

No. 87
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House of Representatives
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House Chamber, Lansing, Thursday, November 13, 2003.

12:05 a.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	Garfield—present	Meyer—present	Sheen—present
Acciavatti—present	Gieleghem—present	Middaugh—present	Sheltrown—present
Adamini—present	Gillard—excused	Milosch—present	Shulman—present
Amos—present	Gleason—present	Minore—present	Smith—present
Anderson—present	Hager—present	Moolenaar—present	Spade—present
Bieda—present	Hardman—present	Mortimer—present	Stahl—present
Bisbee—present	Hart—present	Murphy—present	Stakoe—present
Bradstreet—present	Hood—present	Newell—present	Stallworth—excused
Brandenburg—present	Hoogendyk—present	Nitz—present	Steil—present
Brown—present	Hopgood—present	Nofs—present	Stewart—present
Byrum—present	Howell—present	O’Neil—excused	Tabor—present
Casperson—present	Huizenga—present	Paletko—present	Taub—present
Caswell—present	Hummel—present	Palmer—present	Tobocman—present
Caul—present	Hune—present	Palsrok—present	Vagnozzi—present
Cheeks—present	Hunter—present	Pappageorge—present	Van Regenmorter—present
Clack—present	Jamnick—present	Pastor—present	Vander Veen—present
Condino—present	Johnson, Rick—present	Phillips—present	Voorhees—present
Daniels—present	Johnson, Ruth—present	Plakas—excused	Walker—present
Dennis—present	Julian—present	Pumford—present	Ward—present
DeRoche—present	Koetje—present	Reeves—present	Waters—present
DeRossett—present	Kolb—present	Richardville—present	Wenke—present
Drolet—present	Kooiman—present	Rivet—present	Whitmer—excused
Ehardt—present	LaJoy—present	Robertson—present	Williams—present
Elkins—present	LaSata—present	Rocca—present	Wojno—present
Emmons—present	Law—present	Sak—present	Woodward—present
Farhat—present	Lipsey—present	Shackleton—present	Woronchak—excused
Farrah—present	McConico—present	Shaffer—present	Zelenko—present
Gaffney—present	Meisner—present		

e/d/s = entered during session

Rep. Susan Tabor, from the 71st District, offered the following invocation:

From Romans 12:6-16:

“We have different gifts, according to the grace given us. If a man’s gift is prophesying, let him use it in proportion to his faith. If it is serving, let him serve; if it is teaching, let him teach; if it is encouraging, let him encourage; if it is contributing to the needs of others, let him give generously; if it is leadership, let him govern diligently; if it is showing mercy, let him do it cheerfully. Love must be sincere. Hate what is evil; cling to what is good. Be devoted to one another in brotherly love. Honor one another above yourselves. Never be lacking in zeal, but keep your spiritual fervor, serving the Lord. Be joyful in hope, patient in affliction, faithful in prayer. Share with God’s people who are in need. Practice hospitality. Bless those who persecute you; bless and do not curse. Rejoice with those who rejoice; mourn with those who mourn. Live in harmony with one another. Do not be proud, but be willing to associate with people of low position. Do not be conceited. Praise be to God. Amen.”

Rep. Waters moved that Reps. Gillard, O’Neil, Plakas, Stallworth and Whitmer be excused from today’s session. The motion prevailed.

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

Second Reading of Bills

House Bill No. 4896, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 40107a (MCL 324.40107a), as added by 1998 PA 470.

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

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

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

The motion prevailed.

Rep. Richardville 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. 4896, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 40107a (MCL 324.40107a), as added by 1998 PA 470.

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

Roll Call No. 650

Yeas—104

Accavitti	Farrah	Lipsey	Shackleton
Acciavatti	Gaffney	McConico	Shaffer
Adamini	Garfield	Meisner	Sheen
Amos	Gielegthem	Meyer	Sheltrown
Anderson	Gleason	Middaugh	Shulman
Bieda	Hager	Milosch	Smith
Bisbee	Hardman	Minore	Spade
Bradstreet	Hart	Moolenaar	Stahl
Brandenburg	Hood	Mortimer	Stakoe

Brown	Hoogendyk	Murphy	Steil
Byrum	Hopgood	Newell	Stewart
Casperson	Howell	Nitz	Tabor
Caswell	Huizenga	Nofs	Taub
Caul	Hummel	Paletko	Tobocman
Cheeks	Hune	Palmer	Vagnozzi
Clack	Hunter	Palsrok	Van Regenmorter
Condino	Jamnick	Pappageorge	Vander Veen
Daniels	Johnson, Rick	Pastor	Voorhees
Dennis	Johnson, Ruth	Phillips	Walker
DeRoche	Julian	Pumford	Ward
DeRossett	Koetje	Reeves	Waters
Drolet	Kolb	Richardville	Wenke
Ehardt	Kooiman	Rivet	Williams
Elkins	LaJoy	Robertson	Wojno
Emmons	LaSata	Rocca	Woodward
Farhat	Law	Sak	Zelenko

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

Rep. Richardville 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. 4585, entitled**

A bill to amend 1980 PA 300, entitled “The public school employees retirement act of 1979,” by amending section 85 (MCL 38.1385), as amended by 2002 PA 94.

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

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

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

The motion prevailed.

Rep. Richardville 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. 4585, entitled**

A bill to amend 1980 PA 300, entitled “The public school employees retirement act of 1979,” by amending section 85 (MCL 38.1385), as amended by 2002 PA 94.

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

Roll Call No. 651**Yeas—104**

Accavitti	Farrah	Lipsey	Shackleton
Acciavatti	Gaffney	McConico	Shaffer
Adamini	Garfield	Meisner	Sheen

Amos	Gielegem	Meyer	Sheltrown
Anderson	Gleason	Middaugh	Shulman
Bieda	Hager	Milosch	Smith
Bisbee	Hardman	Minore	Spade
Bradstreet	Hart	Moolenaar	Stahl
Brandenburg	Hood	Mortimer	Stakoe
Brown	Hoogendyk	Murphy	Steil
Byrum	Hopgood	Newell	Stewart
Casperson	Howell	Nitz	Tabor
Caswell	Huizenga	Nofs	Taub
Caul	Hummel	Paletko	Tobocman
Cheeks	Hune	Palmer	Vagnozzi
Clack	Hunter	Palsrok	Van Regenmorter
Condino	Jamnick	Pappageorge	Vander Veen
Daniels	Johnson, Rick	Pastor	Voorhees
Dennis	Johnson, Ruth	Phillips	Walker
DeRoche	Julian	Pumford	Ward
DeRossett	Koetje	Reeves	Waters
Drolet	Kolb	Richardville	Wenke
Ehardt	Kooiman	Rivet	Williams
Elkins	LaJoy	Robertson	Wojno
Emmons	LaSata	Rocca	Woodward
Farhat	Law	Sak	Zelenko

Nays—0

In The Chair: Julian

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

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

A bill to amend 1980 PA 300, entitled “The public school employees retirement act of 1979,” by amending sections 85 and 91 (MCL 38.1385 and 38.1391), section 85 as amended by 2002 PA 94 and section 91 as amended by 1998 PA 85. The motion prevailed.

The House agreed to the title as amended.

Rep. Richardville 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. 4766, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding section 20144a.

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

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

Rep. Pappageorge moved to amend the bill as follows:

1. Amend page 2, line 18, after “(2)” by inserting “**and shall notify the local medical control authority and the local law enforcement agency that it does not have an emergency generator on site**”.

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

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

The motion prevailed.

Rep. Richardville 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. 4766, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 20144a. Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 652

Yeas—86

Accavitti	Gaffney	Meyer	Rocca
Acciavatti	Gielegem	Middaugh	Sak
Adamini	Gleason	Milosch	Shackleton
Amos	Hardman	Minore	Shaffer
Anderson	Hart	Moolenaar	Sheltrown
Bieda	Hood	Mortimer	Shulman
Brandenburg	Hopgood	Murphy	Smith
Brown	Howell	Newell	Spade
Byrum	Hummel	Nitz	Stakoe
Casperson	Hune	Nofs	Stewart
Caswell	Hunter	Paletko	Tabor
Caul	Jamnick	Palmer	Taub
Cheeks	Johnson, Rick	Palsrok	Tobocman
Clack	Johnson, Ruth	Pappageorge	Vagnozzi
Condino	Julian	Pastor	Ward
Daniels	Kolb	Phillips	Waters
Dennis	LaJoy	Pumford	Wenke
DeRossett	LaSata	Reeves	Williams
Elkins	Law	Richardville	Wojno
Emmons	Lipsey	Rivet	Woodward
Farhat	McConico	Robertson	Zelenko
Farrah	Meisner		

Nays—18

Bisbee	Garfield	Kooiman	Van Regenmorter
Bradstreet	Hager	Sheen	Vander Veen
DeRoche	Hoogendyk	Stahl	Voorhees
Drolet	Huizenga	Steil	Walker
Ehardt	Koetje		

In The Chair: Julian

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

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

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding sections 21435 and 21735.

The motion prevailed.

The House agreed to the title as amended.

Rep. Richardville 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 amend 1979 PA 218, entitled "Adult foster care facility licensing act," (MCL 400.701 to 400.737) by adding section 34a.

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

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

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

The motion prevailed.

Rep. Richardville 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 amend 1979 PA 218, entitled "Adult foster care facility licensing act," (MCL 400.701 to 400.737) by adding section 34a.

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

Roll Call No. 653

Yeas—103

Accavitti	Farrah	Lipsey	Shaffer
Acciavatti	Gaffney	McConico	Sheen
Adamini	Garfield	Meisner	Sheltrown
Amos	Gieleghem	Meyer	Shulman
Anderson	Gleason	Middaugh	Smith
Bieda	Hager	Milosch	Spade
Bisbee	Hardman	Minore	Stahl
Bradstreet	Hart	Moolenaar	Stakoe
Brandenburg	Hood	Mortimer	Steil
Brown	Hoogendyk	Murphy	Stewart
Byrum	Hopgood	Newell	Tabor
Casperson	Howell	Nitz	Taub
Caswell	Huizenga	Nofs	Tobocman
Caul	Hummel	Paletko	Vagnozzi
Cheeks	Hune	Palmer	Van Regenmorter
Clack	Hunter	Palsrok	Vander Veen
Condino	Jamnick	Pappageorge	Voorhees
Daniels	Johnson, Rick	Pastor	Walker
Dennis	Johnson, Ruth	Phillips	Ward
DeRoche	Julian	Pumford	Waters
DeRossett	Koetje	Reeves	Wenke
Drolet	Kolb	Richardville	Williams
Ehardt	Kooiman	Robertson	Wojno
Elkins	LaJoy	Rocca	Woodward
Emmons	LaSata	Sak	Zelenko
Farhat	Law	Shackleton	

Nays—0

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

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

A bill to amend 1979 PA 218, entitled "Adult foster care facility licensing act," by amending sections 13, 22, and 36 (MCL 400.713, 400.722, and 400.736), sections 13 and 22 as amended by 1994 PA 150 and section 36 as added by 1984 PA 140, and by adding section 34a.

The motion prevailed.

The House agreed to the title as amended.

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

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

Second Reading of Bills

Senate Bill No. 224, entitled

A bill to designate the fourth Friday in April of each year as children's memorial day in the state of Michigan.

The bill was read a second time.

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

The motion prevailed.

Rep. Richardville 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. 224, entitled

A bill to designate the fourth Friday in April of each year as children's memorial 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. 654

Yeas—103

Accavitti	Gaffney	McConico	Shaffer
Acciavatti	Garfield	Meisner	Sheen
Adamini	Gielegem	Meyer	Sheltrown
Amos	Gleason	Middaugh	Shulman
Anderson	Hager	Milosch	Smith
Bieda	Hardman	Minore	Spade
Bisbee	Hart	Moolenaar	Stahl
Bradstreet	Hood	Mortimer	Stakoe
Brandenburg	Hoogendyk	Murphy	Steil
Brown	Hopgood	Newell	Stewart
Byrum	Howell	Nitz	Tabor
Casperson	Huizenga	Nofs	Taub
Caswell	Hummel	Paletko	Tobocman
Caul	Hune	Palmer	Vagnozzi
Cheeks	Hunter	Palsrok	Van Regenmorter
Clack	Jamnick	Pappageorge	Vander Veen
Condino	Johnson, Rick	Pastor	Voorhees
Daniels	Johnson, Ruth	Phillips	Walker
Dennis	Julian	Pumford	Ward
DeRoche	Koetje	Reeves	Waters
DeRossett	Kolb	Richardville	Wenke
Ehardt	Kooiman	Rivet	Williams
Elkins	LaJoy	Robertson	Wojno
Emmons	LaSata	Rocca	Woodward
Farhat	Law	Sak	Zelenko
Farrah	Lipsey	Shackleton	

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.
Rep. Richardville 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. 5139, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 811e (MCL 257.811e), as amended by 2001 PA 124, and by adding sections 811p and 811q; and to repeal acts and parts of acts.

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

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

Rep. DeRossett moved to substitute (H-2) the bill.

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

Rep. Hunter moved to reconsider the vote by which the House did not adopt the substitute (H-2) offered by Rep. DeRossett.

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

Rep. Adamini demanded the yeas and nays.

The demand was supported.

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

The motion prevailed, a majority of the members present voting therefor, by yeas and nays, as follows:

Roll Call No. 655**Yeas—70**

Acciavatti	Hager	Middaugh	Shackleton
Amos	Hart	Milosch	Shaffer
Bisbee	Hood	Moolenaar	Sheen
Bradstreet	Hoogendyk	Mortimer	Shulman
Brandenburg	Howell	Newell	Stahl
Casperson	Huizenga	Nitz	Stakoe
Caswell	Hummel	Nofs	Steil
Caul	Hune	Palmer	Stewart
Cheeks	Hunter	Palsrok	Tabor
Condino	Johnson, Rick	Pappageorge	Taub
DeRoche	Johnson, Ruth	Pastor	Tobocman
DeRossett	Julian	Phillips	Van Regenmorter
Drolet	Koetje	Pumford	Vander Veen
Ehardt	Kooiman	Reeves	Voorhees
Emmons	LaJoy	Richardville	Walker
Farhat	LaSata	Robertson	Ward
Gaffney	McConico	Rocca	Wenke
Garfield	Meyer		

Nays—33

Accavitti	Elkins	Law	Sheltrown
Adamini	Farrah	Lipsey	Spade

Anderson	Gielegem	Meisner	Vagnozzi
Bieda	Gleason	Minore	Waters
Brown	Hardman	Murphy	Williams
Byrum	Hopgood	Paletko	Wojno
Clack	Jamnick	Rivet	Woodward
Daniels	Kolb	Sak	Zelenko
Dennis			

In The Chair: Julian

The question being on the adoption of the substitute (H-2) offered previously by Rep. DeRossett,
Rep. Adamini demanded the yeas and nays,
The demand was supported.

The question being on the adoption of the substitute (H-2) offered previously by Rep. DeRossett,
The substitute (H-2) was adopted, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 656

Yeas—57

Acciavatti	Gaffney	LaJoy	Robertson
Amos	Hager	McConico	Rocca
Bradstreet	Hart	Meyer	Shackleton
Brandenburg	Hood	Milosch	Shaffer
Casperson	Hoogendyk	Moolenaar	Sheen
Cheeks	Howell	Mortimer	Shulman
Condino	Huizenga	Newell	Stewart
Daniels	Hune	Nofs	Tabor
DeRoche	Hunter	Palmer	Taub
DeRossett	Johnson, Rick	Pastor	Tobocman
Ehardt	Johnson, Ruth	Phillips	Voorhees
Elkins	Julian	Pumford	Walker
Emmons	Koetje	Reeves	Ward
Farhat	Kooiman	Richardville	Wenke
Farrah			

Nays—45

Accavitti	Garfield	Meisner	Stahl
Adamini	Gielegem	Middaugh	Stakoe
Anderson	Gleason	Minore	Steil
Bieda	Hardman	Murphy	Vagnozzi
Bisbee	Hopgood	Nitz	Van Regenmorter
Brown	Hummel	Paletko	Vander Veen
Byrum	Jamnick	Palsrok	Waters
Caswell	Kolb	Pappageorge	Williams
Caul	LaSata	Sak	Wojno
Clack	Law	Sheltrown	Woodward
Dennis	Lipsey	Spade	Zelenko
Drolet			

In The Chair: Julian

Rep. Hunter moved to amend the bill as follows:

1. Amend page 6, line 20, after “(6)” by striking out “**It is the intent of the legislature that an**” and inserting “An”.
2. Amend page 6, line 21, after “**shall**” by striking out “**only**”.
3. Amend page 6, line 22, after “**money**” by striking out the balance of the subsection and inserting “**for any of the following purposes:**”

(a) **Support for youth sports programs for boys and girls across the state including purchase of equipment or uniforms, payment of costs associated with improvements to athletic facilities, or payment of costs for training of athletes or for conducting sports camps.**

(b) **Provision of college scholarships for graduating high school seniors across the state who demonstrate financial need and who have been accepted into a Michigan college or university.**

(c) **Support for after school programs across the state that provide academic, cultural and/or recreational activities for youth in deprived and depressed communities.”.**

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

Rep. Adamini moved to amend the bill as follows:

1. Amend page 5, line 25, after “**distribute**” by striking out the balance of the subsection and inserting “**98% of the amount to the Ilitch charities for children and 2% to the United States Olympic education center located in Marquette, Michigan.”.**

2. Amend page 6, line 1, after “**distribute**” by striking out the balance of the subsection and inserting “**98% of the amount to the Detroit Lions charities and 2% to the United States Olympic education center located in Marquette, Michigan.”.**

3. Amend page 6, line 4, after “**distribute**” by striking out the balance of the subsection and inserting “**98% of the amount to the Palace Foundation and 2% to the United States Olympic education center located in Marquette, Michigan.”.**

4. Amend page 6, line 7, after “**distribute**” by striking out the balance of the subsection and inserting “**98% of the amount to the Palace Foundation and 2% to the United States Olympic education center located in Marquette, Michigan.”.**

5. Amend page 6, line 10, after “**distribute**” by striking out the balance of the subsection and inserting “**98% of the amount to the Palace Foundation and 2% to the United States Olympic education center located in Marquette, Michigan.”.**

6. Amend page 6, line 13, after “**distribute**” by striking out the balance of the subsection and inserting “**98% of the amount to the Ilitch charities for children and 2% to the United States Olympic education center located in Marquette, Michigan.”.**

7. Amend page 6, line 16, after “**section**” by inserting a comma and “**not including the United States Olympic education center located in Marquette, Michigan,”.**

8. Amend page 6, line 21, after “**section**” by inserting a comma and “**not including the United States Olympic education center located in Marquette, Michigan,”.**

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

Rep. Adamini demanded the yeas and nays.

The demand was supported.

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

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

The motion prevailed.

House Bill No. 5264, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 19608 (MCL 324.19608), as added by 1998 PA 288.

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

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

Rep. Bisbee moved to amend the bill as follows:

1. Amend page 2, line 16, after “**201**” by inserting “**at the site proposed for grant or loan funding**”.

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

Reps. Kooiman and Sak moved to amend the bill as follows:

1. Amend page 2, line 17, after “than” by striking out “\$12,000,000.00” and inserting “**\$14,000,000.00**”.
2. Amend page 2, line 19, after “20109a.” by inserting “**Of the money provided under this subparagraph for grants, not less than \$2,000,000.00 shall be used for response activities on land, containing 1 or more landfills and 1 or more abandoned oil or gas wells, that is being redeveloped for use as a county park.”.**

The motion prevailed and the amendments were adopted, a majority of the members serving voting therefor.
 Rep. Bisbee moved that the bill be placed on the order of Third Reading of Bills.
 The motion prevailed.
 Rep. Richardville 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. 5264, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 19608 (MCL 324.19608), as added by 1998 PA 288.

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

Roll Call No. 657

Yeas—103

Accavitti	Gaffney	McConico	Shaffer
Acciavatti	Garfield	Meisner	Sheen
Adamini	Gielegem	Meyer	Sheltrown
Amos	Gleason	Middaugh	Shulman
Anderson	Hager	Milosch	Smith
Bieda	Hardman	Minore	Spade
Bisbee	Hart	Moolenaar	Stahl
Bradstreet	Hood	Mortimer	Stakoe
Brandenburg	Hoogendyk	Murphy	Steil
Brown	Hopgood	Newell	Stewart
Byrum	Howell	Nitz	Tabor
Casperson	Huizenga	Nofs	Taub
Caswell	Hummel	Paletko	Tobocman
Cheeks	Hune	Palmer	Vagnozzi
Clack	Hunter	Palsrok	Van Regenmorter
Condino	Jamnick	Pappageorge	Vander Veen
Daniels	Johnson, Rick	Pastor	Voorhees
Dennis	Johnson, Ruth	Phillips	Walker
DeRoche	Julian	Pumford	Ward
DeRossett	Koetje	Reeves	Waters
Drolet	Kolb	Richardville	Wenke
Ehardt	Kooiman	Rivet	Williams
Elkins	LaJoy	Robertson	Wojno
Emmons	LaSata	Rocca	Woodward
Farhat	Law	Sak	Zelenko
Farrah	Lipsey	Shackleton	

Nays—1

Caul

In The Chair: Julian

The House agreed to the title of the bill.
 Rep. Richardville 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. 5270, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 19608a.

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

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

Rep. Nofs moved to amend the bill as follows:

1. Amend page 1, line 4, after “**authorities**” by striking out the balance of the subsection and inserting “**created under the brownfield redevelopment financing act, 1996 PA 381, MCL 125.2651 to 125.2672, for response activities at known or suspected facilities with redevelopment potential.**”.

2. Amend page 2, line 1, after “**of**” by striking out “**the application deadline**” and inserting “**submittal of a complete loan application**”.

3. Amend page 3, line 4, by striking out all of subdivision (b) and relettering the remaining subdivisions.

4. Amend page 4, line 4, after “**plan**” by striking out the balance of the line through “**plan**” on line 5 and inserting “**approved pursuant to the loan agreement, or a remedial action plan approved**”.

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

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

The motion prevailed.

Rep. Richardville 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. 5270, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 19608a.

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

Roll Call No. 658

Yeas—104

Accavitti	Farrah	Lipsey	Shackleton
Acciavatti	Gaffney	McConico	Shaffer
Adamini	Garfield	Meisner	Sheen
Amos	Gielegem	Meyer	Sheltrown
Anderson	Gleason	Middaugh	Shulman
Bieda	Hager	Milosch	Smith
Bisbee	Hardman	Minore	Spade
Bradstreet	Hart	Moolenaar	Stahl
Brandenburg	Hood	Mortimer	Stakoe
Brown	Hoogendyk	Murphy	Steil
Byrum	Hopgood	Newell	Stewart
Casperson	Howell	Nitz	Tabor
Caswell	Huizenga	Nofs	Taub
Caul	Hummel	Paletko	Tobocman
Cheeks	Hune	Palmer	Vagnozzi
Clack	Hunter	Palsrok	Van Regenmorter
Condino	Jamnick	Pappageorge	Vander Veen

Daniels	Johnson, Rick	Pastor	Voorhees
Dennis	Johnson, Ruth	Phillips	Walker
DeRoche	Julian	Pumford	Ward
DeRossett	Koetje	Reeves	Waters
Drolet	Kolb	Richardville	Wenke
Ehardt	Kooiman	Rivet	Williams
Elkins	LaJoy	Robertson	Wojno
Emmons	LaSata	Rocca	Woodward
Farhat	Law	Sak	Zelenko

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Reps. Stewart, Pappageorge, Jamnick, Kooiman, Pumford, Ruth Johnson, Shackleton, Farrah, Paletko, Pastor, LaJoy, Law, Brandenburg, Bieda, Acciavatti, Taub, Accavitti, Stakoe, Garfield, Milosch, Sak, Huizenga, Walker and Mortimer were named co-sponsors of the bill.

Second Reading of Bills

Senate Bill No. 805, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 19608 (MCL 324.19608), as added by 1998 PA 288.

The bill was read a second time.

Rep. Rivet moved to amend the bill as follows:

1. Amend page 2, line 16, after “201” by inserting “**at the site proposed for grant or loan funding**”.

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

Reps. Kooiman and Sak moved to amend the bill as follows:

1. Amend page 2, line 17, after “than” by striking out “\$12,000,000.00” and inserting “**\$14,000,000.00**”.

2. Amend page 2, line 19, after “20109a.” by inserting “**Of the money provided under this subparagraph for grants, not less than \$2,000,000.00 shall be used for response activities on land, containing 1 or more landfills and 1 or more abandoned oil or gas wells, that is being redeveloped for use as a county park.**”.

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

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

The motion prevailed.

Rep. Richardville 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. 805, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 19608 (MCL 324.19608), as added by 1998 PA 288.

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

Roll Call No. 659**Yeas—103**

Accavitti	Gaffney	McConico	Shaffer
Acciavatti	Garfield	Meisner	Sheen
Adamini	Gielegem	Meyer	Sheltrown
Amos	Gleason	Middaugh	Shulman
Anderson	Hager	Milosch	Smith
Bieda	Hardman	Minore	Spade
Bisbee	Hart	Moolenaar	Stahl
Bradstreet	Hood	Mortimer	Stakoe
Brandenburg	Hoogendyk	Murphy	Steil
Brown	Hopgood	Newell	Stewart
Byrum	Howell	Nitz	Tabor
Casperson	Huizenga	Nofs	Taub
Caswell	Hummel	Paletko	Tobocman
Cheeks	Hune	Palmer	Vagnozzi
Clack	Hunter	Palsrok	Van Regenmorter
Condino	Jamnick	Pappageorge	Vander Veen
Daniels	Johnson, Rick	Pastor	Voorhees
Dennis	Johnson, Ruth	Phillips	Walker
DeRoche	Julian	Pumford	Ward
DeRossett	Koetje	Reeves	Waters
Drolet	Kolb	Richardville	Wenke
Ehardt	Kooiman	Rivet	Williams
Elkins	LaJoy	Robertson	Wojno
Emmons	LaSata	Rocca	Woodward
Farhat	Law	Sak	Zelenko
Farrah	Lipsey	Shackleton	

Nays—1

Caul

In The Chair: Julian

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

“An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts,”

The House agreed to the full title.

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

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

Second Reading of Bills**Senate Bill No. 806, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 19608a.

The bill was read a second time.

Rep. Accavitti moved to amend the bill as follows:

1. Amend page 1, line 4, after “**authorities**” by striking out the balance of the subsection and inserting “**created under the brownfield redevelopment financing act, 1996 PA 381, MCL 125.2651 to 125.2672, for response activities at known or suspected facilities with redevelopment potential.**”.

2. Amend page 2, line 1, after “**of**” by striking out “**the application deadline**” and inserting “**submittal of a complete loan application**”.

3. Amend page 3, line 4, by striking out all of subdivision (b) and relettering the remaining subdivisions.

4. Amend page 3, line 23, after “**assessment**” by striking out the balance of the line through “**is**” on line 24 and inserting “**and “response activity” mean those terms as they are**”.

5. Amend page 4, line 1, after “**and**” by striking out the balance of the sentence and inserting “**any additional response activity.**”.

6. Amend page 4, line 6, after the first “**plan**” by striking out “**or remedial action plan**” and inserting “**approved pursuant to the loan agreement, or a remedial action plan approved**”.

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

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

The motion prevailed.

Rep. Richardville 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. 806, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 19608a.

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

Roll Call No. 660

Yeas—104

Accavitti	Farrah	Lipsey	Shackleton
Acciavatti	Gaffney	McConico	Shaffer
Adamini	Garfield	Meisner	Sheen
Amos	Gielegem	Meyer	Sheltrown
Anderson	Gleason	Middaugh	Shulman
Bieda	Hager	Milosch	Smith
Bisbee	Hardman	Minore	Spade
Bradstreet	Hart	Moolenaar	Stahl
Brandenburg	Hood	Mortimer	Stakoe
Brown	Hoogendyk	Murphy	Steil
Byrum	Hopgood	Newell	Stewart
Casperson	Howell	Nitz	Tabor
Caswell	Huizenga	Nofs	Taub
Caul	Hummel	Paletko	Tobocman
Cheeks	Hune	Palmer	Vagnozzi
Clack	Hunter	Palsrok	Van Regenmorter
Condino	Jamnick	Pappageorge	Vander Veen
Daniels	Johnson, Rick	Pastor	Voorhees
Dennis	Johnson, Ruth	Phillips	Walker
DeRoche	Julian	Pumford	Ward
DeRossett	Koetje	Reeves	Waters
Drolet	Kolb	Richardville	Wenke
Ehardt	Kooiman	Rivet	Williams
Elkins	LaJoy	Robertson	Wojno
Emmons	LaSata	Rocca	Woodward
Farhat	Law	Sak	Zelenko

Nays—0

In The Chair: Julian

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

“An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts.”

The House agreed to the full title.

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

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

Introduction of Bills

Rep. Hune introduced

House Bill No. 5290, entitled

A bill to amend 1951 PA 33, entitled “An act to provide police and fire protection for townships and for certain areas in townships, certain incorporated villages, and cities under 15,000 population; to authorize contracting for fire and police protection; to authorize the purchase of fire and police equipment, and the maintenance and operation of the equipment; to provide for defraying the cost of the equipment; to authorize the creation of special assessment districts and the levying and collecting of special assessments; to authorize the issuance of special assessment bonds in anticipation of the collection of special assessments and the advancement of the amount necessary to pay such bonds, and to provide for reimbursement for such advances by reassessment if necessary; to authorize the collection of fees for certain emergency services in townships and other municipalities; to authorize the creation of administrative boards and to prescribe their powers and duties; to provide for the appointment of traffic officers and to prescribe their powers and duties; and to repeal certain acts and parts of acts,” by amending section 6 (MCL 41.806), as amended by 1989 PA 81.

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

Rep. Kolb introduced

House Bill No. 5291, entitled

A bill to establish a pilot program to encourage alternative methods of transportation; and to prescribe certain duties of the state transportation department.

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

Rep. Kolb introduced

House Bill No. 5292, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” (MCL 206.1 to 206.532) by adding section 270.

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

Reps. Sheltroun, Brown, Rivet, Adamini and Elkins introduced

House Bill No. 5293, entitled

A bill to amend 1972 PA 382, entitled “Traxler-McCauley-Law-Bowman bingo act,” by amending sections 3a, 4, 4a, 14, and 18 (MCL 432.103a, 432.104, 432.104a, 432.114, and 432.118), sections 3a and 4a as added and sections 4, 14, and 18 as amended by 1999 PA 108, and by adding section 7e.

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

Reps. Taub, Julian, Garfield, DeRoche, Voorhees, Vander Veen, Wojno and Tabor introduced

House Bill No. 5294, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 4701 (MCL 600.4701), as amended by 2002 PA 142.

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

Reps. Taub, Julian, Garfield, LaJoy, DeRoche, Voorhees, Vander Veen, Wojno and Tabor introduced

House Bill No. 5295, entitled

A bill to amend 1955 PA 224, entitled "An act to regulate sales at public auction; to provide for the issuing of licenses; and to prescribe penalties for violations of the provisions of this act," by amending sections 1, 2, 3, 4, 5, 6, 7, 9, and 10 (MCL 446.51, 446.52, 446.53, 446.54, 446.55, 446.56, 446.57, 446.59, and 446.60) and by adding sections 1a and 5a.

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

Reps. Taub, Julian, Garfield, LaJoy, Voorhees, Vander Veen, Wojno and Tabor introduced

House Bill No. 5296, entitled

A bill to regulate insurance, bankruptcy, mortgage, insolvency, assignee's, executor's, administrator's, receiver's, trustee's, removal, and going-out-of-business sales and sales of damaged goods; to require licenses to conduct those sales; to provide for the powers and duties of certain state officers and entities; to prescribe penalties; and to repeal acts and parts of acts.

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

Rep. Rivet introduced

House Bill No. 5297, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 803u.

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

Rep. Wenke introduced

House Bill No. 5298, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending sections 4o and 8 (MCL 205.54o and 205.58), section 4o as added by 1994 PA 156.

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

Rep. Wenke introduced

House Bill No. 5299, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending sections 4g and 15 (MCL 205.94g and 205.105), section 4g as added by 1985 PA 66.

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

Rep. Wenke introduced

House Bill No. 5300, entitled

A bill to amend 1973 PA 186, entitled "Tax tribunal act," by amending sections 23 and 55 (MCL 205.723 and 205.755).

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

Rep. Wenke introduced

House Bill No. 5301, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending sections 6 and 7u (MCL 211.6 and 211.7u), section 7u as amended by 2003 PA 140.

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

Rep. Wenke introduced

House Bill No. 5302, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending sections 191 and 352 (MCL 206.191 and 206.352), section 352 as added by 1996 PA 568.

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

Rep. Wenke introduced

House Bill No. 5303, entitled

A bill to amend 1941 PA 122, entitled "An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of the state; to prescribe certain powers and duties of the state treasurer; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," by amending sections 3 and 4 (MCL 205.3 and 205.4), section 3 as amended by 2003 PA 92 and section 4 as amended by 2002 PA 657.

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

Rep. Wenke introduced

House Bill No. 5304, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending sections 38e and 68 (MCL 208.38e and 208.68), section 38e as amended by 1999 PA 184.

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

Rep. Wenke introduced

House Bill No. 5305, entitled

A bill to amend 1993 PA 327, entitled "Tobacco products tax act," by amending sections 3 and 4 (MCL 205.423 and 205.424), section 3 as amended by 1997 PA 187.

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

Reps. Emmons, Koetje, Bisbee, Pastor, Tabor, Palmer, Vander Veen, Newell, LaJoy, Stewart, Casperson, Pumford, Daniels, Voorhees, Gaffney, Stahl, Steil, Wenke, Nofs, Plakas, Farhat, Ward, Richardville, Vagnozzi and Clack introduced

House Bill No. 5306, entitled

A bill to create certain offices in certain departments; to provide for the appointment of certain officers with the advice and consent of the senate; and to impose certain duties and responsibilities on those officers and on certain state employees.

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

Rep. Van Regenmorter introduced

House Bill No. 5307, entitled

A bill to enact the uniform principal and income act; to prescribe the manner in which receipts and expenditures of trusts and estates are credited and charged between income and principal, and the manner in which income is apportioned among beneficiaries at the beginning and upon the termination of a trust or estate; to make uniform the law with respect to principal and income allocation; and to repeal acts and parts of acts.

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

Reps. Ruth Johnson, Rocca, Stakoe and Bieda introduced

House Bill No. 5308, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16131 and 16263 (MCL 333.16131 and 333.16263), as amended by 2001 PA 139, and by adding section 16346 and part 176.

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

Reps. Bieda, Lipsey, Gleason, Condino, Tobocman, Meisner, Wenke, LaSata, Wojno, Law, Hopgood, Pappageorge, Pumford, Middaugh, Stewart, Hart, Woronchak, Woodward, Jammick, Murphy, Vagnozzi, Minore, O'Neil, Accavitti, Gielegem, Dennis, Clack, Rivet, Kolb, Paletko, Sak, Adamini, Richardville, Meyer, Brown, Spade, Williams, Byrum, McConico, Nofs, Steil, Hardman, Ward, Gaffney, Palmer, Ruth Johnson, Sheen, Brandenburg, Rocca, Elkins, Howell, Plakas, Smith, Hunter, Sheltroun, Hummel, Drolet, DeRoche, Acciavatti, Voorhees and Anderson introduced

House Bill No. 5309, entitled

A bill to require certain reports to be filed by persons who receive contributions for purposes of defending elected officials from criminal, civil, and administrative actions; to regulate contributions made for purposes of defending elected officials from criminal, civil, and administrative actions; to prescribe certain powers and duties of the secretary of state; and to prescribe criminal penalties and civil sanctions.

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

Reps. Vander Veen, Palmer, Voorhees, Emmons, Robertson, Pastor, Moolenaar, Ward, Nofs, Stahl, Hart, Huizenga, Brandenburg, Hummel, Drolet, Bradstreet, Tabor, Meyer, Pappageorge, Wenke, Sheen, DeRoche, Hune, Shaffer, Steil, Newell, Garfield, Walker, Stakoe and Van Regenmorter introduced

House Bill No. 5310, entitled

A bill to amend 1984 PA 218, entitled "Third party administrator act," by amending section 34 (MCL 550.934) and by adding section 31.

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

Reps. Hune, Ward, Stahl, Stakoe, Casperson, Walker, Hoogendyk, DeRoche, Sheen, Gaffney, Nofs, Amos, Vander Veen, Voorhees, LaJoy, Robertson, Shaffer, Garfield, Brandenburg, Hummel, Acciavatti, Ehardt and Rocca introduced

House Bill No. 5311, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 2155.

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

Reps. Rocca, Tabor, Wojno, Stewart, Hopgood, Bieda, Pappageorge, Spade, Gleason, Lipsey, Huizenga, Clack, Richardville, Milosch, Ehardt and Hune introduced

House Bill No. 5312, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by amending the title, as amended by 1996 PA 434, and by adding section 43540a.

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

Reps. Pumford, Hart, Moolenaar, Emmons, Pastor, Vander Veen, Farhat, Shackleton and Meyer introduced

House Bill No. 5313, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 2102 and 52706 (MCL 324.2102 and 324.52706), section 2102 as added by 1995 PA 60 and section 52706 as amended by 2002 PA 356, and by adding section 2154a.

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

Rep. Julian introduced

House Bill No. 5314, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3109a (MCL 500.3109a). The bill was read a first time by its title and referred to the Committee on Insurance.

Reps. Hune and Julian introduced

House Bill No. 5315, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3109 (MCL 500.3109). The bill was read a first time by its title and referred to the Committee on Insurance.

Reps. Robertson and Julian introduced

House Bill No. 5316, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3107 (MCL 500.3107), as amended by 1991 PA 191.

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

Reps. Richardville and Julian introduced
House Bill No. 5317, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3157 (MCL 500.3157).
 The bill was read a first time by its title and referred to the Committee on Insurance.

By unanimous consent the House returned to the order of
Second Reading of Bills

House Bill No. 4296, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 11514 (MCL 324.11514).

The bill was read a second time.

Rep. Kolb moved to amend the bill as follows:

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

"(3) No later than 60 days prior to the effective date of the prohibition created by this amendatory act for cathode ray tubes, the department shall develop a policy for enforcement of that prohibition that, at a minimum, considers the efforts of the owner and operator of a solid waste disposal facility to prevent disposal of a cathode ray tube at the facility. Such efforts may include the following:

(a) Posting of clearly visible and easily read signs at the facility, providing notice of the prohibition of the disposal of cathode ray tubes.

(b) Written notification to or contractual agreements with the facility's customers providing notice of the prohibition of the disposal of cathode ray tubes.

(c) Upon request, providing customers information about collection programs and facilities that are permitted to accept cathode ray tubes for recycling."

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

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

The motion prevailed.

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

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

Rep. Law moved that Rep. Hopgood 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. 4296, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 11514 (MCL 324.11514).

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

Roll Call No. 661

Yeas—98

Accavitti	Gaffney	Meisner	Sheen
Acciavatti	Gieleghem	Meyer	Sheltrown
Adamini	Gleason	Middaugh	Shulman
Amos	Hager	Milosch	Smith
Anderson	Hardman	Minore	Spade
Bieda	Hart	Moolenaar	Stahl
Bisbee	Hood	Mortimer	Stakoe

Brandenburg	Hopgood	Murphy	Steil
Brown	Howell	Newell	Stewart
Byrum	Huizenga	Nofs	Tabor
Casperson	Hummel	Paletko	Taub
Caswell	Hune	Palmer	Tobocman
Caul	Hunter	Palsrok	Vagnozzi
Cheeks	Jamnack	Pappageorge	Van Regenmorter
Clack	Johnson, Rick	Phillips	Vander Veen
Condino	Johnson, Ruth	Pumford	Voorhees
Daniels	Julian	Reeves	Walker
Dennis	Koetje	Richardville	Ward
DeRoche	Kolb	Rivet	Waters
DeRossett	Kooiman	Robertson	Wenke
Ehardt	LaJoy	Rocca	Williams
Elkins	LaSata	Sak	Wojno
Emmons	Law	Shackleton	Woodward
Farhat	Lipsey	Shaffer	Zelenko
Farrah	McConico		

Nays—6

Bradstreet	Garfield	Nitz	Pastor
Drolet	Hoogendyk		

In The Chair: Julian

The House agreed to the title of the bill.

Rep. Richardville 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. 5235, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 11527a.

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

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

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

The motion prevailed.

Rep. Richardville 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. 5235, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 11527a.

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

Roll Call No. 662**Yeas—104**

Accavitti	Farrah	Lipsey	Shackleton
Acciavatti	Gaffney	McConico	Shaffer
Adamini	Garfield	Meisner	Sheen
Amos	Gieleghem	Meyer	Sheltrown
Anderson	Gleason	Middaugh	Shulman
Bieda	Hager	Milosch	Smith
Bisbee	Hardman	Minore	Spade
Bradstreet	Hart	Moolenaar	Stahl
Brandenburg	Hood	Mortimer	Stakoe
Brown	Hoogendyk	Murphy	Steil
Byrum	Hopgood	Newell	Stewart
Casperson	Howell	Nitz	Tabor
Caswell	Huizenga	Nofs	Taub
Caul	Hummel	Paletko	Tobocman
Cheeks	Hune	Palmer	Vagnozzi
Clack	Hunter	Palsrok	Van Regenmorter
Condino	Jamnack	Pappageorge	Vander Veen
Daniels	Johnson, Rick	Pastor	Voorhees
Dennis	Johnson, Ruth	Phillips	Walker
DeRoche	Julian	Pumford	Ward
DeRossett	Koetje	Reeves	Waters
Drolet	Kolb	Richardville	Wenke
Ehardt	Kooiman	Rivet	Williams
Elkins	LaJoy	Robertson	Wojno
Emmons	LaSata	Rocca	Woodward
Farhat	Law	Sak	Zelenko

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Second Reading of Bills**Senate Bill No. 506, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 11511a; and to repeal acts and parts of acts.

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

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

Rep. Law moved to amend the bill as follows:

1. Amend page 2, line 15, by striking out all of subsection (5) and renumbering the remaining subsections.
2. Amend page 3, line 2, after "section" by striking out the balance of the line through "Existing" on line 3 and inserting a comma and "existing".
3. Amend page 3, line 5, by striking out all of subdivision (b).

The question being on the adoption of the amendments offered by Rep. Law,
Rep. Law demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 663**Yeas—42**

Accavitti	Elkins	McConico	Smith
Adamini	Gielegem	Meisner	Spade
Anderson	Gleason	Minore	Stewart
Bieda	Hardman	Murphy	Tobocman
Brown	Hood	Paletko	Vagnozzi
Byrum	Hopgood	Phillips	Waters
Cheeks	Hunter	Reeves	Williams
Clack	Jamnick	Rivet	Wojno
Condino	Kolb	Sak	Woodward
Daniels	Law	Sheltrown	Zelenko
Dennis	Lipsey		

Nays—62

Acciavatti	Garfield	Middaugh	Shackleton
Amos	Hager	Milosch	Shaffer
Bisbee	Hart	Moolenaar	Sheen
Bradstreet	Hoogendyk	Mortimer	Shulman
Brandenburg	Howell	Newell	Stahl
Casperson	Huizenga	Nitz	Stakoe
Caswell	Hummel	Nofs	Steil
Caul	Hune	Palmer	Tabor
DeRoche	Johnson, Rick	Palsrok	Taub
DeRossett	Johnson, Ruth	Pappageorge	Van Regenmorter
Drolet	Julian	Pastor	Vander Veen
Ehardt	Koetje	Pumford	Voorhees
Emmons	Kooiman	Richardville	Walker
Farhat	LaJoy	Robertson	Ward
Farrah	LaSata	Rocca	Wenke
Gaffney	Meyer		

In The Chair: Julian

Rep. Milosch moved to amend the bill as follows:

1. Amend page 2, line 22, after “**part.**” by striking out the balance of the line through “**siting.**” on line 24.

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

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

The motion prevailed.

Rep. Richardville 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. 506, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 11511a; and to repeal acts and parts of acts.

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

Roll Call No. 664**Yeas—101**

Accavitti	Gaffney	Lipsey	Shackleton
Acciavatti	Garfield	McConico	Shaffer
Adamini	Gielegem	Meisner	Sheen
Amos	Gleason	Meyer	Sheltrown
Anderson	Hager	Middaugh	Shulman
Bieda	Hardman	Milosch	Smith
Bisbee	Hart	Minore	Spade
Bradstreet	Hood	Moolenaar	Stahl
Brandenburg	Hoogendyk	Mortimer	Stakoe
Brown	Hopgood	Murphy	Steil
Byrum	Howell	Newell	Stewart
Casperson	Huizenga	Nitz	Tabor
Caswell	Hummel	Nofs	Taub
Caul	Hune	Paletko	Tobocman
Cheeks	Hunter	Palmer	Vagnozzi
Clack	Jamnick	Palsrok	Van Regenmorter
Condino	Johnson, Rick	Pappageorge	Vander Veen
Daniels	Johnson, Ruth	Phillips	Voorhees
Dennis	Julian	Pumford	Walker
DeRoche	Koetje	Reeves	Ward
DeRossett	Kolb	Richardville	Wenke
Ehardt	Kooiman	Rivet	Williams
Elkins	LaJoy	Robertson	Wojno
Emmons	LaSata	Rocca	Woodward
Farhat	Law	Sak	Zelenko
Farrah			

Nays—2

Drolet	Pastor
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In The Chair: Julian

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

“An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts,”

The House agreed to the full title.

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

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

Second Reading of Bills**Senate Bill No. 557, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 11507a (MCL 324.11507a), as amended by 2003 PA 153.

The bill was read a second time.

Rep. LaJoy moved to amend the bill as follows:

1. Amend page 2, line 3, after “within” by striking out “30” and inserting “45”.

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

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

The motion prevailed.

Rep. Richardville 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. 557, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 11507a (MCL 324.11507a), as amended by 2003 PA 153.

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

Roll Call No. 665

Yeas—97

Accavitti	Gaffney	Meisner	Sheen
Acciavatti	Gielegem	Meyer	Sheltrown
Adamini	Gleason	Middaugh	Shulman
Amos	Hager	Milosch	Smith
Anderson	Hardman	Minore	Spade
Bieda	Hart	Moolenaar	Stahl
Bisbee	Hood	Murphy	Stakoe
Brandenburg	Hopgood	Newell	Steil
Brown	Howell	Nitz	Stewart
Byrum	Huizenga	Nofs	Tabor
Casperson	Hummel	Paletko	Taub
Caswell	Hune	Palmer	Tobocman
Caul	Hunter	Palsrok	Vagnozzi
Cheeks	Jamnick	Pappageorge	Van Regenmorter
Clack	Johnson, Rick	Phillips	Vander Veen
Condino	Johnson, Ruth	Pumford	Voorhees
Daniels	Julian	Reeves	Walker
Dennis	Kolb	Richardville	Ward
DeRoche	Kooiman	Rivet	Waters
DeRossett	LaJoy	Robertson	Wenke
Ehardt	LaSata	Rocca	Williams
Elkins	Law	Sak	Wojno
Emmons	Lipsey	Shackleton	Woodward
Farhat	McConico	Shaffer	Zelenko
Farrah			

Nays—7

Bradstreet	Garfield	Koetje	Pastor
Drolet	Hoogendyk	Mortimer	

In The Chair: Julian

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

“An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts,”

The House agreed to the full title.

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

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

Rep. Richardville moved to suspend that portion of Rule 44 requiring bills to be handed to the Clerk three hours prior to calling the House to order.

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

Rep. Richardville moved that when the House adjourns today it stand adjourned until Tuesday, December 2, at 1:00 p.m. The motion prevailed.

Introduction of Bills

Reps. Elkins, Bieda, Adamini, Brown, Meisner, Murphy, Hopgood, Sheltroun, Paletko, Law, Wojno, Woodward, Accavitti, Gielegem, Anderson, Jamnick, Minore, Vagnozzi, Hunter, Sak, Farrah, Spade, Condino, Phillips, Williams, Gaffney, Nofs, Ward, Tabor, Hart, Ehardt, Richardville, Reeves, Pumford, Rivet, Hune, Zelenko and Meyer introduced

House Bill No. 5318, 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, critical 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 sections 10 and 11b (MCL 247.660 and 247.661b), section 10 as amended by 2003 PA 151 and section 11b as amended by 1992 PA 223.

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

Reps. Casperson, Shackleton, Farhat and Pastor introduced

House Bill No. 5319, 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, critical 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 10 (MCL 247.660), as amended by 2003 PA 151.

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

Rep. Shackleton introduced

House Bill No. 5320, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding section 37e.

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

Rep. Ward introduced

House Bill No. 5321, entitled

A bill to promote investment in certain businesses; to promote economic development in this state; to provide for a Michigan early stage venture capital investment corporation; to prescribe the powers and duties of a Michigan early stage venture capital investment corporation; to prescribe the powers and duties of certain public officers and departments; to establish the Michigan early stage venture capital investment fund and other funds; to provide for tax credits and incentives; to authorize certain investments; to provide for the expiration of the fund; to provide or allow for appropriations; and to provide penalties and remedies.

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

Rep. Amos introduced

House Bill No. 5322, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 270.

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

Rep. Smith moved that the House adjourn.

The motion prevailed, the time being 2:20 a.m.

The Speaker Pro Tempore declared the House adjourned until Tuesday, December 2, at 1:00 p.m.

GARY L. RANDALL
Clerk of the House of Representatives

