, Clemente, Ebli, Hammon, Hopgood, Lemmons, Lindberg, Miller, Nofs, Palsrok, Garfield, Huizenga, Horn and Opsommer

Nays: None

Second Reading of Bills

Senate Bill No. 108, entitled

A bill to amend 2002 PA 48, entitled "Metropolitan extension telecommunications rights-of-way oversight act," by amending section 13 (MCL 484.3113).

The bill was read a second time.

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

The motion prevailed.

Rep. Angerer 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. 108, entitled

A bill to amend 2002 PA 48, entitled "Metropolitan extension telecommunications rights-of-way oversight act," by amending section 13 (MCL 484.3113).

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

Roll Call No. 353

Yeas—108

Accavitti DeRoche Jones, Robert Pastor Acciavatti Dillon Knollenberg Pavlov Agema Donigan Lahti Pearce Amos Ebli LaJoy Polidori Angerer Elsenheimer Law, David Proos Ball **Emmons** Law, Kathleen Robertson Bauer Espinoza LeBlanc Rocca Bennett Farrah Leland Sak Bieda Gaffney Lemmons Schuitmaker Garfield Booher Lindberg Shaffer Gillard Marleau Sheen Brandenburg Brown Gonzales Maves Sheltrown Byrnes Green McDowell Simpson Byrum Griffin Meadows Smith, Alma Calley Hammel Meekhof Smith, Virgil Casperson Hammon Meisner Spade Caswell Hansen Melton Stahl Hildenbrand Caul Meltzer Stakoe Cheeks Hood Miller Tobocman Clack Hoogendyk Moolenaar Vagnozzi Hopgood Valentine Clemente Moore Condino Horn Moss Walker Constan Huizenga Nitz Ward Corriveau Hune Nofs Warren Coulouris Jackson Opsommer Wenke Cushingberry Johnson Palmer Woino Dean Jones, Rick Palsrok Young

Nays-0

In The Chair: Sak

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

"An act to create a telecommunication rights-of-way oversight authority; to provide for fees; to prescribe the powers and duties of municipalities and certain state agencies and officials; to provide for penalties; and to repeal acts and parts of acts."

The House agreed to the full title.

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

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

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Agema moved that the Committee on Transportation be discharged from further consideration of **House Bill No. 5363**. (For first notice see House Journal No. 39, p. 896.)

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

Rep. Angerer moved that consideration of the motion be postponed for the day. The motion prevailed.

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

Reps. McDowell, Accavitti, Ball, Bieda, Booher, Brown, Byrnes, Caul, Cheeks, Clack, Condino, Constan, Dean, Gillard, Green, Griffin, Hammon, Hansen, Hopgood, Johnson, Rick Jones, Robert Jones, Lahti, Kathleen Law, LeBlanc, Lemmons, Mayes, Meadows, Miller, Nitz, Palmer, Pearce, Polidori, Proos, Rocca, Sak, Shaffer, Sheltrown, Alma Smith, Spade, Tobocman, Vagnozzi, Valentine and Cushingberry offered the following resolution:

House Resolution No. 339.

A resolution congratulating North Central Michigan College on its 50th anniversary.

Whereas, It is with great pleasure that this legislative body joins the entire state of Michigan in congratulating North Central Michigan College on its 50th year anniversary celebration. North Central Michigan College has served the citizens of northern Michigan for half a century by providing access to the latest information and technological resources, professional and knowledgeable faculty and staff, and, above all, quality and affordable educational opportunities for thousands of individuals; and

Whereas, Through the strong leadership of C. S. Buckmaster, Dean Burns, General E. H. Burt, Ed Cadwell, John Clark, Ray Conley, Allen Crosby, Cliff Fairbairn, Edward Fenlon, K. C. Festerling, Enoch Giles, A. J. Hegener, M.D., C. Lester Johnson, E. C. Matthews, George McRae, Mrs. Stanley McRae, F. A. Rousche, Leo Russell, A. D. Shankland, H. C. Spitler, Ward Walstrom, and Katherine Warner, North Central Michigan College was established in 1958 through a special election; and

Whereas, North Central Michigan College has since grown into an independent, multi-campus and comprehensive community college providing superior instruction. Today, North Central Michigan College serves over 2,900 individuals each year interested in improving their lives through knowledge, effort, and excellence in learning; and

Whereas, North Central Michigan College has established itself as a competitive educational institution with an exciting and promising future ahead; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body congratulate North Central Michigan College on its 50th anniversary.

Pending the reference of the resolution to a committee,

Rep. Angerer moved that Rule 71 be suspended and the resolution be considered at this time.

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Donigan, Tobocman, Brown, Young, Leland, Alma Smith, Byrnes, Vagnozzi, Hopgood, Polidori, Gaffney, Meisner, Johnson, Melton, Miller, Constan, Condino, Bauer, Cushingberry, Mayes, Bieda, Clack, Clemente, Dean, Gillard, Hammon, Robert Jones, Lahti, Kathleen Law, Lemmons, McDowell, Meadows, Pearce, Sak, Sheltrown and Valentine offered the following resolution:

House Resolution No. 340.

A resolution to memorialize Congress to increase the funding emphasis on bus-oriented transit in the 2009 reauthorization of the Safe, Accountable, Flexible, Efficient, Transportation Equity Act: A Legacy for Users (SAFETEA-LU).

Whereas, Federal support for bus transit programs, including bus rapid transit, is important as a means to wean ourselves from dependence on foreign oil, reduce congestion, and improve mobility of the elderly and disabled. A recent federal study concluded that \$20.6 billion per year is needed for real improvements to the transit system in the United States; and

Whereas, The current 2005 SAFETEA-LU authorization guarantees \$234 billion over 6 years (Fiscal Years 04-09) for highway and safety projects and \$52.6 billion for transit projects. Only 20% of SAFETEA-LU funding, less than \$10 billion per year, goes to transit projects; and

Whereas, Bus transit has been severely neglected and under funded. The emphasis in the SAFETEA-LU transit funding has been on rail transportation projects. 40% of the transit formula funding has been for rail modernization, 40% for the New Starts program, and only 20% for buses and bus facilities. The New Starts program has funded mostly fixed guideway light rail and high-speed rail projects. The funding formula should be changed so bus transit programs and projects are not disadvantaged; and

Whereas, Michigan is known as a donor state for federal transportation dollars since a greater share of our taxes go to Washington than are returned in transportation funding. Michigan's tax rate of return averages about 92%. Michigan's rate of return on tax dollars is only between about 50 and 60% for federal transit dollars. Michigan bus transit programs have been shortchanged in comparison to other states; now, therefore, be it

Resolved by the House of Representatives, That we memorialize Congress to increase the funding emphasis on bus-oriented transit in the 2009 reauthorization of SAFETEA-LU; 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 Transportation.

Reps. Miller, Clack, Condino, Constan, Dean, Gillard, Hammon, Johnson, Robert Jones, Kathleen Law, Lemmons, McDowell, Meadows, Polidori, Alma Smith, Tobocman, Vagnozzi and Cushingberry offered the following resolution:

House Resolution No. 341.

A resolution to urge President George W. Bush not to attend the opening ceremonies at the 2008 Summer Olympics in Beijing.

Whereas, The President of the United States, as the leader of the most powerful democracy, stands as the leader of Western democracies. This was true in World War II and during the Cold War, and remains true today. What the President of the United States does and says has influence around the globe. Attending the opening ceremonies of the 2008 Summer Olympics in Beijing in light of Chinese internal repression and support for outlaw regimes abroad would give undeserved approval to the People's Republic of China; and

Whereas, The People's Republic of China has made their hosting of the 2008 Summer Olympics in Beijing, China, a celebration of China's rise to great power status after a generation of economic progress under a liberalized economy. Yet this dramatic economic progress that has enriched the well-being of many Chinese takes place under the one-party rule that China has experienced for nearly 60 years; and

Whereas, Once we had hope that economic progress in China would support political liberalization in Beijing and promote liberty and democracy in the world's most populous nation. The massacre at Tiananmen Square in 1989 of democracy demonstrators by the Chinese security forces demonstrated all too clearly that the Chinese Communist Party would not accept democracy as a price of economic progress. China continues to violate human rights within its borders, with ethnic minorities and people of faith denied the right to simply state they are unhappy with their lives and rights under the Chinese government; and

Whereas, China's record of dubious behavior extends to its international relations as well. China's support for rogue states that oppress their people is too extensive to be sheer coincidence. China's choice of friends reflects China's opposition to democracy and freedom. Chinese support for the Sudanese government's campaign in Darfur of ethnic cleansing, if not actual genocide, is but the most appalling decision by the Chinese government. The rulers in Beijing have also been key supporters propping up the governments of countries with extensive human rights violations, such as Burma, North Korea, and Zimbabwe; and

Whereas, The Chinese people may be justifiably proud of how quickly China has claimed a place on the world stage through hard work that has transformed a backward agrarian state into a major industrial exporter. Yet the celebration in Beijing this summer is not one that elevates the Chinese people. The 2008 Summer Olympics will be used by the rulers in Beijing to bolster the monopoly of power those rulers maintain. The approval of the world will allow the Chinese government to continue policies that violate standards of human rights at home and abroad. No leader of the Western world should appear to validate that kind of celebration; now, therefore, be it

Resolved by the House of Representatives, That we urge President George W. Bush not to attend the opening ceremonies at the 2008 Summer Olympics in Beijing; and be it further

Resolved, That a copy of this resolution be transmitted to the President of the United States of America.

The resolution was referred to the Committee on Government Operations.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members on Wednesday, April 30:

House Bill No. 6023

Senate Bill Nos. 1277 1278 1279 1280 1281

The Clerk announced that the following Senate bills had been received on Wednesday, April 30:

Senate Bill Nos. 72 1256

Reports of Standing Committees

The Committee on Energy and Technology, by Rep. Accavitti, Chair, reported

House Bill No. 4950, entitled

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending section 3 (MCL 125.2683), as amended by 2006 PA 304.

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

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Accavitti, Mayes, Angerer, Brown, Clemente, Ebli, Hammon, Hopgood, Lemmons, Lindberg, Miller, Nofs, Huizenga, Horn and Opsommer

Nays: None

The Committee on Energy and Technology, by Rep. Accavitti, Chair, reported

House Resolution No. 335.

A resolution proclaiming May 2008 as Michigan Safe Digging Month.

(For text of resolution, see House Journal No. 38, p. 869.)

With the recommendation that the resolution be adopted.

The resolution was laid over one day under the rules.

Favorable Roll Call

To Report Out:

Yeas: Reps. Accavitti, Mayes, Angerer, Brown, Clemente, Ebli, Hammon, Hopgood, Lemmons, Lindberg, Miller, Nofs, Palsrok, Garfield, Huizenga, Horn and Opsommer

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Accavitti, Chair, of the Committee on Energy and Technology, was received and read:

Meeting held on: Wednesday, April 30, 2008

Present: Reps. Accavitti, Mayes, Angerer, Brown, Clemente, Ebli, Hammon, Hopgood, Lemmons, Lindberg, Miller, Nofs, Palsrok, Garfield, Huizenga, Horn and Opsommer

Absent: Reps. Melton and Moolenaar Excused: Reps. Melton and Moolenaar

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

House Bill No. 4973, entitled

A bill to amend 1976 PA 267, entitled "Open meetings act," by amending section 3 (MCL 15.263), as amended by 1988 PA 278.

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. Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Virgil Smith, Warren, Schuitmaker and David Law Nays: None

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

House Bill No. 5314, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 4805 (MCL 600.4805), as amended by 2003 PA 178.

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

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Warren, Schuitmaker, Elsenheimer, Rick Jones and Rocca

Nays: None

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

House Bill No. 6015, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 10, 11, and 12 of chapter IX (MCL 769.10, 769.11, and 769.12), as amended by 2006 PA 655.

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. Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Virgil Smith, Warren, Schuitmaker, David Law and Rick Jones

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, April 30, 2008

Present: Reps. Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Virgil Smith, Warren, Schuitmaker, David Law, Elsenheimer, Rick Jones and Rocca

Absent: Reps. Scott and Stakoe

The Committee on Families and Children's Services, by Rep. Clack, Chair, reported

House Bill No. 5910, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 7j (MCL 722.627j), as amended by 2004 PA 563.

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. Clack, Dean, Accavitti, Hammon and Wojno

Nays: Reps. Sheen, Stahl and Hoogendyk

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Clack, Chair, of the Committee on Families and Children's Services, was received and read:

Meeting held on: Wednesday, April 30, 2008

Present: Reps. Clack, Dean, Accavitti, Hammon, Wojno, Sheen, Stahl and Hoogendyk

Absent: Rep. Palmer Excused: Rep. Palmer

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Polidori, Chair, of the Committee on Military and Veterans Affairs and Homeland Security, was received and read:

Meeting held on: Wednesday, April 30, 2008

Present: Reps. Polidori, Brown, Dean, Lemmons, Emmons, Garfield and Horn

Absent: Reps. Sheltrown and Pastor Excused: Reps. Sheltrown and Pastor

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Warren, Chair, of the Committee on Great Lakes and Environment, was received and read:

Meeting held on: Wednesday, April 30, 2008

Present: Reps. Warren, Donigan, Ebli, Griffin, Kathleen Law, Miller, Valentine, Robertson, Palmer, Emmons, Moolenaar, Walker and Meekhof

Absent: Reps. Leland and Meadows Excused: Reps. Leland and Meadows

Messages from the Senate

House Bill No. 5798, entitled

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public and certain private 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," (MCL 460.1 to 460.10cc) by adding section 6r.

The Senate has amended the bill as follows:

1. Amend page 11, line 8, after "(16)" by striking out the balance of the subsection and inserting "THE COMMISSION SHALL FILE A REPORT WITH THE GOVERNOR AND LEGISLATURE 5 YEARS AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SECTION, AND EVERY 5 YEARS THEREAFTER, THAT SHALL INCLUDE RECOMMENDATIONS FOR ANY NEEDED LEGISLATION REGARDING THIS SECTION.".

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

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Senate Bill No. 72, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 811e (MCL 257.811e), as amended by 2006 PA 562, and by adding section 811r.

The Senate has passed the bill.

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

Senate Bill No. 1256, entitled

A bill to amend 2006 PA 152, entitled "An act to allow the requiring of a permit before demonstrating outside of locations in which a funeral service is being held; to allow local units of government to prohibit certain conduct at or near the locations in which a funeral service is being held; to prescribe the powers and duties of certain local governments and officials; and to provide for penalties," by amending section 3 (MCL 123.1113).

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Intergovernmental, Urban and Regional Affairs.

Notices

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Judiciary from further consideration of **House Bill No. 4613**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Judiciary from further consideration of **House Bill No. 4651**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Judiciary from further consideration of **House Bill No. 4652**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Judiciary from further consideration of **House Bill No. 4653**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Judiciary from further consideration of **House Bill No. 4654**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Judiciary from further consideration of **House Bill No. 4655**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Judiciary from further consideration of **House Bill No. 4656**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Judiciary from further consideration of **House Bill No. 4660**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Judiciary from further consideration of **House Bill No. 5664**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Judiciary from further consideration of **Senate Bill No. 1049**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Judiciary from further consideration of **Senate Bill No. 1059**.

Rep. Tobocman

Messages from the Governor

Date: April 24, 2008 Time: 8:10 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5531 (Public Act No. 112, I.E.), being

An act to amend 1979 PA 94, entitled "An act to make appropriations to aid in the support of the public schools and the intermediate school districts of the state; to make appropriations for certain other purposes relating to education; to provide for the disbursement of the appropriations; to supplement the school aid fund by the levy and collection of certain taxes; to authorize the issuance of certain bonds and provide for the security of those bonds; to prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to create certain funds and provide for their expenditure; to prescribe penalties; and to repeal acts and parts of acts," by amending sections 11, 11j, 22a, 22b, 22d, 51a, 51c, 56, 62, and 104 (MCL 388.1611, 388.1611j, 388.1622a, 388.1622b, 388.1620d, 388.1651c, 388.1656, 388.1662, and 388.1704), as amended by 2007 PA 137, and by adding sections 32e, 54c, 99n, and 99p. (Filed with the Secretary of State April 29, 2008, at 2:28 p.m.)

Date: April 29, 2008 Time: 12:10 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5463 (Public Act No. 114, I.E.), being

An act to amend 2007 PA 36, entitled "An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, reporting, payment, and enforcement of taxes on certain commercial, business, and financial activities; to prescribe the powers and duties of public officers and state departments; to provide for the inspection of certain taxpayer records; to provide for interest and penalties; to provide exemptions, credits, and refunds; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; and to make appropriations," by amending section 410 (MCL 208.1410).

(Filed with the Secretary of State April 29, 2008, at 2:32 p.m.)

Date: April 29, 2008 Time: 12:14 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5600 (Public Act No. 116, 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 sections 4 and 8a (MCL 125.2684 and 125.2688a), section 4 as amended by 2006 PA 440 and section 8a as amended by 2006 PA 476.

(Filed with the Secretary of State April 29, 2008, at 2:36 p.m.)

Date: April 29, 2008 Time: 12:18 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5459 (Public Act No. 118, I.E.), being

An act to amend 2005 PA 210, entitled "An act to provide for the establishment of commercial rehabilitation districts in certain local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax

upon the owners of certain qualified facilities; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of certain local governmental officials; and to provide penalties," by amending section 2 (MCL 207.842), as amended by 2008 PA 3.

(Filed with the Secretary of State April 29, 2008, at 2:40 p.m.)

Date: April 29, 2008 Time: 12:20 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5607 (Public Act No. 119, I.E.), being

An act 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, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," (MCL 324.101 to 324.90106) by adding section 80114a.

(Filed with the Secretary of State April 29, 2008, at 2:42 p.m.)

Communications from State Officers

The following communication from the Office of the State Budget was received and read:

April 25, 2008

Transmitted under this cover is a schedule entitled "Statement of Revenue Subject to Constitutional Limitation - Legal Basis." The statement is submitted pursuant to Sections 18.1350(a) through 18.1350(e) of the Michigan Compiled Laws for the purpose of demonstrating compliance with Article 9, Section 26 of the Michigan Constitution for the fiscal year 2007.

The statement has been reviewed by the Office of the Auditor General and a copy of the independent accountant's review is enclosed.

If you have questions regarding this report, please contact Mr. Michael J. Moody, Director, Office of Financial Management, at 373-1010.

Sincerely, Robert L. Emerson State Budget Director

The communication was referred to the Clerk.

Introduction of Bills

Rep. Corriveau introduced

House Bill No. 6024, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 10, 11, and 12 of chapter IX (MCL 769.10, 769.11, and 769.12), as amended by 2006 PA 655.

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

Reps. Rick Jones and Mayes introduced

House Bill No. 6025, entitled

A bill to establish the united way fund in the department of treasury; to provide for the distribution of the money from the fund; to prescribe the powers and duties of certain agencies and officials; and to provide for appropriations.

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

Reps. Mayes and Rick Jones introduced

House Bill No. 6026, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 435 (MCL 206.435), as added by 2007 PA 133.

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

Reps. Moolenaar, Stahl, Sheen, Walker, Agema, Emmons, Pearce, Casperson and Sheltrown introduced House Bill No. 6027, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1292. The bill was read a first time by its title and referred to the Committee on Education.

Reps. Meltzer, Meisner, Proos, Warren, Robert Jones, Simpson, Knollenberg and Stahl introduced House Bill No. 6028, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 254. The bill was read a first time by its title and referred to the Committee on Tax Policy.

Reps. Simpson and Byrum introduced

House Bill No. 6029, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 77.

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

Rep. David Law introduced

House Bill No. 6030, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7cc (MCL 211.7cc), as amended by 2008 PA 96.

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

Rep. LaJoy moved that the House adjourn.

The motion prevailed, the time being 4:30 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, May 1, at 12:00 Noon.

RICHARD J. BROWN Clerk of the House of Representatives