

No. 39
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House of Representatives
93rd Legislature
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House Chamber, Lansing, Wednesday, April 26, 2006.

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

e/d/s = entered during session

Rep. John Espinoza, from the 83rd District, offered the following invocation:

“Heavenly Father, we thank You for the opportunity to serve the people of the great state of Michigan. We need to constantly be reminded that there are other members of this state, other citizens of this state, that are in harms way, also serving our people both in the state and this country. Regardless of how difficult we find our task or how rough it may be at times, it is no where’s near what they are going through, the difficulties that they and their families are enduring. So we ask for Your blessings for them, for their family members, their friends and their communities. Again, we thank You for the honor and the privilege of serving Your people. In Your son’s name we pray, Amen.”

The Speaker assumed the Chair.

Motions and Resolutions

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution:
House Resolution No. 246.

A resolution of tribute to honor the memory of Gerald Graves, former member of the House of Representatives.

Whereas, It is with deep appreciation for his long and varied service to our state that we mark the passing of Gerald Graves, a member of the House of Representatives from 1951 to 1954 and the mayor of the Capital City from 1969 to 1981. His commitment to public service had a strong positive impact on life in Michigan, and we are proud to acknowledge his leadership as we extend our sympathies to his family; and

Whereas, Born and raised in Alpena, Gerald Graves was a graduate of the United States Merchant Marine Academy who served with distinction during World War II. After returning to Michigan and commencing studies at Michigan State University, he turned his talents and energies to the seas of politics and public service. In 1950, he was elected to the first of two terms as a state lawmaker, representing Alpena. His work as a lawmaker included committee responsibilities in the areas of aeronautics, conservation, roads, and bridges; and

Whereas, Following his legislative tenure and several years with the Michigan Good Roads Federation, Mr. Graves brought his talents to city government in Lansing. His style reflected the strength of his convictions, and his integrity made him an effective advocate for the city during a challenging era. Clearly, his sense of commitment to public service built a legacy that will long be of value to our state; now, therefore, be it

Resolved by the House of Representatives, That we offer this expression of our highest tribute to honor the memory of Gerald Graves, a member of this legislative body from 1951 to 1954; and be it further

Resolved, That copies of this resolution be transmitted to the Graves family as evidence of our condolences.

The question being on the adoption of the resolution,

The resolution was adopted by unanimous standing vote.

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

Second Reading of Bills

Senate Bill No. 1035, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 801 (MCL 257.801), as amended by 2004 PA 427.

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. 5854, entitled

A bill to amend 1973 PA 186, entitled "Tax tribunal act," by amending sections 35 and 37 (MCL 205.735 and 205.737), as amended by 2003 PA 131.

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

The substitute (H-1) was not adopted, a majority of the members serving not voting therefor.

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

The motion prevailed.

House Bill No. 5674, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 76702 (MCL 324.76702), as added by 1995 PA 58.

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

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

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

The motion prevailed.

House Bill No. 5387, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 255.

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

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

Rep. Dillon 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

Reports of Standing Committees

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

Senate Bill No. 973, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 32 (MCL 168.32); and to repeal acts and parts of acts.

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: Reps. Meisner and Gillard

Second Reading of Bills**Senate Bill No. 973, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 32 (MCL 168.32); and to repeal acts and parts of acts.

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. 973, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 32 (MCL 168.32); and to repeal acts and parts of acts.

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 temporarily.

The motion prevailed.

By unanimous consent the House returned to the order of

Reports of Standing Committees

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

Senate Bill No. 974, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 474 (MCL 168.474).

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: Reps. Meisner and Gillard

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

Senate Bill No. 975, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 474a (MCL 168.474a), 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: Reps. Meisner and Gillard

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

Senate Bill No. 976, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 476 (MCL 168.476), as amended by 2005 PA 71.

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: Reps. Meisner and Gillard

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 26, 2006

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

Second Reading of Bills**Senate Bill No. 974, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 474 (MCL 168.474).

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. 974, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 474 (MCL 168.474).

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 temporarily.

The motion prevailed.

Second Reading of Bills**Senate Bill No. 975, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 474a (MCL 168.474a), as amended by 1999 PA 219.

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. 975, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 474a (MCL 168.474a), as amended by 1999 PA 219.

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 temporarily.

The motion prevailed.

Second Reading of Bills

Senate Bill No. 976, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 476 (MCL 168.476), as amended by 2005 PA 71.

The bill was read a second time.

Rep. Byrnes moved to amend the bill as follows:

1. Amend page 3, line 12, by striking out all of enacting section 1 and inserting:

"Enacting section 1. This amendatory act does not take effect unless House Bill No. 4093 of the 93rd Legislature is enacted into law."

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

Rep. Byrnes demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 376

Yeas—46

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

Nays—59

Acciavatti	Garfield	Marleau	Rocca
Amos	Gosselin	Meyer	Schuitmaker
Ball	Green	Moolenaar	Shaffer
Baxter	Hansen	Moore	Sheen
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	Leland	Robertson	

Rep. Vagnozzi moved to amend the bill as follows:

1. Amend page 3, line 12, by striking out all of enacting section 1 and inserting:

“Enacting section 1. This amendatory act does not take effect unless House Bill No. 4158 of the 93rd Legislature is enacted into law.”.

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

Rep. Vagnozzi demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 377

Yeas—47

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

Nays—58

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

In The Chair: Elsenheimer

Rep. Gillard moved to amend the bill as follows:

1. Amend page 3, line 12, by striking out all of enacting section 1 and inserting:

“Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 6 of the 93rd Legislature is enacted into law.”.

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

Rep. Gillard demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 378**Yeas—47**

Accavitti	Cushingberry	Law, Kathleen	Sak
Adamini	Dillon	Leland	Sheltrown
Anderson	Donigan	Lemmons, Jr.	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	Williams
Cheeks	Hopgood	Murphy	Wojno
Clemente	Hunter	Plakas	Zelenko
Condino	Kolb	Polidori	

Nays—58

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

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.

Rep. Lemmons, III entered the House Chambers.

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

Senate Bill No. 976, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 476 (MCL 168.476), as amended by 2005 PA 71.

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

Roll Call No. 379**Yeas—58**

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

Nays—48

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

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 reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act.”

The House agreed to the full title.

By unanimous consent the House returned to the order of

Messages from the Senate

The Speaker laid before the House

House Bill No. 5648, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending section 478 (MCL 168.478).

(The bill was received from the Senate on March 23, with amendments, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until March 28, see House Journal No. 31, p. 684.)

The question being on concurring in the amendments made to the bill by the Senate,

The amendments were concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 380**Yeas—58**

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

Nays—48

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

In The Chair: Elsenheimer

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

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

Rep. Waters demanded the yeas and nays.

The demand was supported.

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

The motion did not prevail, 2/3 of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 381**Yeas—58**

Acciavatti	Garfield	Meyer	Rocca
Amos	Gosselin	Moolenaar	Schuitmaker
Ball	Green	Moore	Shaffer
Baxter	Hansen	Mortimer	Sheen
Booher	Hildenbrand	Newell	Stahl

Brandenburg	Hoogendyk	Nitz	Stakoe
Casperson	Huizenga	Nofs	Steil
Caswell	Hummel	Palmer	Stewart
Caul	Hune	Palsrok	Taub
DeRoche	Jones	Pastor	Van Regenmorter
Drolet	Kahn	Pavlov	Vander Veen
Elsenheimer	Kooiman	Pearce	Walker
Emmons	LaJoy	Proos	Ward
Farhat	Law, David	Robertson	Wenke
Gaffney	Marleau		

Nays—48

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

In The Chair: Elsenheimer

The House agreed to the full title of the bill.

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

The Speaker laid before the House

House Bill No. 5649, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 479 (MCL 168.479).

(The bill was received from the Senate on March 23, with amendments, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until March 28, see House Journal No. 31, p. 685.)

The question being on concurring in the amendments made to the bill by the Senate,

The amendments were concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 382**Yeas—58**

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

Farhat
Gaffney

Law, David
Marleau

Robertson

Wenke

Nays—48

Accavitti
Adamini
Anderson
Angerer
Bennett
Bieda
Brown
Byrnes
Byrum
Cheeks
Clemente
Condino

Cushingberry
Dillon
Donigan
Espinoza
Farrah
Gillard
Gleason
Gonzales
Hood
Hopgood
Hunter
Kolb

Law, Kathleen
Leland
Lemmons, III
Lemmons, Jr.
Lipsey
Mayes
McConico
McDowell
Meisner
Miller
Murphy
Plakas

Polidori
Sak
Sheltrown
Smith, Alma
Smith, Virgil
Spade
Tobocman
Vagnozzi
Waters
Williams
Wojno
Zelenko

In The Chair: Elsenheimer

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

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

Rep. Waters demanded the yeas and nays.

The demand was supported.

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

The motion did not prevail, 2/3 of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 383

Yeas—58

Acciavatti
Amos
Ball
Baxter
Booher
Brandenburg
Casperson
Caswell
Caul
DeRoche
Drolet
Elsenheimer
Emmons
Farhat
Gaffney

Garfield
Gosselin
Green
Hansen
Hildenbrand
Hoogendyk
Huizenga
Hummel
Hune
Jones
Kahn
Kooiman
LaJoy
Law, David
Marleau

Meyer
Moolenaar
Moore
Mortimer
Newell
Nitz
Nofs
Palmer
Palsrok
Pastor
Pavlov
Pearce
Proos
Robertson

Rocca
Schuitmaker
Shaffer
Sheen
Stahl
Stakoe
Steil
Stewart
Taub
Van Regenmorter
Vander Veen
Walker
Ward
Wenke

Nays—48

Accavitti
Adamini

Cushingberry
Dillon

Law, Kathleen
Leland

Polidori
Sak

Anderson	Donigan	Lemmons, III	Sheltrown
Angerer	Espinoza	Lemmons, Jr.	Smith, Alma
Bennett	Farrah	Lipse	Smith, Virgil
Bieda	Gillard	Mayes	Spade
Brown	Gleason	McConico	Tobocman
Byrnes	Gonzales	McDowell	Vagnozzi
Byrum	Hood	Meisner	Waters
Cheeks	Hopgood	Miller	Williams
Clemente	Hunter	Murphy	Wojno
Condino	Kolb	Plakas	Zelenko

In The Chair: Elsenheimer

The House agreed to the full title of the bill.

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

The Speaker laid before the House

House Bill No. 5650, 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.

(The bill was received from the Senate on March 23, with amendments, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until March 28, see House Journal No. 31, p. 685.)

The question being on concurring in the amendments made to the bill by the Senate,

The amendments were concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 384

Yeas—58

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

Nays—48

Accavitti	Cushingberry	Law, Kathleen	Polidori
Adamini	Dillon	Leland	Sak
Anderson	Donigan	Lemmons, III	Sheltrown
Angerer	Espinoza	Lemmons, Jr.	Smith, Alma
Bennett	Farrah	Lipse	Smith, Virgil
Bieda	Gillard	Mayes	Spade
Brown	Gleason	McConico	Tobocman
Byrnes	Gonzales	McDowell	Vagnozzi
Byrum	Hood	Meisner	Waters

Cheeks	Hopgood	Miller	Williams
Clemente	Hunter	Murphy	Wojno
Condino	Kolb	Plakas	Zelenko

In The Chair: Elsenheimer

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

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

Rep. Waters demanded the yeas and nays.

The demand was supported.

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

The motion did not prevail, 2/3 of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 385

Yeas—58

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

Nays—48

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

In The Chair: Elsenheimer

The House agreed to the full title of the bill.

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

Second Reading of Bills

House Bill No. 4745, entitled

A bill to amend 1980 PA 350, entitled “The nonprofit health care corporation reform act,” (MCL 550.1101 to 550.1704) by adding section 409a.

The bill was read a second time.

Rep. Hummel 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. 4745, entitled

A bill to amend 1980 PA 350, entitled “The nonprofit health care corporation reform act,” (MCL 550.1101 to 550.1704) by adding section 409a.

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

Roll Call No. 386

Yeas—68

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

Nays—38

Accavitti	Donigan	Lemmons, III	Smith, Alma
Adamini	Farrah	Lemmons, Jr.	Smith, Virgil
Anderson	Gillard	Lipsey	Stewart
Bennett	Gonzales	McConico	Tobocman
Bieda	Hood	Meisner	Vagnozzi
Byrnes	Hopgood	Miller	Waters
Byrum	Hunter	Murphy	Williams
Cheeks	Kolb	Plakas	Wojno
Condino	Law, Kathleen	Polidori	Zelenko
Cushingberry	Leland		

In The Chair: Elsenheimer

The House agreed to the title of the bill.

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

I voted ‘no’ on HB 4745 and its companion bill, HB 4746. Both bills would give health insurers more control over the type of benefits they can decide to provide to their members. It should be noted that Michigan law currently contains a number of mandated benefits, such as substance abuse treatment, diabetes treatment, some prescription drugs, antineoplastic therapy, and breast cancer screening, among others.

Both bills would allow an HMO, insurer, or BCBSM to refuse to offer or provide benefits that are mandated under current law if the company disapproves of the particular benefit. The standard upon which a violation of the insurance provider’s principle reflected in its articles of incorporation, bylaws, or mission statement is extremely vague and could leave this section open to various interpretations. The language also limits liability for civil, criminal, or administrative actions that may cause harm to a patient is also broad and vague. For example, if an individual purchases a ‘comprehensive’ health insurance policy, he or she has certain expectations regarding the type of coverage it provides. Removing certain items based on the HMO’s, the insurer’s or BCBSM’s asserted ethical, moral, or religious beliefs will make the purchase of such comprehensive coverage more confusing to the insured. I strongly suspect that the language in HB 4745 and HB 4746 would allow ‘corporate values’ posing as ‘moral values’ to deny coverage for any expensive medical procedure or treatment. This would put other companies not asserting the ‘objection’ at a competitive disadvantage, and because of competitive economic pressures would essentially make coverage for certain treatments and procedures unavailable over time—even to those who do not share the moral or religious objection.

I respect groups that may have a religiously motivated or moral objection to a certain treatment or procedure. That is their faith and they have a right to their opinion. However, these broadly worded exceptions to both the ‘nonprofit health care corporation act,’ which HB 4745 amends, and the ‘insurance code of 1956’ which 4746 amends, is a dangerous over reaction. These bills essentially make insurance providers an extension of the church, and harbor the additional danger of being discriminatory against distinct but perhaps unpopular minority groups.

Because of these, and several other concerns, I voted ‘no’ on HB 4745 and HB 4746.”

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

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

Rep. Waters demanded the yeas and nays.

The demand was supported.

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

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

The motion prevailed.

Second Reading of Bills

House Bill No. 4746, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” (MCL 500.100 to 500.8302) by adding section 3406s.

The bill was read a second time.

Rep. Hummel 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. Clack entered the House Chambers.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4746, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” (MCL 500.100 to 500.8302) by adding section 3406s.

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

Roll Call No. 387**Yeas—68**

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

Nays—38

Accavitti	Cushingberry	Leland	Polidori
Adamini	Donigan	Lemmons, III	Smith, Alma
Anderson	Farrah	Lemmons, Jr.	Smith, Virgil
Bennett	Gillard	Lipsey	Tobocman
Bieda	Gonzales	McConico	Vagnozzi
Byrnes	Hood	Meisner	Waters
Byrum	Hopgood	Miller	Williams
Cheeks	Hunter	Murphy	Wojno
Clack	Kolb	Plakas	Zelenko
Condino	Law, Kathleen		

In The Chair: Elsenheimer

The House agreed to the title of the bill.

The House returned to the consideration of
Senate Bill No. 973, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 32 (MCL 168.32); and to repeal acts and parts of acts.

(The bill was considered earlier today, see today's Journal p. 911.)

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. 388**Yeas—58**

Acciavatti	Garfield	Meyer	Rocca
Amos	Gosselin	Moolenaar	Schuitmaker
Ball	Green	Moore	Shaffer
Baxter	Hansen	Mortimer	Sheen

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

Nays—49

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

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 reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act,”

The House agreed to the full title.

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

Rep. Ward moved that the bill be given immediate effect.
The question being on the motion made by Rep. Ward,
Rep. Waters demanded the yeas and nays.
The demand was supported.

The question being on the motion made by Rep. Ward,
The motion did not prevail, 2/3 of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 389**Yeas—58**

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

Nays—48

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

In The Chair: Elsenheimer

The House returned to the consideration of

Senate Bill No. 974, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 474 (MCL 168.474).
(The bill was considered earlier today, see today's Journal p. 912.)

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. 390**Yeas—58**

Acciavatti	Garfield	Meyer	Rocca
Amos	Gosselin	Moolenaar	Schuitmaker
Ball	Green	Moore	Shaffer
Baxter	Hansen	Mortimer	Sheen
Booher	Hildenbrand	Newell	Stahl
Brandenburg	Hoogendyk	Nitz	Stakoe
Casperson	Huizenga	Nofs	Steil
Caswell	Hummel	Palmer	Stewart
Caul	Hune	Palsrok	Taub

DeRoche	Jones	Pastor	Van Regenmorter
Drolet	Kahn	Pavlov	Vander Veen
Elsenheimer	Kooiman	Pearce	Walker
Emmons	LaJoy	Proos	Ward
Farhat	Law, David	Robertson	Wenke
Gaffney	Marleau		

Nays—49

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

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 reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act,”

The House agreed to the full title.

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

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

Rep. Waters demanded the yeas and nays.

The demand was supported.

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

The motion did not prevail, 2/3 of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 391**Yeas—58**

Acciavatti	Garfield	Meyer	Rocca
Amos	Gosselin	Moolenaar	Schuitmaker
Ball	Green	Moore	Shaffer
Baxter	Hansen	Mortimer	Sheen
Booher	Hildenbrand	Newell	Stahl
Brandenburg	Hoogendyk	Nitz	Stakoe
Casperson	Huizenga	Nofs	Steil
Caswell	Hummel	Palmer	Stewart
Caul	Hune	Palsrok	Taub
DeRoche	Jones	Pastor	Van Regenmorter
Drolet	Kahn	Pavlov	Vander Veen
Elsenheimer	Kooiman	Pearce	Walker

Emmons
Farhat
Gaffney

LaJoy
Law, David
Marleau

Proos
Robertson

Ward
Wenke

Nays—49

Accavitti
Adamini
Anderson
Angerer
Bennett
Bieda
Brown
Byrnes
Byrum
Cheeks
Clack
Clemente
Condino

Cushingberry
Dillon
Donigan
Espinoza
Farrah
Gillard
Gleason
Gonzales
Hood
Hopgood
Hunter
Kolb

Law, Kathleen
Leland
Lemmons, III
Lemmons, Jr.
Lipsey
Mayes
McConico
McDowell
Meisner
Miller
Murphy
Plakas

Polidori
Sak
Sheltrown
Smith, Alma
Smith, Virgil
Spade
Tobocman
Vagnozzi
Waters
Williams
Wojno
Zelenko

In The Chair: Elsenheimer

The House returned to the consideration of

Senate Bill No. 975, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending section 474a (MCL 168.474a), as amended by 1999 PA 219.

(The bill was considered earlier today, see today’s Journal p. 912.)

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. 392

Yeas—58

Acciavatti
Amos
Ball
Baxter
Booher
Brandenburg
Casperson
Caswell
Caul
DeRoche
Drolet
Elsenheimer
Emmons
Farhat
Gaffney

Garfield
Gosselin
Green
Hansen
Hildenbrand
Hoogendyk
Huizenga
Hummel
Hune
Jones
Kahn
Kooiman
LaJoy
Law, David
Marleau

Meyer
Moolenaar
Moore
Mortimer
Newell
Nitz
Nofs
Palmer
Palsrok
Pastor
Pavlov
Pearce
Proos
Robertson

Rocca
Schuitmaker
Shaffer
Sheen
Stahl
Stakoe
Steil
Stewart
Taub
Van Regenmorter
Vander Veen
Walker
Ward
Wenke

Nays—49

Accavitti
Adamini

Cushingberry
Dillon

Law, Kathleen
Leland

Polidori
Sak

Anderson	Donigan	Lemmons, III	Sheltrown
Angerer	Espinoza	Lemmons, Jr.	Smith, Alma
Bennett	Farrah	Lipsey	Smith, Virgil
Bieda	Gillard	Mayes	Spade
Brown	Gleason	McConico	Tobocman
Byrnes	Gonzales	McDowell	Vagnozzi
Byrum	Hood	Meisner	Waters
Cheeks	Hopgood	Miller	Williams
Clack	Hunter	Murphy	Wojno
Clemente	Kolb	Plakas	Zelenko
Condino			

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 reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act,”

The House agreed to the full title.

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

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

Rep. Waters demanded the yeas and nays.

The demand was supported.

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

The motion did not prevail, 2/3 of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 393

Yeas—58

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

Nays—49

Accavitti	Cushingberry	Law, Kathleen	Polidori
Adamini	Dillon	Leland	Sak

Anderson	Donigan	Lemmons, III	Sheltrown
Angerer	Espinoza	Lemmons, Jr.	Smith, Alma
Bennett	Farrah	Lipsey	Smith, Virgil
Bieda	Gillard	Mayes	Spade
Brown	Gleason	McConico	Tobocman
Byrnes	Gonzales	McDowell	Vagnozzi
Byrum	Hood	Meisner	Waters
Cheeks	Hopgood	Miller	Williams
Clack	Hunter	Murphy	Wojno
Clemente	Kolb	Plakas	Zelenko
Condino			

In The Chair: Elsenheimer

Rep. Ward moved that **Senate Bill No. 976** be given immediate effect.

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

Rep. Waters demanded the yeas and nays.

The demand was supported.

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

The motion did not prevail, 2/3 of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 394

Yeas—58

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

Nays—49

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

Clemente
Condino

Kolb

Plakas

Zelenko

In The Chair: Elsenheimer

By unanimous consent the House returned to the order of
Messages from the Senate

The Speaker laid before the House

House Bill No. 5336, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding part 25.

(The bill was received from the Senate on April 25, with substitute (S-2), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 38, p. 866.)

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

The substitute (S-2) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 395

Yeas—107

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

Nays—0

In The Chair: Elsenheimer

The House agreed to the full title of the bill.

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

House Concurrent Resolution No. 15.

A concurrent resolution to request the President of the United States to direct the United States Attorney General and the Chairman of the Federal Trade Commission to investigate all potential price gouging, price fixing, collusion, and other anticompetitive practices related to gasoline prices.

(For text of resolution, see House Journal No. 46 of 2005, p. 700.)

The Senate has amended the concurrent resolution as follows:

1. Amend the title, line 4, after “prices” by inserting “and memorializing Congress to pass and the President to sign legislation to cap oil profits and using federal anti-trust laws to prosecute any companies violating the law by reaping unlawful profit”.

2. Amend the resolution, following the first Resolved clause, by inserting:

“Resolved, That we respectfully request that the Congress of the United States pass and the President sign legislation to cap oil company profits; and be it further

Resolved, That we respectfully request the United States Attorney General and the Department of Justice to vigorously investigate and prosecute any price gouging or profiteering by oil companies; and be it further”.

The Senate has adopted the concurrent resolution as amended and named Senators Barcia, Basham, Birkholz, Cassis, Cherry, Clarke and Goschka as co-sponsors.

The question being on concurring in the amendments made to the concurrent resolution by the Senate,

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

The motion prevailed.

Second Reading of Bills**House Bill No. 5278, entitled**

A bill to amend 1919 PA 339, entitled “Dog law of 1919,” (MCL 287.261 to 287.290) by adding section 14a.

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

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

Rep. Ward moved to amend the bill as follows:

1. Amend page 2, following line 9, 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. 4093.

(b) House Bill No. 4158.

(c) Senate Bill No. 6.”.

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

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

The motion prevailed.

House Bill No. 5657, 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 second time.

Rep. Ward moved to amend the bill as follows:

1. Amend page 3, following line 26, 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. 4093.

(b) House Bill No. 4158.

(c) Senate Bill No. 6.”.

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

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

The motion prevailed.

House Bill No. 5658, 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 second time.

Rep. Ward moved to amend the bill as follows:

1. Amend page 2, following line 9, by inserting:

"Enacting section 2. 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. 4093.

(b) House Bill No. 4158.

(c) Senate Bill No. 6."

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

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

The motion prevailed.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Vander Veen, Caswell, Vagnozzi, Polidori, Green, Ball, Sheltroun, Accavitti, Bieda, Booher, Brandenburg, Brown, Byrum, Condino, Espinoza, Gillard, Gleason, Gonzales, Hansen, Jones, Kooiman, LaJoy, Lemmons, III, Lemmons, Jr., McDowell, Meyer, Nitz, Palmer, Pastor, Pearce, Proos, Sak, Shaffer, Alma Smith, Spade, Stahl, Waters and Zelenko offered the following resolution:

House Resolution No. 247.

A resolution to memorialize the Congress of the United States to enact the Nursing Home Fire Safety Act.

Whereas, The safety of the elderly and disabled, our most vulnerable citizens, deserves the highest priority and attention. It is estimated that 20 to 30 percent of the nation's 17,000 nursing homes lack sprinkler systems. Such blatant oversights place the residents of these facilities at great risk in the event of a fire; and

Whereas, In 2005, legislation was introduced in Congress to enact the Nursing Home Fire Safety Act. It is the intent of Congress, through this legislation, to equip every nursing home in the country with a fire sprinkler system over the next five years, adopt the Life Safety Code, and provide direct loans and sprinkler retrofit assistance grants to assist with installation costs; and

Whereas, The bill requires the Center for Medicare and Medicaid Services (CMS), the agency authorized to implement nursing home regulations, to adopt the National Fire Protection Association's (NFPA) new requirement that all existing nursing homes be equipped with automatic fire sprinklers. It also provides the resources that existing nursing homes will need to retrofit their facilities while continuing to care for residents; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to enact the Nursing Home Fire Safety Act; 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 Senior Health, Security, and Retirement.

Reps. Moolenaar, Gosselin, Stahl, Ball, Booher, Brandenburg, Espinoza, Gillard, Gleason, Green, Hansen, Hildenbrand, Jones, Kahn, Kooiman, Lemmons, III, Lemmons, Jr., Meyer, Mortimer, Nitz, Palmer, Pastor, Pearce, Proos, Sak, Shaffer, Sheltroun, Alma Smith, Vander Veen, Waters and Zelenko offered the following resolution:

House Resolution No. 248.

A resolution to memorialize the Congress of the United States to enact legislation to amend the definition of "physician" in the Medicaid program to include podiatric physicians.

Whereas, The Medicare system has long recognized doctors of podiatric medicine as physicians in federal law. However, the provisions of Title XIX that establish the country's Medicaid program do not include podiatric physicians in the definition of "physician"; and

Whereas, There is legislation pending in the Congress, H.R. 699 and S. 440, to require that podiatry services are covered by Medicaid. Enactment of this measure would guarantee access to quality foot and ankle care for Medicaid patients; and

Whereas, Podiatric physicians play an important role in the recognition of systemic diseases, such as diabetes, as well as recognition and treatment of peripheral neuropathy, a frequent cause of diabetic foot wounds that can lead to amputations if left untreated; and

Whereas, Under the current provisions, Medicaid patients may be prevented from seeking care from a podiatric physician because these services are not covered as “physician services.” This policy puts many people at risk, especially diabetic patients; and

Whereas, Quality foot care increases mobility, prevents amputations, improves quality of life, and avoids numerous unnecessary costs. Clearly, including podiatric services under the Medicaid program is a prudent step to take; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to enact legislation to amend the definition of “physician” in the Medicaid program to include podiatric physicians; 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 Health Policy.

Reps. Nitz, Ball, Bieda, Booher, Brandenburg, Casperson, Caswell, Cushingberry, Espinoza, Gillard, Gleason, Gonzales, Green, Hansen, Jones, Lemmons, III, Mayes, McDowell, Meyer, Miller, Mortimer, Pastor, Pearce, Proos, Sak, Shaffer, Spade, Stahl and Vander Veen offered the following resolution:

House Resolution No. 249.

A resolution to express support for the 25 x 25 vision that by 2025, Michigan and American farms and forests will provide 25 percent of the total energy consumed in the United States while continuing to produce safe, abundant, and affordable food, feed, and fiber.

Whereas, Our nation and the world are looking for new energy solutions; and

Whereas, America’s farms and forests can play a much larger role in providing renewable forms of energy. Michigan’s farms and forests can become the future sources for a new generation of energy and fuels to help meet the state’s and nation’s energy needs through the use of innovative technologies, incentives, and investments. Biodiesel and ethanol exemplify how the agriculture sector can become an energy provider; and

Whereas, The development of a broad spectrum of renewable energy sources, including wind, solar, biodiesel, ethanol, and biomass, would be beneficial to our farmers, forestland owners, and all of America. Home-grown renewable energy produced from our working lands provides a sustainable alternative to fossil-based fuels and benefits economic development, national security, and environmental quality; and

Whereas, Increasing our use of renewable energy will bring new technologies to market, create good jobs in rural America, save consumers money, reduce our dependence on foreign oil, clean our air, and help mitigate climate change. 25 x 25 is a grassroots initiative that seeks to increase America’s use of renewable energy by enhancing the contribution that our agriculture and forestry sectors can make toward energy production; now, therefore, be it

Resolved by the House of Representatives, That we support the vision of 25 x 25 and we commit to work collaboratively with renewable energy advocates to further explore and enhance the contribution that America’s agriculture and forestry sectors can make toward energy production and to develop an action plan to bring this vision to life; and be it further

Resolved, That copies of this resolution be transmitted to the Michigan Department of Agriculture, the Michigan Department of Environmental Quality, the Michigan Department of Natural Resources, and the Michigan Public Service Commission.

The resolution was referred to the Committee on Agriculture.

Reps. Donigan, Brown, Accavitti, Condino, Vagnozzi, Hopgood, Angerer, Plakas, Gonzales, Tobocman, Byrum, Sheltroun, Alma Smith, Anderson, Kolb, Gleason, Clack, Wojno, Bieda, Gillard, Waters, Byrnes, Williams, Zelenko, Spade, Polidori, Mayes, Espinoza, Farrah, Clemente, Bennett, Miller, Virgil Smith, Hood, Lemmons, Jr., Hunter, Adamini, McDowell, Cushingberry, Meisner, Leland, Cheeks, Ball, Lemmons, III and Lipsey offered the following resolution:

House Resolution No. 250.

A resolution to memorialize the President of the United States and the United States Congress to pass legislation to bring the price of gasoline down for consumers by capping oil profits and using federal antitrust laws to prosecute any oil companies pocketing extra profits in the wake of disasters like Hurricane Katrina.

Whereas, Michigan citizens are paying close to \$3.00 a gallon for unleaded regular gasoline; and

Whereas, The average price for unleaded regular gasoline is 64 cents per gallon higher than this time last year; and

Whereas, This is the highest gasoline prices have been since immediately after Hurricane Katrina in 2005; and

Whereas, The average price for a barrel of oil recently topped \$75.00 for the first time in history; and

Whereas, This per-barrel price is approaching the inflation-adjusted highs of nearly \$80.00 a barrel of the late 1970s and early 1980s; and

Whereas, Oil prices have increased 240 percent since President George W. Bush's inauguration in January 2001; and
Whereas, Michigan's manufacturing, agricultural, and tourist economies are disproportionately impacted by rising fuel costs; and

Whereas, Michigan's citizens and businesses are feeling the pressure of increased gasoline prices every day; and

Whereas, The Congressional Research Service estimates that the rising cost of oil added \$70 billion to the nation's trade deficit in 2005; and

Whereas, Oil companies in the S & P 500 reported fourth-quarter profits last year that rose on average 48 percent compared to a year ago; and

Whereas, ExxonMobil reported \$36.1 billion in profits in 2005, making it the largest corporation in the world; and

Whereas, The company's net income last year came to \$1,146 per second, enough to pay for gas for the average American vehicle to be driven more than 10,000 miles, at current gasoline prices; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the President of the United States and the United States Congress to pass legislation to bring the price of gasoline down for consumers by capping oil profits and using federal antitrust laws to prosecute any oil companies pocketing extra profits in the wake of disasters like Hurricane Katrina; and be it further

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

The resolution was referred to the Committee on Government Operations.

Reps. Pearce, Green, Jones, Schuitmaker, Vander Veen, Hansen, Vagnozzi, Hildenbrand, Proos, Steil, Kahn, Caul, Murphy, Hopgood, Moore, Meyer, Stahl, Mayes, Ball, Mortimer, David Law, Pavlov, Booher, Amos, Shaffer, Angerer, Lipsey, Alma Smith, Gleason, Anderson, Clack, Farrah, Espinoza, McDowell, Virgil Smith, Kooiman, Whitmer, Kolb, Lemmons, III, Accavitti, Bieda, Casperson, Gillard, LaJoy, Nitz, Pastor, Polidori, Sak, Spade and Zelenko offered the following concurrent resolution:

House Concurrent Resolution No. 35.

A concurrent resolution to request the Department of Community Health, the Department of Labor and Economic Growth, and the Department of History, Arts and Libraries be added as co-chairs to the Michigan After-School Partnership, to urge the partnership to expand and add additional programs, and to urge the partnership to report on its progress in reaching its goals.

Whereas, In 2003, House Resolution No. 26 requested the Department of Education and the Department of Human Services to convene a task force named the Michigan After-school Initiative to develop quality after-school programs for all Michigan children. This initiative centered on efforts to assess the status of after-school services in Michigan, including identifying the number of children and youth served statewide in after-school programs and to develop a plan to ensure quality after-school programs for every school-age child in the state; and

Whereas, In 2004, the Legislature extended the duration of the Michigan After-school Initiative, directing the Department of Education and the Department of Human Services as co-chairs and re-naming it the Michigan After-School Partnership; and

Whereas, The Michigan After-school Initiative's survey found that 449,928 children are home alone after school in Michigan and potentially in need of programs during the hours they are not in school. The survey of Michigan households indicated that nearly one-third of Michigan's children are left to care for themselves for one to five days per week, and research shows that the likelihood of high-risk behaviors increases when youth are home alone 10 or more hours a week; and

Whereas, Structured experiences for youth provide excellent economic returns in that after-school programs can reduce child care costs, improve school performance, increase compensation/future taxable income earnings, reduce crime costs, and reduce welfare costs; and

Whereas, Almost 70 percent of all Michigan school-age children live in families where the sole parent or both parents work. Being unsupervised during the non-school hours puts children and youth at greater risk of truancy, performing poorly in school, depression, substance abuse, and becoming a victim of crime; and

Whereas, Providing structured experiences for youth can positively impact the public's health, as nearly 40 percent of Michigan youth say they engage in insufficient amount of physical activity. At least 10.7 percent of high school youth are overweight, and 13.3 percent are at risk for becoming overweight. It is far more likely that overweight youth will be overweight as adults, and the direct and indirect costs associated with physical inactivity in Michigan in 2002 are estimated at \$8.9 billion; and

Whereas, The survey also found that 71 percent of families are without after-school programs and that 48 percent of Michigan families who do not have after-school care wish their children could attend after-school programs; and

Whereas, Research indicates that children who attend high-quality, out-of-school programs have better peer relations, emotional adjustment, conflict resolution skills, grades, and conduct in school compared to their peers who are not in out-of-school-time programs; and

Whereas, Children who attend quality out-of-school-time programs spend more time in learning opportunities, academic activities, and enrichment activities and spend less time watching television than their peers; and

Whereas, Parents and youth interviewed for the Michigan After-school Initiative 2003 Report detailed time and time again the positive difference out-of-school-time programs made in their lives and the lives of their families; and

Whereas, The Department of Education and the Department of Human Services were named as co-chairs of the Michigan After-School Partnership, and realizing the public health benefits and work-force development benefits of the after-school programs, the Department of Community Health and the Department of Labor and Economic Growth would greatly enhance the Michigan After-School Partnership; and

Whereas, Libraries and the cultural sector are two of the largest providers of after-school programs in Michigan. The Department of History, Arts and Libraries has developed a website listing many such programs and is a central place where parents and caregivers may become aware of available after-school opportunities. The Department of History, Arts and Libraries would be a valuable co-chair providing access via the Internet to information about after-school resources; and

Whereas, The 2003 task force report issued by the Michigan After-school Initiative focused on actions that would strengthen the state's ability to support high-quality, affordable, out-of-school-time programs and recommended policy changes in the areas of funding, interagency collaboration, capacity building, community collaboration, and evaluation. Implementing these recommendations will require the continued collaboration, focus, and commitment of the Department of Education, the Department of Human Services, and the additional collaboration, focus, and commitment of the Department of Community Health, the Department of Labor and Economic Growth, and the Department of History, Arts and Libraries; and

Whereas, The recommendations of the Michigan After-school Initiative reflect the expertise of parents and more than 70 representatives from 45 organizations that included state agencies, public institutions, and private nonprofit organizations with extensive experience in education, youth development, research, violence prevention, juvenile justice, child care, volunteerism, business, and social work. It is imperative for Michigan's school-age children and youth that the collaboration that produced this shared vision for out-of-school-time programming continue; and

Whereas, Hundreds of thousands of Michigan children and youth will be denied the opportunity to participate in activities that can help them reach their full potential and avoid the negative choices that are costly and detrimental to society if the state fails to implement the recommendations of the Michigan After-school Initiative: 1) to reinforce and extend existing public support for after-school programs; 2) to develop state structures and policies that support quality after-school programming; 3) to identify and facilitate access to sustainable funding mechanisms for existing after-school programs; 4) to ensure that all Michigan school-age children have access to a variety of quality after-school programs that enhance physical, social, emotional, and cognitive development; and 5) to alleviate after-school childcare burdens of working parents and caregivers; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Department of Community Health, the Department of Labor and Economic Growth, and the Department of History, Arts and Libraries be named as additional co-chairs to the Michigan After-School Partnership; and be it further

Resolved, That we urge that participation in the Michigan After-School Partnership be expanded beyond the membership of the initial Michigan After-school Initiative to increase the representation of parents, youth, foundations, employers, and others with experience in education, child care, after-school and youth development services, and crime and violence prevention; and be it further

Resolved, That we urge the Michigan After-School Partnership to work diligently with the private sector to understand the out-of-school-time needs of employed parents and their families, and that the partnership engage the public and private sectors in building and sustaining high quality out-of-school-time programs; and be it further

Resolved, That we urge that each year, on or before December 31, the Michigan After-School Partnership report its progress in reaching the recommendations set forth in the Michigan After-school Initiative's report to the Legislature and the Governor; and be it further

Resolved, That copies of this resolution be transmitted to the Michigan Department of Education, the Michigan Department of Human Services, the Michigan Department of Community Health, the Michigan Department of History, Arts and Libraries, and the Michigan Department of Labor and Economic Growth.

The concurrent resolution was referred to the Committee on Education.

Reports of Standing Committees

The Committee on Tax Policy, by Rep. Sheen, Chair, reported

House Bill No. 4021, entitled

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

With the recommendation that the bill be referred to the Committee on Insurance.

Favorable Roll Call

To Report Out:

Yeas: Reps. Sheen, Meyer, Gosselin, Newell, Drolet, Marleau, Bieda, Farrah, Zelenko, Miller, Bennett and Mayes
Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Insurance.

The Committee on Tax Policy, by Rep. Sheen, Chair, reported

House Bill No. 4119, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7cc (MCL 211.7cc), as amended by 2003 PA 247.

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. Sheen, Meyer, Gosselin, Newell, Drolet, Hoogendyk, Marleau, Bieda, Farrah, Zelenko, Miller, Meisner, Bennett and Mayes

Nays: None

The Committee on Tax Policy, by Rep. Sheen, Chair, reported

House Bill No. 4790, entitled

A bill to permit the establishment and maintenance of long-term health care savings accounts; to provide for certain tax credits and deductions; to prescribe the requirements of and restrictions on long-term health care savings accounts; and to provide penalties and remedies.

With the recommendation that the bill be referred to the Committee on Insurance.

Favorable Roll Call

To Report Out:

Yeas: Reps. Sheen, Meyer, Gosselin, Newell, Drolet, Marleau, Farrah, Zelenko, Miller and Bennett

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Insurance.

The Committee on Tax Policy, by Rep. Sheen, Chair, reported

House Bill No. 4791, entitled

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

With the recommendation that the bill be referred to the Committee on Insurance.

Favorable Roll Call

To Report Out:

Yeas: Reps. Sheen, Meyer, Gosselin, Newell, Drolet, Marleau, Bieda, Farrah, Zelenko, Miller, Bennett and Mayes

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Insurance.

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 26, 2006

Present: Reps. Sheen, Meyer, Gosselin, Newell, Drolet, Hoogendyk, Marleau, Bieda, Farrah, Zelenko, Miller, Meisner, Bennett and Mayes

Absent: Reps. Palmer, Stakoe and Jones

Excused: Reps. Palmer, Stakoe and Jones

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

Senate Bill No. 673, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1536. Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Palmer, Mortimer, Gosselin, Hoogendyk, Vander Veen, Wenke, Ball, Hildenbrand, Pearce, Proos, Robertson, Hopgood, Miller, Angerer, Virgil Smith, Vagnozzi and Polidori

Nays: None

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

Senate Bill No. 674, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1538 (MCL 380.1538), as added by 1988 PA 339.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Palmer, Mortimer, Gosselin, Hoogendyk, Vander Veen, Wenke, Ball, Hildenbrand, Pearce, Proos, Robertson, Hopgood, Miller, Angerer, Virgil Smith, Vagnozzi and Polidori

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, April 26, 2006

Present: Reps. Palmer, Mortimer, Gosselin, Meyer, Hoogendyk, Vander Veen, Wenke, Ball, Hildenbrand, Pearce, Proos, Robertson, Hopgood, Miller, Angerer, Virgil Smith, Vagnozzi and Polidori

Absent: Rep. Clack

Excused: Rep. Clack

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Garfield, Chair, of the Committee on Veterans Affairs and Homeland Security, was received and read:

Meeting held on: Tuesday, April 25, 2006

Present: Reps. Garfield, Moore, Mortimer, Pavlov, Rocca, Espinoza, Sheltroun, Spade and Polidori

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, April 26, 2006

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

Absent: Reps. Drolet, Stahl, Baxter, Hunter and Gillard

Excused: Reps. Drolet, Stahl, Baxter, Hunter and Gillard

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills and joint resolution had been printed and placed upon the files of the members on Wednesday, April 26:

House Bill Nos.	5962	5963	5964	5965	5966	5967	5968	5969	5970	5971	5972	5973	5974	5975
	5976	5977	5978	5979	5980	5981	5982	5983	5984	5985	5986	5987	5988	5989
	5990	5991	5992	5993	5994	5995	5996	5997						
House Joint Resolution														W

The Clerk announced that the following Senate bill had been received on Wednesday, April 26:

Senate Bill No. 1039

By unanimous consent the House returned to the order of

Messages from the Senate

House Bill No. 5154, entitled

A bill to amend 1987 PA 248, entitled "Airport parking tax act," by amending section 7a (MCL 207.377a), as added by 2002 PA 680.

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.

Senate Bill No. 1039, entitled

A bill to amend 2004 PA 175, entitled "Streamlined sales and use tax revenue equalization act," (MCL 205.171 to 205.191) by adding section 14.

The Senate has passed the bill.

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

Communications from State Officers

The following communication from the Department of Human Services was received and read:

April 19, 2006

Pursuant to Section 1002 of P.A. 147 of 2005, we are enclosing a copy of the following reports:

<u>Type of Report</u>	<u>Facility</u>	<u>Report #</u>	<u>License #</u>
Interim	Gogebic County DHS		CP270201149

This report was performed in compliance with the requirements of P.A. 116 of 1973 as amended, and the Administrative Rules for Child Caring Institutions. The report may also be viewed on our website, within 48 hours, under "News, Publications & Information" at the following address: <http://www.michigan.gov/dhs/>.

If you have any questions regarding this information, please feel free to contact Miriam E.J. Bullock at 517-373-8383.

Sincerely,
Marianne Udow
Director

The communication was referred to the Clerk.

The Speaker Pro Tempore assumed the Chair.

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

Rep. Hildenbrand moved to suspend that portion of Rule 44 requiring bills to be handed to the Clerk three hours prior to calling the House to order.

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

Introduction of Bills

Reps. Gosselin and Drolet introduced

House Bill No. 5998, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 40114a.

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

Reps. Condino, Accavitti and Tobocman introduced

House Bill No. 5999, entitled

A bill to amend 1909 PA 17, entitled "An act to prohibit or limit the access by prisoners and by employees of correctional facilities to certain weapons and to alcoholic liquor, drugs, medicines, poisons, and controlled substances in, on, or outside of correctional facilities; to prohibit or limit the bringing into or onto certain facilities and real property, and the disposition of, certain weapons and substances; to prohibit or limit the selling, giving, or furnishing of certain weapons and substances to prisoners; to prohibit the control or possession of certain weapons and substances by prisoners; and to prescribe penalties," (MCL 800.281 to 800.285) by amending the title, as amended by 1982 PA 343, and by adding section 3a.

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

Reps. Condino, Accavitti and Tobocman introduced

House Bill No. 6000, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 17g of chapter XVII (MCL 777.17g), as added by 2002 PA 28.

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

Reps. Hildenbrand, Gosselin, Kooiman, Stahl, Robertson, Huizenga, Vander Veen, Garfield, Nofs, Caswell, Hummel, Pastor, Ball and Kahn introduced

House Bill No. 6001, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2591 (MCL 600.2591), as added by 1986 PA 178.

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

Rep. LaJoy introduced

House Bill No. 6002, 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,” (MCL 247.651 to 247.675) by adding section 11f.

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

Rep. Casperson introduced

House Bill No. 6003, 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 11e (MCL 247.661e), as added by 1992 PA 223.

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

Reps. Palmer, Hoogendyk, Ball, Mortimer, Gosselin, Robertson, Hildenbrand, Wenke, Meyer, Proos, Pearce, Vander Veen, Hopgood and Pastor introduced

House Bill No. 6004, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending sections 614, 620, 622a, 623a, 1267, and 1274 (MCL 380.614, 380.620, 380.622a, 380.623a, 380.1267, and 380.1274), section 614 as amended by 2004 PA 419, section 620 as added by 2004 PA 413, section 622a as added by 2004 PA 412, sections 623a and 1274 as amended by 2004 PA 588, and section 1267 as amended by 2004 PA 232.

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

Reps. Ward and Stakoe introduced

House Bill No. 6005, entitled

A bill to amend 1975 PA 197, entitled “An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage

historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials,” by amending section 3b (MCL 125.1653b), as amended by 1993 PA 323.

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

Reps. Murphy, Gonzales, Zelenko, Condino, Polidori, Hopgood, Sheltroun, Ball, Kahn, Vagnozzi, Clack, Farrah, Plakas, Leland, Kathleen Law, Alma Smith, Gaffney, Cushingberry, Bieda, Lemmons, III, Espinoza and Gleason introduced

House Bill No. 6006, entitled

A bill to create an adequate health care task force; and to provide for a report.

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

Reps. Ward, Taub, Kooiman, Hummel, Stahl, Vander Veen, Hoogendyk, Marleau, Shaffer, Walker, Schuitmaker, Rocca, Ball, Robertson, Farhat, Pearce, Elsenheimer and Nofs introduced

House Bill No. 6007, entitled

A bill to amend 1972 PA 222, entitled “An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; to prescribe certain penalties for violations; and to provide an appropriation for certain purposes,” by amending section 2 (MCL 28.292), as amended by 2005 PA 143.

The bill was read a first time by its title and referred to the Committee on House Oversight, Elections, and Ethics.

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.

The Speaker resumed the Chair.

Rep. Polidori moved that the House adjourn. The motion prevailed, the time being 5:05 p.m.

The Speaker declared the House adjourned until Thursday, April 27, at 10:30 a.m.

GARY L. RANDALL
Clerk of the House of Representatives

