

No. 53
STATE OF MICHIGAN
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House of Representatives
94th Legislature
REGULAR SESSION OF 2008

House Chamber, Lansing, Tuesday, June 3, 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	Dillon—present	Lahti—present	Pearce—present
Acciavatti—present	Donigan—present	LaJoy—present	Polidori—present
Agema—present	Ebli—present	Law, David—present	Proos—present
Amos—present	Elsenheimer—present	Law, Kathleen—present	Robertson—present
Angerer—present	Emmons—present	LeBlanc—present	Rocca—present
Ball—present	Espinoza—present	Leland—present	Sak—present
Bauer—present	Farrah—present	Lemmons—present	Schuitmaker—present
Bennett—present	Gaffney—present	Lindberg—present	Scott—excused
Bieda—present	Garfield—present	Marleau—present	Shaffer—present
Booher—present	Gillard—present	Mayes—present	Sheen—present
Brandenburg—present	Gonzales—present	McDowell—present	Sheltrown—present
Brown—present	Green—present	Meadows—present	Simpson—present
Byrnes—present	Griffin—present	Meekhof—present	Smith, Alma—present
Byrum—present	Hammel—present	Meisner—present	Smith, Virgil—present
Calley—present	Hammon—present	Melton—present	Spade—present
Casperson—present	Hansen—present	Meltzer—present	Stahl—present
Caswell—present	Hildenbrand—present	Miller—present	Stakoe—present
Caul—present	Hood—present	Moolenaar—present	Steil—present
Cheeks—present	Hoogendyk—present	Moore—present	Tobocman—present
Clack—present	Hopgood—present	Moss—present	Vagnozzi—present
Clemente—present	Horn—present	Nitz—present	Valentine—present
Condino—present	Huizenga—excused	Nofs—present	Walker—present
Constan—present	Hune—present	Opsommer—present	Ward—excused
Corriveau—present	Jackson—present	Palmer—present	Warren—present
Coulouris—present	Johnson—present	Palsrok—present	Wenke—present
Cushingberry—present	Jones, Rick—present	Pastor—present	Wojno—present
Dean—present	Jones, Robert—present	Pavlov—present	Young—present
DeRoche—present	Knollenberg—present		

Rep. Marty Knollenberg, from the 41st District, offered the following invocation:

"I would like to reflect upon my late grandmother who was most humble and gracious. I appreciated her wisdom and I remember her telling me to 'count my blessings'. In memory of her, I want to read two poems that will remind us to count our blessings.

The first is from Ralph Waldo Emerson and is called *The Prayer of Thanks*. 'For each new morning with its light, For rest and shelter of the night, For health and food, For love and friends, For everything Thy goodness sends, Father in Heaven we thank Thee.'

The second poem is unknown. 'May your day be filled with blessings like the sun that lights the sky. And may you always have the courage to spread your wings and fly.' Amen."

Rep. Booher moved that Reps. Huizenga and Ward be excused from today's session.
The motion prevailed.

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

Reports of Select Committees

House Bill No. 4184, entitled

A bill to amend 1953 PA 232, entitled "An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to allow for the operation of certain facilities by private entities; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to provide for a lifetime electronic monitoring program; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act," by amending section 34a (MCL 791.234a), as amended by 1998 PA 315; and to repeal acts and parts of acts.

(For text of conference report, see House Journal No. 52, p. 1193.)

The Senate has adopted the report of the Committee of Conference.

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

Messages from the Senate

House Bill No. 5936, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 720, 723, 724, 728, and 734 (MCL 339.720, 339.723, 339.724, 339.728, and 339.734), sections 720 and 724 as added by 1997 PA 10, sections 723 and 734 as amended by 2005 PA 278, and section 728 as amended by 2000 PA 334, and by adding sections 727a and 734a.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

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

Notices

Public Hearing

Committee on Great Lakes and Environment

Date: Tuesday, June 10, 2008

Time: 6:30-8:30 p.m.

Place: Southfield Public Library
26300 Evergreen Rd.
Southfield, MI 48034

Rep. Rebekah Warren
Chair

Agenda: Hearing Testimony on Global Warming and the impact it has on Michigan. Featured Speakers:
Jeffrey Anderson, Ph.D., Associate Professor, Department of Geography, MSU,
Nathaniel Ostrom, Ph.D., Department of Zoology, College of Natural Sciences, MSU,
Barry Rabe, Ph.D., Gerald R Ford School of Public Policy, U of M, Also attending,
Steven Chester, Director of Michigan Department of Environmental Quality.

By unanimous consent the House returned to the order of

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following Senate bill had been received on Wednesday, May 28:

Senate Bill No. 1097

The Clerk announced the enrollment printing and presentation to the Governor on Thursday, May 29, for her approval of the following bill:

Enrolled House Bill No. 4965 at 9:54 a.m.

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

House Bill Nos. 6183 6184 6185

**Senate Bill Nos. 1344 1345 1346 1347 1348 1349 1350 1351 1352 1353 1354 1355 1356 1357
1358 1359 1360**

The Clerk announced the enrollment printing and presentation to the Governor on Tuesday, June 3, for her approval of the following bills:

Enrolled House Bill No. 5476 at 10:10 a.m.

Enrolled House Bill No. 5539 at 10:12 a.m.

Enrolled House Bill No. 5540 at 10:14 a.m.

Enrolled House Bill No. 5541 at 10:16 a.m.

Enrolled House Bill No. 5542 at 10:18 a.m.

Enrolled House Bill No. 5963 at 10:20 a.m.

Enrolled House Bill No. 4184 at 2:34 p.m.

Enrolled House Bill No. 5936 at 2:36 p.m.

The Clerk announced that the following Senate bills had been received on Tuesday, June 3:

Senate Bill Nos. 591 1193 1241 1272 1304

Messages from the Senate

Senate Bill No. 1097, entitled

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2009; to provide for the expenditure of those appropriations; to create certain funds and accounts; to require certain reports; to prescribe the powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

The Senate has passed the bill.

Pending the reference of the bill to a committee,

Rep. Tobocman moved that Rules 41 and 42 be suspended.

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

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

The motion prevailed.

Second Reading of Bills

Senate Bill No. 1097, entitled

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2009; to provide for the expenditure of those appropriations; to create certain funds and accounts; to require certain reports; to prescribe the powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

The bill was read a second time.

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

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

Rep. 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

Senate Bill No. 1097, entitled

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2009; to provide for the expenditure of those appropriations; to create certain funds and accounts; to require certain reports; to prescribe the powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

By unanimous consent the House returned to the order of

Messages from the Senate

The Speaker laid before the House

House Bill No. 4216, entitled

A bill to amend 1965 PA 290, entitled "Boiler act of 1965," by amending the title and sections 2, 4, 4a, 7, 12, 14, and 24 (MCL 408.752, 408.754, 408.754a, 408.757, 408.762, 408.764, and 408.774), section 2 as amended by 2004 PA 103, sections 4 and 7 as amended by 1980 PA 274, and section 4a as amended by 2004 PA 265, and by adding sections 13a, 13b, 13c, and 13d.

(The bill was received from the Senate on May 28, 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. 52, p. 1210.)

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. 455

Yeas—87

Accavitti
Acciavatti

Dean
Dillon

Jones, Robert
Lahti

Polidori
Proos

Angerer	Donigan	LaJoy	Rocca
Ball	Ebli	Law, David	Sak
Bauer	Emmons	Law, Kathleen	Schuitmaker
Bennett	Espinoza	LeBlanc	Shaffer
Bieda	Farrah	Leland	Sheltrown
Booher	Gaffney	Lemmons	Simpson
Brown	Gillard	Lindberg	Smith, Alma
Byrnes	Gonzales	Mayes	Smith, Virgil
Byrum	Green	McDowell	Spade
Casperson	Griffin	Meadows	Stakoe
Caswell	Hammel	Meisner	Steil
Caul	Hammon	Melton	Tobocman
Cheeks	Hansen	Miller	Vagnozzi
Clack	Hildenbrand	Moolenaar	Valentine
Clemente	Hood	Moore	Walker
Condino	Hopgood	Nitz	Warren
Constan	Horn	Nofs	Wenke
Corriveau	Jackson	Palsrok	Wojno
Coulouris	Johnson	Pavlov	Young
Cushingberry	Jones, Rick	Pearce	

Nays—20

Agema	Elsenheimer	Marleau	Palmer
Amos	Garfield	Meekhof	Pastor
Brandenburg	Hoogendyk	Meltzer	Robertson
Calley	Hune	Moss	Sheen
DeRoche	Knollenberg	Opsommer	Stahl

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.

Third Reading of Bills

Senate Bill No. 296, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 81129 (MCL 324.81129), as amended by 2003 PA 111.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Sheltrown moved to amend the bill as follows:

1. Amend page 6, following line 9, by inserting:

“(19) IF A CHILD LESS THAN 16 YEARS OF AGE PARTICIPATES AND IS INJURED IN AN ORGANIZED ORV RIDING OR RACING EVENT, THE ORGANIZER OF THE EVENT SHALL, WITHIN 30 DAYS AFTER THE EVENT, SUBMIT TO THE DEPARTMENT A REPORT ON A FORM DEVELOPED BY THE DEPARTMENT. THE REPORT SHALL INCLUDE ALL OF THE FOLLOWING, AS APPLICABLE:

(A) WHETHER ANY PARTICIPANT LESS THAN 16 YEARS OF AGE WAS KILLED OR SUFFERED AN INJURY RESULTING IN TRANSPORTATION TO A HOSPITAL AS A RESULT OF AN ORV ACCIDENT AT THE EVENT.

(B) THE AGE OF THE CHILD.

(C) WHETHER THE CHILD HAD BEEN ISSUED AN ORV SAFETY CERTIFICATE UNDER THIS PART OR A COMPARABLE ORV SAFETY CERTIFICATE ISSUED UNDER THE AUTHORITY OF ANOTHER STATE OR THE PROVINCE OF CANADA.

(D) THE TYPE OF ORV OPERATED.**(E) A DESCRIPTION OF THE ACCIDENT AND INJURY.**

(20) BY DECEMBER 31 OF EACH YEAR, THE DEPARTMENT SHALL SUBMIT TO THE LEGISLATURE A REPORT THAT SUMMARIZES REPORTS RECEIVED UNDER SUBSECTION (19) DURING THE PRECEDING CALENDAR YEAR. IN THE REPORT, THE DEPARTMENT MAY RECOMMEND AMENDMENTS TO THIS PART TO IMPROVE THE SAFETY OF CHILDREN LESS THAN 16 YEARS OF AGE PARTICIPATING IN ORGANIZED ORV RIDING OR RACING EVENTS.”.

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

The question being on the passage of the bill,

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

Roll Call No. 456**Yeas—88**

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

Nays—19

Accavitti	Clack	Sak	Vagnozzi
Bauer	Constan	Smith, Alma	Warren
Bennett	Hood	Smith, Virgil	Wojno
Bieda	Meadows	Stakoe	Young
Cheeks	Miller	Tobocman	

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 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,”

The House agreed to the full title.

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

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

The Speaker Pro Tempore called Associate Speaker Pro Tempore Byrnes to the Chair.

Second Reading of Bills

House Bill No. 5726, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 11a (MCL 400.11a), as amended by 1990 PA 122.

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

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

Rep. Meadows 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. Meadows 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.

Rep. Meekhof moved that Rep. DeRoche 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. 5726, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 11a (MCL 400.11a), as amended by 1990 PA 122.

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

Roll Call No. 457

Yeas—100

Accavitti	Dean	Lahti	Pavlov
Acciavatti	Dillon	LaJoy	Pearce
Amos	Donigan	Law, David	Polidori
Angerer	Ebli	Law, Kathleen	Proos
Ball	Elsenheimer	LeBlanc	Robertson
Bauer	Emmons	Leland	Rocca
Bennett	Espinoza	Lemmons	Sak
Bieda	Farrah	Lindberg	Schuitmaker
Booher	Gaffney	Marleau	Shaffer
Brandenburg	Gillard	Mayes	Sheltrown
Brown	Gonzales	McDowell	Simpson

Byrnes	Green	Meadows	Smith, Alma
Byrum	Griffin	Meekhof	Smith, Virgil
Calley	Hammel	Meisner	Spade
Casperson	Hammon	Melton	Stahl
Caswell	Hansen	Meltzer	Stakoe
Caul	Hildenbrand	Miller	Steil
Cheeks	Hood	Moolenaar	Tobocman
Clack	Hopgood	Moore	Vagnozzi
Clemente	Horn	Moss	Valentine
Condino	Jackson	Nitz	Walker
Constan	Johnson	Nofs	Warren
Corriveau	Jones, Rick	Opsommer	Wenke
Coulouris	Jones, Robert	Palsrok	Wojno
Cushingberry	Knollenberg	Pastor	Young

Nays—6

Agema	Hoogendyk	Palmer	Sheen
Garfield	Hune		

In The Chair: Byrnes

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. 5728, entitled

A bill to amend 1939 PA 280, entitled “The social welfare act,” by amending section 11 (MCL 400.11), as amended by 1990 PA 122.

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

The substitute (H-2) was not adopted, a majority of the members serving not voting therefor.

Rep. Meadows 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. Robert Jones moved to amend the bill as follows:

1. Amend page 3, line 4, after “**FIRM**,” by inserting “**LIFE**”.

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

Rep. Meadows 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. 5728, entitled

A bill to amend 1939 PA 280, entitled “The social welfare act,” by amending section 11 (MCL 400.11), as amended by 1990 PA 122.

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

Roll Call No. 458**Yeas—107**

Accavitti	DeRoche	Knollenberg	Pavlov
Acciavatti	Dillon	Lahti	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	Gillard	Mayes	Sheltrown
Brown	Gonzales	McDowell	Simpson
Byrnes	Green	Meadows	Smith, Alma
Byrum	Griffin	Meekhof	Smith, Virgil
Calley	Hammel	Meisner	Spade
Casperson	Hammon	Melton	Stahl
Caswell	Hansen	Meltzer	Stakoe
Caul	Hildenbrand	Miller	Steil
Cheeks	Hood	Moolenaar	Tobocman
Clack	Hoogendyk	Moore	Vagnozzi
Clemente	Hopgood	Moss	Valentine
Condino	Horn	Nitz	Walker
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: Byrnes

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.

The Speaker Pro Tempore resumed the Chair.

The House returned to the consideration of
Senate Bill No. 1097, entitled

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2009; to provide for the expenditure of those appropriations; to create certain funds and accounts; to require certain reports; to prescribe the powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

(The bill was considered earlier today, see today's Journal, p. 1216.)

The question being on the passage of the bill,

Rep. Moore moved to amend the bill as follows:

1. Amend page 27, following line 21, by inserting:

“Sec. 231. From the funds appropriated in part 1, the department shall establish an office of the small business environmental ombudsman.”.

The motion was seconded.

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

Rep. Moore demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 459

Yeas—51

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

Nays—56

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

In The Chair: Sak

The question being on the passage of the bill,

Rep. Proos moved to amend the bill as follows:

1. Amend page 27, following line 21, by inserting:

“Sec. 226. The department shall not increase the cost of any fee, license, or permit to utilize any department service or program. It is the intent of the legislature that no fee or permit increase shall take effect during the fiscal year ending September 30, 2009.”.

The motion was seconded.

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

Rep. Proos demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 460**Yeas—103**

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

Nays—4

Condino	Gillard	Warren	Young
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In The Chair: Sak

The question being on the passage of the bill,

Rep. Proos moved to amend the bill as follows:

1. Amend page 27, following line 21, by inserting:

“Sec. 227. The department shall not administer the Michigan agriculture environmental assurance program during the fiscal year ending September 30, 2009.”.

The motion was seconded.

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

Rep. Proos demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 461**Yeas—105**

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

Nays—2

Smith, Alma

Warren

In The Chair: Sak

The question being on the passage of the bill,

Rep. Proos moved to amend the bill as follows:

1. Amend page 27, following line 21, by inserting:

“Sec. 230. Due to the current budgetary problems in this state and a lack of transparency related to departmental spending, the department shall:

(a) Implement a spending plan for fiscal year 2008-2009 which incorporates a 5.0% reduction from the dollars appropriated in part 1.

(b) Provide the senate and house appropriations subcommittees on department of environmental quality and the senate and house fiscal agencies a list of budget cuts sufficient to reduce department spending by 5.0% in fiscal year 2008-2009.”.

The motion was seconded.

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

Rep. Proos demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 462**Yeas—50**

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

Nays—57

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

In The Chair: Sak

The question being on the passage of the bill,

Rep. Proos moved to amend the bill as follows:

1. Amend page 27, following line 21, by inserting:

“Sec. 231. From the funds appropriated in part 1, the department shall develop, post, and maintain a user friendly and publicly accessible Internet site, all expenditures made by the agency within a fiscal year. The posting must include the purpose for which each expenditure is made.”.

The motion was seconded.

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

Rep. Proos demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 463**Yeas—91**

Accavitti	DeRoche	Lahti	Pastor
Acciavatti	Dillon	LaJoy	Pavlov

Agema	Ebli	Law, David	Pearce
Amos	Elsenheimer	LeBlanc	Polidori
Angerer	Emmons	Leland	Proos
Ball	Espinoza	Lemmons	Robertson
Bauer	Farrah	Lindberg	Rocca
Bieda	Gaffney	Marleau	Sak
Booher	Garfield	Mayes	Schuitmaker
Brandenburg	Gonzales	McDowell	Shaffer
Brown	Green	Meekhof	Sheen
Byrum	Griffin	Meisner	Sheltrown
Calley	Hammon	Melton	Simpson
Casperson	Hansen	Meltzer	Spade
Caswell	Hildenbrand	Miller	Stahl
Caul	Hoogendyk	Moolenaar	Stakoe
Cheeks	Horn	Moore	Steil
Clack	Hune	Moss	Tobocman
Clemente	Jackson	Nitz	Valentine
Constan	Johnson	Nofs	Walker
Corriveau	Jones, Rick	Opsommer	Wenke
Coulouris	Jones, Robert	Palmer	Wojno
Dean	Knollenberg	Palsrok	

Nays—16

Bennett	Donigan	Hopgood	Smith, Virgil
Byrnes	Gillard	Law, Kathleen	Vagnozzi
Condino	Hammel	Meadows	Warren
Cushingberry	Hood	Smith, Alma	Young

In The Chair: Sak

The question being on the passage of the bill,

Rep. Proos moved to amend the bill as follows:

1. Amend page 27, following line 21, by inserting:

“Sec. 231. The director of the department shall develop a staff savings initiative program to invite employees to submit suggestions for saving costs for the department and shall recommend that 10% of any savings realized from those savings to be allocated to the unit, office, or program where that employee works.”.

The motion was seconded.

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

Rep. Proos demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 464**Yeas—100**

Accavitti	Dean	Knollenberg	Pastor
Acciavatti	DeRoche	Lahti	Pavlov
Agema	Dillon	LaJoy	Pearce
Amos	Donigan	Law, David	Polidori
Angerer	Ebli	Law, Kathleen	Proos
Ball	Elsenheimer	LeBlanc	Robertson

Bauer	Emmons	Leland	Rocca
Bennett	Espinoza	Lemmons	Sak
Bieda	Farrah	Lindberg	Schuitmaker
Booher	Gaffney	Marleau	Shaffer
Brandenburg	Garfield	Mayes	Sheen
Brown	Gonzales	McDowell	Sheltrown
Byrnes	Green	Meekhof	Simpson
Byrum	Griffin	Meisner	Smith, Alma
Calley	Hammon	Melton	Smith, Virgil
Casperson	Hansen	Meltzer	Spade
Caswell	Hildenbrand	Miller	Stahl
Caul	Hoogendyk	Moolenaar	Stakoe
Cheeks	Hopgood	Moore	Steil
Clack	Horn	Moss	Tobocman
Clemente	Hune	Nitz	Vagnozzi
Constan	Jackson	Nofs	Valentine
Corriveau	Johnson	Opsommer	Walker
Coulouris	Jones, Rick	Palmer	Wenke
Cushingberry	Jones, Robert	Palsrok	Wojno

Nays—7

Condino	Hammel	Meadows	Young
Gillard	Hood	Warren	

In The Chair: Sak

The question being on the passage of the bill,

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

Roll Call No. 465**Yeas—58**

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

Nays—49

Acciavatti	Garfield	Meekhof	Pearce
Agema	Green	Meltzer	Proos

Amos	Hansen	Moolenaar	Robertson
Ball	Hildenbrand	Moore	Rocca
Booher	Hoogendyk	Moss	Schuitmaker
Brandenburg	Horn	Nitz	Shaffer
Calley	Hune	Nofs	Sheen
Casperson	Jones, Rick	Opsommer	Stahl
Caswell	Knollenberg	Palmer	Stakoe
Caul	LaJoy	Palsrok	Steil
DeRoche	Law, David	Pastor	Walker
Elsenheimer	Marleau	Pavlov	Wenke
Emmons			

In The Chair: Sak

The House agreed to the title of the bill.

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

“Mr. Speaker and members of the House:

While I support many programs in this budget, as a whole it has severe problems that need correcting. I cannot ignore the lack of reforms or new structural deficits this bill creates.

The proposed FY 2008-2009 budget is dependent on the Democrats’ \$1.4 billion tax hike as well as several one-time funding gimmicks, yet the non-partisan House Fiscal Agency said we still cannot afford this level of spending. I refuse to support spending we cannot afford, especially since doing so will set the stage for another tax hike.

This DEQ budget fails to make any significant cuts that reflect the state’s expected budget shortfall.

Furthermore, this bill was not given a proper hearing in committee. Instead, it was rushed directly to the floor where we were forced to vote on it without adequate time for review or an opportunity to offer input. I refuse to vote in favor of a bill that has been rammed through the Legislature and not given the proper amount of attention voters expect from their elected officials.

For these reasons, I cannot support this bill at this time.”

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

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

Rep. Hildenbrand demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 466

Yeas—58

Accavitti	Cushingberry	Jackson	Miller
Angerer	Dean	Johnson	Polidori
Bauer	Dillon	Jones, Robert	Sak
Bennett	Donigan	Lahti	Sheltrown
Bieda	Ebli	Law, Kathleen	Simpson
Brown	Espinoza	LeBlanc	Smith, Alma
Byrnes	Farrah	Leland	Smith, Virgil
Byrum	Gaffney	Lemmons	Spade
Cheeks	Gillard	Lindberg	Tobocman
Clack	Gonzales	Mayes	Vagnozzi

Clemente
Condino
Constan
Corriveau
Coulouris

Griffin
Hammel
Hammon
Hood
Hopgood

McDowell
Meadows
Meisner
Melton

Valentine
Warren
Wojno
Young

Nays—49

Acciavatti
Agrama
Amos
Ball
Booher
Brandenburg
Calley
Casperson
Caswell
Caul
DeRoche
Elsenheimer
Emmons

Garfield
Green
Hansen
Hildenbrand
Hoogendyk
Horn
Hune
Jones, Rick
Knollenberg
LaJoy
Law, David
Marleau

Meekhof
Meltzer
Moolenaar
Moore
Moss
Nitz
Nofs
Opsommer
Palmer
Palsrok
Pastor
Pavlov

Pearce
Proos
Robertson
Rocca
Schuitmaker
Shaffer
Sheen
Stahl
Stakoe
Steil
Walker
Wenke

In The Chair: Sak

The Speaker Pro Tempore called Associate Speaker Pro Tempore Byrnes to the Chair.

Second Reading of Bills

House Bill No. 6022, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 356a (MCL 750.356a), as amended by 1998 PA 311.

The bill was read a second time.

Rep. Palmer moved to amend the bill as follows:

1. Amend page 4, following line 13, by inserting:

“Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 1049 of the 94th 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. Hoogendyk moved to amend the bill as follows:

1. Amend page 4, following line 13, by inserting:

“Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 1059 of the 94th 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. Hoogendyk moved to amend the bill as follows:

1. Amend page 4, following line 13, by inserting:

“Enacting section 1. This amendatory act does not take effect unless House Bill No. 4660 of the 94th 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. Valentine 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. 6022, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 356a (MCL 750.356a), as amended by 1998 PA 311.

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

Roll Call No. 467

Yeas—107

Accavitti	DeRoche	Knollenberg	Pavlov
Acciavatti	Dillon	Lahti	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	Gillard	Mayes	Sheltrown
Brown	Gonzales	McDowell	Simpson
Byrnes	Green	Meadows	Smith, Alma
Byrum	Griffin	Meekhof	Smith, Virgil
Calley	Hammel	Meisner	Spade
Casperson	Hammon	Melton	Stahl
Caswell	Hansen	Meltzer	Stakoe
Caul	Hildenbrand	Miller	Steil
Cheeks	Hood	Moolenaar	Tobocman
Clack	Hoogendyk	Moore	Vagnozzi
Clemente	Hopgood	Moss	Valentine
Condino	Horn	Nitz	Walker
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: Byrnes

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. 6053, entitled

A bill to authorize the state administrative board to convey a certain parcel of state owned property in Wayne county; to prescribe conditions for the conveyance; to provide for certain powers and duties of state departments in regard to the property; and to provide for disposition of revenue derived from the conveyance.

The bill was read a second time.

Rep. Palmer moved to amend the bill as follows:

1. Amend page 5, following line 16, by inserting:

“Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 1049 of the 94th 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. Hoogendyk moved to amend the bill as follows:

1. Amend page 5, following line 16, by inserting:

“Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 1059 of the 94th 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. Hoogendyk moved to amend the bill as follows:

1. Amend page 5, following line 16, by inserting:

“Enacting section 1. This amendatory act does not take effect unless House Bill No. 4660 of the 94th 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. Palmer moved to amend the bill as follows:

1. Amend page 5, following line 16, by inserting:

“Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 776 of the 94th 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. Cushingberry 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. 6053, entitled

A bill to authorize the state administrative board to convey a certain parcel of state owned property in Wayne county; to prescribe conditions for the conveyance; to provide for certain powers and duties of state departments in regard to the property; and to provide for disposition of revenue derived from the conveyance.

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

Roll Call No. 468

Yeas—70

Accavitti	Corriveau	Hune	Miller
Angerer	Coulouris	Jackson	Moss
Bauer	Cushingberry	Johnson	Nofs
Bennett	Dean	Jones, Robert	Polidori
Bieda	Dillon	Lahti	Rocca
Booher	Donigan	LaJoy	Sak
Brandenburg	Ebli	Law, Kathleen	Sheltrown
Brown	Espinoza	LeBlanc	Simpson

Byrnes	Farrah	Leland	Smith, Alma
Byrum	Gaffney	Lemmons	Smith, Virgil
Calley	Gillard	Lindberg	Spade
Caswell	Gonzales	Mayes	Tobocman
Caul	Griffin	McDowell	Vagnozzi
Cheeks	Hammel	Meadows	Valentine
Clack	Hammon	Meisner	Warren
Clemente	Hansen	Melton	Wojno
Condino	Hood	Meltzer	Young
Constan	Hopgood		

Nays—37

Acciavatti	Hildenbrand	Moore	Robertson
Agema	Hoogendyk	Nitz	Schuitmaker
Amos	Horn	Opsommer	Shaffer
Ball	Jones, Rick	Palmer	Sheen
Casperson	Knollenberg	Palsrok	Stahl
DeRoche	Law, David	Pastor	Stakoe
Elsenheimer	Marleau	Pavlov	Steil
Emmons	Meekhof	Pearce	Walker
Garfield	Moolenaar	Proos	Wenke
Green			

In The Chair: Byrnes

The House agreed to the title of the bill.

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

“Mr. Speaker and members of the House:

I can not vote for this conveyance of property without a fair market price being established.”

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

“Mr. Speaker and members of the House:

Should be at fair market value, not sold for \$1.”

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

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

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

Rep. Hildenbrand demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 469**Yeas—68**

Accavitti	Coulouris	Hune	Miller
Angerer	Cushingberry	Jackson	Moss
Bauer	Dean	Johnson	Nofs
Bennett	Dillon	Jones, Robert	Polidori
Bieda	Donigan	Lahti	Rocca
Booher	Ebli	LaJoy	Sak
Brown	Espinoza	Law, Kathleen	Sheltrown
Byrnes	Farrah	LeBlanc	Simpson
Byrum	Gaffney	Leland	Smith, Alma
Caswell	Gillard	Lemmons	Smith, Virgil
Caul	Gonzales	Lindberg	Spade
Cheeks	Griffin	Mayes	Tobocman
Clack	Hammel	McDowell	Vagnozzi
Clemente	Hammon	Meadows	Valentine
Condino	Hansen	Meisner	Warren
Constan	Hood	Melton	Wojno
Corriveau	Hopgood	Meltzer	Young

Nays—38

Acciavatti	Green	Moore	Robertson
Agema	Hildenbrand	Nitz	Schuitmaker
Amos	Hoogendyk	Opsommer	Shaffer
Ball	Horn	Palmer	Sheen
Calley	Jones, Rick	Palsrok	Stahl
Casperson	Knollenberg	Pastor	Stakoe
DeRoche	Law, David	Pavlov	Steil
Elsenheimer	Marleau	Pearce	Walker
Emmons	Meekhof	Proos	Wenke
Garfield	Moolenaar		

In The Chair: Byrnes

Second Reading of Bills**House Bill No. 6094, entitled**

A bill to authorize the state administrative board to exchange certain real property in Ingham county; to prescribe conditions for the exchange; and to provide for disposition of revenue derived from the exchange.

The bill was read a second time.

Rep. Palmer moved to amend the bill as follows:

1. Amend page 3, following line 12, by inserting:

“Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 1049 of the 94th 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. Hoogendyk moved to amend the bill as follows:

1. Amend page 3, following line 12, by inserting:

“Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 1059 of the 94th 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. Hoogendyk moved to amend the bill as follows:

1. Amend page 3, following line 12, by inserting:

“Enacting section 1. This amendatory act does not take effect unless House Bill No. 4660 of the 94th 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. Palmer moved to amend the bill as follows:

1. Amend page 3, following line 12, by inserting:

“Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 776 of the 94th 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. Bauer 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. 6094, entitled

A bill to authorize the state administrative board to exchange certain real property in Ingham county; to prescribe conditions for the exchange; and to provide for disposition of revenue derived from the exchange.

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

Roll Call No. 470

Yeas—107

Accavitti	DeRoche	Knollenberg	Pavlov
Acciavatti	Dillon	Lahti	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	Gillard	Mayes	Sheltrown
Brown	Gonzales	McDowell	Simpson
Byrnes	Green	Meadows	Smith, Alma
Byrum	Griffin	Meekhof	Smith, Virgil
Calley	Hammel	Meisner	Spade
Casperson	Hammon	Melton	Stahl
Caswell	Hansen	Meltzer	Stakoe
Caul	Hildenbrand	Miller	Steil
Cheeks	Hood	Moolenaar	Tobocman
Clack	Hoogendyk	Moore	Vagnozzi
Clemente	Hopgood	Moss	Valentine
Condino	Horn	Nitz	Walker
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: Byrnes

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.

The Speaker Pro Tempore resumed the Chair.

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Tobocman moved that Rule 42 be suspended.

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

Rep. Tobocman moved that the Committee on Oversight and Investigations be discharged from further consideration of **House Bill No. 4820**.

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

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

Rep. Tobocman moved that Rule 42 be suspended.

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

Rep. Tobocman moved that the Committee on Oversight and Investigations be discharged from further consideration of **House Bill No. 5013**.

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

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

Rep. Tobocman moved that Rule 42 be suspended.

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

Rep. Tobocman moved that the Committee on Oversight and Investigations be discharged from further consideration of **House Bill No. 5039**.

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

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

Rep. Tobocman moved that Rule 42 be suspended.

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

Rep. Tobocman moved that the Committee on Oversight and Investigations be discharged from further consideration of **House Bill No. 5127**.

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

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

Rep. Tobocman moved that Rule 42 be suspended.

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

Rep. Tobocman moved that the Committee on Oversight and Investigations be discharged from further consideration of **House Bill No. 5331**.

The motion prevailed, a majority of the members serving voting therefor.
The bill was placed on the order of Second Reading of Bills.

Rep. Tobocman moved that Rule 42 be suspended.
The motion prevailed, 3/5 of the members present voting therefor.

Rep. Tobocman moved that the Committee on Oversight and Investigations be discharged from further consideration of **House Bill No. 5338**.

The motion prevailed, a majority of the members serving voting therefor.
The bill was placed on the order of Second Reading of Bills.

Rep. Tobocman moved that Rule 42 be suspended.
The motion prevailed, 3/5 of the members present voting therefor.

Rep. Tobocman moved that the Committee on Oversight and Investigations be discharged from further consideration of **House Bill No. 5361**.

The motion prevailed, a majority of the members serving voting therefor.
The bill was placed on the order of Second Reading of Bills.

Rep. Tobocman moved that Rule 42 be suspended.
The motion prevailed, 3/5 of the members present voting therefor.

Rep. Tobocman moved that the Committee on Oversight and Investigations be discharged from further consideration of **House Bill No. 5362**.

The motion prevailed, a majority of the members serving voting therefor.
The bill was placed on the order of Second Reading of Bills.

Rep. Tobocman moved that Rule 42 be suspended.
The motion prevailed, 3/5 of the members present voting therefor.

Rep. Tobocman moved that the Committee on Oversight and Investigations be discharged from further consideration of **House Bill No. 5546**.

The motion prevailed, a majority of the members serving voting therefor.
The bill was placed on the order of Second Reading of Bills.

Rep. Tobocman moved that Rule 42 be suspended.
The motion prevailed, 3/5 of the members present voting therefor.

Rep. Tobocman moved that the Committee on Oversight and Investigations be discharged from further consideration of **House Bill No. 5677**.

The motion prevailed, a majority of the members serving voting therefor.
The bill was placed on the order of Second Reading of Bills.

Rep. Tobocman moved that Rule 42 be suspended.
The motion prevailed, 3/5 of the members present voting therefor.

Rep. Tobocman moved that the Committee on Oversight and Investigations be discharged from further consideration of **House Bill No. 5678**.

The motion prevailed, a majority of the members serving voting therefor.
The bill was placed on the order of Second Reading of Bills.

Rep. Tobocman moved that Rule 42 be suspended.
The motion prevailed, 3/5 of the members present voting therefor.

Rep. Tobocman moved that the Committee on Oversight and Investigations be discharged from further consideration of **House Bill No. 5679**.

The motion prevailed, a majority of the members serving voting therefor.
The bill was placed on the order of Second Reading of Bills.

Rep. Tobocman moved that Rule 42 be suspended.
The motion prevailed, 3/5 of the members present voting therefor.

Rep. Tobocman moved that the Committee on Oversight and Investigations be discharged from further consideration of **House Bill No. 5748**.

The motion prevailed, a majority of the members serving voting therefor.
The bill was placed on the order of Second Reading of Bills.

Rep. Tobocman moved that Rule 42 be suspended.
The motion prevailed, 3/5 of the members present voting therefor.

Rep. Tobocman moved that the Committee on Oversight and Investigations be discharged from further consideration of **House Bill No. 5771**.

The motion prevailed, a majority of the members serving voting therefor.
The bill was placed on the order of Second Reading of Bills.

Rep. Tobocman moved that Rule 42 be suspended.
The motion prevailed, 3/5 of the members present voting therefor.

Rep. Tobocman moved that the Committee on Oversight and Investigations be discharged from further consideration of **House Bill No. 4451**.

The motion prevailed, a majority of the members serving voting therefor.
The bill was placed on the order of Second Reading of Bills.

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

Reps. Sak, Accavitti, Ball, Bauer, Bieda, Brandenburg, Brown, Byrnes, Condino, Constan, Dean, Gonzales, Griffin, Hammel, Hammon, Hansen, Hildenbrand, Hopgood, Horn, Robert Jones, Lahti, LaJoy, LeBlanc, Leland, Lemmons, Marleau, Mayes, Meadows, Nofs, Pastor, Pearce, Polidori, Rocca, Schuitmaker, Shaffer, Sheltrown, Spade, Stahl, Tobocman, Vagnozzi, Warren and Wojno offered the following resolution:

House Resolution No. 383.

A resolution designating the first week in June 2008 as National River Cleanup Week in the state of Michigan.

Whereas, The state of Michigan is home to more than 36,000 miles of rivers, tributaries and streams; and

Whereas, These waters provide an important and irreplaceable natural habitat for millions of freshwater plants and creatures; and

Whereas, These waters provide many citizens of Michigan with the clean drinking water that is essential to our daily lives; and

Whereas, These waters provide recreational opportunities that are both fun and educational; and

Whereas, It is our duty as global citizens to defend Earth's natural resources and preserve them for our children and grandchildren; and

Whereas, National River Cleanup Week will provide an opportunity for the citizens of Michigan to contribute their part in defending these precious resources; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body hereby designate the first week in June 2008 as National River Cleanup Week in the state of Michigan.

Pending the reference of the resolution to a committee,

Rep. Tobocman 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.

Reports of Standing Committees

The Committee on Appropriations, by Rep. Cushingberry, Chair, reported

House Bill No. 4840, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20161 (MCL 333.20161), as amended by 2007 PA 5.

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. Cushingberry, Gillard, Bauer, Byrnes, Cheeks, Espinoza, Hammel, Hood, Jackson, Lahti, LeBlanc, McDowell, Vagnozzi, Acciavatti, Caswell, Caul, Proos and Moss

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, May 28, 2008

Present: Reps. Cushingberry, Gillard, Bauer, Byrnes, Cheeks, Espinoza, Hammel, Hood, Jackson, Lahti, LeBlanc, McDowell, Vagnozzi, Acciavatti, Caswell, Caul, Proos and Moss

Absent: Reps. Bennett, Gonzales, Sak, Alma Smith, Spade, Shaffer, Brandenburg, Amos, Booher, Hansen, Agema and Nofs

The Committee on Commerce, by Rep. Meisner, Chair, reported

House Bill No. 5694, entitled

A bill to amend 1917 PA 350, entitled "An act to regulate and license second hand dealers and junk dealers; and to prescribe penalties for the violation of the provisions of this act," by amending sections 4, 5, and 8 (MCL 445.404, 445.405, and 445.408), sections 4, 5, and 8 as amended by 2006 PA 675.

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. Meisner, Robert Jones, Accavitti, Byrum, Clemente, Coulouris, Dean, Griffin, Sheltroun, Simpson, Valentine, Hildenbrand, Palsrok, Rick Jones, Knollenberg and Meltzer

Nays: None

The Committee on Commerce, by Rep. Meisner, Chair, reported

House Bill No. 6003, entitled

A bill to amend 1917 PA 350, entitled "An act to regulate and license second hand dealers and junk dealers; and to prescribe penalties for the violation of the provisions of this act," by amending the title and sections 1, 2, 3, 4, and 5 (MCL 445.401, 445.402, 445.403, 445.404, and 445.405), sections 1, 2, 3, 4, and 5 as amended by 2006 PA 675.

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. Meisner, Robert Jones, Accavitti, Byrum, Clemente, Coulouris, Dean, Griffin, Sheltroun, Simpson, Valentine, Hildenbrand, Palsrok, Rick Jones, Knollenberg and Meltzer

Nays: None

The Committee on Commerce, by Rep. Meisner, Chair, reported

House Bill No. 6181, entitled

A bill to regulate the purchase and sale of certain nonferrous metals; to provide for certain disclosures by certain persons regarding certain transactions; to require the creation of certain records for certain purposes and for the use of certain databases by certain persons; and to provide for penalties and remedies.

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. Meisner, Robert Jones, Accavitti, Byrum, Clemente, Coulouris, Dean, Sheltroun, Valentine, Hildenbrand, Palsrok, Rick Jones, Knollenberg and Meltzer

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, June 3, 2008

Present: Reps. Meisner, Robert Jones, Accavitti, Byrum, Clemente, Coulouris, Dean, Griffin, Sheltroun, Simpson, Valentine, Hildenbrand, Palsrok, Rick Jones, Knollenberg and Meltzer

Absent: Reps. Johnson, Huizenga and Stakoe

Excused: Reps. Johnson, Huizenga and Stakoe

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

House Bill No. 5323, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1701, 1702, 1703, 1704, 1711, 1741, 1751, and 1761 (MCL 380.1701, 380.1702, 380.1703, 380.1704, 380.1711, 380.1741, 380.1751, and 380.1761), section 1703 as amended by 1995 PA 289 and section 1704 as added by 2000 PA 129.

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. Melton, Valentine, Angerer, Brown, Byrum, Clack, Corriveau, Dean, Hopgood, Lindberg, Meisner, Miller, Polidori, Moolenaar, Hoogendyk, Pearce, Opsommer and Pavlov

Nays: Rep. Steil

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, June 3, 2008

Present: Reps. Melton, Valentine, Angerer, Brown, Byrum, Clack, Corriveau, Dean, Hopgood, Lindberg, Meisner, Miller, Polidori, Moolenaar, Hoogendyk, Steil, Pearce, Knollenberg, Opsommer and Pavlov

Absent: Reps. Scott, Emmons and Schuitmaker

Excused: Reps. Scott, Emmons and Schuitmaker

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Sheltroun, Chair, of the Committee on Tourism, Outdoor Recreation and Natural Resources, was received and read:

Meeting held on: Tuesday, June 3, 2008

Present: Reps. Sheltroun, Ebli, Brown, Hammon, Lindberg, Simpson, Casperson and Horn

Absent: Reps. Kathleen Law, Walker and Stakoe

Excused: Reps. Kathleen Law, Walker and Stakoe

Messages from the Senate**House Bill No. 5816, entitled**

A bill to make, supplement, and adjust appropriations for the departments of attorney general, civil rights, civil service, information technology, management and budget, state, and treasury, the executive office, and the legislative branch for the fiscal year ending September 30, 2009; to provide for the expenditure of these appropriations; to provide for the funding of certain work projects; to provide for the imposition of certain fees; to establish or continue certain funds, programs, and categories; to transfer certain funds; to prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances; to prescribe the powers and duties of certain principal executive departments and state agencies, officials, and employees; and to provide for the disposition of fees and other income received by the various principal executive departments and state agencies.

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

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

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

House Concurrent Resolution No. 80.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Washtenaw Community College relative to the Washtenaw Community College Technical and Industrial Building Renovations Project.

(For text of resolution, see House Journal No. 34, p. 763.)

The Senate has adopted the concurrent resolution and named Senators Barcia, Clark-Coleman, Jacobs and Schauer as co-sponsors.

The concurrent resolution was referred to the Clerk for record.

House Concurrent Resolution No. 81.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Management and Budget State Facility Preservation Projects-Phase I and II Group F VanWagoner Building (the "Facility").

(For text of resolution, see House Journal No. 34, p. 764.)

The Senate has adopted the concurrent resolution and named Senators Clark-Coleman, Jacobs and Schauer as co-sponsors.

The concurrent resolution was referred to the Clerk for record.

House Concurrent Resolution No. 82.

A concurrent resolution approving a lease between the State of Michigan and the State Building Authority relative to the Department of Management and Budget State Facility Preservation Projects-Phase I and II Group G Special Maintenance Projects (the "Facility").

(For text of resolution, see House Journal No. 34, p. 765.)

The Senate has adopted the concurrent resolution and named Senators Barcia, Clark-Coleman, Jacobs and Schauer as co-sponsors.

The concurrent resolution was referred to the Clerk for record.

Senate Bill No. 591, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding chapter 30.

The Senate has passed the bill.

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

Senate Bill No. 1193, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 356a (MCL 750.356a), as amended by 1998 PA 311.

The Senate has passed the bill.

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

Senate Bill No. 1241, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 719 (MCL 257.719), as amended by 2004 PA 420.

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. 1272, entitled

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

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. 1304, entitled

A bill to amend 1969 PA 38, entitled “Hospital finance authority act,” by amending section 3 (MCL 331.33), as amended by 1994 PA 428.

The Senate has passed the bill.

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

Messages from the Governor

Date: May 28, 2008

Time: 12:00 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5509 (Public Act No. 140, I.E.), being

An act to amend 2003 PA 198, entitled “An act to provide insurance to farm produce producers against losses from the failure of grain dealers; to establish a farm produce insurance authority; to prescribe the powers and duties of the authority and its board; to establish a farm produce insurance fund; to provide for assessments on grain dealers; to prescribe certain powers and duties of certain state agencies and officers; to authorize the promulgation of rules; and to repeal acts and parts of acts,” by amending sections 3, 13, and 15 (MCL 285.313, 285.323, and 285.325).

(Filed with the Secretary of State May 28, 2008, at 2:42 p.m.)

Date: May 28, 2008

Time: 12:04 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5102 (Public Act No. 142, I.E.), being

An act to amend 1972 PA 239, entitled “An act to establish and operate a state lottery and to allow state participation in certain lottery-related joint enterprises with other sovereignties; to create a bureau of state lottery and to prescribe its powers and duties; to prescribe certain powers and duties of other state departments and agencies; to license and regulate certain sales agents; to create the state lottery fund; to provide for the distribution of lottery revenues and earnings for certain purposes; to provide for an appropriation; and to provide for remedies and penalties,” by amending section 23 (MCL 432.23), as amended by 2004 PA 272.

(Filed with the Secretary of State May 28, 2008, at 2:46 p.m.)

Date: May 28, 2008

Time: 12:06 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4557 (Public Act No. 143, I.E.), being

An act to amend 1967 PA 281, entitled “An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts,” by amending section 435 (MCL 206.435), as added by 2007 PA 133.

(Filed with the Secretary of State May 28, 2008, at 2:48 p.m.)

Date: May 28, 2008

Time: 12:15 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5174 (Public Act No. 144, I.E.), being

An act to allow certain active duty service members to terminate motor vehicle leases; to provide for the rights and responsibilities of the lessees and lessors to those terminated motor vehicle leases; to provide for the powers and duties of certain state officials; to prescribe civil sanctions and provide penalties; and to provide for the disposition of civil fines.

(Filed with the Secretary of State May 28, 2008, at 2:50 p.m.)

Date: May 28, 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. 5085 (Public Act No. 145, 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,” by amending sections 82101, 82105, and 82114 (MCL 324.82101, 324.82105, and 324.82114), section 82101 as amended by 2005 PA 175, section 82105 as amended by 2005 PA 271, and section 82114 as added by 1995 PA 58, and by adding sections 82105a, 82105b, and 82116a.

(Filed with the Secretary of State May 28, 2008, at 2:52 p.m.)

Date: May 28, 2008

Time: 12:22 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5274 (Public Act No. 146, I.E.), being

An act to amend 1965 PA 285, entitled “An act to license and regulate private detectives and investigators; to provide for certain powers and duties for certain state agencies and local officials; to provide for the imposition for certain fees; to protect the general public against unauthorized, unlicensed and unethical operations by private detectives and private investigators; to provide for penalties and remedies; and to repeal acts and parts of acts,” by amending the title and sections 1, 2, 3, 4, 5, 6, 7, 8, 10, 14, 16, 17, 19, 20, 22, 24, 27, and 29 (MCL 338.821, 338.822, 338.823, 338.824, 338.825, 338.826, 338.827, 338.828, 338.830, 338.834, 338.836, 338.837, 338.839, 338.840, 338.842, 338.844, 338.847, and 338.849), the title and sections 1, 2, 3, 4, 5, 6, 7, 10, 14, 16, 17, 20, 22, 24, and 27 as amended by 2002 PA 474.

(Filed with the Secretary of State May 28, 2008, at 2:54 p.m.)

Date: May 28, 2008

Time: 12:45 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5585 (Public Act No. 147, I.E.), being

An act to amend 2001 PA 267, entitled “An act to define and regulate milk, cream, frozen desserts, and related foods and by-products of those foods under certain circumstances; to prescribe certain powers and duties of certain state agencies and officers; to prohibit the sale of unclean and unsanitary milk and manufactured dairy products and their use in the manufacture of food products; to prohibit unclean and unsanitary conditions of milk and milk processing establishments; to establish production and handling standards of sanitary milk and dairy products for manufacturing and manufactured dairy products; to regulate the sale and transportation of milk and dairy products for manufacturing purposes; to issue licenses and permits to certain persons and provide for the revocation or suspension of licenses and permits under certain circumstances; to impose certain fees; to require certain security devices under certain circumstances; to establish inspection requirements; to promulgate rules; to set certain standards for milk and dairy products, processing, and pasteurization; to provide for penalties and remedies; and to repeal acts and parts of acts,” by amending sections 10, 11, 12, 13, 15, 16, 17, 70, 90, 110, 110a, 111, 113, 114, 115, 116, 119, 125, 130, 131, 136, 137, 139, 140, 142, 143, 152, and 159 (MCL 288.570, 288.571, 288.572, 288.573, 288.575, 288.576, 288.577, 288.630, 288.650, 288.670, 288.670a, 288.671, 288.673, 288.674, 288.675, 288.676, 288.679, 288.685, 288.690, 288.691, 288.696, 288.697, 288.699, 288.700, 288.702, 288.703, 288.712, and 288.719), section 110a as added by 2004 PA 282.

(Filed with the Secretary of State May 28, 2008, at 2:56 p.m.)

Date: May 28, 2008

Time: 3:40 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5909 (Public Act No. 148, I.E.), being

An act to exclude certain personal property held in trust from the rule against perpetuities and similar rules that potentially affect the duration of trusts.

(Filed with the Secretary of State May 28, 2008, at 4:05 p.m.)

Date: May 28, 2008

Time: 3:42 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4602 (Public Act No. 149, I.E.), being

An act to amend 1988 PA 418, entitled “An act to adopt the uniform statutory rule against perpetuities,” by amending sections 2 and 5 (MCL 554.72 and 554.75).

(Filed with the Secretary of State May 28, 2008, at 4:07 p.m.)

Introduction of Bills

Rep. Young introduced

House Bill No. 6186, entitled

A bill to amend 1909 PA 279, entitled “The home rule city act,” (MCL 117.1 to 117.38) by adding section 5k.

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

Reps. Meadows and Hildenbrand introduced

House Bill No. 6187, entitled

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” (MCL 436.1101 to 436.2303) by adding section 413.

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

Reps. Hildenbrand and Meadows introduced

House Bill No. 6188, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding section 526.

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

Reps. Byrum, Byrnes and Griffin introduced

House Bill No. 6189, entitled

A bill to amend 1991 PA 46, entitled "Eligible domestic relations order act," by amending section 2 (MCL 38.1702).

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

Reps. Calley and Agema introduced

House Bill No. 6190, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.155) by adding section 700.

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

Reps. Robert Jones, Vagnozzi, Clack, Alma Smith, Meadows, Coulouris, Spade, Miller, Constan, Melton, Johnson, Warren, Bauer, Bennett, Valentine, Lemmons, Griffin, Hammon, Espinoza, Dean and Scott introduced

House Bill No. 6191, entitled

A bill to amend 1966 PA 134, entitled "An act to impose a tax upon written instruments which transfer any interest in real property; to provide for the administration of this act; and to provide penalties for violations of this act," by amending sections 4 and 9 (MCL 207.504 and 207.509), section 4 as amended by 1980 PA 413.

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

Reps. Robert Jones, Vagnozzi, Clack, Alma Smith, Meadows, Coulouris, Spade, Miller, Constan, Melton, Johnson, Hammon, Warren, Bauer, Espinoza, Bennett, Valentine, Lemmons, Griffin, Dean and Scott introduced

House Bill No. 6192, entitled

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," (MCL 125.1401 to 125.1499c) by adding section 58e.

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

Reps. Pastor, Shaffer, Meltzer, Stakoe, Acciavatti, Horn, Casperson, Huizenga, LaJoy, David Law, Amos, Walker and Dean introduced

House Bill No. 6193, entitled

A bill to establish the children's miracle network fund in the department of community health; 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. Pastor, Shaffer, Meltzer, Stakoe, Acciavatti, Horn, Casperson, Huizenga, LaJoy, David Law, Amos and Walker introduced

House Bill No. 6194, 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.

Rep. Cushingberry introduced
House Bill No. 6195, entitled

A bill to amend 1995 PA 279, entitled "Horse racing law of 1995," by amending the title and sections 2, 7, 15, and 18 (MCL 431.302, 431.307, 431.315, and 431.318), section 2 as amended by 2006 PA 445, section 7 as amended by 2000 PA 164, and section 18 as amended by 1998 PA 408.

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

Rep. Cushingberry introduced
House Bill No. 6196, entitled

A bill to amend 1996 IL 1, entitled "Michigan gaming control and revenue act," by amending sections 3 and 9b (MCL 432.203 and 432.209b), section 3 as amended and section 9b as added by 1997 PA 69.

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

Rep. Cushingberry introduced
House Bill No. 6197, entitled

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

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

Rep. Cushingberry introduced
House Bill No. 6198, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," (MCL 168.1 to 168.992) by adding section 527.

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

Announcements by the Clerk

May 30, 2008

Received from the Auditor General a copy of the following audit report and/or report summary:
Performance audit of the Collection of Delinquent State Taxes, Department of Treasury, May 2008.

Richard J. Brown
Clerk of the House

Rep. Hood moved that the House adjourn.
The motion prevailed, the time being 5:10 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, June 4, at 1:30 p.m.

RICHARD J. BROWN
Clerk of the House of Representatives

