

No. 39
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House of Representatives
93rd Legislature
REGULAR SESSION OF 2005

House Chamber, Lansing, Tuesday, May 10, 2005.

1:00 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	Emmons—present	Leland—present	Robertson—present
Acciavatti—present	Espinoza—present	Lemmons, III—excused	Rocca—present
Adamini—present	Farhat—present	Lemmons, Jr.—present	Sak—present
Amos—present	Farrah—present	Lipsey—present	Schuitmaker—present
Anderson—present	Gaffney—present	Marleau—present	Shaffer—present
Angerer—present	Garfield—present	Mayes—present	Sheen—present
Ball—present	Gillard—present	McConico—present	Sheltrown—present
Baxter—present	Gleason—present	McDowell—present	Smith, Alma—present
Bennett—present	Gonzales—present	Meisner—present	Smith, Virgil—present
Bieda—present	Gosselin—present	Meyer—present	Spade—present
Booher—present	Green—present	Miller—present	Stahl—present
Brandenburg—present	Hansen—present	Moolenaar—present	Stakoe—present
Brown—present	Hildenbrand—present	Moore—present	Steil—present
Byrnes—present	Hood—present	Mortimer—present	Stewart—present
Byrum—present	Hoogendyk—present	Murphy—present	Taub—present
Casperson—present	Hopgood—present	Newell—present	Tobocman—present
Caswell—present	Huizenga—present	Nitz—present	Vagnozzi—present
Caul—present	Hummel—present	Nofs—present	Van Regenmorter—present
Cheeks—present	Hune—present	Palmer—present	Vander Veen—present
Clack—present	Hunter—present	Palsrok—present	Walker—present
Clemente—present	Jones—present	Pastor—present	Ward—present
Condino—present	Kahn—present	Pavlov—present	Waters—present
Cushingberry—present	Kehrl—present	Pearce—present	Wenke—present
DeRoche—present	Kolb—present	Phillips—present	Whitmer—present
Dillon—present	Kooiman—present	Plakas—present	Williams—present
Donigan—present	LaJoy—present	Polidori—present	Wojno—present
Drolet—present	Law, David—present	Proos—present	Zelenko—present
Elsenheimer—present	Law, Kathleen—present		

e/d/s = entered during session

Rep. Goeff Hansen, from the 100th District, offered the following invocation:

“God of all Creation,

You have given us the blessing of the beauty of nature in all that we see around us, whether it is the snow and cold of winter, or the warmth of the sun and the trees turning green in the spring.

You have given us the blessing of knowing and living among people who are as diverse and different as the seasons of the year; but each one bearing Your image, Creator God.

You have given us the blessing of living and serving in a free country, the United States of America; and in this beautiful State of Michigan.

Help us this day, as we serve the people of this state to remember that to whom much has been given, much is expected. The people have given us their approval and chosen us to serve them— keep us humble.

Lead us to make decisions that are for the good of all people. Give us the wisdom we need to keep from doing harm. Fill us with the will to lead in a responsible and honorable manner so that each of us might be an example for the young people of our state.

Bless each one of us who serves in this state capitol; no matter in what capacity or what party—giving us clear-headedness, good health, and vigor to carry out our responsibilities.

We pray in the name of Christ. Amen.”

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

Motions and Resolutions

Reps. Hildenbrand, Accavitti, Adamini, Ball, Bennett, Brandenburg, Brown, Byrnes, Caswell, Clack, Clemente, Condino, Dillon, Elsenheimer, Espinoza, Farhat, Garfield, Gillard, Gleason, Gonzales, Green, Hansen, Hopgood, Huizenga, Jones, Kooiman, Kathleen Law, Lemmons, Jr., Mayes, Meyer, Miller, Mortimer, Murphy, Palsrok, Pearce, Phillips, Polidori, Proos, Sak, Shaffer, Sheltrown, Alma Smith, Stakoe, Stewart, Taub, Tobocman, Vagnozzi, Vander Veen, Walker, Waters, Wojno and Zelenko offered the following resolution:

House Resolution No. 74.

A resolution to memorialize the Congress of the United States to fully fund education program mandates.

Whereas, The No Child Left Behind program is a historic effort that represents one of our nation’s most far-reaching educational reforms. Indeed, according to a recent General Accounting Office report, the program is designed to change the way we provide education and measure performance to assure that every child in America is provided a quality education, regardless of his or her skin color, spoken accent, or street address; and

Whereas, Despite lofty goals, the No Child Left Behind initiative has a number of implementation challenges, many of which are impacted by a lack of adequate funding. Indeed, the program has fostered a debate as to whether or not it is an “unfunded mandate.” As a practical matter, however, for schools across Michigan, and throughout this land, No Child Left Behind generally provides more mandates than money; and

Whereas, The No Child Left Behind program may be highly visible among under-funded mandates, but it is clearly not the only major educational reform to come with financial burdens; and

Whereas, We can all agree that investment in excellence in education is a key to our nation’s economic and social future. Achieving the level of performance necessary for the challenges and opportunities of the future does and will cost us money. However, states should not be expected to shoulder additional burdens without the additional funding necessary to adequately administer a program. Our children deserve no less; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to fully fund education program mandates; 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 Michigan congressional delegation.

The resolution was referred to the Committee on Education.

Reports of Standing Committees

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

House Bill No. 4551, entitled

A bill to amend 1972 PA 230, entitled "Stille-DeRossett-Hale single state construction code act," (MCL 125.1501 to 125.1531) by adding section 13e.

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

Nays: None

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

House Resolution No. 30.

A resolution to memorialize Congress to enact legislation allowing the Department of Commerce (DOC) to help shield children by establishing and requiring the .xxx domain name for adult-only web sites.

(For text of resolution, see House Journal No. 17, p. 247.)

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

Nays: None

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

House Concurrent Resolution No. 10.

A concurrent resolution to memorialize Congress to enact legislation allowing the Department of Commerce (DOC) to help shield children by establishing and requiring the .xxx domain name for adult-only web sites.

(For text of concurrent resolution, see House Journal No. 28, p. 407.)

With the recommendation that the concurrent resolution be adopted.

The concurrent resolution was laid over one day under the rules.

Favorable Roll Call

To Report Out:

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

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, May 10, 2005

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

The Committee on Health Policy, by Rep. Gaffney, Chair, reported

House Bill No. 4559, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 9721. 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. Gaffney, Newell, Robertson, Vander Veen, Hune, Ward, Nofs, Ball, Green, Kahn, Mortimer, Adami, Wojno, McDowell, Murphy, Gleason and Angerer

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Gaffney, Chair, of the Committee on Health Policy, was received and read: Meeting held on: Tuesday, May 10, 2005

Present: Reps. Gaffney, Newell, Robertson, Vander Veen, Hune, Ward, Nofs, Ball, Green, Kahn, Mortimer, Adami, Wojno, McDowell, Murphy, Gleason and Angerer

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Drolet, Chair, of the Committee on Government Operations, was received and read:

Meeting held on: Tuesday, May 10, 2005

Present: Reps. Drolet, Hoogendyk, Gosselin, Garfield, Sheen, Tobocman and Lipsey

Absent: Rep. Lemmons, III

Excused: Rep. Lemmons, III

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. LaJoy, Chair, of the Committee on Transportation, was received and read: Meeting held on: Tuesday, May 10, 2005

Present: Reps. LaJoy, David Law, Gosselin, Meyer, Casperson, Nitz, Wenke, Moore, Pavlov, Pearce, Anderson, Byrnes, Murphy, Kathleen Law, Hood, Gleason and Leland

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members on Thursday, May 5:

Senate Bill Nos. 457 458 459

The Clerk announced that the following Senate bills had been received on Thursday, May 5:

Senate Bill Nos. 2 327 328 329 330 354 355

The Clerk announced that the following bills had been printed and placed upon the files of the members on Friday, May 6:

House Bill Nos. 4735 4736 4737 4738 4739 4740 4741 4742 4743 4744

The Clerk announced that the following bills had been printed and placed upon the files of the members on Monday, May 9:

**Senate Bill Nos. 460 461 462 463 464 465 466 467 468 469 470 471 472 473
474 475 476 477 478 479 480 481**

The Clerk announced the enrollment printing and presentation to the Governor on Monday, May 9, for her approval of the following bill:

Enrolled House Bill No. 4065 at 2:40 p.m.

The Clerk announced that the following Senate bills had been received on Tuesday, May 10:

Senate Bill Nos. 130 131 356 419

By unanimous consent the House returned to the order of

Messages from the Senate

House Bill No. 4242, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 2830 (MCL 333.2830), as amended by 1994 PA 242.

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. 2, entitled

A bill to amend 1982 PA 239, entitled "An act to license and regulate animal food manufacturing plants, transfer stations, dead animal dealers, rendering plants, and certain vehicles; to regulate the disposal of dead animals and to provide for poultry and livestock composting; to prescribe powers and duties of certain state departments; to impose fees; to provide for remedies and to prescribe penalties; and to repeal acts and parts of acts," by amending sections 3, 4, 15, 19, and 21 (MCL 287.653, 287.654, 287.665, 287.669, and 287.671), sections 3, 15, 19, and 21 as amended by 1998 PA 299 and section 4 as amended by 1993 PA 228.

The Senate has passed the bill.

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

Senate Bill No. 130, entitled

A bill to require persons convicted of certain offenses to disclose those offenses before coaching youth; and to provide penalties.

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. 131, entitled

A bill to prohibit publicly displaying sexually explicit material; and to provide penalties.

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. 327, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1531 (MCL 380.1531), as amended by 2000 PA 497.

The Senate has passed the bill.

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

Senate Bill No. 328, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 11f (MCL 388.1611f), as amended by 2004 PA 351.

The Senate has passed the bill.

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

Senate Bill No. 329, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 20 (MCL 388.1620), as amended by 2004 PA 351, and by adding section 34.

The Senate has passed the bill.

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

Senate Bill No. 330, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 31a (MCL 388.1631a), as amended by 2004 PA 593.

The Senate has passed the bill.

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

Senate Bill No. 354, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 14.

The Senate has passed the bill.

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

Senate Bill No. 355, entitled

A bill to amend 1976 PA 399, entitled "Safe drinking water act," by amending section 23 (MCL 325.1023).

The Senate has passed the bill.

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

Senate Bill No. 356, entitled

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

The Senate has passed the bill.

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

Senate Bill No. 419, entitled

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

The Senate has passed the bill.

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

Messages from the Governor

Date: May 4, 2005

Time: 4:40 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4227 (Public Act No. 20, I.E.), being

An act to amend 1966 PA 261, entitled "An act to provide for the apportionment of county boards of commissioners; to prescribe the size of the board; to provide for appeals; to prescribe the manner of election of the members of the county board of commissioners; to provide for compensation of members; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending section 15 (MCL 46.415), as amended by 1980 PA 187.

(Filed with the Secretary of State May 5, 2005, at 10:30 a.m.)

Communications from State Officers

The following communications from the Secretary of State were received and read:

Notices of Filing
Administrative Rules

April 21, 2005

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Michigan Department of Labor and Economic Growth, State Office of Administrative Hearings and Rules filed at 11:00 A.M. this date, administrative rule (05-04-03) for the Department of Environmental Quality, Water Division entitled "*Supplying Water to the Public-Part 4. Public Notification and Public Education*", effective 7 days after filing with the Secretary of State.

April 21, 2005

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Michigan Department of Labor and Economic Growth, State Office of Administrative Hearings and Rules filed at 11:02 A.M. this date, administrative rule (05-04-04) for the Department of Environmental Quality, Air Quality Division entitled "*Part 10. Intermittent Testing and Sampling*", effective 7 days after filing with the Secretary of State.

Sincerely,
Terri Lynn Land
Secretary of State
Robin Houston, Office Supervisor
Office of the Great Seal

The communications were referred to the Clerk.

The following communication from the Department of Human Services was received and read:

May 4, 2005

Pursuant to Section 1002 of P.A. 344 of 2004, we are enclosing a copy of the following reports:

<u>Type of Report</u>	<u>Facility</u>	<u>Report #</u>	<u>License #</u>
Renewal	Gogebic County DHS		CP270201149
Renewal	Ontonagon County DHS		CP660201340

This report was performed in compliance with the requirements of P.A. 116 of 1973 as amended, and the Administrative Rules for Child Caring Institutions. The report may also be viewed on our website, within 48 hours, under "News, Publications & Information" at the following address: <http://www.michigan.gov/fia/>.

If you have any questions regarding this information, please feel free to contact Miriam E.J. Bullock at 517-373-8383.

Sincerely,
Marianne Udow
Director

The communication was referred to the Clerk.

Introduction of Bills

Rep. Hummel introduced

House Bill No. 4745, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding section 409a.

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

Rep. Hummel introduced

House Bill No. 4746, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3406s. The bill was read a first time by its title and referred to the Committee on Insurance.

Reps. Lemmons, Jr. and Lemmons, III introduced

House Bill No. 4747, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.157) by adding section 7jj. The bill was read a first time by its title and referred to the Committee on Tax Policy.

Reps. Lemmons, III and Lemmons, Jr. introduced

House Bill No. 4748, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending section 18 (MCL 169.218), as added by 1999 PA 238.

The bill was read a first time by its title and referred to the Committee on House Oversight, Elections, and Ethics.

Reps. Lemmons, III and Lemmons, Jr. introduced

House Bill No. 4749, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending section 18 (MCL 169.218), as added by 1999 PA 238.

The bill was read a first time by its title and referred to the Committee on House Oversight, Elections, and Ethics.

Reps. Lemmons, III and Lemmons, Jr. introduced

House Bill No. 4750, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending section 18 (MCL 169.218), as added by 1999 PA 238.

The bill was read a first time by its title and referred to the Committee on House Oversight, Elections, and Ethics.

Reps. Ball, Vander Veen, Lipsey, Hansen, Marleau, Acciavatti, LaJoy, Kahn, Sheltroun, Clemente, Schuitmaker, Tobocman, Kehrl and Nofs introduced

House Bill No. 4751, entitled

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

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

Reps. Sheltroun, Lemmons, III, Nitz, Taub, Hansen, Lemmons, Jr., Vander Veen, Gosselin, Acciavatti, Kooiman, Kehrl, Moolenaar and Hummel introduced

House Bill No. 4752, entitled

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending section 5310 (MCL 700.5310), as amended by 2000 PA 54.

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

Reps. Meisner, Byrum, Sak, Bieda, Rocca, Miller, Vagnozzi, Zelenko, Hopgood and Garfield introduced

House Bill No. 4753, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 168a. The bill was read a first time by its title and referred to the Committee on Judiciary.

Reps. Kolb, Byrnes, Lipsey and Tobocman introduced

House Bill No. 4754, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 17211.

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

Reps. Ward, Elsenheimer, Brown, Hune, Steil, Jones, Hildenbrand, Gosselin, Drolet, Hummel, Palmer, Pastor and Kooiman introduced

House Bill No. 4755, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 302 and 381 (MCL 168.302 and 168.381), section 302 as added by 2003 PA 302 and section 381 as amended by 2004 PA 290, and by adding sections 642c and 642d.

The bill was read a first time by its title and referred to the Committee on House Oversight, Elections, and Ethics.

Reps. Gaffney, Tobocman, Vagnozzi, Lipsey, Hune, Anderson, Kahn, Jones, Wenke, Ward, Stakoe, Mortimer, Gleason, Nitz, Palsrok, Nofs, Stahl, Hildenbrand, David Law, Shaffer, LaJoy, Ball, Byrnes, Meyer, Elsenheimer, Stewart, Hunter, Alma Smith and Farhat introduced

House Bill No. 4756, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 310e (MCL 257.310e), as amended by 2004 PA 362.

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

Reps. Anderson, Williams, Gillard, Hune, Gaffney, Tobocman, Brown, Kathleen Law, Plakas, Newell, Ward, Murphy, Zelenko and Leland introduced

House Bill No. 4757, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 933 (MCL 168.933), as amended by 2003 PA 119, and by adding section 849.

The bill was read a first time by its title and referred to the Committee on House Oversight, Elections, and Ethics.

Reps. Kathleen Law, Kehrl, Espinoza, Miller, McDowell, Alma Smith, Tobocman, Leland, Angerer, Clack, Zelenko, Condino, Meisner, Brown, Spade, Donigan, Anderson, Byrum, Lipsey, Murphy, Ball and Kolb introduced

House Bill No. 4758, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding sections 11532a and 11532b.

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

Reps. Espinoza, Kehrl, McDowell, Miller, Kathleen Law, Alma Smith, Tobocman, Angerer, Clack, Zelenko, Condino, Meisner, Brown, Spade, Donigan, Anderson, Lipsey, Byrum, Murphy, Ball and Kolb introduced

House Bill No. 4759, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 11502, 11503, 11504, 11505, and 11506 (MCL 324.11502, 324.11503, 324.11504, 324.11505, and 324.11506), section 11502 as amended by 2004 PA 35, sections 11503 and 11506 as amended by 1998 PA 466, and section 11504 as amended by 1996 PA 359, and by adding sections 11532c, 11532d, 11532e, 11532f, 11532g, and 11532h; and to repeal acts and parts of acts.

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

Reps. Kehrl, Espinoza, McDowell, Miller, Kathleen Law, Alma Smith, Tobocman, Leland, Angerer, Clack, Zelenko, Condino, Meisner, Brown, Spade, Donigan, Anderson, Byrum, Lipsey, Murphy, Ball and Kolb introduced

House Bill No. 4760, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 11511a (MCL 324.11511a), as added by 2004 PA 38; and to repeal acts and parts of acts.

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

Reps. Miller, Kehrl, McDowell, Kathleen Law, Alma Smith, Tobocman, Leland, Angerer, Clack, Zelenko, Condino, Meisner, Brown, Spade, Donigan, Anderson, Byrum, Lipsey, Murphy, Ball and Kolb introduced

House Bill No. 4761, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 11526b (MCL 324.11526b), as added by 2004 PA 37.

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

Reps. McDowell, Kehrl, Miller, Kathleen Law, Alma Smith, Tobocman, Angerer, Clack, Zelenko, Condino, Meisner, Brown, Spade, Donigan, Anderson, Byrum, Lipsey, Murphy, Ball and Kolb introduced

House Bill No. 4762, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 11546 and 11549 (MCL 324.11546 and 324.11549), section 11546 as amended by 2004 PA 41.

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

Rep. Whitmer introduced

House Bill No. 4763, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 8302, 8304, 8305, and 8333 (MCL 324.8302, 324.8304, 324.8305, and 324.8333), sections 8302, 8305, and 8333 as amended by 2002 PA 418 and section 8304 as amended by 2004 PA 24, and by adding sections 8315a, 8315b, 8316a, and 8321a.

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

Reps. Hoogendyk, Baxter, Casperson, Brown, Adamini, Robertson and Drolet introduced

House Bill No. 4764, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 34c (MCL 211.34c), as amended by 2002 PA 620.

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

Reps. Hoogendyk, Palmer, Gosselin and Drolet introduced

House Bill No. 4765, entitled

A bill to establish a higher education enrollment option grant program for certain students; to prescribe certain duties of public schools; and to prescribe certain powers and duties of certain community colleges and state departments, officials, and agencies.

The bill was read a first time by its title and referred to the Committee on Higher Education and Career Preparation.

Reps. Hoogendyk, Palmer, Gosselin and Drolet introduced

House Bill No. 4766, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1561 (MCL 380.1561), as amended by 1996 PA 339.

The bill was read a first time by its title and referred to the Committee on Higher Education and Career Preparation.

Reps. Hoogendyk, Huizenga, Gosselin and Robertson introduced

House Bill No. 4767, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending sections 30 and 30d (MCL 206.30 and 206.30d), section 30 as amended by 2004 PA 394 and section 30d as amended by 2000 PA 42; and to repeal acts and parts of acts.

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

Reps. Tobocman, Kolb, Bieda, Lipsey, Meisner, Mayes, Donigan, McDowell, Condino, Gleason, Alma Smith, Espinoza, Plakas, Hood, Anderson, Gillard, Phillips, Kathleen Law, Hopgood, Farrah, Clack, Sak, Whitmer, Brown, Adamini, Leland, Zelenko, Kehrl, Miller, Accavitti, Wojno, Hunter, Clemente, Gonzales, Byrum, Cushingberry, Lemmons, Jr., Virgil Smith, McConico, Waters and Lemmons, III introduced

House Bill No. 4768, entitled

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," by amending the title and sections 3, 4, and 13 (MCL 125.2003, 125.2004, and 125.2013), sections 4 and 13 as amended by 1987 PA 278, and by adding sections 94 and 95 and chapter 8A.

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

Reps. Meisner, Kolb, Tobocman, Lipsey, Mayes, Donigan, McDowell, Condino, Bieda, Gleason, Alma Smith, Espinoza, Plakas, Hood, Anderson, Gillard, Phillips, Kathleen Law, Hopgood, Farrah, Clack, Sak, Whitmer, Brown, Adamini, Leland, Zelenko, Kehrl, Miller, Accavitti, Wojno, Hunter, Clemente, Gonzales, Byrum, Cushingberry, Lemmons, Jr., Virgil Smith, McConico, Waters and Lemmons, III introduced

House Joint Resolution I, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by adding section 15a to article IX, to authorize the issuance of general obligation bonds, to finance the creation of new jobs in this state, and to make certain loans, grants, or investments in private and public entities.

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

Rep. Sak moved that Rep. Leland be excused temporarily from today's session.
The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 69, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1311g (MCL 380.1311g), as added by 1999 PA 23.

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

Roll Call No. 109

Yeas—108

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

Nays—0

In The Chair: Kooiman

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

“An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts,”

The House agreed to the full title.

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

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

Rep. Leland, under Rule 33, made the following statement:

“Mr. Speaker and members of the House:

I was absent from the Chamber when the vote was taken on Roll Call No. 109. Had I been present, I would have voted ‘yea.’”

House Bill No. 4623, entitled

A bill to amend 1970 PA 29, entitled “An act relating to potatoes; to create a potato commission; to prescribe its powers and duties and authority; to impose an assessment on the privilege of introducing potatoes into the channels of trade and commerce; to provide for the collection of the assessment; to provide for penalties; and to repeal certain acts and parts of acts,” by amending section 2 (MCL 290.422), as amended by 2000 PA 5.

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

Roll Call No. 110**Yeas—109**

Accavitti	Emmons	Law, Kathleen	Robertson
Acciavatti	Espinoza	Leland	Rocca
Adamini	Farhat	Lemmons, Jr.	Sak
Amos	Farrah	Lipse	Schuitmaker
Anderson	Gaffney	Marleau	Shaffer
Angerer	Garfield	Mayes	Sheen
Ball	Gillard	McConico	Sheltrown
Baxter	Gleason	McDowell	Smith, Alma
Bennett	Gonzales	Meisner	Smith, Virgil
Bieda	Gosselin	Meyer	Spade
Booher	Green	Miller	Stahl
Brandenburg	Hansen	Moolenaar	Stakoe
Brown	Hildenbrand	Moore	Steil
Byrnes	Hood	Mortimer	Stewart
Byrum	Hoogendyk	Murphy	Taub
Casperson	Hopgood	Newell	Tobocman

Caswell	Huizenga	Nitz	Vagnozzi
Caul	Hummel	Nofs	Van Regenmorter
Cheeks	Hune	Palmer	Vander Veen
Clack	Hunter	Palsrok	Walker
Clemente	Jones	Pastor	Ward
Condino	Kahn	Pavlov	Waters
Cushingberry	Kehrl	Pearce	Wenke
DeRoche	Kolb	Phillips	Whitmer
Dillon	Kooiman	Plakas	Williams
Donigan	LaJoy	Polidori	Wojno
Drolet	Law, David	Proos	Zelenko
Elsenheimer			

Nays—0

In The Chair: Kooiman

The House agreed to the title of the bill.

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

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

Rep. Hood moved that Rep. Plakas be excused temporarily from today's session.

The motion prevailed.

House Bill No. 4602, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 10c (MCL 247.660c), as amended by 2002 PA 498.

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

Roll Call No. 111**Yeas—108**

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

Nays—0

In The Chair: Kooiman

The House agreed to the title of the bill.

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

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

Reps. McConico, Stewart, Kooiman, Meyer, Tobocman, Farrah, Vagnozzi, Taub, Accavitti, Gleason, Nofs, Ward, Sak, Stahl, Gillard, Dillon, Ball, Gonzales, Gosselin, Kahn, Lemmons, Jr., Marleau, Mayes, McDowell, Moore, Pearce, Polidori and Sheltrown were named co-sponsors of the bill.

Second Reading of Bills**House Bill No. 4702, entitled**

A bill to amend 1978 PA 33, entitled "An act to prohibit the dissemination, exhibiting, or displaying of certain sexually explicit matter to minors; to prohibit certain misrepresentations facilitating the dissemination of sexually explicit matter to minors; to provide penalties; to provide for declaratory judgments and injunctive relief in certain instances; to impose certain duties upon prosecuting attorneys and the circuit court; to preempt local units of government from proscribing certain conduct; and to repeal certain acts and parts of acts," by amending section 3 (MCL 722.673), as amended by 2003 PA 192.

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

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

Rep. Angerer moved to amend the bill as follows:

1. Amend page 2, following line 22, by inserting:

“Enacting section 1. This amendatory act does not take effect unless House Bill No. 4593 of the 93rd Legislature is enacted into law.”.

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

Rep. Angerer demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 112

Yeas—54

Accavitti	Cushingberry	Lemmons, Jr.	Sheltrown
Adamini	Dillon	Lipsey	Smith, Alma
Anderson	Donigan	Mayer	Smith, Virgil
Angerer	Espinoza	McConico	Spade
Bennett	Farrah	McDowell	Stewart
Bieda	Gillard	Meisner	Tobocman
Brandenburg	Gleason	Miller	Vagnozzi
Brown	Gonzales	Murphy	Vander Veen
Byrnes	Hood	Nofs	Waters
Byrum	Hopgood	Phillips	Whitmer
Cheeks	Hunter	Plakas	Williams
Clack	Kehrl	Polidori	Wojno
Clemente	Law, Kathleen	Sak	Zelenko
Condino	Leland		

Nays—54

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

In The Chair: Kooiman

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

“Mr. Speaker and members of the House:

The Rep. from Monroe’s amendment #2, HB 4593, creates a criminal penalty for anyone who sells a video game with a rating of ‘AO’ (Adult Only) or ‘M’ (Mature) to a person under 17 years of age.

The ratings are done by the Entertainment Software Rating Board (ESRB) - A self-regulatory body for the interactive entertainment software industry.

Courts have continuously held that using private industry ratings is Blatantly Unconstitutional, as it is an illegal delegation of legislative authority to private entity.

Other states have also tried similar bans even without the industries rating system involved, and so far, in all the cases that have gone to court, the courts have declined to uphold the statutes, mostly on First Amendment Constitutional grounds.

While the issue of violent video games is an important one, tie-barring these bills to a bill that is, on its face Unconstitutional, is not the answer.”

Rep. Angerer moved to amend the bill as follows:

1. Amend page 2, following line 22, by inserting:

“Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 416 of the 93rd Legislature is enacted into law.”.

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4702, entitled

A bill to amend 1978 PA 33, entitled “An act to prohibit the dissemination, exhibiting, or displaying of certain sexually explicit matter to minors; to prohibit certain misrepresentations facilitating the dissemination of sexually explicit matter to minors; to provide penalties; to provide for declaratory judgments and injunctive relief in certain instances; to impose certain duties upon prosecuting attorneys and the circuit court; to preempt local units of government from proscribing certain conduct; and to repeal certain acts and parts of acts,” by amending section 3 (MCL 722.673), as amended by 2003 PA 192.

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

Roll Call No. 113

Yeas—108

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

DeRoche	Kehrl	Phillips	Whitmer
Dillon	Kooiman	Plakas	Williams
Donigan	LaJoy	Polidori	Wojno
Drolet	Law, David	Proos	Zelenko

Nays—0

In The Chair: Kooiman

The House agreed to the title of the bill.

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

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

Reps. McConico, Anderson, Stewart, Zelenko, Kooiman, Meyer, Newell, Vander Veen, Hunter, Farrah, LaJoy, Brandenburg, Bieda, Wojno, Acciavatti, Clack, Vagnozzi, Taub, Accavitti, Stakoe, Gleason, Caswell, Shaffer, Nofs, Wenke, Ward, Byrum, Emmons, Sak, Nitz, Stahl, Huizenga, Farhat, Moolenaar, Palsrok, Gillard, Dillon, Angerer, Ball, Bennett, Booher, Byrnes, Caul, Cheeks, Clemente, Elsenheimer, Espinoza, Gonzales, Gosselin, Hansen, Jones, Kahn, Kehrl, Marleau, Mayes, McDowell, Miller, Moore, Mortimer, Pearce, Polidori, Proos, Rocca, Sheltroun, Spade and Murphy were named co-sponsors of the bill.

Second Reading of Bills**House Bill No. 4703, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by amending the title, as amended by 1991 PA 56, and by adding section 143a.

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

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

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

The motion prevailed.

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

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

Rep. Sak moved that Rep. Dillon be excused temporarily from today's session.

The motion prevailed.

Rep. Miller moved that Rep. Lemmons, Jr. 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. 4703, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by amending the title, as amended by 1991 PA 56, and by adding section 143a.

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

Roll Call No. 114**Yeas—104**

Accavitti	Emmons	Law, Kathleen	Rocca
Acciavatti	Espinoza	Leland	Sak
Adamini	Farhat	Lipsey	Schuitmaker

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

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 115**Yeas—109**

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

Nays—0

In The Chair: Kooiman

The House agreed to the full title of the bill.

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

The Speaker laid before the House

House Bill No. 4482, entitled

A bill to amend 1980 PA 450, entitled "The tax increment finance authority act," by amending section 1 (MCL 125.1801), as amended by 1998 PA 499.

(The bill was received from the Senate on May 4, with substitute (S-2), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until May 5, see House Journal No. 37, p. 565.)

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. 116**Yeas—108**

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

Nays—1

Caswell

In The Chair: Kooiman

The House agreed to the full title of the bill.

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

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

Rep. Newell moved that the House adjourn.
The motion prevailed, the time being 2:55 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, May 11, at 1:00 p.m.

GARY L. RANDALL
Clerk of the House of Representatives