

**No. 65**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**93rd Legislature**  
**REGULAR SESSION OF 2006**

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House Chamber, Lansing, Tuesday, June 27, 2006.

1:00 p.m.

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

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

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

e/d/s = entered during session

Rep. John M. Proos, IV, from the 79th District, offered the following invocation:

“Heavenly Father,

We, the elected representatives, staff and residents of this Great State of Michigan come before You with humble and contrite hearts. Together, with one voice, we give thanks to You for the abundant blessings that You have bestowed upon our families, our communities, our state, our nation and our world.

We are thankful for Your love and patience toward each of us. Help us to extend that same love and patience to others. Help us to be kind and loyal in all of our circumstances. Open our eyes to see our own faults so that we might present them to You for the needed changes. Forgive us for our wrong attitudes and change our hearts to be like Yours. We release all those who have caused us pain and trouble to Your care. Be merciful to them and help them to change also.

In a special way, Lord, we ask that You keep our men and women of the United States Armed forces and their families in Your care and give us the grace and humility to hear Your word in the work that we do together today.

In Your name we pray, Amen.”

### Notices

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

“Mr. Speaker and members of the House:

I was absent from the Chamber when the vote was taken on Roll Call Nos. 767-768. Had I been present, I would have voted ‘yea’.”

By unanimous consent the House returned to the order of

### Second Reading of Bills

#### **House Bill No. 6138, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 17211 and 17221 (MCL 333.17211 and 333.17221), section 17221 as amended by 1993 PA 79.

The bill was read a second time.

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

The motion prevailed.

#### **House Bill No. 6141, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 17011 (MCL 333.17011), as amended by 1993 PA 79, and by adding section 17026.

The bill was read a second time.

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

The motion prevailed.

#### **House Bill No. 6142, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 16411 and 16421 (MCL 333.16411 and 333.16421), section 16411 as amended by 2002 PA 734 and section 16421 as amended by 1993 PA 79.

The bill was read a second time.

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

The motion prevailed.

#### **House Bill No. 6143, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 18211 and 18221 (MCL 333.18211 and 333.18221), section 18221 as amended by 1993 PA 79.

The bill was read a second time.

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

The motion prevailed.

**House Bill No. 6148, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17511 (MCL 333.17511) and by adding section 17526.

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. 6149, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 18011 and 18021 (MCL 333.18011 and 333.18021), section 18021 as amended by 1993 PA 79.

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

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

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

The motion prevailed.

**House Bill No. 6150, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 18103, 18105, and 18115 (MCL 333.18103, 333.18105, and 333.18115), section 18103 as amended by 1993 PA 79, section 18105 as amended by 1989 PA 262, and section 18115 as added by 1988 PA 421.

The bill was read a second time.

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

The motion prevailed.

**House Bill No. 6205, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 17711 and 17721 (MCL 333.17711 and 333.17721), section 17721 as amended by 1993 PA 79.

The bill was read a second time.

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

The motion prevailed.

**House Bill No. 6206, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17305 (MCL 333.17305), as added by 2001 PA 139.

The bill was read a second time.

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

The motion prevailed.

**House Bill No. 6207, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16903, 16905, and 16907 (MCL 333.16903, 333.16905, and 333.16907), as added by 1995 PA 126.

The bill was read a second time.

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

The motion prevailed.

**House Bill No. 6208, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 17820, 17821, and 17903 (MCL 333.17820, 333.17821, and 333.17903), section 17820 as amended by 2005 PA 281, section 17821 as amended by 1993 PA 79, and section 17903 as added by 2006 PA 54.

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

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

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

The motion prevailed.

**House Bill No. 6249, entitled**

A bill to amend 1960 PA 77, entitled “An act to create the Michigan higher education assistance authority and to prescribe its powers and duties; to authorize persons, corporations, and associations to make gifts to the authority; to prescribe the powers and duties of certain state officials; to authorize, ratify, and confirm certain guarantees of students’ loans and authorize reguarantees; to authorize, ratify, and confirm certain guarantees of loans made to parents of students; to validate certain prior appropriations; and to authorize the transfer of certain appropriations to be transferred to and administered by the authority,” (MCL 390.951 to 390.961) by adding section 7a; 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 Appropriations,

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

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

The motion prevailed.

By unanimous consent the House returned to the order of

**Third Reading of Bills****Senate Bill No. 1121, entitled**

A bill to amend 1974 PA 258, entitled “Mental health code,” by amending section 409 (MCL 330.1409), as amended by 2004 PA 555.

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

**Roll Call No. 769****Yeas—107**

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

**Nays—0**

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

“An act to codify, revise, consolidate, and classify the laws relating to mental health; to prescribe the powers and duties of certain state and local agencies and officials and certain private agencies and individuals; to regulate certain agencies and facilities providing mental health services; to provide for certain charges and fees; to establish civil admission procedures for individuals with mental illness or developmental disability; to establish guardianship procedures for individuals with developmental disability; to establish procedures regarding individuals with mental illness or developmental disability who are in the criminal justice system; to provide for penalties and remedies; and to repeal acts and parts of acts,”

The House agreed to the full title.

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

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

By unanimous consent the House returned to the order of

**Messages from the Senate**

The Speaker laid before the House

**House Bill No. 5456, entitled**

A bill to amend 1996 PA 376, entitled “Michigan renaissance zone act,” by amending sections 3, 6, and 8 (MCL 125.2683, 125.2686, and 125.2688), section 3 as amended by 2005 PA 275, section 6 as amended by 2004 PA 430, and section 8 as amended by 2003 PA 266, and by adding section 8e.

(The bill was received from the Senate on May 23, with substitute (S-4), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until May 24, see House Journal No. 50, p. 1229.)

The question being on concurring in the substitute (S-4) made to the bill by the Senate,

Rep. Casperson moved to substitute (H-4) the Senate substitute (S-4) bill.

The question being on the adoption of the substitute (H-4) offered by Rep. Casperson,

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

The motion prevailed.

The Speaker laid before the House

**House Bill No. 4468, entitled**

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

(The bill was received from the Senate on June 6, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 7, see House Journal No. 56, p. 1458.)

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

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

**Roll Call No. 770**

**Yeas—90**

Accavitti	Emmons	Lemmons, Jr.	Rocca
Acciavatti	Espinoza	Lipsey	Sak
Adamini	Farhat	Marleau	Schuitmaker
Amos	Farrah	Mayer	Shaffer
Angerer	Gaffney	McDowell	Sheen
Ball	Garfield	Meyer	Sheltrown
Baxter	Gillard	Miller	Smith, Alma
Bennett	Gleason	Moolenaar	Spade
Booher	Gosselin	Moore	Stahl
Brandenburg	Green	Mortimer	Stakoe
Brown	Hansen	Murphy	Steil
Byrnes	Hildenbrand	Newell	Stewart
Byrum	Hoogendyk	Nitz	Taub
Casperson	Huizenga	Nofs	Van Regenmorter

Caswell	Hummel	Palmer	Vander Veen
Caul	Hune	Palsrok	Walker
Clack	Jones	Pastor	Ward
Clemente	Kahn	Pavlov	Waters
Cushingberry	Kolb	Pearce	Wenke
DeRoche	Kooiman	Polidori	Williams
Dillon	LaJoy	Proos	Wojno
Drolet	Law, David	Robertson	Zelenko
Elsenheimer	Lemmons, III		

**Nays—17**

Anderson	Gonzales	Law, Kathleen	Plakas
Bieda	Hood	Leland	Smith, Virgil
Cheeks	Hopgood	McConico	Tobocman
Condino	Hunter	Meisner	Vagnozzi
Donigan			

In The Chair: Kooiman

The House agreed to the full title of the bill.

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

The Speaker laid before the House

**House Bill No. 5143, entitled**

A bill to clarify the rights and duties of self-defense and the defense of others; and to provide for certain remedies. (The bill was received from the Senate on June 6, with substitute (S-3), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 7, see House Journal No. 56, p. 1458.)

The question being on concurring in the substitute (S-3) made to the bill by the Senate,

The substitute (S-3) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 771****Yeas—90**

Accavitti	Elsenheimer	Law, David	Proos
Acciavatti	Emmons	Law, Kathleen	Robertson
Adamini	Espinoza	Lemmons, III	Rocca
Amos	Farhat	Lemmons, Jr.	Sak
Anderson	Farrah	Marleau	Schuitmaker
Angerer	Gaffney	Mayes	Shaffer
Ball	Garfield	McDowell	Sheen
Baxter	Gillard	Meyer	Sheltrown
Bennett	Gleason	Miller	Spade
Bieda	Gonzales	Moolenaar	Stahl
Booher	Gosselin	Moore	Stakoe
Brandenburg	Green	Mortimer	Steil
Brown	Hansen	Newell	Stewart
Byrnes	Hildenbrand	Nitz	Taub
Byrum	Hoogendyk	Nofs	Van Regenmorter
Casperson	Hopgood	Palmer	Vander Veen
Caswell	Huizenga	Palsrok	Walker
Caul	Hummel	Pastor	Ward

Clemente	Hune	Pavlov	Wenke
DeRoche	Jones	Pearce	Williams
Dillon	Kahn	Plakas	Wojno
Donigan	Kooiman	Polidori	Zelenko
Drolet	LaJoy		

**Nays—17**

Cheeks	Hunter	McConico	Smith, Virgil
Clack	Kolb	Meisner	Tobocman
Condino	Leland	Murphy	Vagnozzi
Cushingberry	Lipsey	Smith, Alma	Waters
Hood			

In The Chair: Kooiman

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

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

The House agreed to the title as amended.

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

The Speaker laid before the House

**House Bill No. 5142, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 21c to chapter VIII.

(The bill was received from the Senate on June 7, with substitute (S-3), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 8, see House Journal No. 57, p. 1475.)

The question being on concurring in the substitute (S-3) made to the bill by the Senate,

The substitute (S-3) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 772****Yeas—91**

Accavitti	Elsenheimer	Law, David	Robertson
Acciavatti	Emmons	Law, Kathleen	Rocca
Adamini	Espinoza	Lemmons, III	Sak
Amos	Farhat	Lemmons, Jr.	Schuitmaker
Anderson	Farrah	Marleau	Shaffer
Angerer	Gaffney	Mayes	Sheen
Ball	Garfield	McDowell	Sheltrown
Baxter	Gillard	Meyer	Spade
Bennett	Gleason	Miller	Stahl
Bieda	Gonzales	Moolenaar	Stakoe
Booher	Gosselin	Moore	Steil
Brandenburg	Green	Mortimer	Stewart
Brown	Hansen	Newell	Taub
Byrnes	Hildenbrand	Nitz	Van Regenmorter
Byrum	Hoogendyk	Nofs	Vander Veen
Casperson	Hopgood	Palmer	Walker
Caswell	Huizenga	Palsrok	Ward
Caul	Hummel	Pastor	Waters
Clemente	Hune	Pavlov	Wenke

DeRoche	Jones	Pearce	Williams
Dillon	Kahn	Plakas	Wojno
Donigan	Kooiman	Polidori	Zelenko
Drolet	LaJoy	Proos	

**Nays—16**

Cheeks	Hood	Lipsey	Smith, Alma
Clack	Hunter	McConico	Smith, Virgil
Condino	Kolb	Meisner	Tobocman
Cushingberry	Leland	Murphy	Vagnozzi

In The Chair: Kooiman

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

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

The House agreed to the full title of the bill.

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

The Speaker laid before the House

**House Bill No. 5153, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 27 to chapter VII.

(The bill was received from the Senate on June 7, with substitute (S-2), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 8, see House Journal No. 57, p. 1475.)

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

The substitute (S-2) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 773****Yeas—90**

Accavitti	Elsenheimer	Law, David	Proos
Acciavatti	Emmons	Law, Kathleen	Robertson
Adamini	Espinoza	Lemmons, III	Rocca
Amos	Farhat	Lemmons, Jr.	Sak
Anderson	Farrah	Marleau	Schuitmaker
Angerer	Gaffney	Mayes	Shaffer
Ball	Garfield	McDowell	Sheen
Baxter	Gillard	Meyer	Sheltrown
Bennett	Gleason	Miller	Spade
Bieda	Gonzales	Moolenaar	Stahl
Booher	Gosselin	Moore	Stakoe
Brandenburg	Green	Mortimer	Steil
Brown	Hansen	Newell	Stewart
Byrnes	Hildenbrand	Nitz	Taub
Byrum	Hoogendyk	Nofs	Van Regenmorter
Casperson	Hopgood	Palmer	Vander Veen
Caswell	Huizenga	Palsrok	Walker
Caul	Hummel	Pastor	Ward
Clemente	Hune	Pavlov	Wenke
DeRoche	Jones	Pearce	Williams
Dillon	Kahn	Plakas	Wojno



Donigan  
DroletKooiman  
LaJoy

Polidori

Zelenko

**Nays—17**Cheeks  
Clack  
Condino  
Cushingberry  
HoodHunter  
Kolb  
Leland  
LipseyMcConico  
Meisner  
Murphy  
Smith, AlmaSmith, Virgil  
Tobocman  
Vagnozzi  
Waters

In The Chair: Kooiman

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

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

The House agreed to the title as amended.

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

The Speaker laid before the House

**House Bill No. 5548, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 2922b.

(The bill was received from the Senate on June 7, with substitute (S-2), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 8, see House Journal No. 57, p. 1475.)

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

The substitute (S-2) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 774****Yeas—90**Accavitti  
Acciavatti  
Adamini  
Amos  
Anderson  
Angerer  
Ball  
Baxter  
Bennett  
Bieda  
Booher  
Brandenburg  
Brown  
Byrnes  
Byrum  
Casperson  
Caswell  
Caul  
Clemente  
DeRoche  
Dillon  
Donigan  
DroletElsenheimer  
Emmons  
Espinoza  
Farhat  
Farrah  
Gaffney  
Garfield  
Gillard  
Gleason  
Gonzales  
Gosselin  
Green  
Hansen  
Hildenbrand  
Hoogendyk  
Hopgood  
Huizenga  
Hummel  
Hune  
Jones  
Kahn  
Kooiman  
LaJoyLaw, David  
Law, Kathleen  
Lemmons, III  
Lemmons, Jr.  
Marleau  
Mayes  
McDowell  
Meyer  
Miller  
Moolenaar  
Moore  
Mortimer  
Newell  
Nitz  
Nofs  
Palmer  
Palsrok  
Pastor  
Pavlov  
Pearce  
Plakas  
PolidoriProos  
Robertson  
Rocca  
Sak  
Schuitmaker  
Shaffer  
Sheen  
Sheltrown  
Spade  
Stahl  
Stakoe  
Steil  
Stewart  
Taub  
Van Regenmorter  
Vander Veen  
Walker  
Ward  
Wenke  
Williams  
Wojno  
Zelenko

**Nays—17**

Cheeks	Hunter	McConico	Smith, Virgil
Clack	Kolb	Meisner	Tobocman
Condino	Leland	Murphy	Vagnozzi
Cushingberry	Lipsey	Smith, Alma	Waters
Hood			

In The Chair: Kooiman

Rep. Ward moved that the bill be given immediate effect.  
 The motion prevailed, 2/3 of the members serving voting therefor.  
 The House agreed to the full title of the bill.  
 The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

**House Bill No. 5056, entitled**

A bill to amend 1975 PA 197, entitled “An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials,” by amending section 4 (MCL 125.1654), as amended by 2005 PA 115.

The Senate has passed the bill and ordered that it be given immediate effect.  
 Rep. Ward moved that the bill be given immediate effect.  
 The motion prevailed, 2/3 of the members serving voting therefor.  
 The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

**Second Reading of Bills****Senate Bill No. 1046, entitled**

A bill to create a rebuttable presumption regarding the use of self-defense or the defense of others.  
 Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Judiciary,  
 The substitute (H-1) was adopted, a majority of the members serving voting therefor.  
 Rep. Ward moved that the bill be placed on the order of Third Reading of Bills.  
 The motion prevailed.  
 Rep. Ward moved that the bill be placed on its immediate passage.  
 The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

**Third Reading of Bills****Senate Bill No. 1046, entitled**

A bill to create a rebuttable presumption regarding the use of self-defense or the defense of others.  
 Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 775****Yeas—90**

Accavitti	Elsenheimer	Law, David	Proos
Acciavatti	Emmons	Law, Kathleen	Robertson

Adamini	Espinoza	Lemmons, III	Rocca
Amos	Farhat	Lemmons, Jr.	Sak
Anderson	Farrah	Marleau	Schuitmaker
Angerer	Gaffney	Mayes	Shaffer
Ball	Garfield	McDowell	Sheen
Baxter	Gillard	Meyer	Sheltrown
Bennett	Gleason	Miller	Spade
Bieda	Gonzales	Moolenaar	Stahl
Booher	Gosselin	Moore	Stakoe
Brandenburg	Green	Mortimer	Steil
Brown	Hansen	Newell	Stewart
Byrnes	Hildenbrand	Nitz	Taub
Byrum	Hoogendyk	Nofs	Van Regenmorter
Casperson	Hopgood	Palmer	Vander Veen
Caswell	Huizenga	Palsrok	Walker
Caul	Hummel	Pastor	Ward
Clemente	Hune	Pavlov	Wenke
DeRoche	Jones	Pearce	Williams
Dillon	Kahn	Plakas	Wojno
Donigan	Kooiman	Polidori	Zelenko
Drolet	LaJoy		

#### Nays—17

Cheeks	Hunter	McConico	Smith, Virgil
Clack	Kolb	Meisner	Tobocman
Condino	Leland	Murphy	Vagnozzi
Cushingberry	Lipsev	Smith, Alma	Waters
Hood			

In The Chair: Kooiman

The House agreed to the title of the bill.

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

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

#### Second Reading of Bills

##### Senate Bill No. 1185, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 2922c.

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

#### Third Reading of Bills

##### Senate Bill No. 1185, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 2922c.

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

**Roll Call No. 776****Yeas—90**

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

**Nays—17**

Cheeks	Hunter	McConico	Smith, Virgil
Clack	Kolb	Meisner	Tobocman
Condino	Leland	Murphy	Vagnozzi
Cushingberry	Lipsey	Smith, Alma	Waters
Hood			

In The Chair: Kooiman

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

“An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts,”

The House agreed to the full title.

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

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

The Speaker Pro Tempore called Associate Speaker Pro Tempore Elsenheimer to the Chair.

### Second Reading of Bills

#### Senate Bill No. 919, entitled

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending sections 6 and 8 (MCL 125.2686 and 125.2688), section 6 as amended by 2006 PA 116 and section 8 as amended by 2003 PA 266, and by adding section 8e.

The bill was read a second time.

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

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

Rep. Casperson moved to amend the bill as follows:

1. Amend page 3, following line 23, by inserting:

"Enacting section 1. This amendatory act does not take effect unless House Bill No. 5456 of the 93rd Legislature is enacted into law."

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

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

The motion prevailed.

By unanimous consent the House returned to the order of

### Reports of Standing Committees

The Speaker laid before the House

#### Senate Concurrent Resolution No. 46.

A concurrent resolution to increase the total project cost of the Instructional Addition/Renovation project at Alpena Community College.

(For text of concurrent resolution, see House Journal No. 61, p. 1613.)

(The concurrent resolution was reported by the Committee on Appropriations on June 22, consideration of which, under the rules, was postponed until today.)

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

The Speaker laid before the House

#### Senate Concurrent Resolution No. 47.

A concurrent resolution to revise the total project cost and to revise the scope of the Department of Transportation Cadillac Transportation Service Center project.

(For text of concurrent resolution, see House Journal No. 61, p. 1614.)

(The concurrent resolution was reported by the Committee on Appropriations on June 22, consideration of which, under the rules, was postponed until today.)

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

The Speaker laid before the House

#### Senate Concurrent Resolution No. 48.

A concurrent resolution to increase the total project cost and to revise the scope of the Information Technology Center/Renovation project at Southwestern Michigan College.

(For text of concurrent resolution, see House Journal No. 61, p. 1614.)

(The concurrent resolution was reported by the Committee on Appropriations on June 22, consideration of which, under the rules, was postponed until today.)

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

The Speaker laid before the House

#### Senate Concurrent Resolution No. 49.

A concurrent resolution approving a lease among the State of Michigan, the State Building Authority, and the Community College District of Gogebic County relative to the Community College District of Gogebic County Special Maintenance projects.

(For text of concurrent resolution, see House Journal No. 60, p. 1591.)

(The concurrent resolution was reported by the Committee on Appropriations on June 22, consideration of which, under the rules, was postponed until today.)

The question being on the adoption of the concurrent resolution,

The Clerk made the following statement:

“Mr. Speaker and members of the House, the lease and exhibits attached to the resolution are available for review by the membership in the Clerk’s office.”

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 777**

**Yeas—107**

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

**Nays—0**

In The Chair: Elsenheimer

The Speaker laid before the House

**Senate Concurrent Resolution No. 50.**

A concurrent resolution approving a lease among the State of Michigan, the State Building Authority, and Lake Superior State University relative to the Lake Superior State University Special Maintenance projects.

(For text of concurrent resolution, see House Journal No. 60, p. 1592.)

(The concurrent resolution was reported by the Committee on Appropriations on June 22, consideration of which, under the rules, was postponed until today.)

The question being on the adoption of the concurrent resolution,

The Clerk made the following statement:

“Mr. Speaker and members of the House, the lease and exhibits attached to the resolution are available for review by the membership in the Clerk’s office.”

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 778**

**Yeas—107**

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

**Nays—0**

In The Chair: Elsenheimer

By unanimous consent the House returned to the order of

**Motions and Resolutions**

The Speaker laid before the House

**Senate Concurrent Resolution No. 52.**

A concurrent resolution to increase the total project cost of the Information Technology Center and Center for Health Professions Renovation project at Jackson Community College.

(The concurrent resolution was introduced, rule suspended and postponed for the day on June 22, see House Journal No. 64, p. 1716.)

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

Rep. Ward moved that Rule 45 be suspended.  
The motion prevailed, 3/5 of the members present voting therefor.

Rep. Ward moved that the Committee on Education be discharged from further consideration of **House Bill No. 6247**.  
The motion prevailed, a majority of the members serving voting therefor.  
The bill was placed on the order of Second Reading of Bills.

Rep. Ward moved that Rule 45 be suspended.  
The motion prevailed, 3/5 of the members present voting therefor.

Rep. Ward moved that the Committee on Education be discharged from further consideration of **Senate Bill No. 1296**.  
The motion prevailed, a majority of the members serving voting therefor.  
The bill was placed on the order of Second Reading of Bills.

### Second Reading of Bills

#### **House Bill No. 4264, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 475.  
Was read a second time, and the question being on the adoption of the proposed substitute (H-4) previously recommended by the Committee on Education,  
The substitute (H-4) was adopted, a majority of the members serving voting therefor.

Rep. Hopgood moved to amend the bill as follows:

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

**"(3) IF THE BOARD OF A SCHOOL DISTRICT ESTABLISHES A SINGLE-GENDER SCHOOL, CLASS, OR PROGRAM DESCRIBED IN SUBSECTION (1), THEN AT THE END OF 4 YEARS OF OPERATING THE SINGLE-GENDER SCHOOL, CLASS, OR PROGRAM, THE INTERMEDIATE SCHOOL DISTRICT, IN CONJUNCTION WITH THE SCHOOL DISTRICT, SHALL DEVELOP AND PUBLISH AN EVALUATION OF THE SINGLE-GENDER SCHOOL, CLASS, OR PROGRAM THAT USES MEASURABLE DATA TO EVALUATE THE EDUCATIONAL ACHIEVEMENTS OF THE SINGLE-GENDER SCHOOL, CLASS, OR PROGRAM. THE INTERMEDIATE SCHOOL DISTRICT SHALL MAKE THIS EVALUATION AVAILABLE TO THE PUBLIC TO ASSIST PARENTS AND POLICYMAKERS IN EVALUATING THE SINGLE-GENDER SCHOOL, CLASS, OR PROGRAM."**

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

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

By unanimous consent the House returned to the order of

### Third Reading of Bills

Rep. Ward moved that **House Bill No. 6138** be placed on its immediate passage.  
The motion prevailed, a majority of the members serving voting therefor.

#### **House Bill No. 6138, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 17211 and 17221 (MCL 333.17211 and 333.17221), section 17221 as amended by 1993 PA 79.

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

**Roll Call No. 779**

**Yeas—107**

Accavitti  
Acciavatti

Elsenheimer  
Emmons

Law, Kathleen  
Leland

Robertson  
Rocca



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

**Nays—0**

In The Chair: Elsenheimer

The House agreed to the title of the bill.

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

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

Rep. Ward moved that **House Bill No. 6141** be placed on its immediate passage.

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

**House Bill No. 6141, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 17011 (MCL 333.17011), as amended by 1993 PA 79, and by adding section 17026.

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

**Roll Call No. 780**

**Yeas—107**

Accavitti	Elsenheimer	Law, Kathleen	Robertson
Acciavatti	Emmons	Leland	Rocca
Adamini	Espinoza	Lemmons, III	Sak
Amos	Farhat	Lemmons, Jr.	Schuitmaker
Anderson	Farrah	Lipsey	Shaffer
Angerer	Gaffney	Marleau	Sheen
Ball	Garfield	Mayes	Sheltrown
Baxter	Gillard	McConico	Smith, Alma
Bennett	Gleason	McDowell	Smith, Virgil

Bieda	Gonzales	Meisner	Spade
Booher	Gosselin	Meyer	Stahl
Brandenburg	Green	Miller	Stakoe
Brown	Hansen	Moolenaar	Steil
Byrnes	Hildenbrand	Moore	Stewart
Byrum	Hood	Mortimer	Taub
Casperson	Hoogendyk	Murphy	Tobocman
Caswell	Hopgood	Newell	Vagnozzi
Caul	Huizenga	Nitz	Van Regenmorter
Cheeks	Hummel	Nofs	Vander Veen
Clack	Hune	Palmer	Walker
Clemente	Hunter	Palsrok	Ward
Condino	Jones	Pastor	Waters
Cushingberry	Kahn	Pavlov	Wenke
DeRoche	Kolb	Pearce	Williams
Dillon	Kooiman	Plakas	Wojno
Donigan	LaJoy	Polidori	Zelenko
Drolet	Law, David	Proos	

### Nays—0

In The Chair: Elsenheimer

The House agreed to the title of the bill.

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

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

Rep. Waters moved that Rep. Murphy be excused temporarily from today's session.

The motion prevailed.

Rep. Ward moved that **House Bill No. 6142** be placed on its immediate passage.

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

### House Bill No. 6142, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16411 and 16421 (MCL 333.16411 and 333.16421), section 16411 as amended by 2002 PA 734 and section 16421 as amended by 1993 PA 79.

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

### Roll Call No. 781

### Yeas—106

Accavitti	Elsenheimer	Law, Kathleen	Robertson
Acciavatti	Emmons	Leland	Rocca
Adamini	Espinoza	Lemmons, III	Sak
Amos	Farhat	Lemmons, Jr.	Schuitmaker
Anderson	Farrah	Lipsey	Shaffer
Angerer	Gaffney	Marleau	Sheen
Ball	Garfield	Mayes	Sheltrown
Baxter	Gillard	McConico	Smith, Alma
Bennett	Gleason	McDowell	Smith, Virgil

Bieda	Gonzales	Meisner	Spade
Booher	Gosselin	Meyer	Stahl
Brandenburg	Green	Miller	Stakoe
Brown	Hansen	Moolenaar	Steil
Byrnes	Hildenbrand	Moore	Stewart
Byrum	Hood	Mortimer	Taub
Casperson	Hoogendyk	Newell	Tobocman
Caswell	Hopgood	Nitz	Vagnozzi
Caul	Huizenga	Nofs	Van Regenmorter
Cheeks	Hummel	Palmer	Vander Veen
Clack	Hune	Palsrok	Walker
Clemente	Hunter	Pastor	Ward
Condino	Jones	Pavlov	Waters
Cushingberry	Kahn	Pearce	Wenke
DeRoche	Kolb	Plakas	Williams
Dillon	Kooiman	Polidori	Wojno
Donigan	LaJoy	Proos	Zelenko
Drolet	Law, David		

### Nays—0

In The Chair: Elsenheimer

The House agreed to the title of the bill.

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

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

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

“Mr. Speaker and members of the House:

I was absent from the Chamber when the vote was taken on Roll Call No. 781. Had I been present, I would have voted ‘yea’.”

Rep. Ward moved that **House Bill No. 6143** be placed on its immediate passage.

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

### House Bill No. 6143, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 18211 and 18221 (MCL 333.18211 and 333.18221), section 18221 as amended by 1993 PA 79.

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

### Roll Call No. 782

### Yeas—107

Accavitti	Elsenheimer	Law, Kathleen	Robertson
Acciavatti	Emmons	Leland	Rocca
Adamini	Espinoza	Lemmons, III	Sak
Amos	Farhat	Lemmons, Jr.	Schuitmaker
Anderson	Farrah	Lipsey	Shaffer
Angerer	Gaffney	Marleau	Sheen
Ball	Garfield	Mayer	Sheltrown

Baxter	Gillard	McConico	Smith, Alma
Bennett	Gleason	McDowell	Smith, Virgil
Bieda	Gonzales	Meisner	Spade
Booher	Gosselin	Meyer	Stahl
Brandenburg	Green	Miller	Stakoe
Brown	Hansen	Moolenaar	Steil
Byrnes	Hildenbrand	Moore	Stewart
Byrum	Hood	Mortimer	Taub
Casperson	Hoogendyk	Murphy	Tobocman
Caswell	Hopgood	Newell	Vagnozzi
Caul	Huizenga	Nitz	Van Regenmorter
Cheeks	Hummel	Nofs	Vander Veen
Clack	Hune	Palmer	Walker
Clemente	Hunter	Palsrok	Ward
Condino	Jones	Pastor	Waters
Cushingberry	Kahn	Pavlov	Wenke
DeRoche	Kolb	Pearce	Williams
Dillon	Kooiman	Plakas	Wojno
Donigan	LaJoy	Polidori	Zelenko
Drolet	Law, David	Proos	

**Nays—0**

In The Chair: Elsenheimer

The House agreed to the title of the bill.

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

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

Rep. Ward moved that **House Bill No. 6148** be placed on its immediate passage.

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

**House Bill No. 6148, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 17511 (MCL 333.17511) and by adding section 17526.

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

**Roll Call No. 783****Yeas—107**

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

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

### Nays—0

In The Chair: Elsenheimer

The House agreed to the title of the bill.

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

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

Rep. Ward moved that **House Bill No. 6149** be placed on its immediate passage.

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

### House Bill No. 6149, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 18011 and 18021 (MCL 333.18011 and 333.18021), section 18021 as amended by 1993 PA 79.

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

### Roll Call No. 784

### Yeas—107

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

Condino	Jones	Pastor	Waters
Cushingberry	Kahn	Pavlov	Wenke
DeRoche	Kolb	Pearce	Williams
Dillon	Kooiman	Plakas	Wojno
Donigan	LaJoy	Polidori	Zelenko
Drolet	Law, David	Proos	

**Nays—0**

In The Chair: Elsenheimer

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

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

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 18011 and 18021 (MCL 333.18011 and 333.18021), as amended by 2006 PA 161.

The motion prevailed.

The House agreed to the title as amended.

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

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

Rep. Ward moved that **House Bill No. 6150** be placed on its immediate passage.

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

**House Bill No. 6150, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 18103, 18105, and 18115 (MCL 333.18103, 333.18105, and 333.18115), section 18103 as amended by 1993 PA 79, section 18105 as amended by 1989 PA 262, and section 18115 as added by 1988 PA 421.

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

**Roll Call No. 785****Yeas—107**

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

Condino	Jones	Pastor	Waters
Cushingberry	Kahn	Pavlov	Wenke
DeRoche	Kolb	Pearce	Williams
Dillon	Kooiman	Plakas	Wojno
Donigan	LaJoy	Polidori	Zelenko
Drolet	Law, David	Proos	

**Nays—0**

In The Chair: Elsenheimer

The House agreed to the title of the bill.

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

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

Rep. Ward moved that **House Bill No. 6205** be placed on its immediate passage.

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

**House Bill No. 6205, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 17711 and 17721 (MCL 333.17711 and 333.17721), section 17721 as amended by 1993 PA 79.

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

**Roll Call No. 786****Yeas—107**

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

**Nays—0**

In The Chair: Elsenheimer

The House agreed to the title of the bill.

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

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

Rep. Ward moved that **House Bill No. 6206** be placed on its immediate passage.

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

**House Bill No. 6206, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17305 (MCL 333.17305), as added by 2001 PA 139.

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

**Roll Call No. 787****Yeas—107**

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

**Nays—0**

In The Chair: Elsenheimer

The House agreed to the title of the bill.

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

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



Rep. Ward moved that **House Bill No. 6207** be placed on its immediate passage.  
The motion prevailed, a majority of the members serving voting therefor.

**House Bill No. 6207, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 16903, 16905, and 16907 (MCL 333.16903, 333.16905, and 333.16907), as added by 1995 PA 126.

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

**Roll Call No. 788**

**Yeas—107**

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

**Nays—0**

In The Chair: Elsenheimer

The House agreed to the title of the bill.

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

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

**Second Reading of Bills**

**House Bill No. 6125, entitled**

A bill to amend 1965 PA 290, entitled “Boiler act of 1965,” by amending the title and sections 2, 4, 4a, 12, 14, and 24 (MCL 408.752, 408.754, 408.754a, 408.762, 408.764, and 408.774), section 2 as amended by 2004 PA 103, section 4 as amended by 1980 PA 274, and section 4a as amended by 2004 PA 265, and by adding sections 13a, 13b, 13c, and 13d.

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. Gaffney moved to amend the bill as follows:

1. Amend page 9, following line 9, by inserting:

“Sec. 7. This act shall not apply to **ANY OF THE FOLLOWING**:

(a) Boilers under federal control.

(b) Boilers used in the power plants of self-propelled vehicles designed primarily for the transportation of persons or property upon a highway, except vehicles used exclusively upon stationary rails or tracks.

(c) Boilers used solely for agricultural purposes.

(d) Steam or vapor boilers carrying a pressure of not more than 15 p.s.i.g., which are located in a private residence or in an apartment building with a capacity of less than 6 families. ~~except that installers and repairers of such boilers shall be licensed as provided in section 13.~~

(e) Hot water boilers operated at a pressure not exceeding 160 p.s.i.g. or a temperature not exceeding 250 degrees Fahrenheit that are located in a private residence or in an apartment building with a capacity of less than 6 families. ~~except that installers and repairers of such boilers shall be licensed as provided in section 13.”~~

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

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

The motion prevailed.

#### **House Bill No. 5961, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 684 and 685 (MCL 257.684 and 257.685), section 685 as amended by 2006 PA 14.

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

The motion prevailed.

#### **Senate Bill No. 443, entitled**

A bill to amend 1976 PA 451, entitled “The revised school code,” (MCL 380.1 to 380.1852) by adding section 1531g.

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

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

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

The motion prevailed.

#### **House Bill No. 6031, entitled**

A bill to amend 1980 PA 119, entitled “Motor carrier fuel tax act,” by amending section 8 (MCL 207.218), as amended by 2004 PA 472.

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

The motion prevailed.

#### **Senate Bill No. 784, entitled**

A bill to amend 1893 PA 206, entitled “The general property tax act,” (MCL 211.1 to 211.157) by adding section 7jj.

The bill was read a second time.

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

The motion prevailed.

By unanimous consent the House returned to the order of  
**Motions and Resolutions**

Rep. Hune moved that the Committee on Insurance be discharged from further consideration of **House Bill No. 6223**.  
(For first notice see House Journal No. 64, p. 1730.)  
The question being on the motion made by Rep. Hune,  
The motion prevailed, a majority of the members serving voting therefor.  
The bill was placed on the order of Second Reading of Bills.

Rep. Hune moved that the Committee on Insurance be discharged from further consideration of **House Bill No. 6224**.  
(For first notice see House Journal No. 64, p. 1730.)  
The question being on the motion made by Rep. Hune,  
The motion prevailed, a majority of the members serving voting therefor.  
The bill was placed on the order of Second Reading of Bills.  
The motion prevailed, a majority of the members serving voting therefor.

Rep. Hune moved that the Committee on Insurance be discharged from further consideration of **House Bill No. 6225**.  
(For first notice see House Journal No. 64, p. 1730.)  
The question being on the motion made by Rep. Hune,  
The motion prevailed, a majority of the members serving voting therefor.  
The bill was placed on the order of Second Reading of Bills.

Rep. Hune moved that the Committee on Insurance be discharged from further consideration of **House Bill No. 6226**.  
(For first notice see House Journal No. 64, p. 1730.)  
The question being on the motion made by Rep. Hune,  
The motion prevailed, a majority of the members serving voting therefor.  
The bill was placed on the order of Second Reading of Bills.

Rep. Hune moved that the Committee on Insurance be discharged from further consideration of **House Bill No. 6227**.  
(For first notice see House Journal No. 64, p. 1730.)  
The question being on the motion made by Rep. Hune,  
The motion prevailed, a majority of the members serving voting therefor.  
The bill was placed on the order of Second Reading of Bills.

Rep. Hune moved that the Committee on Insurance be discharged from further consideration of **House Bill No. 6228**.  
(For first notice see House Journal No. 64, p. 1730.)  
The question being on the motion made by Rep. Hune,  
The motion prevailed, a majority of the members serving voting therefor.  
The bill was placed on the order of Second Reading of Bills.

Rep. Hune moved that the Committee on Insurance be discharged from further consideration of **House Bill No. 6229**.  
(For first notice see House Journal No. 64, p. 1730.)  
The question being on the motion made by Rep. Hune,  
The motion prevailed, a majority of the members serving voting therefor.  
The bill was placed on the order of Second Reading of Bills.

Rep. Hune moved that the Committee on Insurance be discharged from further consideration of **House Bill No. 6230**.  
(For first notice see House Journal No. 64, p. 1730.)  
The question being on the motion made by Rep. Hune,  
The motion prevailed, a majority of the members serving voting therefor.  
The bill was placed on the order of Second Reading of Bills.

Rep. Hune moved that the Committee on Insurance be discharged from further consideration of **House Bill No. 6231**.  
(For first notice see House Journal No. 64, p. 1730.)  
The question being on the motion made by Rep. Hune,  
The motion prevailed, a majority of the members serving voting therefor.  
The bill was placed on the order of Second Reading of Bills.

Rep. Hune moved that the Committee on Insurance be discharged from further consideration of **House Bill No. 6232**. (For first notice see House Journal No. 64, p. 1730.)  
The question being on the motion made by Rep. Hune,  
The motion prevailed, a majority of the members serving voting therefor.  
The bill was placed on the order of Second Reading of Bills.

Rep. Hune moved that the Committee on Insurance be discharged from further consideration of **House Bill No. 6233**. (For first notice see House Journal No. 64, p. 1731.)  
The question being on the motion made by Rep. Hune,  
The motion prevailed, a majority of the members serving voting therefor.  
The bill was placed on the order of Second Reading of Bills.

Rep. Hune moved that the Committee on Insurance be discharged from further consideration of **House Bill No. 6234**. (For first notice see House Journal No. 64, p. 1731.)  
The question being on the motion made by Rep. Hune,  
The motion prevailed, a majority of the members serving voting therefor.  
The bill was placed on the order of Second Reading of Bills.

Rep. Hune moved that the Committee on Insurance be discharged from further consideration of **House Bill No. 6235**. (For first notice see House Journal No. 64, p. 1731.)  
The question being on the motion made by Rep. Hune,  
The motion prevailed, a majority of the members serving voting therefor.  
The bill was placed on the order of Second Reading of Bills.

### Messages from the Governor

The following veto message from the Governor was received and read:

Executive Office, Lansing, June 26, 2006

Michigan House of Representatives  
State Capitol  
Lansing, Michigan 48909-7514

Ladies and Gentlemen:

Today I return **Enrolled House Bill 4596** with my objections, as provided under Section 33 of Article IV of the Michigan Constitution of 1963. This bill would amend Section 18 of The Code of Criminal Procedure to add a redundant sentencing guideline for the following felony under Section 7410a of Chapter 333 of the Michigan Compiled Laws: "Controlled substance offense or offense involving GBL in or near a public park or private park." A sentencing guideline for this felony already exists in Section 13m of The Code of Criminal Procedure. Multiple guidelines for the same offense not only clutter the compiled laws of this state, but also create confusion for law enforcement, legal practitioners, and the general public.

I recently received letters from the Secretary of the Senate and the Clerk of House requesting the return of this bill. In the future, if the Legislature seeks to recall an enrolled bill for further consideration, concurrent action of both houses of the Michigan Legislature is required. I also ask that the Legislature proceed consistent with the procedures outlined in Paragraph 2 of Section 756 of Mason's Manual of Legislative Procedure (2000 ed): "Legislation is also sometimes recalled from the executive for further consideration. Legislation is usually recalled by a resolution, but sometimes a committee is sent to the executive for that purpose."

Respectfully,  
Jennifer M. Granholm  
Governor

The question being on the passage of the bill, the objections of the Governor to the contrary notwithstanding,  
Rep. Ward moved that the bill be re-referred to the Committee on Health Policy.  
The motion prevailed.

By unanimous consent the House returned to the order of  
**Messages from the Senate**

The House returned to the consideration of  
**House Bill No. 5456, entitled**

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending sections 3, 6, and 8 (MCL 125.2683, 125.2686, and 125.2688), section 3 as amended by 2005 PA 275, section 6 as amended by 2004 PA 430, and section 8 as amended by 2003 PA 266, and by adding section 8e.

(The bill was considered earlier today, see today's Journal p. 1739.)

The question being on the adoption of the substitute (H-4) offered previously by Rep. Casperson,

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

The motion prevailed.

The question being on concurring in the substitute (S-4) made to the bill by the Senate,

Rep. Walker moved to substitute (H-5) the Senate substitute (S-4).

The motion prevailed and the substitute (H-5) was adopted, a majority of the members serving voting therefor.

The question being on concurring in the substitute (S-4) made to the bill by the Senate,

The question being on the adoption of the substitute (H-4) offered previously by Rep. Casperson,

The substitute (H-4) was not adopted, a majority of the members serving not voting therefor.

The question being on concurring in the substitute (S-4) made to the bill by the Senate,

The substitute (S-4), as substituted (H-5), was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 789**

**Yeas—107**

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

**Nays—0**

In The Chair: Elsenheimer

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

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

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending sections 3, 6, and 8 (MCL 125.2683, 125.2686, and 125.2688), section 3 as amended by 2005 PA 275, section 6 as amended by 2006 PA 116, and section 8 as amended by 2003 PA 266.

The motion prevailed.

The House agreed to the title as amended.

### Third Reading of Bills

Rep. Ward moved that **Senate Bill No. 919** be placed on its immediate passage.

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

#### Senate Bill No. 919, entitled

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending sections 6 and 8 (MCL 125.2686 and 125.2688), section 6 as amended by 2006 PA 116 and section 8 as amended by 2003 PA 266, and by adding section 8e.

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

#### Roll Call No. 790

#### Yeas—107

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

#### Nays—0

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

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

A bill to amend 1996 PA 376, entitled “An act to create and expand certain renaissance zones; to foster economic opportunities in this state; to facilitate economic development; to stimulate industrial, commercial, and residential improvements; to prevent physical and infrastructure deterioration of geographic areas in this state; to authorize expenditures; to provide exemptions and credits from certain taxes; to create certain obligations of this state and local governmental units; to require disclosure of certain transactions and gifts; to provide for appropriations; and to prescribe the powers and duties of certain state and local departments, agencies, and officials,” (MCL 125.2681 to 125.2696) by adding section 8f.

The motion prevailed.

The House agreed to the title as amended.

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

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

Rep. Ward moved that **House Bill No. 6208** be placed on its immediate passage.

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

### **House Bill No. 6208, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 17820, 17821, and 17903 (MCL 333.17820, 333.17821, and 333.17903), section 17820 as amended by 2005 PA 281, section 17821 as amended by 1993 PA 79, and section 17903 as added by 2006 PA 54.

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

### **Roll Call No. 791**

### **Yeas—107**

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

### **Nays—0**

The House agreed to the title of the bill.  
 Rep. Ward moved that the bill be given immediate effect.  
 The motion prevailed, 2/3 of the members serving voting therefor.

By unanimous consent the House returned to the order of  
**Messages from the Senate**

**Senate Bill No. 1105, entitled**

A bill to amend 1994 PA 451, entitled "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, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending sections 43502, 43505, 43506, 43517, 43520, and 43525 (MCL 324.43502, 324.43505, 324.43506, 324.43517, 324.43520, and 324.43525), sections 43502, 43505, 43506, and 43525 as amended by 1996 PA 585 and sections 43517 and 43520 as added by 1995 PA 57.

The Senate has substituted (S-3) the House substitute (H-2).

The Senate has concurred in the House substitute (H-2) as substituted (S-3), ordered that the bill be given immediate effect, agreed to the full title, and amended the title to read as follows:

A bill to amend 1994 PA 451, entitled "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, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending sections 43502, 43505, 43506, 43517, and 43520 (MCL 324.43502, 324.43505, 324.43506, 324.43517, and 324.43520), sections 43502, 43505, and 43506 as amended by 1996 PA 585 and sections 43517 and 43520 as added by 1995 PA 57.

The Speaker announced that pursuant to Rule 45, the bill was laid over one day.

Rep. Ward moved that Rule 45 be suspended.

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

The question being on concurring in the substitute (S-3) to the House substitute (H-2) made to the bill by the Senate,

The substitute (S-3) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 792**

**Yeas—95**

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



Cushingberry	Kolb	Pavlov	Williams
DeRoche	Kooiman	Pearce	Wojno
Dillon	LaJoy	Plakas	Zelenko
Donigan	Law, David	Polidori	

**Nays—12**

Clack	Gosselin	Law, Kathleen	Stakoe
Condino	Hood	McConico	Tobocman
Drolet	Hunter	Smith, Alma	Vagnozzi

In The Chair: Elsenheimer

The House agreed to the title as amended.

**House Bill No. 6213, entitled**

A bill to amend 1964 PA 154, entitled “Minimum wage law of 1964,” by amending section 14 (MCL 408.394), as amended by 1998 PA 37.

The Senate has amended the bill as follows:

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

**“(4) THE AMENDATORY ACT THAT ADDED SUBSECTION (1)(A) AND (B) DOES NOT DEPRIVE AN EMPLOYEE OF ANY RIGHT TO OVERTIME COMPENSATION THAT EXISTED BEFORE THE EFFECTIVE DATE OF THAT AMENDATORY ACT.”.**

The Senate has passed the bill as amended and pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 45, the bill was laid over one day.

Rep. Ward moved that Rule 45 be suspended.

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

The question being on concurring in the amendment made to the bill by the Senate,

The amendment was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 793****Yeas—58**

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

**Nays—49**

Accavitti	Cushingberry	Law, Kathleen	Polidori
Adamini	Dillon	Leland	Sak

Anderson	Donigan	Lemmons, III	Sheltrown
Angerer	Espinoza	Lemmons, Jr.	Smith, Alma
Bennett	Farrah	Lipsey	Smith, Virgil
Bieda	Gillard	Mayes	Spade
Brown	Gleason	McConico	Tobocman
Byrnes	Gonzales	McDowell	Vagnozzi
Byrum	Hood	Meisner	Waters
Cheeks	Hopgood	Miller	Williams
Clack	Hunter	Murphy	Wojno
Clemente	Kolb	Plakas	Zelenko
Condino			

In The Chair: Elsenheimer

The House agreed to the full title of the bill.

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

### Second Reading of Bills

#### House Bill No. 5698, entitled

A bill to amend 1846 RS 84, entitled "Of divorce," (MCL 552.1 to 552.45) by adding section 5.

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

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

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

The motion prevailed.

#### House Bill No. 5699, entitled

A bill to amend 1887 PA 128, entitled "An act establishing the minimum ages for contracting marriages; to require a civil license in order to marry and its registration; to provide for the implementation of federal law; and to provide a penalty for the violation of this act," by amending the title and sections 2, 3, and 3a (MCL 551.102, 551.103, and 551.103a), the title and section 2 as amended by 1998 PA 333, section 3 as amended by 1984 PA 346, and section 3a as amended by 1989 PA 270, and by adding sections 2a and 2b.

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

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

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

The motion prevailed.

#### House Bill No. 5701, entitled

A bill to amend 1970 PA 91, entitled "Child custody act of 1970," by amending the title and sections 1, 2, 4, and 11 (MCL 722.21, 722.22, 722.24, and 722.31), the title as amended by 1996 PA 19, section 2 as amended by 2004 PA 542, section 4 as amended by 1998 PA 482, and section 11 as added by 2000 PA 422, and by adding sections 5a, 5b, 5c, 5d, 5e, and 5f.

Was read a second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Family and Children Services,

The substitute (H-3) was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

#### House Bill No. 5702, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16901, 16903, and 16905 (MCL 333.16901, 333.16903, and 333.16905), as added by 1995 PA 126.

Was read a second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Family and Children Services,

The substitute (H-3) was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

**House Bill No. 5703, entitled**

A bill to amend 1887 PA 128, entitled "An act establishing the minimum ages for contracting marriages; to require a civil license in order to marry and its registration; to provide for the implementation of federal law; and to provide a penalty for the violation of this act," by amending section 4 (MCL 551.104).

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

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

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

The motion prevailed.

**Senate Bill No. 1198, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 111l.

The bill was read a second time.

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

The motion prevailed.

**House Bill No. 5711, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 86.

Was read a second time, and the question being on the adoption of the proposed substitute (H-6) previously recommended by the Committee on Agriculture,

The substitute (H-6) was adopted, a majority of the members serving voting therefor.

Rep. Spade moved to substitute (H-5) the bill.

The question being on the adoption of the substitute (H-5) offered by Rep. Spade,

Rep. Waters demanded the yeas and nays,

The demand was supported.

The question being on the adoption of the substitute (H-5) offered by Rep. Spade,

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

The motion prevailed.

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

The motion prevailed.

By unanimous consent the House returned to the order of

**Motions and Resolutions**

Reps. Hildenbrand, Vander Veen, Accavitti, Anderson, Ball, Baxter, Bennett, Bieda, Brandenburg, Caswell, Clack, Gaffney, Garfield, Gillard, Gleason, Hansen, Kooiman, Kathleen Law, Lemmons, III, Lemmons, Jr., Meisner, Meyer, Miller, Moolenaar, Mortimer, Nitz, Nofs, Pavlov, Pearce, Proos, Sak, Shaffer, Alma Smith, Stakoe, Tobocman and Zelenko offered the following resolution:

**House Resolution No. 282.**

A resolution to memorialize Congress to enact legislation reauthorizing the Ryan White Comprehensive AIDS Resources Emergency (CARE) Act.

Whereas, More than 1,000,000 American men, women, and children have been infected with HIV and nearly 1,000,000 have been diagnosed with AIDS since 1981. More than 519,000 Americans have died of AIDS, including more than 8,000 deaths in Michigan. Today, more than 415,000 Americans and 5,600 patients in Michigan are living with AIDS. Up to 280,000 Americans, fully 25% of those infected, are HIV-positive and do not know it. These 280,000 Americans who are unaware of their HIV-positive status are responsible for half of the more than 40,000 new cases of HIV infection each year; and

Whereas, The 280,000 Americans who do not know they are HIV-positive cannot be treated or counseled and many of them will develop AIDS. Technological advances have led to the development of rapid tests for HIV that can produce accurate results in as little as 20 minutes. Seventy percent of HIV-positive Americans modify their personal behaviors after counseling so as to be less of a risk to others. HIV-positive case counts today are the best predictor of AIDS case counts tomorrow. Scientists do not foresee the development of an HIV/AIDS vaccine in the near future; and

Whereas, Preventing the further spread of HIV/AIDS must be a national priority. It has been shown that an increase in HIV testing leads to a direct decrease in new HIV infections. The Centers for Disease Control has recommended that HIV testing become part of routine medical care in all possible settings so that individuals who have learned of their HIV status may be linked to proper care, support, and prevention services. The Secretary of Health and Human Services has called for increased HIV testing. HIV testing will lead to a great saving in human lives, a great reduction in human suffering, and a great easing of the burden on overstretched AIDS programs. Reauthorizing the Ryan White CARE Act will have a profound effect on American public health for the next five years and beyond; now, therefore, be it

Resolved by the House of Representatives, That we memorialize Congress to enact legislation reauthorizing the Ryan White Comprehensive AIDS Resources Emergency (CARE) Act; 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.

Pending the reference of the resolution to a committee,

Rep. Ward moved that Rule 77 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. Stakoe, Hoogendyk, Vander Veen, Gosselin, Drolet, Hildenbrand, Stahl, Ball, Baxter, Brandenburg, Clack, Farrah, Garfield, Kooiman, Lemmons, III, Lemmons, Jr., Meyer, Moolenaar, Mortimer, Nitz, Nofs, Pearce, Shaffer, Sheltroun and Taub offered the following resolution:

**House Resolution No. 283.**

A resolution to urge the Michigan State Board of Education to develop fair and unbiased social science curriculum standards.

Whereas, The Michigan State Board of Education is currently in the process of developing social science curriculum standards. This process will ultimately result in setting standards that will paint a picture that will permanently color the world view of countless numbers of young people. It is a responsibility that must be undertaken in a fair and unbiased manner, without bowing to the shallow altar of so-called social and political correctness; and

Whereas, The development of a curriculum for social studies is a huge undertaking, one that calls for a wide range of inputs and varied points of view. This type of process, however, is also fraught with the potential for abuse by certain groups or causes that wish to see their narrow or biased views canonized as part of the official state educational standards. Clearly, this task is far too important and has far too many long-term consequences to let the process become politicized; and

Whereas, Despite the best intentions of those charged with developing our state's new social science curricula, media reports suggest that certain viewpoints are being considered that run counter to the core beliefs and philosophical foundation of our state and our nation. Controversial and refutable theories and revisionist doctrines have no place in our classrooms. Indeed, the inclusion of such standards would disrespect the hard work, sacrifices, and spirit that have made America the greatest and most envied country in the world; now, therefore, be it

Resolved by the House of Representatives, That we hereby urge the Michigan State Board of Education to develop fair and unbiased social science curriculum standards; and be it further

Resolved, That copies of this resolution be transmitted to the State Board of Education.

The resolution was referred to the Committee on Education.

### Reports of Standing Committees

The Committee on Regulatory Reform, by Rep. Rocca, Chair, reported  
**Senate Bill No. 1016, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 2601, 2605, 2607, 2617, 2619, 2627, 2633, 2635, and 2637 (MCL 339.2601, 339.2605, 339.2607, 339.2617, 339.2619, 339.2627, 339.2633, 339.2635, and 339.2637), as amended by 1999 PA 170, and by adding section 2610; and to repeal acts and parts of acts.

Without amendment and with the recommendation that the bill pass.  
The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Rocca, Jones, Gaffney, Palsrok, McDowell, Virgil Smith and Lemmons, III  
Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, June 27, 2006

Present: Reps. Rocca, Jones, Gaffney, Palsrok, McDowell, Virgil Smith and Lemmons, III

Absent: Reps. Van Regenmorter and Wojno

Excused: Reps. Van Regenmorter and Wojno

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

**House Bill No. 5942, entitled**

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending sections 4 and 11 (MCL 125.2684 and 125.2691), section 4 as amended by 2002 PA 477.

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Huizenga, Baxter, Emmons, Palsrok, Wenke, Green, Hildenbrand, Jones, Marleau, Pavlov, Schuitmaker, Tobocman, Dillon and Leland

Nays: None

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

**House Bill No. 6043, entitled**

A bill to amend 2005 PA 210, entitled "Commercial rehabilitation act," by amending section 2 (MCL 207.842).

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Huizenga, Baxter, Emmons, Palsrok, Wenke, Green, Hildenbrand, Jones, Marleau, Pavlov and Schuitmaker

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, June 27, 2006

Present: Reps. Huizenga, Baxter, Emmons, Palsrok, Wenke, Green, Hildenbrand, Jones, Marleau, Pavlov, Schuitmaker, Tobocman, Dillon, McConico and Leland

Absent: Reps. David Law, Meisner, Bennett and Accavitti

Excused: Reps. David Law, Meisner, Bennett and Accavitti

The Committee on Government Operations, by Rep. Drolet, Chair, reported

**Senate Bill No. 435, entitled**

A bill to amend 1972 PA 382, entitled "Traxler-McCauley-Law-Bowman bingo act," by amending sections 3, 3a, 5, 5c, 8, 10, 10a, and 11b (MCL 432.103, 432.103a, 432.105, 432.105c, 432.108, 432.110, 432.110a, and 432.111b), section 3 as amended by 1995 PA 275, sections 3a, 5c, and 11b as added and sections 5, 10, and 10a as amended by 1999 PA 108, and section 8 as amended by 1981 PA 229.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Drolet, Hoogendyk, Gosselin, Garfield, Sheen, Emmons, Tobocman and Lemmons, III

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, June 27, 2006

Present: Reps. Drolet, Hoogendyk, Gosselin, Garfield, Sheen, Emmons, Tobocman and Lemmons, III

Absent: Rep. Lipsey

Excused: Rep. Lipsey

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, June 27, 2006

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

Absent: Rep. David Law

Excused: Rep. David Law

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

The Clerk announced the enrollment printing and presentation to the Governor on Friday, June 23, for her approval of the following bills:

**Enrolled House Bill No. 5798 at 10:13 a.m.**

**Enrolled House Bill No. 5822 at 10:15 a.m.**

**Enrolled House Bill No. 5841 at 10:17 a.m.**

**Enrolled House Bill No. 5843 at 10:19 a.m.**

**Enrolled House Bill No. 5844 at 10:21 a.m.**

**Enrolled House Bill No. 5845 at 10:23 a.m.**

**Enrolled House Bill No. 5930 at 10:25 a.m.**

**Enrolled House Bill No. 5061 at 1:45 p.m.**

**Enrolled House Bill No. 5324 at 1:47 p.m.**

**Enrolled House Bill No. 5328 at 1:49 p.m.**

**Enrolled House Bill No. 5329 at 1:51 p.m.**

The Clerk announced that the following bills had been printed and placed upon the files of the members on Friday, June 23:

**House Bill Nos. 6255 6256 6257 6258 6259 6260 6261 6262 6263 6264 6265 6266 6267 6268  
6269**

**Senate Bill Nos. 1326 1327 1328 1329 1330 1331**

The Clerk announced the enrollment printing and presentation to the Governor on Tuesday, June 27, for her approval of the following bills:

**Enrolled House Bill No. 5479 at 10:06 a.m.**

**Enrolled House Bill No. 5959 at 10:08 a.m.**

**Enrolled House Bill No. 6183 at 10:10 a.m.**

By unanimous consent the House returned to the order of

#### **Messages from the Senate**

##### **House Bill No. 5752, entitled**

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending section 3 (MCL 125.2683), as amended by 2005 PA 275.

The Senate has concurred in the House substitute (H-4) to the Senate substitute (S-2), ordered that it be given immediate effect, agreed to the title as amended and pursuant to Joint Rule 20, inserted the full title.

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

##### **Senate Bill No. 1074, entitled**

A bill to amend 2000 PA 403, entitled "An act to prescribe a tax on the sale and use of certain types of fuel in motor vehicles on the public roads or highways of this state and on certain other types of gas; to prescribe the manner and the time of collection and payment of this tax and the duties of officials and others pertaining to the payment and collection of this tax; to provide for the licensing of persons involved in the sale, use, or transportation of motor fuel and the collection and payment of the tax imposed by this act; to prescribe fees; to prescribe certain other powers and duties of certain state agencies and other persons; to provide for exemptions and refunds and for the disposition of the proceeds of this tax; to provide for appropriations from the proceeds of this tax; to prescribe remedies and penalties for the violation of this act; and to repeal acts and parts of acts," by amending section 8 (MCL 207.1008), as amended by 2002 PA 668.

The Senate has amended the House substitute (H-1) as follows:

1. Amend page 6, line 14, after "unless" by striking out "House Bill No. 5755" and inserting "Senate Bill No. 1079".

The Senate has concurred in the House substitute (H-1) as amended, ordered that the bill be given immediate effect and agreed to the full title.

The Speaker announced that pursuant to Rule 45, the bill was laid over one day.

#### **Messages from the Governor**

Date: June 24, 2006

Time: 9:00 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

##### **Enrolled House Bill No. 4118 (Public Act No. 215, I.E.), being**

An act to amend 1976 PA 451, entitled "An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts," (MCL 380.1 to 380.1852) by adding section 1318.

(Filed with the Secretary of State June 26, 2006, at 10:02 a.m.)

Date: June 24, 2006  
Time: 9:02 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4594 (Public Act No. 216, I.E.), being**

An act to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” by amending section 7410 (MCL 333.7410), as amended by 2000 PA 302.

(Filed with the Secretary of State June 26, 2006, at 10:04 a.m.)

Date: June 24, 2006  
Time: 9:04 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4595 (Public Act No. 217, I.E.), being**

An act to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” by amending section 7410a (MCL 333.7410a), as amended by 2000 PA 314.

(Filed with the Secretary of State June 26, 2006, at 10:06 a.m.)

Date: June 24, 2006  
Time: 9:06 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5962 (Public Act No. 218, I.E.), being**

An act to amend 1980 PA 350, entitled “An act to provide for the incorporation of nonprofit health care corporations; to provide their rights, powers, and immunities; to prescribe the powers and duties of certain state officers relative to the exercise of those rights, powers, and immunities; to prescribe certain conditions for the transaction of business by those corporations in this state; to define the relationship of health care providers to nonprofit health care corporations and to specify their rights, powers, and immunities with respect thereto; to provide for a Michigan caring program; to provide for the regulation and supervision of nonprofit health care corporations by the commissioner of insurance; to prescribe powers and duties of certain other state officers with respect to the regulation and supervision of nonprofit



health care corporations; to provide for the imposition of a regulatory fee; to regulate the merger or consolidation of certain corporations; to prescribe an expeditious and effective procedure for the maintenance and conduct of certain administrative appeals relative to provider class plans; to provide for certain administrative hearings relative to rates for health care benefits; to provide for certain causes of action; to prescribe penalties and to provide civil fines for violations of this act; and to repeal certain acts and parts of acts," by amending section 406 (MCL 550.1406).

(Filed with the Secretary of State June 26, 2006, at 10:08 a.m.)

Date: June 24, 2006

Time: 9:08 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4366 (Public Act No. 219, I.E.), being**

An act to repeal 1897 PA 160, entitled "An act to establish a lien upon horses and other animals for the cost of shoeing the same," (MCL 570.351 to 570.363).

(Filed with the Secretary of State June 26, 2006, at 10:10 a.m.)

Date: June 24, 2006

Time: 9:10 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5036 (Public Act No. 220, I.E.), being**

An act to amend 1994 PA 358, entitled "An act to regulate the possession of ferrets; to provide for the licensing of ferrets; to provide for requirements for importation and rabies control procedures for ferrets; to provide for the powers and duties of certain governmental entities; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending section 10 (MCL 287.900).

(Filed with the Secretary of State June 26, 2006, at 10:12 a.m.)

Date: June 24, 2006

Time: 9:12 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5160 (Public Act No. 221, I.E.), being**

An act to amend 1975 PA 153, entitled "An act to require certain purchasers of fruits and vegetables to deduct and remit marketing fees if authorized by a grower-member of a cooperative marketing association; to prescribe the powers and duties of certain state agencies; and to prescribe means of enforcement and penalties," by amending section 2 (MCL 290.692).

(Filed with the Secretary of State June 26, 2006, at 10:14 a.m.)

Date: June 24, 2006

Time: 9:15 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5346 (Public Act No. 222, I.E.), being**

An act to amend 1976 PA 412, entitled "An act to provide for the suppression of serious diseases among bees; to prescribe certain powers and duties of the director of the department of agriculture; and to repeal certain acts and parts of acts," by amending section 11 (MCL 286.811), as amended by 1993 PA 108.

(Filed with the Secretary of State June 26, 2006, at 10:16 a.m.)

Date: June 24, 2006

Time: 9:17 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5347 (Public Act No. 223, I.E.), being**

An act to amend 2000 PA 316, entitled "An act to define organic agriculture and products; to provide for the establishment of standards relative to organic products, producers and handlers of organic products, and other persons;

to provide for designation of certain entities as certifying agents; to provide for registration of certain persons; to create certain funds and provide for their disposition; to create certain advisory committees; to provide for certain powers and duties of certain state agencies; and to provide for penalties and remedies," by amending section 21 (MCL 286.921).

(Filed with the Secretary of State June 26, 2006, at 10:18 a.m.)

Date: June 24, 2006

Time: 9:19 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 6070 (Public Act No. 224, I.E.), being**

An act to amend 1975 PA 228, entitled "An act to provide for the imposition, levy, computation, collection, assessment and enforcement, by lien or otherwise, of taxes on certain commercial, business, and financial activities; to prescribe the manner and times of making certain reports and paying taxes; to prescribe the powers and duties of public officers and state departments; to permit the inspection of records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits, and refunds; to provide penalties; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; and to provide an appropriation," (MCL 208.1 to 208.145) by adding section 35e; and to repeal acts and parts of acts.

(Filed with the Secretary of State June 26, 2006, at 10:20 a.m.)

Date: June 24, 2006

Time: 9:41 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5977 (Public Act No. 235, I.E.), being**

An act to amend 1976 PA 451, entitled "An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts," by amending section 1284b (MCL 380.1284b), as amended by 2005 PA 144.

(Filed with the Secretary of State June 26, 2006, at 10:42 a.m.)

Date: June 24, 2006

Time: 9:43 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5396 (Public Act No. 236, I.E.), being**

An act to amend 1915 PA 31, entitled "An act to prohibit the selling, giving, or furnishing of tobacco products to minors; to prohibit the use of tobacco products by minors; to prohibit the harboring of minors for the purpose of indulging in the use of tobacco products; to regulate the retail sale of tobacco products; to prescribe penalties; and to prescribe the powers and duties of certain state agencies and departments," by amending the title and sections 1, 2, and 4 (MCL 722.641, 722.642, and 722.644), the title and section 4 as amended by 1992 PA 272 and sections 1 and 2 as amended by 1988 PA 314.

(Filed with the Secretary of State June 26, 2006, at 10:44 a.m.)

Date: June 24, 2006

Time: 9:45 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5125 (Public Act No. 237, I.E.), being**

An act to amend 1994 PA 451, entitled "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, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” by amending sections 80110, 80111, and 80112 (MCL 324.80110, 324.80111, and 324.80112), as added by 1995 PA 58; and to repeal acts and parts of acts.

(Filed with the Secretary of State June 26, 2006, at 10:46 a.m.)

Date: June 24, 2006

Time: 9:47 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5015 (Public Act No. 238, I.E.), being**

An act to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” by amending sections 5901, 5911, 5913, 5915, 5919, and 5923 (MCL 333.5901, 333.5911, 333.5913, 333.5915, 333.5919, and 333.5923), as added by 1987 PA 258, and by adding section 5906; and to repeal acts and parts of acts.

(Filed with the Secretary of State June 26, 2006, at 10:48 a.m.)

Date: June 24, 2006

Time: 9:49 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5014 (Public Act No. 239, I.E.), being**

An act to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” by amending section 5927 (MCL 333.5927), as added by 1987 PA 258.

(Filed with the Secretary of State June 26, 2006, at 10:50 a.m.)

### Communications from State Officers

The following communication from the Secretary of State was received and read:

Notice of Filing  
Administrative Rules

April 19, 2006

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Michigan Department of Labor and Economic Growth, State Office of Administrative Hearings and Rules filed at 3:55 P.M. this date, administrative rule (06-04-02) for the Department of Natural Resources, Law Enforcement Division, entitled "*Local Snowmobile and Off Road Vehicle Control – Kawkawlin River*" These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

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

The communication was referred to the Clerk.

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

June 21, 2006

I am pleased to submit the 2005 Annual Report for the Michigan Higher Education Assistance Authority (MHEAA) and the Michigan Higher Education Student Loan Authority (MHESLA). This report, submitted in accordance with Section 390.960 of the Michigan Higher Education Assistance Authority Act, as amended, Public Act 77 of 1960, provides an overview of the activities of MHEAA and MHESLA.

This report contains highlights of the student financial aid programs administered by MHEAA and MHESLA during the 2005 fiscal year. If you have any questions concerning this report, please feel free to contact Philip Trapp, Assistant to the Director, Bureau of Student Financial Services at 517-241-0018.

Sincerely,  
Patricia W. Scott, Director  
Bureau of Student Financial Services

The communication was referred to the Clerk.

The following communication from the Department of Civil Rights was received and read:

June 26, 2006

On June 7, 2006, the Michigan Civil Rights Commission filed a report with the Michigan Supreme Court regarding the use of fraud and deception in the collection of signatures for the Michigan Civil Rights Initiative.

A copy of the report including exhibits and transcripts is attached. We hope that you will review this report and the evidence submitted, and take action to assure that the ballot petition process is protected with integrity. Specifically, the Commission is asking the legislature to propose strong preventative laws to meet this objective.

If I can provide further information, please contact me at your convenience.

Regards,  
Linda V. Parker  
Director

The communication was referred to the Clerk.

### Introduction of Bills

Rep. Emmons introduced

**House Bill No. 6270, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 451 (MCL 500.451), as amended by 1994 PA 228.

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

Rep. David Law introduced

**House Bill No. 6271, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 1715 (MCL 600.1715), as amended by 1983 PA 228.

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

Reps. Ward and Stakoe introduced

**House Bill No. 6272, entitled**

A bill to provide for the imposition, levy, computation, collection, assessment, and enforcement, by lien or otherwise, of fees on certain commercial, business, and financial activities; to prescribe the manner and times of making certain reports and paying taxes; to prescribe the powers and duties of certain public officers and state departments; to permit the inspection of records; to provide for interest and penalties on unpaid fees; to provide exemptions, credits, and refunds; to provide penalties; to provide for the disposition of funds; and to provide for the interrelation of this act with other acts.

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

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Rep. Huizenga moved that the House adjourn.

The motion prevailed, the time being 4:25 p.m.

Associate Speaker Pro Tempore Elsenheimer declared the House adjourned until Wednesday, June 28, at 1:00 p.m.

GARY L. RANDALL  
Clerk of the House of Representatives

