

**No. 55**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**93rd Legislature**  
**REGULAR SESSION OF 2005**

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House Chamber, Lansing, Wednesday, June 15, 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—present	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—excused	Sheltrown—present
Baxter—present	Gleason—present	McDowell—present	Smith, Alma—present
Bennett—present	Gonzales—present	Meisner—excused	Smith, Virgil—present
Bieda—present	Gosselin—present	Meyer—present	Spade—present
Booher—present	Green—present	Miller—present	Stahl—present
Brandenburg—excused	Hansen—present	Moolenaar—present	Stakoe—present
Brown—present	Hildenbrand—present	Moore—present	Steil—present
Byrnes—present	Hood—present	Mortimer—present	Stewart—present
Byrum—excused	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—e/d/s	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—excused
Elsenheimer—present	Law, Kathleen—present		

e/d/s = entered during session

Rep. James Marleau, from the 46th District, offered the following invocation:

“God, the fountain of wisdom, whose will is good and gracious, and whose law is truth:

We ask You to guide us to perceive what is right, and grant us both the courage to pursue it and the grace to accomplish it.

Please bless the Representatives assembled here today, that we may enact laws to please You, to the glory of Your name and the well-being of the people in Michigan that we were elected to represent. Amen.”

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The Speaker assumed the Chair.

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

Rep. Waters moved that Reps. Byrum, Meisner and McConico be excused from today’s session.  
The motion prevailed.

Rep. Waters moved that Rep. Zelenko be excused from this week’s session.  
The motion prevailed.

The Speaker called the Speaker Pro Tempore to the Chair.

### Second Reading of Bills

#### **Senate Bill No. 73, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 5505 (MCL 324.5505).

The bill was read a second time.

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

The motion prevailed.

#### **Senate Bill No. 79, entitled**

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

The bill was read a second time.

Rep. Espinoza moved to amend the bill as follows:

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

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

(a) House Bill No. 4758.

(b) House Bill No. 4759.”.

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

Rep. Ward moved that consideration of the bill be postponed for the day.

The motion prevailed.

#### **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.

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

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

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

The motion prevailed.

#### **Senate Bill No. 512, entitled**

A bill to amend 1989 PA 24, entitled "The district library establishment act," by amending sections 2, 3, 4, 11, 12, 15, 19, 20, 21, 23, and 24 (MCL 397.172, 397.173, 397.174, 397.181, 397.182, 397.185, 397.189, 397.190, 397.191, 397.193, and 397.194), sections 2 and 3 as amended by 2001 PA 64, section 11 as amended by 2002 PA 159, section 12 as amended by 2002 PA 540, and section 15 as amended by 1994 PA 114, and by adding section 3a.

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

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

Rep. Ward moved to amend the bill as follows:

1. Amend page 6, line 5, after "**SUBSECTION**" by striking out "**(6)(B)**" and inserting "**(5)(B)**".
2. Amend page 9, line 19, by striking out all of section 3A and inserting:

**"SEC. 3A. (1) UPON PETITION BY NOT LESS THAN 5% OF THE REGISTERED ELECTORS RESIDING IN THE AFFECTED MUNICIPALITY, MUNICIPALITIES, OR THE PORTION OF A MUNICIPALITY, REQUESTING A REFERENDUM ON THE QUESTION OF BECOMING A DISTRICT LIBRARY OR JOINING AN EXISTING DISTRICT LIBRARY, THE CLERK OF EACH AFFECTED MUNICIPALITY, UPON VERIFYING THE REQUIRED NUMBER OF SIGNATURES ON THE PETITIONS, SHALL FILE A COPY OF THE PETITION WITH THE DEPARTMENT AND SUBMIT THE QUESTION OF WHETHER THE MUNICIPALITY SHOULD BECOME A PARTICIPATING MUNICIPALITY TO THE VOTE OF THE ELECTORS OF THE MUNICIPALITY AT THE NEXT GENERAL ELECTION OR SPECIAL ELECTION CALLED FOR THAT PURPOSE AND CONDUCTED IN ACCORDANCE WITH THE MICHIGAN ELECTION LAW, 1954 PA 116, MCL 168.1 TO 168.992.**

**(2) IF THE QUESTION OF THE PETITION UNDER SUBSECTION (1) RELATES TO THE JOINING OF AN EXISTING DISTRICT LIBRARY, BEFORE CIRCULATING THE PETITION FOR SIGNATURES, THE SUPPORTERS OF THE PETITION MAY SUBMIT THE PROPOSAL AND THE PETITION LANGUAGE TO THE EXISTING DISTRICT LIBRARY BOARD FOR REVIEW AND APPROVAL. THE DISTRICT LIBRARY BOARD SHALL VOTE BY RESOLUTION TO ACCEPT OR REJECT THE PROPOSED NEW PARTICIPATING MUNICIPALITY WITHIN 30 DAYS OF RECEIVING A COPY OF THE PROPOSED PETITION. IF THE PROPOSAL IS APPROVED BY THE DISTRICT LIBRARY BOARD AND THE REFERENDUM IS PASSED BY THE ELECTORS, THE DISTRICT LIBRARY SHALL AMEND ITS AGREEMENT TO INCORPORATE THE NEW PARTICIPATING MUNICIPALITY.**

**(3) THE REFERENDUM SUBMITTED TO THE ELECTORS UNDER THIS SECTION SHALL INCLUDE A REQUEST FOR A MILLAGE TO FUND THE NEW DISTRICT OR THE MUNICIPALITY'S OBLIGATION TO THE EXISTING DISTRICT. FOR DISTRICT LIBRARIES WITH APPOINTED BOARDS, THE REFERENDUM SHALL INCLUDE LANGUAGE REGARDING THE APPOINTMENT OF NEW MEMBERS TO REPRESENT ANY NEW PARTICIPATING MUNICIPALITY.**

**(4) IF APPROVED BY A MAJORITY OF THE ELECTORS IN THE AFFECTED MUNICIPALITY VOTING ON THE QUESTION, THE MUNICIPALITY SHALL PROCEED TO BECOME A PARTICIPATING MUNICIPALITY IN THE MANNER PROVIDED UNDER THIS ACT.**

**(5) A NEW DISTRICT LIBRARY ESTABLISHED UNDER THIS SECTION SHALL CONSIST OF 2 OR MORE MUNICIPALITIES AND BE GOVERNED BY AN ELECTED BOARD AS PROVIDED UNDER SECTION 11. THE BOARD REQUIRED UNDER THIS SUBSECTION SHALL BE ELECTED NOT LATER THAN 1 YEAR FROM THE DATE THE ELECTORS APPROVE THE NEW DISTRICT.**

**(6) IF A NEW DISTRICT LIBRARY IS CREATED UNDER THIS SECTION, EACH PARTICIPATING MUNICIPALITY SHALL APPOINT MEMBERS TO AN INTERIM GOVERNING BOARD IN A NUMBER PROPORTIONAL TO ITS POPULATION IN RELATIONSHIP TO THE ENTIRE DISTRICT. THE INTERIM BOARD SHALL PREPARE AND SUBMIT THE AGREEMENT AND MAP REQUIRED BY THIS ACT TO THE DEPARTMENT NO LATER THAN 180 DAYS FROM THE DATE THE ELECTORS APPROVE THE NEW DISTRICT. IF THE AGREEMENT AND MAP ARE NOT SUBMITTED AS REQUIRED BY THIS SUBSECTION, THE AGREEMENT AND MAP SHALL BE PREPARED BY THE STATE LIBRARIAN.**

**(7) IF THE DISTRICT LIBRARY BOARD HAS NOT APPROVED THE NEW PARTICIPATING MUNICIPALITY UNDER SUBSECTION (2) AND THE PETITION IS SUBMITTED TO THE ELECTORS FOR APPROVAL AND PASSES, THE BOARD OF THE DISTRICT LIBRARY SHALL VOTE WITHIN 30 DAYS FOLLOWING CERTIFICATION OF THE ELECTION RESULTS WHETHER TO ACCEPT OR REJECT THE NEW PROPOSED PARTICIPATING MUNICIPALITY. IF THE NEW PARTICIPATING MUNICIPALITY IS ACCEPTED, THE DISTRICT LIBRARY SHALL AMEND ITS AGREEMENT TO INCORPORATE THE NEW PARTICIPATING MUNICIPALITY.”**

3. Amend page 11, line 27, after “STATE” by striking out “LIBRARY” and inserting “LIBRARIAN”.

4. Amend page 13, line 25, after “SUBSECTION (2)” by inserting “AND (3)”.

The question being on the adoption of the amendments offered by Rep. Ward,

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

The motion prevailed.

### **Senate Bill No. 513, entitled**

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending sections 301, 302, 312, 370, 381, 498, 641, 642a, 653a, 699, and 963 (MCL 168.301, 168.302, 168.312, 168.370, 168.381, 168.498, 168.641, 168.642a, 168.653a, 168.699, and 168.963), section 301 as amended by 2004 PA 286, sections 302 and 312 as added and sections 370 and 963 as amended by 2003 PA 302, section 381 as amended by 2004 PA 290, section 498 as amended by 1984 PA 89, section 641 as amended by 2003 PA 298, section 642a as amended by 2004 PA 294, section 653a as added by 1982 PA 2, and section 699 as amended by 2004 PA 297.

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

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

Rep. Ward moved to amend the bill as follows:

1. Amend page 9, line 17, after “FILED” by inserting “AS PROVIDED IN THIS SUBSECTION. UNTIL JANUARY 1, 2006, NOMINATING PETITIONS SHALL BE FILED WITH THE VILLAGE CLERK BY 4 P.M. ON THE EIGHTH TUESDAY BEFORE THE SEPTEMBER PRIMARY ELECTION. ON AND AFTER JANUARY 1, 2006, NOMINATING PETITIONS SHALL BE FILED”.

2. Amend page 12, line 17, after “FILE” by striking out “A VOTER REGISTRATION APPLICATION” and inserting “VOTER REGISTRATION CHANGE OF ADDRESS INFORMATION”.

3. Amend page 12, line 23, after “TRANSMIT” by striking out “THE” and inserting “A”.

4. Amend page 12, line 24, by striking out “APPLICATION” and inserting “CHANGE OF ADDRESS INFORMATION”.

5. Amend page 12, line 26, after “AND” by inserting “HAS”.

6. Amend page 23, following line 2, by inserting:

“Enacting section 1. Section 641(4) of the Michigan election law, 1954 PA 116, MCL 168.641, as amended by this amendatory act, takes effect 70 days after the date this amendatory act is enacted.” and renumbering the remaining enacting section.

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

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

The motion prevailed.

By unanimous consent the House returned to the order of

### **Third Reading of Bills**

### **House Bill No. 4465, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 40111b.

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

### **Roll Call No. 195**

### **Yeas—95**

Accavitti  
Acciavatti

Espinoza  
Farhat

Lemmons, III  
Lemmons, Jr.

Sak  
Schuitmaker

Adamini	Farrah	Lipsey	Shaffer
Amos	Gaffney	Marleau	Sheltrown
Anderson	Garfield	Mayer	Smith, Alma
Angerer	Gillard	McDowell	Smith, Virgil
Ball	Gleason	Meyer	Spade
Baxter	Gonzales	Miller	Stahl
Bennett	Green	Moolenaar	Stakoe
Bieda	Hansen	Moore	Steil
Booher	Hildenbrand	Mortimer	Stewart
Brown	Hood	Murphy	Taub
Byrnes	Hopgood	Newell	Tobocman
Casperson	Huizenga	Nitz	Vagnozzi
Caswell	Hummel	Palsrok	Van Regenmorter
Caul	Hunter	Pastor	Vander Veen
Cheeks	Jones	Pavlov	Walker
Clemente	Kahn	Pearce	Ward
Condino	Kehrl	Phillips	Waters
Cushingberry	Kolb	Plakas	Wenke
DeRoche	Kooiman	Polidori	Whitmer
Dillon	LaJoy	Proos	Williams
Donigan	Law, David	Robertson	Wojno
Emmons	Law, Kathleen	Rocca	

**Nays—8**

Drolet	Gosselin	Hune	Palmer
Elsenheimer	Hoogendyk	Nofs	Sheen

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.

**House Bill No. 4710, entitled**

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

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

**Roll Call No. 196****Yeas—102**

Accavitti	Farhat	Lemmons, III	Rocca
Acciavatti	Farrah	Lemmons, Jr.	Sak
Adamini	Gaffney	Lipsey	Schuitmaker
Amos	Garfield	Marleau	Shaffer
Anderson	Gillard	Mayer	Sheen
Angerer	Gleason	McDowell	Sheltrown
Ball	Gonzales	Meyer	Smith, Alma
Baxter	Gosselin	Miller	Smith, Virgil
Bennett	Green	Moolenaar	Spade
Bieda	Hansen	Moore	Stahl
Booher	Hildenbrand	Mortimer	Stakoe

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

### Nays—2

Drolet

Hune

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. Stewart, Farrah, Wojno, Taub, Accavitti, Stakoe, Gleason, Sak, Stahl, Moolenaar, Palsrok, Dillon, Booher, Caul, Clemente, Gosselin, Hansen, Hildenbrand, Kehrl, Lemmons, III, Mayes, McDowell, Moore, Mortimer, Pearce, Polidori, Proos and Spade were named co-sponsors of the bill.

### Second Reading of Bills

The House returned to the consideration of

#### **Senate Bill No. 512, entitled**

A bill to amend 1989 PA 24, entitled “The district library establishment act,” by amending sections 2, 3, 4, 11, 12, 15, 19, 20, 21, 23, and 24 (MCL 397.172, 397.173, 397.174, 397.181, 397.182, 397.185, 397.189, 397.190, 397.191, 397.193, and 397.194), sections 2 and 3 as amended by 2001 PA 64, section 11 as amended by 2002 PA 159, section 12 as amended by 2002 PA 540, and section 15 as amended by 1994 PA 114, and by adding section 3a.

(The bill was considered earlier today, see today’s Journal, p. 863.)

The question being on the adoption of the amendments offered previously by Rep. Ward,

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

Rep. Kahn moved to amend the bill as follows:

1. Amend page 9, line 13, after “**OF**” by striking out “**5,000**” and inserting “**4,500**”.

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

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

The motion prevailed.

By unanimous consent the House returned to the order of

### **Reports of Standing Committees**

The Committee on Employment Relations, Training, and Safety, by Rep. Gosselin, Chair, reported

#### **House Bill No. 4148, entitled**

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

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. Gosselin, Marleau, Drolet and LaJoy

Nays: Reps. Bieda, Farrah and Hood

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Gosselin, Chair, of the Committee on Employment Relations, Training, and Safety, was received and read:

Meeting held on: Tuesday, June 14, 2005

Present: Reps. Gosselin, Marleau, Drolet, LaJoy, Bieda, Farrah and Hood

The Committee on Higher Education and Career Preparation, by Rep. Wenke, Chair, reported

**House Bill No. 4838, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 1299.

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. Wenke, Emmons, Byrnes, Lipsey and Kehrl

Nays: None

The Committee on Higher Education and Career Preparation, by Rep. Wenke, Chair, reported

**Senate Bill No. 136, entitled**

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

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. Wenke, Emmons, Byrnes, Lipsey and Kehrl

Nays: None

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Wenke, Chair, of the Committee on Higher Education and Career Preparation, was received and read:

Meeting held on: Tuesday, June 14, 2005

Present: Reps. Wenke, Emmons, Palmer, Byrnes, Lipsey and Kehrl

Absent: Rep. Ward

Excused: Rep. Ward

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

**Senate Bill No. 551, entitled**

A bill to repeal enacting section 1 of 2004 PA 591.

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. Nofs, Proos, Emmons, Garfield, LaJoy, Stahl, Baxter, Moore, Schuitmaker, Accavitti, Dillon, Murphy, Mayes, Hunter, Hopgood and Clemente

Nays: None

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, June 15, 2005

Present: Reps. Nofs, Proos, Emmons, Garfield, Huizenga, LaJoy, Palsrok, Stahl, Baxter, Moore, Schuitmaker, Accavitti, Dillon, Murphy, Mayes, Hunter, Hopgood and Clemente

Absent: Rep. Drolet

Excused: Rep. Drolet

**Introduction of Bills**

Rep. Gaffney introduced

**House Bill No. 4940, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3135 (MCL 500.3135), as amended by 2002 PA 697.

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

Reps. Steil, Green, Jones, Caul, Mortimer, Pastor, Booher, Gosselin, Ward, Nofs, Newell, Condino, LaJoy, Stahl, Stakoe, Vander Veen, Palmer, Hansen, Moolenaar, Pearce and Farhat introduced

**House Bill No. 4941, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 7011 (MCL 500.7011), as amended by 1999 PA 82.

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

Reps. Newell, Walker, Nofs, Meyer, Mortimer, Emmons, Hune, Stakoe, Casperson, Palsrok, Shaffer, Pearce, Booher, Gleason, McDowell, Espinoza, Accavitti, Adamini, Sheltrown, Moore and Nitz introduced

**House Bill No. 4942, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40114 (MCL 324.40114), as added by 1995 PA 57.

The bill was read a first time by its title and referred to the Committee on Conservation, Forestry, and Outdoor Recreation.

Reps. Hopgood, Vagnozzi, Plakas, Polidori, Byrum, Kehrl and Alma Smith introduced

**House Bill No. 4943, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 303a (MCL 339.303a), as amended by 1995 PA 183, and by adding article 28.

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

Reps. Hopgood, Vagnozzi, Plakas, Polidori, Byrum, Kehrl and Alma Smith introduced

**House Bill No. 4944, entitled**

A bill to amend 1979 PA 152, entitled "State license fee act," (MCL 338.2201 to 338.2277) by adding section 28.

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

Reps. Hune and Gosselin introduced

**House Bill No. 4945, entitled**

A bill to amend 1967 PA 288, entitled "Land division act," by amending section 108 (MCL 560.108), as added by 1996 PA 591.

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. Hune, Hansen, Gosselin, Meyer, Ward, Drolet and Garfield introduced  
**House Bill No. 4946, entitled**

A bill to amend 1993 PA 327, entitled “Tobacco products tax act,” by amending sections 7 and 12 (MCL 205.427 and 205.432), as amended by 2004 PA 164.

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

Reps. Palmer and Ward introduced

**House Bill No. 4947, entitled**

A bill to amend 1980 PA 300, entitled “The public school employees retirement act of 1979,” by amending sections 4, 8, 25, 26, 34, and 91 (MCL 38.1304, 38.1308, 38.1325, 38.1326, 38.1334, and 38.1391), section 4 as amended by 2003 PA 17, sections 8, 25, and 26 as amended by 1997 PA 143, section 34 as amended by 2002 PA 94, and section 91 as amended by 2004 PA 117, and by adding sections 41b, 109, 110, 111, and 112 and article 7.

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

Reps. Kathleen Law, Plakas, Hopgood, Byrum, Clack, Farrah, Meisner, Gonzales, Alma Smith, Espinoza, McDowell, Lipsey, Kolb, Hood, Adamini, Brown, Gillard, Anderson and Williams introduced

**House Bill No. 4948, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 17210.

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. Clack entered the House Chambers.

Rep. Sak moved that Rep. Gleason 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. 4711, entitled**

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

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

**Roll Call No. 197**

**Yeas—103**

Accavitti	Emmons	Leland	Rocca
Acciavatti	Espinoza	Lemmons, III	Sak
Adamini	Farhat	Lemmons, Jr.	Schuitmaker
Amos	Farrah	Lipsey	Shaffer
Anderson	Gaffney	Marleau	Sheen
Angerer	Garfield	Mayer	Sheltrown
Ball	Gillard	McDowell	Smith, Alma
Baxter	Gonzales	Meyer	Smith, Virgil
Bennett	Gosselin	Miller	Spade
Bieda	Green	Moolenaar	Stahl
Booher	Hansen	Moore	Stakoe
Brown	Hildenbrand	Mortimer	Steil
Byrnes	Hood	Murphy	Stewart

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

**Nays—1**

Hune

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. Anderson, Stewart, Meyer, Williams, Farrah, LaJoy, Kathleen Law, Bieda, Wojno, Acciavatti, Clack, Taub, Accavitti, Shaffer, Nofs, Van Regenmorter, Sak, Nitz, Stahl, Moolenaar, Booher, Byrnes, Caul, Clemente, Cushingberry, Espinoza, Gonzales, Hansen, Hildenbrand, Kehrl, Lemmons, III, Lemmons, Jr., Mayes, McDowell, Moore, Mortimer, Palmer, Pearce, Polidori, Proos, Sheltroun, Spade and Murphy were named co-sponsors of the bill.

**House Bill No. 4712, entitled**

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

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

**Roll Call No. 198****Yeas—103**

Accavitti	Espinoza	Leland	Rocca
Acciavatti	Farhat	Lemmons, III	Sak
Adamini	Farrah	Lemmons, Jr.	Schuitmaker
Amos	Gaffney	Lipsey	Shaffer
Anderson	Garfield	Marleau	Sheen
Angerer	Gillard	Mayes	Sheltroun
Ball	Gleason	McDowell	Smith, Alma
Baxter	Gonzales	Meyer	Smith, Virgil
Bennett	Gosselin	Miller	Spade
Bieda	Green	Moolenaar	Stahl
Booher	Hansen	Moore	Stakoe
Brown	Hildenbrand	Mortimer	Steil
Byrnes	Hood	Murphy	Stewart
Casperson	Hoogendyk	Newell	Taub
Caswell	Hopgood	Nitz	Tobocman
Caul	Huizenga	Nofs	Vagnozzi
Cheeks	Hummel	Palmer	Van Regenmorter
Clack	Hunter	Palsrok	Vander Veen

Clemente	Jones	Pastor	Walker
Condino	Kahn	Pavlov	Ward
Cushingberry	Kehrl	Pearce	Waters
DeRoche	Kolb	Phillips	Wenke
Dillon	Kooiman	Plakas	Whitmer
Donigan	LaJoy	Polidori	Williams
Elsenheimer	Law, David	Proos	Wojno
Emmons	Law, Kathleen	Robertson	

**Nays—2**

Drolet

Hune

In The Chair: Kooiman

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

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

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

The motion prevailed.

The House agreed to the title as amended.

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

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

Reps. Anderson, Stewart, Kolb, Meyer, Tobocman, Farrah, LaJoy, Kathleen Law, Bieda, Wojno, Acciavatti, Clack, Taub, Accavitti, Gleason, Shaffer, Sak, Nitz, Stahl, Moolenaar, Palsrok, Booher, Caul, Cheeks, Clemente, Espinoza, Gonzales, Gosselin, Hansen, Kahn, Kehrl, Lemmons, III, Lemmons, Jr., Marleau, McDowell, Palmer, Pearce, Polidori, Proos and Spade were named co-sponsors of the bill.

**House Bill No. 4713, entitled**

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

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

**Roll Call No. 199****Yeas—105**

Accavitti	Espinoza	Law, Kathleen	Robertson
Acciavatti	Farhat	Leland	Rocca
Adamini	Farrah	Lemmons, III	Sak
Amos	Gaffney	Lemmons, Jr.	Schuitmaker
Anderson	Garfield	Lipsey	Shaffer
Angerer	Gillard	Marleau	Sheen
Ball	Gleason	Mayes	Sheltrown
Baxter	Gonzales	McDowell	Smith, Alma
Bennett	Gosselin	Meyer	Smith, Virgil
Bieda	Green	Miller	Spade
Booher	Hansen	Moolenaar	Stahl
Brown	Hildenbrand	Moore	Stakoe
Byrnes	Hood	Mortimer	Steil
Casperson	Hoogendyk	Murphy	Stewart
Caswell	Hopgood	Newell	Taub
Caul	Huizenga	Nitz	Tobocman
Cheeks	Hummel	Nofs	Vagnozzi

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

### Nays—0

In The Chair: Kooiman

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

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

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

The motion prevailed.

The House agreed to the title as amended.

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

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

Reps. Anderson, Stewart, Kolb, Meyer, Williams, Tobocman, Kathleen Law, Bieda, Wojno, Acciavatti, Taub, Accavitti, Stakoe, Gleason, Shaffer, Nofs, Sak, Nitz, Stahl, Palsrok, Booher, Byrnes, Caul, Cheeks, Clemente, Espinoza, Gonzales, Gosselin, Hansen, Hildenbrand, Kehrl, Lemmons, III, Lemmons, Jr., McDowell, Moore, Pearce, Polidori, Sheltroun, Spade and Murphy were named co-sponsors of the bill.

Rep. Palmer moved that Rep. DeRoche be excused temporarily from today’s session.

The motion prevailed.

### House Bill No. 4714, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 41321.

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

### Roll Call No. 200

### Yeas—102

Accavitti	Farhat	Lemmons, III	Rocca
Acciavatti	Farrah	Lemmons, Jr.	Sak
Adamini	Gaffney	Lipsey	Schuitmaker
Amos	Gillard	Marleau	Shaffer
Anderson	Gleason	Mayer	Sheen
Angerer	Gonzales	McDowell	Sheltroun
Ball	Gosselin	Meyer	Smith, Alma
Baxter	Green	Miller	Smith, Virgil
Bennett	Hansen	Moolenaar	Spade
Bieda	Hildenbrand	Moore	Stahl
Booher	Hood	Mortimer	Stakoe

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

**Nays—2**

Drolet

Garfield

In The Chair: Kooiman

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

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

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 41321; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

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

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

Reps. Anderson, Stewart, Kolb, Meyer, Williams, Farrah, LaJoy, Kathleen Law, Bieda, Acciavatti, Taub, Accavitti, Stakoe, Gleason, Shaffer, Nofs, Sak, Nitz, Stahl, Palsrok, Booher, Caul, Cheeks, Clemente, Espinoza, Gonzales, Gosselin, Hansen, Hildenbrand, Kehrl, Leland, Lemmons, III, Lemmons, Jr., Marleau, Mayes, McDowell, Palmer, Pearce, Polidori, Proos, Sheltroun, Spade and Murphy were named co-sponsors of the bill.

**House Bill No. 4715, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 41323.

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

**Roll Call No. 201****Yeas—103**

Accavitti	Espinoza	Leland	Rocca
Acciavatti	Farhat	Lemmons, III	Sak
Adamini	Farrah	Lemmons, Jr.	Schuitmaker
Amos	Gaffney	Lipsey	Shaffer
Anderson	Gillard	Marleau	Sheen
Angerer	Gleason	Mayes	Sheltroun
Ball	Gonzales	McDowell	Smith, Alma
Baxter	Gosselin	Meyer	Smith, Virgil
Bennett	Green	Miller	Spade
Bieda	Hansen	Moolenaar	Stahl

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

### Nays—2

Drolet

Garfield

In The Chair: Kooiman

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

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

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 41323; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

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

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

Reps. Anderson, Stewart, Kolb, Williams, Farrah, LaJoy, Kathleen Law, Bieda, Acciavatti, Clack, Vagnozzi, Taub, Accavitti, Stakoe, Gleason, Shaffer, Nofs, Sak, Nitz, Stahl, Moolenaar, Palsrok, Dillon, Booher, Caul, Clemente, Gonzales, Gosselin, Hildenbrand, Kehrl, Lemmons, III, Lemmons, Jr., Marleau, Mayes, McDowell, Moore, Palmer, Pearce, Polidori, Proos, Sheltroun, Spade and Murphy were named co-sponsors of the bill.

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

The motion prevailed.

#### House Bill No. 4716, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 41309 (MCL 324.41309), as added by 2003 PA 270.

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

#### Roll Call No. 202

#### Yeas—104

Accavitti	Emmons	Law, David	Proos
Acciavatti	Espinosa	Law, Kathleen	Robertson
Adamini	Farhat	Leland	Rocca

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

### 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. Anderson, Stewart, Kolb, Lipsey, Meyer, Williams, Farrah, Kathleen Law, Bieda, Acciavatti, Condino, Vagnozzi, Taub, Accavitti, Stakoe, Hune, Gleason, Shaffer, Nofs, Sak, Nitz, Stahl, Moolenaar, Palsrok, Dillon, Bennett, Booher, Caul, Cheeks, Clemente, Espinoza, Gonzales, Gosselin, Hansen, Hildenbrand, Kehrl, Leland, Lemmons, III, Lemmons, Jr., Marleau, Mayes, McDowell, Moore, Mortimer, Palmer, Pearce, Polidori, Proos, Sheltrown, Spade and Murphy were named co-sponsors of the bill.

### Second Reading of Bills

#### Senate Bill No. 384, entitled

A bill to designate the third Saturday in June as Juneteenth National Freedom Day; and to designate November 26 of each year as Sojourner Truth Day in the state of Michigan.

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### Senate Bill No. 384, entitled

A bill to designate the third Saturday in June as Juneteenth National Freedom Day; and to designate November 26 of each year as Sojourner Truth Day in the state of Michigan.

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

**Roll Call No. 203****Yeas—105**

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

**Nays—0**

In The Chair: Kooiman

The House agreed to the title of the bill.

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

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

**Second Reading of Bills****House Bill No. 4729, entitled**

A bill to amend 1968 PA 317, entitled "An act relating to the conduct of public servants in respect to governmental decisions and contracts with public entities; to provide penalties for the violation of this act; to repeal certain acts and parts of acts; and to validate certain contracts," by amending section 4 (MCL 15.324).

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

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

Rep. Waters moved to amend the bill as follows:

1. Amend page 2, line 15, after "**VILLAGE,**" by inserting "**THIS SUBDIVISION SHALL APPLY ONLY TO A CITY OR VILLAGE THAT HAS ADOPTED AN ETHICS ORDINANCE WHICH WAS IN EFFECT AT THE TIME THE RESIDENTIAL PROPERTY WAS PURCHASED.**".

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



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

Rep. 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. 4729, entitled**

A bill to amend 1968 PA 317, entitled "An act relating to the conduct of public servants in respect to governmental decisions and contracts with public entities; to provide penalties for the violation of this act; to repeal certain acts and parts of acts; and to validate certain contracts," by amending section 4 (MCL 15.324).

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

**Roll Call No. 204**

**Yeas—102**

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

**Nays—3**

Anderson	Garfield	Taub
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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. Ward 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. Condino, Accavitti, Farrah, Kolb, Bieda, Zelenko, Tobocman, Vagnozzi, Dillon, Gleason, Alma Smith, Polidori, Murphy, Meisner, Lipsey, Van Regenmorter, Kathleen Law, Leland, Anderson, Brown, Byrnes, Cushingberry, Elsenheimer, Gillard, Gonzales, Hood, Hopgood, Jones, Kehrl, Lemmons, III, Lemmons, Jr., McDowell, Mortimer, Phillips, Plakas, Proos, Sak, Schuitmaker, Spade, Stewart, Waters and Wojno offered the following resolution:

#### **House Resolution No. 92.**

A resolution to memorialize the Congress of the United States to require the United States Department of Agriculture to inform the public about recalls of tainted meat, poultry, and egg products and provide the department the authority to issue mandatory recalls of tainted meat, poultry, and egg products.

Whereas, The Food Safety and Inspection Service of the United States Department of Agriculture lacks the authority to issue mandatory recalls of tainted or adulterated meat, poultry, or egg products. The department must seek the voluntary participation in a recall by the business entity responsible for putting the tainted or adulterated food product into retail trade. While a lengthy bureaucratic process ensues to implement a voluntary recall, tainted meat, poultry, and egg products are still sold to the unwitting consumer; and

Whereas, Federal laws currently preclude the department from sharing information directly with the public on the retail businesses that have received tainted food products. Before the department can share information with state officials, a state must sign a nondisclosure agreement to protect proprietary information. These bureaucratic hoops hinder state efforts to execute inspection responsibilities and to verify that tainted products have been removed from retail trade; and

Whereas, Some states and consumer activists are demanding that information on where tainted or adulterated food products have been shipped be shared directly with the public. On its own initiative, the department issued a notice of proposed rule making to make lists of retail businesses that received tainted or adulterated meat, poultry, or egg products available to the public so people can remove these products from their homes. In a surprising turn-around and without explanation, the department recently withdrew its proposal to change federal law from Executive Office review by the federal Office of Management and Budget; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the United States Congress to require the United States Department of Agriculture to inform the public about recalls of tainted meat, poultry, and egg products and provide the department the authority to issue mandatory recalls of tainted meat, poultry, and egg products; 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 Government Operations.

### **Reports of Standing Committees**

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

#### **House Bill No. 4887, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11 and 17b (MCL 388.1611 and 388.1617b), section 11 as amended by 2004 PA 518 and section 17b as amended by 2000 PA 297.

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. Hummel, Acciavatti, Kooiman, Stewart, Amos, Caswell, Farhat, Moolenaar, Shaffer, Steil, Taub, Walker, Booher, Caul, Hansen and Kahn

Nays: Reps. Whitmer, Cushingberry, Cheeks and Alma Smith

The Committee on Appropriations, by Rep. Hummel, Chair, reported  
**Senate Bill No. 306, entitled**

A bill to authorize the department of management and budget to convey certain parcels of state owned property in Eaton county; to prescribe conditions for the conveyances; to provide for certain powers and duties of the department of management and budget in implementing those conveyances; to provide for disposition of revenue derived from the conveyances; and to repeal acts and parts of acts.

With the recommendation that the bill be referred to the Committee on Regulatory Reform.

Favorable Roll Call

To Report Out:

Yeas: Reps. Hummel, Acciavatti, Kooiman, Stewart, Amos, Caswell, Farhat, Moolenaar, Shaffer, Steil, Taub, Walker, Booher, Caul, Hansen, Kahn, Whitmer, Brown, Kolb, Sak, Cushingberry, Cheeks, Williams, Alma Smith and Gonzales

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Regulatory Reform.

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

**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.

With the recommendation that the bill be referred to the Committee on Education.

Favorable Roll Call

To Report Out:

Yeas: Reps. Hummel, Acciavatti, Kooiman, Stewart, Amos, Caswell, Farhat, Moolenaar, Shaffer, Steil, Taub, Walker, Booher, Caul, Hansen, Kahn, Whitmer, Brown, Kolb, Sak, Cushingberry, Cheeks, Williams, Plakas, Alma Smith and Gonzales

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Education.

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

**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.

With the recommendation that the bill be referred to the Committee on Education.

Favorable Roll Call

To Report Out:

Yeas: Reps. Hummel, Acciavatti, Kooiman, Stewart, Amos, Caswell, Farhat, Moolenaar, Shaffer, Steil, Taub, Walker, Booher, Caul, Hansen, Kahn, Whitmer, Brown, Kolb, Sak, Cushingberry, Cheeks, Williams, Plakas, Alma Smith and Gonzales

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Education.

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

**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.

With the recommendation that the bill be referred to the Committee on Education.

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Hummel, Acciavatti, Kooiman, Stewart, Amos, Caswell, Farhat, Moolenaar, Shaffer, Steil, Taub, Walker, Booher, Caul, Hansen, Kahn, Whitmer, Brown, Kolb, Sak, Cushingberry, Cheeks, Williams, Plakas, Alma Smith and Gonzales

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Education.

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

**Senate Bill No. 412, entitled**

A bill to amend 1964 PA 183, entitled "An act creating the state building authority with power to acquire, construct, furnish, equip, own, improve, enlarge, operate, mortgage, and maintain facilities for the use of the state or any of its agencies; to act as a developer or co-owner of facilities as a condominium project for the use of the state or any of its agencies; to authorize the execution of leases pertaining to those facilities by the building authority with the state or any of its agencies; to authorize the payment of true rentals by the state; to provide for the issuance of revenue obligations by the building authority to be paid from the true rentals to be paid by the state and other resources and security provided for and pledged by the building authority; to authorize the creation of funds; to authorize the conveyance of lands by the state or any of its agencies for the purposes authorized in this act; to authorize the appointment of a trustee for bondholders; to permit remedies for the benefit of parties in interest; to provide for other powers and duties of the authority; and to provide for other matters in relation to the authority and its obligations," by amending sections 1, 1a, 3, and 7 (MCL 830.411, 830.411a, 830.413, and 830.417), sections 1 and 7 as amended by 1994 PA 252 and sections 1a and 3 as amended by 1988 PA 248.

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. Hummel, Acciavatti, Kooiman, Stewart, Amos, Caswell, Farhat, Moolenaar, Shaffer, Steil, Taub, Walker, Booher, Caul, Hansen, Kahn, Whitmer, Brown, Kolb, Sak, Cushingberry, Cheeks, Williams, Plakas, Alma Smith and Gonzales

Nays: None

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

**Senate Concurrent Resolution No. 14.**

A concurrent resolution to increase the total project cost of the Iron Ore Museum project for the Department of History, Arts, and Libraries to reflect the receipt of private gift and donation revenues for the purpose of the project.

(For text of concurrent resolution, see House Journal No. 49, p. 745.)

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. Hummel, Acciavatti, Kooiman, Stewart, Amos, Caswell, Farhat, Moolenaar, Shaffer, Steil, Taub, Walker, Booher, Caul, Hansen, Kahn, Whitmer, Brown, Kolb, Sak, Cushingberry, Cheeks, Williams, Plakas, Alma Smith and Gonzales

Nays: None

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

**Senate Concurrent Resolution No. 20.**

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Kellogg Community College relative to the Kellogg Community College Roll Building Renovation project.

(For text of concurrent resolution, see House Journal No. 49, p. 746.)

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. Hummel, Acciavatti, Kooiman, Stewart, Amos, Caswell, Farhat, Moolenaar, Shaffer, Steil, Taub, Walker, Booher, Caul, Hansen, Kahn, Whitmer, Brown, Kolb, Sak, Cushingberry, Cheeks, Williams, Plakas, Alma Smith and Gonzales

Nays: None

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Hummel, Chair, of the Committee on Appropriations, was received and read:  
Meeting held on: Wednesday, June 15, 2005

Present: Reps. Hummel, Acciavatti, Kooiman, Stewart, Amos, Caswell, Farhat, Moolenaar, Shaffer, Steil, Taub, Walker, Booher, Caul, Hansen, Kahn, Whitmer, Brown, Kolb, Sak, Cushingberry, Cheeks, Williams, Plakas, Alma Smith, Phillips and Gonzales

Absent: Reps. Pastor and Brandenburg

Excused: Reps. Pastor and Brandenburg

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Palmer, Chair, of the Committee on Education, was received and read:  
Meeting held on: Wednesday, June 15, 2005

Present: Reps. Palmer, Mortimer, Gosselin, Meyer, Hoogendyk, Vander Veen, Wenke, Ball, Elsenheimer, Hildenbrand, Pearce, Proos, Hopgood, Miller, Angerer, Lemmons, III, Virgil Smith and Kehrl

Absent: Rep. Clack

Excused: Rep. Clack

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Van Regenmorter, Chair, of the Committee on Judiciary, was received and read:  
Meeting held on: Wednesday, June 15, 2005

Present: Reps. Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey, Condino, Adamini, Bieda and Virgil Smith

Absent: Rep. McConico

Excused: Rep. McConico

**Announcement by the Clerk of Printing and Enrollment**

The Clerk announced the enrollment printing and presentation to the Governor on Wednesday, June 15, for her approval of the following bills:

**Enrolled House Bill No. 4560 at 2:20 p.m.**

**Enrolled House Bill No. 4562 at 2:22 p.m.**

**Enrolled House Bill No. 4567 at 2:24 p.m.**

The Clerk announced that the following bills had been printed and placed upon the files of the members on Wednesday, June 15:

<b>House Bill Nos.</b>	<b>4918</b>	<b>4919</b>	<b>4920</b>	<b>4921</b>	<b>4922</b>	<b>4923</b>	<b>4924</b>	<b>4925</b>	<b>4926</b>	<b>4927</b>	<b>4928</b>	<b>4929</b>	<b>4930</b>	<b>4931</b>
	<b>4932</b>	<b>4933</b>	<b>4934</b>	<b>4935</b>	<b>4936</b>	<b>4937</b>	<b>4938</b>	<b>4939</b>						

<b>Senate Bill Nos.</b>	<b>580</b>	<b>581</b>	<b>582</b>
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Rep. Kathleen Law moved that the House adjourn.  
The motion prevailed, the time being 3:30 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, June 16, at 10:30 a.m.

GARY L. RANDALL  
Clerk of the House of Representatives