

No. 28
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
93rd Legislature
REGULAR SESSION OF 2005

House Chamber, Lansing, Wednesday, April 13, 2005.

1:00 p.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—present	Rocca—present
Adamini—present	Farhat—present	Lemmons, Jr.—present	Sak—present
Amos—present	Farrah—present	Lipsey—present	Schuitmaker—present
Anderson—present	Gaffney—present	Marleau—present	Shaffer—present
Angerer—present	Garfield—present	Mayes—present	Sheen—present
Ball—present	Gillard—present	McConico—present	Sheltrown—present
Baxter—present	Gleason—present	McDowell—present	Smith, Alma—present
Bennett—present	Gonzales—present	Meisner—present	Smith, Virgil—present
Bieda—present	Gosselin—present	Meyer—present	Spade—present
Booher—present	Green—present	Miller—present	Stahl—present
Brandenburg—present	Hansen—present	Moolenaar—present	Stakoe—present
Brown—present	Hildenbrand—present	Moore—present	Steil—present
Byrnes—present	Hood—present	Mortimer—present	Stewart—present
Byrum—present	Hoogendyk—present	Murphy—present	Taub—present
Casperson—present	Hopgood—present	Newell—present	Tobocman—present
Caswell—present	Huizenga—present	Nitz—present	Vagnozzi—present
Caul—present	Hummel—present	Nofs—present	Van Regenmorter—present
Cheeks—present	Hune—present	Palmer—present	Vander Veen—present
Clack—present	Hunter—present	Palsrok—present	Walker—present
Clemente—present	Jones—present	Pastor—present	Ward—present
Condino—present	Kahn—present	Pavlov—present	Waters—present
Cushingberry—present	Kehrl—present	Pearce—present	Wenke—present
DeRoche—excused	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. Kevin A. Elsenheimer, from the 105th District, offered the following invocation:

“Lord, we want to thank You for and give You praise for the bounty of this state, and the health and welfare of the members of this House and its staff. We ask that You guide our hearts and guide our hands to do Your will, which is after all the will of the people, as we work to resolve the issues facing this great state. Jesus, in Your name, we pray. Amen.”

Rep. Palmer moved that Rep. DeRoche be excused from today’s session.
The motion prevailed.

The Speaker Pro Tempore assumed the Chair.

Second Reading of Bills

Senate Bill No. 235, entitled

A bill to make, supplement, and adjust appropriations for certain capital outlay programs and state departments and agencies for the fiscal year ending September 30, 2005; to implement the appropriations within the budgetary process; to prescribe standards and conditions relating to the appropriations; and to provide for the expenditure of appropriations.

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.

House Bill No. 4242, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 2830 (MCL 333.2830), as amended by 1994 PA 242.

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

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

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

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

Rep. Hummel 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

House Bill No. 4289, entitled

A bill to amend 1995 PA 29, entitled “Uniform unclaimed property act,” (MCL 567.221 to 567.265) by adding section 19a.

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

Roll Call No. 54

Yeas—109

Accavitti
Acciavatti
Adamini
Amos

Espinoza
Farhat
Farrah
Gaffney

Leland
Lemmons, III
Lemmons, Jr.
Lipsev

Robertson
Rocca
Sak
Schuitmaker

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

Nays—0

In The Chair: Kooiman

The House agreed to the title of the bill.

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

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

Reps. Waters, McConico, Stewart, Phillips, Kooiman, Meyer, Gaffney, Hunter, Pastor, Kathleen Law, Accavitti, Gleason, Shaffer, Ward, Emmons, Moolenaar, Palsrok, Gillard, Ball, Bennett, Booher, Byrnes, Cheeks, Elsenheimer, Espinoza, Gonzales, Gosselin, Jones, Lemmons, III, Lemmons, Jr., Pearce, Rocca and Sheltrown were named co-sponsors of the bill.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Gleason, Accavitti, Acciavatti, Adamini, Bieda, Brown, Byrum, Clack, Condino, Dillon, Garfield, Gillard, Gonzales, Gosselin, Green, Hildenbrand, Hopgood, Kooiman, LaJoy, Lemmons, III, Lemmons, Jr., Lipsey, Mayes, McConico, Mortimer, Nitz, Pavlov, Pearce, Phillips, Polidori, Robertson, Sak, Shaffer, Stahl, Stakoe, Tobocman, Vagnozzi, Vander Veen, Zelenko, Ball, Proos, Spade and Caul offered the following resolution:

House Resolution No. 46.

A resolution recognizing April 2005 as Donate Life Month in the state of Michigan.

Whereas, More than 2,400 Michigan Residents are currently waiting for a lifesaving organ donation, and ten will die each month due to the serious lack of organ donors; and

Whereas, The state of Michigan's organ donor rate lags behind the national average; and

Whereas, The need for organ, tissue, and eye donations grows daily. The critical donor shortage remains a public health emergency; and

Whereas, The people in Michigan most severely affected by chronic kidney disease include over 10,000 receiving dialysis treatments, almost 5,000 living with a kidney transplant, and over 2,000 who are waiting for a kidney transplant; and

Whereas, Chronic kidney disease is a major public health burden. It is projected to cost the National Health System of \$20 billion by 2010; and

Whereas, It is more cost effective to transplant a donated kidney than to treat the symptoms of kidney failure for an extended period of time; and

Whereas, Organ, tissue, and eye donation can provide families that are tragically confronted by the death of a loved one, the comfort of knowing the gift of donated organs and tissues endows another person with renewed hope for a healthy life; and

Whereas, Giving the gift of life through organ, tissue, and eye donation to someone facing imminent death or living with blindness or a disability is the ultimate act of generosity and kindness; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body recognize April 2005 as Donate Life Month in the state of Michigan. We encourage families to engage in discussions about the wishes of their loved ones regarding organ donation and that we spread organ donation awareness throughout our great 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. Taub, Garfield, Accavitti, Acciavatti, Adamini, Bieda, Byrum, Condino, Dillon, Gillard, Gleason, Gonzales, Gosselin, Green, Hildenbrand, Hopgood, Kooiman, Lemmons, III, Lemmons, Jr., Lipsey, Mayes, McConico, Meyer, Miller, Mortimer, Pavlov, Pearce, Phillips, Polidori, Alma Smith, Stahl, Stakoe, Tobocman, Vagnozzi, Vander Veen, Wojno, Zelenko, Ball, Drolet, Proos and Caul offered the following resolution:

House Resolution No. 47.

A resolution commemorating April 24, 2005, as Michigan's Day of Remembrance of the Armenian Genocide of 1915-1923.

Whereas, Each year, on April 24th, all Armenians observe the anniversary of the Turkish crime of genocide that shocked the sensibilities of the civilized world. The Armenians pause on this day to mourn and honor the memory of kinfolk by appropriate religious and civil ceremonies; and

Whereas, April 24th is more than an Armenian day of mourning. The denial of justice is morally affecting all mankind. Therefore, April 24th is a day on which each year the Armenians remind the world community that their problems, with which it has been plagued without surcease, will remain insoluble so long as justice is ignored; and

Whereas, One and one-half million men, women, and children of Armenian descent were victims of the brutal genocide perpetrated by the Turkish Ottoman Empire from 1915-1923. The Armenian Genocide and massacres of the Armenian people represented a deliberate attempt to eliminate all traces of a thriving noble civilization over 3,000 years old. The Armenian people have not received reparations for their losses. To this day revisionists still inexplicably deny the existence of these horrific events; and

Whereas, Prior to the invasion of Poland in 1939, Adolf Hitler, the German Nazi dictator, seeking to dispel fears among his military command regarding the world's response to his genocidal plans, asked "Who, after all, today speaks of the Armenians?"; and

Whereas, The world must be reminded that this unpunished act of genocide of the Armenians in 1915 in no small measure contributed to the genocide of the Jewish and Polish populations in World War II; and,

Whereas, Recognition of the 90th anniversary of this genocide is crucial to ensure against the repetition of future genocides and educate people about the atrocities connected to this horrific event; and

Whereas, The Legislature, through Public Act 558 of 2002, established April 24th as Michigan Day of remembrance of the Armenian genocide. It also declared the period beginning on the Sunday before the 24th through the following Sunday to be the days of remembrance in this state; and

Whereas, Armenia is now a free and independent republic, having embraced democracy following nearly 70 years of oppressive Soviet domination; and

Whereas, Armenian-Americans living in Michigan have greatly enriched our state through their leadership in business, agriculture, academia, government, and the arts; and

Whereas, We join Armenian-Americans and the Armenian community abroad to mourn the loss of so many innocent lives. But, the lessons learned must contribute to the development of international intervention principles and human rights awareness; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body commemorate April 24, 2005, as Michigan's Day of Remembrance of the Armenian Genocide of 1915-1923; and be it further

Resolved, That copies of this resolution be forwarded to the Department of Legislative Services, the Honorable Governor, Jennifer Granholm, the Honorable Lieutenant Governor, John Cherry, the Honorable Senate Majority Leader, Ken Sikkema, and the Honorable Speaker of the House of Representatives, Craig DeRoche.

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. Baxter, Proos, Kehrl, Sheltroun, Moore, Pearce, Mayes, Nitz, Marleau, Vander Veen, Elsenheimer, Schuitmaker, Anderson, Jones, Accavitti, Acciavatti, Bieda, Byrum, Dillon, Farhat, Garfield, Gillard, Gleason, Gonzales, Gosselin, Hildenbrand, Hopgood, Kooiman, Lemmons, III, Lemmons, Jr., Meyer, Mortimer, Palmer, Pavlov, Phillips, Polidori, Robertson, Shaffer, Stahl, Stakoe, Taub, Wojno, Zelenko, Ball and Caul offered the following concurrent resolution:

House Concurrent Resolution No. 10.

A concurrent resolution to memorialize Congress to enact legislation allowing the Department of Commerce (DOC) to help shield children by establishing and requiring the .xxx domain name for adult-only web sites.

Whereas, From 1983 to 1998, the federal government managed the Internet, including the Domain Name System (DNS), a central coordinating body that assigns unique e-mail and web site addresses so that the network runs smoothly. As the Internet evolved from a small-scale system of links among American academic institutions into a mainstream international communications, educational, and electronic commerce medium, the federal government concluded that it should no longer manage its development. In 1998, the United States Department of Commerce (DOC), in an effort to establish global standards and consensus-based policies, agreed to a Memorandum of Understanding (MOU) with the California-based private sector, nonprofit corporation called the Internet Corporation of Assigned Names and Numbers (ICANN). In part, the MOU calls for the joint development of the DNS in order to facilitate its future transfer to the private sector; and

Whereas, While the DOC continues to serve as the steward of the DNS during its transition to private sector management, it does not regulate ICANN, play a vital role in ICANN's internal governance or day-to-day operations, or intervene in ICANN activities unless the corporation's actions are inconsistent with the MOU. The only way that the department can influence ICANN decisions is either to not renew the MOU, which expires September 30, 2006, or through informal discussion with corporation officials; and

Whereas, In 2001, ICANN approved seven new top-level domain names, but refused to approve the .xxx domain name, which would have provided a cyber sanctuary to protect children from the corrupting influences of on-line pornography. To protect children, Congress has the authority to direct the DOC to establish and operate the second-level .xxx domain name within the United States. The .xxx domain name will safeguard children by allowing parents and libraries to employ filtering or blocking software technologies; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize Congress to enact legislation allowing the Department of Commerce (DOC) to help shield children by establishing and requiring the .xxx domain name for adult-only web sites; and be it further

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

The concurrent resolution was referred to the Committee on Commerce.

Reports of Standing Committees

The Committee on Higher Education and Career Preparation, by Rep. Wenke, Chair, reported

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).

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. Wenke, Emmons, Palmer, Byrnes, Lipsey and Kehrl

Nays: None

The Committee on Higher Education and Career Preparation, by Rep. Wenke, Chair, reported

House Bill No. 4360, entitled

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending section 157 (MCL 389.157).

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. Wenke, Emmons, Palmer, Ward, Byrnes, Lipsey and Kehrl

Nays: None

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 12, 2005

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

The Committee on Agriculture, by Rep. Nitz, Chair, reported

House Bill No. 4235, entitled

A bill to amend 1984 PA 44, entitled "Motor fuels quality act," by amending sections 2, 3, and 5 (MCL 290.642, 290.643, and 290.645), section 2 as amended by 1993 PA 236 and sections 3 and 5 as amended by 2002 PA 13.

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. Nitz, Ball, Newell, Mayes, Spade, Kathleen Law and Sheltroun

Nays: Reps. Casperson, Proos and Hune

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, April 12, 2005

Present: Reps. Nitz, Ball, Newell, Casperson, Stahl, Proos, Hune, Mayes, Spade, Kathleen Law and Sheltroun

The Committee on House Oversight, Elections, and Ethics, by Rep. Ward, Chair, reported

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.

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. Ward, Elsenheimer and Gaffney

Nays: None

The Committee on House Oversight, Elections, and Ethics, by Rep. Ward, Chair, reported

House Bill No. 4481, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 759a (MCL 168.759a), as amended by 1999 PA 216; and to repeal acts and parts of acts.

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. Ward, Elsenheimer, Gaffney, Meisner and Gillard

Nays: None

The Committee on House Oversight, Elections, and Ethics, by Rep. Ward, Chair, reported

House Bill No. 4569, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 758 and 764b (MCL 168.758 and 168.764b), as amended by 1996 PA 207, and by adding section 763.

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. Ward, Elsenheimer, Gaffney, Meisner and Gillard

Nays: None

The Committee on House Oversight, Elections, and Ethics, by Rep. Ward, Chair, reported

House Bill No. 4570, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 34d (MCL 211.34d), as amended by 1996 PA 476.

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. Ward, Elsenheimer, Gaffney, Meisner and Gillard

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Ward, Chair, of the Committee on House Oversight, Elections, and Ethics, was received and read:

Meeting held on: Wednesday, April 13, 2005

Present: Reps. Ward, Elsenheimer, Gaffney, Meisner and Gillard

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 13, 2005

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

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 13, 2005

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

Absent: Reps. Wenke and Lemmons, III

Excused: Reps. Wenke and Lemmons, III

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 13:

House Bill Nos. 4587 4588 4589 4590 4591
Senate Bill Nos. 360 361 362 363 364 365 366 367 368 369 370 371

The Clerk announced that the following Senate bill had been received on Wednesday, April 13:

Senate Bill No. 228

By unanimous consent the House returned to the order of

Messages from the Senate

Senate Bill No. 228, entitled

A bill to establish a loan repayment program for repayment of certain educational loans to agricultural employees in rural areas; to provide for the administration of the program; and to prescribe certain powers and duties of certain state officers, agencies, and departments.

The Senate has passed the bill.

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

Introduction of Bills

Reps. Taub, LaJoy, Marleau, Emmons, David Law, Moore, Nofs and Meyer introduced

House Bill No. 4592, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 18b (MCL 247.668b), as amended by 2002 PA 498.

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

Reps. Angerer, Dillon, Spade, Clemente, Polidori, Accavitti, Hopgood, Williams, Brown, Espinoza, Wojno, Sheltroun, Kehrl, Waters, Lemmons, Jr., Vagnozzi, Virgil Smith, Murphy, Meisner, Clack, Bennett, Bieda, Gleason, McDowell, Donigan, Gillard, Byrum, Byrnes, Zelenko, Kathleen Law, Anderson, Mayes, Leland, Whitmer and Cheeks introduced

House Bill No. 4593, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 143a.

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

Rep. Mortimer introduced

House Bill No. 4594, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7410 (MCL 333.7410), as amended by 2000 PA 302.

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

Rep. Ball introduced

House Bill No. 4595, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7410a (MCL 333.7410a), as amended by 2000 PA 314.

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

Rep. Caul introduced

House Bill No. 4596, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 18 of chapter XVII (MCL 777.18), as amended by 2000 PA 304.

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

Rep. Mortimer introduced

House Bill No. 4597, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 335a (MCL 750.335a), as amended by 2002 PA 672.

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

Rep. Jones introduced

House Bill No. 4598, entitled

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," by amending section 2 (MCL 28.722), as amended by 2004 PA 240.

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

Rep. Elsenheimer introduced

House Bill No. 4599, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16q of chapter XVII (MCL 777.16q), as amended by 2002 PA 261.

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

Reps. Drolet, Hoogendyk, Garfield and Gaffney introduced

House Bill No. 4600, entitled

A bill to promote deployment of and investment in communications services in this state; and to prescribe the powers and duties of certain state agencies and officials.

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

Rep. Gaffney introduced

House Bill No. 4601, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 3103, 3104, and 3114 (MCL 500.3103, 500.3104, and 500.3114), section 3103 as amended by 1986 PA 173, section 3104 as amended by 2002 PA 662, and section 3114 as amended by 2002 PA 38.

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

Rep. LaJoy introduced

House Bill No. 4602, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan

transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 10c (MCL 247.660c), as amended by 2002 PA 498.

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

Reps. Palsrok, Pavlov, Moore, Farhat, Meyer, Elsenheimer, Walker, Taub, Shaffer, Proos and Huizenga introduced **House Bill No. 4603, entitled**

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

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

Reps. Pavlov, Shaffer, Moolenaar, Palsrok, Farhat, Gleason, Gosselin, Acciavatti, Mortimer, Accavitti, Wojno, Farrah and Proos introduced

House Bill No. 4604, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 143a.

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

Reps. Adamini and Gaffney introduced

House Bill No. 4605, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 5131 (MCL 333.5131), as amended by 1997 PA 57.

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

Reps. Adamini and Gaffney introduced

House Bill No. 4606, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20201 (MCL 333.20201), as amended by 2001 PA 240.

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

Rep. Stakoe introduced

House Bill No. 4607, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 627a (MCL 257.627a), as amended by 2000 PA 110.

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

Reps. Kahn, Moolenaar and Walker introduced
House Bill No. 4608, entitled

A bill to require certain providers of electric service to comply with a portfolio standard for renewable energy; to prescribe the powers and duties of certain state agencies and officials; and to provide for penalties.

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

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

House Bill No. 4082, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 310 (MCL 257.310), as amended by 2004 PA 495.

The bill was read a third time.

The question being on the passage of the bill,

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

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

Rep. Gleason moved to amend the bill as follows:

1. Amend page 22, line 11, by striking out "**EXPEDITIONS**" and inserting "**EXPEDITIOUS**".

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. 55

Yeas—56

Accavitti	Gillard	LaJoy	Shaffer
Adamini	Gleason	Lipsey	Sheen
Bennett	Gonzales	Mayes	Smith, Alma
Bieda	Green	Meisner	Stahl
Booher	Hansen	Miller	Steil
Brown	Hildenbrand	Moolenaar	Stewart
Byrum	Hoogendyk	Murphy	Tobocman
Casperson	Huizenga	Nitz	Walker
Cheeks	Hummel	Palmer	Ward
Clack	Hune	Palsrok	Waters
Condino	Hunter	Pastor	Whitmer
Cushingberry	Jones	Phillips	Williams
Drolet	Kolb	Plakas	Wojno
Gaffney	Kooiman	Sak	Zelenko

Nays—50

Acciavatti	Emmons	Lemmons, Jr.	Proos
Amos	Espinoza	Marleau	Robertson
Anderson	Farhat	McConico	Rocca
Angerer	Farrah	McDowell	Schuitmaker
Ball	Garfield	Meyer	Sheltrown
Baxter	Gosselin	Moore	Spade
Brandenburg	Hopgood	Mortimer	Stakoe
Byrnes	Kahn	Newell	Taub

Caul
Clemente
Dillon
Donigan
Elsenheimer

Kehrl
Law, David
Law, Kathleen
Leland
Lemmons, III

Nofs
Pavlov
Pearce
Polidori

Vagnozzi
Van Regenmorter
Vander Veen
Wenke

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 1949 PA 300, entitled "Michigan vehicle code," by amending sections 310, 801, 806, and 809 (MCL 257.310, 257.801, 257.806, and 257.809), section 310 as amended by 2004 PA 495, section 801 as amended by 2004 PA 427, section 806 as amended by 2003 PA 152, and section 809 as amended by 1987 PA 238.

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. Kathleen Law, having reserved the right to explain her protest against the passage of the bill, made the following statement:

"Mr. Speaker and members of the House:

I voted No on HB4082 (H-2). While I am in complete support of the Michigan Organ Donor Registry bill package that passed the house today, I was forced to vote no on House Bill 4082 (H-2). Under the substitute bill passed today, road funds to my district for use by local units of government would be cut. I cannot support any legislation that would further drain funds from our crumbling roads."

Rep. Kehrl, 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:

While I am in complete support of the Michigan Organ Donor Registry bill package that passed the house today, I was forced to vote no on House Bill 4082 (H-2). Under the substitute bill passed today, road funds to my district for use by local units of government would be cut. I cannot support any legislation that would further drain funds from our crumbling roads."

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

"Mr. Speaker and members of the House:

I support the underlying bill. I oppose the amendment which would result in a reduction in funding for roads. My opposition to the amendment resulted in my 'no' vote on the underlying bill."

Rep. Dillon, 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:

While I am in complete support of the Michigan Organ Donor Registry bill package that passed the house today, I was forced to vote no on House Bill 4082 (H-2) because under the substitute bill passed today, road funds to my district for use by local units of government would be cut. I cannot support any legislation that would further drain funds from our crumbling roads."

House Bill No. 4469, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 10104 (MCL 333.10104), as amended by 2003 PA 62.

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

Roll Call No. 56**Yeas—109**

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

Nays—0

In The Chair: Kooiman

The House agreed to the title of the bill.

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

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

House Bill No. 4470, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 303, 307, and 812 (MCL 257.303, 257.307, and 257.812), sections 303 and 812 as amended by 2004 PA 362 and section 307 as amended by 2004 PA 502.

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

Roll Call No. 57**Yeas—109**

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

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

Nays—0

In The Chair: Kooiman

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

—————

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

—————

Rep. Proos moved that the House adjourn.
 The motion prevailed, the time being 3:10 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, April 14, at 10:30 a.m.

GARY L. RANDALL
 Clerk of the House of Representatives