

No. 46
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House of Representatives
94th Legislature
REGULAR SESSION OF 2008

House Chamber, Lansing, Wednesday, May 14, 2008.

1:30 p.m.

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

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

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

e/d/s = entered during session

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

“Almighty God, through Whom we live and move and have our being, hear us as we pray.

You have made the earth and all its people and You have showered us with every blessing imaginable. With grateful hearts we thank You for this beautiful state of lakes and trees and cities, of hills and valleys, of outstanding institutions, of factories and schools, of farms, stores, and churches. Thank You for the home we call Michigan.

You have given us this new day that we might use it to do the work of the people, so be beside us today as we make decisions and as we endeavor to do what is right in each situation. May we be the voice of each man, woman, boy, and girl in our districts and throughout the state, as we speak, act and vote on their behalf.

We pray that we might always serve You by serving our fellow citizens, and we give You thanks for putting us in this place of service. In the name of our Savior, Amen.”



Rep. Booher moved that Rep. Emmons be excused from today’s session. The motion prevailed.

Second Reading of Bills

House Bill No. 6019, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 21771 (MCL 333.21771).

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Senior Health, Security, and Retirement (for amendment, see House Journal No. 39, p. 892),

The amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Warren moved to substitute (H-1) the bill.

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 6019, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 21771 (MCL 333.21771).

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

Roll Call No. 386

Yeas—106

Accavitti	Dillon	LaJoy	Pearce
Acciavatti	Donigan	Law, David	Polidori
Agema	Ebli	Law, Kathleen	Proos
Amos	Elsenheimer	LeBlanc	Robertson
Angerer	Espinoza	Leland	Rocca
Ball	Farrah	Lemmons	Sak
Bauer	Gaffney	Lindberg	Schuitmaker
Bennett	Garfield	Marleau	Scott

Bieda	Gillard	Mayes	Shaffer
Booher	Gonzales	McDowell	Sheen
Brandenburg	Green	Meadows	Sheltrown
Brown	Griffin	Meekhof	Simpson
Byrnes	Hammel	Meisner	Smith, Alma
Byrum	Hammon	Melton	Smith, Virgil
Calley	Hansen	Meltzer	Spade
Casperson	Hildenbrand	Miller	Stahl
Caswell	Hood	Moolenaar	Stakoe
Caul	Hoogendyk	Moore	Steil
Cheeks	Hopgood	Moss	Tobocman
Clack	Horn	Nitz	Vagnozzi
Clemente	Huizenga	Nofs	Valentine
Condino	Hune	Opsommer	Walker
Constan	Johnson	Palmer	Warren
Corriveau	Jones, Rick	Palsrok	Wenke
Coulouris	Jones, Robert	Pastor	Wojno
Dean	Knollenberg	Pavlov	Young
DeRoche	Lahti		

Nays—0

In The Chair: Sak

The House agreed to the title of the bill.

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

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

Reps. Accavitti, Amos, Angerer, Ball, Bieda, Brown, Byrnes, Gonzales, Hammel, Hammon, Hildenbrand, Hopgood, Rick Jones, Kathleen Law, LeBlanc, Lemmons, Meadows, Moolenaar, Palsrok, Polidori, Rocca, Sak, Schuitmaker, Spade, Tobocman, Vagnozzi and Wojno were named co-sponsors of the bill.

Reps. Cushingberry and Jackson entered the House Chambers.

Second Reading of Bills

House Bill No. 6014, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 80205 and 80215 (MCL 324.80205 and 324.80215), section 80205 as amended by 2007 PA 8 and section 80215 as added by 2000 PA 229; and to repeal acts and parts of acts.

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

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

Rep. Agema moved to amend the bill as follows:

1. Amend page 6, line 4, after "GUARDIAN" by inserting "OR AN INDIVIDUAL 21 YEARS OF AGE OR OLDER DESIGNATED BY THE PARENT OR GUARDIAN".

2. Amend page 6, line 7, after "GUARDIAN" by inserting "OR AN INDIVIDUAL 21 YEARS OF AGE OR OLDER DESIGNATED BY THE PARENT OR GUARDIAN".

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

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

Rep. Tobocman moved that the bill be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

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

House Bill No. 6014, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 80205 and 80215 (MCL 324.80205 and 324.80215), section 80205 as amended by 2007 PA 8 and section 80215 as added by 2000 PA 229; and to repeal acts and parts of acts.

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

Roll Call No. 387

Yeas—83

Accavitti	Dillon	Jones, Robert	Robertson
Agema	Donigan	Lahti	Rocca
Angerer	Ebli	Law, Kathleen	Sak
Ball	Espinoza	LeBlanc	Schuitmaker
Bauer	Farrah	Leland	Scott
Bieda	Gaffney	Lemmons	Shaffer
Booher	Garfield	Lindberg	Sheltrown
Brown	Gillard	Mayes	Simpson
Byrnes	Gonzales	McDowell	Smith, Alma
Byrum	Green	Meadows	Smith, Virgil
Calley	Griffin	Meekhof	Spade
Casperson	Hammel	Meisner	Stakoe
Caul	Hammon	Melton	Tobocman
Cheeks	Hansen	Meltzer	Vagnozzi
Clack	Hildenbrand	Miller	Valentine
Clemente	Hood	Moolenaar	Walker
Condino	Hopgood	Nitz	Warren
Constan	Horn	Palsrok	Wenke
Corriveau	Jackson	Pearce	Wojno
Coulouris	Johnson	Polidori	Young
Dean	Jones, Rick	Proos	

Nays—24

Acciavatti	Elsenheimer	Law, David	Palmer
Amos	Hoogendyk	Marleau	Pastor
Bennett	Huizenga	Moore	Pavlov
Brandenburg	Hune	Moss	Sheen
Caswell	Knollenberg	Nofs	Stahl
DeRoche	LaJoy	Opsommer	Steil

In The Chair: Sak

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

Second Reading of Bills

House Bill No. 4444, entitled

A bill to amend 1915 PA 31, entitled "Youth tobacco act," by amending section 1 (MCL 722.641), as amended by 2006 PA 236.

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

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

Rep. Spade moved to amend the bill as follows:

1. Amend page 4, following line 21, by inserting:

"(9) AN ARRESTING LAW ENFORCEMENT AGENCY IN THIS STATE MAY TAKE THE FINGERPRINTS OF A PERSON UPON THE ARREST OF THAT PERSON FOR A MISDEMEANOR DESCRIBED IN SUBSECTION (1) AND FORWARD THE FINGERPRINTS TO THE DEPARTMENT OF STATE POLICE, AS PROVIDED IN SECTION 3(5) OF 1925 PA 289, MCL 28.243."

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4444, entitled

A bill to amend 1915 PA 31, entitled "Youth tobacco act," by amending section 1 (MCL 722.641), as amended by 2006 PA 236.

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

Roll Call No. 388

Yeas—99

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

Nays—9

Agema
Amos
Brandenburg

Garfield
Hoogendyk

Palmer
Pastor

Robertson
Sheen

In The Chair: Sak

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

Second Reading of Bills**House Bill No. 4343, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 342.

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

The substitute (H-3) was not adopted, a majority of the members serving not voting therefor.

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

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

Rep. Griffin moved to amend the bill as follows:

1. Amend page 51, following line 21, by striking out all of enacting section 1.

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

Rep. Robertson moved to amend the bill as follows:

1. Amend page 1, line 5, after "(B)" by striking out "THE PROVISIONS OF THIS PART" and inserting "A PROPOSED USE FOR WHICH A WATER WITHDRAWAL PERMIT IS ISSUED UNDER SECTION 32723 SHALL BE CONSIDERED TO SATISFY THE REQUIREMENTS OF SECTION 4.11 OF THE COMPACT.

(C) THE 2008 AMENDMENTS TO THIS PART, THE 2008 AMENDMENTS TO PART 328, AND THE 2008 AMENDMENTS TO SECTIONS 4 AND 17 OF THE SAFE DRINKING WATER ACT, 1976 PA 399, MCL 325.1004 AND 325.1017," and relettering the remaining subsections.

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills**House Bill No. 4343, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 342.

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

Roll Call No. 389**Yeas—108**

Accavitti
Acciavatti

DeRoche
Dillon

Knollenberg
Lahti

Pavlov
Pearce

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

Nays—0

In The Chair: Sak

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

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

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 32730 and part 342.

The motion prevailed.

The House agreed to the title as amended.

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

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

Second Reading of Bills

House Bill No. 5067, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 32710 and 32713 (MCL 324.32710 and 324.32713), section 32710 as added by 1995 PA 59 and section 32713 as amended by 2006 PA 33.

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

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

Rep. Griffin moved to amend the bill as follows:

1. Amend page 2, line 21, by striking out all of enacting section 1.

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

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

The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5067, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 32710 and 32713 (MCL 324.32710 and 324.32713), section 32710 as added by 1995 PA 59 and section 32713 as amended by 2006 PA 33.

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

Roll Call No. 390

Yeas—101

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

Nays—7

Agema	Hoogendyk	Palmer	Sheen
Garfield	Hune	Pastor	

In The Chair: Sak

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

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

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 32713 (MCL 324.32713), as amended by 2006 PA 33.

The motion prevailed.

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

Second Reading of Bills

House Bill No. 5072, entitled

A bill to amend 1976 PA 399, entitled "Safe drinking water act," by amending section 17 (MCL 325.1017), as amended by 2006 PA 37.

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

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

Rep. Griffin moved to amend the bill as follows:

1. Amend page 4, line 15, by striking out all of enacting section 1.

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5072, entitled

A bill to amend 1976 PA 399, entitled "Safe drinking water act," by amending section 17 (MCL 325.1017), as amended by 2006 PA 37.

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

Roll Call No. 391

Yeas—99

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

Coulouris
Cushingberry

Jones, Rick
Jones, Robert

Pavlov
Pearce

Young

Nays—9

Agema
Garfield
Hoogendyk

Hune
Lahti

Meltzer
Palmer

Pastor
Sheen

In The Chair: Sak

The House agreed to the title of the bill.

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

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

Reps. Clack, Clemente, Condino, Ebli, Gillard, Gonzales, Hopgood, Leland and Spade were named co-sponsors of the bill.

Rep. Ward entered the House Chambers.

Rep. Tobocman 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. Byrum, Ball, Accavitti, Bauer, Bieda, Brown, Byrnes, Casperson, Caul, Clack, Condino, Constan, Dean, Garfield, Gonzales, Green, Hammon, Hansen, Hildenbrand, Huizenga, Robert Jones, Lahti, David Law, LeBlanc, Leland, Lemmons, Marleau, Mayes, Melton, Miller, Moolenaar, Nitz, Opsommer, Pastor, Pearce, Polidori, Proos, Rocca, Sak, Sheltroun, Spade, Stahl, Tobocman, Vagnozzi and Warren offered the following resolution:

House Resolution No. 365.

A resolution to commemorate the Michigan Optometric Society on the third anniversary of the InfantSEE program.

Whereas, The most critical stages of vision development occur in the first year of a child's life; and

Whereas, Undetected eye and vision problems can lead to permanent vision impairment or loss of life; and

Whereas, One in 10 children is at risk from undiagnosed eye and vision problems; and

Whereas, One in 30 children will be affected by amblyopia, a leading cause of vision loss in people younger than 45 years; and

Whereas, Undetected vision problems can contribute to a decrease in a child's quality of life, and may lead to developmental and behavioral difficulties which impede classroom learning, as well as increase the costs to society; and

Whereas, Early detection of vision problems is the best way to treat and prevent permanent vision impairment; and

Whereas, Member optometrists of the American Optometric Association and The Vision Care Institute of Johnson & Johnson Vision Care, Inc., have partnered to create InfantSEE, a public health program to provide a one-time, no-cost eye assessment for infants six to twelve months of age; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body commend the Michigan Optometric Association and the profession of Optometry on the third anniversary of the InfantSEE program for voluntarily dedicating their expertise and services to the infants of Michigan; and be it further

Resolved, That the state of Michigan encourages parents to schedule an InfantSEE assessment for their infants.
 Pending the reference of the resolution to a committee,
 Rep. Tobocman moved that Rule 71 be suspended and the resolution be considered at this time.
 The motion prevailed, 3/5 of the members present voting therefor.
 The question being on the adoption of the resolution,
 The resolution was adopted.

Reps. Moolenaar, Agema, Ball, Booher, Casperson, Caul, Clack, Dean, Garfield, Green, Hildenbrand, Hoogendyk, Huizenga, Robert Jones, Lemmons, Marleau, Meekhof, Nitz, Opsommer, Palmer, Pastor, Pearce, Proos, Sak, Stahl, Steil and Tobocman offered the following resolution:

House Resolution No. 366.

A resolution recognizing May 5-9, 2008, as National Charter Schools Week in the state of Michigan.

Whereas, Charter schools are locally established and founded in communities across the state, offering new educational opportunities to over 100,000 students and their families; and

Whereas, Michigan's 230 charter schools, and the dedicated staff and students who work therein, are bringing fresh ideas and perspectives to K-12 education; and

Whereas, Charter schools are giving all parents more choices in their children's education; and

Whereas, Charter public schools encourage competition and are accountable to the public through public universities, community colleges, and local and intermediate school districts that help establish and oversee these schools; and

Whereas, Michigan's charter experience has resulted in a nationally-recognized system of leadership, performance, and accountability that delivers effective results for the students and families it serves; and

Whereas, Charter schools are making great progress toward closing the achievement gap for urban, minority, and poor children across our state; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body recognize May 5-9, 2008, as National Charter Schools Week in the state of Michigan in honor of these schools and their past, present, and future achievements.

The resolution was referred to the Committee on Education.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members on Wednesday, May 14:

House Bill Nos.	6108	6109	6110	6111	6112	6113	6114	6115	6116
Senate Bill No.	1312								

The Clerk announced that the following Senate bills had been received on Wednesday, May 14:

Senate Bill Nos.	212	723	727	858	859
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Reports of Standing Committees

The Committee on Judiciary, by Rep. Condino, Chair, reported

House Bill No. 6022, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 356a (MCL 750.356a), as amended by 1998 PA 311.

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. Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Scott, Virgil Smith, Warren, David Law, Elsenheimer, Stakoe and Rick Jones

Nays: None

The Committee on Judiciary, by Rep. Condino, Chair, reported

House Bill No. 6092, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 422a. 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. Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Scott, Virgil Smith, Warren, David Law, Elsenheimer, Stakoe and Rick Jones

Nays: None

The Committee on Judiciary, by Rep. Condino, Chair, reported

House Bill No. 6093, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16v of chapter XVII (MCL 777.16v), as amended by 2002 PA 123.

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. Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Scott, Virgil Smith, Warren, David Law, Elsenheimer, Stakoe and Rick Jones

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, May 14, 2008

Present: Reps. Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Scott, Virgil Smith, Warren, David Law, Elsenheimer, Stakoe and Rick Jones

Absent: Reps. Schuitmaker and Rocca

Excused: Reps. Schuitmaker and Rocca

The Committee on Tax Policy, by Rep. Bieda, Chair, reported

House Bill No. 5870, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7cc (MCL 211.7cc), as amended by 2006 PA 664.

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. Bieda, Condino, Robert Jones, Mayes, Melton, Sheltroun, Young, Meltzer, Sheen, Palmer and Wenke

Nays: None

The Committee on Tax Policy, by Rep. Bieda, Chair, reported

House Bill No. 6031, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 113 (MCL 208.1113), as amended by 2007 PA 145.

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. Bieda, Condino, Farrah, Robert Jones, Mayes, Meisner, Melton, Sheltroun, Young, Meltzer, Sheen, Steil, Palmer, Wenke and Calley
Nays: None

The Committee on Tax Policy, by Rep. Bieda, Chair, reported

Senate Bill No. 1217, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 113 (MCL 208.1113), as amended by 2007 PA 145.

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. Bieda, Condino, Farrah, Robert Jones, Mayes, Meisner, Melton, Sheltroun, Young, Meltzer, Sheen, Steil, Palmer, Wenke and Calley
Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Bieda, Chair, of the Committee on Tax Policy, was received and read:

Meeting held on: Wednesday, May 14, 2008

Present: Reps. Bieda, Condino, Farrah, Robert Jones, Mayes, Meisner, Melton, Sheltroun, Young, Meltzer, Sheen, Steil, Palmer, Wenke and Calley

Absent: Reps. Warren and Pastor

Excused: Reps. Warren and Pastor

The Committee on Great Lakes and Environment, by Rep. Warren, Chair, reported

House Bill No. 4569, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding part 140 to article 12.

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. Warren, Donigan, Ebli, Kathleen Law, Leland, Meadows, Miller, Valentine and Meekhof

Nays: Reps. Griffin, Robertson and Moolenaar

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Warren, Chair, of the Committee on Great Lakes and Environment, was received and read:

Meeting held on: Wednesday, May 14, 2008

Present: Reps. Warren, Donigan, Ebli, Griffin, Kathleen Law, Leland, Meadows, Miller, Valentine, Robertson, Palmer, Moolenaar and Meekhof

Absent: Reps. Emmons and Walker

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, May 14, 2008

Present: Reps. Accavitti, Mayes, Angerer, Brown, Clemente, Ebli, Hammon, Hopgood, Lemmons, Lindberg, Melton, Nofs, Palsrok, Moolenaar, Horn and Opsommer

Absent: Reps. Miller, Garfield and Huizenga

Excused: Reps. Miller, Garfield and Huizenga

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Warren, Chair, of the Committee on Great Lakes and Environment, was received and read:

Meeting held on: Wednesday, May 14, 2008

Present: Reps. Warren, Donigan, Ebli, Griffin, Kathleen Law, Leland, Meadows, Miller, Valentine, Robertson, Moolenaar and Meekhof

Absent: Reps. Palmer, Emmons and Walker

Messages from the Senate**House Bill No. 5174, entitled**

A bill to allow certain active duty service members to terminate motor vehicle leases; to provide for the rights and responsibilities of the lessees and lessors to those terminated motor vehicle leases; to provide for the powers and duties of certain state officials; to prescribe civil sanctions and provide penalties; and to provide for the disposition of civil fines.

The Senate has passed the bill and ordered that it be given immediate effect.

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

House Bill No. 4557, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending sections 435 and 438 (MCL 206.435 and 206.438), section 435 as added by 2007 PA 133 and section 438 as added by 2004 PA 364.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1967 PA 281, entitled "An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts," by amending section 435 (MCL 206.435), as added by 2007 PA 133.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

House Bill No. 4163, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 12601, 12603, 12611, 12613, 12614, 12905, and 12915 (MCL 333.12601, 333.12603, 333.12611, 333.12613, 333.12614, 333.12905, and 333.12915), sections 12601 and 12613 as amended by 1988 PA 315, sections 12603 and 12611 as amended by 1993 PA 217, section 12614 as added by 1988 PA 296, section 12905 as amended by 1993 PA 242, and section 12915 as amended by 1982 PA 526, and by adding sections 12606, 12606a, and 12606b; and to repeal acts and parts of acts.

The Senate has substituted (S-8) the bill.

The Senate has passed the bill as substituted (S-8) and amended the title to read as follows:

A bill 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 the heading of part 129 and sections 12601, 12603, 12611, 12613, 12614, 12905, and 12915 (MCL 333.12601, 333.12603, 333.12611, 333.12613, 333.12614, 333.12905, and 333.12915), sections 12601 and 12613 as amended by 1988 PA 315, sections 12603 and 12611 as amended by 1993 PA 217, section 12614 as added by 1988 PA 296, section 12905 as amended by 1993 PA 242, and section 12915 as amended by 1982 PA 526, and by adding section 12606; and to repeal acts and parts of acts.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Senate Bill No. 212, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 32730 and part 342.

The Senate has passed the bill.

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

Senate Bill No. 723, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 32801 and 32803 (MCL 324.32801 and 324.32803), section 32801 as added by 2003 PA 148 and section 32803 as amended by 2006 PA 34.

The Senate has passed the bill.

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

Senate Bill No. 727, entitled

A bill to amend 1976 PA 399, entitled “Safe drinking water act,” by amending section 17 (MCL 325.1017), as amended by 2006 PA 37.

The Senate has passed the bill.

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

Senate Bill No. 858, entitled

A bill to amend 1976 PA 399, entitled “Safe drinking water act,” by amending section 4 (MCL 325.1004), as amended by 2006 PA 601.

The Senate has passed the bill.

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

Senate Bill No. 859, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 32713 (MCL 324.32713), as amended by 2006 PA 33.

The Senate has passed the bill.

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

Notices

Pursuant to Rule 41, the Speaker has made the following reassignments:

House Bill No. 6109 referred to the Committee on Judiciary.

House Bill No. 6110 referred to the Committee on Judiciary.

House Bill No. 6115 referred to the Committee on Great Lakes and Environment.

House Bill No. 6116 referred to the Committee on Great Lakes and Environment.

Introduction of Bills

Rep. Rick Jones introduced

House Bill No. 6117, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 27 (MCL 211.27), as amended by 2003 PA 274.

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

Reps. Alma Smith, Meadows, Coulouris, Johnson, Valentine, Calley, Knollenberg, Moss and Wenke introduced

House Bill No. 6118, entitled

A bill to amend 1957 PA 261, entitled "Michigan legislative retirement system act," by amending section 50b (MCL 38.1050b), as amended by 1998 PA 501.

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

Reps. Moss, Meadows, Coulouris, Johnson, Valentine, Alma Smith, Knollenberg and Wenke introduced

House Bill No. 6119, entitled

A bill to amend 1986 PA 182, entitled "State police retirement act of 1986," by amending section 42 (MCL 38.1642), as amended by 2004 PA 50.

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

Reps. Valentine, Meadows, Coulouris, Johnson, Alma Smith, Calley, Knollenberg, Moss and Wenke introduced

House Bill No. 6120, entitled

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending section 3 (MCL 38.3).

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

Reps. Pearce, Vagnozzi, LaJoy, Garfield, Booher, Sheen, Meekhof, Emmons and Dean introduced

House Bill No. 6121, entitled

A bill to amend 1955 PA 233, entitled "An act to provide for the incorporation of certain municipal authorities to acquire, own, extend, improve, and operate sewage disposal systems, water supply systems, and solid waste management systems; to prescribe the rights, powers, and duties thereof; to authorize contracts between such authorities and public corporations; to provide for the issuance of bonds to acquire, construct, extend, or improve the systems; and to prescribe penalties and provide remedies," by amending section 4a (MCL 124.284a), as added by 1985 PA 178.

The bill was read a first time by its title and referred to the Committee on Intergovernmental, Urban and Regional Affairs.

Rep. Johnson moved that the House adjourn.

The motion prevailed, the time being 4:00 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, May 15, at 12:00 Noon.

RICHARD J. BROWN
Clerk of the House of Representatives