

No. 78
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House Chamber, Lansing, Tuesday, September 23, 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—excused	Dillon—present	Lahti—present	Pearce—present
Acciavatti—present	Donigan—present	LaJoy—present	Polidori—present
Agema—present	Ebli—present	Law, David—excused	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—excused	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—excused
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—excused	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—present	Nofs—present	Walker—present
Constan—present	Hune—present	Opsommer—present	Ward—present
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		

e/d/s = entered during session

Rep. John Espinoza, from the 83rd District, offered the following invocation:

“Heavenly Father, bless us as we go about our lives. Bless and guide our leaders in our Nations Capitol as they undertake their work to keep this nation strong. Guide them in remembering that if they protect working men and women in this country, they will in turn protect the old, the sick, and the poor of this country as well which reflects Your teachings. We ask for these things in Your sons name Jesus Christ, Amen.”

Rep. Booher moved that Reps. Brandenburg and David Law be excused from today’s session.
The motion prevailed.

Rep. Tobocman moved that Reps. Accavitti, Cheeks, Scott and Virgil Smith be excused from today’s session.
The motion prevailed.

Rep. Hildenbrand moved that Reps. Amos, Calley, Moss and Opsommer be excused temporarily from today’s session.
The motion prevailed.

Messages from the Senate

The Speaker laid before the House

House Bill No. 4163, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 12601, 12603, 12611, 12613, 12614, 12905, and 12915 (MCL 333.12601, 333.12603, 333.12611, 333.12613, 333.12614, 333.12905, and 333.12915), sections 12601 and 12613 as amended by 1988 PA 315, sections 12603 and 12611 as amended by 1993 PA 217, section 12614 as added by 1988 PA 296, section 12905 as amended by 1993 PA 242, and section 12915 as amended by 1982 PA 526, and by adding sections 12606, 12606a, and 12606b; and to repeal acts and parts of acts.

(The bill was received from the Senate on May 14, with substitute (S-8) and title amendment, consideration of which, under the rules, was postponed until May 15, see House Journal No. 46, p. 1064.)

The question being on concurring in the substitute (S-8) made to the bill by the Senate,

Rep. Walker moved to amend the Senate substitute (S-8) as follows:

1. Amend page 2, line 20, by inserting:

“(i) “Licensed premises” means any portion of a building, structure, room, or enclosure in which alcoholic liquor may be sold for consumption on the premises pursuant to a license issued by the Michigan liquor control commission.” and relettering the remaining subdivisions.

2. Amend page 3, following line 2, by inserting:

“(K) “ON PREMISES LICENSE” MEANS AN ON PREMISES LICENSE ISSUED UNDER THE MICHIGAN LIQUOR CONTROL CODE OF 1998, 1998 PA 58, MCL 436.1101 TO 436.2303.” and relettering the remaining subdivisions.

3. Amend page 3, following line 10, by inserting:

“(iii) LICENSED PREMISES FOR WHICH A CERTIFICATE ALLOWING SMOKING HAS BEEN OBTAINED UNDER SECTION 12603A.”.

4. Amend page 5, line 2, after “(1)” by inserting “EXCEPT AS OTHERWISE PROVIDED IN SECTION 12603A.”.

5. Amend page 5, following line 26, by inserting:

“SEC. 12603A. (1) THIS SECTION ONLY APPLIES TO FOOD SERVICE ESTABLISHMENTS AND LICENSED PREMISES THAT ARE LOCATED WITHIN A 20-MILE RADIUS OF A CASINO OPERATED BY A FEDERALLY RECOGNIZED INDIAN TRIBE UNDER THE INDIAN GAMING REGULATORY ACT, PUBLIC LAW 100-497, WHICH TRIBAL CASINO ALLOWS SMOKING. THE OWNER OR OPERATOR OF A FOOD SERVICE ESTABLISHMENT OR THE HOLDER OF AN ON PREMISES LICENSE MAY APPLY TO THE DEPARTMENT FOR A CERTIFICATE ALLOWING SMOKING IN THE FOOD SERVICE ESTABLISHMENT OR ON THE LICENSED PREMISES. AN APPLICATION UNDER THIS SUBSECTION SHALL BE MADE IN THE FORM PRESCRIBED BY THE DEPARTMENT AND BE ACCOMPANIED BY THE FEE PRESCRIBED IN SUBSECTION (4). THE DEPARTMENT SHALL DEPOSIT ALL FEES COLLECTED UNDER THIS SUBSECTION INTO THE SMOKING PREVENTION PROGRAM IN THE DEPARTMENT.

(2) THE DEPARTMENT SHALL ISSUE THE OWNER OR OPERATOR OF THE FOOD SERVICE ESTABLISHMENT OR HOLDER OF THE ON PREMISES LICENSE DESCRIBED IN SUBSECTION (1) A CERTIFICATE ALLOWING SMOKING IN THE FOOD SERVICE ESTABLISHMENT OR ON THE LICENSED PREMISES. THE OWNER OR OPERATOR OF THE FOOD SERVICE ESTABLISHMENT OR HOLDER OF THE ON PREMISES LICENSE SHALL POST THE CERTIFICATE CLEARLY AND CONSPICUOUSLY AT THE ENTRANCE TO OR IN THE WINDOW OF THE FOOD SERVICE ESTABLISHMENT OR LICENSED PREMISES.

(3) AN OWNER OR OPERATOR OF A FOOD SERVICE ESTABLISHMENT OR THE HOLDER OF AN ON PREMISES LICENSE WHO IS ISSUED A CERTIFICATE UNDER SUBSECTION (2) MAY ALLOW SMOKING IN THE FOOD SERVICE ESTABLISHMENT OR ON THE LICENSED PREMISES.

(4) THE OWNER OR OPERATOR OF A FOOD SERVICE ESTABLISHMENT OR THE HOLDER OF AN ON PREMISES LICENSE SHALL SUBMIT A FEE WITH ITS APPLICATION UNDER SUBSECTION (1), BASED UPON THE NUMBER OF TABLES IN THE FOOD SERVICE ESTABLISHMENT OR LICENSED PREMISES AS FOLLOWS:

(A) FOR 15 TABLES OR FEWER, \$250.00.

(B) FOR 16 TO 50 TABLES, \$500.00.

(C) FOR 51 TABLES OR MORE, \$1,000.00.”.

6. Amend page 8, line 26, after “(1)” by inserting “EXCEPT AS OTHERWISE PROVIDED IN SECTION 12603A.”. The motion did not prevail and the amendments were not adopted, a majority of the members serving not voting therefor.

Rep. Walker moved to amend the Senate substitute (S-8) as follows:

1. Amend page 2, following line 3, by inserting:

“(B) “CIGAR BAR” MEANS AN ESTABLISHMENT OR AREA WITHIN AN ESTABLISHMENT THAT IS OPEN TO THE PUBLIC AND IS DESIGNATED FOR THE SMOKING OF TOBACCO PRODUCTS, PURCHASED ON THE PREMISES OR ELSEWHERE.” and relettering the remaining subdivisions.

2. Amend page 3, following line 10, by inserting:

“(iii) A CIGAR BAR OR TOBACCO SPECIALTY RETAIL STORE EXEMPT UNDER SECTION 12606A.”.

3. Amend page 4, following line 9, by inserting:

“(iv) UNLESS EXEMPT UNDER SECTION 12606A, A CIGAR BAR OR A TOBACCO SPECIALTY RETAIL STORE.”.

4. Amend page 4, following line 20, by inserting:

“(Q) “TOBACCO SPECIALTY RETAIL STORE” MEANS AN ESTABLISHMENT THAT IS NOT REQUIRED TO BE LICENSED AS A FOOD SERVICE ESTABLISHMENT, IN WHICH THE PRIMARY PURPOSE IS THE RETAIL SALE OF TOBACCO PRODUCTS AND SMOKING PARAPHERNALIA, AND IN WHICH THE SALE OF OTHER PRODUCTS IS INCIDENTAL.” and relettering the remaining subdivision.

5. Amend page 6, following line 24, by inserting:

“SEC. 12606A. (1) A CIGAR BAR THAT MEETS ALL OF THE REQUIREMENTS OF THIS SECTION IS EXEMPT FROM THE SMOKING PROHIBITION OF SECTION 12603 AND MAY ALLOW SMOKING ON ITS PREMISES. TO QUALIFY FOR THE EXEMPTION UNDER THIS SECTION, THE PERSON WHO OWNS OR OPERATES A CIGAR BAR SHALL FILE AN AFFIDAVIT WITH THE DEPARTMENT ON OR BEFORE THE EXPIRATION OF 30 DAYS AFTER THE EFFECTIVE DATE OF THIS SECTION IF THE CIGAR BAR IS IN EXISTENCE ON THE EFFECTIVE DATE OF THIS SECTION OR 30 DAYS OR MORE BEFORE HE OR SHE WISHES TO USE THIS EXEMPTION, AND ON JANUARY 31 OF EACH YEAR AFTER THE EFFECTIVE DATE OF THE EXEMPTION. THE AFFIDAVIT SHALL BE SIGNED BY THE OWNER OR OPERATOR OF THE CIGAR BAR AND SHALL CERTIFY THAT THE CIGAR BAR MEETS ALL OF THE FOLLOWING REQUIREMENTS:

(A) IN THE 30-DAY PERIOD IMMEDIATELY PRECEDING THE FILING OF THE FIRST AFFIDAVIT UNDER THIS SUBSECTION, THE CIGAR BAR GENERATED 10% OR MORE OF ITS TOTAL GROSS ANNUAL INCOME FROM THE ON-SITE SALE OF TOBACCO PRODUCTS AND THE RENTAL OF ON-SITE HUMIDORS, NOT INCLUDING ANY SALES OF TOBACCO PRODUCTS FROM VENDING MACHINES.

(B) FOR EACH CALENDAR YEAR AFTER THE CALENDAR YEAR IN WHICH THE FIRST AFFIDAVIT IS FILED UNDER THIS SUBSECTION, THE CIGAR BAR GENERATES 10% OR MORE OF ITS TOTAL GROSS ANNUAL INCOME FROM THE ON-SITE SALE OF TOBACCO PRODUCTS AND THE RENTAL OF ON-SITE HUMIDORS, NOT INCLUDING ANY SALES OF TOBACCO PRODUCTS FROM VENDING MACHINES.

(C) THE CIGAR BAR IS LOCATED ON PREMISES THAT ARE PHYSICALLY SEPARATED FROM ANY AREAS OF THE SAME OR ADJACENT ESTABLISHMENT IN WHICH SMOKING IS PROHIBITED UNDER

THIS PART OR PART 129 AND WHERE SMOKE DOES NOT INFILTRATE INTO THOSE NONSMOKING AREAS. AS USED IN THIS SUBDIVISION, "PHYSICALLY SEPARATED" MEANS AN AREA THAT IS ENCLOSED ON ALL SIDES BY ANY COMBINATION OF SOLID WALLS, WINDOWS, OR DOORS THAT EXTEND FROM THE FLOOR TO CEILING.

(D) THE CIGAR BAR HAS INSTALLED ON ITS PREMISES AN ON-SITE HUMIDOR.

(E) THE CIGAR BAR PROHIBITS ENTRY TO A PERSON UNDER THE AGE OF 18 DURING THE TIME THE CIGAR BAR IS OPEN FOR BUSINESS.

(2) A TOBACCO SPECIALTY RETAIL STORE THAT MEETS ALL OF THE REQUIREMENTS OF THIS SECTION IS EXEMPT FROM THE SMOKING PROHIBITION OF SECTION 12603 AND MAY ALLOW SMOKING ON ITS PREMISES. TO QUALIFY FOR THE EXEMPTION UNDER THIS SECTION, THE PERSON WHO OWNS OR OPERATES A TOBACCO SPECIALTY RETAIL STORE SHALL FILE AN AFFIDAVIT WITH THE DEPARTMENT ON OR BEFORE THE EXPIRATION OF 30 DAYS AFTER THE EFFECTIVE DATE OF THE EXEMPTION IF THE TOBACCO SPECIALTY RETAIL STORE IS IN EXISTENCE ON THE EFFECTIVE DATE OF THIS SECTION OR 30 DAYS OR MORE BEFORE HE OR SHE WISHES TO USE THIS EXEMPTION, AND ON JANUARY 31 OF EACH YEAR AFTER THE EFFECTIVE DATE OF THE EXEMPTION. THE AFFIDAVIT SHALL BE SIGNED BY THE OWNER OR OPERATOR OF THE TOBACCO SPECIALTY RETAIL STORE AND SHALL CERTIFY THAT THE TOBACCO SPECIALTY RETAIL STORE MEETS ALL OF THE FOLLOWING REQUIREMENTS:

(A) IN THE 30-DAY PERIOD IMMEDIATELY PRECEDING THE FILING OF THE FIRST AFFIDAVIT UNDER THIS SUBSECTION, THE TOBACCO SPECIALTY RETAIL STORE GENERATED 75% OR MORE OF ITS TOTAL GROSS ANNUAL INCOME FROM THE ON-SITE SALE OF TOBACCO PRODUCTS AND SMOKING PARAPHERNALIA.

(B) FOR EACH CALENDAR YEAR AFTER THE CALENDAR YEAR IN WHICH THE FIRST AFFIDAVIT IS FILED UNDER THIS SUBSECTION, THE TOBACCO SPECIALTY RETAIL STORE GENERATED 75% OR MORE OF ITS TOTAL GROSS ANNUAL INCOME FROM THE ON-SITE SALE OF TOBACCO PRODUCTS AND SMOKING PARAPHERNALIA.

(C) THE TOBACCO SPECIALTY RETAIL STORE IS LOCATED ON PREMISES THAT ARE PHYSICALLY SEPARATED FROM ANY AREAS OF THE SAME OR ADJACENT ESTABLISHMENTS IN WHICH SMOKING IS PROHIBITED UNDER THIS PART OR PART 129 AND WHERE SMOKE DOES NOT INFILTRATE INTO THOSE NONSMOKING AREAS. AS USED IN THIS SUBDIVISION, "PHYSICALLY SEPARATED" MEANS AN AREA THAT IS ENCLOSED ON ALL SIDES BY ANY COMBINATION OF SOLID WALLS, WINDOWS, OR DOORS THAT EXTEND FROM THE FLOOR TO CEILING.

(D) THE TOBACCO SPECIALTY RETAIL STORE PROHIBITS ENTRY TO A PERSON UNDER THE AGE OF 18 DURING THE TIME THE TOBACCO SPECIALTY RETAIL STORE IS OPEN FOR BUSINESS.

(3) THE DEPARTMENT MAY REQUEST ADDITIONAL INFORMATION FROM A CIGAR BAR OR TOBACCO SPECIALTY RETAIL STORE TO VERIFY THAT THE CIGAR BAR OR TOBACCO SPECIALTY RETAIL STORE MEETS THE REQUIREMENTS OF THIS SECTION. A CIGAR BAR OR TOBACCO SPECIALTY RETAIL STORE SHALL COMPLY WITH REQUESTS FROM THE DEPARTMENT UNDER THIS SECTION.

(4) THE INFORMATION SUBMITTED BY A CIGAR BAR OR A TOBACCO SPECIALTY RETAIL STORE TO THE DEPARTMENT UNDER THIS SECTION IS EXEMPT FROM DISCLOSURE UNDER THE FREEDOM OF INFORMATION ACT, 1976 PA 442, MCL 15.231 TO 15.246.

(5) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, A CIGAR BAR OR TOBACCO SPECIALTY RETAIL STORE THAT DOES NOT MEET THE REQUIREMENTS OF THIS SECTION OR VIOLATES THIS SECTION IS NOT EXEMPT FROM THE SMOKING PROHIBITION OF SECTION 12603 AND SHALL IMMEDIATELY PROHIBIT SMOKING ON ITS PREMISES. A CIGAR BAR OR TOBACCO SPECIALTY RETAIL STORE THAT MEETS ALL OF THE REQUIREMENTS OF THIS SECTION OTHER THAN FILING THE AFFIDAVIT AS REQUIRED UNDER SUBSECTION (1) OR (2), RETAINS ITS EXEMPTION AND MAY CONTINUE TO ALLOW SMOKING DURING THE PERIOD BEGINNING ON THE DATE THE AFFIDAVIT IS DUE AND ENDING ON THE EXPIRATION OF 21 DAYS AFTER THAT DATE. HOWEVER, IF THE AFFIDAVIT REMAINS UNFILED AFTER THE 21-DAY GRACE PERIOD, THE CIGAR BAR OR TOBACCO SPECIALTY RETAIL STORE IS NOT EXEMPT FROM THE SMOKING PROHIBITION OF SECTION 12603 AND SHALL IMMEDIATELY PROHIBIT SMOKING ON ITS PREMISES. A CIGAR BAR OR TOBACCO SPECIALTY RETAIL STORE THAT LOSES ITS EXEMPTION UNDER THIS SUBSECTION IS NOT EXEMPT FROM THE SMOKING PROHIBITION OF SECTION 12603, SHALL IMMEDIATELY PROHIBIT SMOKING ON ITS PREMISES, AND MAY ONLY AGAIN QUALIFY FOR THE EXEMPTION UNDER THIS SECTION BY FILING AN AFFIDAVIT AND MEETING ALL OF THE REQUIREMENTS OF SUBSECTION (1) OR (2), AS APPLICABLE."

6. Amend page 7, line 4, after “violation.” by inserting “**A PERSON WHO MAKES A FALSE STATEMENT IN AN AFFIDAVIT UNDER THIS PART IS GUILTY OF PERJURY UNDER SECTION 423 OF THE MICHIGAN PENAL CODE, 1931 PA 328, MCL 750.423.**”.

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

Rep. Walker moved to amend the Senate substitute (S-8) as follows:

1. Amend page 8, line 26, after “(1)” by inserting “Except as otherwise provided in this section;”.

2. Amend page 9, line 3, after “**12606.**” by inserting “**THE SMOKING PROHIBITION IN THIS SECTION DOES NOT APPLY AND A FOOD SERVICE ESTABLISHMENT MAY ALLOW SMOKING ONLY DURING THE TIME PERIOD THAT THE FOOD SERVICE ESTABLISHMENT IS HOSTING A CHARITABLE EVENT FOR A NONPROFIT CIVIC OR CHARITABLE ORGANIZATION, WHICH NONPROFIT CIVIC OR CHARITABLE ORGANIZATION DIRECTLY FINANCIALLY BENEFITS FROM THE PROCEEDS OF THE EVENT HOSTED BY THE FOOD SERVICE ESTABLISHMENT.**”.

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

Rep. Farrah moved to substitute (H-16) the Senate substitute (S-8).

The motion did not prevail and the substitute (H-16) was not adopted, a majority of the members serving not voting therefor.

Reps. Elsenheimer and Walker moved to amend the Senate substitute (S-8) as follows:

1. Amend page 3, following line 10, by inserting:

“(iii) **AN EVENT HOSTED BY A NONPROFIT CHARITABLE ORGANIZATION THAT HAS TAX-EXEMPT STATUS PURSUANT TO SECTION 501(C)(3) OF THE INTERNAL REVENUE CODE OF 1986, 26 USC 501.**”.

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

Rep. Huizenga moved to amend the Senate substitute (S-8) as follows:

1. Amend page 5, line 26, after “**PENALTIES.**” by inserting “**THE DEPARTMENT SHALL DEVELOP AND PROVIDE, AT NO COST TO THE STATE OR LOCAL GOVERNMENTAL AGENCY OR THE PERSON WHO OWNS OR OPERATES A PUBLIC PLACE, THE SIGNS REQUIRED UNDER THIS SUBSECTION.**”.

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

Rep. Huizenga moved to amend the Senate substitute (S-8) as follows:

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

“Enacting section 2. This amendatory act does not take effect unless the governor enters into an agreement with the federally recognized Indian tribes that operate gambling games in this state to prohibit smoking in areas where gambling games are conducted pursuant to an Indian gaming compact or other appropriate agreement. If an agreement as provided in this section is entered into, the governor shall certify that fact in writing and file the certification with the secretary of state not later than the fifth business day following the date of the agreement. If an agreement as provided in this section is entered into, the provisions of this amendatory act shall become effective on the date that is 10 calendar days after the filing of the certification with the secretary of state, which date shall be set forth in the filing and shall be known as the certification date.”.

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

Rep. Ward moved to amend the Senate substitute (S-8) as follows:

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

“(K) **“LICENSED BINGO EVENT OR MILLIONAIRE PARTY” MEANS A BINGO EVENT OR MILLIONAIRE PARTY CONDUCTED BY A LICENSEE UNDER THE TRAXLER-MCCAULEY-LAW-BOWMAN BINGO ACT, 1972 PA 382, MCL 432.101 TO 432.120.**” and relettering the remaining subdivisions.

2. Amend page 3, following line 10, by inserting:

“(iii) **A PLACE AT WHICH A LICENSED BINGO EVENT OR MILLIONAIRE PARTY IS BEING CONDUCTED.**”.

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

Rep. Rick Jones moved to amend the Senate substitute (S-8) as follows:

1. Amend page 3, following line 10, by inserting:

“(iii) AN ORGANIZATION OF THE VETERANS OF FOREIGN WARS, THE AMERICAN LEGION, OR ANY OTHER WAR VETERANS’ ORGANIZATION.”.

2. Amend page 12, line 8, after “289.1107.” by inserting “FOOD SERVICE ESTABLISHMENT DOES NOT INCLUDE AN ESTABLISHMENT DESCRIBED IN SECTION 12601(K)(iii).”.

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

The question being on concurring in the substitute (S-8) made to the bill by the Senate,

The substitute (S-8) was not concurred in, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 760

Yeas—50

Acciavatti	Coulouris	LeBlanc	Schuitmaker
Angerer	Dean	Lindberg	Shaffer
Ball	Dillon	Marleau	Sheltrown
Bauer	Donigan	McDowell	Simpson
Bennett	Ebli	Meadows	Smith, Alma
Bieda	Gillard	Meisner	Spade
Brown	Griffin	Melton	Tobocman
Byrnes	Hammel	Meltzer	Vagnozzi
Byrum	Hammon	Miller	Valentine
Clack	Hopgood	Polidori	Warren
Condino	Jones, Robert	Proos	Wenke
Constan	LaJoy	Rocca	Wojno
Corriveau	Law, Kathleen		

Nays—49

Agema	Gonzales	Knollenberg	Pastor
Booher	Green	Lahti	Pavlov
Casperson	Hansen	Leland	Pearce
Caswell	Hildenbrand	Lemmons	Robertson
Caul	Hood	Mayer	Sak
Cushingberry	Hoogendyk	Meekhof	Sheen
DeRoche	Horn	Moolenaar	Stahl
Elsenheimer	Huizenga	Moore	Stakoe
Emmons	Hune	Nitz	Steil
Espinoza	Jackson	Nofs	Walker
Farrah	Johnson	Palmer	Ward
Gaffney	Jones, Rick	Palsrok	Young
Garfield			

In The Chair: Sak

Rep. Clemente, under Rule 31, made the following statement:

“Mr. Speaker and members of the House:

I did not vote on Roll Call No. 760 because of a possible conflict of interest.”

Rep. Sheen, having reserved the right to explain his nay vote, made the following statement:

“Mr. Speaker and members of the House:

Smoking Ban No Vote HB-4163

I do not smoke and I agree that smoking is a health hazard. However, this legislation is an abridgement of private property rights and will result in more people smoking at home, exposing more children and more non-smoking spouses to secondhand smoke. That is not the desired result, but it is never the less a by-product of this legislation.

This legislation is unconstitutional in that it bans a legal product from consumption in a privately owned business, restaurant, or public place, which is a violation of business owners and citizen’s constitutional right to do as they choose with their private property and personal health choices. This legislation opens the door to all kinds of other regulations and restrictions on private property and individual health choices. Will we now regulate the amount of food a person can consume or fat content a restaurant can serve on its menu?

If this legislation is really concerned about the problem of secondhand smoke on non-smokers, it will be extremely detrimental to children, relatives, and spouses living in the home, because the only place one can smoke will be in the car, in the home, or outside.

This legislation is flawed, unconstitutional, and will reduce restaurant and bar patronage hurting business owners, because their former customers will have no where else to go but home. It will create as many problems as they purport to solve and I cannot support them.”

Rep. Huizenga, having reserved the right to explain his nay vote, made the following statement:

“Mr. Speaker and members of the House:

I regret that I must vote ‘no’ on the ‘smoking ban’ bill as presented in HB 4163. I laid out very clearly from the beginning that for me to be able to vote in favor of banning all smoking a level playing field must be created. By rejecting my proposed amendments that would have required the Governor to renegotiate the compacts with tribal casinos and ban smoking in their establishments as well, the bill created an uneven playing field and therefore I am not able to support the bill. Unfortunately, this will cost the state of Michigan dearly.”

Rep. Tobocman moved to reconsider the vote by which the House nonconcurrent in the Senate substitute (S-8).

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

Rep. Tobocman moved that consideration of the motion be postponed for the day.

The motion prevailed.

Rep. Tobocman moved that House Committees be given leave to meet during the balance of today’s session.

The motion prevailed.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Valentine, Brown, Meadows, Simpson, Miller, Vagnozzi, Hammon, Melton, Bauer, Warren, Byrum, Corriveau, Ebli, Donigan and Angerer offered the following resolution:

House Resolution No. 442.

A resolution to memorialize the Congress of the United States to enact a comprehensive energy plan to move our country to independence from foreign oil.

Whereas, With the dramatic rise in oil costs that are rippling through the nation’s economy, it is increasingly clear that the approaches to energy we have taken in the past are inadequate. A new course to energy independence must be charted, with a comprehensive approach that includes a notable commitment to renewable and alternative fuels. Our plans also must incorporate expanded domestic production and widespread energy efficiency initiatives as well; and

Whereas, Because our energy challenges will necessitate both long-term and short-term strategies, traditional energy production methods will clearly be important. Expanded domestic drilling, when carried out to meet the most responsible environmental standards, is a most appropriate avenue to pursue. Our own resources of oil and gas in Michigan can contribute to this effort, as long as exploration and production fully protect our environment, especially our waters, and as long as no drilling is permitted within or beneath the Great Lakes; and

Whereas, The recent hurricane damage in the Gulf of Mexico serves to illustrate the wisdom of our nation pursuing a comprehensive approach to gaining energy independence. We cannot follow a path that does not incorporate a commitment to alternative energy, renewable energy, environmentally sound practices, energy efficiency, and expanded domestic production; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to enact a comprehensive energy plan to move our country to independence from foreign oil; 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 Energy and Technology.

Reps. Proos, Amos, Ball, Bieda, Booher, Brown, Byrnes, Caul, Condino, Constan, Cushingberry, Dean, Garfield, Gonzales, Green, Hammon, Hansen, Hildenbrand, Hopgood, Horn, Rick Jones, Robert Jones, Lahti, LaJoy, Kathleen Law, Leland, Lemmons, Marleau, Mayes, Meekhof, Nitz, Nofs, Opsommer, Palmer, Palsrok, Pastor, Pearce, Polidori, Rocca, Sak, Shaffer, Sheltroun, Alma Smith, Tobocman, Vagnozzi, Valentine and Wojno offered the following resolution:

House Resolution No. 443.

A resolution proclaiming October 5-11, 2008, as Fire Prevention Week in the state of Michigan.

Whereas, The state of Michigan is committed to ensuring the safety and security of all those living in and visiting our state; and

Whereas, Fire is a serious public safety concern both locally and nationally, and people are at the greatest risk in their homes; and

Whereas, Home fires killed more than 2,500 people in the United States in 2006, according to the latest research from the nonprofit National Fire Protection Association (NFPA), and fire departments in the United States responded to nearly 400,000 home fires; and

Whereas, Cooking is the leading cause of home fires and home fire injuries, while heating equipment and smoking are the leading causes of home fire deaths; and

Whereas, Michigan's first responders are dedicated to reducing the occurrence of home fires and home fire injuries through prevention and protection education; and

Whereas, Michigan's residents are responsive to public education measures and are able to take personal steps to increase their safety from fire, especially in their homes; and

Whereas, Residents who have planned and practiced a home fire escape plan are more prepared and will therefore be more likely to survive a fire; and

Whereas, The 2008 Fire Prevention Week theme, "It's Fire Prevention Week – Prevent Home Fires!" effectively serves to remind us all of the simple actions we can take to stay safer from fire during Fire Prevention Week and year-round; now, therefore, be it

Resolved by House of Representatives, That the members of this legislative body proclaim October 5-11, 2008, as Fire Prevention Week in the state of Michigan. We urge all the people of Michigan to protect their homes and families by heeding the important safety messages of Fire Prevention Week 2008, and to support the many public safety activities and efforts of Michigan's fire and emergency services.

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.

Reps. Sak, Amos, Ball, Bieda, Booher, Brown, Byrnes, Caul, Condino, Constan, Cushingberry, Dean, Garfield, Gonzales, Green, Griffin, Hammon, Hildenbrand, Hopgood, Rick Jones, Robert Jones, Lahti, LaJoy, Kathleen Law, Leland, Lemmons, Marleau, Mayes, Miller, Nitz, Nofs, Palmer, Palsrok, Pastor, Pearce, Polidori, Proos, Rocca, Shaffer, Sheltroun, Alma Smith, Steil, Tobocman, Vagnozzi, Valentine and Wojno offered the following resolution:

House Resolution No. 444.

A resolution recognizing October 2008 as Polish Heritage Month in the state of Michigan.

Whereas, The first Polish immigrants to North America were among the settlers of Jamestown, Virginia, in the 17th century; and

Whereas, Kazimierz Pulaski, Tadeusz Kosciuszko, and other Polish people came to the British Colonies in America to fight in the Revolutionary War and risk their lives and fortunes for the creation of the United States; and

Whereas, For over 300 years, the Polish people, and their American descendants, have shared their traditional customs, thousand-year-old culture, and strong devotion to democracy with us; and

Whereas, Polish people, and the American descendants, have distinguished themselves by contributing to the development of arts, sciences, government, military service, athletics, and education in the United States; and

Whereas, The Polish Constitution of May 3, 1791, was directly modeled on the Constitution of the United States and recognized as the second written constitution in history. It is revered by Polish people and Americans of Polish descent; and

Whereas, We know and respect the indomitable spirit and loyal civic involvement of the Polish American people and Pole immigrants. Some of these individuals include American Revolutionary War heroes and Nobel Peace Prize winners; and

Whereas, Polish people and their American descendants, continue to take great pride in, and honor the achievements of, the greatest son of Poland, his Holiness, the late Pope John Paul, II; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body recognize October 2008 as Polish Heritage Month 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.

Reps. Caul, Amos, Ball, Bieda, Booher, Brown, Byrnes, Byrum, Condino, Constan, Cushingberry, Dean, Garfield, Gonzales, Green, Hammon, Hansen, Hildenbrand, Hopgood, Rick Jones, Robert Jones, Lahti, LaJoy, Kathleen Law, Leland, Lemmons, Marleau, Mayes, Nitz, Nofs, Opsommer, Palmer, Palsrok, Pastor, Pearce, Polidori, Proos, Sak, Shaffer, Sheltroun, Alma Smith, Tobocman, Vagnozzi, Valentine and Wojno offered the following resolution:

House Resolution No. 445.

A resolution designating the month of October 2008 as Physical Therapy Month in the state of Michigan.

Whereas, The state of Michigan encourages options for an active and healthy lifestyle; and

Whereas, Michigan Physical Therapy Association speaks for the best interests of the public in recommending physical therapy by a licensed physical therapist to achieve physical fitness; and

Whereas, Through a national effort, Michigan Physical Therapy Association and community members are encouraged to join together to raise awareness of the importance of preventive health during the month of October 2008; and

Whereas, This effort will bring awareness to our community, and around the country, of healthier and more active lifestyles; now, therefore, be it

Resolved by House of Representatives, That the members of this legislative body designate the month of October 2008 as Physical Therapy Month in the state of Michigan. In doing so, we urge all citizens to join in a national effort to raise health and fitness awareness.

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.

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 Friday, September 19:

House Bill Nos.	6466	6467	6468	6469	6470	6471	6472	6473	6474	6475	6476	6477	6478	6479
	6480	6481	6482	6483	6484	6485	6486	6487	6488	6489	6490			
Senate Bill Nos.	1508	1509	1510	1511	1512	1513	1514	1515	1516	1517	1518	1519	1520	1521
	1522	1524	1525	1526										

The Clerk announced that the following bill had been printed and placed upon the files of the members on Tuesday, September 23:

Senate Bill No. 1536

The Clerk announced that the following Senate bill had been received on Tuesday, September 23:

Senate Bill No. 493

Reports of Standing Committees

The Committee on Labor, by Rep. Miller, Chair, reported

House Bill No. 6386, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 22b (MCL 421.22b), as added by 2005 PA 18.

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. Miller, Meadows, Bieda, Constan, Farrah, Hopgood, Lindberg and Wenke

Nays: None

The Committee on Labor, by Rep. Miller, Chair, reported

House Bill No. 6387, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 11 (MCL 421.11), as amended by 2005 PA 182.

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. Miller, Meadows, Bieda, Constan, Farrah, Hopgood, Lindberg, Wenke and LaJoy

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, September 23, 2008

Present: Reps. Miller, Meadows, Bieda, Constan, Farrah, Hopgood, Lindberg, Wenke and LaJoy

Absent: Reps. Steil and Rick Jones

Excused: Reps. Steil and Rick Jones

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

House Bill No. 5025, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 105, 2201, 2202, 2203, 2204, 2205, 2208, 2209, 2210, and 2211 (MCL 339.105, 339.2201, 339.2202, 339.2203, 339.2204, 339.2205, 339.2208, 339.2209, 339.2210, and 339.2211), sections 105, 2205, and 2209 as amended by 1988 PA 463 and section 2204 as amended by 1981 PA 83.

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, Byrum, Clemente, Dean, Griffin, Sheltrown, Simpson, Valentine, Hildenbrand, Huizenga, Palsrok, Stakoe, Rick Jones, Knollenberg and Meltzer

Nays: None

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

House Bill No. 5026, entitled

A bill to amend 1979 PA 152, entitled "State license fee act," by amending section 15 (MCL 338.2215), as amended by 2003 PA 87.

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, Byrum, Clemente, Dean, Griffin, Sheltroun, Simpson, Valentine, Hildenbrand, Huizenga, Palsrok, Stakoe, Rick Jones and Knollenberg

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, September 23, 2008

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

Absent: Reps. Accavitti, Coulouris and Johnson

Excused: Reps. Accavitti, Coulouris and Johnson

The Committee on Senior Health, Security, and Retirement, by Rep. Robert Jones, Chair, reported

House Resolution No. 307.

A resolution to express support for bipartisan efforts to ensure access to health care and financial security for all Americans.

(For text of resolution, see House Journal No. 27, p. 543.)

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. Robert Jones, Constan, Hopgood, Lemmons, Warren, Ball, Green, Sheen and Stahl

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Robert Jones, Chair, of the Committee on Senior Health, Security, and Retirement, was received and read:

Meeting held on: Tuesday, September 23, 2008

Present: Reps. Robert Jones, Constan, Hopgood, Lemmons, Warren, Ball, Green, Sheen and Stahl

The Committee on Ethics and Elections, by Rep. Corriveau, Chair, reported

House Bill No. 4142, entitled

A bill to require elected public officials to file reports concerning receipt of certain contributions or subsidies; to prescribe certain powers and duties of certain state and local agencies and officials; and to provide for fees and civil fines.

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

1. Amend page 3, line 25, after "travel," by striking out the balance of the subdivision and inserting "for that period, no report is required."

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Corriveau, Clemente, Bieda, Donigan, Hammon, Warren and Wenke

Nays: None

The Committee on Ethics and Elections, by Rep. Corriveau, Chair, reported

House Bill No. 6468, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending section 12 (MCL 169.212), as amended by 2001 PA 250.

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. Corriveau, Clemente, Bieda, Donigan, Hammon, Ward and Wenke

Nays: None

The Committee on Ethics and Elections, by Rep. Corriveau, Chair, reported

House Bill No. 6477, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 727 (MCL 168.727), as amended by 2004 PA 92.

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. Corriveau, Clemente, Bieda, Donigan, Warren, Pearce, Ward and Wenke

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Corriveau, Chair, of the Committee on Ethics and Elections, was received and read:

Meeting held on: Tuesday, September 23, 2008

Present: Reps. Corriveau, Clemente, Bieda, Donigan, Hammon, Warren, Pearce, Ward and Wenke

The Committee on Regulatory Reform, by Rep. Farrah, Chair, reported

House Bill No. 6043, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending sections 525, 1111, and 1114 (MCL 436.1525, 436.2111, and 436.2114), section 525 as amended by 2006 PA 539 and section 1114 as added by 2004 PA 134, and by adding section 1116.

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. Farrah, Wojno, Warren, Palsrok, Gaffney and Ward

Nays: None

The Committee on Regulatory Reform, by Rep. Farrah, Chair, reported

House Bill No. 6180, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 1305, 1307, and 1308 (MCL 339.1305, 339.1307, and 339.1308), sections 1305 and 1307 as amended by 1988 PA 463.

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. Farrah, Wojno, Warren, Marleau, Palsrok, Gaffney and Ward

Nays: None

The Committee on Regulatory Reform, by Rep. Farrah, Chair, reported

House Bill No. 6390, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 2511 (MCL 339.2511), as amended by 1990 PA 164.

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. Farrah, Wojno, Warren, Marleau, Palsrok, Gaffney and Ward

Nays: None

The Committee on Regulatory Reform, by Rep. Farrah, Chair, reported

House Bill No. 6391, entitled

A bill to repeal 1972 PA 286, entitled "Land sales act," (MCL 565.801 to 565.835).

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. Farrah, Wojno, Warren, Marleau, Palsrok, Gaffney and Ward

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Farrah, Chair, of the Committee on Regulatory Reform, was received and read:

Meeting held on: Tuesday, September 23, 2008

Present: Reps. Farrah, Wojno, Warren, Marleau, Palsrok, Gaffney and Ward

Absent: Reps. Scott, Meadows and Virgil Smith

Excused: Reps. Scott, Meadows and Virgil Smith

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

Senate Bill No. 1418, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending sections 3, 7, and 8 (MCL 722.623, 722.627, and 722.628), section 3 as amended by 2006 PA 583, section 7 as amended by 2006 PA 621, and section 8 as amended by 2008 PA 46.

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. Clack, Dean, Hammon, Wojno, Sheen, Stahl and Hoogendyk

Nays: None

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

Senate Bill No. 1419, entitled

A bill to amend 1982 PA 294, entitled "Friend of the court act," by amending section 20 (MCL 552.520), as added by 1996 PA 366.

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. Clack, Dean, Hammon, Wojno, Sheen, Stahl and Hoogendyk

Nays: None

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

Senate Bill No. 1420, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 3 (MCL 722.623), as amended by 2006 PA 583.

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, Hammon, Wojno, Sheen, Stahl and Hoogendyk

Nays: None

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

Senate Bill No. 1421, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," (MCL 722.621 to 722.638) by adding section 8e.

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, Hammon, Wojno, Sheen, Stahl and Hoogendyk

Nays: None

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: Tuesday, September 23, 2008

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

Absent: Reps. Accavitti and Palmer

Excused: Reps. Accavitti and Palmer

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

House Bill No. 6247, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1278b (MCL 380.1278b), as amended by 2007 PA 141.

With the recommendation that the substitute (H-3) 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, Emmons, Hoogendyk, Pearce, Knollenberg and Pavlov

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, September 23, 2008

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

Absent: Reps. Scott, Steil, Schuitmaker and Opsommer

Excused: Reps. Steil, Schuitmaker and Opsommer

Messages from the Senate

House Bill No. 4468, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 601b (MCL 257.601b), as amended by 2003 PA 314.

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.

House Bill No. 4469, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 12e of chapter XVII (MCL 777.12e), as amended by 2004 PA 26.

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.

House Bill No. 5351, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 611a.

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.

Senate Bill No. 493, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 16342 and part 176.

The Senate has passed the bill.

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

Notices

September 15, 2008

Mr. Rich Brown, Clerk
Michigan House of Representatives
State Capitol
P.O. Box 30014
Lansing, MI 48909-7514

Dear Mr. Clerk:

Pursuant to Public Acts 96 and 98 of 2007, I appoint the following individuals.

Legislative Commission on Statutory Mandates:

Mr. Louis H. Schimmel, Jr., President, Municipal Financial Consultants, Inc.
2835 Sylvan Shores Drive
Waterford, MI 48328

Sincerely,
Craig DeRoche
House Minority Leader

Introduction of Bills

Reps. Spade and Polidori introduced

House Bill No. 6491, entitled

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts," by amending sections 2c, 2d, and 2e (MCL 722.112c, 722.112d, and 722.112e), as added by 2004 PA 531.

The bill was read a first time by its title and referred to the Committee on Families and Children's Services.

Rep. Hune introduced

House Bill No. 6492, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1211 (MCL 380.1211), as amended by 2007 PA 37.

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

Rep. Stakoe introduced

House Bill No. 6493, entitled

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," (MCL 125.1401 to 125.1499c) by adding chapter 3B.

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

By unanimous consent the House returned to the order of

Notices

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Appropriations from further consideration of **Senate Bill No. 1111**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Appropriations from further consideration of **Senate Bill No. 1398**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Appropriations from further consideration of **Senate Bill No. 1464**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Appropriations from further consideration of **Senate Bill No. 1465**.

Rep. Tobocman

By unanimous consent the House returned to the order of

Announcement by the Clerk of Printing and Enrollment

The Clerk announced the enrollment printing and presentation to the Governor on Tuesday, September 23, for her approval of the following bill:

Enrolled House Bill No. 4001 at 4:29 p.m.

Rep. Corriveau moved that the House adjourn.
The motion prevailed, the time being 5:05 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, September 24, at 1:30 p.m.

RICHARD J. BROWN
Clerk of the House of Representatives

