

No. 50
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House Chamber, Lansing, Tuesday, May 22, 2007.

1:30 p.m.

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

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

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

e/d/s = entered during session

Rep. David Law, from the 39th District, offered the following invocation:

“I would like to start my invocation today with some inspiring words by Ralph Marston followed by a short prayer. ‘Consider it a privilege to be living this day, and you’ll connect yourself to this day’s most valuable and positive possibilities.

When there is something that must be done, consider yourself privileged to be in a position to do it. Then step forward and make it happen with a thankful heart.

If a difficult obstacle blocks your efforts, consider yourself privileged to be able to work through it. It is an opportunity for you to grow stronger and more experienced.

Whatever life may send your way, consider yourself privileged to be living it. For that is an attitude that will surely enable you to get the most out of every moment.

Consider it a privilege, and your eyes will be opened to the best opportunities. Your thoughts and actions will be focused on creating real, meaningful value.

Consider it a privilege to be right where you are, doing precisely what you’re doing. And you’ll find opportunities for true fulfillment in every direction.’ - Ralph Marston

Lord, thank You for the opportunity and privilege to be where we are at this moment in time with the ability to work together to make a difference.

Thank You for Your inspiration and guidance and help us live today and each day to the fullest.

Give us the strength to make the right decisions. Give us the voice to tell the ones who mean the most to us that we love them.

In Your name we reflect and pray. Amen.”

Rep. Tobocman moved that Rep. Cheeks be excused from today’s session.
The motion prevailed.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced the enrollment printing and presentation to the Governor on Thursday, May 17, for her approval of the following bill:

Enrolled House Bill No. 4482 at 4:52 p.m.

The Clerk announced that the following bills had been printed and placed upon the files of the members on Friday, May 18:

House Bill Nos.	4778	4779	4780	4781	4782	4783	4784	4785	4786	4787	4788	4789	4790	4791
	4792	4793	4794	4795	4796	4797	4798	4799	4800	4801	4802	4803	4804	4805
	4806	4807	4808	4809	4810									
Senate Bill Nos.	508	509	510	511	512	513	514	515						

The Clerk announced that the following Senate bills had been received on Tuesday, May 22:

Senate Bill Nos. 25 357 358 473

Reports of Standing Committees

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

House Bill No. 4215, entitled

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

With the recommendation that the substitute (H-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. Meisner, Robert Jones, Accavitti, Byrum, Coulouris, Griffin, Sheltroun, Simpson, Valentine, Hildenbrand, Huizenga, Palsrok, Stakoe, Rick Jones, Knollenberg and Meltzer

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, May 22, 2007

Present: Reps. Meisner, Robert Jones, Accavitti, Byrum, Coulouris, Griffin, Sheltroun, Simpson, Valentine, Hildenbrand, Huizenga, Palsrok, Stakoe, Rick Jones, Knollenberg and Meltzer

Absent: Reps. Clemente, Dean and Johnson

Excused: Reps. Clemente, Dean and Johnson

The Committee on Regulatory Reform, by Rep. Farrah, Chair, reported

House Bill No. 4265, entitled

A bill to amend 1972 PA 382, entitled "Traxler-McCauley-Law-Bowman bingo act," by amending section 5c (MCL 432.105c), as amended by 2006 PA 427.

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. Farrah, Meadows, Virgil Smith, Wojno, Marleau and Gaffney

Nays: None

The Committee on Regulatory Reform, by Rep. Farrah, Chair, reported

Senate Bill No. 487, entitled

A bill to amend 1980 PA 497, entitled "Construction lien act," by amending sections 110 and 115 (MCL 570.1110 and 570.1115), as amended by 2006 PA 572.

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. Farrah, Scott, Meadows, Wojno, Marleau, Palsrok and Gaffney

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Farrah, Chair, of the Committee on Regulatory Reform, was received and read:

Meeting held on: Tuesday, May 22, 2007

Present: Reps. Farrah, Scott, Meadows, Virgil Smith, Wojno, Marleau, Palsrok and Gaffney

Absent: Rep. Ward

Excused: Rep. Ward

The Committee on Oversight and Investigations, by Rep. Tobocman, Chair, reported

House Bill No. 4800, entitled

A bill to amend 1943 PA 240, entitled "State employees' retirement act," (MCL 38.1 to 38.69) by adding section 68c.

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. Tobocman, Condino, Hood, Rick Jones and Horn

Nays: None

The Committee on Oversight and Investigations, by Rep. Tobocman, Chair, reported

House Bill No. 4801, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 2005 PA 214.

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. Tobocman, Condino and Hood

Nays: Reps. Rick Jones and Horn

The Committee on Oversight and Investigations, by Rep. Tobocman, Chair, reported

House Bill No. 4802, entitled

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending section 40 (MCL 38.40), as amended by 2002 PA 99.

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. Tobocman, Condino and Hood

Nays: Reps. Rick Jones and Horn

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Tobocman, Chair, of the Committee on Oversight and Investigations, was received and read:

Meeting held on: Tuesday, May 22, 2007

Present: Reps. Tobocman, Condino, Hood, Rick Jones and Horn

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

House Bill No. 4506, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 4, 5, and 614 (MCL 380.4, 380.5, and 380.614), sections 4 and 5 as amended by 2005 PA 61 and section 614 as amended by 2004 PA 419.

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. Melton, Valentine, Angerer, Brown, Byrum, Clack, Corriveau, Dean, Meisner, Polidori, Steil, Hildenbrand, Schuitmaker and Knollenberg

Nays: Reps. Scott, Pearce and Opsommer

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

House Bill No. 4507, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 302 and 644g (MCL 168.302 and 168.644g), section 302 as amended by 2005 PA 71 and section 644g as amended by 2004 PA 293, and by adding section 642c.

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. Melton, Valentine, Angerer, Brown, Byrum, Clack, Corriveau, Dean, Meisner, Polidori, Moolenaar, Hoogendyk, Steil, Hildenbrand, Schuitmaker and Knollenberg

Nays: Reps. Pearce and Opsommer

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

House Bill No. 4592, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding part 7B.

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. Melton, Valentine, Angerer, Brown, Byrum, Clack, Corriveau, Dean, Hopgood, Lindberg, Meisner, Miller, Polidori and Steil

Nays: Reps. Hoogendyk, Hildenbrand and Opsommer

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

House Bill No. 4796, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1245.

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. Melton, Valentine, Angerer, Brown, Byrum, Clack, Corriveau, Hopgood, Meisner, Miller, Steil, Knollenberg and Opsommer

Nays: Reps. Lindberg and Hildenbrand

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, May 22, 2007

Present: Reps. Melton, Valentine, Angerer, Brown, Byrum, Clack, Corriveau, Dean, Hopgood, Lindberg, Meisner, Miller, Polidori, Scott, Moolenaar, Emmons, Hoogendyk, Steil, Pearce, Hildenbrand, Schuitmaker, Knollenberg and Opsommer

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Sheltroun, Chair, of the Committee on Tourism, Outdoor Recreation and Natural Resources, was received and read:

Meeting held on: Tuesday, May 22, 2007

Present: Reps. Sheltroun, Ebli, Brown, Hammon, Kathleen Law, Lindberg, Simpson, Casperson, Walker, Stakoe and Horn

The Speaker laid before the House

House Resolution No. 76.

A resolution to memorialize the Congress of the United States to provide resources to address the Colony Collapse Disorder affecting honeybees.

(For text of resolution, see House Journal No. 39, p. 548.)

(The resolution was reported by the Committee on Agriculture on May 17, consideration of which, under the rules, was postponed until today.)

The question being on the adoption of the resolution,

The resolution was adopted.

The Speaker laid before the House

House Resolution No. 96.

A resolution to express opposition to Norfolk Southern Corporation's proposed sale of its rail line between Lansing and Jackson.

(For text of resolution, see House Journal No. 44, p. 668.)

(The resolution was reported by the Committee on Agriculture on May 17, consideration of which, under the rules, was postponed until today.)

The question being on the adoption of the resolution,

The resolution was adopted.

Second Reading of Bills

House Bill No. 4506, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 4, 5, and 614 (MCL 380.4, 380.5, and 380.614), sections 4 and 5 as amended by 2005 PA 61 and section 614 as amended by 2004 PA 419.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4506, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 4, 5, and 614 (MCL 380.4, 380.5, and 380.614), sections 4 and 5 as amended by 2005 PA 61 and section 614 as amended by 2004 PA 419.

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

Roll Call No. 158

Yeas—75

Acciavatti	DeRoche	Knollenberg	Polidori
Agema	Dillon	Lahti	Robertson
Amos	Ebli	LaJoy	Rocca
Angerer	Elsenheimer	Law, Kathleen	Sak
Bauer	Farrah	LeBlanc	Schuitmaker
Bennett	Gaffney	Leland	Sheen
Brandenburg	Garfield	Lemmons	Simpson
Brown	Gonzales	Marleau	Smith, Virgil
Byrnes	Griffin	Mayer	Stahl
Byrum	Hammel	McDowell	Stakoe
Calley	Hammon	Meekhof	Steil
Clack	Hildenbrand	Meisner	Tobocman
Clemente	Hood	Melton	Vagnozzi
Condino	Hoogendyk	Meltzer	Valentine

Constan	Huizenga	Moolenaar	Walker
Corriveau	Hune	Moss	Ward
Coulouris	Jackson	Palmer	Wenke
Cushingberry	Johnson	Pastor	Young
Dean	Jones, Robert	Pavlov	

Nays—34

Accavitti	Espinoza	Meadows	Proos
Ball	Gillard	Miller	Scott
Bieda	Green	Moore	Shaffer
Booher	Hansen	Nitz	Sheltrown
Casperson	Hopgood	Nofs	Smith, Alma
Caswell	Horn	Opsommer	Spade
Caul	Jones, Rick	Palsrok	Warren
Donigan	Law, David	Pearce	Wojno
Emmons	Lindberg		

In The Chair: Sak

The House agreed to the title of the bill.

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

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

Second Reading of Bills

House Bill No. 4507, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending sections 302 and 644g (MCL 168.302 and 168.644g), section 302 as amended by 2005 PA 71 and section 644g as amended by 2004 PA 293, and by adding section 642c.

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

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

Rep. Pearce moved to amend the bill as follows:

1. Amend page 3, line 9, after “**THE**” by striking out “**THE GENERAL NOVEMBER**” and inserting “**EVEN YEAR AUGUST**”.

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4507, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending sections 302 and 644g (MCL 168.302 and 168.644g), section 302 as amended by 2005 PA 71 and section 644g as amended by 2004 PA 293, and by adding section 642c.

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

Roll Call No. 159**Yeas—73**

Acciavatti	DeRoche	Knollenberg	Polidori
Agema	Dillon	Lahti	Robertson
Amos	Ebli	LaJoy	Rocca
Angerer	Elsenheimer	Law, Kathleen	Sak
Bauer	Farrah	LeBlanc	Schuitmaker
Bennett	Gaffney	Leland	Sheen
Brandenburg	Garfield	Lemmons	Simpson
Brown	Gonzales	Marleau	Smith, Virgil
Byrnes	Griffin	McDowell	Stahl
Byrum	Hammel	Meekhof	Stakoe
Calley	Hammon	Meisner	Steil
Clack	Hildenbrand	Melton	Tobocman
Clemente	Hood	Meltzer	Vagnozzi
Condino	Hoogendyk	Moolenaar	Valentine
Constan	Hune	Moss	Walker
Corriveau	Jackson	Palmer	Ward
Coulouris	Johnson	Pastor	Wenke
Cushingberry	Jones, Robert	Pavlov	Young
Dean			

Nays—36

Accavitti	Espinoza	Lindberg	Pearce
Ball	Gillard	Mayer	Proos
Bieda	Green	Meadows	Scott
Booher	Hansen	Miller	Shaffer
Casperson	Hopgood	Moore	Sheltrown
Caswell	Horn	Nitz	Smith, Alma
Caul	Huizenga	Nofs	Spade
Donigan	Jones, Rick	Opsommer	Warren
Emmons	Law, David	Palsrok	Wojno

In The Chair: Sak

The House agreed to the title of the bill.

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

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

Reps. Agema, Sheen, Palmer, Rocca, Schuitmaker, Knollenberg, Meekhof and Meltzer were named co-sponsors of the bill.

Second Reading of Bills**House Bill No. 4592, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding part 7B.

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

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

Rep. Moolenaar moved to amend the bill as follows:

1. Amend page 2, following line 18, by inserting:

“(I) **EMPLOYEE HEALTH CARE BENEFITS.**” and relettering the remaining subdivisions.

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

Rep. Moolenaar demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 160

Yeas—44

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

Nays—65

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

In The Chair: Sak

Rep. Hood moved that Rep. Scott be excused temporarily from today’s session.

The motion prevailed.

Rep. Emmons moved to amend the bill as follows:

1. Amend page 2, following line 25, by inserting:

“(3) **IN ADDITION TO THE REQUIREMENTS OF SUBSECTION (1), A SCHOOL DISTRICT’S STUDY AND REPORT UNDER SUBSECTION (1) SHALL ADDRESS OPPORTUNITIES FOR COST SAVINGS THAT MAY BE ACHIEVED BY COMPETITIVE BIDDING FOR THE SERVICES LISTED IN SUBSECTION (1).**”

and renumbering the remaining subsection.

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

The demand was supported.

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

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

Roll Call No. 161**Yeas—46**

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

Nays—62

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

In The Chair: Sak

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills**House Bill No. 4592, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding part 7B.

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

Roll Call No. 162**Yeas—67**

Accavitti	Dean	Johnson	Sak
Angerer	DeRoche	Jones, Rick	Scott
Ball	Dillon	Jones, Robert	Sheltrown
Bauer	Donigan	Lahti	Simpson
Bennett	Ebli	Law, Kathleen	Smith, Alma
Bieda	Espinoza	LeBlanc	Smith, Virgil
Brown	Farrah	Leland	Spade
Byrnes	Gaffney	Lemmons	Steil
Byrum	Gillard	Lindberg	Tobocman
Calley	Gonzales	Mayer	Vagnozzi
Clack	Griffin	McDowell	Valentine
Clemente	Hammel	Meadows	Ward
Condino	Hammon	Meisner	Warren
Constan	Hood	Melton	Wenke
Corriveau	Hopgood	Miller	Wojno
Coulouris	Hune	Polidori	Young
Cushingberry	Jackson	Rocca	

Nays—42

Acciavatti	Green	Meltzer	Pavlov
Agema	Hansen	Moolenaar	Pearce
Amos	Hildenbrand	Moore	Proos
Booher	Hoogendyk	Moss	Robertson
Brandenburg	Horn	Nitz	Schuitmaker
Casperson	Huizenga	Nofs	Shaffer
Caswell	Knollenberg	Opsommer	Sheen
Caul	LaJoy	Palmer	Stahl
Elsenheimer	Law, David	Palsrok	Stakoe
Emmons	Marleau	Pastor	Walker
Garfield	Meekhof		

In The Chair: Sak

The House agreed to the title of the bill.

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

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

Rep. Elsenheimer, 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:

This bill simply does not go far enough. If the majority wants to find ways to save money, they simply need to look at what the ISD’s and schools districts in northern Michigan. No unfunded study is necessary.”

Second Reading of Bills**House Bill No. 4796, entitled**

A bill to amend 1976 PA 451, entitled “The revised school code,” (MCL 380.1 to 380.1852) by adding section 1245.

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

The substitute (H-2) 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.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Vagnozzi, Accavitti, Bieda, Brown, Clack, Condino, Constan, Cushingberry, Dean, Espinoza, Farrah, Garfield, Gillard, Gonzales, Hammel, Hammon, Johnson, Kathleen Law, Leland, Lemmons, Lindberg, Mayes, McDowell, Meadows, Meisner, Miller, Polidori, Alma Smith, Spade, Tobocman, Valentine, Warren and Sak offered the following resolution:

House Resolution No. 116.

A resolution to memorialize the Congress of the United States to provide a federal extension of unemployment benefits.

Whereas, Our nation, the state of Michigan in particular, has been hard hit by the country's recent recession. Although the overall economy has seen improvement, for states reliant on certain industries the recent years have been characterized by an inordinately high level of unemployment. This situation has been especially difficult in our state's manufacturing and other professional sectors; and

Whereas, In recognition of the country's unemployment difficulties, the United States Congress has provided federal 13-week extensions of unemployment benefits. These extensions have been invaluable in helping working men and women provide the necessities for their families while seeking work. It is only fitting that an extension of benefits be provided to our hard working men and women when, through no fault of their own, these workers are faced with extended periods of unemployment; and

Whereas, A host of Michigan workers have exhausted their state employment security benefits. Without a federal extension, these people and their families face tremendous financial hardships. Moreover, spiraling energy costs and a continuing slow job market spell disaster for far too many of Michigan's working families. The economic well-being and human dignity that a federal extension can help provide in these troubled economic times are critical; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to provide a federal extension of unemployment benefits; 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 Labor.

Reps. Vagnozzi, Accavitti, Bieda, Brown, Clack, Condino, Constan, Cushingberry, Dean, Espinoza, Farrah, Garfield, Gillard, Gonzales, Hammel, Hammon, Johnson, Kathleen Law, Leland, Lemmons, Lindberg, Mayes, McDowell, Meadows, Meisner, Miller, Polidori, Alma Smith, Spade, Tobocman, Valentine, Warren and Sak offered the following resolution:

House Resolution No. 117.

A resolution to memorialize the Congress of the United States to provide a federal extension of unemployment benefits for those unemployed workers in the state of Michigan.

Whereas, Our nation, the state of Michigan in particular, has been hard hit by the country's recent recession. Although the overall economy has seen improvement, for states reliant on certain industries the recent years have been characterized by an inordinately high level of unemployment. This situation has been especially difficult in our state's manufacturing and other professional sectors; and

Whereas, In recognition of the country's unemployment difficulties, the United States Congress has provided federal 13-week extensions of unemployment benefits. These extensions have been invaluable in helping working men and women provide the necessities for their families while seeking work. It is only fitting that an extension of benefits be provided to our hard working men and women when, through no fault of their own, these workers are faced with extended periods of unemployment; and

Whereas, A host of Michigan workers have exhausted their state employment security benefits. Without a federal extension, these people and their families face tremendous financial hardships. Moreover, spiraling energy costs and a continuing slow job market spell disaster for far too many of Michigan's working families. The economic well-being and human dignity that a federal extension can help provide in these troubled economic times are critical; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to provide a federal extension of unemployment benefits for those unemployed workers in the state of Michigan; 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 Labor.

Reps. Espinoza, Simpson, Kathleen Law, Brown, Tobocman, Donigan, Mayes, Vagnozzi, Griffin, Dean, Clack, Constan, Cushingberry, Farrah, Garfield, Gillard, Gonzales, Hammel, Hammon, Johnson, Rick Jones, LeBlanc, Leland, Lindberg, McDowell, Meadows, Meisner, Polidori, Scott, Alma Smith, Spade and Warren offered the following concurrent resolution:

House Concurrent Resolution No. 25.

A concurrent resolution to memorialize Congress to reject the Real ID Act of 2005 and to express the intent of the Michigan Legislature regarding this act.

Whereas, Congress enacted the Real ID Act in 2005 as part of an Emergency Supplemental Appropriations Act for Defense and Tsunami Relief. States are mandated to implement the Real ID Act by December 31, 2009. Real ID is an unfunded mandate, and the Department of Homeland Security estimates that the regulations will cost the states and consumers \$23 billion, including an estimated \$8.48 billion over five years to re-enroll approximately 7.7 million driver license/ID holders and comply with the complex verification system; and

Whereas, Terrorist attacks, such as those that occurred on September 11, 2001, have necessitated the crafting of effective laws to protect the people of the United States and others from terrorist attacks; and

Whereas, The American Association of Motor Vehicle Administrators, the National Governors Association, and the National Conference of State Legislatures have estimated that it will cost states over \$400 million to update systems to comply with the verification requirements under the Real ID Act of 2005. The verification process is one of the largest requirement categories for the Real ID Act implementation. Only one of the five national electronic verification systems is fully operational; and

Whereas, Michigan residents will be more susceptible to identity theft due to the use of machine-readable technology and state maintenance of a database shared with other agencies. Clearly, all reasonable security measures to protect the privacy of Michigan residents and all reasonable safeguards to protect against unauthorized disclosure of data need to be in place prior to the full implementation of the Real ID Act; and

Whereas, The Real ID Act of 2005 will effectively reverse the state of Michigan's efforts to ease an applicant's interaction with the Secretary of State (e.g., Internet and mail-in renewal) because of the complex verification process. In addition, federal funding is not provided to train Michigan employees in the document verification, background check, and certification processes that are estimated to cost over \$18 million; and

Whereas, The Real ID Act does not take into account the homeless or low-income population, who will have difficulty meeting the extensive documentation and verification requirements under the act, thereby possibly limiting access to public food and shelter programs and exposing Michigan residents to unlicensed and uninsured drivers; and

Whereas, Six states, Maine, Washington, Arkansas, Idaho, Montana, and North Dakota, have passed legislation opposing Real ID. Thirty-two other states have expressed opposition to the implementation of the Real ID Act and the financial burden it has on their state budgets; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the Congress of the United States to reject the Real ID Act of 2005; and be it further

Resolved, That the members of the Michigan Legislature hereby express our intent to enact no legislation nor authorize any appropriation to further the implementation of Real ID in Michigan unless such appropriation is used exclusively for the purpose of undertaking a comprehensive analysis of the costs of implementing the Real ID Act of 2005; and be it further

Resolved, That we also express our intent to ensure that, before storing or including data about Michigan residents in any database, records facility, or computer system for purposes of meeting the requirements of the Real ID Act of 2005, all reasonable security measures to protect the privacy of Michigan residents and all reasonable safeguards to protect against unauthorized disclosure of data shall be implemented; and be it further

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

The concurrent resolution was referred to the Committee on New Economy and Quality of Life.

Messages from the Senate

House Bill No. 4512, entitled

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending section 38 (MCL 38.38), as amended by 2002 PA 93.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

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

House Bill No. 4530, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending sections 4, 41, and 41a (MCL 38.1304, 38.1341, and 38.1341a), section 4 as amended by 2003 PA 17, section 41 as amended by 2002 PA 94, and section 41a as amended by 1996 PA 488.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

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

House Bill No. 4208, entitled

A bill to amend 1982 PA 204, entitled "Deaf persons' interpreters act," by amending the title and sections 2, 3, 4, 5, 6, 7, and 8 (MCL 393.502, 393.503, 393.504, 393.505, 393.506, 393.507, and 393.508), section 8 as amended by 1988 PA 435, and by adding sections 3a, 8a, and 8b.

The Senate has substituted (S-3) the bill.

The Senate has passed the bill as substituted (S-3), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1982 PA 204, entitled "An act to provide for and regulate the use of interpreters in administrative and judicial proceedings and in certain other instances; to establish standards for interpreters; and to provide compensation for interpreters, and to provide for the promulgation of rules," by amending sections 2 and 3 (MCL 393.502 and 393.503) and by adding section 3a.

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

Senate Bill No. 25, entitled

A bill to amend 1982 PA 204, entitled "Deaf persons' interpreters act," by amending the title and sections 4, 5, 6, 7, and 8 (MCL 393.504, 393.505, 393.506, 393.507, and 393.508), section 8 as amended by 1988 PA 435, and by adding sections 8a, 8b, 8c, 8d, and 8e.

The Senate has passed the bill.

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

Senate Bill No. 357, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16x of chapter XVII (MCL 777.16x), as amended by 2006 PA 234.

The Senate has passed the bill.

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

Senate Bill No. 358, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 498c.

The Senate has passed the bill.

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

Senate Bill No. 473, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40105 (MCL 324.40105), as added by 1995 PA 57.

The Senate has passed the bill.

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

Communications from State Officers

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

May 18, 2007

Enclosed is a copy of the following audit report and/or report summary:
Program-specific audit, in accordance with the Single Audit Act Amendments of 1996, of the
Donation of Federal Surplus Personal Property Program,
Department of Management and Budget
October 1, 2004 through September 30, 2006

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. Palmer, Acciavatti, Meekhof, Agema, Knollenberg, Elsenheimer, Moss, Sheen, Stahl, Garfield, Opsommer, Steil, Hoogendyk, Meltzer and Amos introduced

House Bill No. 4811, entitled

A bill to amend 1939 PA 176, entitled "An act to create a commission relative to labor disputes, and to prescribe its powers and duties; to provide for the mediation and arbitration of labor disputes, and the holding of elections thereon; to regulate the conduct of parties to labor disputes and to require the parties to follow certain procedures; to regulate and limit the right to strike and picket; to protect the rights and privileges of employees, including the right to organize and engage in lawful concerted activities; to protect the rights and privileges of employers; to make certain acts unlawful; and to prescribe means of enforcement and penalties for violations of this act," by amending section 14 (MCL 423.14) and by adding section 14a.

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

Reps. Leland, Warren, Brown, Bieda, Miller, Alma Smith, Gillard, Clack, Vagnozzi, Young, Polidori, Farrah, Gonzales, Gaffney, Tobocman, Condino, Brandenburg, Dean and Virgil Smith introduced

House Bill No. 4812, entitled

A bill to amend 1972 PA 230, entitled "Stille-DeRossett-Hale single state construction code act," by amending sections 2a and 4 (MCL 125.1502a and 125.1504), section 2a as added by 1999 PA 245 and section 4 as amended by 2004 PA 584.

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

Reps. Nitz and Condino introduced

House Bill No. 4813, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13g of chapter XVII (MCL 777.13g), as amended by 2003 PA 232.

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

Notices

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Education from further consideration of **House Bill No. 4799**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Education from further consideration of **House Bill No. 4803**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Education from further consideration of **House Bill No. 4808**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Oversight and Investigations from further consideration of **House Bill No. 4804**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Oversight and Investigations from further consideration of **House Bill No. 4805**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Oversight and Investigations from further consideration of **House Bill No. 4807**.

Rep. Tobocman

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Oversight and Investigations from further consideration of **House Bill No. 4809**.

Rep. Tobocman

Rep. Leland moved that the House adjourn.
The motion prevailed, the time being 5:20 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, May 23, at 1:30 p.m.

RICHARD J. BROWN
Clerk of the House of Representatives