

**No. 82**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**93rd Legislature**  
**REGULAR SESSION OF 2006**

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House Chamber, Lansing, Tuesday, September 19, 2006.

12:00 Noon.

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

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

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

e/d/s = entered during session

Rep. Scott Hummel, from the 93rd District, offered the following invocation:

“Heavenly Father, we come before You and we give You thanks. We thank You first for life. We thank You for liberty. We thank You for this country that we live in where we have such tremendous rights. They are rights that You have granted us as human beings. Thank You for the freedom that we enjoy. Lord, we acknowledge that You are the source of all wisdom and knowledge and we pray that You would share that with us today as we seek to do business as representatives of the people of Michigan. Thank You for the privilege of being here. We commit this date to You. In Jesus name we pray, Amen.”

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The Speaker assumed the Chair.

Rep. Waters moved that Rep. Cushingberry be excused from today’s session.  
The motion prevailed.

The Speaker called the Speaker Pro Tempore to the Chair.

### Second Reading of Bills

#### House Bill No. 5969, entitled

A bill to amend 1953 PA 232, entitled “Corrections code of 1953,” by amending section 6 (MCL 791.206), as amended by 1996 PA 104.

The bill was read a second time.

Rep. Ward moved that the bill be re-referred to the Committee on Judiciary.  
The motion prevailed.

#### Senate Bill No. 1052, entitled

A bill to amend 1995 PA 279, entitled “Horse racing law of 1995,” by amending sections 2 and 4 (MCL 431.302 and 431.304).

The bill was read a second time.

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

Pending the Second Reading of

#### House Bill No. 6215, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 80112 and 80113 (MCL 324.80112 and 324.80113), section 80112 as added by 1995 PA 58 and section 80113 as amended by 2000 PA 215.

Rep. Ward moved that the bill be re-referred to the Committee on Local Government and Urban Policy.  
The motion prevailed.

#### Senate Bill No. 1226, entitled

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending section 703 (MCL 436.1703), as amended by 2004 PA 63.

The bill was read a second time.

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

**Senate Bill No. 1128, entitled**

A bill to amend 1982 PA 295, entitled "Support and parenting time enforcement act," (MCL 552.601 to 552.650) by adding section 15a.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Family and Children Services (for amendments, see House Journal No. 78, p. 2426),

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

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

The motion prevailed.

**House Bill No. 6440, entitled**

A bill to amend 1994 PA 204, entitled "The children's ombudsman act," by amending the title and section 3 (MCL 722.923), as amended by 2004 PA 560.

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

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

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

The motion prevailed.

**Notices**

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

"Mr. Speaker and members of the House:

I was absent from the Chamber when the vote was taken on Roll Call Nos. 999-1014. Had I been present, I would have voted 'yea' on Roll Call Nos. 999-1004, 1007, 1010-1012 and 1014 and 'nay' on Roll Call Nos. 1005-1006, 1008-1009 and 1013."

**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 Thursday, September 14:

**House Bill Nos. 6528 6533 6534**

The Clerk announced that the following bills and joint resolution had been printed and placed upon the files of the members on Friday, September 15:

**Senate Bill Nos. 1430 1431 1432 1433 1434 1435 1436 1437 1438 1439 1440 1441 1442 1443  
1444 1445 1446 1447 1448 1449 1450**

**House Bill Nos. 6468 6469 6470 6471 6472 6473 6474 6475 6476 6477 6478 6479 6480 6481  
6482 6483 6484 6485 6486 6487 6488 6489 6490 6491 6492 6493 6494 6495  
6496 6497 6498 6499 6500 6501 6502 6503 6504 6505 6506 6507 6508 6509  
6510 6511 6512 6513 6514 6515 6516 6517 6518 6519 6520 6521 6522 6523  
6524 6525 6526 6527 6529 6530 6531 6532**

**House Joint Resolution BB**

The Clerk announced the enrollment printing and presentation to the Governor on Monday, September 18, for her approval of the following bills:

**Enrolled House Bill No. 4861 at 3:19 p.m.**

**Enrolled House Bill No. 5193 at 3:21 p.m.**

**Enrolled House Bill No. 5194 at 3:23 p.m.**

**Enrolled House Bill No. 5719 at 3:25 p.m.**

**Enrolled House Bill No. 6062 at 3:27 p.m.**

**Enrolled House Bill No. 6063 at 3:29 p.m.**

**Enrolled House Bill No. 6064 at 3:31 p.m.**

**Enrolled House Bill No. 6086 at 3:33 p.m.**

**Enrolled House Bill No. 6135 at 3:35 p.m.**

**Enrolled House Bill No. 6138 at 3:37 p.m.**

**Enrolled House Bill No. 6139 at 3:39 p.m.**

**Enrolled House Bill No. 6140 at 3:41 p.m.**  
**Enrolled House Bill No. 6141 at 3:43 p.m.**  
**Enrolled House Bill No. 6142 at 3:45 p.m.**  
**Enrolled House Bill No. 6143 at 3:47 p.m.**  
**Enrolled House Bill No. 6145 at 3:49 p.m.**  
**Enrolled House Bill No. 6146 at 3:51 p.m.**  
**Enrolled House Bill No. 6147 at 3:53 p.m.**  
**Enrolled House Bill No. 6148 at 3:55 p.m.**  
**Enrolled House Bill No. 6149 at 3:57 p.m.**  
**Enrolled House Bill No. 6205 at 3:59 p.m.**  
**Enrolled House Bill No. 6206 at 4:01 p.m.**  
**Enrolled House Bill No. 6207 at 4:03 p.m.**  
**Enrolled House Bill No. 6208 at 4:05 p.m.**

The Clerk announced that the following Senate bills had been received on Tuesday, September 19:  
**Senate Bill Nos. 1257 1399**

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

The Committee on Health Policy, by Rep. Gaffney, Chair, reported  
**House Bill No. 6039, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 2511. 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. Gaffney, Newell, Robertson, Vander Veen, Hune, Ward, Ball, Green, Kahn, Adamini, Wojno, McDowell, Gleason, Angerer and Clack  
 Nays: None

The Committee on Health Policy, by Rep. Gaffney, Chair, reported  
**House Bill No. 6308, entitled**

A bill to amend 1953 PA 181, entitled "An act relative to investigations in certain instances of the causes of death within this state due to violence, negligence or other act or omission of a criminal nature or to protect public health; to provide for the taking of statements from injured persons under certain circumstances; to abolish the office of coroner and to create the office of county medical examiner in certain counties; to prescribe the powers and duties of county medical examiners; to prescribe penalties for violations of the provisions of this act; and to prescribe a referendum thereon," by amending sections 3, 4, and 5 (MCL 52.203, 52.204, and 52.205), section 5 as amended by 1980 PA 401.

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. Gaffney, Newell, Robertson, Vander Veen, Hune, Ward, Ball, Green, Kahn, Adamini, Wojno, McDowell, Gleason, Angerer and Clack  
 Nays: None

The Committee on Health Policy, by Rep. Gaffney, Chair, reported  
**House Bill No. 6309, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 2844a (MCL 333.2844a), as amended by 1990 PA 149.

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. Gaffney, Newell, Robertson, Vander Veen, Hune, Ward, Ball, Green, Kahn, Adamini, Wojno, McDowell, Gleason, Angerer and Clack

Nays: None

The Committee on Health Policy, by Rep. Gaffney, Chair, reported

**House Bill No. 6323, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 7405, 17703, 17708, 17709, 17745, 17751, and 17763 (MCL 333.7405, 333.17703, 333.17708, 333.17709, 333.17745, 333.17751, and 333.17763), section 7405 as amended by 2004 PA 536, section 17703 as amended by 1992 PA 281, sections 17708, 17751, and 17763 as amended by 2005 PA 85, and section 17745 as amended by 1997 PA 186, and by adding section 17754.

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. Gaffney, Newell, Robertson, Vander Veen, Hune, Ward, Ball, Kahn, Adamini, Wojno, McDowell, Gleason, Angerer and Clack

Nays: None

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Gaffney, Chair, of the Committee on Health Policy, was received and read:  
Meeting held on: Tuesday, September 19, 2006

Present: Reps. Gaffney, Newell, Robertson, Vander Veen, Hune, Ward, Ball, Green, Kahn, Adamini, Wojno, McDowell, Gleason, Angerer and Clack

Absent: Reps. Nofs and Mortimer

Excused: Reps. Nofs and Mortimer

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

**House Bill No. 6303, entitled**

A bill to amend 1996 PA 381, entitled "Brownfield redevelopment financing act," by amending section 13 (MCL 125.2663), as amended by 2006 PA 32.

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, Hildenbrand, Jones, Marleau, Pavlov, Schuitmaker, Meisner, Tobocman, Dillon, Accavitti, McConico and Leland

Nays: None

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

**House Bill No. 6318, entitled**

A bill to amend 1969 PA 306, entitled "Administrative procedures act of 1969," by amending section 5 (MCL 24.205), as amended by 2004 PA 23.

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, Hildenbrand, Jones, Marleau, Pavlov, Schuitmaker, Meisner, Dillon, Accavitti, McConico and Leland

Nays: None

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

**Senate Bill No. 1284, 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 2006 PA 22.

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. Huizenga, Baxter, Emmons, Palsrok, Wenke, Hildenbrand, Jones, Marleau, Pavlov, Schuitmaker, Meisner, Tobocman, Dillon, Accavitti, McConico and Leland

Nays: None

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, September 19, 2006

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

Absent: Reps. Green, David Law and Bennett

Excused: Reps. Green, David Law and Bennett

The Committee on Judiciary, by Rep. Van Regenmorter, Chair, reported

**House Bill No. 6430, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 411u.

With the recommendation that the substitute (H-3) 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. Van Regenmorter, Schuitmaker, Newell, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey, Condino, Adamini, McConico and Bieda

Nays: None

The Committee on Judiciary, by Rep. Van Regenmorter, Chair, reported

**House Bill No. 6431, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16t of chapter XVII (MCL 777.16t), as amended by 2004 PA 112.

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. Van Regenmorter, Schuitmaker, Newell, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey, Condino, Adamini, McConico and Bieda

Nays: None

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, September 19, 2006

Present: Reps. Van Regenmorter, Schuitmaker, Newell, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey, Condino, Adamini, McConico, Bieda and Virgil Smith

Absent: Rep. Nofs

Excused: Rep. Nofs

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

**House Bill No. 6481, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 571 (MCL 400.571), as added by 1999 PA 17.

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

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

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Drolet, Hoogendyk, Gosselin, Garfield and Sheen

Nays: Rep. Tobocman

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, September 19, 2006

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

Absent: Rep. Lipsey

Excused: Rep. Lipsey

**Messages from the Senate****House Bill No. 6249, entitled**

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

The Senate has passed the bill and ordered that it be given immediate effect.  
The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

**House Bill No. 5820, entitled**

A bill to amend 1980 PA 87, entitled "The uniform condemnation procedures act," by amending section 8 (MCL 213.58), as amended by 1996 PA 474.

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

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

**House Bill No. 5821, entitled**

A bill to amend 1980 PA 87, entitled "The uniform condemnation procedures act," by amending section 5 (MCL 213.55), as amended by 1996 PA 474.

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

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

**House Bill No. 6031, entitled**

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

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

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

**Senate Bill No. 1257, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 716 (MCL 257.716), as amended by 1998 PA 427.

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. 1399, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 226a (MCL 257.226a), as amended by 2002 PA 642.

The Senate has passed the bill.

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

**Communications from State Officers**

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

Notices of Filing  
Administrative Rules

June 28, 2006

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Michigan Department of Labor and Economic Growth, State Office of Administrative Hearings and Rules filed at 3:06 P.M. this date, administrative rule (06-06-06) for the Department of Labor and Economic Growth, Public Service Commission "*Informational Reparation Docket Cases Before the Commission*". These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.



June 30, 2006

In accordance with the provisions of MCL 24.248 this is to advise you that the Department of Labor and Economic Growth, Office of Policy and Legislative Affairs filed at 3:35 P.M. this date, administrative rule (06-06-07E) for the Department of Education, Entitled "*Special Education Hearings*", these rules take effect upon filing with the Secretary of State and shall be effective until December 30, 2006.

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 Barry, Branch and Calhoun Counties Michigan Works! was received and read:

September 13, 2006

Enclosed is a copy of the revised Workforce Investment Act Comprehensive Five-Year Local Plan for Adult, Dislocated Worker, and Youth Programs, as developed by the Workforce Development Board and Chief Elected Officials of the Barry, Branch and Calhoun Michigan Works! service delivery area.

Comments regarding the plan are to be directed in writing to the Workforce Development Board and Chief Elected Officials, in care of Michigan Works! at the Calhoun Intermediate School District, 17111 "G" Drive North, Marshall, MI 49068. If you have any questions, please contact our Michigan Works! Workforce Development Team at 269-789-2409.

Yours truly,  
Elaine Furu-Baker  
Director of Workforce Development

The communication was referred to the Clerk

### Introduction of Bills

Rep. Huizenga introduced

**House Bill No. 6535, entitled**

A bill to regulate state private foundations; to prescribe standards for determining the intent of donors to state private foundations; to provide for reporting of financial and other information by state private foundations; to prescribe standards of conduct and administration of state private foundations and to prohibit certain actions; to provide for enforcement, investigation, and promulgation of rules by the attorney general; and to provide remedies for violations.

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

Reps. Pearce, Hildenbrand, Schuitmaker, LaJoy, Ball, Jones and Garfield introduced

**House Bill No. 6536, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 394b. The bill was read a first time by its title and referred to the Committee on Judiciary.

Reps. Pearce, Hildenbrand, Schuitmaker, Gosselin, Garfield, Ball and LaJoy introduced

**House Bill No. 6537, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16s of chapter XVII (MCL 777.16s), as amended by 2005 PA 106.

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

By unanimous consent the House returned to the order of

### Motions and Resolutions

The Speaker laid before the House

**Senate Concurrent Resolution No. 54.**

A concurrent resolution to waive the legislative notice requirement for increases in rates of compensation for certain employees in the state classified service.

(The concurrent resolution was introduced, rule suspended and postponed for the day on September 14, see House Journal No. 81, p. 2529.)

The question being on the adoption of the concurrent resolution,

Rep. Ward demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the concurrent resolution,

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

**Roll Call No. 1015**

**Yeas—101**

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

**Nays—5**

Drolet	Hoogendyk	Jones	Sheen
Gosselin			

In The Chair: Kooiman

**Notices**

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

“Mr. Speaker and members of the House:

I was absent from the Chamber when the vote was taken on Roll Call Nos. 999-1014. Had I been present, I would have voted ‘yea’ on Roll Call Nos. 999-1004, 1007, 1010-1012 and 1014 and ‘nay’ on Roll Call Nos. 1005-1006, 1008-1009 and 1013.”

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

**Senate Bill No. 1284, 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 2006 PA 22.

The bill was read a second time.

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

The motion prevailed.

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

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

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

**Senate Bill No. 1284, 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 2006 PA 22.

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

**Roll Call No. 1016**

**Yeas—102**

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

Elsenheimer	Law, Kathleen	Proos	Wojno
Emmons	Leland	Robertson	Zelenko
Espinoza	Lemmons, III		

**Nays—4**

Bieda	Caswell	Drolet	Gosselin
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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.

By unanimous consent the House returned to the order of

**Messages from the Senate**

The Speaker laid before the House

**House Bill No. 4086, entitled**

A bill to amend 1846 RS 83, entitled "Of marriage and the solemnization thereof," by amending sections 7 and 16 (MCL 551.7 and 551.16), section 7 as amended by 1983 PA 64.

(The bill was received from the Senate on September 12, with substitute (S-2) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until September 13, see House Journal No. 79, p. 2439.)

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

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

**Roll Call No. 1017****Yeas—104**

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

Dillon	LaJoy	Plakas	Williams
Donigan	Law, David	Polidori	Wojno
Elsenheimer	Law, Kathleen	Proos	Zelenko

**Nays—2**

Drolet	Hoogendyk
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In The Chair: Kooiman

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

The Speaker laid before the House

**House Bill No. 6014, entitled**

A bill to amend 1931 PA 327, entitled “An act to provide for the organization, regulation and classification of corporations; to provide their rights, powers and immunities; to prescribe the conditions on which corporations may exercise their powers; to provide for the inclusion of certain existing corporations within the provisions of this act; to prescribe the terms and conditions upon which foreign corporations may be admitted to do business within this state; to require certain annual reports to be filed by corporations; to prescribe penalties for the violations of the provisions of this act; and to repeal certain acts and parts of acts relating to corporations,” by amending sections 171 and 176 (MCL 450.171 and 450.176) and by adding section 177a.

(The bill was received from the Senate on September 14, with substitute (S-1), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 81, p. 2535.)

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

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

**Roll Call No. 1018****Yeas—74**

Accavitti	Farhat	Marleau	Rocca
Acciavatti	Gaffney	Mayes	Sak
Amos	Garfield	McDowell	Schuitmaker
Angerer	Gleason	Meyer	Shaffer
Ball	Gosselin	Moolenaar	Sheen
Baxter	Green	Moore	Sheltrown
Booher	Hansen	Mortimer	Spade
Brandenburg	Hildenbrand	Newell	Stahl
Byrum	Hoogendyk	Nitz	Stakoe
Casperson	Huizenga	Nofs	Steil
Caswell	Hummel	Palmer	Stewart
Caul	Hune	Palsrok	Taub
Clemente	Jones	Pastor	Van Regenmorter
DeRoche	Kahn	Pavlov	Vander Veen
Dillon	Kooiman	Pearce	Walker
Drolet	LaJoy	Polidori	Ward
Elsenheimer	Law, David	Proos	Wenke
Emmons	Lemmons, III	Robertson	Wojno
Espinoza	Lipsey		

**Nays—32**

Adamini	Condino	Kolb	Plakas
Anderson	Donigan	Law, Kathleen	Smith, Alma
Bennett	Farrah	Leland	Smith, Virgil
Bieda	Gillard	Lemmons, Jr.	Tobocman
Brown	Gonzales	McConico	Vagnozzi
Byrnes	Hood	Meisner	Waters
Cheeks	Hopgood	Miller	Williams
Clack	Hunter	Murphy	Zelenko

In The Chair: Kooiman

Rep. Pastor moved that Rep. Nofs be excused temporarily from today's session.  
The motion prevailed.

Rep. Ward moved that the bill be given immediate effect.  
The question being on the motion made by Rep. Ward,  
Rep. Waters demanded the yeas and nays.  
The demand was supported.

The question being on the motion made by Rep. Ward,  
The motion prevailed, 2/3 of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1019****Yeas—80**

Accavitti	Espinoza	Lemmons, III	Robertson
Acciavatti	Farhat	Lipsey	Rocca
Amos	Farrah	Marleau	Sak
Angerer	Gaffney	Mayes	Schuitmaker
Ball	Garfield	McConico	Shaffer
Baxter	Gleason	McDowell	Sheen
Bieda	Gosselin	Meyer	Sheltrown
Booher	Green	Moolenaar	Smith, Virgil
Brandenburg	Hansen	Moore	Spade
Byrum	Hildenbrand	Mortimer	Stahl
Casperson	Hoogendyk	Murphy	Stakoe
Caswell	Huizenga	Newell	Steil
Caul	Hummel	Nitz	Stewart
Cheeks	Hune	Palmer	Taub
Clemente	Hunter	Palsrok	Van Regenmorter
DeRoche	Jones	Pastor	Vander Veen
Dillon	Kahn	Pavlov	Walker
Drolet	Kooiman	Pearce	Ward
Elsenheimer	LaJoy	Polidori	Wenke
Emmons	Law, David	Proos	Wojno

**Nays—24**

Adamini	Condino	Law, Kathleen	Smith, Alma
Anderson	Donigan	Leland	Tobocman
Bennett	Gonzales	Lemmons, Jr.	Vagnozzi
Brown	Hood	Meisner	Waters

Byrnes  
Clack

Hopgood  
Kolb

Miller  
Plakas

Williams  
Zelenko

In The Chair: Kooiman

The House agreed to the title as amended.

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

The Speaker laid before the House

**House Bill No. 6016, entitled**

A bill to amend 1964 PA 142, entitled "An act to authorize the state department of education to provide minimum requirements for nonincorporated privately operated institutions which purport to offer degrees, diplomas or certificates based on education beyond high school, or education for transfer to institutions of higher learning," (MCL 390.771 to 390.772) by adding section 1a.

(The bill was received from the Senate on September 14, with amendments and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 81, p. 2536.)

The question being on concurring in the amendments 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. 1020**

**Yeas—76**

Accavitti	Gaffney	Mayes	Sak
Acciavatti	Garfield	McConico	Schuitmaker
Amos	Gleason	McDowell	Shaffer
Angerer	Gosselin	Meyer	Sheen
Ball	Green	Moolenaar	Sheltrown
Baxter	Hansen	Moore	Smith, Virgil
Booher	Hildenbrand	Mortimer	Spade
Brandenburg	Hoogendyk	Murphy	Stahl
Byrum	Huizenga	Newell	Stakoe
Casperson	Hummel	Nitz	Steil
Caswell	Hune	Nofs	Stewart
Caul	Jones	Palmer	Taub
Clemente	Kahn	Palsrok	Van Regenmorter
DeRoche	Kooiman	Pastor	Vander Veen
Drolet	LaJoy	Pavlov	Walker
Elsenheimer	Law, David	Pearce	Ward
Emmons	Lemmons, III	Proos	Waters
Espinoza	Lipsey	Robertson	Wenke
Farhat	Marleau	Rocca	Wojno

**Nays—30**

Adamini	Condino	Hunter	Plakas
Anderson	Dillon	Kolb	Polidori
Bennett	Donigan	Law, Kathleen	Smith, Alma
Bieda	Farrah	Leland	Tobocman
Brown	Gillard	Lemmons, Jr.	Vagnozzi
Byrnes	Gonzales	Meisner	Williams
Cheeks	Hood	Miller	Zelenko
Clack	Hopgood		

In The Chair: Kooiman

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

### Second Reading of Bills

#### House Bill No. 6455, entitled

A bill to amend 1985 PA 87, entitled "William Van Regenmorter crime victim's rights act," by amending sections 13a, 16a, 17a, 31, 41a, 44a, 46b, 61, 76a, 78a, and 80a (MCL 780.763a, 780.766a, 780.767a, 780.781, 780.791a, 780.794a, 780.796b, 780.811, 780.826a, 780.828a, and 780.830a), sections 13a, 16a, 31, 44a, 61, and 76a as amended and sections 17a, 46b, and 80a as added by 2005 PA 184 and sections 41a and 78a as amended by 2000 PA 503, and by adding sections 2a, 18b, 31a, 45a, 61b, and 77b.

The bill was read a second time.

Rep. Van Regenmorter moved to amend the bill as follows:

1. Amend page 25, following line 21, by inserting:

"Enacting section 1. This amendatory act takes effect January 1, 2007."

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

Rep. Van Regenmorter 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. 6455, entitled

A bill to amend 1985 PA 87, entitled "William Van Regenmorter crime victim's rights act," by amending sections 13a, 16a, 17a, 31, 41a, 44a, 46b, 61, 76a, 78a, and 80a (MCL 780.763a, 780.766a, 780.767a, 780.781, 780.791a, 780.794a, 780.796b, 780.811, 780.826a, 780.828a, and 780.830a), sections 13a, 16a, 31, 44a, 61, and 76a as amended and sections 17a, 46b, and 80a as added by 2005 PA 184 and sections 41a and 78a as amended by 2000 PA 503, and by adding sections 2a, 18b, 31a, 45a, 61b, and 77b.

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

#### Roll Call No. 1021

#### Yeas—106

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



Cheeks	Hune	Palmer	Vander Veen
Clack	Hunter	Palsrok	Walker
Clemente	Jones	Pastor	Ward
Condino	Kahn	Pavlov	Waters
DeRoche	Kolb	Pearce	Wenke
Dillon	Kooiman	Plakas	Williams
Donigan	LaJoy	Polidori	Wojno
Drolet	Law, David	Proos	Zelenko
Elsenheimer	Law, Kathleen		

**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.

### Second Reading of Bills

#### Senate Bill No. 1375, entitled

A bill to amend 1971 PA 140, entitled "Glenn Steil state revenue sharing act of 1971," by amending section 13 (MCL 141.913), as amended by 2005 PA 196.

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### Senate Bill No. 1375, entitled

A bill to amend 1971 PA 140, entitled "Glenn Steil state revenue sharing act of 1971," by amending section 13 (MCL 141.913), as amended by 2005 PA 196.

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

#### Roll Call No. 1022

**Yeas—94**

Accavitti	Elsenheimer	Law, Kathleen	Robertson
Acciavatti	Emmons	Lipsey	Rocca
Adamini	Espinoza	Marleau	Sak
Amos	Farhat	Mayes	Schuitmaker
Anderson	Farrah	McDowell	Shaffer
Ball	Garfield	Meisner	Sheen
Baxter	Gillard	Meyer	Sheltrown
Bennett	Gleason	Miller	Smith, Alma
Bieda	Gonzales	Moolenaar	Spade
Booher	Gosselin	Moore	Stahl
Brandenburg	Green	Mortimer	Stakoe
Brown	Hansen	Murphy	Steil

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

### Nays—12

Angerer	Hood	Lemmons, III	Smith, Virgil
Cheeks	Hunter	Lemmons, Jr.	Tobocman
Gaffney	Leland	McConico	Waters

In The Chair: Kooiman

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

“An act to provide for the distribution of certain state revenues to cities, villages, townships, and counties; to impose certain duties and confer certain powers on this state, political subdivisions of this state, and the officers of both; to create reserve funds; and to establish a revenue sharing task force and provide for its powers and duties,”

The House agreed to the full title.

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

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

### Second Reading of Bills

#### House Bill No. 6359, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending sections 3801, 3805, 3807, 3809, 3811, 3815, 3817, 3819, 3823, 3827, 3830, 3835, 3839, 3841, and 3849 (MCL 500.3801, 500.3805, 500.3807, 500.3809, 500.3811, 500.3815, 500.3817, 500.3819, 500.3823, 500.3827, 500.3830, 500.3835, 500.3839, 500.3841, and 500.3849), sections 3801, 3807, 3809, 3811, 3815, and 3819 as amended and section 3830 as added by 2002 PA 304 and sections 3805, 3817, 3823, 3827, 3835, 3839, 3841, and 3849 as added by 1992 PA 84, and by adding section 3804; and to repeal acts and parts of acts.

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

The substitute (H-1) was not adopted, a majority of the members serving not voting therefor.

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

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

Rep. Sheen moved to amend the bill as follows:

1. Amend page 120, following line 10, by inserting:

“Sec. 3831. (1) Each insurer offering individual or group expense incurred hospital, medical, or surgical policies or certificates in this state shall provide without restriction, to any person who requests coverage from an insurer and has been insured with an insurer subject to this section, if the person would no longer be insured because he or she has become eligible for medicare or if the person loses coverage under a group policy after becoming eligible for medicare, a right of continuation or conversion to their choice of the basic core benefits as described in section 3807 or a type C

medicare supplemental package as described in section 3811(5)(c) that is guaranteed renewable or noncancellable. A person who is hospitalized or has been informed by a physician that he or she will require hospitalization within 30 days after the time of application shall not be entitled to coverage under this subsection until the day following the date of discharge. However, if the hospitalized person was insured by the insurer immediately prior to becoming eligible for medicare or immediately prior to losing coverage under a group policy after becoming eligible for medicare, the person shall be eligible for immediate coverage from the previous insurer under this subsection. A person shall not be entitled to a medicare supplemental policy under this subsection unless the person presents satisfactory proof to the insurer that he or she was insured with an insurer subject to this section. A person who wishes coverage under this subsection must either request coverage within 90 days before or 90 days after the month he or she becomes eligible for medicare or request coverage within 180 days after losing coverage under a group policy. A person 60 years of age or older who loses coverage under a group policy is entitled to coverage under a medicare supplemental policy without restriction from the insurer providing the former group coverage, if he or she requests coverage within 90 days before or 90 days after the month he or she becomes eligible for medicare.

(2) Except as provided in section 3833, a person not insured under an individual or group hospital, medical, or surgical expense incurred policy as specified in subsection (1), after applying for coverage under a medicare supplemental policy required to be offered under subsection (1), shall be entitled to coverage under a medicare supplemental policy that may include a provision for exclusion from preexisting conditions for 6 months after the inception of coverage, consistent with the provisions of section 3819(2)(a).

(3) Each insurer offering individual expense incurred hospital, medical, or surgical policies in this state shall give to each person who is insured with the insurer at the time he or she becomes eligible for medicare, and to each applicant of the insurer who is eligible for medicare, written notice of the availability of coverage under this section. Each group policyholder providing hospital, medical, or surgical expense incurred coverage in this state shall give to each certificate holder who is covered at the time he or she becomes eligible for medicare, written notice of the availability of coverage under this section.

**(4) NOTWITHSTANDING THE REQUIREMENTS OF THIS SECTION, AN INSURER OFFERING OR RENEWING INDIVIDUAL OR GROUP EXPENSE INCURRED HOSPITAL, MEDICAL, OR SURGICAL POLICIES OR CERTIFICATES AFTER JUNE 27, 2005 MAY COMPLY WITH THE REQUIREMENT OF PROVIDING MEDICARE SUPPLEMENTAL COVERAGE TO ELIGIBLE POLICYHOLDERS BY UTILIZING ANOTHER INSURER TO WRITE THIS COVERAGE PROVIDED THE INSURER MEETS ALL OF THE FOLLOWING REQUIREMENTS:**

**(A) THE INSURER PROVIDES ITS POLICYHOLDERS THE NAME OF THE INSURER THAT WILL PROVIDE THE MEDICARE SUPPLEMENTAL COVERAGE.**

**(B) THE INSURER GIVES ITS POLICYHOLDERS THE TELEPHONE NUMBERS AT WHICH THE MEDICARE SUPPLEMENTAL INSURER CAN BE REACHED.**

**(C) THE INSURER REMAINS RESPONSIBLE FOR PROVIDING MEDICARE SUPPLEMENTAL COVERAGE TO ITS POLICYHOLDERS IN THE EVENT THAT THE OTHER INSURER NO LONGER PROVIDES COVERAGE AND ANOTHER INSURER IS NOT FOUND TO TAKE ITS PLACE.**

**(D) THE INSURER PROVIDES CERTIFICATION FROM AN EXECUTIVE OFFICER FOR THE SPECIFIC INSURER OR AFFILIATE OF THE INSURER WISHING TO UTILIZE THIS OPTION. THIS CERTIFICATION SHALL IDENTIFY THE PROCESS PROVIDED IN SUBDIVISIONS (A) THROUGH (C) AND SHALL CLEARLY STATE THAT THE INSURER UNDERSTANDS THAT THE COMMISSIONER MAY VOID THIS ARRANGEMENT IF THE AFFILIATE FAILS TO ENSURE THAT ELIGIBLE POLICYHOLDERS ARE IMMEDIATELY OFFERED MEDICARE SUPPLEMENTAL POLICIES.**

**(E) THE INSURER CERTIFIES TO THE COMMISSIONER THAT IT IS IN THE PROCESS OF DISCONTINUING IN MICHIGAN ITS OFFERING OF INDIVIDUAL OR GROUP EXPENSE INCURRED HOSPITAL, MEDICAL, OR SURGICAL POLICIES OR CERTIFICATES.”.**

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

Rep. Ball 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. 6359, entitled**

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending sections 3801, 3805, 3807, 3809, 3811, 3815, 3817, 3819, 3823, 3827, 3830, 3835, 3839, 3841, and 3849 (MCL 500.3801, 500.3805, 500.3807,

500.3809, 500.3811, 500.3815, 500.3817, 500.3819, 500.3823, 500.3827, 500.3830, 500.3835, 500.3839, 500.3841, and 500.3849), sections 3801, 3807, 3809, 3811, 3815, and 3819 as amended and section 3830 as added by 2002 PA 304 and sections 3805, 3817, 3823, 3827, 3835, 3839, 3841, and 3849 as added by 1992 PA 84, and by adding section 3804; and to repeal acts and parts of acts.

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

**Roll Call No. 1023****Yeas—106**

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

**Nays—0**

In The Chair: Kooiman

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

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

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending sections 3801, 3805, 3807, 3809, 3811, 3815, 3817, 3819, 3823, 3827, 3830, 3831, 3835, 3839, 3841, and 3849 (MCL 500.3801, 500.3805, 500.3807, 500.3809, 500.3811, 500.3815, 500.3817, 500.3819, 500.3823, 500.3827, 500.3830, 500.3831, 500.3835, 500.3839, 500.3841, and 500.3849), sections 3801, 3807, 3809, 3811, 3815, and 3819 as amended and section 3830 as added by 2002 PA 304 and sections 3805, 3817, 3823, 3827, 3831, 3835, 3839, 3841, and 3849 as added by 1992 PA 84, and by adding section 3804; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

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

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

**Second Reading of Bills**

The House returned to the consideration of

**House Bill No. 6440, entitled**

A bill to amend 1994 PA 204, entitled “The children’s ombudsman act,” by amending the title and section 3 (MCL 722.923), as amended by 2004 PA 560.

(The bill was considered earlier today, see today’s Journal, p. 2549.)

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

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

Rep. Waters demanded the yeas and nays.

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

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

The motion prevailed.

**House Bill No. 6457, entitled**

A bill to require consumer reporting agencies to report certain new credit activity to consumers who have registered with the office of financial and insurance services; and to provide for the powers and duties of certain state officers and entities.

The bill was read a second time.

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

The motion prevailed.

The House returned to the consideration of

**House Bill No. 6440, entitled**

A bill to amend 1994 PA 204, entitled “The children’s ombudsman act,” by amending the title and section 3 (MCL 722.923), as amended by 2004 PA 560.

(The bill was considered earlier today, see today’s Journal, p. 2567.)

The question being on the motion made previously by Rep. Waters,

The demand was supported.

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

The substitute (H-5) was not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

**Roll Call No. 1024**

**Yeas—48**

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

**Nays—58**

Acciavatti	Garfield	Meyer	Rocca
Amos	Gosselin	Moolenaar	Schuitmaker
Ball	Green	Moore	Shaffer

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

In The Chair: Kooiman

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

**House Bill No. 5389, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 109i.  
Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Senior Health, Security, and Retirement,  
The substitute (H-2) was not adopted, a majority of the members serving not voting therefor.

Reps. Farhat and Pastor moved to substitute (H-3) the bill.  
The motion prevailed and the substitute (H-3) was adopted, a majority of the members serving voting therefor.

Rep. Shaffer moved to amend the bill as follows:

1. Amend page 12, following line 3, by inserting:

**"(19) MEDICAID REIMBURSEMENT FOR HEALTH FACILITIES OR AGENCIES SHALL NOT BE REDUCED BELOW THE LEVEL OF RATES AND PAYMENTS IN EFFECT ON OCTOBER 1, 2006, AS A DIRECT RESULT OF THE 4 PILOT SINGLE POINT OF ENTRY AGENCIES DESIGNATED UNDER SUBSECTION (9)." and renumbering the remaining subsection.**

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

Rep. Shaffer 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. 5389, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 109i.  
Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1025**

**Yeas—106**

Accavitti	Emmons	Leland	Robertson
Acciavatti	Espinoza	Lemmons, III	Rocca
Adamini	Farhat	Lemmons, Jr.	Sak
Amos	Farrah	Lipsey	Schuitmaker
Anderson	Gaffney	Marleau	Shaffer
Angerer	Garfield	Mayes	Sheen

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

### Nays—0

In The Chair: Kooiman

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

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

A bill to amend 1939 PA 280, entitled “The social welfare act,” (MCL 400.1 to 400.119b) by adding sections 109i and 109j.

The motion prevailed.

The House agreed to the title as amended.

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

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

Reps. Waters, McConico, Anderson, Stewart, Kolb, Lipsey, Meyer, Hummel, Williams, Adamini, Brown, Virgil Smith, Hopgood, Kathleen Law, Bieda, Meisner, Acciavatti, Condino, Stakoe, Caswell, Nofs, Wenke, Ward, Steil, Huizenga, Moolenaar, Angerer, Baxter, Booher, Cheeks, Clemente, Espinoza, Gonzales, Hildenbrand, Jones, Leland, Lemmons, III, Lemmons, Jr., McDowell, Miller, Moore, Rocca, Hood and Murphy were named co-sponsors of the bill.

### Second Reading of Bills

The House returned to the consideration of

#### **House Bill No. 6457, entitled**

A bill to require consumer reporting agencies to report certain new credit activity to consumers who have registered with the office of financial and insurance services; and to provide for the powers and duties of certain state officers and entities.

(The bill was considered earlier today, see today’s Journal, p. 2567.)

Rep. Spade moved to amend the bill as follows:

1. Amend page 4, following line 7, by inserting:

“Enacting section 1. This act does not take effect unless House Bill No. 4525 of the 93rd Legislature is enacted into law.”.

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

Rep. Waters demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 1026****Yeas—53**

Accavitti	Condino	Law, David	Plakas
Adamini	Dillon	Law, Kathleen	Polidori
Anderson	Donigan	Leland	Sak
Angerer	Espinoza	Lemmons, III	Sheltrown
Baxter	Farhat	Lemmons, Jr.	Smith, Alma
Bennett	Farrah	Lipsev	Smith, Virgil
Bieda	Gillard	Mayes	Spade
Brandenburg	Gleason	McDowell	Tobocman
Brown	Gonzales	Meisner	Vagnozzi
Byrnes	Hood	Miller	Waters
Byrum	Hopgood	Moore	Williams
Cheeks	Hunter	Mortimer	Wojno
Clack	Kolb	Murphy	Zelenko
Clemente			

**Nays—53**

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

In The Chair: Kooiman

Rep. Baxter 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. 6457, entitled**

A bill to require consumer reporting agencies to report certain new credit activity to consumers who have registered with the office of financial and insurance services; and to provide for the powers and duties of certain state officers and entities.

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



**Roll Call No. 1027****Yeas—105**

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

**Nays—1**

Drolet

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. 6458, entitled**

A bill to amend 1962 PA 174, entitled "Uniform commercial code," by amending section 4403 (MCL 440.4403), as amended by 1993 PA 130.

The bill was read a second time.

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

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

Rep. Farhat 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. 6458, entitled**

A bill to amend 1962 PA 174, entitled "Uniform commercial code," by amending section 4403 (MCL 440.4403), as amended by 1993 PA 130.

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

**Roll Call No. 1028**

**Yeas—103**

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

**Nays—3**

Adamini	Dillon	Drolet
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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. 6459, entitled**

A bill to amend 2004 PA 452, entitled "Identity theft protection act," by amending section 11 (MCL 445.71).

The bill was read a second time.

Rep. Robertson moved to amend the bill as follows:

1. Amend page 3, line 18, after “**PERIOD.**” by inserting “**THIS SUBDIVISION DOES NOT APPLY IF THE PERSON FROM WHICH THE CONSUMER OBTAINS THE GOODS OR SERVICES IS A FINANCIAL INSTITUTION OR AN AFFILIATE OF A FINANCIAL INSTITUTION AND THE CONSUMER IS AN ACCOUNT HOLDER OF THAT FINANCIAL INSTITUTION.**”.

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

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

The motion prevailed.

Rep. 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. 6459, entitled**

A bill to amend 2004 PA 452, entitled “Identity theft protection act,” by amending section 11 (MCL 445.71).

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

**Roll Call No. 1029**

**Yeas—105**

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

**Nays—1**

Drolet

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.

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

The Speaker laid before the House  
**House Bill No. 6150, entitled**

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

(The bill was received from the Senate on September 13, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until September 14, see House Journal No. 80, p. 2509.)

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

Rep. Caswell moved to amend the bill as follows:

1. Amend page 1, following "**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**" by inserting:

**"SEC. 16605. THE FOLLOWING WORDS, TITLES, OR LETTERS OR A COMBINATION THEREOF, WITH OR WITHOUT QUALIFYING WORDS OR PHRASES, ARE RESTRICTED IN USE ONLY TO THOSE PERSONS AUTHORIZED UNDER THIS PART TO USE THE FOLLOWING TERMS AND IN A WAY PRESCRIBED IN THIS PART: "DENTIST", "DOCTOR OF DENTAL SURGERY", "ORAL AND MAXILLOFACIAL SURGEON", "ORTHODONTIST", "PROSTHODONTIST", "PERIODONTIST", "ENDODONTIST", "ORAL PATHOLOGIST", "PEDIATRIC DENTIST", "DENTAL HYGIENIST", "REGISTERED DENTAL HYGIENIST", "DENTAL ASSISTANT", "REGISTERED DENTAL ASSISTANT", "R.D.A.", "D.D.S.", "D.M.D.", AND "R.D.H.".**

**SEC. 16620. THE TERMS OF OFFICE OF INDIVIDUAL MEMBERS OF THE BOARD AND TASK FORCE CREATED UNDER THIS PART, EXCEPT THOSE APPOINTED TO FILL VACANCIES, EXPIRE 4 YEARS AFTER APPOINTMENT ON JUNE 30 OF THE YEAR IN WHICH THE TERM WILL EXPIRE."**

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

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

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

**Roll Call No. 1030**

**Yeas—106**

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

Clack	Hunter	Palsrok	Walker
Clemente	Jones	Pastor	Ward
Condino	Kahn	Pavlov	Waters
DeRoche	Kolb	Pearce	Wenke
Dillon	Kooiman	Plakas	Williams
Donigan	LaJoy	Polidori	Wojno
Drolet	Law, David	Proos	Zelenko
Elsenheimer	Law, Kathleen		

**Nays—0**

In The Chair: Kooiman

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

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

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 18103, 18105, and 18115 (MCL 333.18103, 333.18105, and 333.18115), section 18103 as amended by 1993 PA 79, section 18105 as amended by 1989 PA 262, and section 18115 as added by 1988 PA 421, and by adding sections 16605 and 16620.

The motion prevailed.

The House agreed to the title as amended.

**Second Reading of Bills****House Bill No. 6267, entitled**

A bill to amend 1979 PA 152, entitled “State license fee act,” by amending the title and sections 3 and 37 (MCL 338.2203 and 338.2237), section 3 as amended by 1993 PA 139 and section 37 as amended by 2003 PA 87.

The bill was read a second time.

Rep. McDowell moved to amend the bill as follows:

1. Amend page 3, line 23, after “department” by striking out “**OF ATTORNEY GENERAL**”.

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

Rep. Baxter 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. 6267, entitled**

A bill to amend 1979 PA 152, entitled “State license fee act,” by amending the title and sections 3 and 37 (MCL 338.2203 and 338.2237), section 3 as amended by 1993 PA 139 and section 37 as amended by 2003 PA 87.

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

**Roll Call No. 1031****Yeas—106**

Accavitti	Emmons	Leland	Robertson
Acciavatti	Espinoza	Lemmons, III	Rocca
Adamini	Farhat	Lemmons, Jr.	Sak
Amos	Farrah	Lipsey	Schuitmaker
Anderson	Gaffney	Marleau	Shaffer
Angerer	Garfield	Mayes	Sheen

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

### 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.

### Second Reading of Bills

#### House Bill No. 6432, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 159g (MCL 750.159g), as amended by 2002 PA 124, and by adding section 219d.

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

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

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

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

Rep. Amos moved to amend the bill as follows:

1. Amend page 4, following line 11, by inserting:

“(8) **THIS SECTION SHALL NOT BE CONSTRUED TO CREATE ADDITIONAL DISCLOSURE REQUIREMENTS BEYOND THOSE OTHERWISE REQUIRED BY LAW.**” and renumbering the remaining subsections.

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

Rep. Hunter moved to amend the bill as follows:

1. Amend page 5, following line 16, by inserting:

“Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 93rd Legislature are enacted into law:

(a) House Bill No. 4343.

(b) House Bill No. 4344.

- (c) House Bill No. 4345.
- (d) House Bill No. 4346.
- (e) House Bill No. 4347.
- (f) House Bill No. 4348.
- (g) House Bill No. 4349.
- (h) House Bill No. 4350.”.

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

The demand was supported.

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

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

**Roll Call No. 1032**

**Yeas—53**

Accavitti	Donigan	Law, Kathleen	Plakas
Adamini	Espinoza	Leland	Polidori
Anderson	Farhat	Lemmons, III	Sak
Angerer	Farrah	Lemmons, Jr.	Sheltrown
Baxter	Gillard	Lipsey	Smith, Alma
Bennett	Gleason	Mayes	Smith, Virgil
Bieda	Gonzales	McConico	Spade
Brown	Hood	McDowell	Tobocman
Byrnes	Hopgood	Meisner	Vagnozzi
Byrum	Hunter	Miller	Waters
Cheeks	Kahn	Moore	Williams
Clack	Kolb	Mortimer	Wojno
Clemente	Law, David	Murphy	Zelenko
Condino			

**Nays—53**

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

In The Chair: Kooiman

Rep. Waters moved to reconsider the vote by which the House did not adopt the amendment.

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

Rep. Waters demanded the yeas and nays.

The demand was supported.

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

The motion did not prevail, a majority of the members serving not voting therefor, by yeas and nays, as follows:

**Roll Call No. 1033****Yeas—48**

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

**Nays—58**

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

In The Chair: Kooiman

Rep. Amos 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. 6432, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 159g (MCL 750.159g), as amended by 2002 PA 124, and by adding section 219d.

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

**Roll Call No. 1034****Yeas—105**

Accavitti	Espinoza	Leland	Robertson
Acciavatti	Farhat	Lemmons, III	Rocca
Adamini	Farrah	Lemmons, Jr.	Sak
Amos	Gaffney	Lipsey	Schuitmaker
Anderson	Garfield	Marleau	Shaffer



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

### Nays—1

Drolet

In The Chair: Kooiman

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

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

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 219d.

The motion prevailed.

The House agreed to the title as amended.

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

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

### Second Reading of Bills

#### House Bill No. 6433, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16l of chapter XVII (MCL 777.16l), as amended by 2005 PA 171.

The bill was read a second time.

Rep. Pastor 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. 6433, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16l of chapter XVII (MCL 777.16l), as amended by 2005 PA 171.

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

**Roll Call No. 1035****Yeas—105**

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

**Nays—1**

Drolet

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. 6434, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 2635 (MCL 339.2635), as amended by 1999 PA 170.

The bill was read a second time.

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

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

Rep. Marleau 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. 6434, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 2635 (MCL 339.2635), as amended by 1999 PA 170.

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

**Roll Call No. 1036**

**Yeas—105**

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

**Nays—1**

Drolet

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. 6436, 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.

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

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

Rep. Amos moved to substitute (H-4) the bill.

The motion prevailed and the substitute (H-4) was adopted, a majority of the members serving voting therefor.

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

The question being on the adoption of the substitute (H-3) offered by Rep. Condino,

### Point of Order

Rep. Ward requested a ruling from the Chair regarding the germaneness of the substitute (H-3) offered by Rep. Condino.

The Chair ruled that the substitute (H-3) is not germane pursuant to House Rule 64.

Rep. Waters appealed the decision of the Chair.

The question being, "Shall the judgment of the Chair stand as the judgment of the House?"

The judgment of the Chair stood as the judgment of the House, a majority of the members present voting therefor, by yeas and nays, as follows:

### Roll Call No. 1037

### Yeas—58

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

### Nays—48

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

In The Chair: Kooiman

Rep. Amos 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. 6436, 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.

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

**Roll Call No. 1038**

**Yeas—105**

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

**Nays—1**

Drolet

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. 6435, entitled

A bill to amend 1987 PA 173, entitled "Mortgage brokers, lenders, and servicers licensing act," by amending section 29 (MCL 445.1679), as amended by 1996 PA 210.

The bill was read a second time.

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

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

Rep. Casperson 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. 6435, entitled

A bill to amend 1987 PA 173, entitled "Mortgage brokers, lenders, and servicers licensing act," by amending section 29 (MCL 445.1679), as amended by 1996 PA 210.

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

#### Roll Call No. 1039

#### Yeas—105

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

#### Nays—1

Drolet

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.

**Senate Bill No. 1290, entitled**

A bill to provide for the certification of driver education providers; to prescribe certain record-keeping and program requirements for driver education providers; to provide for the certification of driver education instructors; to prescribe the powers and duties of certain persons and departments; to prescribe certain fees; to establish a fund in the state treasury; to prescribe remedies, sanctions, and penalties; and to repeal acts, administrative rules, and parts of acts.

(The bill was passed, motion made to grant immediate effect and motion postponed for the day on September 14, see House Journal No. 81, p. 2529.)

The question being on the motion made previously by Rep. Hildenbrand,  
 Rep. Hildenbrand withdrew the motion.

Rep. Ward moved to reconsider the vote by which the House passed the bill.  
 The motion prevailed, a majority of the members serving voting therefor.  
 The question being on the passage of the bill,

Rep. Condino moved to amend the bill as follows:

1. Amend page 37, line 1, after “meet” by striking out “all” and inserting “both”.
2. Amend page 37, line 16, by striking out all of subdivision (c).

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

Rep. Ward moved to reconsider the vote by which the House adopted the amendments.  
 The motion prevailed, a majority of the members serving voting therefor.  
 The question being on the adoption of the amendments offered previously by Rep. Condino,  
 The amendments were 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. 1040**

**Yeas—96**

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

**Nays—10**

Baxter	Gosselin	Hune	Pastor
Drolet	Hoogendyk	Palmer	Sheen
Garfield	Hummel		

In The Chair: Kooiman

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

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

**Senate Bill No. 435, entitled**

A bill to amend 1972 PA 382, entitled “An act to establish and operate a state lottery and to allow state participation in certain lottery-related joint enterprises with other sovereignties; to create a bureau of state lottery and to prescribe its powers and duties; to prescribe certain powers and duties of other state departments and agencies; to license and regulate certain sales agents; to create the state lottery fund; to provide for the distribution of lottery revenues and earnings for certain purposes; to provide for an appropriation; and to provide for remedies and penalties,” by amending sections 3, 3a, 5, 5c, 8, 10, 10a, 10b, and 11b (MCL 432.103, 432.103a, 432.105, 432.105c, 432.108, 432.110, 432.110a, 432.110b, and 432.111b), section 3 as amended by 1995 PA 275, sections 3a, 5c, 10b, and 11b as added and sections 5, 10, and 10a as amended by 1999 PA 108, and section 8 as amended by 1981 PA 229, and by adding section 10c.

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

1. Amend page 13, line 22, by striking out all of section 10b.
2. Amend page 14, line 3, by striking out all of section **10C**.

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

A bill to amend 1972 PA 382, entitled “An act to license and regulate the conducting of bingo, millionaire parties, and certain other forms of gambling; to provide for the conducting of charity games, raffles, and numeral games; to provide for exemptions from licensing requirements under certain circumstances; to impose certain duties and authority upon certain state departments, agencies, and officers; to provide a tax exemption; and to provide penalties,” by amending sections 3, 3a, 5, 5c, 8, 10, 10a, and 11b (MCL 432.103, 432.103a, 432.105, 432.105c, 432.108, 432.110, 432.110a, and 432.111b), section 3 as amended by 1995 PA 275, sections 3a, 5c, and 11b as added and sections 5, 10, and 10a as amended by 1999 PA 108, and section 8 as amended by 1981 PA 229.

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

Rep. Ward moved that Rule 45 be suspended.

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

The question being on concurring in the 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. 1041****Yeas—90**

Accavitti	Elsenheimer	Leland	Proos
Acciavatti	Emmons	Lemmons, III	Robertson
Adamini	Espinoza	Lemmons, Jr.	Rocca
Amos	Farhat	Lipsey	Sak
Anderson	Farrah	Marleau	Schuitmaker
Angerer	Gaffney	Mayes	Shaffer
Ball	Garfield	McConico	Sheltrown
Bennett	Gillard	McDowell	Smith, Alma
Bieda	Gleason	Meisner	Smith, Virgil
Booher	Gonzales	Meyer	Spade
Brown	Hansen	Miller	Stakoe
Byrnes	Hildenbrand	Moore	Steil
Byrum	Hood	Mortimer	Stewart



Casperson	Hoogendyk	Murphy	Tobocman
Caul	Hopgood	Nitz	Vagnozzi
Cheeks	Hummel	Nofs	Walker
Clack	Hune	Palmer	Ward
Clemente	Hunter	Palsrok	Waters
Condino	Kahn	Pastor	Wenke
DeRoche	Kolb	Pavlov	Williams
Dillon	LaJoy	Plakas	Wojno
Donigan	Law, David	Polidori	Zelenko
Drolet	Law, Kathleen		

### Nays—16

Baxter	Green	Moolenaar	Stahl
Brandenburg	Huizenga	Newell	Taub
Caswell	Jones	Pearce	Van Regenmorter
Gosselin	Kooiman	Sheen	Vander Veen

In The Chair: Kooiman

The House agreed to the title as amended.

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

By unanimous consent the House returned to the order of

### Motions and Resolutions

Rep. Ward moved that when the House adjourns today it stand adjourned until Wednesday, September 20, at 12:00 Noon.

The motion prevailed.

### Notices

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Government Operations from further consideration of **House Resolution No. 287**.

Rep. Waters

### Messages from the Governor

Date: September 15, 2006

Time: 4:45 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5217 (Public Act No. 350, I.E.), being**

An act 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 5b (MCL 28.425b), as amended by 2003 PA 31.

(Filed with the Secretary of State September 18, 2006, at 10:24 a.m.)

Date: September 15, 2006

Time: 4:47 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5800 (Public Act No. 351, I.E.), being**

An act to amend 1953 PA 232, entitled “An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to allow for the operation of certain facilities by private entities; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to provide for a lifetime electronic monitoring program; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act,” (MCL 791.201 to 791.283) by adding section 20i.

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

Date: September 15, 2006

Time: 4:49 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5602 (Public Act No. 352, I.E.), being**

An act to amend 1939 PA 288, entitled “An act to revise and consolidate the statutes relating to certain aspects of the family division of circuit court, to the jurisdiction, powers, and duties of the family division of circuit court and its judges and other officers, to the change of name of adults and children, and to the adoption of adults and children; to prescribe certain jurisdiction, powers, and duties of the family division of circuit court and its judges and other officers; to prescribe the manner and time within which certain actions and proceedings may be brought in the family division of the circuit court; to prescribe pleading, evidence, practice, and procedure in certain actions and proceedings in the family division of circuit court; to provide for appeals from certain actions in the family division of circuit court; to prescribe the powers and duties of certain state departments, agencies, and officers; to provide for certain immunity from liability; and to provide remedies and penalties,” by amending section 60 of chapter X (MCL 710.60), as amended by 1996 PA 409.

(Filed with the Secretary of State September 18, 2006, at 10:28 a.m.)

Date: September 15, 2006

Time: 4:53 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 6223 (Public Act No. 354, I.E.), being**

An act to amend 1956 PA 218, entitled “An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and

homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker's compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act," by amending section 8134 (MCL 500.8134), as amended by 1998 PA 279.

(Filed with the Secretary of State September 18, 2006, at 10:32 a.m.)

Date: September 15, 2006

Time: 4:55 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 6224 (Public Act No. 355, I.E.), being**

An act to amend 1956 PA 218, entitled "An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker's compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act," (MCL 500.100 to 500.8302) by adding section 8133a.

(Filed with the Secretary of State September 18, 2006, at 10:34 a.m.)

Date: September 15, 2006

Time: 4:57 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 6225 (Public Act No. 356, I.E.), being**

An act to amend 1956 PA 218, entitled "An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and

associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker's compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act," (MCL 500.100 to 500.8302) by adding section 8124a.

(Filed with the Secretary of State September 18, 2006, at 10:36 a.m.)

Date: September 15, 2006

Time: 4:59 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 6226 (Public Act No. 357, I.E.), being**

An act to amend 1956 PA 218, entitled "An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker's compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of

automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act,” by amending section 8124 (MCL 500.8124), as added by 1989 PA 302.

(Filed with the Secretary of State September 18, 2006, at 10:38 a.m.)

Date: September 15, 2006

Time: 5:01 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 6227 (Public Act No. 358, I.E.), being**

An act to amend 1956 PA 218, entitled “An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker’s compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act,” by amending section 8111 (MCL 500.8111), as amended by 1992 PA 182.

(Filed with the Secretary of State September 18, 2006, at 10:40 a.m.)

Date: September 15, 2006

Time: 5:03 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 6228 (Public Act No. 359, I.E.), being**

An act to amend 1956 PA 218, entitled “An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the

imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker's compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act," by amending section 7945 (MCL 500.7945), as amended by 1980 PA 41.

(Filed with the Secretary of State September 18, 2006, at 10:42 a.m.)

Date: September 15, 2006

Time: 5:05 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 6229 (Public Act No. 360, I.E.), being**

An act to amend 1956 PA 218, entitled "An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker's compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act," by amending section 7941 (MCL 500.7941), as amended by 1990 PA 137.

(Filed with the Secretary of State September 18, 2006, at 10:44 a.m.)

Date: September 15, 2006  
Time: 5:07 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 6230 (Public Act No. 361, I.E.), being**

An act to amend 1956 PA 218, entitled “An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker’s compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act,” by amending section 7931 (MCL 500.7931), as amended by 1980 PA 41.

(Filed with the Secretary of State September 18, 2006, at 10:46 a.m.)

Date: September 15, 2006  
Time: 5:09 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 6231 (Public Act No. 362, I.E.), being**

An act to amend 1956 PA 218, entitled “An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and

clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker's compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act," by amending section 7925 (MCL 500.7925), as amended by 1980 PA 41.

(Filed with the Secretary of State September 18, 2006, at 10:48 a.m.)

Date: September 15, 2006

Time: 5:11 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 6232 (Public Act No. 363, I.E.), being**

An act to amend 1956 PA 218, entitled "An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker's compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act," by amending section 7921 (MCL 500.7921), as amended by 1993 PA 200.

(Filed with the Secretary of State September 18, 2006, at 10:50 a.m.)

Date: September 15, 2006

Time: 5:13 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 6233 (Public Act No. 364, I.E.), being**

An act to amend 1956 PA 218, entitled "An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and



immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker's compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act," by amending section 7918 (MCL 500.7918), as amended by 2001 PA 182.

(Filed with the Secretary of State September 18, 2006, at 10:52 a.m.)

Date: September 15, 2006

Time: 5:15 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 6234 (Public Act No. 365, I.E.), being**

An act to amend 1956 PA 218, entitled "An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker's compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of

automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act," by amending section 7911 (MCL 500.7911), as amended by 1993 PA 200.

(Filed with the Secretary of State September 18, 2006, at 10:54 a.m.)

Date: September 15, 2006

Time: 5:17 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 6235 (Public Act No. 366, I.E.), being**

An act to amend 1956 PA 218, entitled "An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker's compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act," by amending section 3503 (MCL 500.3503), as added by 2000 PA 252.

(Filed with the Secretary of State September 18, 2006, at 10:56 a.m.)

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Rep. Hoogendyk moved that the House adjourn.  
The motion prevailed, the time being 4:40 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, September 20, at 12:00 Noon.

GARY L. RANDALL  
Clerk of the House of Representatives