

No. 107
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House of Representatives
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House Chamber, Lansing, Thursday, December 8, 2005.

10:30 a.m.

The House was called to order by Associate Speaker Pro Tempore Elsenheimer.

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

e/d/s = entered during session

Rep. Paula K. Zelenko, from the 50th District, offered the following invocation:

“Heavenly Father,

At this moment when our minds and hearts are united,

At this moment when our souls are wholly concentrated in a single desire to serve the people of the state of Michigan,

At this moment when our hearts grow warm with the light of our many faiths,

At this moment when we are thankful for this beautiful day and everything You have provided,

At this moment when we are mindful of the needs of others and each other,

Send down upon us the spirit of Your wisdom, charity, and justice; that with steadfast purpose and strength we may faithfully serve to promote the well-being of all people.

Grant us Your grace, humility, and strength throughout this day as it is at this moment. Amen.”

Rep. Amos asked and obtained an excuse from next week’s session..

The Speaker Pro Tempore assumed the Chair.

Rep. Sak moved that Reps. Cheeks, Clack, Lemmons, III, Lemmons, Jr., Murphy, Phillips and Williams be excused from today’s session.

The motion prevailed.

The Speaker Pro Tempore called Associate Speaker Pro Tempore Elsenheimer to the Chair.

Rep. Ward moved that House Committees be given leave to meet during the balance of today’s session.

The motion prevailed.

Quorum Call

Rep. Farhat questioned the presence of a quorum and moved that the roll be called and printed in the Journal.

The motion prevailed.

The roll was called and the Clerk announced that a quorum was present.

The following is the roll call:

Roll Call No. 762

Yeas—101

Accavitti	Espinoza	Law, Kathleen	Rocca
Acciavatti	Farhat	Leland	Sak
Adamini	Farrah	Lipsey	Schuitmaker
Amos	Gaffney	Marleau	Shaffer
Anderson	Garfield	Mayer	Sheen
Angerer	Gillard	McConico	Sheltrown
Ball	Gleason	McDowell	Smith, Alma
Baxter	Gonzales	Meisner	Smith, Virgil
Bennett	Gosselin	Meyer	Spade
Bieda	Green	Miller	Stahl
Booher	Hansen	Moolenaar	Stakoe
Brandenburg	Hildenbrand	Moore	Steil
Brown	Hood	Mortimer	Stewart

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

In The Chair: Elsenheimer

Motions and Resolutions

Rep. Drolet moved that the Committee on Education be discharged from further consideration of **Senate Bill No. 93**. (For first notice see House Journal No. 106, p. 2463.)

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

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

Rep. Ward moved that Rule 45(c) be suspended.

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

The bill was placed on the order of Second Reading of Bills.

Second Reading of Bills

Pending the Second Reading of
Senate Bill No. 93, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1163.

Rep. Ward moved that the bill be referred to the Committee on Government Operations.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5436, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11, 11a, 20, and 22b (MCL 388.1611, 388.1611a, 388.1620, and 388.1622b), as amended by 2005 PA 155, and by adding section 99c.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Whitmer moved to amend the bill as follows:

1. Amend page 7, line 6, after "(1)" by striking out "FROM" and inserting "IF IT IS DETERMINED AT THE JANUARY 2006 REVENUE ESTIMATING CONFERENCE CONDUCTED UNDER SECTION 367B OF THE MANAGEMENT AND BUDGET ACT, 1984 PA 431, MCL 18.1367B, THAT THE COMBINED TOTAL AMOUNT OF PROJECTED STATE SCHOOL AID FUND REVENUE FOR 2004-2005 AND FOR 2005-2006 WILL BE AT LEAST \$35,000,000.00 MORE THAN THAT COMBINED TOTAL AMOUNT AS PROJECTED AT THE AUGUST 2005 REVENUE ESTIMATING CONFERENCE CONDUCTED UNDER SECTION 367B OF THE MANAGEMENT AND BUDGET ACT, 1984 PA 431, MCL 18.1367B, THEN FROM".

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

The question being on the passage of the bill,

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

Roll Call No. 763**Yeas—98**

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

Nays—4

Cushingberry	Drolet	Garfield	Gosselin
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In The Chair: Elsenheimer

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 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11 and 11a (MCL 388.1611 and 388.1611a), as amended by 2005 PA 155, and by adding section 99c.

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. 5452, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 20 and 22b (MCL 388.1620 and 388.1622b), as amended by 2005 PA 155.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Whitmer moved to amend the bill as follows:

1. Amend page 3, line 23, after "(E)" by striking out "BEGINNING" and inserting "IF IT IS DETERMINED AT THE JANUARY 2006 REVENUE ESTIMATING CONFERENCE CONDUCTED UNDER SECTION 367B OF THE MANAGEMENT AND BUDGET ACT, 1984 PA 431, MCL 18.1367B, THAT THE COMBINED TOTAL AMOUNT OF PROJECTED STATE SCHOOL AID FUND REVENUE FOR 2004-2005 AND FOR 2005-2006

WILL BE AT LEAST \$35,000,000.00 MORE THAN THAT COMBINED TOTAL AMOUNT AS PROJECTED AT THE AUGUST 2005 REVENUE ESTIMATING CONFERENCE CONDUCTED UNDER SECTION 367B OF THE MANAGEMENT AND BUDGET ACT, 1984 PA 431, MCL 18.1367B, THEN BEGINNING”.

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

The question being on the passage of the bill,

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

Roll Call No. 764

Yeas—79

Acciavatti	Emmons	Marleau	Sak
Adamini	Espinoza	Mayes	Schuitmaker
Amos	Farhat	McDowell	Shaffer
Angerer	Farrah	Meyer	Sheen
Ball	Gaffney	Miller	Sheltrown
Baxter	Gillard	Moolenaar	Spade
Bennett	Gleason	Moore	Stahl
Booher	Gonzales	Mortimer	Stakoe
Brandenburg	Green	Newell	Steil
Brown	Hansen	Nitz	Stewart
Byrnes	Hildenbrand	Nofs	Taub
Byrum	Hoogendyk	Palmer	Vagnozzi
Casperson	Huizenga	Palsrok	Van Regenmorter
Caswell	Hummel	Pastor	Vander Veen
Caul	Hune	Pavlov	Walker
Clemente	Jones	Pearce	Ward
DeRoche	Kahn	Plakas	Wenke
Dillon	Kooiman	Proos	Whitmer
Donigan	LaJoy	Robertson	Zelenko
Elsenheimer	Law, David	Rocca	

Nays—23

Accavitti	Garfield	Law, Kathleen	Smith, Alma
Anderson	Gosselin	Leland	Smith, Virgil
Bieda	Hood	Lipsey	Tobocman
Condino	Hopgood	McConico	Waters
Cushingberry	Hunter	Meisner	Wojno
Drolet	Kolb	Polidori	

In The Chair: Elsenheimer

The House agreed to the title of the bill.

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

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

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

“Mr. Speaker and members of the House:

This bill was discharged from committee, and interested parties did not get an opportunity to submit testimony, nor did committee members have an opportunity to pose questions regarding this bill. The thought, apparently, is that there

is going to be an unexpected windfall, and that the state has to spend it immediately. This 'drunken sailor' approach to state spending strikes me as most ill-advised, especially since we are only a couple of weeks away from the January Revenue Estimating Conference and the recent announcement of the closures for GM/Delphi undoubtedly will have a significant negative impact on state revenues. In addition, while it appears that \$55 million may be available, the FY 2005 accounting book-closings are expected in two weeks and we would be in a better position to prudently plan on spending bills of this nature.

Thus, until more information about the impact of the economy, GM and the State's book closings are known, it is irresponsible to spend this anticipated \$55 million.

I also am concerned that this bill does not treat all school districts evenly, which I do not believe is a fair way to approach issues of this sort. Thus, for all of these reasons, I voted 'no' on House Bill 5452."

Second Reading of Bills

Senate Bill No. 829, entitled

A bill to amend 1966 PA 13, entitled "An act to implement the provisions of section 14 of the schedule and temporary provisions of the constitution of this state by providing for the issuance and sale of full faith and credit bonds of the state to refund the outstanding bonds heretofore issued by the Mackinac bridge authority and upon such refunding to abolish the Mackinac bridge authority and to transfer the operation, maintenance, repair and replacement of the Mackinac bridge to the state highway department with power to fix and collect tolls, fees and charges for the use of the bridge, its services and facilities," by repealing section 9 (MCL 254.369).

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 829, entitled

A bill to amend 1966 PA 13, entitled "An act to implement the provisions of section 14 of the schedule and temporary provisions of the constitution of this state by providing for the issuance and sale of full faith and credit bonds of the state to refund the outstanding bonds heretofore issued by the Mackinac bridge authority and upon such refunding to abolish the Mackinac bridge authority and to transfer the operation, maintenance, repair and replacement of the Mackinac bridge to the state highway department with power to fix and collect tolls, fees and charges for the use of the bridge, its services and facilities," by repealing section 9 (MCL 254.369).

Was read a third time and passed, 2/3 of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 765

Yeas—102

Accavitti	Emmons	Law, Kathleen	Rocca
Acciavatti	Espinoza	Leland	Sak
Adamini	Farhat	Lipsey	Schuitmaker
Amos	Farrah	Marleau	Shaffer
Anderson	Gaffney	Mayes	Sheen
Angerer	Garfield	McConico	Sheltrown
Ball	Gillard	McDowell	Smith, Alma
Baxter	Gleason	Meisner	Smith, Virgil
Bennett	Gonzales	Meyer	Spade
Bieda	Gosselin	Miller	Stahl
Booher	Green	Moolenaar	Stakoe
Brandenburg	Hansen	Moore	Steil
Brown	Hildenbrand	Mortimer	Stewart
Byrnes	Hood	Newell	Taub

Byrum	Hoogendyk	Nitz	Tobocman
Casperson	Hopgood	Nofs	Vagnozzi
Caswell	Huizenga	Palmer	Van Regenmorter
Caul	Hummel	Palsrok	Vander Veen
Clemente	Hune	Pastor	Walker
Condino	Hunter	Pavlov	Ward
Cushingberry	Jones	Pearce	Waters
DeRoche	Kahn	Plakas	Wenke
Dillon	Kolb	Polidori	Whitmer
Donigan	Kooiman	Proos	Wojno
Drolet	LaJoy	Robertson	Zelenko
Elsenheimer	Law, David		

Nays—0

In The Chair: Elsenheimer

The House agreed to the title of the bill.

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

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

Second Reading of Bills**Senate Bill No. 830, entitled**

A bill to amend 1965 PA 380, entitled "Executive organization act of 1965," by amending section 357 (MCL 16.457).

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills**Senate Bill No. 830, entitled**

A bill to amend 1965 PA 380, entitled "Executive organization act of 1965," by amending section 357 (MCL 16.457).

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

Roll Call No. 766**Yeas—102**

Accavitti	Emmons	Law, Kathleen	Rocca
Acciavatti	Espinoza	Leland	Sak
Adamini	Farhat	Lipsey	Schuitmaker
Amos	Farrah	Marleau	Shaffer
Anderson	Gaffney	Mayer	Sheen
Angerer	Garfield	McConico	Sheltrown
Ball	Gillard	McDowell	Smith, Alma
Baxter	Gleason	Meisner	Smith, Virgil
Bennett	Gonzales	Meyer	Spade
Bieda	Gosselin	Miller	Stahl
Booher	Green	Moolenaar	Stakoe
Brandenburg	Hansen	Moore	Steil

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

Nays—0

In The Chair: Elsenheimer

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

“An act to organize the executive and administrative agencies of state government; to establish principal departments and department heads; to define the powers and duties of the principal departments and their governing agents; to allocate executive and administrative powers, duties, functions, and services among the principal departments; to provide for a method for the gradual implementation of the provisions of this act and for the transfer of existing funds and appropriations of the principal departments herein created and established.”

The House agreed to the full title.

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

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

Senate Bill No. 785, entitled

A bill to amend 2004 PA 241, entitled “Michigan children’s protection registry act,” by amending sections 1, 3, and 5 (MCL 752.1061, 752.1063, and 752.1065).

(The bill was read a third time and postponed temporarily on November 9, see House Journal No. 98, p. 2170.)

The question being on the passage of the bill,

Rep. Emmons moved to amend the bill as follows:

1. Amend page 3, following line 16, by inserting:

“(7) IN NO EVENT SHALL THE REGISTRY BECOME OPERATIONAL UNLESS THE DEPARTMENT CAN VERIFY THAT NO THIRD PARTY CAN OBTAIN READABLE CONTACT POINT INFORMATION FOR AN ILLEGAL PURPOSE EITHER DIRECTLY FROM THE REGISTRY OR FROM PAID USERS OF THE REGISTRY.” and renumbering the remaining subsection.

The motion was seconded.

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

Rep. Ward demanded the yeas and nays.

The demand was supported.

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

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

The motion prevailed.

Second Reading of Bills

House Bill No. 4074, entitled

A bill to amend 1967 PA 156, entitled “Optional retirement act of 1967,” by amending section 2 (MCL 38.382), as amended by 1994 PA 296.

The bill was read a second time.

Rep. Caswell 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. 4074, entitled

A bill to amend 1967 PA 156, entitled “Optional retirement act of 1967,” by amending section 2 (MCL 38.382), as amended by 1994 PA 296.

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

Roll Call No. 767

Yeas—88

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

Nays—14

Anderson	Farrah	McConico	Tobocman
Byrum	Gonzales	Polidori	Waters
Condino	Hood	Smith, Virgil	Whitmer
Cushingberry	Hunter		

In The Chair: Elsenheimer

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

Second Reading of Bills

House Bill No. 5314, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending sections 6, 7, 22, and 41a (MCL 38.1306, 38.1307, 38.1322, and 38.1341a), sections 6 and 7 as amended by 1995 PA 272, section 22 as amended by 1997 PA 143, and section 41a as amended by 1996 PA 488.

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

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

Rep. Wenke moved to amend the bill as follows:

1. Amend page 2, line 24, after "**AFTER**" by striking out "**JANUARY 1, 2006**" and inserting "**JULY 1, 2006**".
2. Amend page 4, line 17, after "**AFTER**" by striking out "**JANUARY 1, 2006**" and inserting "**JULY 1, 2006**".
3. Amend page 5, line 9, after "**AFTER**" by striking out "**JANUARY 1, 2006**" and inserting "**JULY 1, 2006**".
4. Amend page 8, line 18, after "**AFTER**" by striking out "**MARCH 28, 2006**" and inserting "**JULY 1, 2006**".
5. Amend page 9, line 1, after "**BEFORE**" by striking out "**JANUARY 1, 2006**" and inserting "**JULY 1, 2006**".
6. Amend page 9, line 3, after "**AFTER**" by striking out "**JANUARY 1, 2006**" and inserting "**JULY 1, 2006**".

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

Rep. Wenke 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. 5314, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending sections 6, 7, 22, and 41a (MCL 38.1306, 38.1307, 38.1322, and 38.1341a), sections 6 and 7 as amended by 1995 PA 272, section 22 as amended by 1997 PA 143, and section 41a as amended by 1996 PA 488.

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.

The House returned to the consideration of

Senate Bill No. 785, entitled

A bill to amend 2004 PA 241, entitled "Michigan children's protection registry act," by amending sections 1, 3, and 5 (MCL 752.1061, 752.1063, and 752.1065).

(The bill was considered earlier today, see today's Journal p. 2474.)

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

Rep. Emmons withdrew the amendment.

The question being on the passage of the bill,

Rep. Emmons moved to amend the bill as follows:

1. Amend page 3, following line 16, following subsection (7) by inserting:

"(8) IN NO EVENT SHALL THE REGISTRY REMAIN OPERATIONAL UNLESS THE DEPARTMENT CAN VERIFY THAT NO THIRD PARTY CAN OBTAIN READABLE CONTACT POINT INFORMATION FOR AN ILLEGAL PURPOSE EITHER DIRECTLY FROM THE REGISTRY OR FROM PAID USERS OF THE REGISTRY."

The motion was seconded.

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

Rep. Emmons withdrew the amendment.

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. 768**Yeas—93**

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

Nays—9

Ball	Huizenga	Moolenaar	Vander Veen
Emmons	LaJoy	Schuitmaker	Walker
Hoogendyk			

In The Chair: Elsenheimer

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 2004 PA 241, entitled “An act to establish the computer crime of sending certain electronic messages to minors; to create a child protection registry; to provide notice of contact points to which a minor has access; to prescribe the powers and duties of certain state agencies and officials; to create a fund and provide for fees; and to provide for penalties and remedies,” by amending sections 1 and 5 (MCL 752.1061 and 752.1065).

The motion prevailed.

The House agreed to the title as amended.

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

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

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

“Mr. Speaker and members of the House:

I voted no because I do not believe this bill is ‘failproof’. While I support the concept of keeping certain content away from minors, I have doubts as to anything that can be done to prevent this from happening. The only real failsafe is the parents.”

Second Reading of Bills

Senate Bill No. 892, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 14i, 57e, and 57f (MCL 400.14i, 400.57e, and 400.57f), section 14i as amended by 2004 PA 571 and sections 57e and 57f as amended by 2001 PA 280.

The bill was read a second time.

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

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

Rep. Kooiman moved to amend the bill as follows:

1. Amend page 8, following line 21, by inserting:

"SEC. 57V. THE DEPARTMENT SHALL SUBMIT A REPORT ONCE EVERY 90 DAYS TO THE LEGISLATURE, THE HOUSE AND SENATE FISCAL AGENCIES, THE APPROPRIATE HOUSE AND SENATE STANDING COMMITTEES THAT HANDLE FAMILY AND CHILDREN'S ISSUES, AND THE HOUSE AND SENATE APPROPRIATIONS SUBCOMMITTEES FOR THE DEPARTMENT BUDGET, THAT CONTAINS ALL OF THE FOLLOWING INFORMATION BY DISTRICT OFFICE FOR THAT TIME PERIOD:

(A) THE NUMBER OF SANCTIONS IMPOSED FOR FIRST INSTANCES OF NONCOMPLIANCE AND REAPPLICATIONS MADE.

(B) THE NUMBER OF SANCTIONS IMPOSED FOR SECOND INSTANCES OF NONCOMPLIANCE AND REAPPLICATIONS MADE.

(C) THE NUMBER OF SANCTIONS IMPOSED FOR THIRD INSTANCES OF NONCOMPLIANCE.

(D) THE NUMBER OF FAMILY INDEPENDENCE PROGRAM CASES REOPENED.

(E) THE NUMBER OF FAMILY INDEPENDENCE PROGRAM CASES PERMANENTLY CLOSED."

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

Rep. Kooiman moved to amend the bill as follows:

1. Amend page 8, following line 21, by inserting:

"SEC. 57U. IN GRANTING CONTRACTS TO WORK FIRST PROVIDERS, THE DEPARTMENT OF LABOR AND ECONOMIC GROWTH MAY USE INCENTIVES IN CONTRACTS OR MAY REQUIRE PERFORMANCE-BASED MEASURES IN PAYMENT OF CONTRACTS."

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

Rep. Kooiman moved to amend the bill as follows:

1. Amend page 5, line 21, after the second "to" by striking out the balance of the line through "AN" on line 25 and inserting "an".

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

Rep. Kooiman moved to amend the bill as follows:

1. Amend page 6, line 17, after "TO," by inserting "90%".

2. Amend page 6, line 18, after "AND" by striking out "MINIMUM" and inserting "AT LEAST A 2.5".

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

Rep. Kooiman moved to amend the bill as follows:

1. Amend page 4, line 1, after "LOWER" by striking out the balance of the line and inserting a comma.

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

Rep. Kooiman moved to amend the bill as follows:

1. Amend page 8, following line 21, by inserting:

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

(a) Senate Bill No. 893.

(b) Senate Bill No. 894.

(c) House Bill No. 5438.

(d) House Bill No. 5439.

(e) House Bill No. 5440.

(f) House Bill No. 5441.

(g) House Bill No. 5442."

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

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

The motion prevailed.

Rep. Ward moved that the bill be placed on its immediate passage.
 The motion prevailed, a majority of the members serving voting therefor.
 Rep. Palmer moved that Rep. Sheen be excused temporarily from today's session.
 The motion prevailed.

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

Senate Bill No. 892, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 14i, 57e, and 57f (MCL 400.14i, 400.57e, and 400.57f), section 14i as amended by 2004 PA 571 and sections 57e and 57f as amended by 2001 PA 280.

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

Roll Call No. 769

Yeas—76

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

Nays—25

Adamini	Gonzales	Lipsey	Smith, Virgil
Bennett	Hood	McConico	Tobocman
Bieda	Hopgood	Meisner	Vagnozzi
Condino	Hunter	Miller	Waters
Cushingberry	Law, Kathleen	Polidori	Whitmer
Donigan	Leland	Smith, Alma	Wojno
Gleason			

In The Chair: Elsenheimer

The question being on agreeing to the title of the bill,
 Rep. Ward moved to amend the title to read as follows:

A bill to amend 1939 PA 280, entitled "An act to protect the welfare of the people of this state; to provide general assistance, hospitalization, infirmary and medical care to poor or unfortunate persons; to provide for compliance by

this state with the social security act; to provide protection, welfare and services to aged persons, dependent children, the blind, and the permanently and totally disabled; to administer programs and services for the prevention and treatment of delinquency, dependency and neglect of children; to create a state department of social services; to prescribe the powers and duties of the department; to provide for the interstate and intercounty transfer of dependents; to create county and district departments of social services; to create within certain county departments, bureaus of social aid and certain divisions and offices thereunder; to prescribe the powers and duties of the departments, bureaus and officers; to provide for appeals in certain cases; to prescribe the powers and duties of the state department with respect to county and district departments; to prescribe certain duties of certain other state departments, officers, and agencies; to make an appropriation; to prescribe penalties for the violation of the provisions of this act; and to repeal certain parts of this act on specific dates," by amending section 57f (MCL 400.57f), as amended by 2001 PA 280, and by adding sections 57s, 57t, 57u, and 57v.

The motion prevailed.

The House agreed to the title as amended.

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

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

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

"Mr. Speaker and members of the House:

I voted no on SB 892 (H-1) as amended because it creates unreasonable obstacles for individuals receiving cash assistance. Currently, parents who have a child under three months old are exempt from work requirements, and may attend classes on parenting, child development, and nutrition during the time of their work exemption. This bill would not only require these parents to take all of those classes, but would also add additional classes on marriage and family initiatives or counseling, and on abstinence-based family planning. All of these classes would be required starting when the child is 6 weeks old, until the child is 3 months old. This requirement defeats the purpose of the work exemption, and adds unnecessary obstacles to families on welfare who have new babies to care for.

I also oppose the minimum grade point average (GPA) and attendance requirements that SB 892 (H-1) as amended would impose. Other parts of the welfare reform bill package provide new resources to individuals receiving cash assistance to attend post-secondary education programs, with lessened work requirements, for up to 24 months. However, the provision in this bill that imposes a minimum 2.5 GPA and 90% attendance rate is too stringent. Many individuals in college cannot achieve these standards, including those in leadership positions in the business world and government. Giving individuals an opportunity to further their education will provide some hope of achieving self-sufficiency and earning a living wage. Placing such difficult restrictions on these individuals will defeat that purpose."

Rep. Cushingberry, 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 is more of our hypocrisy. We constantly argue for simplification, to streamline, for transparency, a business friendly climate - what about a people friendly climate!

Why do we have to complicate and make things more difficult for the less fortunate? This bill seeks to require anyone given the 'privilege' to attend post secondary education, since they happen to be on of the lowest financial rung it must be considered 'privilege' to attend same, and if they are in receipt of our meager cash assistance to care for their children then there attendance must be ninety per cent and they must maintain a 2.5 grade point average all in the name of so-called accountability. This is required as if the struggle to take care of the children, bills, and other family members is not a great enough burden. What about the mothers who have to miss class because of child care non-availability, health care issues of parents and loved ones, and emergency care of sick children? Is it not true that some Presidents, Congresspersons, State Legislators and others haven't made this grade point? What about those who can manage to keep up the grade point without regular attendance? Why should we penalize them for their great study habits? Education is a truly individualized activity which requires different methods of success for each person based on their personal environmental stimuli and study habits. To suggest we know best is disingenuous at best.

Why are we so concerned about how many times people have to receive assistance? This drive has developed the homeless camps and enclaves where all sorts of physical ailments can brew, develop, ferment, and be spread to all of us. The greatest example was the elimination general assistance, a cash income modeled after President Nixon's guaranteed income proposal. When this was enacted, the homeless problem in Michigan (we had enjoyed a very low rate of persons on the street even in our largest city) was exacerbated. From my near thirty years of experience, the individuals out there in large part suffer from some mental health ailment and are either not capable or otherwise lack the savvy to access the web of requirements to generate assistance.

This also gave the drug barons a ready source of persons with a despair orientation and a desire to make a quick buck. Many became the mules of the drug trade. As addicts they wound up in the crime game and thus the further expansion of our prisons.

This provision could affect the elderly the most. With so many companies in significant financial strain, many have eliminated pensions and left individuals without an income. A person who has lived his adult life in Michigan since the second world war would have faced more than four significant economic downturns. So now we are going to eliminate octogenarians taking care of grandchildren and great from eligibility? How cruel, unnecessary, and unconscionable. We need to help more and not be driven by greed.”

Second Reading of Bills

Senate Bill No. 893, entitled

A bill to amend 1939 PA 280, entitled “The social welfare act,” by amending sections 43 and 57g (MCL 400.43 and 400.57g), section 57g as amended by 2001 PA 280.

The bill was read a second time.

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

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

Rep. Kooiman moved to amend the bill as follows:

1. Amend page 1, line 1, after “**57Q.**” by inserting “**(1)**”.
2. Amend page 1, following line 9, by inserting:

“(2) IF A RECIPIENT IS TERMINATED FROM RECEIVING FAMILY INDEPENDENCE ASSISTANCE BENEFITS DUE TO SANCTIONS RECEIVED UNDER SECTION 57G OR REACHING THE 48-MONTH CUMULATIVE LIFETIME LIMIT, THE DEPARTMENT WORKER SHALL NOTIFY ANY LOCAL AGENCIES OR SERVICE ORGANIZATIONS OF FAMILY NEED THAT CAN OFFER SERVICES OR OTHER ASSISTANCE IN RELATION TO THE RECIPIENT’S CHILDREN.”.

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

Rep. Kooiman moved to amend the bill as follows:

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

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

- (a) Senate Bill No. 892.
- (b) Senate Bill No. 894.
- (c) House Bill No. 5438.
- (d) House Bill No. 5439.
- (e) House Bill No. 5440.
- (f) House Bill No. 5441.
- (g) House Bill No. 5442.”.

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

Rep. Bieda moved to amend the bill as follows:

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

“SEC. 57S. THE MAXIMUM AMOUNT OF WEEKLY UNEMPLOYMENT BENEFITS AN INDIVIDUAL IS ELIGIBLE TO RECEIVE UNDER THE MICHIGAN EMPLOYMENT SECURITY ACT OF 1936, 1936 PA 1, MCL 421.27, SHALL BE EXTENDED TO 52 WEEKS.”.

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

Point of Order

Rep. Ward requested a point of order on whether the amendment is properly before the House.

The Chair ruled that the amendment is not properly before the House as it is an amendment by reference in violation of Article IV, § 25 of the Michigan Constitution.

Rep. Sak appealed the decision of the Chair.

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

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

Roll Call No. 770**Yeas—57**

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

Nays—44

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

In The Chair: Elsenheimer

Rep. McDowell moved to amend the bill as follows:

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

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

- (a) House Bill No. 4514.
- (b) House Bill No. 4515.
- (c) House Bill No. 4516.
- (d) House Bill No. 4517.
- (e) House Bill No. 4518.”.

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

Rep. McDowell demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 771**Yeas—44**

Accavitti	Cushingberry	Kolb	Sak
Adamini	Dillon	Law, Kathleen	Sheltrown

Anderson	Donigan	Leland	Smith, Alma
Angerer	Espinoza	Lipsey	Smith, Virgil
Bennett	Farrah	Mayes	Spade
Bieda	Gillard	McConico	Tobocman
Brown	Gleason	McDowell	Vagnozzi
Byrnes	Gonzales	Meisner	Waters
Byrum	Hood	Miller	Whitmer
Clemente	Hopgood	Plakas	Wojno
Condino	Hunter	Polidori	Zelenko

Nays—57

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

In The Chair: Elsenheimer

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills**Senate Bill No. 893, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 43 and 57g (MCL 400.43 and 400.57g), section 57g as amended by 2001 PA 280.

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

Roll Call No. 772**Yeas—82**

Accavitti	Drolet	Kolb	Proos
Acciavatti	Elsenheimer	Kooiman	Robertson
Adamini	Emmons	LaJoy	Rocca
Amos	Espinoza	Law, David	Sak
Anderson	Farhat	Law, Kathleen	Schuitmaker
Angerer	Farrah	Marleau	Shaffer
Ball	Gaffney	Mayes	Sheltrown
Baxter	Garfield	McDowell	Spade
Bieda	Gillard	Meyer	Stahl
Booher	Gleason	Moolenaar	Stakoe

Brandenburg	Gosselin	Moore	Steil
Brown	Green	Mortimer	Stewart
Byrnes	Hansen	Newell	Taub
Byrum	Hildenbrand	Nitz	Van Regenmorter
Casperson	Hoogendyk	Nofs	Vander Veen
Caswell	Hopgood	Palmer	Walker
Caul	Huizenga	Palsrok	Ward
Clemente	Hummel	Pastor	Wenke
DeRoche	Hune	Pavlov	Wojno
Dillon	Jones	Pearce	Zelenko
Donigan	Kahn		

Nays—19

Bennett	Hunter	Miller	Tobocman
Condino	Leland	Plakas	Vagnozzi
Cushingberry	Lipsey	Polidori	Waters
Gonzales	McConico	Smith, Alma	Whitmer
Hood	Meisner	Smith, Virgil	

In The Chair: Elsenheimer

The question being on agreeing to the title of the bill,
Rep. Ward moved to amend the title to read as follows:

A bill to amend 1939 PA 280, entitled “An act to protect the welfare of the people of this state; to provide general assistance, hospitalization, infirmary and medical care to poor or unfortunate persons; to provide for compliance by this state with the social security act; to provide protection, welfare and services to aged persons, dependent children, the blind, and the permanently and totally disabled; to administer programs and services for the prevention and treatment of delinquency, dependency and neglect of children; to create a state department of social services; to prescribe the powers and duties of the department; to provide for the interstate and intercounty transfer of dependents; to create county and district departments of social services; to create within certain county departments, bureaus of social aid and certain divisions and offices thereunder; to prescribe the powers and duties of the departments, bureaus and officers; to provide for appeals in certain cases; to prescribe the powers and duties of the state department with respect to county and district departments; to prescribe certain duties of certain other state departments, officers, and agencies; to make an appropriation; to prescribe penalties for the violation of the provisions of this act; and to repeal certain parts of this act on specific dates,” (MCL 400.1 to 400.119b) by adding sections 57q and 57r.

The motion prevailed.

The House agreed to the title as amended.

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

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

Second Reading of Bills

Senate Bill No. 894, entitled

A bill to amend 1939 PA 280, entitled “The social welfare act,” by amending sections 57d and 57g (MCL 400.57d and 400.57g), as amended by 2001 PA 280.

The bill was read a second time.

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

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

Rep. Kooiman moved to amend the bill as follows:

1. Amend page 3, following line 4, by inserting:

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

- (a) Senate Bill No. 892.
- (b) Senate Bill No. 893.
- (c) House Bill No. 5438.
- (d) House Bill No. 5439.
- (e) House Bill No. 5440.
- (f) House Bill No. 5441.
- (g) House Bill No. 5442.”.

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 894, entitled

A bill to amend 1939 PA 280, entitled “The social welfare act,” by amending sections 57d and 57g (MCL 400.57d and 400.57g), as amended by 2001 PA 280.

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

Roll Call No. 773

Yeas—87

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

Nays—14

Bennett	Hunter	Miller	Tobocman
Cushingberry	Leland	Smith, Alma	Waters

Gonzales
Hood

McConico
Meisner

Smith, Virgil

Whitmer

In The Chair: Elsenheimer

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

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

A bill to amend 1939 PA 280, entitled "An act to protect the welfare of the people of this state; to provide general assistance, hospitalization, infirmary and medical care to poor or unfortunate persons; to provide for compliance by this state with the social security act; to provide protection, welfare and services to aged persons, dependent children, the blind, and the permanently and totally disabled; to administer programs and services for the prevention and treatment of delinquency, dependency and neglect of children; to create a state department of social services; to prescribe the powers and duties of the department; to provide for the interstate and intercounty transfer of dependents; to create county and district departments of social services; to create within certain county departments, bureaus of social aid and certain divisions and offices thereunder; to prescribe the powers and duties of the departments, bureaus and officers; to provide for appeals in certain cases; to prescribe the powers and duties of the state department with respect to county and district departments; to prescribe certain duties of certain other state departments, officers, and agencies; to make an appropriation; to prescribe penalties for the violation of the provisions of this act; and to repeal certain parts of this act on specific dates," by amending section 57d (MCL 400.57d), as amended by 2001 PA 280.

The motion prevailed.

The House agreed to the title as amended.

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

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

Rep. Cushingberry, 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:

Why can't we truly innovate and fight the madness thrust upon us from Washington today? We need to challenge the administration and congressional leadership who can pay five times the value for war implements from their friendly defense contractors and allow no bid contracts and agree to pay for things they never receive - that enough is enough and leave the poor people alone.

A system that is streamline and allows for a single application for all of the Federal, State, and Local Government programs simultaneously, seamlessly, and effectively is what 'welfare reform' should become. A straightforward amalgamation of all the rules and regulations with the idea to repeal, reform, and reconstitute a mishmash of systems into a continuum of compassionate, creative, and caring programs.

Emphasis should be first on the health (mental and physical) of all those in need. Everyone who needs this assistance should receive it. Education should be free thru Community College or Vocational training. We need to fully fund child care so individuals don't have to choose whether to pursue education or leave children by themselves. Food stamp assistance should be increased and the old surplus food program replenished. Weatherization for Seniors to keep them warm and cool should be expanded so the waiting lists are eliminated. The job training programs should be allowed to take all comers. Aesthesis should be added as a tool to encourage civic, civil, and cultural literacy.

Our efforts should also be to fully fund community mental health so we don't continue this asinine notion and practice of filling prisons with mental health patients.

The Federal Government should grant a guaranteed income for poor Americans that may be tailored by the States to allow them an opportunity for the American dream.

Scholarships should be available to anyone who has received a certificate or Associates degree to finish their education and further upgrade their skills.

Finally, a co-ordination and clearinghouse should be established of programs available ecumenically. This is where a true welfare reform package should be headed. Not this half-baked, mean-spirited, sinfully greedy effort before us today."

Second Reading of Bills

House Bill No. 4522, 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 5j (MCL 28.425j), as amended by 2004 PA 254.

The bill was read a second time.

Rep. Sheltroun moved to amend the bill as follows:

1. Amend page 4, following line 2, by inserting:

"(7) THE TRAINING REQUIREMENTS OF SECTION 5B(7)(C) AND THIS SECTION DO NOT APPLY TO AN INDIVIDUAL WHO IS A PEACE OFFICER OR WHO FORMERLY WAS A PEACE OFFICER."

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

Rep. Stakoe moved to amend the bill as follows:

1. Amend page 3, line 27, after "**INDIVIDUAL**" by striking out the balance of the subsection and inserting "**TO WHICH BOTH OF THE FOLLOWING APPLY:**

(A) THE INDIVIDUAL IS HONORABLY DISCHARGED FROM THE ARMED FORCES OF THIS STATE, ANOTHER STATE, OR THE UNITED STATES.

(B) THE INDIVIDUAL SUCCESSFULLY COMPLETED TRAINING IN THE ARMED FORCES IN THE USE OF A PISTOL AND WAS QUALIFIED TO USE A PISTOL IN THE ARMED FORCES. PROOF OF TRAINING AND QUALIFICATION UNDER THIS SUBDIVISION SHALL CONSIST OF A NOTARIZED STATEMENT SIGNED BY THE INDIVIDUAL STATING THAT HE OR SHE SUCCESSFULLY COMPLETED TRAINING IN THE ARMED FORCES IN THE USE OF A PISTOL AND WAS QUALIFIED TO USE A PISTOL IN THE ARMED FORCES."

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

Rep. Stakoe moved to amend the bill as follows:

1. Amend page 3, line 27, after "**INDIVIDUAL**" by striking out the balance of the subsection and inserting "**TO WHICH BOTH OF THE FOLLOWING APPLY:**

(A) THE INDIVIDUAL PROVIDES DOCUMENTATION THAT THE INDIVIDUAL IS HONORABLY DISCHARGED FROM THE ARMED FORCES OF THIS STATE, ANOTHER STATE, OR THE UNITED STATES.

(B) THE INDIVIDUAL SUCCESSFULLY COMPLETED TRAINING IN THE ARMED FORCES IN THE USE OF A PISTOL AND WAS QUALIFIED TO USE A PISTOL IN THE ARMED FORCES. PROOF OF TRAINING AND QUALIFICATION UNDER THIS SUBDIVISION SHALL CONSIST OF A NOTARIZED STATEMENT SIGNED BY THE INDIVIDUAL STATING THAT HE OR SHE SUCCESSFULLY COMPLETED TRAINING IN THE ARMED FORCES IN THE USE OF A PISTOL AND WAS QUALIFIED TO USE A PISTOL IN THE ARMED FORCES."

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

Rep. Ward moved to amend the bill as follows:

1. Amend page 4, following line 2, by inserting:

"Enacting section 1. This amendatory act does not take effect unless House Bill No. 4947 of the 93rd Legislature is enacted into law."

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

Rep. Sheltroun 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. 4522, 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 5j (MCL 28.425j), as amended by 2004 PA 254.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Ward moved to reconsider the vote by which the House placed the bill on the order of Third Reading of Bills. The motion prevailed, a majority of the members present voting therefor.

Second Reading of Bills

House Bill No. 4522, 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 5j (MCL 28.425j), as amended by 2004 PA 254.

Rep. Ward moved to reconsider the vote by which the House adopted the amendment offered previously by Rep. Ward.

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

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

Rep. Ward withdrew the amendment.

Rep. Sheltrown 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. 4522, 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 5j (MCL 28.425j), as amended by 2004 PA 254.

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.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members on Thursday, December 8:

House Bill Nos. 5484 5485 5486 5487 5488 5489

Senate Bill Nos. 924 925 926

The Clerk announced that the following Senate bills had been received on Thursday, December 8:

Senate Bill Nos. 529 530 670 757 850 851 852 854 857

By unanimous consent the House returned to the order of

Messages from the Senate

Senate Bill No. 757, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 14i (MCL 400.14i), as amended by 2004 PA 571.

The Senate has passed the bill.

The bill was read a first time by its title.

Pending the reference of the bill to a committee,

Rep. Ward moved that Rules 44 and 45 be suspended.

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

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

The motion prevailed.

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Ward moved that when the House adjourns today it stand adjourned until Tuesday, December 13, at 10:00 a.m. The motion prevailed.

THIS RESOLUTION IS OFFERED TO COMPLY WITH MCL § 4.101 AND MCL § 4.541 AND REQUIRES A RECORD ROLL CALL VOTE UNDER THE PROVISIONS OF RULE 39 OF THE STANDING RULES OF THE HOUSE OF REPRESENTATIVES.

Rep. Taub offered the following resolution:

House Resolution No. 166.

A resolution to extend subpoena power to the House Government Operations Committee's subcommittee to review the sale of the former Northville Psychiatric Hospital.

Whereas, Full access to accurate information is essential for sound decision making by any public or private body. Section 1 of 1931 PA 118, being MCL § 4.101, provides, in part, that

Committees and commissions of or appointed by the legislature may by resolution of the legislature be authorized to administer oaths, subpoena witnesses and/or to examine the books and records of any persons, partnerships or corporations involved in a matter properly before any of such committees or commissions.

Section 1 of 1952 PA 46, being MCL § 4.541, provides, in part, that

. . . any standing or select committee of the senate or the house of representatives, and any joint select committee of the senate and house of representatives, shall be authorized to subpoena and have produced before any such committee, or inspect the records and files of any state department, board, institution or agency; and it shall be the duty of any state department, board, institution or agency to produce before the committee as required by the subpoena, or permit the members of any such committee to inspect its records and files.

Pursuant to Rule 39 of the Standing Rules of the House of Representatives, the authority for a committee to issue subpoenas shall be granted by resolution, with the vote for adoption by record roll call and a majority of members elected and serving required for adoption; now, therefore, be it

Resolved by the House of Representatives, That, pursuant to MCL § 4.101 and MCL § 4.541 and Rule 39 of the Standing Rules of the House of Representatives, we hereby grant subpoena power to the House Government Operations Committee's subcommittee to review the sale of the former Northville Psychiatric Hospital; and be it further

Resolved, That copies of this resolution be transmitted to the House Government Operations Committee.

The resolution was referred to the Committee on Government Operations.

Rep. Taub offered the following resolution:

House Resolution No. 167.

A resolution to express the sense of the House of Representatives that the pending sale of the former Northville Psychiatric Hospital has not followed statutory requirements and to urge the Department of Management and Budget to reopen bidding on the property.

Whereas, The people of the state enacted 2002 PA 6 to outline the process to be followed to sell certain property. Specifically, this act includes provisions for the conveyance of the former Northville Psychiatric Hospital property in Wayne County; and

Whereas, The state's actions in the summer of 2005 to sell the Northville property do not seem to have followed the provisions of 2002 PA 6. In October, a circuit court judge cited aspects of the bidding process and the proposed sale that violate the statute and may also violate provisions of the state's constitution; and

Whereas, In keeping with 2002 PA 6, the bids for the Northville property were to have been for a price that met the minimum fair market value, as was previously determined by the independent appraisal. Acceptable bids were supposed to be for the property on an "as is" basis, without conditions. Neither of the two initial bids received met these criteria. In response, the state, through its agent, apparently entered into private negotiations with one of the bidders. What resulted from these private meetings was a bid that included a land contract as part of the price; and

Whereas, The privately negotiated price and conditions, the lack of three or more bidders when a broker is used and paid for, the zero interest land contract arrangement, and the cash price as calculated to account for the land contract do not meet the requirements set forth in 2002 PA 6. In addition, the state underwriting the land contract may also violate a constitutional provision prohibiting the state from using its credit for the benefit of a private entity; and

Whereas, Clearly, there are major questions and concerns surrounding the proposed sale of the former Northville Psychiatric Hospital property. Indeed, there seems to be ample justification for the proposed sale to be halted and the bidding process to be reopened; now, therefore, be it

Resolved by the House of Representatives, That we express the sense of the House of Representative that the pending sale of the former Northville Psychiatric Hospital has not followed statutory requirements and to urge the Department of Management and Budget to reopen bidding on the property; and be it further

Resolved, That copies of this resolution be transmitted to the Department of Management and Budget and the State Administrative Board.

The resolution was referred to the Committee on Government Operations.

Reps. Gonzales, Accavitti, Adamini, Anderson, Bieda, Brown, Cushingberry, Donigan, Espinoza, Farrah, Gleason, Hopgood, Kathleen Law, Lipsey, McDowell, Meisner, Miller, Plakas, Polidori, Rocca, Sak, Sheltroun, Alma Smith, Virgil Smith, Spade, Tobocman, Vagnozzi, Waters, Wojno, Zelenko and Byrum offered the following resolution:

House Resolution No. 168.

A resolution to memorialize the Congress of the United States to enact bipartisan legislation that creates the position of Chief Trade Prosecutor within the Office of the U.S. Trade Representative to enforce our trade agreements and to eliminate the illegal trade practices of other countries.

Whereas, Failure to enforce our trade agreements has cost the United States millions of jobs over the past 15 years. In Michigan alone, tens of thousands of these jobs were lost due to a trade imbalance with countries like China; and

Whereas, This trade imbalance with China is due in part to anti-competitive actions taken by China's government, including illegal direct subsidies, export tax rebates and lack of enforcement against counterfeit goods. Despite China's repeated and widespread violations of World Trade Organization (WTO) rules, our government has failed to file complaints with the WTO to stop these violations; and

Whereas, The creation of a Chief Trade Prosecutor within the Office of the U.S. Trade Representative would help reduce illegal trade practices. The Trade Prosecutor would be given the authority to investigate illegal trade and recommend the prosecution of cases before the WTO. The Prosecutor would be able to stand up to our trading partners and make sure they are following the law and protecting the standards of free and fair trade; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to enact bipartisan legislation that creates the position of Chief Trade Prosecutor within the Office of the U.S. Trade Representative to enforce our trade agreements and to eliminate the illegal trade practices of other countries; and be it further

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

The resolution was referred to the Committee on Government Operations.

Reps. Leland, Mayes, Tobocman, Condino, Hopgood, Clack, Alma Smith, Donigan, Miller, Bennett, Cushingberry, Byrum, Plakas, Hood, Hunter, Lipsey, Kolb, Sak, Farrah, Sheltroun, Polidori, David Law, Green, Anderson, Bieda,

Espinoza, McDowell, Clemente, Gaffney, Wojno, Byrnes, Spade, Meisner, Brown, Adamini, Whitmer, Waters, Zelenko, Virgil Smith, Accavitti, Ball, Stewart, Nofs, Kahn, Meyer, McConico, Garfield, Gleason, Gonzales, Kathleen Law and Vagnozzi offered the following resolution:

House Resolution No. 169.

A resolution to memorialize the Congress of the United States not to cut the food stamp program.

Whereas, The food stamp program provides food assistance to millions of our nation's most poor and vulnerable people. This program is an essential source of nutritional support for millions of American families; and

Whereas, The United States House of Representatives is considering proposed cuts to the food stamp program that would eliminate 220,000 to 250,000 low-income people by 2008, 70,000 of whom are legal immigrants. Under this proposal, 50,000 legal immigrants would lose their food stamps in 2006. The cuts in this proposal are more extensive than those proposed by the Bush administration. More importantly, as reflected in the Senate and the Bush Administration budget proposals, programs savings in the Agriculture Department can be achieved without food stamp cuts; and

Whereas, Congressional approval of these cuts would dramatically increase the growing hunger and nutrition problems that low-income families face in this country. We encourage members of Congress to oppose cutting this program that is so important to the lives of millions of Americans. Such draconian cuts would cause tremendous harm; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States not to impose cuts to the federal food stamp program; and be it further

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

The resolution was referred to the Committee on Government Operations.

Reps. Casperson, Kooiman, Brown, Adamini, Accavitti, Byrnes, Elsenheimer, Emmons, Espinoza, Farrah, Gleason, Hansen, Hoogendyk, LaJoy, Lipsey, Marleau, McDowell, Miller, Robertson, Sak, Shaffer, Sheltroun, Alma Smith, Virgil Smith, Tobocman, Zelenko and Farhat offered the following resolution:

House Resolution No. 170.

A resolution acknowledging the character, capability, and commitment of Steve Mariucci.

Whereas, Steve Mariucci is a native of this great State; and

Whereas, Steve Mariucci and his boyhood best friend, Michigan State Basketball Coach Tom Izzo, are the favored sons of Iron Mountain and the Upper Peninsula; and

Whereas, Steve Mariucci, a three time collegiate All-American, was a winner his entire life. Beginning with his meteoric rise at Northern Michigan University (NMU), where he quarterbacked a program to one of the most remarkable improvements in the history of college football. He helped turn around a team that struggled to a 0-10 record in 1974, only to go on the following season to a 13-1 record. Mariucci was inserted as the starting quarterback and helped NMU win its first, and only, Division II National Football Title; and

Whereas, Steve Mariucci first served notice of his extraordinary abilities on the National Football League in Title Town under the legendary shadow of Lambeau and Lombardi, where he served as the Quarterbacks Coach from 1992 through 1995. He transformed a young, and unknown quarterback, Brett Favre, into a certain Hall of Fame entrant; and

Whereas, Steve Mariucci's NFL head coaching career was launched in 1997 when he took over the reigns of another historic NFL franchise, the San Francisco 49'ers. There he enjoyed one of the greatest rookie seasons ever for a coach, finishing 13-3. This included an eleven game winning streak, which is an NFL record for the longest winning streak by a rookie head coach; and

Whereas, Steve Mariucci's winning ways are evidence by the success he enjoyed in San Francisco, which included four playoff appearances and two Divisional titles; and

Whereas, Despite the difficult times with the Detroit Lions, Steve Mariucci still enjoys an overall winning record in the parity driven NFL following eight seasons as a head coach; and

Resolved by the House of Representatives, That the members of this legislative body acknowledged the character, capability, and commitment of Steve Mariucci, a favored son of Iron Mountain, the Upper Peninsula, and our entire state.

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. Hoogendyk, Gosselin and Schuitmaker offered the following resolution:

House Resolution No. 171.

A resolution to memorialize the United States Senators of the state of Michigan to work for a prompt up-or-down vote on the nomination of Samuel A. Alito, Jr., to the United States Supreme Court.

Whereas, Article II, Section 2 of the United States Constitution states that the President shall nominate and, by and with the advice and consent of the United States Senate, shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court, and other officers of the United States; and

Whereas, Activist judges on some federal courts have frustrated the constitutional structure, which prescribes that laws shall be written by elected legislatures; and

Whereas, President George W. Bush has expressed his commitment to appoint federal judges who will strictly interpret the United States Constitution; and

Whereas, On July 1, 2005, Justice Sandra Day O'Connor announced her retirement from the United States Supreme Court; and

Whereas, On October 31, 2005, President George W. Bush nominated Samuel A. Alito, Jr., to the Supreme Court; and

Whereas, In the past, a minority of senators has used dilatory tactics to prevent a Senate floor vote on several of President George W. Bush's judicial nominees, all of whom were reported favorably by the United States Senate Committee on the Judiciary; now, therefore be it

Resolved by the House of Representatives, That we request our United States Senators to work for a prompt up-or-down vote on the nomination of Samuel A. Alito, Jr., to the United States Supreme Court; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate and the Senators of the state of Michigan.

The resolution was referred to the Committee on Government Operations.

Reports of Standing Committees

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Casperson, Chair, of the Committee on Conservation, Forestry, and Outdoor Recreation, was received and read:

Meeting held on: Thursday, December 8, 2005

Present: Reps. Casperson, Hildenbrand, Garfield, Nitz, Stakoe, Baxter, Rocca, McDowell, Sheltroun, Gillard and Espinoza

Messages from the Senate

House Bill No. 4993, entitled

A bill to amend 1986 PA 196, entitled "Public transportation authority act," by amending section 18 (MCL 124.468).

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. 4540, entitled

A bill to amend 1992 PA 147, entitled "Neighborhood enterprise zone act," by amending section 9 (MCL 207.779), as amended by 2003 PA 127.

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

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

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

House Bill No. 5427, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 63203 (MCL 324.63203), as added by 2004 PA 449.

The Senate has amended the bill as follows:

1. Amend page 1, line 9, by striking out "**JANUARY 31**" and inserting "**FEBRUARY 15**".

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

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

House Bill No. 5438, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 14i, 57a, and 57f (MCL 400.14i, 400.57a, and 400.57f), section 14i as amended by 2004 PA 571, section 57a as amended by 1999 PA 26, and section 57f as amended by 2001 PA 280, and by adding section 57p.

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

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1939 PA 280, entitled "An act to protect the welfare of the people of this state; to provide general assistance, hospitalization, infirmary and medical care to poor or unfortunate persons; to provide for compliance by this state with the social security act; to provide protection, welfare and services to aged persons, dependent children, the blind, and the permanently and totally disabled; to administer programs and services for the prevention and treatment of delinquency, dependency and neglect of children; to create a state department of social services; to prescribe the powers and duties of the department; to provide for the interstate and intercounty transfer of dependents; to create county and district departments of social services; to create within certain county departments, bureaus of social aid and certain divisions and offices thereunder; to prescribe the powers and duties of the departments, bureaus and officers; to provide for appeals in certain cases; to prescribe the powers and duties of the state department with respect to county and district departments; to prescribe certain duties of certain other state departments, officers, and agencies; to make an appropriation; to prescribe penalties for the violation of the provisions of this act; and to repeal certain parts of this act on specific dates," by amending sections 14i, 57, 57a, 57d, and 57e (MCL 400.14i, 400.57, 400.57a, 400.57d, and 400.57e), section 14i as amended by 2004 PA 571, section 57 as added by 1995 PA 223, section 57a as amended by 1999 PA 26, and sections 57d and 57e as amended by 2001 PA 280.

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

House Bill No. 5439, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 57b (MCL 400.57b), as amended by 1999 PA 9.

The Senate has substituted (S-2) the bill.

The Senate has passed the bill as substituted (S-2), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

House Bill No. 5440, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 57q.

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

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

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

House Bill No. 5441, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 57g (MCL 400.57g), as amended by 2001 PA 280.

The Senate has substituted (S-2) the bill.

The Senate has passed the bill as substituted (S-2), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

House Bill No. 5442, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 57o.

The Senate has substituted (S-2) the bill.

The Senate has passed the bill as substituted (S-2), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

Senate Bill No. 529, entitled

A bill to amend 1992 PA 147, entitled "Neighborhood enterprise zone act," by amending sections 6 and 7 (MCL 207.776 and 207.777).

The Senate has passed the bill.

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

Senate Bill No. 530, entitled

A bill to amend 1992 PA 147, entitled "Neighborhood enterprise zone act," by amending sections 2, 3, 4, 8, 10, 11, 12, and 13 (MCL 207.772, 207.773, 207.774, 207.778, 207.780, 207.781, 207.782, and 207.783), sections 2, 3, and 12 as amended by 2004 PA 396, section 4 as amended by 2004 PA 566, and sections 10 and 11 as amended by 2001 PA 217.

The Senate has passed the bill.

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

Senate Bill No. 670, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 33901, 33902, 33903, 33904, 33908, 33910, 33911, 33916, 33924, 33929, and 33935 (MCL 324.33901, 324.33902, 324.33903, 324.33904, 324.33908, 324.33910, 324.33911, 324.33916, 324.33924, 324.33929, and 324.33935), as added by 1995 PA 59; and to repeal acts and parts of acts.

The Senate has passed the bill.

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

Senate Bill No. 850, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 30103, 32701, 32702, 32707, and 32713 (MCL 324.30103, 324.32701, 324.32702, 324.32707, and 324.32713), sections 30103, 32702, and 32713 as added by 1995 PA 59 and sections 32701 and 32707 as amended by 2003 PA 148, and by adding sections 32704a, 32721, 32722, 32723, 32724, 32726, 32727, and 32728; and to repeal acts and parts of acts.

The Senate has passed the bill.

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

Senate Bill No. 851, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 32803 (MCL 324.32803), as added by 2003 PA 148.

The Senate has passed the bill.

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

Senate Bill No. 852, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 32705 and 32708 (MCL 324.32705 and 324.32708), as amended by 2003 PA 148, and by adding section 32708a.

The Senate has passed the bill.

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

Senate Bill No. 854, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 32725.

The Senate has passed the bill.

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

Senate Bill No. 857, entitled

A bill to amend 1976 PA 399, entitled "Safe drinking water act," by amending section 4 (MCL 325.1004), as amended by 1998 PA 56.

The Senate has passed the bill.

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

Introduction of Bills

Reps. David Law, Farrah, Hune, Mortimer, Kahn, Jones, Gleason, Garfield, Schuitmaker, Stakoe, Hansen, Dillon and Huizenga introduced

House Bill No. 5490, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 4703, 4704, 4705, and 4708 (MCL 600.4703, 600.4704, 600.4705, and 600.4708), as added by 1988 PA 104.

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

Reps. Gonzales, Polidori, Zelenko, Espinoza, Plakas, Garfield, Farrah, Clack, Wojno, Gleason, Anderson, Vagnozzi, Lipsey and Lemmons, III introduced

House Bill No. 5491, entitled

A bill to establish a right of an individual entering military service for more than 90 days to cancel a motor vehicle lease; and to prescribe penalties and provide remedies.

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

Reps. Elsenheimer, Jones, Stakoe, Hansen and David Law introduced

House Bill No. 5492, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7457 (MCL 333.7457), as added by 1988 PA 139.

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

Reps. Stakoe, Baxter, Hildenbrand, Vander Veen, Garfield, Pastor, Shaffer, Elsenheimer, Sheltrown, Amos, Wenke, David Law, Jones, Booher, Hansen, Green, Proos, Emmons, Nitz, Casperson, Gosselin, Hune, Kolb, Farrah, Huizenga, Wojno, Polidori, Byrnes, Accavitti, Lipsey, Taub, Stahl, Gaffney, Whitmer, Caswell, Mortimer, Rocca, Hoogendyk, Acciavatti, LaJoy and Marleau introduced

House Bill No. 5493, entitled

A bill entering into the nurse licensure compact.

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

Reps. Pavlov, LaJoy, David Law, Casperson, Moore, Taub, Kahn and Gleason introduced

House Bill No. 5494, entitled

A bill to amend 1990 PA 187, entitled "The pupil transportation act," by amending the title and sections 5, 7, 9, 10, 10a, 11, 21, 23, 25, 27, 29, 31, 33, 39, 41, 43, 49, 51, 53, 55, 57, 61, 67, 69, 70, and 73 (MCL 257.1805, 257.1807, 257.1809, 257.1810, 257.1810a, 257.1811, 257.1821, 257.1823, 257.1825, 257.1827, 257.1829, 257.1831, 257.1833, 257.1839, 257.1841, 257.1843, 257.1849, 257.1851, 257.1853, 257.1855, 257.1857, 257.1861, 257.1867, 257.1869, 257.1870, and 257.1873), sections 5, 7, 10, and 10a as amended by 2000 PA 49, section 23 as amended by 1990 PA 322, section 33 as amended by 2001 PA 130, section 49 as amended by 1994 PA 309, section 53 as amended by 2004 PA 131, section 55 as amended by 2004 PA 231, and section 57 as amended by 1996 PA 170; and to repeal acts and parts of acts.

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

Rep. Brandenburg moved that the House adjourn.

The motion prevailed, the time being 4:55 p.m.

Associate Speaker Pro Tempore Elsenheimer declared the House adjourned until Tuesday, December 13, at 10:00 a.m.

