

No. 76
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House Chamber, Lansing, Wednesday, September 17, 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—present	LeBlanc—present	Rocca—present
Ball—present	Espinoza—present	Leland—present	Sak—present
Bauer—present	Farrah—present	Lemmons—present	Schuitmaker—present
Bennett—present	Gaffney—present	Lindberg—present	Scott—present
Bieda—present	Garfield—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—excused
Calley—present	Hammon—present	Melton—present	Spade—present
Casperson—excused	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—excused	Hopgood—present	Moss—present	Vagnozzi—present
Clemente—present	Horn—present	Nitz—present	Valentine—present
Condino—present	Huizenga—present	Nofs—present	Walker—present
Constan—present	Hune—present	Opsommer—present	Ward—present
Corriveau—present	Jackson—present	Palmer—present	Warren—present
Coulouris—present	Johnson—present	Palsrok—present	Wenke—present
Cushingberry—present	Jones, Rick—present	Pastor—present	Wojno—present
Dean—present	Jones, Robert—present	Pavlov—present	Young—present
DeRoche—present	Knollenberg—present		

e/d/s = entered during session

Rep. Shanelle Jackson, from the 9th District, offered the following invocation:

“Father, in the name of Jesus, we come before Your throne giving You and You alone all the glory, honor, and praise. Lord, the word says that You called leaders. Father, I just ask that You give us all the strength that we need. We know that we can do all things through Christ who strengthens us. So make us courageous in our actions, heavenly Father. I thank You Father that we’ll work in a bipartisan manner to move this state forward. I thank You that there is a peace in our hearts as we do our work. I thank You, Lord God that we have Your protection and Your protection over everyone that is in this chamber. We will continue to give You and You alone all the glory, honor, and praise. Amen.”

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

Rep. Angerer moved that Reps. Clack and Virgil Smith be excused from today’s session.
The motion prevailed.

Reports of Standing Committees

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

House Bill No. 6249, entitled

A bill to amend 1984 PA 274, entitled “Michigan antitrust reform act,” by amending the title and sections 6 and 7 (MCL 445.776 and 445.777), the title as amended by 1987 PA 243.

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, Warren, David Law, Rick Jones and Rocca

Nays: None

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

House Bill No. 6250, entitled

A bill to amend 1976 PA 331, entitled “Michigan consumer protection act,” by amending sections 3, 7, and 8 (MCL 445.903, 445.907, and 445.908), section 3 as amended by 2006 PA 508.

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

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, September 17, 2008

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

Absent: Rep. Virgil Smith

Excused: Rep. Virgil Smith

Second Reading of Bills

House Bill No. 6249, entitled

A bill to amend 1984 PA 274, entitled “Michigan antitrust reform act,” by amending the title and sections 6 and 7 (MCL 445.776 and 445.777), the title as amended by 1987 PA 243.

The bill was read a second time.

Rep. Condino moved to amend the bill as follows:

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

“SEC. 8A. IF A COURT ACTION BROUGHT BY THIS STATE, A POLITICAL SUBDIVISION OF THIS STATE, OR A PUBLIC AGENCY UNDER THIS ACT IS RESOLVED BY SETTLEMENT, NONE OF THE PROCEEDS OF THAT SETTLEMENT SHALL BE USED FOR ADVERTISING OR A PUBLIC SERVICE MESSAGE THAT INCLUDES A REFERENCE TO, OR THE IMAGE OR VOICE OF, A PERSON WHO HOLDS AN ELECTIVE STATE OFFICE OR IS A CANDIDATE FOR ELECTIVE STATE OFFICE.”.

The motion prevailed and the amendment was adopted, a majority of the members serving 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. 6249, entitled

A bill to amend 1984 PA 274, entitled “Michigan antitrust reform act,” by amending the title and sections 6 and 7 (MCL 445.776 and 445.777), the title as amended by 1987 PA 243.

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

Roll Call No. 733

Yeas—106

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

Nays—1

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 1984 PA 274, entitled "Michigan antitrust reform act," by amending the title and sections 6 and 7 (MCL 445.776 and 445.777), the title as amended by 1987 PA 243 and by adding section 8a.

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.

Reps. Accavitti, Bennett, Bieda, Espinoza, Gillard, Gonzales, Hopgood, Lahti, Mayes, McDowell, Melton, Polidori, Rocca, Sak, Scott, Simpson and Vagnozzi were named co-sponsors of the bill.

Second Reading of Bills**House Bill No. 6250, entitled**

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending sections 3, 7, and 8 (MCL 445.903, 445.907, and 445.908), section 3 as amended by 2006 PA 508.

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. Meltzer moved to amend the bill as follows:

1. Amend page 10, following line 25, by inserting:

"(4) IN FURTHERANCE OF SUBSECTION (1)(Z), THE PUBLIC SERVICE COMMISSION SHALL REVIEW MOTOR FUEL PRICES IN THIS STATE ON A QUARTERLY BASIS AND DETERMINE THE AVERAGE COST OF EACH COMPONENT OF THE RETAIL PRICE OF MOTOR FUEL, INCLUDING, BUT NOT LIMITED TO, STATE AND FEDERAL TAXES, WHOLESALE MOTOR FUEL PRICES, AND DELIVERY, DISTRIBUTION, AND OTHER EXPENSES RELATED TO MOTOR FUEL. THE COMMISSION SHALL PUBLISH THE AVERAGE COST OF EACH COMPONENT OF MOTOR FUEL ON THE COMMISSION'S INTERNET WEBSITE."

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

Rep. Condino moved to amend the bill as follows:

1. Amend page 10, following line 25, by inserting:

"Sec. 4. (1) This act does not apply to either of the following:

(a) A transaction or conduct specifically authorized under laws administered by a regulatory board or officer acting under statutory authority of this state or the United States. **HOWEVER, THE EXISTENCE OF A RULE OR STATUTE OR THE GRANT OF A LICENSE THAT REGULATES OR AUTHORIZES A GENERAL TRANSACTION OF A PERSON ENGAGED IN TRADE OR COMMERCE IN THIS STATE DOES NOT EXEMPT THAT PERSON FROM THIS SUBDIVISION.**

(b) An act done by ~~the~~ a publisher, owner, agent, or employee of a newspaper, periodical, directory, radio or television station, or other communications medium in the publication or dissemination of an advertisement unless the publisher, owner, agent, or employee knows or, under the circumstances, reasonably should know of the false, misleading, or deceptive character of the advertisement or has a direct financial interest in the sale or distribution of the advertised goods, property, or service.

(2) Except for the purposes of an action filed by a person under section 11, this act does not apply to or create a cause of action for an unfair, unconscionable, or deceptive method, act, or practice that is made unlawful by any of the following:

(a) The banking code of 1999, 1999 PA 276, MCL 487.11101 to 487.15105.

(b) 1939 PA 3, MCL 460.1 to 460.10cc.

(c) The motor carrier act, 1933 PA 254, MCL 475.1 to 479.43.

(d) The savings bank act, 1996 PA 354, MCL 487.3101 to 487.3804.

(e) The credit union act, **2003 PA 215, MCL 490.101 TO 490.601.**

(3) This act does not apply to or create a cause of action for an unfair, unconscionable, or deceptive method, act, or practice that is made unlawful by chapter 20 of the insurance code of 1956, 1956 PA 218, MCL 500.2001 to 500.2093.

(4) The burden of proving an exemption from this act is upon the person claiming the exemption.”.

2. Amend page 16, following line 8, by inserting:

“Enacting section 1. (1) Contrary to the Michigan Supreme Court’s ruling in *Smith v Globe Life Ins. Co.*, 460 Mich 446 (1999), it is the intent of the legislature that the phrase “specifically authorized” as used in section 4(1)(a) of the Michigan consumer protection act, 1976 PA 331, MCL 445.904, was and is intended to narrowly limit the exemption.

(2) It is the intent of the legislature that the phrase “specifically authorized” as used in section 4(1)(a) of the Michigan consumer protection act, 1976 PA 331, MCL 445.904, does not mean “generally authorized”. It is the intent of the legislature that the exemption provided in section 4(1)(a) of that act is much more limited, applying only if a challenged conduct is specifically authorized by law or by a governmental regulatory board or officer. The language of the exemption was and is intended to apply to protect a person engaged in trade or business from potential liability under the Michigan consumer protection act, 1976 PA 331, MCL 445.901 to 445.922, when its challenged conduct, not the general transaction, is specifically authorized by law or by a governmental regulatory board or officer.

(3) It is the intent of the legislature to restore the exemption established in section 4(1)(a) of the Michigan consumer protection act, 1976 PA 331, MCL 445.904, to its original construction in *Attorney General v Diamond Mortgage Co.*, 414 Mich 603, 617 (1982), that a license is not specific authority for all the conduct and transactions of the licensee’s business.”.

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

Rep. Dean 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. 6250, entitled

A bill to amend 1976 PA 331, entitled “Michigan consumer protection act,” by amending sections 3, 7, and 8 (MCL 445.903, 445.907, and 445.908), section 3 as amended by 2006 PA 508.

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

Roll Call No. 734

Yeas—106

Accavitti	Donigan	Lahti	Pavlov
Acciavatti	Ebli	LaJoy	Pearce
Agema	Elsenheimer	Law, David	Polidori
Amos	Emmons	Law, Kathleen	Proos
Angerer	Espinoza	LeBlanc	Robertson
Ball	Farrah	Leland	Rocca
Bauer	Gaffney	Lemmons	Sak
Bennett	Garfield	Lindberg	Schuitmaker
Bieda	Gillard	Marleau	Scott
Booher	Gonzales	Mayes	Shaffer
Brandenburg	Green	McDowell	Sheltrown
Brown	Griffin	Meadows	Simpson
Byrnes	Hammel	Meekhof	Smith, Alma
Byrum	Hammon	Meisner	Spade
Calley	Hansen	Melton	Stahl
Caswell	Hildenbrand	Meltzer	Stakoe
Caul	Hood	Miller	Steil
Cheeks	Hoogendyk	Moolenaar	Tobocman
Clemente	Hopgood	Moore	Vagnozzi
Condino	Horn	Moss	Valentine

Constan	Huizenga	Nitz	Walker
Corriveau	Hune	Nofs	Ward
Coulouris	Jackson	Opsommer	Warren
Cushingberry	Johnson	Palmer	Wenke
Dean	Jones, Rick	Palsrok	Wojno
DeRoche	Jones, Robert	Pastor	Young
Dillon	Knollenberg		

Nays—1

Sheen

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 1976 PA 331, entitled “Michigan consumer protection act,” by amending sections 3, 4, 7, and 8 (MCL 445.903, 445.904, 445.907, and 445.908), section 3 as amended by 2008 PA 211 and section 4 as amended by 2003 PA 216.

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.

Reps. Accavitti, Bauer, Bieda, Brown, Cushingberry, Gonzales, Hammel, Hammon, Hopgood, Horn, Jackson, Robert Jones, Kathleen Law, Lemmons, Lindberg, Mayes, McDowell, Melton, Polidori, Proos, Sak, Scott, Sheltroun, Simpson and Vagnozzi were named co-sponsors of the bill.

Comments and Recommendations

Rep. Schuitmaker moved that Rule 75 be suspended.

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

Rep. Schuitmaker moved that the following remarks be printed in the Journal.

The motion prevailed.

Rep. Schuitmaker:

“Colleagues, I have the distinct pleasure of standing before you today to recognize someone who means more to this state than any of us can even measure. His contributions are endless and implemented with benevolence, integrity, intelligence, institutional knowledge and yes, often times humor.

I could go on and try and elaborate on what he means to this legislative body.... to the Republican caucus....or to the Judiciary committee, but what Bruce Timmons legacy will be....is his service to the people of Michigan. He has been a champion for every individual who has been through the Michigan court system. His work ethic and veracity have created a fairer and more judicious Michigan and for that I am grateful to have him in our caucus and in our state.

Bruce will be recognized this evening at the State Bar of Michigan’s Annual Dinner with the Frank J. Kelley Distinguished Public Service Award. Therefore, I ask my colleagues and staff to recognize an INSTITUTION..... Bruce Timmons.”

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 6251, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding section 22225a. The bill was read a third time.

The question being on the passage of the bill,

Rep. Robert Jones moved to substitute (H-3) the bill.

The motion was seconded and the substitute (H-3) was adopted, a majority of the members serving voting therefor.
The question being on the passage of the bill,

Rep. Calley moved to amend the bill as follows:

1. Amend page 1, line 6, after “**FACILITY**” by inserting “**OR A NONPROFIT NURSING HOME THAT SUBMITS FORM 990 TO THE INTERNAL REVENUE SERVICE**”.

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

The question being on the passage of the bill,

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

Roll Call No. 735

Yeas—61

Accavitti	Dean	Jones, Robert	Moore
Angerer	Dillon	LaJoy	Nofs
Ball	Donigan	Law, David	Polidori
Bauer	Ebli	Law, Kathleen	Rocca
Bennett	Espinoza	LeBlanc	Sak
Bieda	Farrah	Leland	Scott
Brown	Gaffney	Lemmons	Simpson
Byrnes	Gillard	Lindberg	Smith, Alma
Byrum	Gonzales	Mayer	Spade
Cheeks	Hammel	McDowell	Tobocman
Clemente	Hammon	Meadows	Vagnozzi
Condino	Hood	Meisner	Valentine
Constan	Hopgood	Melton	Warren
Corriveau	Jackson	Meltzer	Wojno
Coulouris	Johnson	Miller	Young
Cushingberry			

Nays—46

Acciavatti	Green	Meekhof	Robertson
Agema	Griffin	Moolenaar	Schuitmaker
Amos	Hansen	Moss	Shaffer
Booher	Hildenbrand	Nitz	Sheen
Brandenburg	Hoogendyk	Opsommer	Sheltrown
Calley	Horn	Palmer	Stahl
Caswell	Huizenga	Palsrok	Stakoe
Caul	Hune	Pastor	Steil
DeRoche	Jones, Rick	Pavlov	Walker
Elsenheimer	Knollenberg	Pearce	Ward
Emmons	Lahti	Proos	Wenke
Garfield	Marleau		

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, Constan, Gaffney, Gonzales, Hammel, Hammon, Melton, Sak and Tobocman were named co-sponsors of the bill.

House Bill No. 6252, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20142 (MCL 333.20142).

The bill was read a third time.

The question being on the passage of the bill,

Rep. Angerer moved to substitute (H-3) the bill.

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

The question being on the passage of the bill,

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

Roll Call No. 736**Yeas—62**

Accavitti	Dillon	LaJoy	Nofs
Angerer	Donigan	Law, David	Polidori
Bauer	Ebli	Law, Kathleen	Rocca
Bennett	Espinoza	LeBlanc	Sak
Bieda	Farrah	Leland	Scott
Brown	Gaffney	Lemmons	Sheltrown
Byrnes	Gillard	Lindberg	Simpson
Byrum	Gonzales	Mayer	Smith, Alma
Cheeks	Hammel	McDowell	Spade
Clemente	Hammon	Meadows	Tobocman
Condino	Hood	Meisner	Vagnozzi
Constan	Hopgood	Melton	Valentine
Corriveau	Jackson	Meltzer	Warren
Coulouris	Johnson	Miller	Wojno
Cushingberry	Jones, Robert	Moore	Young
Dean	Lahti		

Nays—45

Acciavatti	Garfield	Marleau	Proos
Agema	Green	Meekhof	Robertson
Amos	Griffin	Moolenaar	Schuitmaker
Ball	Hansen	Moss	Shaffer
Booher	Hildenbrand	Nitz	Sheen
Brandenburg	Hoogendyk	Opsommer	Stahl
Calley	Horn	Palmer	Stakoe
Caswell	Huizenga	Palsrok	Steil
Caul	Hune	Pastor	Walker
DeRoche	Jones, Rick	Pavlov	Ward
Elsenheimer	Knollenberg	Pearce	Wenke
Emmons			

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.

House Bill No. 6253, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 21766 (MCL 333.21766), as amended by 2001 PA 243.

The bill was read a third time.

The question being on the passage of the bill,

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

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

The question being on the passage of the bill,

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

Roll Call No. 737**Yeas—98**

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

Nays—9

Garfield	Meekhof	Pastor	Stahl
Green	Palmer	Sheen	Walker
Hune			

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.

House Bill No. 6254, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 21781 (MCL 333.21781).

The bill was read a third time.

The question being on the passage of the bill,

Rep. Simpson moved to substitute (H-3) the bill.

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

The question being on the passage of the bill,

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

Roll Call No. 738

Yeas—98

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

Nays—9

Agema	Hune	Palmer	Stahl
Garfield	Knollenberg	Sheen	Walker
Hoogendyk			

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.

House Bill No. 6255, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 21711 (MCL 333.21711).

The bill was read a third time.

The question being on the passage of the bill,

Rep. Angerer moved to substitute (H-3) the bill.

The motion was seconded and the substitute (H-3) was adopted, a majority of the members serving voting therefor.
The question being on the passage of the bill,

Rep. Calley moved to amend the bill as follows:

1. Amend page 2, line 13, after “FACILITY” by inserting “**OR A NONPROFIT NURSING HOME THAT SUBMITS FORM 990 TO THE INTERNAL REVENUE SERVICE**”.

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

The question being on the passage of the bill,

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

Roll Call No. 739

Yeas—80

Accavitti	Dean	Jones, Rick	Proos
Amos	DeRoche	Jones, Robert	Robertson
Angerer	Dillon	Lahti	Rocca
Ball	Donigan	LaJoy	Sak
Bauer	Ebli	Law, David	Schuitmaker
Bennett	Espinoza	Law, Kathleen	Scott
Bieda	Farrah	LeBlanc	Sheltrown
Booher	Gaffney	Leland	Simpson
Brown	Gillard	Lemmons	Smith, Alma
Byrnes	Gonzales	Lindberg	Spade
Byrum	Griffin	Mayer	Stakoe
Calley	Hammel	McDowell	Steil
Caswell	Hammon	Meadows	Tobocman
Cheeks	Hansen	Meisner	Vagnozzi
Clemente	Hildenbrand	Melton	Valentine
Condino	Hood	Miller	Ward
Constan	Hopgood	Moore	Warren
Corriveau	Horn	Nofs	Wenke
Coulouris	Jackson	Opsommer	Wojno
Cushingberry	Johnson	Polidori	Young

Nays—27

Acciavatti	Green	Meltzer	Pavlov
Agema	Hoogendyk	Moolenaar	Pearce
Brandenburg	Huizenga	Moss	Shaffer
Caul	Hune	Nitz	Sheen
Elsenheimer	Knollenberg	Palmer	Stahl
Emmons	Marleau	Palsrok	Walker
Garfield	Meekhof	Pastor	

In The Chair: Sak

The House agreed to the title of the bill.

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

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

House Bill No. 6256, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 21799c (MCL 333.21799c), as amended by 1996 PA 546.

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

Roll Call No. 740**Yeas—107**

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

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.

Rep. Meekhof moved that Rep. Hoogendyk be excused from the balance of today's session.

The motion prevailed.

House Bill No. 6261, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 21743, 21755, 21757, and 21782 (MCL 333.21743, 333.21755, 333.21757, and 333.21782) and by adding section 21714.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Donigan moved to substitute (H-3) the bill.

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

The question being on the passage of the bill,

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

Roll Call No. 741**Yeas—64**

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

Nays—42

Acciavatti	Garfield	Meltzer	Proos
Agema	Green	Moolenaar	Robertson
Amos	Griffin	Moss	Shaffer
Booher	Hansen	Nitz	Sheen
Brandenburg	Hildenbrand	Opsommer	Stahl
Calley	Huizenga	Palmer	Stakoe
Caswell	Hune	Palsrok	Steil
Caul	Jones, Rick	Pastor	Walker
DeRoche	Knollenberg	Pavlov	Ward
Elsenheimer	Marleau	Pearce	Wenke
Emmons	Meekhof		

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.

House Bill No. 6388, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21742.

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

Roll Call No. 742**Yeas—61**

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

Nays—45

Acciavatti	Garfield	Meekhof	Proos
Agema	Green	Meltzer	Robertson
Amos	Griffin	Moolenaar	Schuitmaker
Ball	Hansen	Moss	Shaffer
Booher	Hildenbrand	Nitz	Sheen
Brandenburg	Horn	Opsommer	Stahl
Calley	Huizenga	Palmer	Stakoe
Caswell	Hune	Palsrok	Steil
Caul	Jones, Rick	Pastor	Walker
DeRoche	Knollenberg	Pavlov	Ward
Elsenheimer	Marleau	Pearce	Wenke
Emmons			

In The Chair: Sak

The House agreed to the title of the bill.

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

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

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Agema moved that the Committee on Oversight and Investigations be discharged from further consideration of **House Bill No. 5655**.

(For first notice see House Journal No. 75, p. 2168.)

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

Rep. Agema demanded the yeas and nays.

The demand was supported.

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

Rep. Dean moved that consideration of the motion be postponed for the day.

The motion prevailed.

Rep. Agema moved that the Committee on Oversight and Investigations be discharged from further consideration of **House Bill No. 5656**.

(For first notice see House Journal No. 75, p. 2168.)

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

Rep. Agema demanded the yeas and nays.

The demand was supported.

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

Rep. Dean moved that consideration of the motion be postponed for the day.

The motion prevailed.

Rep. Agema moved that the Committee on Oversight and Investigations be discharged from further consideration of **House Bill No. 5657**.

(For first notice see House Journal No. 75, p. 2168.)

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

Rep. Agema demanded the yeas and nays.

The demand was supported.

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

Rep. Dean moved that consideration of the motion be postponed for the day.

The motion prevailed.

Rep. Agema moved that the Committee on Oversight and Investigations be discharged from further consideration of **House Bill No. 5658**.

(For first notice see House Journal No. 75, p. 2168.)

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

Rep. Agema demanded the yeas and nays.

The demand was supported.

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

Rep. Dean moved that consideration of the motion be postponed for the day.

The motion prevailed.

Rep. Agema moved that the Committee on Transportation be discharged from further consideration of **House Bill No. 5659**.

(For first notice see House Journal No. 75, p. 2168.)

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

Rep. Agema demanded the yeas and nays.

The demand was supported.

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

Rep. Dean moved that consideration of the motion be postponed for the day.

The motion prevailed.

Rep. Agema moved that the Committee on Transportation be discharged from further consideration of **House Bill No. 5660**.

(For first notice see House Journal No. 75, p. 2168.)

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

Rep. Agema demanded the yeas and nays.

The demand was supported.

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

Rep. Dean moved that consideration of the motion be postponed for the day.

The motion prevailed.

Rep. Dean moved that House Committees be given leave to meet during the balance of today's session.
The motion prevailed.

Reps. Sheltroun, Mayes, Moore, Booher, Horn, Hammon, Hammel, Stahl, Espinoza, Casperson, Brown, Stakoe, Accavitti, Agema, Caul, Condino, Dean, Gonzales, Hildenbrand, Huizenga, Robert Jones, Lemmons, Lindberg, Nitz, Palmer, Pastor, Polidori, Proos, Spade and Leland offered the following resolution:

House Resolution No. 435.

A resolution to urge the Director of the Michigan Department of Natural Resources and the Natural Resources Commission to lift the ban on deer baiting in the Lower Peninsula and to take certain actions to protect the health of the state's deer herd.

Whereas, The state of Michigan adopted the Michigan Surveillance and Response Plan for Chronic Wasting Disease in 2002. The plan calls for an immediate ban on baiting and supplemental feeding of cervids in a peninsula of this state in which chronic wasting disease (CWD) is found; and

Whereas, In August 2008, chronic wasting disease was confirmed in a three-year old privately owned white tail deer at a captive cervid ranch in Kent County. Pursuant to the Michigan Surveillance and Response Plan for Chronic Wasting Disease, the Director of the Michigan Department of Natural Resources immediately issued an interim order banning the baiting and feeding of deer in Michigan's Lower Peninsula; and

Whereas, It is now known that all of the other deer at the Kent County ranch have tested negative for chronic wasting disease. The epidemiology investigation of the infected deer has not shown the presence of chronic wasting disease at related captive cervid operations, and chronic wasting disease has not been shown to be present in Michigan's free ranging deer population; and

Whereas, Broad baiting bans have not been shown to be an effective means to control chronic wasting disease, leading states such as Wisconsin to not implement broad baiting bans to stop the spread of the disease; and

Whereas, A broad ban on baiting in Michigan's Lower Peninsula is anticipated to result in lowered participation in the 2008 archery and firearms deer seasons, resulting in a decreased rate of harvest; and

Whereas, Many of the deer management units in Michigan, particularly in the southern Lower Peninsula, are already over-populated; and

Whereas, A decreased rate of harvest would result in greater deer density in the wild deer population and an increased rate of motorized vehicle collisions with deer with the potential for the loss of human life; and

Whereas, A ban on baiting throughout the entire Lower Peninsula for 2008 would result in millions of dollars of economic cost to farmers and retailers and would result in a wide ranging loss of employment and the ruin of some small markets, stores, and farms; now, therefore, be it

Resolved by the House of Representatives, That we urge the Director of the Michigan Department of Natural Resources to lift the ban on the baiting of deer in Michigan's entire Lower Peninsula without delay and to apply a ban on the baiting of deer to the Kent County CWD surveillance zone, those areas in close proximity to the zone as is deemed reasonable to control the spread of chronic wasting disease in central west Michigan, and those areas in which baiting is currently banned as part of the effort to control the spread of bovine tuberculosis; and be it further

Resolved, That we request the Michigan Natural Resources Commission to conduct public hearings on the baiting of deer and elk in Michigan and to use sound scientific management to issue rules regarding baiting, taking into account the management, economic, and social impact of baiting and its effects on the health of the state's deer herd; and be it further

Resolved, That copies of this resolution be transmitted to the Governor of Michigan, the Director of the Michigan Department of Natural Resources, and the Michigan Natural Resources Commission.

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. Leland, Brown, Donigan, Polidori, Valentine, Young, Bieda, Scott, Stahl, Rick Jones, Ward, Hune, Accavitti, Condino, Dean, Gonzales, Hammel, Hammon, Hildenbrand, Robert Jones, Lemmons, Marleau, Palmer, Proos, Shaffer, Sheltroun, Spade, Tobocman and Vagnozzi offered the following resolution:

House Resolution No. 436.

A resolution declaring September 2008 as Pain Awareness Month in the state of Michigan.

Whereas, Pain is a serious health problem that affects an estimated 50 million Americans every year; and

Whereas, People who suffer through pain are often marginalized and stigmatized. Thus often not informed of their right to effective pain assessment and management; and

Whereas, Untreated chronic pain may rob the citizens of Michigan of their quality of life — affecting physical, psychological, social, and spiritual well-being; and

Whereas, According to published estimates, one in five individuals has moderate to severe chronic pain, and a third of those individuals are inhibited from leading an active lifestyle because of it; and

Whereas, It is estimated that more than \$100 billion annually is lost in workdays and medical expenses due to pain-related issues. Many citizens, especially the elderly, minorities, and urban and rural poor are unable to get treatment helping them to manage their pain due to high health care costs; and

Whereas, Increased awareness of, and potential cures for, chronic pain can lead to much needed relief; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare September 2008 as Pain Awareness Month in the state of Michigan.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Sak, Accavitti, Bauer, Bieda, Brandenburg, Brown, Condino, Constan, Dean, Gillard, Gonzales, Hammel, Hammon, Robert Jones, Kathleen Law, LeBlanc, Lemmons, Miller, Pastor, Polidori, Sheltroun, Spade, Tobocman, Vagnozzi, Valentine, Wojno and Leland offered the following resolution:

House Resolution No. 437.

A resolution to memorialize the Congress of the United States to enact the Clean Water Restoration Act of 2007.

Whereas, For over thirty-five years, the federal Clean Water Act has protected the Great Lakes and our nation's other waters from pollution and wetlands from destruction. Burning rivers have become a thing of the past, Lake Erie is no longer dead, lakes and rivers no longer double as our nation's sewers, and the loss of wetlands has slowed considerably; and

Whereas, The Clean Water Act is essential in ensuring that none of the Great Lakes states allow activities that could impact Great Lakes water quality in one of the other states. Michigan, in particular, lies at the heart of the Great Lakes basin and relies on the continued high quality of Great Lakes water for drinking and to support its recreation and tourism industry; and

Whereas, A 2006 U.S. Supreme Court ruling threw into disarray and confusion the scope of protection under the Clean Water Act. The *Rapanos v. United States* opinion, rather than providing clarity, has created a legal and regulatory morass and potentially placed water quality at risk in lakes, rivers, wetlands, and along our nation's coastlines. In many states, businesses, developers, government regulators, and the public now suffer from an unnecessarily complicated, time-consuming, and costly process that increases the potential for court challenges and damage to water quality and wetlands; and

Whereas, The bipartisan Clean Water Restoration Act of 2007 would reaffirm the original intent of the 1972 Clean Water Act and restore the protection our nation's waters and wetlands enjoyed for over three decades. The Clean Water Restoration Act acknowledges that all water resources are connected and that impacts in even the smallest streams and marshes may eventually affect the quality of interstate waters like the Great Lakes; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to enact the Clean Water Restoration Act of 2007; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

The resolution was referred to the Committee on Great Lakes and Environment.

Reps. Mayes, Sheltroun, Moore, Booher, Horn, Hammon, Hammel, Stahl, Rick Jones, Espinoza, Casperson, Brown, Stakoe, Accavitti, Caul, Condino, Dean, Gonzales, Hildenbrand, Huizenga, Robert Jones, Lemmons, Lindberg, Nitz, Palmer, Pastor, Polidori, Proos, Spade and Leland offered the following concurrent resolution:

House Concurrent Resolution No. 96.

A concurrent resolution to urge the Director of the Michigan Department of Natural Resources and the Natural Resources Commission to lift the ban on deer baiting in the Lower Peninsula and to take certain actions to protect the health of the state's deer herd.

Whereas, The state of Michigan adopted the Michigan Surveillance and Response Plan for Chronic Wasting Disease in 2002. The plan calls for an immediate ban on baiting and supplemental feeding of cervids in a peninsula of this state in which chronic wasting disease (CWD) is found; and

Whereas, In August 2008, chronic wasting disease was confirmed in a three-year old privately owned white tail deer at a captive cervid ranch in Kent County. Pursuant to the Michigan Surveillance and Response Plan for Chronic Wasting Disease, the Director of the Michigan Department of Natural Resources immediately issued an interim order banning the baiting and feeding of deer in Michigan's Lower Peninsula; and

Whereas, It is now known that all of the other deer at the Kent County ranch have tested negative for chronic wasting disease. The epidemiology investigation of the infected deer has not shown the presence of chronic wasting disease at related captive cervid operations, and chronic wasting disease has not been shown to be present in Michigan's free ranging deer population; and

Whereas, Broad baiting bans have not been shown to be an effective means to control chronic wasting disease, leading states such as Wisconsin to not implement broad baiting bans to stop the spread of the disease; and

Whereas, A broad ban on baiting in Michigan's Lower Peninsula is anticipated to result in lowered participation in the 2008 archery and firearms deer seasons, resulting in a decreased rate of harvest; and

Whereas, Many of the deer management units in Michigan, particularly in the southern Lower Peninsula, are already over-populated; and

Whereas, A decreased rate of harvest would result in greater deer density in the wild deer population and an increased rate of motorized vehicle collisions with deer with the potential for the loss of human life; and

Whereas, A ban on baiting throughout the entire Lower Peninsula for 2008 would result in millions of dollars of economic cost to farmers and retailers and would result in a wide ranging loss of employment and the ruin of some small markets, stores, and farms; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we urge the Director of the Michigan Department of Natural Resources to lift the ban on the baiting of deer in Michigan's entire Lower Peninsula without delay and to apply a ban on the baiting of deer to the Kent County CWD surveillance zone, those areas in close proximity to the zone as is deemed reasonable to control the spread of chronic wasting disease in central west Michigan, and those areas in which baiting is currently banned as part of the effort to control the spread of bovine tuberculosis; and be it further

Resolved, That we request the Michigan Natural Resources Commission to conduct public hearings on the baiting of deer and elk in Michigan and to use sound scientific management to issue rules regarding baiting, taking into account the management, economic, and social impact of baiting and its effects on the health of the state's deer herd; and be it further

Resolved, That copies of this resolution be transmitted to the Governor of Michigan, the Director of the Michigan Department of Natural Resources, and the Michigan Natural Resources Commission.

Pending the reference of the concurrent resolution to a committee,

Rep. Tobocman moved that Rule 71 be suspended and the concurrent 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 concurrent resolution,

The concurrent resolution was adopted.

Reps. Sak, Accavitti, Bauer, Bieda, Brandenburg, Brown, Condino, Constan, Dean, Gillard, Gonzales, Hammel, Hammon, Robert Jones, Kathleen Law, LeBlanc, Lemmons, Miller, Pastor, Polidori, Sheltroun, Spade, Tobocman, Vagnozzi, Valentine, Wojno and Leland offered the following concurrent resolution:

House Concurrent Resolution No. 97.

A concurrent resolution to memorialize the Congress of the United States to enact the Clean Water Restoration Act of 2007.

Whereas, For over thirty-five years, the federal Clean Water Act has protected the Great Lakes and our nation's other waters from pollution and wetlands from destruction. Burning rivers have become a thing of the past, Lake Erie is no longer dead, lakes and rivers no longer double as our nation's sewers, and the loss of wetlands has slowed considerably; and

Whereas, The Clean Water Act is essential in ensuring that none of the Great Lakes states allow activities that could impact Great Lakes water quality in one of the other states. Michigan, in particular, lies at the heart of the Great Lakes basin and relies on the continued high quality of Great Lakes water for drinking and to support its recreation and tourism industry; and

Whereas, A 2006 U.S. Supreme Court ruling threw into disarray and confusion the scope of protection under the Clean Water Act. The *Rapanos v. United States* opinion, rather than providing clarity, has created a legal and regulatory morass and potentially placed water quality at risk in lakes, rivers, wetlands, and along our nation's coastlines. In many states, businesses, developers, government regulators, and the public now suffer from an unnecessarily complicated, time-consuming, and costly process that increases the potential for court challenges and damage to water quality and wetlands; and

Whereas, The bipartisan Clean Water Restoration Act of 2007 would reaffirm the original intent of the 1972 Clean Water Act and restore the protection our nation's waters and wetlands enjoyed for over three decades. The Clean Water

Restoration Act acknowledges that all water resources are connected and that impacts in even the smallest streams and marshes may eventually affect the quality of interstate waters like the Great Lakes; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the Congress of the United States to enact the Clean Water Restoration Act of 2007; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

The concurrent resolution was referred to the Committee on Great Lakes and Environment.

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, September 17:

House Bill No.	6457														
Senate Bill Nos.	1492	1493	1494	1495	1496	1497	1498	1499	1500	1501	1502	1503	1504	1505	
	1506	1507													

The Clerk announced that the following Senate bills had been received on Wednesday, September 17:

Senate Bill Nos. 1414 1415 1451 1461 1462

Reports of Standing Committees

The Committee on Intergovernmental, Urban and Regional Affairs, by Rep. Byrum, Chair, reported

House Bill No. 6162, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.155) by adding section 7nn; and to repeal acts and parts of acts.

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. Byrum, Young, Coulouris, Farrah, Johnson, Meadows, Tobocman, Pavlov, Nitz, Meekhof and Opsommer
Nays: None

The Committee on Intergovernmental, Urban and Regional Affairs, by Rep. Byrum, Chair, reported

House Bill No. 6163, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 24c (MCL 211.24c), as amended by 2003 PA 247.

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. Byrum, Young, Coulouris, Farrah, Johnson, Meadows, Tobocman, Pavlov, Nitz, Meekhof and Opsommer
Nays: None

The Committee on Intergovernmental, Urban and Regional Affairs, by Rep. Byrum, Chair, reported

House Bill No. 6164, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 78a (MCL 211.78a), as added by 1999 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. Byrum, Young, Coulouris, Farrah, Johnson, Meadows, Tobocman, Pavlov, Meekhof and Opsommer
Nays: Rep. Nitz

The Committee on Intergovernmental, Urban and Regional Affairs, by Rep. Byrum, Chair, reported

House Bill No. 6165, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 78b (MCL 211.78b), as amended by 2003 PA 263.

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. Byrum, Young, Coulouris, Farrah, Johnson, Meadows, Tobocman, Pavlov, Nitz, Meekhof and Opsommer
Nays: None

The Committee on Intergovernmental, Urban and Regional Affairs, by Rep. Byrum, Chair, reported

House Bill No. 6166, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 78c (MCL 211.78c), as amended by 2003 PA 263.

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. Byrum, Young, Coulouris, Farrah, Johnson, Meadows, Tobocman, Pavlov, Nitz, Meekhof and Opsommer
Nays: None

The Committee on Intergovernmental, Urban and Regional Affairs, by Rep. Byrum, Chair, reported

House Bill No. 6167, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 78f (MCL 211.78f), as amended by 2003 PA 263.

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. Byrum, Young, Coulouris, Farrah, Johnson, Meadows, Tobocman, Pavlov, Nitz, Meekhof and Opsommer
Nays: None

The Committee on Intergovernmental, Urban and Regional Affairs, by Rep. Byrum, Chair, reported

House Bill No. 6168, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 78g (MCL 211.78g), as amended by 2003 PA 263.

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. Byrum, Young, Coulouris, Farrah, Johnson, Meadows, Tobocman, Pavlov, Nitz, Meekhof and Opsommer
Nays: None

The Committee on Intergovernmental, Urban and Regional Affairs, by Rep. Byrum, Chair, reported

House Bill No. 6169, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 78h (MCL 211.78h), as amended by 2001 PA 96.

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. Byrum, Young, Coulouris, Farrah, Johnson, Meadows, Tobocman, Pavlov, Nitz, Meekhof and Opsommer
Nays: None

The Committee on Intergovernmental, Urban and Regional Affairs, by Rep. Byrum, Chair, reported

House Bill No. 6170, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 78i (MCL 211.78i), as amended by 2006 PA 611.

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. Byrum, Young, Coulouris, Farrah, Johnson, Meadows, Tobocman, Pavlov, Nitz, Meekhof and Opsommer
Nays: None

The Committee on Intergovernmental, Urban and Regional Affairs, by Rep. Byrum, Chair, reported

House Bill No. 6171, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 78k (MCL 211.78k), as amended by 2006 PA 611.

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. Byrum, Young, Coulouris, Farrah, Johnson, Meadows, Tobocman, Pavlov, Nitz, Meekhof and Opsommer
Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Byrum, Chair, of the Committee on Intergovernmental, Urban and Regional Affairs, was received and read:

Meeting held on: Wednesday, September 17, 2008

Present: Reps. Byrum, Young, Coulouris, Farrah, Johnson, Meadows, Tobocman, Pavlov, Nitz, Meekhof and Opsommer

The Committee on Military and Veterans Affairs and Homeland Security, by Rep. Polidori, Chair, reported
House Bill No. 4175, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 309 (MCL 257.309), as amended by 2004 PA 362.

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. Polidori, Brown, Dean, Lemmons, Emmons, Garfield, Pastor and Horn

Nays: None

The Committee on Military and Veterans Affairs and Homeland Security, by Rep. Polidori, Chair, reported
House Bill No. 6269, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16205 (MCL 333.16205), as amended by 1986 PA 290.

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. Polidori, Brown, Dean, Lemmons, Sheltroun, Emmons, Garfield, Pastor and Horn

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Polidori, Chair, of the Committee on Military and Veterans Affairs and Homeland Security, was received and read:

Meeting held on: Wednesday, September 17, 2008

Present: Reps. Polidori, Brown, Dean, Lemmons, Sheltroun, Emmons, Garfield, Pastor and Horn

The Committee on Agriculture, by Rep. Mayes, Chair, reported

Senate Bill No. 1121, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4a (MCL 205.54a), as amended by 2004 PA 173.

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. Mayes, Byrum, Angerer, Brown, Kathleen Law, Leland, Sheltroun, Walker, Nitz, Ball and Meekhof

Nays: None

The Committee on Agriculture, by Rep. Mayes, Chair, reported

Senate Bill No. 1126, entitled

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," (MCL 125.2001 to 125.2094) by adding section 79.

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. Mayes, Byrum, Angerer, Brown, Kathleen Law, Leland, Sheltroun, Walker, Nitz, Ball and Meekhof
Nays: None

The Committee on Agriculture, by Rep. Mayes, Chair, reported

Senate Bill No. 1130, entitled

A bill to amend 1984 PA 44, entitled "Motor fuels quality act," (MCL 290.641 to 290.650d) 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. Mayes, Byrum, Angerer, Brown, Kathleen Law, Leland, Sheltroun, Walker, Nitz, Ball and Meekhof
Nays: None

The Committee on Agriculture, by Rep. Mayes, Chair, reported

Senate Bill No. 1195, entitled

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," by amending section 88o (MCL 125.2088o), as added by 2005 PA 215.

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. Mayes, Byrum, Angerer, Brown, Kathleen Law, Leland, Sheltroun, Walker, Nitz, Ball and Meekhof
Nays: None

The Committee on Agriculture, by Rep. Mayes, Chair, reported

Senate Bill No. 1196, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," (MCL 208.1101 to 208.1601) by adding section 430.

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. Mayes, Byrum, Angerer, Brown, Leland, Sheltroun, Walker, Nitz, Ball and Meekhof
Nays: None

The Committee on Agriculture, by Rep. Mayes, Chair, reported

House Resolution No. 415.

A resolution to urge the Federal Crop Insurance Corporation to accept results from the falling number test in determining loss of wheat quality for crop insurance claims.

(For text of resolution, see House Journal No. 71, p. 2104.)

With the recommendation that the resolution be adopted.

The resolution was laid over one day under the rules.

Favorable Roll Call

To Report Out:

Yeas: Reps. Mayes, Byrum, Angerer, Brown, Kathleen Law, Leland, Sheltroun, Walker, Nitz, Ball and Meekhof
Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Mayes, Chair, of the Committee on Agriculture, was received and read:
Meeting held on: Wednesday, September 17, 2008
Present: Reps. Mayes, Byrum, Angerer, Brown, Kathleen Law, Leland, Sheltroun, Walker, Nitz, Ball and Meekhof

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

House Bill No. 6428, entitled

A bill to amend 1941 PA 122, entitled "An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of this state; to prescribe certain powers and duties of the state treasurer; to establish the collection duties of certain other state departments for money or accounts owed to this state; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments, and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," (MCL 205.1 to 205.31) by adding section 18a.

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. Bieda, Condino, Robert Jones, Mayes, Meisner, Melton, Sheltroun, Warren, Meltzer, Sheen, Pastor, Palmer and Calley
Nays: None

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

House Bill No. 6429, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 476a (MCL 500.476a), as amended by 2007 PA 187.

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. Bieda, Condino, Robert Jones, Mayes, Meisner, Melton, Sheltroun, Warren, Meltzer, Sheen, Pastor, Palmer and Calley
Nays: None

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

House Bill No. 6430, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 279.

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, Farrah, Robert Jones, Mayes, Meisner, Melton, Sheltroun, Warren, Young, Meltzer, Sheen, Pastor, Palmer and Calley
Nays: None

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

House Bill No. 6431, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," (MCL 208.1101 to 208.1601) by adding section 465. 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, Farrah, Robert Jones, Mayes, Meisner, Melton, Sheltroun, Warren, Young, Meltzer, Sheen, Pastor, Palmer and Calley
Nays: None

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

House Bill No. 6437, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7q (MCL 211.7q), as added by 1980 PA 142.

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, Warren, Young, Meltzer, Sheen, Pastor, Palmer, Wenke and Calley
Nays: None

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

House Bill No. 6438, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 27a (MCL 211.27a), as amended by 2006 PA 446.

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, Warren, Young, Meltzer, Sheen, Pastor, Palmer, Wenke and Calley
Nays: None

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

Senate Bill No. 1376, 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 2 (MCL 207.552), as amended by 2007 PA 146.

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, Robert Jones, Mayes, Meisner, Melton, Sheltroun, Warren, Meltzer, Sheen, Pastor, 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, September 17, 2008

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

Absent: Rep. Steil

Excused: Rep. Steil

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, September 17, 2008

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

Messages from the Senate

Senate Bill No. 1414, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 5124.

The Senate has passed the bill.

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

Senate Bill No. 1415, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 309 (MCL 257.309), as amended by 2004 PA 362.

The Senate has passed the bill.

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

Senate Bill No. 1451, entitled

A bill to amend 1933 PA 254, entitled "The motor carrier act," by amending the title and section 1 of article I, sections 2, 6, and 7 of article IV, and sections 2, 8, 9, and 10 of article V (MCL 475.1, 478.2, 478.6, 478.7, 479.2, 479.8, 479.9, and 479.10), the title and section 10 of article V as amended by 1982 PA 399, section 1 of article I and section 2 of article V as amended by 2007 PA 33, section 2 of article IV as amended by 1993 PA 352, and section 7 of article IV as amended by 1989 PA 221.

The Senate has passed the bill.

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

Senate Bill No. 1461, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 1 (MCL 247.651).

The Senate has passed the bill.

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

Senate Bill No. 1462, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 642 (MCL 257.642) and by adding sections 20b and 20c.

The Senate has passed the bill.

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

Senate Concurrent Resolution No. 31.

A concurrent resolution to memorialize Congress to reduce the price of traditional passports, by directly lowering the cost to consumers or by offering fully refundable federal income tax deductions to citizens who live in border states.

Whereas, To ensure greater national security, the United States government now has stricter identification standards in place to gain re-entry into the United States. A passport is currently required in order to enter the United States by air. Starting in June of 2009, a passport may also be required for all ground crossings, including re-entry from Mexico and Canada. The Department of Homeland Security has also stated that, in the future, a passport may become one of a new breed of identity documents necessary for even domestic tasks, including boarding airplanes for flights that stay entirely within the United States. It is, therefore, becoming evident that passports will become a document that even citizens not traveling overseas will need, including for domestic and non-travel-related reasons; and

Whereas, Three-quarters of all travelers enter the United States through our 163 land ports of entry. Michigan residents have traditionally been able to move back and forth across the Canadian border with a \$25 driver's license or a birth certificate for identification. The free flow of consumer and tourist traffic between Canada and Michigan is a boost to the Michigan and national economies. Conversely, inhibiting citizens from crossing the border could negatively affect the local and national economies; and

Whereas, More residents, especially those of border states like Michigan, should be encouraged to obtain a traditional, fully functioning passport in order to comply with federal laws and to aid in border crossings. Despite a recent Government Accountability Office investigation that showed citizens being overcharged, traditional passports have seen recent price increases that sometimes put the price at over \$100. A \$100 cost will be prohibitive for many residents and discourage free travel, or it will force citizens into newer "passport-lite" alternatives that are of limited utility and encroach upon the privacy and sovereignty of state documents. A federal subsidy that reduces the price of traditional federal passports to \$50, either through a direct price reduction or fully refundable tax deduction, could allay the cost and encourage passport purchases and free travel, thus aiding the economy. These reductions should come out of the monies the federal government would ordinarily receive and not from reimbursement costs the federal government uses for security checks or initial passport processing by clerks or other local government officials; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we memorialize Congress to reduce the price of traditional passports, by directly lowering the cost to consumers or by offering fully refundable federal income tax deductions to citizens who live in border states; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

The Senate has adopted the concurrent resolution.

Reps. Accavitti, Bauer, Brown, Condino, Constan, Dean, Gillard, Gonzales, Hammon, Huizenga, Robert Jones, LeBlanc, Lemmons, Marleau, Opsommer, Palmer, Pastor, Polidori, Sak, Tobocman, Vagnozzi, Valentine, Wojno and Leland were named co-sponsors of the concurrent resolution.

The concurrent resolution was referred to the Committee on Government Operations.

Notices

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Great Lakes and Environment from further consideration of **House Bill No. 5037**.

Rep. Agema

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Great Lakes and Environment from further consideration of **House Bill No. 5038**.

Rep. Agema

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Appropriations from further consideration of **House Bill No. 5343**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Appropriations from further consideration of **House Bill No. 5674**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Appropriations from further consideration of **House Bill No. 6059**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Appropriations from further consideration of **House Bill No. 6091**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Tax Policy from further consideration of **House Bill No. 6406**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Judiciary from further consideration of **House Bill No. 5332**.

Rep. Condino

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Judiciary from further consideration of **House Bill No. 5333**.

Rep. Condino

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Transportation from further consideration of **Senate Bill No. 943**.

Rep. Booher

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Energy and Technology from further consideration of **Senate Bill No. 1048**.

Rep. Tobocman

Explanation of “No” Votes

Rep. Palmer, having reserved the right to explain his nay vote pertaining to **House Bill No. 6256**, made the following statement:

“Mr. Speaker and members of the House:

I inadvertently cast a vote opposing this amendment. I am a strong supporter of right-to-work, and giving workers choice, and believe that it is one of the cornerstones for an economic turnaround in Michigan. In fact, I am a co-sponsor of HB 4454, which is the subject of this amendment. I give my sincere apology to the maker of this amendment, and for any inconvenience this may have caused.”

Introduction of Bills

Rep. Sak introduced

House Bill No. 6458, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 361a. The bill was read a first time by its title and referred to the Committee on Judiciary.

Rep. Condino introduced

House Bill No. 6459, entitled

A bill to amend 1846 RS 12, entitled “Of certain state officers,” by amending section 33 (MCL 14.33), as amended by 1996 PA 563.

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

Rep. Bieda introduced

House Bill No. 6460, entitled

A bill to amend 1976 IL 1, entitled “A petition to initiate legislation to provide for the use of returnable containers for soft drinks, soda water, carbonated natural or mineral water, other nonalcoholic carbonated drink, and for beer, ale, or other malt drink of whatever alcoholic content, and for certain other beverage containers; to provide for the use of unredeemed bottle deposits; to prescribe the powers and duties of certain state agencies and officials; and to prescribe penalties and provide remedies,” (MCL 445.571 to 445.576) by adding section 2a.

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

Rep. Corriveau introduced

House Bill No. 6461, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 74117 (MCL 324.74117), as amended by 2006 PA 477.

The bill was read a first time by its title and referred to the Committee on Tourism, Outdoor Recreation and Natural Resources.

Rep. Miller introduced

House Bill No. 6462, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 435 (MCL 206.435), as amended by 2008 PA 162.

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

Reps. Lahti, Lindberg, McDowell, Polidori, Sheltroun, Spade, Alma Smith, LeBlanc, Hammon, Booher, Hansen, Casperson, Meadows, Gillard and Ebli introduced

House Bill No. 6463, entitled

A bill to regulate the use of ropes, chains, wires, or similar devices in blocking access to land; and to provide for penalties.

The bill was read a first time by its title and referred to the Committee on Tourism, Outdoor Recreation and Natural Resources.

Reps. Meltzer, Sheen, Palmer and Pastor introduced

House Bill No. 6464, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 43540e.

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

Rep. Meisner introduced

House Bill No. 6465, entitled

A bill to amend 1995 PA 279, entitled "Horse racing law of 1995," by amending the title and sections 2, 3, 7, 8, 17, 18, 19a, and 22 (MCL 431.302, 431.303, 431.307, 431.308, 431.317, 431.318, 431.319a, and 431.322), section 2 as amended by 2006 PA 445, section 7 as amended by 2000 PA 164, and sections 17 and 18 as amended and section 19a as added by 1998 PA 408; and to repeal acts and parts of acts.

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

Reps. Meisner and Griffin introduced

House Joint Resolution MMM, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 41 of article IV and adding section 43 to article IX, to allow casino-style gambling games to be conducted at licensed horse racetracks, to impose a tax on the conduct of those games, and to provide for the allocation and expenditure of that tax revenue.

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

Rep. Cushingberry moved that the House adjourn.

The motion prevailed, the time being 3:55 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, September 18, at 12:00 Noon.

RICHARD J. BROWN
Clerk of the House of Representatives