

No. 104
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House of Representatives
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House Chamber, Lansing, Wednesday, October 3, 2007.

1:30 p.m.

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

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

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

e/d/s = entered during session

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

“Heavenly Father, watch us as we conduct the peoples’ business. We also ask that You allow us to live with our decision; decisions as they came from our heart based on Your wisdom and guidance. For these things we pray, in Your Son’s name, Jesus Christ. Amen.”

Rep. Booher moved that Reps. Garfield and Hoogendyk be excused from today’s session.
The motion prevailed.

Reports of Standing Committees

House Resolution No. 183.

A resolution to memorialize the Congress of the United States to continue exempting returning workers allowed into this country under the H2B visa program by passing H.R. 1843 and to urge that Congress not enact legislation granting amnesty to illegal aliens.

(For text of resolution, see House Journal No. 86, p. 1443.)

(The resolution was adopted on September 25, see House Journal No. 96, p. 1561; vote reconsidered and resolution postponed temporarily on September 26, see House Journal No. 97, p. 1585.)

The question being on the adoption of the resolution,

Rep. McDowell moved to substitute (H-2) the resolution as follows:

Substitute for House Resolution No. 183.

A resolution to memorialize the Congress of the United States to continue exempting returning workers from the cap on H2B visas.

Whereas, Seasonal workers are an essential component of the tourism and recreational industries of our state and nation. Even though thousands of young people use seasonal employment to begin their journey on the path to a career, many tourism areas do not have the populations necessary to fill all the seasonal jobs available. In Michigan, for example, Mackinac Island hires up to 4,500 seasonal workers each year. The island’s 500 year-round residents cannot supply the workforce necessary for peak season employment levels; and

Whereas, Foreign workers supplement the seasonal staff needs in a host of our tourism and recreation destinations. Many of these employees are in our country under the H2B visa program; and

Whereas, All workers under the H2B visa program are here legally, are tracked by the federal government to ensure they are doing the work prescribed under their visa, and are paid under federally prescribed wage scales; and

Whereas, According to the Michigan Travel Commission, the travel and tourism industry is a \$17.5 billion industry in the state of Michigan, contributing \$971 million annually to the state treasury. This industry is dependent upon seasonal workers in order to do business; and

Whereas, Recently, the Congress of the United States took action to help alleviate problems with the H2B visa program by capping the number of visas available at 66,000 but also exempting workers who already have H2B visas. This action ensured that there is enough of a workforce available for those industries that depend on seasonal workers; and

Whereas, Currently, there is a sunset in the law at the federal level that would remove the returning worker exemption. As of September 30, 2007, every returning worker would again be considered a new worker and be forced to apply under the 66,000 visa limit. This cap had been reached for each of the previous few years before Congress took action, just as the national economy has surged and more and more people are traveling. This cap also distorted hiring patterns across the nation, as employers are forced to put on workers far beyond service needs to help assure that they will have the employees they need when their season begins; and

Whereas, Legislation has been introduced in the Congress of the United States to revise the H2B visa program. The measure would extend the H2B returning worker exemption by removing the sunset language from current law. Clearly, this is an issue that needs prompt action; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to continue exempting returning workers from the cap on H2B visas; 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 motion prevailed and the substitute (H-2) was adopted, a majority of the members serving voting therefor.

The question being on the adoption of the resolution,

The resolution was adopted.

Third Reading of Bills

House Bill No. 5046, entitled

A bill to provide for restroom access for persons with certain medical conditions; to provide immunity from liability for permitting restroom access; and to prescribe penalties.

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

Roll Call No. 446

Yeas—72

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

Nays—35

Acciavatti	Hansen	Marleau	Pavlov
Agema	Hildenbrand	Meekhof	Pearce
Booher	Horn	Meltzer	Schuitmaker
Brandenburg	Huizenga	Moolenaar	Sheen
Calley	Hune	Moss	Stahl
Casperson	Jones, Rick	Nitz	Steil
DeRoche	Knollenberg	Opsommer	Walker
Elsenheimer	LaJoy	Palmer	Ward
Emmons	Law, David	Pastor	

In The Chair: Sak

The House agreed to the title of the bill.

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

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

Reps. Stahl and Meekhof moved that their names be removed as co-sponsors of the bill.

The motion prevailed.

House Bill No. 5100, entitled

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

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

Roll Call No. 447**Yeas—108**

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

Nays—0

In The Chair: Sak

The House agreed to the title of the bill.

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

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

Reps. Accavitti, Agema, Angerer, Ball, Bieda, Booher, Brandenburg, Brown, Byrum, Calley, Caswell, Cheeks, Clemente, Condino, Constan, Corriveau, Cushingberry, Dillon, Donigan, Ebli, Espinoza, Farrah, Gillard, Gonzales, Griffin, Hammel, Hammon, Hansen, Hildenbrand, Hopgood, Horn, Johnson, Rick Jones, Robert Jones, Kathleen Law, LeBlanc, Leland, Lemmons, Marleau, Meadows, Meekhof, Melton, Moolenaar, Moss, Nitz, Nofs, Opsommer, Palsrok, Pastor, Pearce, Polidori, Proos, Sak, Schuitmaker, Scott, Shaffer, Sheltrown, Simpson, Alma Smith, Spade, Stahl, Steil, Tobocman, Vagnozzi, Valentine, Warren and Young were named co-sponsors of the bill.

House Bill No. 5105, entitled

A bill to amend 1964 PA 284, entitled "City income tax act," by amending section 3 of chapter 1 (MCL 141.503), as amended by 1998 PA 500.

(The bill was read a third time, substitute (H-2) adopted and bill postponed temporarily on September 25, see House Journal No. 96, p. 1557.)

The question being on the passage of the bill,

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

Roll Call No. 448**Yeas—73**

Accavitti	Dillon	Johnson	Pastor
Angerer	Donigan	Jones, Rick	Pearce
Ball	Elsenheimer	Jones, Robert	Polidori
Bauer	Emmons	Lahti	Proos
Bennett	Espinoza	Law, Kathleen	Sak
Bieda	Farrah	LeBlanc	Schuitmaker
Booher	Gaffney	Leland	Scott
Byrnes	Gillard	Lemmons	Shaffer
Calley	Gonzales	Lindberg	Sheltroun
Casperson	Green	Mayer	Smith, Alma
Caul	Griffin	McDowell	Smith, Virgil
Cheeks	Hammel	Meadows	Stakoe
Clack	Hansen	Meekhof	Tobocman
Clemente	Hildenbrand	Meisner	Vagnozzi
Condino	Hood	Melton	Warren
Constan	Hopgood	Miller	Wenke
Coulouris	Huizenga	Nitz	Wojno
Cushingberry	Jackson	Nofs	Young
Dean			

Nays—35

Acciavatti	Ebli	Moolenaar	Sheen
Agema	Hammon	Moore	Simpson
Amos	Horn	Moss	Spade
Brandenburg	Hune	Opsommer	Stahl
Brown	Knollenberg	Palmer	Steil
Byrum	LaJoy	Palsrok	Valentine
Caswell	Law, David	Pavlov	Walker
Corriveau	Marleau	Robertson	Ward
DeRoche	Meltzer	Rocca	

In The Chair: Sak

The House agreed to the title of the bill.

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

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

Second Reading of Bills**House Bill No. 4573, entitled**

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

(The bill was read a second time, amended and postponed for the day on August 8, see House Journal No. 75, p. 1227.)

Rep. Horn moved to amend the bill as follows:

1. Amend page 5, line 3, after "\$2,500.00" by inserting "FOR THE INITIAL ISSUANCE AND \$100.00 FOR A RENEWAL ISSUANCE".

2. Amend page 5, line 4, after "\$1,500.00" by inserting "FOR THE INITIAL ISSUANCE AND \$100.00 FOR A RENEWAL ISSUANCE".

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

Rep. Tobocman moved to substitute (H-4) the bill.

The motion prevailed and the substitute (H-4) was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4573, entitled

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

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

Second Reading of Bills

House Bill No. 4732, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 523 (MCL 436.1523).

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

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

Rep. Scott moved to amend the bill as follows:

1. Amend page 3, line 13, after "**LEAST**" by striking out "**1 YEAR**" and inserting "**3 YEARS**".

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

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

The motion prevailed.

House Bill No. 5101, entitled

A bill to amend 1992 PA 147, entitled "Neighborhood enterprise zone act," by amending section 4 (MCL 207.774), as amended by 2006 PA 661.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5151, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 53 (MCL 208.53).

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

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

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

The motion prevailed.

House Bill No. 5007, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 1203a (MCL 339.1203a), as added by 1997 PA 97.

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

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

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

The motion prevailed.

House Bill No. 5138, entitled

A bill to amend 2000 PA 161, entitled "Michigan education savings program act," by amending sections 2, 3, 4, 5, 7, 9, 11, 12, and 15 (MCL 390.1472, 390.1473, 390.1474, 390.1475, 390.1477, 390.1479, 390.1481, 390.1482, and 390.1485), sections 2, 7, and 9 as amended by 2004 PA 387 and section 3 as amended by 2001 PA 215.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5139, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 2005 PA 214.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5143, entitled

A bill to amend 1967 PA 150, entitled "Michigan military act," by amending section 251 (MCL 32.651), as amended by 1988 PA 246.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5118, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 265 (MCL 208.1265).

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills**House Bill No. 5118, entitled**

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 265 (MCL 208.1265).

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

Roll Call No. 449**Yeas—108**

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

Calley	Hammon	Melton	Spade
Casperson	Hansen	Meltzer	Stahl
Caswell	Hildenbrand	Miller	Stakoe
Caul	Hood	Moolenaar	Steil
Cheeks	Hopgood	Moore	Tobocman
Clack	Horn	Moss	Vagnozzi
Clemente	Huizenga	Nitz	Valentine
Condino	Hune	Nofs	Walker
Constan	Jackson	Opsommer	Ward
Corriveau	Johnson	Palmer	Warren
Coulouris	Jones, Rick	Palsrok	Wenke
Cushingberry	Jones, Robert	Pastor	Wojno
Dean	Knollenberg	Pavlov	Young

Nays—0

In The Chair: Sak

The House agreed to the title of the bill.

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

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

Reps. Accavitti, Bauer, Booher, Brandenburg, Brown, Byrum, Calley, Clemente, Condino, Constan, Cushingberry, Dean, Dillon, Elsenheimer, Espinoza, Gillard, Gonzales, Griffin, Hammel, Hammon, Hansen, Hildenbrand, Jackson, Johnson, Rick Jones, Robert Jones, Knollenberg, Lahti, LaJoy, David Law, Kathleen Law, Leland, Lemmons, Lindberg, Marleau, Mayes, Meadows, Melton, Miller, Moolenaar, Moss, Palsrok, Pastor, Pearce, Polidori, Proos, Sak, Schuitmaker, Sheltrown, Simpson, Spade, Steil, Tobocman and Vagnozzi were named co-sponsors of the bill.

Second Reading of Bills

Senate Bill No. 595, entitled

A bill to amend 2000 PA 92, entitled "Food law of 2000," by amending sections 4111, 4113, 4116, 4117, 4125, 5101, 5105, 5107, 6101, 6115, 6129, 6137, 6147, 6149, 7105, 7113, 7115, 7119, 7125, 7137, 8105, and 8107 (MCL 289.4111, 289.4113, 289.4116, 289.4117, 289.4125, 289.5101, 289.5105, 289.5107, 289.6101, 289.6115, 289.6129, 289.6137, 289.6147, 289.6149, 289.7105, 289.7113, 289.7115, 289.7119, 289.7125, 289.7137, 289.8105, and 289.8107), sections 4111, 4117, 6101, and 6149 as amended by 2002 PA 487 and section 4116 as added by 2004 PA 267, and by adding sections 6140, 6150, and 7106.

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 595, entitled

A bill to amend 2000 PA 92, entitled "Food law of 2000," by amending sections 4111, 4113, 4116, 4117, 4125, 5101, 5105, 5107, 6101, 6115, 6129, 6137, 6147, 6149, 7105, 7113, 7115, 7119, 7125, 7137, 8105, and 8107 (MCL 289.4111, 289.4113, 289.4116, 289.4117, 289.4125, 289.5101, 289.5105, 289.5107, 289.6101, 289.6115, 289.6129, 289.6137, 289.6147, 289.6149, 289.7105, 289.7113, 289.7115, 289.7119, 289.7125, 289.7137, 289.8105, and 289.8107), sections 4111, 4117, 6101, and 6149 as amended by 2002 PA 487 and section 4116 as added by 2004 PA 267, and by adding sections 6140, 6150, and 7106.

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

Roll Call No. 450**Yeas—105**

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

Nays—3

Hune	Knollenberg	Palmer
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In The Chair: Sak

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

“An act to codify the licensure and regulation of certain persons engaged in processing, manufacturing, production, packing, preparing, repacking, canning, preserving, freezing, fabricating, storing, selling, serving, or offering for sale food or drink for human consumption; to prescribe powers and duties of the department of agriculture; to provide for delegation of certain powers and duties to certain local units of government; to provide exemptions; to regulate the labeling, manufacture, distribution, and sale of food for protection of the consuming public and to prevent fraud and deception by prohibiting the misbranding, adulteration, manufacture, distribution, and sale of foods in violation of this act; to provide standards for food products and food establishments; to provide for enforcement of the act; to provide penalties and remedies for violation of the act; to provide for fees; to provide for promulgation of rules; and to repeal acts and parts of acts,”

The House agreed to the full title.

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

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

Second Reading of Bills**House Bill No. 5184, entitled**

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

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5184, entitled

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

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

Roll Call No. 451

Yeas—108

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

Nays—0

In The Chair: Sak

The House agreed to the title of the bill.

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

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

The House returned to the consideration of

House Bill No. 4573, entitled

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

(The bill was considered earlier today, see today's Journal, p. 1687.)

The question being on the passage of the bill,

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

The motion prevailed.

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Tobocman moved that when the House adjourns today it stand adjourned until Tuesday, October 9, at 1:30 p.m.

The motion prevailed.

Reps. Sak, Ball, Bauer, Bieda, Brandenburg, Brown, Byrum, Condino, Constan, Coulouris, Dean, Farrah, Gonzales, Hammel, Hammon, Hopgood, Horn, Kathleen Law, LeBlanc, Lemmons, Meekhof, Melton, Miller, Opsommer, Scott, Spade, Tobocman, Vagnozzi, Valentine, Warren, Wojno, Agema, Robert Jones, Polidori, Cushingberry, Clemente, Pearce and Clack offered the following resolution:

House Resolution No. 197.

A resolution recognizing the 40th anniversary of the Michigan Chapter of the Sierra Club.

Whereas, The Michigan Chapter of the Sierra Club is proud to be part of the nation's oldest, largest and most influential grassroots environmental organization. The club's 18,200 Michigan members work together to protect and restore our Great Lakes state's health and heritage; and

Whereas, The Michigan Chapter of the Sierra Club works at the local, state and national levels to advocate for a cleaner, healthier environment. They educate and organize people to protect our Great Lakes water, build a clean energy future, conserve our state's wild heritage, defend Michigan residents from air and water pollution, and offer opportunities to explore and enjoy the Earth; and

Whereas, Since the Michigan Chapter of the Sierra Club was founded in 1967, they have played an important part in promoting environmental stewardship in Michigan. They have helped gain protection for natural treasures such as Pictured Rocks, Sleeping Bear Dunes, and Grand Island; safeguard fragile wilderness areas in Michigan's great forests; clean up toxic air pollution from incinerators and other industrial facilities; defend clean drinking water, rivers and lakes in our Great Lakes basin; promote healthier communities by working to solve the impacts of suburban sprawl; and vigorously advocate for the election of pro-environment candidates to public office; and

Whereas, The Michigan Chapter of the Sierra Club local, volunteer-driven groups work throughout Michigan to advance shared issues of concern. The groups meet regularly and carry out a variety of conservation campaigns, political activities, educational programs, and family outings; and

Whereas, The Michigan Chapter of the Sierra Club volunteer leadership is open to all members who wish to actively engage in statewide campaigns, local group and chapter governance, regional outings, annual family-oriented **Autumn Retreat**, and the quarterly award-winning publication, *The Mackinac*; and

Whereas, The Michigan Chapter of the Sierra Club is currently working in partnership with volunteer activists and other Michigan advocacy organizations to implement priority campaigns designed to protect our Great Lakes from today's most serious threats. They are advocating for: energy conservation and renewable energy sources to stop global warming; stronger water laws to stop thirsty states and countries from diverting our Great Lakes; clean up of animal factories to stop air and water pollution; environmental justice in urban areas to protect families' health; preservation of forests to ensure natural biodiversity; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body recognize the 40th anniversary of the Michigan Chapter of the Sierra Club.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Sak, Ball, Bauer, Bieda, Brandenburg, Brown, Byrum, Condino, Constan, Coulouris, Dean, Farrah, Gonzales, Green, Hammel, Hammon, Hopgood, Horn, Rick Jones, Kathleen Law, LeBlanc, Lemmons, Mayes, Melton, Miller, Opsommer, Palmer, Palsrok, Proos, Rocca, Scott, Shaffer, Stahl, Steil, Tobocman, Vagnozzi, Valentine, Warren, Wojno, Agema, Robert Jones, Polidori, Cushingberry, Clemente, Pearce and Clack offered the following resolution:

House Resolution No. 198.

A resolution recognizing October 2007 as Polish Heritage Month in the state of Michigan.

Whereas, Since 1981, Polish Heritage Month has been celebrated nationwide during the month of October, which coincides with the death of General Kazimierz Pulaski; and

Whereas, Through the efforts of the Polish Heritage Society, the Pulaski Days Committee and the Polish American Congress, we are more aware of the contributions of Polish American citizens to our lives; and

Whereas, Polish Americans have contributed greatly to the well-being of the Greater Grand Rapids Area, the state of Michigan and our country; and

Whereas, The Polish story in America - past, present, and future - is a bond of community. It is the source of the gifts Polish Americans contribute to America and its culture. For over three hundred years, Polish Americans have shared with us their traditional customs, thousand-year-old culture and strong devotion to democracy; and

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

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

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

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

Resolved by the House of Representatives, That the members of this legislative body recognize October 2007 as Polish Heritage Month in the state of Michigan.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following Senate bills had been received on Wednesday, October 3:

Senate Bill Nos. 668 669 670 671 672

Messages from the Senate

Senate Bill No. 668, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 19b of chapter XIIA (MCL 712A.19b), as amended by 2000 PA 232.

The Senate has passed the bill.

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

Senate Bill No. 669, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 19a of chapter XIIA (MCL 712A.19a), as amended by 2004 PA 473.

The Senate has passed the bill.

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

Senate Bill No. 670, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 13b of chapter XIIA (MCL 712A.13b), as amended by 2004 PA 475.

The Senate has passed the bill.

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

Senate Bill No. 671, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 19 of chapter XIIA (MCL 712A.19), as amended by 2004 PA 477.

The Senate has passed the bill.

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

Senate Bill No. 672, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 19c of chapter XIIA (MCL 712A.19c), as amended by 2004 PA 476.

The Senate has passed the bill.

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

Notices

October 3, 2007

Richard J. Brown, Clerk of the House
Ground Floor, Capitol
Lansing, MI 48913

Dear Mr. Brown:

I hereby appoint Rep. Dan Acciavatti to replace Rep. Agema as a conferee on the Conference Committee on Senate Bill No. 240.

Sincerely,
Andy Dillon
Speaker of the House

Rep. Brown moved that the House adjourn.
The motion prevailed, the time being 4:35 p.m.

The Speaker Pro Tempore declared the House adjourned until Tuesday, October 9, at 1:30 p.m.

RICHARD J. BROWN
Clerk of the House of Representatives

