

No. 36
STATE OF MICHIGAN
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House of Representatives
93rd Legislature
REGULAR SESSION OF 2005

House Chamber, Lansing, Tuesday, May 3, 2005.

1:00 p.m.

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

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

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

e/d/s = entered during session

Rep. Matt Gillard, from the 106th District, offered the following invocation:

“Gracious God, please help us today to govern with honor and integrity. Help us to break down the barriers that divide us and allow good will and understanding to build bridges of acceptance and respect. Cause the people of Michigan to live up to our name so that our home will truly be a haven of friendship for all persons who desire to find a better life and live in peace. This we ask, trusting in Your grace and in Your providence. Amen.”

Reports of Standing Committees

The Committee on Transportation, by Rep. LaJoy, Chair, reported

House Bill No. 4677, entitled

A bill to amend 2001 PA 142, entitled “Michigan memorial highway act,” (MCL 250.1001 to 250.2080) by adding section 87.

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. LaJoy, David Law, Gosselin, Meyer, Casperson, Nitz, Wenke, Moore, Pearce, Anderson, Byrnes, Murphy, Kathleen Law, Hood, Gleason and Leland

Nays: None

The Committee on Transportation, by Rep. LaJoy, Chair, reported

Senate Bill No. 301, entitled

A bill to amend 1972 PA 222, entitled “An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; to prescribe certain penalties for violations; and to provide an appropriation for certain purposes,” by amending sections 1 and 2 (MCL 28.291 and 28.292), section 1 as amended by 1997 PA 99 and section 2 as amended by 2003 PA 143.

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. LaJoy, David Law, Gosselin, Meyer, Casperson, Nitz, Wenke, Moore, Pearce, Anderson, Byrnes, Kathleen Law, Hood, Gleason and Leland

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, May 3, 2005

Present: Reps. LaJoy, David Law, Gosselin, Meyer, Casperson, Nitz, Wenke, Moore, Pearce, Anderson, Byrnes, Murphy, Kathleen Law, Hood, Gleason and Leland

Absent: Rep. Pavlov

Excused: Rep. Pavlov

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

House Bill No. 4357, entitled

A bill to amend 2004 PA 438, entitled “An act to designate Police Officers Memorial Day in the state of Michigan,” by amending the title and sections 1 and 2 (MCL 435.351 and 435.352).

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

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Drolet, Hoogendyk, Gosselin, Garfield, Sheen and Tobocman
Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, May 3, 2005

Present: Reps. Drolet, Hoogendyk, Gosselin, Garfield, Sheen, Tobocman and Lipsey

Absent: Rep. Lemmons, III

Excused: Rep. Lemmons, III

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

House Bill No. 4037, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 9171.

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, Ball, Kahn, Mortimer, Adamini, McDowell, Murphy and Angerer

Nays: None

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

House Bill No. 4446, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17015 (MCL 333.17015), as amended by 2002 PA 685.

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, Nofs, Ball, Green, Kahn, Mortimer, Wojno, McDowell and Angerer

Nays: Reps. Adamini and Murphy

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, May 3, 2005

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

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Vander Veen, Chair, of the Committee on Senior Health, Security, and Retirement, was received and read:

Meeting held on: Tuesday, May 3, 2005

Present: Reps. Vander Veen, Green, Stahl, Proos, Zelenko, Clack and Vagnozzi

Absent: Reps. Van Regenmorter and Polidori

Excused: Reps. Van Regenmorter and Polidori

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, May 3, 2005

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

Messages from the Governor

Date: April 28, 2005

Time: 12:00 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4570 (Public Act No. 12, I.E.), being

An act to amend 1893 PA 206, entitled “An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts,” by amending section 34d (MCL 211.34d), as amended by 1996 PA 476.

(Filed with the Secretary of State April 28, 2005, at 1:06 p.m.)

Communications from State Officers

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

April 28, 2005

Enclosed is a copy of the following audit report and/or report summary:

Performance audit of the Prisoner Intake Process,

Department of Corrections

April 2005

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

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

Introduction of Bills

Reps. Elsenheimer, Garfield, Hansen, Sheltroun, Booher, Taub, Walker, Vander Veen, Gonzales and Proos introduced **House Bill No. 4699, entitled**

A bill to amend 1972 PA 106, entitled "Highway advertising act of 1972," by amending sections 2, 5, and 13 (MCL 252.302, 252.305, and 252.313), as amended by 1998 PA 533.

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

Reps. Gleason, Jones, McDowell, Espinoza, Ball, Vander Veen and Gaffney introduced

House Bill No. 4700, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16204 (MCL 333.16204), as added by 1994 PA 234.

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

Rep. Green introduced

House Bill No. 4701, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 2004 PA 394.

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

Rep. Pavlov introduced

House Bill No. 4702, entitled

A bill to amend 1978 PA 33, entitled "An act to prohibit the dissemination, exhibiting, or displaying of certain sexually explicit matter to minors; to prohibit certain misrepresentations facilitating the dissemination of sexually explicit matter to minors; to provide penalties; to provide for declaratory judgments and injunctive relief in certain instances; to impose certain duties upon prosecuting attorneys and the circuit court; to preempt local units of government from proscribing certain conduct; and to repeal certain acts and parts of acts," by amending section 3 (MCL 722.673), as amended by 2003 PA 192.

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

Rep. Pearce introduced

House Bill No. 4703, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by amending the title, as amended by 1991 PA 56, and by adding section 143a.

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

Rep. Emmons introduced

House Bill No. 4704, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1255a.

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

Rep. Marleau introduced

House Bill No. 4705, entitled

A bill to authorize the administration of a health savings account plan for certain state employees; to provide for its creation and operation; and to prescribe powers and duties of certain state officers and agencies.

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

Reps. Kooiman, Accavitti, Tobocman, Sak, Brandenburg, Elsenheimer, Hildenbrand, Kahn, Walker, Moolenaar, Vander Veen, Baxter, Garfield, Nitz, Pavlov, Bieda, Huizenga, David Law, Pearce, Green, Gaffney, Nofs, Farhat, Jones and Palsrok introduced

House Bill No. 4706, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 916 (MCL 436.1916).

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

Rep. Meyer introduced

House Bill No. 4707, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1211 (MCL 380.1211), as amended by 2003 PA 126; and to repeal acts and parts of acts.

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

Reps. Waters, Virgil Smith, Murphy, Cushingberry, Lemmons, Jr., Hopgood, Tobocman, Hood, Leland, Hunter and Lemmons, III introduced

House Bill No. 4708, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 373 (MCL 380.373), as amended by 2004 PA 303.

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

Reps. Condino, Bieda, Cushingberry, Leland, Plakas, Brown, Accavitti, Miller, Polidori, Alma Smith, Vagnozzi, Adamini, Whitmer, Donigan, Clack, Gleason, Anderson, Phillips, Kathleen Law, Waters, Gillard, McConico, Sheltrown, Byrum, Tobocman, Hood, Meisner, Hopgood, Gonzales, Sak, Virgil Smith, Wojno, Hunter, Spade, Zelenko, Williams, Mayes, Lemmons, Jr., Farrah and Lemmons, III introduced

House Bill No. 4709, entitled

A bill to amend 1964 PA 154, entitled "Minimum wage law of 1964," by amending section 4a (MCL 408.384a), as amended by 1997 PA 2.

The bill was read a first time by its title and referred to the Committee on Employment Relations, Training, and Safety.

Reps. Acciavatti, Schuitmaker, Pavlov, Jones, Wenke, Ball, Huizenga, Farhat, Elsenheimer, Kooiman, Walker, Vander Veen, Ward, Gillard and Emmons introduced

House Bill No. 4710, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 41301 (MCL 324.41301), as added by 2003 PA 270.

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

Reps. Palsrok, Schuitmaker, Pavlov, Jones, Wenke, Ball, Huizenga, Farhat, Vander Veen, Elsenheimer, Kooiman, Walker, Ward, Gillard and Emmons introduced

House Bill No. 4711, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 41303 (MCL 324.41303), as added by 2003 PA 270.

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

Reps. Moore, Schuitmaker, Pavlov, Jones, Elsenheimer, Kooiman, Wenke, Walker, Hoogendyk, Ball, Huizenga, Vander Veen, Ward, Farhat, Gillard and Emmons introduced

House Bill No. 4712, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 41305 (MCL 324.41305), as added by 2003 PA 270.

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

Reps. Proos, Pavlov, Schuitmaker, Jones, Wenke, Walker, Ball, Huizenga, Elsenheimer, Kooiman, Vander Veen, Ward, Farhat, Gillard and Emmons introduced

House Bill No. 4713, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 41313.

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

Reps. Pavlov, Schuitmaker, Jones, Wenke, Walker, Ball, Huizenga, Elsenheimer, Kooiman, Vander Veen, Ward, Farhat, Gillard and Emmons introduced

House Bill No. 4714, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 41321.

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

Reps. Hansen, Schuitmaker, Pavlov, Jones, Wenke, Ball, Huizenga, Farhat, Elsenheimer, Kooiman, Walker, Vander Veen, Ward, Gillard and Emmons introduced

House Bill No. 4715, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 41323.

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

Reps. Farhat, Schuitmaker, Pavlov, Jones, Wenke, Walker, Ball, Huizenga, Elsenheimer, Kooiman, Vander Veen, Ward, Gillard and Emmons introduced

House Bill No. 4716, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 41309 (MCL 324.41309), as added by 2003 PA 270.

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

Reps. Gaffney, Stahl, Hune, Accavitti, Mortimer and Wenke introduced

House Bill No. 4717, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1292. The bill was read a first time by its title and referred to the Committee on Education.

Reps. Gleason, Bieda, Espinoza, McDowell, Miller, Vagnozzi, Ball, Meisner, Polidori, Clack, Huizenga, Anderson, Clemente, Sak, Leland, Byrum, Gonzales, Brown, Adamini, Wojno and Lemmons, III introduced

House Bill No. 4718, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.2080) by adding section 78.

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

Reps. Alma Smith, Kolb, Brown, Plakas, Whitmer, Williams, Anderson, Caswell, Kahn, Espinoza, Gleason, Adamini and Farhat introduced

House Bill No. 4719, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 109f (MCL 400.109f), as added by 2000 PA 410.

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

Reps. Alma Smith, Kolb, Brown, Plakas, Williams, Anderson, Caswell, Kahn, Gleason and Adamini introduced

House Bill No. 4720, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 224b (MCL 500.224b), as amended by 2002 PA 621.

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

Reps. Vander Veen, Taub, Garfield, Rocca, Palmer, Wenke, Hune, Stewart, Gosselin, Steil and Brandenburg introduced

House Bill No. 4721, entitled

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," by amending section 10 (MCL 28.730), as amended by 2004 PA 240.

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

Reps. Vander Veen, Taub, Garfield, Wenke, Ball, Emmons, Stewart, Gosselin, Clack and Brandenburg introduced **House Bill No. 4722, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 6510 (MCL 333.6510) and by adding section 20174.

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

Reps. Sak, Lemmons, III, Waters and Wojno introduced

House Bill No. 4723, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 7105, 7106, 7303a, 7311, 7401, 7405, 16106, 16221, 16226, 17708, 17751, 17759, 17763, and 17766 (MCL 333.7105, 333.7106, 333.7303a, 333.7311, 333.7401, 333.7405, 333.16106, 333.16221, 333.16226, 333.17708, 333.17751, 333.17759, 333.17763, and 333.17766), sections 7105 and 7311 as amended by 1993 PA 80, section 7303a as added by 1993 PA 305, section 7401 as amended by 2002 PA 710, sections 7405 and 17763 as amended by 2004 PA 536, sections 17708 and 17751 as amended by 1997 PA 153, section 16106 as amended by 2002 PA 643, sections 16221 and 16226 as amended by 2004 PA 214, and section 17766 as amended by 2004 PA 329.

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

Reps. Kolb and Lipsey introduced

House Bill No. 4724, entitled

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts," (MCL 460.1 to 460.10cc) by adding section 9d.

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

Reps. Caul, Palsrok, Taub, Casperson, Hansen, Booher, Pavlov, Gaffney, LaJoy, Kahn, Moolenaar and Moore introduced **House Bill No. 4725, entitled**

A bill to amend 1987 PA 231, entitled "An act to create a transportation economic development fund in the state treasury; to prescribe the uses of and distributions from this fund; to create the office of economic development and to prescribe its powers and duties; to prescribe the powers and duties of the state transportation department, state transportation commission, and certain other bodies; and to permit the issuance of certain bonds," by amending section 9 (MCL 247.909), as amended by 1993 PA 149.

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

Rep. Mortimer introduced

House Bill No. 4726, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1177a.

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

By unanimous consent the House returned to the order of

Second Reading of Bills

House Joint Resolution C, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 3 of article VIII, to provide for gubernatorial appointment of the superintendent of public instruction.

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

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

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

The motion prevailed.

House Bill No. 4603, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 3104 and 3109 (MCL 324.3104 and 324.3109), section 3104 as amended by 2004 PA 325.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Natural Resources, Great Lakes, Land Use, and Environment,

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

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

The motion prevailed.

Senate Bill No. 332, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 3103, 3104, 3109, and 3112 (MCL 324.3103, 324.3104, 324.3109, and 324.3112), sections 3103 and 3112 as amended by 2004 PA 91 and section 3104 as amended by 2004 PA 325.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Natural Resources, Great Lakes, Land Use, and Environment,

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

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

The motion prevailed.

Rep. Ward moved that Rep. Huizenga be excused temporarily from today’s session.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 199, entitled

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending section 1021 (MCL 436.2021), as amended by 2002 PA 725.

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

Roll Call No. 98

Yeas—109

Accavitti	Emmons	Leland	Robertson
Acciavatti	Espinoza	Lemmons, III	Rocca
Adamini	Farhat	Lemmons, Jr.	Sak
Amos	Farrah	Lipse	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	Hummel	Nitz	Vagnozzi
Caul	Hune	Nofs	Van Regenmorter
Cheeks	Hunter	Palmer	Vander Veen
Clack	Jones	Palsrok	Walker
Clemente	Kahn	Pastor	Ward
Condino	Kehrl	Pavlov	Waters
Cushingberry	Kolb	Pearce	Wenke
DeRoche	Kooiman	Phillips	Whitmer
Dillon	LaJoy	Plakas	Williams
Donigan	Law, David	Polidori	Wojno
Drolet	Law, Kathleen	Proos	Zelenko
Elsenheimer			

Nays—0

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 protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts,”

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. 4572, entitled

A bill to amend 1985 PA 227, entitled “Shared credit rating act,” (MCL 141.1051 to 141.1076) by adding section 16c. Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Local Government and Urban Policy,

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

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

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

Rep. Ward moved that **House Joint Resolution No. C** be placed on its immediate passage.

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

House Joint Resolution C, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 3 of article VIII, to provide for gubernatorial appointment of the superintendent of public instruction.

The bill was read a third time.

The question being on the adoption of the joint resolution,

Rep. DeRoche moved to substitute (H-4) the joint resolution.

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

The question being on the adoption of the joint resolution,

The joint resolution was then not adopted, 2/3 of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 99**Yeas—72**

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

Nays—32

Accavitti	Clemente	Leland	Smith, Alma
Adamini	Condino	Lipsey	Tobocman
Anderson	Cushingberry	Meisner	Vagnozzi
Bennett	Dillon	Miller	Waters
Bieda	Gillard	Phillips	Whitmer
Brown	Hood	Plakas	Williams
Byrum	Hopgood	Polidori	Wojno
Clack	Hunter	Sak	Zelenko

In The Chair: Kooiman

Rep. Bieda, having reserved the right to explain his nay vote, made the following statement:

“Mr. Speaker and members of the House:

I voted ‘no’ on House Joint Resolution C which would have amended the State Constitution by changing who is responsible for appointing the State Superintendent of Public Instruction. In making my decision to vote ‘no’ on this resolution, I found the rationale of the late George Romney, made during his stint as Vice-President of the 1963 Constitutional Convention, most compelling. Mr. Romney had stated that the state board of education should have the right to determine the term of office of the superintendent to remove that person ‘as nearly as possible, from capricious or individual political considerations.’ I also believe that the resolution as drafted totally removed the elected state board of education members from having any role in the hiring and selection of the superintendent, and this was something I felt undermined their ability to act in the best interest of our state’s public schools. I feel strongly that our elected state board of education should have an active role in the selection of this important position. Thus, because of these two considerations, I voted ‘no’ on House Joint Resolution C.”

Second Reading of Bills

The House returned to the consideration of

House Bill No. 4572, entitled

A bill to amend 1985 PA 227, entitled “Shared credit rating act,” (MCL 141.1051 to 141.1076) by adding section 16c. (The bill was considered earlier today, see today’s Journal, p. 544.)

Rep. Stakoe moved to amend the bill as follows:

1. Amend page 2, line 17, after “(6)” by inserting “EXCEPT AS PROVIDED IN SUBSECTION (8),”.
2. Amend page 3, following line 10, by inserting:

“(8) A GOVERNMENTAL UNIT THAT HAS ALREADY STARTED TO DEVELOP A PROJECT PLAN PRIOR TO THE EFFECTIVE DATE OF THIS AMENDATORY ACT IS ELIGIBLE TO APPLY FOR A GRANT UNDER THIS SECTION FOR THE AMOUNT OF MONEY EXPENDED BY THE GOVERNMENTAL UNIT FOR ENGINEERING AND PROFESSIONAL CONSULTING.” and renumbering the remaining subsection.

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

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

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

Rep. Stakoe moved to amend the bill as follows:

1. Amend page 2, line 13, after “(6)” by inserting “EXCEPT AS PROVIDED IN SUBSECTION (9),”.
2. Amend page 4, following line 1, by inserting:

“(9) A GOVERNMENTAL UNIT THAT HAS ALREADY STARTED TO DEVELOP A PROJECT PLAN PRIOR TO THE EFFECTIVE DATE OF THIS AMENDATORY ACT IS ELIGIBLE TO APPLY FOR A GRANT UNDER THIS SECTION FOR THE AMOUNT OF MONEY EXPENDED BY THE GOVERNMENTAL UNIT FOR ENGINEERING AND PROFESSIONAL CONSULTING.”.

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

Rep. Stakoe 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.

Rep. Palmer moved that Rep. Drolet be excused temporarily from today’s session.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4572, entitled

A bill to amend 1985 PA 227, entitled “Shared credit rating act,” (MCL 141.1051 to 141.1076) by adding section 16c. Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 100

Yeas—86

Accavitti	Farrah	Lemmons, Jr.	Rocca
Acciavatti	Garfield	Marleau	Schuitmaker
Adamini	Gillard	Mayes	Shaffer
Amos	Gleason	McConico	Sheen
Anderson	Gonzales	McDowell	Sheltrown
Ball	Gosselin	Meyer	Smith, Virgil
Baxter	Green	Miller	Spade
Booher	Hansen	Moolenaar	Stahl
Brown	Hildenbrand	Moore	Stakoe
Byrnes	Hoogendyk	Mortimer	Steil
Casperson	Hopgood	Newell	Stewart
Caswell	Huizenga	Nitz	Taub
Caul	Hummel	Palmer	Vagnozzi
Clemente	Hune	Palsrok	Van Regenmorter
Condino	Jones	Pastor	Vander Veen

DeRoche	Kahn	Pavlov	Walker
Dillon	Kehrl	Pearce	Ward
Donigan	Kooiman	Plakas	Wenke
Elsenheimer	LaJoy	Polidori	Whitmer
Emmons	Law, David	Proos	Wojno
Espinoza	Law, Kathleen	Robertson	Zelenko
Farhat	Lemmons, III		

Nays—23

Angerer	Clack	Leland	Sak
Bennett	Cushingberry	Lipsev	Smith, Alma
Bieda	Gaffney	Meisner	Tobocman
Brandenburg	Hood	Murphy	Waters
Byrum	Hunter	Nofs	Williams
Cheeks	Kolb	Phillips	

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 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 5204 (MCL 324.5204), as added by 2002 PA 397.

The motion prevailed.

The House agreed to the title as amended.

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

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

Rep. Bieda, having reserved the right to explain his protest against the passage of the bill, made the following statement:

"Mr. Speaker and members of the House:

I voted 'no' on House Bill 4572 because although the package had a laudable intent, the end product was not complete and in a form that accommodated all of the concerns of the many parties. I was, frankly, disappointed that a more comprehensive package was not passed by the House to assist our communities as they work to clean up our state waters through an improved sewer project program. I look forward to more work being done on this bill in the Senate, and I trust that it will come back to us in a form that I can support."

Second Reading of Bills**House Bill No. 4573, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 19708 (MCL 324.19708), as added by 2002 PA 397.

The bill was read a second time.

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

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

Rep. Nitz 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. 4573, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 19708 (MCL 324.19708), as added by 2002 PA 397.

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

Roll Call No. 101

Yeas—86

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

Nays—24

Angerer	Clack	Kolb	Phillips
Bennett	Cushingberry	Leland	Sak
Bieda	Drolet	Lipsey	Smith, Alma
Brandenburg	Gaffney	Meisner	Tobocman
Byrum	Gosselin	Murphy	Waters
Cheeks	Hunter	Nofs	Williams

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.

Rep. Bieda, having reserved the right to explain his protest against the passage of the bill, made the following statement:
"Mr. Speaker and members of the House:

I voted against final passage of House Bill 4573 because although the package had a laudable intent, the end product was not complete and in a form that accommodated all of the concerns of the many parties. I understand that a

conceptual agreement was reached on several key points and I would have preferred to see a more comprehensive package passed by the House to assist our communities as they work to clean up our state waters. Thus, I voted 'no' on both House Bill 4573 and its companion bill, House Bill 4572."

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

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

Reps. Moore, Accavitti, Adamini, Ball, Baxter, Bieda, Brandenburg, Brown, Byrnes, Byrum, Casperson, Caswell, Condino, Dillon, Donigan, Drolet, Elsenheimer, Emmons, Espinoza, Farhat, Farrah, Garfield, Gleason, Gonzales, Gosselin, Green, Hansen, Hildenbrand, Huizenga, Hummel, Jones, Kahn, Kehrl, Kolb, Kooiman, Kathleen Law, Leland, Lemmons, III, Lemmons, Jr., Lipsey, Mayes, McDowell, Meyer, Miller, Mortimer, Murphy, Nitz, Nofs, Palmer, Pastor, Pavlov, Phillips, Plakas, Polidori, Proos, Robertson, Sak, Schuitmaker, Shaffer, Sheltroun, Spade, Stahl, Stewart, Taub, Tobocman, Vagnozzi, Van Regenmorter, Vander Veen, Ward, Waters, Wojno and Zelenko offered the following resolution:

House Resolution No. 65.

A resolution honoring the Michigan Military Moms and all mothers of armed services personnel.

Whereas, Sunday, May 8, 2005, marks the 91st nationally recognized Mother's Day holiday in the United States, a special day of commemoration and celebration for mothers that often includes breakfast in bed, family gatherings, and crayon-scribbled, cut and pasted "I Love You" notes; and

Whereas, This weekend the grown children of thousands of Michigan moms continue to serve their country countless miles from home. These children protect democracy and champion freedom throughout the nation and world in the Air Force, Army, Coast Guard, Marines, and Navy; and

Whereas, Here at home, these moms fight a battle of their own every day, armed with the support of family, friends, and neighbors and the glowing pride in their sons and daughters for serving the United States of America; and

Whereas, During this very stressful time of their sons and daughters service in the military, many moms have gathered in support of one another to answer questions, lend advice, and strengthen common bonds in friendship, with some of the mothers organizing into formal organizations; and

Whereas, One such organization is the Michigan Military Moms, which began in mid-2002 with eight members in Dearborn. It has since grown, with chapters meeting bi-monthly or monthly in Troy and Dundee that now include over 200 mothers of troops stationed overseas, stateside, in basic training, and of sons and daughters preparing to enter the military; and

Whereas, Michigan Military Moms is an exemplary model of a military support organization for the entire state due to its active support of our U.S. troops and their families by sending care packages and birthday cards to service personnel and offering hugs and prayers, sharing experiences and ideas, and providing comfort and words of encouragement with families on the home front to boost the morale and spirit of those far away from, and at home; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body honor the Michigan Military Moms and all mothers of armed services personnel. The special role they provide, with loyal and unselfish love and dedication each day is the backbone and strength of our society; and be it further

Resolved, That we proudly salute on this Mother's Day, and every day, all Michigan military moms whose children so proudly serve our great country; and be it further

Resolved, Copies of this resolution be transmitted to Michigan Military Moms as a token of our esteem and respect.

Pending the reference of the resolution to a committee,

Rep. Ward moved that Rule 77 be suspended and the resolution be considered at this time.

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Spade, Mayes, Polidori, Accavitti, Adamini, Bieda, Brown, Byrnes, Byrum, Clack, Condino, Donigan, Emmons, Espinoza, Farrah, Garfield, Gillard, Gleason, Gonzales, Green, Hansen, Kehrl, Kolb, Kathleen Law, Leland, Lemmons, III, Lemmons, Jr., Lipsey, McDowell, Meisner, Meyer, Miller, Mortimer, Murphy, Nitz, Phillips, Plakas, Sak, Sheltroun, Alma Smith, Stahl, Stewart, Tobocman, Vagnozzi, Waters, Wojno and Zelenko offered the following resolution:

House Resolution No. 66.

A resolution to memorialize the Congress of the United States to provide for additional food inspectors to protect the country's food supply.

Whereas, As our nation continues to adjust its practices to safeguard our citizens from those who would do us harm, there are increasing concerns over the safety of the food coming into our country. A recent report by the nonpartisan Government Accountability Office cites a decrease in the number of inspections of imported food in the past two years; and

Whereas, The safety of our food supply is a critical national concern. The serious difficulties faced by individual segments of agriculture when naturally occurring diseases take hold, such as those that threatened livestock in Great Britain a few years ago, underscore the importance of taking strong measures. The threat of an act of agroterrorism makes this task all the more formidable; and

Whereas, The transition of imported food inspection responsibilities to the Department of Homeland Security has been mentioned as a possible factor contributing to the reduction in the number of inspections between 2002 and 2004. Clearly, this trend must be reversed swiftly through the addition of more inspectors. The risks are far too grave; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to provide for additional food inspectors to protect the country's food supply; and be it further

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

The resolution was referred to the Committee on Government Operations.

Reps. Gleason, Lemmons, III, Polidori, McDowell, Espinoza, Bieda, Miller, Vagnozzi, Wojno, Accavitti, Adamini, Ball, Brown, Casperson, Caswell, Clack, Dillon, Elsenheimer, Farrah, Garfield, Gonzales, Hildenbrand, Huizenga, Jones, Kahn, Kehrl, Kooiman, Leland, Lemmons, Jr., Lipsey, Mayes, Meyer, Mortimer, Nofs, Pavlov, Pearce, Phillips, Plakas, Proos, Sak, Sheltroun, Stahl, Stewart, Vander Veen, Walker, Waters and Zelenko offered the following resolution:

House Resolution No. 67.

A resolution to memorialize the Congress of the United States to provide incentives for the construction of new petroleum refineries in the United States and to urge the leaders of the petroleum industry to construct new refineries to meet our increasing energy needs.

Whereas, The price of petroleum products has been rising out of control. Currently, the world crude oil price remains near 50 dollars a barrel, practically 20 dollars more than this time last year. Additionally, the national average price of regular gasoline is about 50 cents per gallon more than last year and diesel is almost 64 cents per gallon more than this time last year; and

Whereas, There has not been a new oil refinery built in the United States in nearly 30 years. Yet, in the intervening years, the total energy demand in the United States has grown by about 40 percent. According to the United States Energy Information Administration, the projected petroleum demand between 2003 and 2025 will increase by 30 percent. We need to plan for our future energy needs by incorporating new petroleum refineries into the United States' overall energy policy; and

Whereas, Recent major investments in the Marathon Refinery located in the City of Detroit, Michigan's only refinery, will increase the output by about 28 percent, from 74,000 barrels per day to over 102,000 barrels per day. Securing Marathon's investment of \$300 million was made possible by a collaboration among Marathon, the city of Detroit, and the state of Michigan. Marathon's commitment to Michigan and the collaboration with the city and state to create a renaissance zone encompassing the refinery illustrates the type of creative solutions that can be used to promote the construction of new refineries; and

Whereas, Constructing new refineries would also create new jobs and increase gasoline, fuels, and distillate output – all vital components of strengthening our economy. Michigan is well placed to locate a new refinery due to our proximity with Canada, this country's largest source of imported petroleum. Moreover, Michigan's highly skilled labor force could adapt to employment in the refinery industry; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to provide incentives for the construction of new petroleum refineries in the United States. We also urge the leaders of the petroleum industry to construct new refineries to meet our increasing energy needs; and be it further

Resolved, That it is our intention to work with local governments to identify appropriate locations for new refineries in communities that have a recognized commitment to job growth and this industry; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, the members of the Michigan congressional delegation, the United States Environmental Protection Agency, the United States Department of Energy, the American Petroleum Institute, and the American Petroleum Industries of Michigan.

The resolution was referred to the Committee on Energy and Technology.

Reps. Vander Veen, Taub, Garfield, Palmer, Wenke, Hune, Ball, Emmons, Stewart, Newell, Pearce, Marleau, Caul, Caswell, Kahn, Moolenaar, Proos, Stahl, Green, Gosselin, Steil, Brandenburg, Accavitti, Adamini, Baxter, Bieda, Brown, Byrnes, Byrum, Casperson, Clack, Condino, Dillon, Donigan, Drolet, Elsenheimer, Espinoza, Farhat, Farrah, Gillard, Gleason, Gonzales, Hansen, Hildenbrand, Huizenga, Jones, Kehrl, Kolb, Kooiman, Kathleen Law, Lemmons, III, Lemmons, Jr., Lipsey, Mayes, McDowell, Meyer, Miller, Mortimer, Murphy, Nitz, Nofs, Pastor, Pavlov, Phillips, Plakas, Polidori, Sak, Schuitmaker, Shaffer, Sheltroun, Alma Smith, Spade, Tobocman, Vagnozzi, Ward, Waters, Wojno and Zelenko offered the following resolution:

House Resolution No. 68.

A resolution recognizing the week of May 6-12, 2005, as National Nurses' Week in the state of Michigan.

Whereas, Over 117,000 registered nurses in Michigan represent the largest group of licensed health care professionals in Michigan; and

Whereas, The Michigan Nurses Association represents, promotes and advocates for registered nurses and quality patient outcomes. They work to ensure safe patient care, and to improve health status for all Michigan citizens; and

Whereas, The depth and breadth of the responsibilities of registered nurses meets the different and emerging health care needs of Michigan's citizens in a wide range of settings, and provides the most direct and continuous care to populations of every age and in every environment; and

Whereas, Registered nurses are an indispensable component for ensuring the safety and quality of care for hospitalized patients, and improving the health status of all Michigan citizens; and

Whereas, The demand for registered nurses will be greater than ever because of the aging of the American population, the continuing expansion of life-sustaining technology, and the explosive growth of home health care services; and

Whereas, The development and maintenance of a vital nursing workforce in Michigan is of concern to all of our residents and more registered nurses are needed to meet the increasingly complex needs of health care consumers in Michigan; and

Whereas, The cost-effective, safe and quality health care services provided by registered nurses is one of the most important components of Michigan's health care delivery system; and

Whereas, The Michigan Nurses Association celebrates the week of May 6-12 as National Nurses' Week in recognition of the ways in which registered nurses strive to ensure safe and high quality patient care in all care settings; and

Whereas, National Nurses' Week provides an excellent opportunity to extend our appreciation and gratitude to the registered nurses of Michigan who serve twenty-four hours a day, seven days a week, 365 days a year throughout the state; now therefore, be it

Resolved by the House of Representatives, That members of this legislative body recognize the week of May 6-12, 2005, as National Nurses' Week in the state of Michigan. We ask that all residents of Michigan join in honoring Michigan's registered nurses who strive to ensure safe patient care for all of us; be it further

Resolved, That the residents of Michigan celebrate the accomplishments and efforts that registered nurses do to improve the safety and quality of our health care system, and show our appreciation for the registered nurses not just during this week, but at every opportunity throughout the year.

Pending the reference of the resolution to a committee,

Rep. Ward moved that Rule 77 be suspended and the resolution be considered at this time.

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Mayes, Accavitti, Adamini, Ball, Bieda, Brown, Byrnes, Byrum, Clack, Condino, Dillon, Donigan, Elsenheimer, Espinoza, Farrah, Garfield, Gillard, Gleason, Gonzales, Hansen, Hildenbrand, Huizenga, Kehrl, Kolb, Kooiman, Kathleen Law, Leland, Lemmons, III, Lemmons, Jr., Lipsey, McDowell, Meisner, Meyer, Miller, Mortimer, Murphy, Nitz, Nofs, Pavlov, Pearce, Phillips, Plakas, Polidori, Proos, Sak, Sheltroun, Alma Smith, Spade, Stahl, Stewart, Tobocman, Vagnozzi, Waters, Wojno and Zelenko offered the following resolution:

House Resolution No. 69.

A resolution commemorating May 22 through May 28, 2005, as Regional Emerald Ash Borer Awareness Week in the state of Michigan.

Whereas, There are 700 million ash trees blanketing the great state of Michigan contributing to the quality of air, natural landscaping, recreational destinations, wildlife habitats, tourism, manufacturing, commerce, and property/land values; and

Whereas, Increasing public awareness and understanding of the Emerald Ash Borer (EAB), a destructive exotic beetle, benefits the state of Michigan by curtailing the artificial spread of the beetle through the movement of firewood; and

Whereas, Fostering a cooperative spirit and encouraging environmental stewardship throughout the state ultimately reducing the risk to the ash resource of Michigan as well as the 8 billion ash trees of North America; and

Whereas, Memorial Day weekend marks the beginning of the travel and tourism season in Michigan; and

Whereas, Emerald Ash Borer Awareness Week is an opportunity for government to join forces with business, industry, environmental and conservation groups, community organizations, tourists, and citizens to take action against the artificial spread and introduction of EAB; and

Whereas, By citizens understanding and becoming aware of the EAB quarantine, they will contribute to the protections of Michigan's forests and reduce the spread of the EAB's costly damage; now, therefore, be it,

Resolved by the House of Representatives, That the members of this legislative body commemorate May 22 through May 28, 2005, as Regional Emerald Ash Borer Awareness Week in the state of Michigan in partnership with our neighboring states of Ohio and Indiana. This legislative body encourages all citizens and visitors to increase their understanding of EAB and its environmental, ecological, and economic impact in Michigan and the nation; and be it further

Resolved, That a copy of this resolution be transmitted to the Michigan Departments of Agriculture and Natural Resources.

Pending the reference of the resolution to a committee,

Rep. Ward moved that Rule 77 be suspended and the resolution be considered at this time.

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Taub, David Law, Accavitti, Adamini, Ball, Baxter, Bieda, Brandenburg, Brown, Byrnes, Byrum, Casperson, Clack, Condino, Dillon, Donigan, Drolet, Elsenheimer, Emmons, Espinoza, Farhat, Farrah, Garfield, Gillard, Gleason, Gonzales, Gosselin, Green, Hansen, Hildenbrand, Huizenga, Hummel, Jones, Kahn, Kehrl, Kolb, Kooiman, Kathleen Law, Leland, Lemmons, III, Lemmons, Jr., Lipsey, Mayes, McDowell, Meisner, Meyer, Miller, Mortimer, Murphy, Nitz, Nofs, Pastor, Pavlov, Pearce, Phillips, Polidori, Proos, Robertson, Sak, Shaffer, Sheltrown, Alma Smith, Spade, Stahl, Stewart, Tobocman, Vagnozzi, Vander Veen, Walker, Ward, Waters, Wojno and Zelenko offered the following resolution:

House Resolution No. 70.

A resolution marking the 60th anniversary of the end of the Holocaust and declaring May 4, 2005, as Holocaust Remembrance Day in the state of Michigan.

Whereas, The horrors of the Holocaust should never be forgotten. This year marks the 60th anniversary of the end of the Holocaust, which was ruthlessly and tragically carried out by Nazi Germany under the leadership of Adolf Hitler and his collaborators; and

Whereas, The Holocaust involved the genocide of millions of innocent Jewish men, women, and children, along with the murder of millions of others. In addition, there was an enormity of suffering inflicted on the many survivors through mistreatment, brutalization, violence, torture, slave labor, involuntary medical experimentation, death marches, and numerous other acts of cruelty that have come to be known as "crimes against humanity"; and

Whereas, In the past 60 years, the Holocaust has provided the peoples of the world with an objective lesson in the importance of compassion, caring, and kindness; an awareness of the dangers inherent in bigotry, racism, intolerance, an appreciation of the sensitivity to diversity; and

Whereas, Recognition of the 60th anniversary of the end of World War II and the liberation of the concentration camps is crucial. We encourage all Americans to commemorate the occasion through reflection, acts of compassionate caring, and learning about the terrible consequences and lessons of the Holocaust; and

Whereas, On May 4, 2005, we recognize the Holocaust Commemoration Ceremony, *From Liberation to the Pursuit of Justice*, in memory of the 60th anniversary of the liberation of Nazi concentration camps and the subsequent prosecution under international law of the major Nazi war criminals at Nuremberg, Germany; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body marks the 60th anniversary of the end of the Holocaust and declares May 4, 2005, as Holocaust Remembrance Day in the state of Michigan.

Pending the reference of the resolution to a committee,

Rep. Ward moved that Rule 77 be suspended and the resolution be considered at this time.

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. McDowell, Espinoza, Brown, Byrum, Spade, Mayes, Casperson, Booher, Hansen, Gleason, Condino and Polidori offered the following concurrent resolution:

House Concurrent Resolution No. 12.

A concurrent resolution to memorialize the Congress of the United States to increase the number of workers allowed into this country under the H2B visa program.

Whereas, Seasonal workers are a key component of our state’s and our nation’s tourism and recreation industries. Annually, thousands of young men and women use seasonal employment to begin their journey on the path to a career. Many tourism areas, however, do not have the populations necessary to fill all the seasonal jobs available. In Michigan, for example, world-renown Mackinac Island hires up to 4,500 seasonal workers each year. Its 500 year-around residents cannot begin to supply the workforce necessary for peak season employment levels; and

Whereas, Foreign workers supplement the seasonal staff needs in a host of our tourism and recreation destinations. Many of these employees are in our country under the H2B visa program; and

Whereas, Currently, the H2B visa program caps the number of visas available at 66,000. This cap has been reached in each of the past two years, just as the national economy has surged and more and more people are traveling. This cap has also distorted hiring patterns across the nation, as employers are forced to put on workers far beyond service needs to help assure that they will have the employees they need when their season begins; and

Whereas, Legislation has been introduced in Congress to revise the H2B visa program. The measure would temporarily increase the cap, provide for a fair distribution of visas, and enhance visa security. Clearly this is an issue that needs prompt action; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the Congress of the United States to increase the number of workers allowed into this country under the H2B visa program; and be it further

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

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

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 Friday, April 29:

House Bill Nos.	4684	4685	4686	4687	4688	4689	4690	4691	4692	4693	4694	4695	4696	4697
	4698													
Senate Bill Nos.	438	439	440	441	442	443	444	445	446	447	448			

The Clerk announced that the following Senate bills had been received on Tuesday, May 3:

Senate Bill Nos.	195	341	342	343
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By unanimous consent the House returned to the order of
Messages from the Senate

Senate Bill No. 195, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 12411 and 12431 (MCL 333.12411 and 333.12431).

The Senate has passed the bill.

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

Senate Bill No. 341, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 8395 (MCL 600.8395).

The Senate has passed the bill.

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

Senate Bill No. 342, entitled

A bill to amend 1984 PA 431, entitled “The management and budget act,” (MCL 18.1101 to 18.1594) by adding section 252a.

The Senate has passed the bill.

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

Senate Bill No. 343, entitled

A bill to provide for the establishment of a neighborhood improvement authority; to prescribe the powers and duties of the authority; to correct and prevent deterioration in neighborhoods and certain other areas; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of

development plans and development areas; to promote residential and economic growth; to create a board; to prescribe the powers and duties of the board; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to prescribe powers and duties of certain state officials; to provide for rule promulgation; and to provide for enforcement of the act.

The Senate has passed the bill.

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

Notices

I hereby give notice that on the next legislative session day I will move to reconsider the vote by which the House did not adopt **House Joint Resolution C**.

Rep. Ward

Rep. Palmer moved that the House adjourn.

The motion prevailed, the time being 4:05 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, May 4, at 1:00 p.m.

GARY L. RANDALL
Clerk of the House of Representatives