

No. 31
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
93rd Legislature
REGULAR SESSION OF 2005

House Chamber, Lansing, Wednesday, April 20, 2005.

1:00 p.m.

The House was called to order by the Speaker.

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—excused	Gonzales—present	Meisner—present	Smith, Virgil—excused
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—excused	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. Scott Hummel, from the 93rd District, offered the following invocation:

“Praise the Lord, Praise the Lord oh my soul. I will praise the Lord as long as I live. I will sing praises to my God while I have being.

Heavenly Father, I am thankful that we can stand here today, in this chamber, and engage in discussion, debate, and decision making on behalf of the people of Michigan, what an incredible privilege. I am more thankful still that what we do here today is not final, or eternally binding upon the citizens we represent.

Lord, our finite nature requires us to ask You to lend us Your wisdom this day. Lord, don't let our memories grow short. Don't let us forget all whose lives have been sacrificed to give us the opportunity to make the simple decisions we make today. Lord, I pray for the Kieffer family who lost a father, a son or who lost a husband. I pray that You be with them today. Thank You for his service to us that we could be here today.

Lord, don't let us trample intentionally or inadvertently upon our most precious gift of liberty. Let us always be mindful that even our ability to disagree is the result of our freedom. It's because of that freedom that we are here and we praise You for that O Lord, in Jesus' name, Amen.”

The Speaker called the Speaker Pro Tempore to the Chair.

Rep. Palmer moved that Rep. Kahn be excused from today's session.
The motion prevailed.

Rep. Sak moved that Rep. Bennett be excused from this week's session.
The motion prevailed.

Rep. Sak moved that Rep. Virgil Smith be excused from today's session.
The motion prevailed.

Reports of Standing Committees

The Committee on Energy and Technology, by Rep. Nofs, Chair, reported
House Concurrent Resolution No. 8.

A concurrent resolution to urge the United States Nuclear Regulatory Commission to extend the operating license of the Palisades Nuclear Power Plant.

(For text of concurrent resolution, see House Journal No. 27, p. 383.)

With the recommendation that the concurrent resolution be adopted.

The concurrent resolution was laid over one day under the rules.

Favorable Roll Call

To Report Out:

Yeas: Reps. Nofs, Proos, Emmons, Garfield, LaJoy, Stahl, Baxter, Moore, Schuitmaker, Accavitti, Dillon, Mayes, Hopgood and Clemente

Nays: None

The Committee on Energy and Technology, by Rep. Nofs, Chair, reported
House Concurrent Resolution No. 9.

A concurrent resolution to urge the United States Nuclear Regulatory Commission to extend the operating license of the D.C. Cook Nuclear Power Plant.

(For text of concurrent resolution, see House Journal No. 27, p. 384.)

With the recommendation that the concurrent resolution be adopted.

The concurrent resolution was laid over one day under the rules.

Favorable Roll Call

To Report Out:

Yeas: Reps. Nofs, Proos, Emmons, Garfield, LaJoy, Stahl, Baxter, Moore, Schuitmaker, Accavitti, Dillon, Mayes, Hopgood and Clemente

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Nofs, Chair, of the Committee on Energy and Technology, was received and read:

Meeting held on: Wednesday, April 20, 2005

Present: Reps. Nofs, Proos, Emmons, Garfield, LaJoy, Palsrok, Stahl, Baxter, Moore, Schuitmaker, Accavitti, Dillon, Murphy, Mayes, Hopgood and Clemente

Absent: Reps. Drolet, Huizenga and Hunter

Excused: Reps. Drolet, Huizenga and Hunter

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

House Bill No. 4528, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 24 of chapter VII (MCL 767.24), as amended by 2004 PA 458.

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

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, April 20, 2005

Present: Reps. Van Regenmorter, Schuitmaker, Nofs, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey, Condino, McConico and Bieda

Absent: Reps. Newell, Adamini and Virgil Smith

Excused: Reps. Newell, Adamini and Virgil Smith

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

House Bill No. 4118, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1318.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Palmer, Mortimer, Gosselin, Meyer, Hoogendyk, Vander Veen, Ball, Elsenheimer, Hildenbrand, Pearce, Proos, Miller, Angerer and Kehrl

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, April 20, 2005

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

Absent: Rep. Virgil Smith

Excused: Rep. Virgil Smith

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Wenke, Chair, of the Committee on Higher Education and Career Preparation, was received and read:

Meeting held on: Tuesday, April 19, 2005

Present: Reps. Wenke, Emmons, Palmer, Ward, Byrnes, Lipsey and Kehrl

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, April 20, 2005

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

Absent: Rep. Bennett

Excused: Rep. Bennett

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, April 20, 2005

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

Absent: Reps. Kahn and Murphy

Excused: Reps. Kahn and Murphy

Communications from State Officers

The following communication from the Department of Community Health was received and read:

April 14, 2005

Enclosed, please find the Michigan Department of Community Health, Bureau of Health Professions', *Report to the Legislature, Reporting Period: April 1, 2003 to September 30, 2004*. Section 333.16241(8) of the Michigan Public Health Code requires that the department submit an annual report to the Legislature on disciplinary actions taken under articles 7 and 15 of the Public Health Code.

Please be advised that in the past, the annual report to the Legislature covered the period of April 1 through March 31. The selection of that time frame was based on the effective date of the amendatory act that established the reporting requirement. However, during our most recent performance audit by the Office of Auditor General, it was noted that all other statistical reports generated by the Bureau of Health Professions are based on this fiscal year. Therefore, based on the recommendation of the Office of Auditor General, we will submit all reports for the same time period to eliminate duplication and inefficient use of resources.

In order to transition to the new reporting period, the Bureau of Health Professions has generated an 18-month report, covering the period from April 1, 2003 through September 30, 2004. Our next report will cover the period from October 1, 2004 through September 30, 2005.

Sincerely,

Jan Christensen, Deputy Director

Health Policy, Regulation and Professions Administration

The communication was referred to the Clerk.

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

April 19, 2005

Enclosed is a copy of the following audit report and/or report summary:
Performance audit of the Environmental Response and Redevelopment Programs,
Department of Environmental Quality
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. Hildenbrand, Accavitti, Drolet, Huizenga, Stahl, Palsrok, Gosselin, Murphy, Gonzales, Cushingberry, Elsenheimer, Wenke, Garfield, Marleau, Brandenburg, LaJoy, David Law, Pearce, Green, Hansen, Sheen, Hoogendyk, Pavlov, Farhat, Baxter, Jones, Moolenaar, Steil, Taub, Robertson, Nitz, Mortimer, Vander Veen, Proos, Caul, Stakoe, Ward, Palmer, DeRoche, Hummel, Kooiman and Lemmons, III introduced

House Bill No. 4636, entitled

A bill to amend 1976 PA 449, entitled "An act to regulate the pricing of consumer items and the advertising of consumer items, services, goods, merchandise, commodities, and real property; to prescribe the powers and duties of certain state and local officials in relation thereto; to provide remedies and penalties; and to repeal certain acts and parts of acts," by amending sections 1 and 3 (MCL 445.351 and 445.353) and by adding sections 3a and 3b.

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

Reps. Cushingberry, Lemmons, III, Waters, Lemmons, Jr., Virgil Smith, Leland, Cheeks, Gaffney and Tobocman introduced

House Bill No. 4637, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 417a (MCL 380.417a), as amended by 2004 PA 303.

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

Rep. Garfield introduced

House Bill No. 4638, entitled

A bill to amend 1980 PA 523, entitled "Michigan code of military justice of 1980," by amending sections 2, 3, 4, 7, 8, 9, 13, 14, 15, 16, 25, 26, 27, 29, 80, 84, 85, 92, 94, 99, 103, 105, 107, 108, 112, 113, 132, and 134 (MCL 32.1002, 32.1003, 32.1004, 32.1007, 32.1008, 32.1009, 32.1013, 32.1014, 32.1015, 32.1016, 32.1025, 32.1026, 32.1027, 32.1029, 32.1080, 32.1084, 32.1085, 32.1092, 32.1094, 32.1099, 32.1103, 32.1105, 32.1107, 32.1108, 32.1112, 32.1113, 32.1132, and 32.1134), section 16 as amended by 1990 PA 300, and by adding sections 50a, 88, 109, and 121.

The bill was read a first time by its title and referred to the Committee on Veterans Affairs and Homeland Security.

Reps. Waters, Sak, Virgil Smith, Gonzales, Cushingberry, Byrum, McConico, Hopgood, Alma Smith, Williams, Zelenko, Lipsey, Meisner, Miller, Hood, Bieda, Leland, Plakas, Kathleen Law, Adamini, Donigan, Murphy, Clack, Farrah, Lemmons, Jr., Vagnozzi, Phillips and Lemmons, III introduced

House Bill No. 4639, entitled

A bill to amend 1947 PA 336, entitled "An act to prohibit strikes by certain public employees; to provide review from disciplinary action with respect thereto; to provide for the mediation of grievances and the holding of elections; to declare and protect the rights and privileges of public employees; and to prescribe means of enforcement and penalties for the violation of the provisions of this act," by amending section 1 (MCL 423.201), as amended by 1999 PA 204.

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

Reps. Virgil Smith and Cushingberry introduced

House Bill No. 4640, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," (MCL 791.201 to 791.283) by adding section 37a. The bill was read a first time by its title and referred to the Committee on Judiciary.

Reps. Adamini, Brown, Wojno, Whitmer, Palsrok, Casperson, Gleason, McDowell, Gillard, Gaffney, Accavitti, Bieda, Vagnozzi, Elsenheimer, Hansen, Hopgood, Kathleen Law, Tobocman, Meisner, Kolb, Lipsey, Sheltroun, Byrnes, Plakas and Alma Smith introduced

House Bill No. 4641, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding sections 413 and 526.

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

Reps. Jones, LaJoy, Baxter, Stewart, Elsenheimer, Rocca, Robertson, Sheltroun, Steil, Garfield, Acciavatti, Pearce, Wenke, Palsrok, Hummel, Hansen, Gosselin, Booher, Polidori, Stahl, Cushingberry, Anderson, Hune, Nofs, Farhat, Vander Veen, Ball and Moolenaar introduced

House Bill No. 4642, entitled

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending section 12 (MCL 28.432), as amended by 2004 PA 99.

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

Reps. Jones, LaJoy, Baxter, Stewart, Elsenheimer, Rocca, Robertson, Sheltroun, Steil, Garfield, Acciavatti, Pearce, Wenke, Palsrok, Hummel, Hansen, Gosselin, Booher, Polidori, Stahl, Cushingberry, Anderson, Hune, Nofs, Farhat, Vander Veen, Ball and Moolenaar introduced

House Bill No. 4643, entitled

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

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

Rep. Waters moved that Rep. Lemmons, III be excused temporarily from today's session.
The motion prevailed.

Rep. Waters moved that Rep. Zelenko be excused from the balance of today's session.
The motion prevailed.

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

The Speaker laid before the House
Senate Concurrent Resolution No. 13.

A concurrent resolution to increase the total project cost of the General Campus Renovations project at St. Clair Community College.

(For text of concurrent resolution, see House Journal No. 27, p. 389.)

(The concurrent resolution was reported by the Committee on Appropriations on April 19, consideration of which, under the rules, was postponed until today.)

The question being on the adoption of the concurrent resolution,

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

Roll Call No. 67**Yeas—105**

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

Nays—0

In The Chair: Kooiman

Rep. Miller moved that Rep. Brown be excused temporarily from today's session.
 The motion prevailed.

Third Reading of Bills**House Bill No. 4447, entitled**

A bill to amend 2004 PA 403, entitled "Michigan boxing regulatory act," by amending sections 11, 31, 33, 34, 47, 48, and 54 (MCL 338.3611, 338.3631, 338.3633, 338.3634, 338.3647, 338.3648, and 338.3654).

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

Roll Call No. 68**Yeas—103**

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

Nays—2

Drolet

Gosselin

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.

House Bill No. 4008, entitled

A bill to amend 1972 PA 251, entitled "An act to provide for the reciprocal exchange of educational services between this state and other states; to provide for reduced or waived tuition, and to designate the state agency for negotiating agreements," by amending sections 1, 3, and 4 (MCL 390.501, 390.503, and 390.504).

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

Roll Call No. 69**Yeas—106**

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

Nays—0

In The Chair: Kooiman

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

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

A bill to amend 1972 PA 251, entitled "An act to provide for the reciprocal exchange of educational services between this state and other states; to provide for reduced or waived tuition, and to designate the state agency for negotiating agreements," by amending sections 1, 2, 3, 4, and 5 (MCL 390.501, 390.502, 390.503, 390.504, and 390.505).

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.

House Bill No. 4275, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 477 (MCL 168.477), as amended by 1999 PA 219.

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

Roll Call No. 70**Yeas—57**

Acciavatti	Garfield	Meyer	Rocca
Amos	Gosselin	Moolenaar	Schuitmaker

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

Nays—49

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

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.

Notices

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

“Mr. Speaker and members of the House:

I was absent from the Chamber when the vote was taken on Roll Call Nos. 64-66. Had I been present, I would have voted ‘yea’ on Roll Call Nos. 64 and 65 and ‘nay’ on Roll Call No. 66.”

By unanimous consent the House returned to the order of

Second Reading of Bills

House Bill No. 4325, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 17001 and 17501 (MCL 333.17001 and 333.17501), section 17001 as amended by 1990 PA 248 and section 17501 as amended by 1990 PA 247, and by adding sections 17018 and 17518.

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

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

Rep. Gaffney moved to amend the bill as follows:

1. Amend page 5, line 5, after “**STUDIES**” by inserting “**THAT ARE WITHIN HIS OR HER SCOPE OF PRACTICE**”.

2. Amend page 5, line 9, after “**STUDIES**” by inserting “**THAT ARE WITHIN HIS OR HER SCOPE OF PRACTICE**”.

3. Amend page 5, following line 9, by inserting:

“(6) **THIS SECTION DOES NOT REQUIRE NEW OR ADDITIONAL THIRD PARTY REIMBURSEMENT OR MANDATED WORKER’S COMPENSATION BENEFITS FOR SERVICES RENDERED BY AN INDIVIDUAL AUTHORIZED TO CONDUCT ELECTRODIAGNOSTIC STUDIES UNDER THIS SECTION.**”.

4. Amend page 7, line 25, after “**STUDIES**” by inserting “**THAT ARE WITHIN HIS OR HER SCOPE OF PRACTICE**”.

5. Amend page 8, line 2, after “**STUDIES**” by inserting “**THAT ARE WITHIN HIS OR HER SCOPE OF PRACTICE**”.

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

“(6) **THIS SECTION DOES NOT REQUIRE NEW OR ADDITIONAL THIRD PARTY REIMBURSEMENT OR MANDATED WORKER’S COMPENSATION BENEFITS FOR SERVICES RENDERED BY AN INDIVIDUAL AUTHORIZED TO CONDUCT ELECTRODIAGNOSTIC STUDIES UNDER THIS SECTION.**”.

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

Rep. Vander Veen moved to amend the bill as follows:

1. Amend page 4, line 22, after “**AND**” by striking out the balance of the subsection and inserting “**HAS SUCCESSFULLY COMPLETED ADDITIONAL TRAINING IN THE PERFORMANCE AND INTERPRETATION OF ELECTRODIAGNOSTIC STUDIES THAT IS SATISFACTORY TO HIS OR HER RESPECTIVE BOARD MAY CONDUCT ELECTRODIAGNOSTIC STUDIES THAT ARE WITHIN HIS OR HER SCOPE OF PRACTICE.**”.

2. Amend page 7, line 15, after “**AND**” by striking out the balance of the subsection and inserting “**HAS SUCCESSFULLY COMPLETED ADDITIONAL TRAINING IN THE PERFORMANCE AND INTERPRETATION OF ELECTRODIAGNOSTIC STUDIES THAT IS SATISFACTORY TO HIS OR HER RESPECTIVE BOARD MAY CONDUCT ELECTRODIAGNOSTIC STUDIES THAT ARE WITHIN HIS OR HER SCOPE OF PRACTICE.**”.

The question being on the adoption of the amendments offered by Rep. Vander Veen,

Rep. Vander Veen demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Rep. Vander Veen,

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

Roll Call No. 71

Yeas—31

Acciavatti	Drolet	Huizenga	Sheen
Ball	Emmons	Hummel	Smith, Alma
Baxter	Espinoza	Kooiman	Stakoe
Brandenburg	Garfield	McDowell	Steil
Byrnes	Gosselin	Palmer	Vagnozzi
Casperson	Green	Pastor	Vander Veen
Caswell	Hildenbrand	Pearce	Wenke
Caul	Hoogendyk	Shaffer	

Nays—74

Adamini	Gaffney	Marleau	Proos
Amos	Gillard	Mayes	Robertson
Anderson	Gleason	McConico	Rocca
Angerer	Gonzales	Meisner	Sak
Bieda	Hansen	Meyer	Schuitmaker

Booher	Hood	Miller	Sheltrown
Brown	Hopgood	Moolenaar	Spade
Byrum	Hune	Moore	Stahl
Cheeks	Hunter	Mortimer	Stewart
Clack	Jones	Murphy	Taub
Clemente	Kehrl	Newell	Tobocman
Condino	Kolb	Nitz	Van Regenmorter
Cushingberry	LaJoy	Nofs	Walker
DeRoche	Law, David	Palsrok	Ward
Dillon	Law, Kathleen	Pavlov	Waters
Donigan	Leland	Phillips	Whitmer
Elsenheimer	Lemmons, III	Plakas	Williams
Farhat	Lemmons, Jr.	Polidori	Wojno
Farrah	Lipsey		

In The Chair: Kooiman

Rep. Mortimer 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. 4325, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 17001 and 17501 (MCL 333.17001 and 333.17501), section 17001 as amended by 1990 PA 248 and section 17501 as amended by 1990 PA 247, and by adding sections 17018 and 17518.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

Second Reading of Bills

House Bill No. 4560, entitled

A bill to amend 1945 PA 72, entitled "An act to prevent the importation from other states, and the spread within this state, of all serious insect pests and contagious plant diseases and to provide for their repression and control, imposing certain powers and duties on the commissioner of agriculture; to prescribe penalties for the violation of the provisions of this act; and to repeal certain acts and parts of acts," by amending the title and section 9 (MCL 286.259) and by adding section 10.

The bill was read a second time.

Rep. Moore 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. Waters moved that Rep. Cushingberry 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. 4560, entitled

A bill to amend 1945 PA 72, entitled “An act to prevent the importation from other states, and the spread within this state, of all serious insect pests and contagious plant diseases and to provide for their repression and control, imposing certain powers and duties on the commissioner of agriculture; to prescribe penalties for the violation of the provisions of this act; and to repeal certain acts and parts of acts,” by amending the title and section 9 (MCL 286.259) and by adding section 10.

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

Roll Call No. 72

Yeas—99

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

Nays—6

Amos	Gosselin	Hummel	Steil
Caswell	Green		

In The Chair: Kooiman

The House agreed to the title of the bill.

Second Reading of Bills

House Bill No. 4562, entitled

A bill to amend 1931 PA 189, entitled “The insect pest and plant disease act,” (MCL 286.201 to 286.226) by amending the title, as amended by 1984 PA 88, and by adding sections 28 and 29.

The bill was read a second time.

Rep. Newell 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. 4562, entitled

A bill to amend 1931 PA 189, entitled "The insect pest and plant disease act," (MCL 286.201 to 286.226) by amending the title, as amended by 1984 PA 88, and by adding sections 28 and 29.

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

Roll Call No. 73

Yeas—98

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

Nays—7

Amos	Garfield	Green	Steil
Caswell	Gosselin	Hummel	

In The Chair: Kooiman

The House agreed to the title of the bill.

Reps. McConico, Anderson, Kolb, Lipsey, Kooiman, Hunter, Tobocman, Bieda, Condino, Vagnozzi, DeRoche, Accavitti, Hune, Gleason, Nofs, Ward, Nitz, Moolenaar, Palsrok, Ball, Booher, Caul, Cheeks, Clemente, Elsenheimer, Espinoza, Gonzales, Hansen, Kehrl, Lemmons, III, Lemmons, Jr., Mayes, Moore, Pavlov, Polidori, Proos, Schuitmaker, Sheltrown, Alma Smith and Spade were named co-sponsors of the bill.

Second Reading of Bills

House Bill No. 4567, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 12m of chapter XVII (MCL 777.12m), as amended by 2002 PA 421.

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

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

Rep. Booher 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. Waters moved that Rep. Williams be excused temporarily from today’s session.
The motion prevailed.

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. 4567, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 12m of chapter XVII (MCL 777.12m), as amended by 2002 PA 421.

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

Roll Call No. 74

Yeas—97

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

Elsenheimer
Emmons
Espinoza

Leland
Lemmons, III

Plakas
Polidori

Whitmer
Wojno

Nays—6

Amos
Caswell

Garfield
Gosselin

Hummel

Steil

In The Chair: Kooiman

The House agreed to the title of the bill.

Reps. McConico, Anderson, Phillips, Kolb, Kooiman, Newell, Gaffney, Hunter, Tobocman, Bieda, Wojno, Condino, Vagnozzi, Accavitti, Gleason, Nofs, Wenke, Ward, Nitz, Huizenga, Farhat, Moolenaar, Palsrok, Dillon, Ball, Caul, Cheeks, Clemente, Donigan, Elsenheimer, Espinoza, Gonzales, Hansen, Kehrl, Lemmons, III, Lemmons, Jr., Marleau, Mayes, Moore, Pavlov, Polidori, Proos, Sheltroun and Spade were named co-sponsors of the bill.

Second Reading of Bills

House Bill No. 4613, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8801 (MCL 600.8801), as amended by 2000 PA 80.

The bill was read a second time.

Rep. Caul 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

Third Reading of Bills

The House returned to the consideration of

House Bill No. 4325, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 17001 and 17501 (MCL 333.17001 and 333.17501), section 17001 as amended by 1990 PA 248 and section 17501 as amended by 1990 PA 247, and by adding sections 17018 and 17518.

(The bill was considered earlier today, see today's Journal p. 460.)

Rep. Ward moved to reconsider the vote by which the House postponed the bill for the day.

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

The question being on the passage of the bill,

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

Roll Call No. 75

Yeas—80

Accavitti
Adamini
Amos
Anderson
Angerer
Baxter
Bieda

Farhat
Farrah
Gaffney
Garfield
Gillard
Gleason
Gonzales

Law, Kathleen
Leland
Lemmons, III
Lemmons, Jr.
Lipsey
Marleau
McConico

Proos
Robertson
Rocca
Sak
Schuitmaker
Shaffer
Sheen

Booher	Green	Meisner	Sheltrown
Brandenburg	Hansen	Meyer	Spade
Brown	Hildenbrand	Miller	Stahl
Byrum	Hood	Moolenaar	Stewart
Caswell	Hopgood	Mortimer	Taub
Cheeks	Hummel	Murphy	Tobocman
Clack	Hune	Newell	Van Regenmorter
Clemente	Hunter	Nitz	Walker
Condino	Jones	Nofs	Ward
DeRoche	Kehrl	Palsrok	Waters
Dillon	Kolb	Pavlov	Wenke
Elsenheimer	LaJoy	Phillips	Whitmer
Emmons	Law, David	Polidori	Wojno

Nays—23

Acciavatti	Espinoza	McDowell	Smith, Alma
Ball	Gosselin	Moore	Stakoe
Byrnes	Hoogendyk	Palmer	Steil
Casperson	Huizenga	Pastor	Vagnozzi
Caul	Kooiman	Pearce	Vander Veen
Donigan	Mayes	Plakas	

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. Ward moved that **House Bill No. 4613** be placed on its immediate passage.

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

House Bill No. 4613, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8801 (MCL 600.8801), as amended by 2000 PA 80.

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

Roll Call No. 76**Yeas—96**

Accavitti	Espinoza	Lemmons, Jr.	Proos
Acciavatti	Farhat	Lipsey	Robertson
Adamini	Farrah	Marleau	Rocca
Anderson	Gaffney	Mayes	Sak
Angerer	Gillard	McConico	Schuitmaker
Ball	Gleason	McDowell	Shaffer
Baxter	Gonzales	Meisner	Sheen
Bieda	Hansen	Meyer	Sheltrown
Booher	Hildenbrand	Miller	Smith, Alma
Brandenburg	Hood	Moolenaar	Spade
Brown	Hoogendyk	Moore	Stahl
Byrnes	Hopgood	Mortimer	Stakoe
Byrum	Huizenga	Murphy	Stewart
Casperson	Hune	Newell	Taub

Caul	Hunter	Nitz	Tobocman
Cheeks	Jones	Nofs	Vagnozzi
Clack	Kehrl	Palmer	Van Regenmorter
Clemente	Kolb	Palsrok	Vander Veen
Condino	Kooiman	Pastor	Walker
DeRoche	LaJoy	Pavlov	Ward
Dillon	Law, David	Pearce	Waters
Donigan	Law, Kathleen	Phillips	Wenke
Elsenheimer	Leland	Plakas	Whitmer
Emmons	Lemmons, III	Polidori	Wojno

Nays—7

Amos	Garfield	Green	Steil
Caswell	Gosselin	Hummel	

In The Chair: Kooiman

The House agreed to the title of the bill.

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. Gillard, Kathleen Law, Byrum, Waters, Whitmer, Accavitti, Cushingberry, Donigan, Clack, Gleason, Vagnozzi, Anderson, Bieda, Mayes, Tobocman, Byrnes, Kolb, Lemmons, III, Adamini, Ball, Booher, Brown, Cheeks, Clemente, Condino, Espinoza, Farrah, Gonzales, Hildenbrand, Hopgood, Kehrl, Leland, Lemmons, Jr., Lipsey, McConico, McDowell, Meisner, Miller, Murphy, Palsrok, Phillips, Plakas, Polidori, Sak, Sheltroun, Alma Smith, Spade, Wojno and Zelenko offered the following concurrent resolution:

House Concurrent Resolution No. 11.

A concurrent resolution to urge the United States Coast Guard to immediately eliminate the "No Ballast on Board" (NOBOB) exemption from regulations on ballast water management and require all ships with ballast tanks that enter the Great Lakes to conform to all regulations for ballast water management in federal law.

Whereas, Great Lakes waters are among the most valuable natural resources in the world, vital to the economy and environment of the state; and

Whereas, more than 160 species of aquatic invasive plants and animals have been introduced into the Great Lakes. Several species, including the sea lamprey, zebra mussel, round goby, and purple loosestrife, have impaired Michigan's environment, affecting recreational and commercial fishing, beaches, municipal and industrial water supplies, coastal habitat, and fundamental ecosystems in the Great Lakes; and

Whereas, Many of these species have been accidentally introduced from foreign ports by discharge from ships' ballast tanks. There are many more species from all over the world that may still be introduced and pose a threat to the Great Lakes; and

Whereas, Most ships enter the Great Lakes through the St. Lawrence Seaway fully loaded, carrying no ballast, and are designated no ballast on board (NOBOB); and

Whereas, NOBOB ships are exempted by rule of the United States Coast Guard from meeting regulations under the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990, as amended by the National Invasive Species Act of 1996. These regulations require ships with ballast to meet certain requirements for best management practices regarding ballast water, including exchange of ballast water on the open ocean; and

Whereas, NOBOB ships are still carrying unpumpable water and sediments in ballast tanks that will be mixed with Great Lakes water and pumped out while the vessels are transiting the lakes; and

Whereas, This mixture may contain aquatic invasive species from foreign ports that could be discharged into the Great Lakes; and

Whereas, The Michigan Department of Environmental Quality petitioned the United States Coast Guard on July 14, 2004, seeking to end the exemption from federal ballast water regulations for NOBOB ships; and

Whereas, The United States Coast Guard has published in the *Federal Register*, pages 1448-1449 of Volume 70:5, a notice for consultation with all interested parties in identifying ballast water management strategies for NOBOB vessels entering the Great Lakes; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we urge the United States Coast Guard to immediately eliminate the "No Ballast on Board" (NOBOB) exemption from regulations on ballast water management and require all ships with ballast tanks that enter the Great Lakes to conform to all regulations for ballast water management in federal law; and be it further

Resolved, A copy of this resolution be transmitted to the United States Coast Guard and the United States Department of Transportation.

The concurrent resolution was referred to the Committee on Natural Resources, Great Lakes, Land Use, and Environment.

Reps. Byrum, Accavitti, Adamini, Anderson, Ball, Bieda, Brown, Byrnes, Caswell, Caul, Cheeks, Clack, Clemente, Condino, Cushingberry, Espinoza, Farhat, Farrah, Gillard, Gleason, Gonzales, Hildenbrand, Hopgood, Jones, Kehrl, Kolb, Leland, Lemmons, III, Lipsey, Mayes, McConico, McDowell, Meisner, Miller, Murphy, Palsrok, Phillips, Plakas, Polidori, Sak, Shaffer, Sheltroun, Alma Smith, Spade, Stahl, Stakoe, Tobocman, Vagnozzi, Van Regenmorter, Vander Veen, Waters, Wojno and Zelenko offered the following resolution:

House Resolution No. 52.

A resolution declaring April as Autism Awareness Month in the state of Michigan.

Whereas, Increasing awareness of autism spectrum disorders, supporting programs for increased research and improved treatment of autism, and improving training and support for individuals with autism and those who care for individuals with autism is important; and

Whereas, The Autism Society of America, the National Alliance for Autism Research, The Arc of Michigan, The Autism Society of Michigan, and numerous other organizations commemorate April as National Autism Awareness Month; and

Whereas, Autism is a developmental disorder that is typically diagnosed during the first 3 years of life, and impairs the ability of persons to communicate and socialize with others; and

Whereas, Autism affects an estimated 1 in every 166 children in America, and is growing at a rate of 17 percent each year; and

Whereas, Autism is 4 times more likely in boys than in girls, and can affect anyone, regardless of race, ethnicity, or other factors; and

Whereas, The cost of specialized treatment in a developmental center for people with autism is approximately \$80,000 per individual per year; and

Whereas, The cost of special education programs for school-aged children with autism is often more than \$30,000 per individual per year; and

Whereas, Despite the fact that autism is one of the most common developmental disorders, many professionals in the medical and educational fields are still unaware of the best methods to diagnose and treat the disorder; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare April as Autism Awareness Month in the state of Michigan. We also support the establishment of April as National Autism Awareness Month. We recognize and commend the parents and relatives of children with autism for their sacrifice and dedication in providing for the special needs of children with autism and for absorbing significant financial costs for specialized education and support services; and be it further

Resolved, We stress the need to begin early intervention services soon after a child has been diagnosed with autism, noting that early intervention strategies are the primary therapeutic options for young people with autism, and early intervention significantly improves outcomes for people with autism and can reduce the level of funding and services needed later in life.

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. Kathleen Law, Gillard, Hopgood, Farrah, Gonzales, Meisner, Lipsey, Zelenko, Williams, Alma Smith, Sak, Byrum, McConico, McDowell, Wojno, Tobocman, Byrnes, Spade, Kolb, Bieda, Vagnozzi, Gleason, Donigan, Cushingberry, Accavitti, Whitmer, Adamini, Waters, Phillips, Plakas, Sheltroun, Anderson, Lemmons, III, Ball, Booher, Brown, Caul, Cheeks, Clack, Clemente, Condino, Elsenheimer, Espinoza, Farhat, Hildenbrand, Jones, Kehrl, Leland, Mayes, Miller, Murphy, Palsrok, Polidori, Stahl, Stakoe and Brandenburg offered the following resolution:

House Resolution No. 53.

A resolution to urge the United States Coast Guard to immediately eliminate the “No Ballast on Board” (NOBOB) exemption from regulations on ballast water management and require all ships with ballast tanks that enter the Great Lakes to conform to all regulations for ballast water management in federal law.

Whereas, Great Lakes waters are among the most valuable natural resources in the world, vital to the economy and environment of the state; and

Whereas, more than 160 species of aquatic invasive plants and animals have been introduced into the Great Lakes. Several species, including the sea lamprey, zebra mussel, round goby, and purple loosestrife, have impaired Michigan’s environment, affecting recreational and commercial fishing, beaches, municipal and industrial water supplies, coastal habitat, and fundamental ecosystems in the Great Lakes; and

Whereas, Many of these species have been accidentally introduced from foreign ports by discharge from ships’ ballast tanks. There are many more species from all over the world that may still be introduced and pose a threat to the Great Lakes; and

Whereas, Most ships enter the Great Lakes through the St. Lawrence Seaway fully loaded, carrying no ballast, and are designated no ballast on board (NOBOB); and

Whereas, NOBOB ships are exempted by rule of the United States Coast Guard from meeting regulations under the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990, as amended by the National Invasive Species Act of 1996. These regulations require ships with ballast to meet certain requirements for best management practices regarding ballast water, including exchange of ballast water on the open ocean; and

Whereas, NOBOB ships are still carrying un pumpable water and sediments in ballast tanks that will be mixed with Great Lakes water and pumped out while the vessels are transiting the lakes; and

Whereas, This mixture may contain aquatic invasive species from foreign ports that could be discharged into the Great Lakes; and

Whereas, The Michigan Department of Environmental Quality petitioned the United States Coast Guard on July 14, 2004, seeking to end the exemption from federal ballast water regulations for NOBOB ships; and

Whereas, The United States Coast Guard has published in the *Federal Register*, pages 1448-1449 of Volume 70:5, a notice for consultation with all interested parties in identifying ballast water management strategies for NOBOB vessels entering the Great Lakes; now, therefore, be it

Resolved by the House of Representatives, That we urge the United States Coast Guard to immediately eliminate the “No Ballast on Board” (NOBOB) exemption from regulations on ballast water management and require all ships with ballast tanks that enter the Great Lakes to conform to all regulations for ballast water management in federal law; and be it further

Resolved, A copy of this resolution be transmitted to the United States Coast Guard and the United States Department of Transportation.

The resolution was referred to the Committee on Natural Resources, Great Lakes, Land Use, and Environment.

Reps. Vagnozzi, Accavitti, Adamini, Ball, Bieda, Brown, Byrnes, Byrum, Cheeks, Clack, Clemente, Condino, Cushingberry, Espinoza, Farrah, Gillard, Gleason, Gonzales, Hildenbrand, Hopgood, Kehrl, Kolb, Leland, Lemmons, III, Lipsey, McConico, McDowell, Meisner, Miller, Murphy, Phillips, Plakas, Polidori, Sheltroun, Alma Smith, Spade, Stahl, Tobocman, Waters, Wojno and Zelenko offered the following resolution:

House Resolution No. 54.

A resolution to memorialize the Congress of the United States and the State Department to increase efforts to halt the violence and to provide humanitarian assistance in the Darfur region of Sudan.

Whereas, Over the past few years, the government of Sudan and the government-backed militia have carried out a campaign of murder, rape, and terror in the Darfur region. More than 1.5 million people are estimated to have been displaced from their homes, while tens of thousands of civilians have been killed or pushed into disease and malnutrition. A 2004 cease-fire agreement has proven ineffective, and the conditions for those who have been displaced can only be described as a nightmare; and

Whereas, The United States, the United Nations, the African Union, and other nations and organizations have largely ignored the grave human rights violations and suffering that are taking place. The situation in the Darfur region is acknowledged to be ethnic cleansing and may amount to genocide; and

Whereas, While the United States and other countries have tried to bring a halt to the suffering, a greater sense of urgency needs to be brought to these efforts. Our country must do all it can to influence the leadership of the United

Nations to increase the number of troops on the ground to protect civilians and to bring pressure on the Sudanese government to halt its illegal and immoral acts. Clearly, the United States must play a leadership role in working with other nations, the United Nations, and the African Union in the effort to bring relief to this region of sorrows; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States and the State Department to increase efforts to halt the violence and to provide humanitarian assistance to the victims of the atrocities in the Darfur region of Sudan; and be it further

Resolved, That copies of this resolution be transmitted to the Office of the President of the United States, 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.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members on Wednesday, April 20:

House Bill Nos. 4623 4624 4625 4626 4627 4628 4629 4630 4631 4632 4633 4634 4635

The Clerk announced that the following Senate bill had been received on Wednesday, April 20:

Senate Bill No. 226

By unanimous consent the House returned to the order of

Messages from the Senate

House Bill No. 4227, entitled

A bill to amend 1966 PA 261, entitled "An act to provide for the apportionment of county boards of commissioners; to prescribe the size of the board; to provide for appeals; to prescribe the manner of election of the members of the county board of commissioners; to provide for compensation of members; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending section 15 (MCL 46.415), as amended by 1980 PA 187.

The Senate has amended the bill as follows:

1. Amend page 2, line 8, after "election," by inserting "**PROVIDED THAT IT IS VOTED UPON BEFORE THE COMMENCEMENT OF THE NEW TERMS OF OFFICE,**".

2. Amend page 2, line 15, after "**UNDER**" by striking out "**SUBSECTION (1)**" and inserting "**SUBSECTIONS (1) AND (3)**".

The Senate has passed the bill as amended and ordered that it be given immediate effect.

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

Senate Bill No. 226, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 23.

The Senate has passed the bill.

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

Rep. Phillips moved that the House adjourn.

The motion prevailed, the time being 3:25 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, April 21, at 10:30 a.m.

GARY L. RANDALL
Clerk of the House of Representatives

