

No. 64
STATE OF MICHIGAN
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House of Representatives
93rd Legislature
REGULAR SESSION OF 2005

House Chamber, Lansing, Wednesday, July 13, 2005.

1:00 p.m.

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

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

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

e/d/s = entered during session

Rep. Tim Moore, from the 97th District, offered the following invocation:

“Our Heavenly Father, we thank You for the opportunity to gather together today as Representatives for the state of Michigan. We ask for Your wisdom and guidance as we deliberate and discuss the important issues before us. We ask that You would bless the work that is done here today and that it fulfill Your will. We also ask for Your blessing upon the citizens of the state of Michigan, our nation as a whole, and our nation’s leaders. In God’s name we pray, Amen.”

Rep. Sak moved that Reps. Cheeks, Lipsey, McConico and Zelenko be excused from today’s session. The motion prevailed.

Messages from the Senate

The Speaker laid before the House

Senate Bill No. 513, entitled

A bill to amend 1954 PA 116, entitled “An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act,” by amending sections 301, 302, 312, 370, 381, 498, 500b, 509m, 509q, 509gg, 641, 642a, 653a, 699, and 963 (MCL 168.301, 168.302, 168.312, 168.370, 168.381, 168.498, 168.500b, 168.509m, 168.509q, 168.509gg, 168.641, 168.642a, 168.653a, 168.699, and 168.963), section 301 as amended by 2004 PA 286, sections 302 and 312 as added and sections 370, 509gg, and 963 as amended by 2003 PA 302, section 381 as amended by 2004 PA 290, section 498 as amended by 1984 PA 89, section 500b as amended by 1989 PA 142, section 509m as amended by 2004 PA 92, section 509q as added by 1994 PA 441, section 641 as amended by 2003 PA 298, section 642a as amended by 2004 PA 294, section 653a as added by 1982 PA 2, and section 699 as amended by 2004 PA 297, and by adding sections 302a and 509hh.

(The bill was received from the Senate on July 6, with amendments to the House substitute (H-1) and title amendment inserted by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 63, p. 1151.)

The question being on concurring in the amendments to the House substitute (H-1) made to the bill by the Senate, The amendments were concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 339

Yeas—105

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

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

Nays—0

In The Chair: Kooiman

The House agreed to the title as amended.

By unanimous consent the House returned to the order of
Reports of Standing Committees

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

House Bill No. 4922, entitled

A bill to amend 1975 PA 228, entitled “Single business tax act,” by amending sections 38e and 68 (MCL 208.38e and 208.68), section 38e as amended by 2003 PA 273.

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. Sheen, Meyer, Gosselin, Newell, Drolet, Palmer, Hoogendyk, Stakoe, Jones and Marleau

Nays: None

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

House Bill No. 4972, entitled

A bill to amend 1975 PA 228, entitled “Single business tax act,” (MCL 208.1 to 208.145) by adding section 35d.

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. Sheen, Meyer, Gosselin, Newell, Drolet, Palmer, Hoogendyk, Stakoe, Jones and Marleau

Nays: None

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

House Bill No. 4973, entitled

A bill to amend 1975 PA 228, entitled “Single business tax act,” by amending section 45a (MCL 208.45a), as amended by 1999 PA 115.

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. Sheen, Meyer, Gosselin, Newell, Drolet, Palmer, Hoogendyk, Stakoe, Jones and Marleau

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, July 12, 2005

Present: Reps. Sheen, Meyer, Gosselin, Newell, Drolet, Palmer, Hoogendyk, Stakoe, Jones, Marleau, Condino, Bieda, Miller, Meisner and Bennett

Absent: Reps. Farrah and Zelenko

Excused: Reps. Farrah and Zelenko

The Committee on Banking and Financial Services, by Rep. Robertson, Chair, reported

House Bill No. 4997, entitled

A bill to amend 1996 PA 354, entitled "Savings bank act," by repealing section 514 (MCL 487.3514).

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. Robertson, Green, Hune, Hunter, Clemente and Mayes

Nays: None

The Committee on Banking and Financial Services, by Rep. Robertson, Chair, reported

House Bill No. 4998, entitled

A bill to amend 1980 PA 307, entitled "Savings and loan act of 1980," by repealing section 1135 (MCL 491.1135).

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. Robertson, Green, Hune, Hunter, Clemente and Mayes

Nays: None

The Committee on Banking and Financial Services, by Rep. Robertson, Chair, reported

House Bill No. 4999, entitled

A bill to amend 2003 PA 215, entitled "Credit union act," by repealing section 307 (MCL 490.307).

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. Robertson, Green, Hune, Hunter, Clemente and Mayes

Nays: None

The Committee on Banking and Financial Services, by Rep. Robertson, Chair, reported
House Bill No. 5000, entitled

A bill to amend 1999 PA 276, entitled "Banking code of 1999," by repealing section 4406 (MCL 487.14406).

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. Robertson, Green, Hune, Hunter, Clemente and Mayes

Nays: None

The Committee on Banking and Financial Services, by Rep. Robertson, Chair, reported
Senate Bill No. 540, entitled

A bill to amend 1987 PA 173, entitled "Mortgage brokers, lenders, and servicers licensing act," by amending section 2 (MCL 445.1652), as amended by 2002 PA 4.

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. Robertson, Green, Hune, Hunter, Clemente and Mayes

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Robertson, Chair, of the Committee on Banking and Financial Services, was received and read:

Meeting held on: Wednesday, July 13, 2005

Present: Reps. Robertson, Green, Hune, Hunter, Clemente and Mayes

Absent: Reps. Huizenga, Palsrok and Dillon

Excused: Reps. Huizenga, Palsrok and Dillon

The Committee on Education, by Rep. Palmer, Chair, reported

Senate Bill No. 83, entitled

A bill to amend 1964 PA 287, entitled "An act to provide for the organization and functions of the state boards of education under the constitutions of 1908 and 1963; to provide for the appointment and functions of the superintendent of public instruction under the constitution of 1963; and to repeal certain acts and parts of acts," by amending section 9a (MCL 388.1009a), as amended by 1983 PA 240.

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. Palmer, Mortimer, Gosselin, Meyer, Hoogendyk, Vander Veen, Ball, Elsenheimer, Hildenbrand, Pearce, Proos, Hopgood, Miller, Angerer, Virgil Smith, Kehrl and Clack

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, July 13, 2005

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

The Committee on Local Government and Urban Policy, by Rep. Stakoe, Chair, reported

House Bill No. 5004, entitled

A bill to amend 1965 PA 261, entitled "An act to authorize the creation and to prescribe the powers and duties of county and regional parks and recreation commissions; and to prescribe the powers and duties of county boards of commissioners with respect to county and regional parks and recreation commissions," (MCL 46.351 to 46.367) by adding section 5a.

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. Stakoe, Elsenheimer, Robertson, Nitz, Baxter and Schuitmaker

Nays: Reps. Tobocman, Donigan and Vagnozzi

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Stakoe, Chair, of the Committee on Local Government and Urban Policy, was received and read:

Meeting held on: Wednesday, July 13, 2005

Present: Reps. Stakoe, Elsenheimer, Robertson, Nitz, Baxter, Schuitmaker, Tobocman, Donigan and Vagnozzi

Absent: Reps. Van Regenmorter and Accavitti

Excused: Reps. Van Regenmorter and Accavitti

Announcement by the Clerk of Printing and Enrollment

The Clerk announced the enrollment printing and presentation to the Governor on Wednesday, July 6, for her approval of the following bills:

Enrolled House Bill No. 4322 at 3:16 p.m.

Enrolled House Bill No. 4405 at 3:18 p.m.

Enrolled House Bill No. 4434 at 3:20 p.m.

Enrolled House Bill No. 4607 at 3:22 p.m.

Enrolled House Bill No. 4714 at 3:24 p.m.

Enrolled House Bill No. 4715 at 3:26 p.m.

Enrolled House Bill No. 4716 at 3:28 p.m.

Enrolled House Bill No. 4821 at 3:30 p.m.

The Clerk announced the enrollment printing and presentation to the Governor on Thursday, July 7, for her approval of the following bills:

Enrolled House Bill No. 4275 at 10:20 a.m.

Enrolled House Bill No. 4826 at 10:22 a.m.

The Clerk announced that the following bills had been printed and placed upon the files of the members on Thursday, July 7:

House Bill Nos. 5039 5040 5041 5042 5043 5044 5045 5046 5047 5048

Messages from the Governor

Date: July 7, 2005

Time: 9:10 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4623 (Public Act No. 59, I.E.), being

An act to amend 1970 PA 29, entitled “An act relating to potatoes; to create a potato commission; to prescribe its powers and duties and authority; to impose an assessment on the privilege of introducing potatoes into the channels of trade and commerce; to provide for the collection of the assessment; to provide for penalties; and to repeal certain acts and parts of acts,” by amending section 2 (MCL 290.422), as amended by 2000 PA 5.

(Filed with the Secretary of State July 7, 2005, at 9:55 a.m.)

Date: July 11, 2005

Time: 10:29 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4635 (Public Act No. 68, 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, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts,” by amending section 8515 (MCL 324.8515), as added by 1995 PA 60, and by adding section 8518.

(Filed with the Secretary of State July 11, 2005, at 11:20 a.m.)

Communications from State Officers

The following communications from the Secretary of State were received and read:

Notices of Filing
Administrative Rules

June 14, 2005

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 1:40 P.M. this date, administrative rule (05-06-01) for the Department of Labor and Economic Growth, Public Service Commission entitled “*Services Supplied by Water Utilities*”, effective immediately upon filing with the Secretary of State.

June 14, 2005

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 1:42 P.M. this date, administrative rule (05-06-02) for the Department of Labor and Economic Growth, Public Service Commission entitled “*Telecommunications Services*”, effective immediately upon filing with the Secretary of State.

June 17, 2005

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 2:00 P.M. this date, administrative rule (05-06-03) for the Department of Labor and Economic Growth, Director’s Office entitled “*Part 664. Telecommunications Industry*”, effective immediately upon filing with the Secretary of State.

June 21, 2005

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 1:55 P.M. this date, administrative rule (05-06-04) for the Department of Environmental Quality, Water Bureau entitled "*Sanitation Standards for Schools*", effective immediately upon filing with the Secretary of State.

June 21, 2005

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 2:58 P.M. this date, administrative rule (05-06-05) for the Department of Military Affairs, Military Family Relief Fund entitled "*Michigan Military Family Relief Fund*", effective immediately upon filing with the Secretary of State.

June 24, 2005

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 11:25 A.M. this date, administrative rule (05-06-06) for the Department of State Police, Director's Office entitled "*Test for Breath Alcohol*", effective immediately upon filing with the Secretary of State.

June 24, 2005

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 11:27 A.M. this date, administrative rule (05-06-07) for the Department of Labor and Economic Growth, Director's Office entitled "*Vocational Rehabilitation*", effective immediately upon filing with the Secretary of State.

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

The communications were referred to the Clerk

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

July 1, 2005

The 2004 Michigan Annual Drunk Driving Audit provides detailed information concerning the ongoing efforts to reduce drunk driving in our state. Alcohol related crashes and fatalities remain a significant traffic safety issue, with approximately 37 percent of our state's fatal crashes involving alcohol.

The Michigan Annual Drunk Driving Audit was compiled with information and data provided by the Michigan Department of State, the Michigan Department of Transportation and the Michigan Department of State Police. We appreciate the teamwork, assistance and dedication of each of these departments in helping to make Michigan's roads safe. We look forward to our continued partnership.

Questions regarding Section I (Traffic Crash and Arrest Data) should be directed to the Michigan Department of State Police, Criminal Justice Information Center, Traffic Crash Reporting Section at 517/322-1150. Questions regarding Section II (Conviction Disposition Data) should be directed to the Michigan Department of State at 517/322-1598.

As you review this report, please feel free to contact the Traffic Crash Reporting Section at 517/322-1150 with your suggestions and ideas.

Col. Tadarial J. Sturdivant, Director
Department of State Police

The communication was referred to the Clerk.

The following communication from the Auditor General was received and read:

July 8, 2005

Enclosed is a copy of the following audit report and/or report summary:
Performance audit of the Sex Offender Registries,
Department of State Police
July 2005

Sincerely,
Thomas H. McTavish, C.P.A.
Auditor General

The communication was referred to the Clerk and the accompanying report referred to the Committee on Government Operations.

Introduction of Bills

Rep. Bieda introduced

House Bill No. 5049, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 9a. The bill was read a first time by its title and referred to the Committee on Tax Policy.

Rep. Robertson introduced

House Bill No. 5050, entitled

A bill to amend 1974 PA 198, entitled "An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties," by amending section 9 (MCL 207.559), as amended by 1999 PA 140.

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

Reps. Farrah, Casperson, Accavitti and Gillard introduced

House Bill No. 5051, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 312g. The bill was read a first time by its title and referred to the Committee on Transportation.

Reps. Hoogendyk, Garfield, Vagnozzi, Virgil Smith, Gosselin, Palmer, Newell, Marleau, LaJoy, Jones, Drolet, Bieda and Meisner introduced

House Bill No. 5052, entitled

A bill to amend 1993 PA 327, entitled "Tobacco products tax act," by amending sections 2 and 8 (MCL 205.422 and 205.428), as amended by 2004 PA 474.

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

Rep. Stewart introduced

House Bill No. 5053, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 677b. The bill was read a first time by its title and referred to the Committee on Transportation.

Reps. Palmer, Gosselin, Stakoe, Vander Veen, Hildenbrand, Garfield, Taub, Elsenheimer, Shaffer, Amos, Pastor, Meyer, Stahl, Hoogendyk, Ball, Baxter, Robertson, Steil, Jones, Moolenaar, Wenke, Kahn, Nitz and Drolet introduced

House Joint Resolution M, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 53 of article IV, to expand the audit authority of the auditor general.

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

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

Rep. Ward moved to vacate the enrollment of **House Bill No. 4465**.
The motion prevailed.

Messages from the Senate

House Bill No. 4465, entitled

A bill to amend 1931 PA 328, entitled "An act to revise, consolidate, codify and add to the statutes relating to crimes; to define crimes and prescribe the penalties therefor; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act," (MCL 750.1 to 750.568) by adding section 236a.

(The bill was enrolled on June 30, see House Journal No. 62, p. 1128.)

Rep. Ward moved that Rule 67 be suspended.
The motion prevailed, 3/5 of the members present voting therefor.

Rep. Ward moved to reconsider the vote by which the House concurred in the Senate substitute (S-1).
The question being on the motion made by Rep. Ward,

Rep. Ward moved that consideration of the motion be postponed for the day.
The motion prevailed.

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

Rep. Ward moved to vacate the enrollment of **House Bill No. 4541**.
The motion prevailed.

Messages from the Senate

House Bill No. 4541, entitled

A bill to amend 1998 PA 58, entitled "An act to create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state liquor stores; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; and to repeal acts and parts of acts," by amending sections 518, 525, and 537 (MCL 436.1518, 436.1525, and 436.1537), section 518 as added by 2002 PA 725, section 525 as amended by 2004 PA 266, and section 537 as amended by 2001 PA 223.

(The bill was enrolled on June 30, see House Journal No. 62, p. 1129.)

Rep. Ward moved that Rule 67 be suspended.
The motion prevailed, 3/5 of the members present voting therefor.

Rep. Ward moved to reconsider the vote by which the House concurred in the Senate amendment.
The motion prevailed, a majority of the members serving voting therefor.
The question being on concurring in the amendment made to the bill by the Senate,

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

Second Reading of Bills

House Bill No. 4643, entitled

A bill to amend 1927 PA 372, entitled “An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act,” by amending section 51 (MCL 28.4251), as amended by 2002 PA 719.

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

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

Rep. Jones moved to amend the bill as follows:

1. Amend page 3, line 5, after “ACT.” by inserting “**A RECEIPT ISSUED UNDER THIS SUBSECTION SHALL CONTAIN ALL OF THE FOLLOWING:**

(A) THE NAME OF THE LICENSEE.

(B) THE DATE THE RECEIPT IS ISSUED.

(C) THE AMOUNT PAID.

(D) A STATEMENT THAT THE RECEIPT IS FOR A LICENSE RENEWAL.

(E) THE NAME OF THE COUNTY IN WHICH THE RECEIPT IS ISSUED.

(F) AN IMPRESSION OF THE COUNTY SEAL.”

The motion prevailed and the amendment 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.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4643, entitled

A bill to amend 1927 PA 372, entitled “An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act,” by amending section 51 (MCL 28.4251), as amended by 2002 PA 719.

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

Roll Call No. 340

Yeas—100

Accavitti	Emmons	Leland	Robertson
Acciavatti	Espinoza	Lemmons, III	Rocca
Adamini	Farhat	Lemmons, Jr.	Sak
Amos	Farrar	Marleau	Schuitmaker
Anderson	Gaffney	Mayer	Shaffer
Angerer	Garfield	McDowell	Sheen
Ball	Gillard	Meisner	Sheltrown
Baxter	Gleason	Meyer	Smith, Virgil
Bennett	Gonzales	Miller	Spade

Bieda	Gosselin	Moolenaar	Stahl
Booher	Green	Moore	Stakoe
Brandenburg	Hansen	Mortimer	Steil
Brown	Hildenbrand	Murphy	Stewart
Byrnes	Hoogendyk	Newell	Taub
Byrum	Hopgood	Nitz	Tobocman
Casperson	Huizenga	Nofs	Vagnozzi
Caswell	Hummel	Palmer	Van Regenmorter
Caul	Hune	Palsrok	Vander Veen
Clack	Hunter	Pastor	Walker
Clemente	Jones	Pavlov	Ward
Cushingberry	Kahn	Pearce	Waters
DeRoche	Kehrl	Phillips	Wenke
Dillon	Kooiman	Plakas	Whitmer
Drolet	LaJoy	Polidori	Williams
Elsenheimer	Law, Kathleen	Proos	Wojno

Nays—5

Condino	Hood	Kolb	Smith, Alma
Donigan			

In The Chair: Kooiman

The House agreed to the title of the bill.

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

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

Reps. Drolet, Newell, Brown, Pastor, Brandenburg, Taub, Accavitti, Amos, Gleason, Shaffer, Hoogendyk, Ward, Caul, Espinoza, Gonzales, Hildenbrand, Kahn, Kehrl, Marleau, McDowell, Mortimer, Palmer, Pavlov, Proos, Schuitmaker and Spade were named co-sponsors of the bill.

Second Reading of Bills

House Bill No. 4673, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 317a.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4673, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 317a.

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4674, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16p of chapter XVII (MCL 777.16p), as amended by 2000 PA 279.

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

Roll Call No. 342

Yeas—102

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

Nays—3

Drolet	Garfield	Smith, Virgil
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In The Chair: Kooiman

The House agreed to the title of the bill.

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

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

Second Reading of Bills

House Bill No. 4865, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 217f.

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. Caul moved that the bill be placed on the order of Third Reading of Bills.
 The motion prevailed.
 Rep. Ward moved that the bill be placed on its immediate passage.
 The motion prevailed, a majority of the members serving voting therefor.

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

House Bill No. 4865, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 217f.
 Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 343

Yeas—105

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

Nays—0

In The Chair: Kooiman

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

Reps. Accavitti, Adamini, Anderson, Angerer, Ball, Bieda, Brown, Byrum, Caswell, Clemente, Cushingberry, Dillon, Espinoza, Farhat, Farrah, Gillard, Gleason, Gonzales, Hildenbrand, Kehrl, Kooiman, Leland, Lemmons, III, Lemmons, Jr., Mayes, McDowell, Meisner, Meyer, Moore, Mortimer, Nitz, Nofs, Palsrok, Pastor, Phillips, Schuitmaker, Shaffer, Sheltrown, Alma Smith, Spade, Stewart, Tobocman, Vander Veen, Williams and Wojno were named co-sponsors of the bill.

Second Reading of Bills

House Bill No. 4866, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16*l* of chapter XVII (MCL 777.16*l*), as amended by 2003 PA 16.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Judiciary (for amendment, see House Journal No. 61, p. 1119),

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4866, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16*l* of chapter XVII (MCL 777.16*l*), as amended by 2003 PA 16.

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

Roll Call No. 344

Yeas—105

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

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.

Reps. Anderson, Kooiman, Meyer, Vander Veen, Adamini, Brown, Tobocman, Pastor, Wojno, Taub, Accavitti, Gleason, Caswell, Shaffer, Nofs, Nitz, Palsrok, Gillard, Ball, Cushingberry, Espinoza, Gonzales, Kehrl, Leland, Lemmons, III, Lemmons, Jr., Mayes, McDowell, Moore, Mortimer, Schuitmaker, Sheltroun and Spade were named co-sponsors of the bill.

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Lemmons, Jr. moved that the Committee on Employment Relations, Training, and Safety be discharged from further consideration of **House Bill No. 4046**.

(For first notice see House Journal No. 62, p. 1148.)

The question being on the motion made by Rep. Lemmons, Jr.

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

Rep. Ward moved that Rule 45(c) be suspended.

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

The bill was placed on the order of Second Reading of Bills.

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

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

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

The motion prevailed.

Rep. David Law entered the House Chambers.

Reps. Kolb, Accavitti, Adamini, Brandenburg, Brown, Byrnes, Condino, Cushingberry, Elsenheimer, Farrah, Gleason, Gonzales, Hildenbrand, Hopgood, Kehrl, Lemmons, III, Lemmons, Jr., Mayes, Meyer, Mortimer, Murphy, Phillips, Polidori, Proos, Sak, Sheltroun, Alma Smith, Stewart, Taub, Tobocman, Vagnozzi, Vander Veen, Waters, Wojno and Byrum offered the following resolution:

House Resolution No. 108.

A resolution honoring and remembering Arthur Miller for his significant contribution to the citizens of the state of Michigan and the country as a whole.

Whereas, Most are aware of Mr. Miller's genius on the stage with "Death of a Salesman," "The Crucible," and a "View from the Bridge." Others appreciate his literary achievements including a variety of books, articles, and screen plays. Still others have applauded the moral messages in his artistic endeavors, his political wit, his strong work ethic, and his willingness to listen to others despite his success. In addition, his tenacity and ability to persevere despite disappointments is cited as truly exceptional and worthy of recognition; and

Whereas, Many, however, are unaware of Mr. Miller's connection to the state of Michigan through the University of Michigan in Ann Arbor. After saving up money from odd jobs back home in New York, Mr. Miller came to the University of Michigan to hone his craft of writing. Choosing the University of Michigan for its affordable tuition and its commitment to writing through the yearly Hopwood writing awards, he was impressed by what he found there. Fifteen years after graduation, Mr. Miller was quoted as saying "It was...the testing ground for all my prejudices, my beliefs and my ignorance, and it helped me lay out the boundaries of my life."; and

Whereas, After graduation, Mr. Miller continued to collaborate on various endeavors with the faculty and staff of the University of Michigan and is one of the most distinguished alumni from the University and the state of Michigan. The recently approved "Arthur Miller Theater," to be built on North Campus at the University of Michigan, will continue to serve as a lasting memorial of his special contributions to our state and the university campus. It is this special connection to Michigan that we wish to honor; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body honor and remember Arthur Miller. May his family accept this resolution as a symbol of the high regard in which his memory is held by the people of Michigan.

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. Palmer, Accavitti, Adamini, Ball, Brandenburg, Brown, Byrnes, Caswell, Caul, Condino, Cushingberry, Elsenheimer, Farrah, Gleason, Gonzales, Hildenbrand, Hopgood, Jones, Kehrl, Kolb, LaJoy, Lemmons, III, Lemmons, Jr., Marleau, Mayes, Meyer, Mortimer, Murphy, Pearce, Phillips, Polidori, Proos, Sak, Sheltroun, Stahl, Stewart, Taub, Vagnozzi, Vander Veen, Walker, Waters, Wojno and Byrum offered the following resolution:

House Resolution No. 109.

A resolution commemorating September 2005 as Children's Internet Safety Month in the state of Michigan.

Whereas, The Internet is one of the most effective tools available for purposes of education and research. It gives children the means to make friends and freely communicate with peers and family anywhere in the world; and

Whereas, It is vital to the well-being of children that the Internet offers them a wholesome environment to explore and that its capacity to deliver pornographic material to the innocent be responsibly monitored and effectively screened; and

Whereas, Children are ill-equipped to cope with lurid Internet content and cyberpredators and are at risk in their own homes, schools, and libraries; and

Whereas, Parents, religious and government leaders, educators, and rational-thinking people everywhere are concerned about children's Internet safety, web manipulation by the unscrupulous, and the rising tide of pornographic web sites; and

Whereas, Objectionable material, such as violent, obscene, or sexually explicit adult material may be received by a minor in an unsolicited form; and

Whereas, It is imperative that Michigan parents, guardians, grandparents, teachers, and family members, along with churches, business and community leaders, and organizations, be alerted to the pervasiveness and danger of pornography on the Internet. Support of this public service initiative will improve the Internet culture within their own spheres of influence; and

Whereas, The century of instant global communication holds great promise for achieving better understanding among the people of the world. A broader resolve is heralded to protect the safety of children in order that the Internet not be perceived as an instrument of cunning, pornographic invitation to the young, but as evidence of profound respect for human dignity, creative inquiry, and commitment to excellence; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body commemorate September 2005 as Children's Internet Safety Month in the state of Michigan and express our support for the efforts to protect our children against harmful Internet materials; and be it further

Resolved, That copies of this resolution be transmitted to the Governor and Lieutenant Governor of the state of Michigan.

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. Farhat and Palsrok offered the following resolution:

House Resolution No. 110.

A resolution recognizing September 15, 2005, as Buy Fresh, Buy Local, Select Michigan Day in the state of Michigan.

Whereas, Michigan's fertile soils, moderate climate, abundance of water, and innovative production technologies help our farmers grow over 125 raw commodities to be sold locally, nationally, and in markets around the world; and

Whereas, Through value-added processing, Michigan's agricultural sector can increase the diversity of products tenfold by producing such things as maple candy, dried cherries, hand-crafted cheeses, soy-based products, and clean fuel by using corn as a source; and

Whereas, Michigan's food industry leads the nation in the production of nine major crops and ranks fifth or higher in 28 crops; and

Whereas, In Michigan, agriculture is second only to the automotive industry in terms of economic contribution, adding over \$37 billion to our state economy each year; and

Whereas, When asked, Michigan residents prefer to purchase goods that are grown here in Michigan, and by selecting Michigan grown and processed products, residents are helping to preserve our agricultural heritage; and

Whereas, Michigan's beautiful landscapes and bountiful harvests bring millions in tourism dollars to this state every year, and as such, a special day sponsored by Michigan Integrated Food & Farming Systems and the Michigan Department of Agriculture will be set aside in September to celebrate the diversity of Michigan's agriculture; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare September 15, 2005, as Buy Fresh, Buy Local, Select Michigan Day in the state of Michigan. We encourage all Michigan citizens to "Buy Fresh and Buy Local" to support and preserve Michigan's agricultural heritage.

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.

Reports of Standing Committees

The Committee on Insurance, by Rep. Hune, Chair, reported

House Bill No. 4742, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding chapter 21A.

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. Hune, Robertson, Emmons, Gaffney, Sheen, Ball, Hildenbrand, Marleau and Mortimer

Nays: Reps. Hood, Adamini, Leland, Anderson, Condino and Farrah

The Committee on Insurance, by Rep. Hune, Chair, reported

House Bill No. 4904, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3109a (MCL 500.3109a).

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. Hune, Robertson, Emmons, Gaffney, Sheen, Ball, Hildenbrand, Marleau and Mortimer

Nays: Reps. Hood, Adamini, Leland, Anderson, Condino and Farrah

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, July 13, 2005

Present: Reps. Hune, Robertson, Emmons, Gaffney, Sheen, Ball, Hildenbrand, Marleau, Mortimer, Hood, Adamini, Leland, Anderson, Condino and Farrah

Absent: Reps. David Law and Wojno

Excused: Reps. David Law and Wojno

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

House Bill No. 5047, entitled

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," by amending the title and sections 3, 4, and 13 (MCL 125.2003, 125.2004, and 125.2013), sections 4 and 13 as amended by 1987 PA 278, and by adding sections 94 and 95 and chapter 8A.

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, Schuitmaker, Meisner and Tobocman

Nays: None

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

House Bill No. 5048, entitled

A bill to create the Michigan tobacco settlement securitization authority; to create funds and accounts; to provide for the transfer of state assets to the authority; to authorize the issuing of bonds and notes; to prescribe the powers and duties of the authority; and to make an appropriation.

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: Wednesday, July 13, 2005

Present: Reps. Huizenga, Baxter, Emmons, Palsrok, Wenke, Green, Hildenbrand, Jones, Marleau, Pavlov, Schuitmaker, Meisner, Tobocman, Murphy, Dillon, Bennett and Accavitti

Absent: Reps. David Law and McConico

Excused: Reps. David Law and McConico

Introduction of Bills

Reps. Taub, Stahl, Vander Veen, Gosselin, Proos, Hildenbrand, Palmer, Marleau, Garfield, Robertson, Newell, Pastor and Amos introduced

House Bill No. 5054, entitled

A bill to amend 1964 PA 170, entitled "An act to make uniform the liability of municipal corporations, political subdivisions, and the state, its agencies and departments, officers, employees, and volunteers thereof, and members of certain boards, councils, and task forces when engaged in the exercise or discharge of a governmental function, for injuries to property and persons; to define and limit this liability; to define and limit the liability of the state when engaged in a proprietary function; to authorize the purchase of liability insurance to protect against loss arising out of this liability; to provide for defending certain claims made against public officers, employees, and volunteers and for paying damages sought or awarded against them; to provide for the legal defense of public officers, employees, and volunteers; to provide for reimbursement of public officers and employees for certain legal expenses; and to repeal acts and parts of acts," by amending section 7 (MCL 691.1407), as amended by 2004 PA 428.

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

Rep. Caswell introduced

House Bill No. 5055, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20161 (MCL 333.20161), as amended by 2004 PA 469.

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

Reps. Bieda, Ward and Stakoe introduced

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 1987 PA 66.

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

Reps. Moore, Gosselin, Garfield, Plakas, Ball, Booher, Moolenaar, LaJoy and Lemmons, III introduced

House Bill No. 5057, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 91.

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

Reps. Williams, Adamini, Brown, Kehrl, Plakas, Hopgood, Kathleen Law, Farrah, Accavitti, Byrnes, Alma Smith, Hood, Anderson, Clack, Miller and Phillips introduced

House Bill No. 5058, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1164.

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

Reps. Byrnes, Accavitti, Brown, Adamini, Hopgood, Spade, Wojno and Gleason introduced

House Bill No. 5059, entitled

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending section 3 (MCL 445.903), as amended by 2004 PA 462.

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

Rep. Hune moved that the House adjourn.

The motion prevailed, the time being 3:15 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, July 20, at 1:00 p.m.

GARY L. RANDALL
Clerk of the House of Representatives

