

No. 22
STATE OF MICHIGAN
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House of Representatives
94th Legislature
REGULAR SESSION OF 2007

House Chamber, Lansing, Wednesday, March 7, 2007.

1:30 p.m.

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

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

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

e/d/s = entered during session

Rep. Andy Coulouris, from the 95th District, offered the following invocation:

“O Lord,
 Open our eyes that we may see the needs of others;
 Open our ears that we may hear their cries;
 Open our hearts so that they need not be without relief;
 Let us not be afraid to defend the weak because of the anger of the strong, nor afraid to defend the poor because of the anger of the rich.
 Show us where love and hope and faith are needed, and use us to bring them to those places.
 And so open our eyes and our ears that we may this day be able to do some work of peace for Thee. Amen.”

Rep. Booher moved that Reps. Acciavatti, Elsenheimer and Ward be excused from today’s session.
 The motion prevailed.

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

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members on Wednesday, March 7:

House Bill Nos.	4397	4398	4399	4400	4401	4402	4403	4404	4405	4406	4407	4408	4409	4410
	4411	4412	4413	4414	4415	4416	4417							

The Clerk announced that the following Senate bills had been received on Wednesday, March 7:
Senate Bill Nos. **47** **83**

Reports of Standing Committees

The Committee on Energy and Technology, by Rep. Accavitti, Chair, reported

House Resolution No. 33.

A resolution to urge the President and Congress of the United States to appropriate additional funding for the Low Income Home Energy Assistance Program (LIHEAP).

(For text of resolution, see House Journal No. 21, p. 233.)

With the recommendation that the resolution be adopted.

The resolution was laid over one day under the rules.

Favorable Roll Call

To Report Out:

Yeas: Reps. Accavitti, Angerer, Brown, Clemente, Ebli, Hammon, Hopgood, Lemmons, Lindberg, Melton, Miller, Nofs, Palsrok, Moolenaar, Horn and Opsommer

Nays: None

The Committee on Energy and Technology, by Rep. Accavitti, Chair, reported

House Concurrent Resolution No. 5.

A concurrent resolution to urge the President and Congress of the United States to appropriate additional funding for the Low Income Home Energy Assistance Program (LIHEAP).

(For text of concurrent resolution, see House Journal No. 21, p. 235.)

With the recommendation that the concurrent resolution be adopted.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Accavitti, Angerer, Brown, Ebli, Hammon, Hopgood, Lemmons, Lindberg, Melton, Miller, Nofs, Palsrok, Moolenaar, Horn and Opsommer

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, March 7, 2007

Present: Reps. Accavitti, Mayes, Angerer, Brown, Clemente, Ebli, Hammon, Hopgood, Lemmons, Lindberg, Melton, Miller, Nofs, Palsrok, Garfield, Huizenga, Moolenaar, Horn and Opsommer

The Committee on Judiciary, by Rep. Condino, Chair, reported

House Bill No. 4167, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 234a and 234b (MCL 750.234a and 750.234b), as amended by 2005 PA 303.

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. Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Scott, Virgil Smith, Warren, Schuitmaker, Stakoe, Rick Jones and Rocca

Nays: None

The Committee on Judiciary, by Rep. Condino, Chair, reported

House Bill No. 4168, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16m of chapter XVII (MCL 777.16m), as amended by 2005 PA 106.

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. Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Scott, Virgil Smith, Warren, Schuitmaker, Stakoe, Rick Jones and Rocca

Nays: None

The Committee on Judiciary, by Rep. Condino, Chair, reported

House Bill No. 4228, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 11b to chapter VI.

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. Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Scott, Virgil Smith, Warren, Schuitmaker, Stakoe, Rick Jones and Rocca

Nays: None

The Committee on Judiciary, by Rep. Condino, Chair, reported

House Bill No. 4301, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3135 (MCL 500.3135), as amended by 2002 PA 697.

With the recommendation that the following amendments be adopted and that the bill then pass.

1. Amend page 6, line 22, after "**AMOUNTS.**" by striking out the balance of the subsection.
2. Amend page 7, line 2, after "**DECISION.**" by striking out the balance of the line through "**(7)**" on line 3 and inserting: "**(11) THE CHANGES MADE**".

The bill and amendments were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Scott, Virgil Smith and Warren

Nays: Reps. Schuitmaker, Stakoe, Rick Jones and Rocca

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, March 7, 2007

Present: Reps. Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Scott, Virgil Smith, Warren, Schuitmaker, Elsenheimer, Stakoe, Rick Jones and Rocca

Absent: Rep. David Law

Excused: Rep. David Law

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

House Bill No. 4189, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 27a (MCL 211.27a), as amended by 2006 PA 446.

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. Bieda, Condino, Farrah, Robert Jones, Meisner, Melton, Sheltroun, Warren, Meltzer, Sheen, Steil, Pastor, Palmer and Calley

Nays: Rep. Wenke

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, March 7, 2007

Present: Reps. Bieda, Condino, Farrah, Robert Jones, Mayes, Meisner, Melton, Sheltroun, Warren, Meltzer, Sheen, Steil, Pastor, Palmer, Wenke and Calley

Absent: Rep. Young

Excused: Rep. Young

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Clack, Chair, of the Committee on Families and Children's Services, was received and read:

Meeting held on: Wednesday, March 7, 2007

Present: Reps. Clack, Dean, Accavitti, Hammon, Wojno, Sheen, Stahl and Hoogendyk

Absent: Rep. Palmer

Excused: Rep. Palmer

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Byrum, Chair, of the Committee on Intergovernmental, Urban and Regional Affairs, was received and read:

Meeting held on: Wednesday, March 7, 2007

Present: Reps. Byrum, Young, Coulouris, Farrah, Griffin, Meadows, Pavlov, Nitz, Meekhof and Opsommer

Absent: Rep. Johnson

Excused: Rep. Johnson

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Warren, Chair, of the Committee on Great Lakes and Environment, was received and read:

Meeting held on: Wednesday, March 7, 2007

Present: Reps. Warren, Donigan, Ebli, Kathleen Law, Leland, Meadows, Miller, Valentine, Robertson, Palmer, Emmons, Moolenaar, Walker and Meekhof

Absent: Rep. Griffin

Excused: Rep. Griffin

Messages from the Senate**Senate Bill No. 47, entitled**

A bill to provide for the establishment of a water improvement tax increment finance authority; to prescribe the powers and duties of the authority; to correct and prevent deterioration in water resources; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans and development areas; to promote water resource improvement; to create a board; to prescribe the powers and duties of the board; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to prescribe powers and duties of certain state officials; to provide for rule promulgation; and to provide for enforcement of the act.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on New Economy and Quality of Life.

Senate Bill No. 83, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 43540e.

The Senate has passed the bill.

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

Introduction of Bills

Reps. Polidori, Hopgood, Constan, Lemmons, Gonzales, Spade, Espinoza, Brown, Ball, Vagnozzi, Alma Smith, Clemente, Meadows, Robert Jones, Young, Condino, Ebli, Miller, Clack, Jackson, Hood, Virgil Smith and Sheltroun introduced

House Bill No. 4418, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21737.

The bill was read a first time by its title and referred to the Committee on Senior Health, Security, and Retirement.

Reps. Kathleen Law and Jackson introduced

House Bill No. 4419, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding sections 2862 and 2882a.

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

Reps. Constan, Meadows, Johnson, Robert Jones, Clemente, Bieda, Hammel, Clack, Gillard, Byrnes, Brown, Young, Lemmons, Moss, Ebli, Angerer, Leland, Alma Smith, Polidori, Lindberg, Bennett, Valentine, Lahti, Dean, Bauer, Cushingberry, Spade, Donigan, Hammon, Wojno, Sheltroun, Hopgood, Vagnozzi, Hood and Virgil Smith introduced

House Bill No. 4420, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 8121 (MCL 600.8121), as amended by 2001 PA 258.

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

Reps. Bieda, Hansen, Warren, Condino, Virgil Smith and Mayes introduced

House Bill No. 4421, entitled

A bill to amend 1988 PA 265, entitled “District library financing act,” by amending section 8 (MCL 397.288), as amended by 1989 PA 25.

The bill was read a first time by its title and referred to the Committee on Intergovernmental, Urban and Regional Affairs.

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Speaker laid before the House

House Resolution No. 21.

A resolution memorializing the Congress of the United States to enact the Employee Free Choice Act.

(For text of resolution, see House Journal No. 15, p. 150.)

(The resolution was reported by the Committee on Labor on March 6, consideration of which, under the rules, was postponed until today.)

The question being on the adoption of the resolution,

The resolution was adopted.

Rep. Tobocman moved that Reps. Hood and Gillard be excused temporarily from today’s session.

The motion prevailed.

Third Reading of Bills

House Bill No. 4143, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 80122, 80144, 80145, 80146, 80149, 80151, 80152, 80155, 80180, 80198b, 80205, and 80209 (MCL 324.80122, 324.80144, 324.80145, 324.80146, 324.80149, 324.80151, 324.80152, 324.80155, 324.80180, 324.80198b, 324.80205, and 324.80209), sections 80122, 80144, 80145, 80146, 80149, 80151, 80155, and 80198b as added by 1995 PA 58, section 80152 as amended by 1999 PA 19, section 80180 as amended by 1996 PA 174, section 80205 as amended by 2004 PA 27, and section 80209 as added by 2000 PA 229.

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

Roll Call No. 21

Yeas—103

Accavitti
Agema
Amos
Angerer
Ball
Bauer

Dillon
Donigan
Ebli
Emmons
Espinoza
Farrah

Law, David
Law, Kathleen
LeBlanc
Leland
Lemmons
Lindberg

Polidori
Proos
Robertson
Rocca
Sak
Schuitmaker

Bennett	Gaffney	Marleau	Scott
Bieda	Garfield	Mayes	Shaffer
Booher	Gonzales	McDowell	Sheen
Brandenburg	Green	Meadows	Sheltrown
Brown	Griffin	Meekhof	Simpson
Byrnes	Hammon	Meisner	Smith, Alma
Byrum	Hansen	Melton	Smith, Virgil
Calley	Hildenbrand	Meltzer	Spade
Casperson	Hoogendyk	Miller	Stahl
Caswell	Hopgood	Moolenaar	Stakoe
Caul	Horn	Moore	Steil
Clack	Huizenga	Moss	Tobocman
Clemente	Hune	Nitz	Vagnozzi
Condino	Jackson	Nofs	Valentine
Constan	Johnson	Opsommer	Walker
Corriveau	Jones, Rick	Palmer	Warren
Coulouris	Jones, Robert	Palsrok	Wenke
Cushingberry	Knollenberg	Pastor	Wojno
Dean	Lahti	Pavlov	Young
DeRoche	LaJoy	Pearce	

Nays—0

In The Chair: Sak

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

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

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 80114, 80122, 80124, 80144, 80145, 80146, 80149, 80151, 80152, 80155, 80169, 80180, 80198b, 80205, and 80209 (MCL 324.80114, 324.80122, 324.80124, 324.80144, 324.80145, 324.80146, 324.80149, 324.80151, 324.80152, 324.80155, 324.80169, 324.80180, 324.80198b, 324.80205, and 324.80209), sections 80114, 80122, 80124, 80144, 80145, 80146, 80149, 80151, 80155, 80169, and 80198b as added by 1995 PA 58, section 80152 as amended by 1999 PA 19, section 80180 as amended by 1996 PA 174, section 80205 as amended by 2004 PA 27, and section 80209 as added by 2000 PA 229.

The motion prevailed.

The House agreed to the title as amended.

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

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

Reps. LeBlanc, Lindberg, Brown, Gaffney, Tobocman, Hopgood, Kathleen Law, Brandenburg, Clack, Vagnozzi, Accavitti, Garfield, Caswell, Shaffer, Hoogendyk, Wenke, Agema, Sak, Huizenga, Moolenaar, Casperson, Dillon, Angerer, Ball, Griffin, Bennett, Espinoza, Gonzales, Hansen, Rick Jones, Lemmons, Marleau, Mayes, Pearce, Polidori, Sheltrown, Alma Smith, Spade, Ebli, Meadows, Byrum, Calley, Constan, Corriveau, Coulouris, Hammon, Horn, Johnson, Robert Jones, Meekhof, Melton, Meltzer, Moss, Opsommer, Scott, Valentine, Warren, Dean, Lahti and Simpson were named co-sponsors of the bill.

House Bill No. 4067, entitled

A bill to amend 1933 PA 167, entitled “General sales tax act,” by amending section 6 (MCL 205.56), as amended by 2004 PA 173.

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

Roll Call No. 22

Yeas—103

Accavitti	Dillon	Law, David	Polidori
Agema	Donigan	Law, Kathleen	Proos

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

Nays—0

In The Chair: Sak

The House agreed to the title of the bill.

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

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

Senate Bill No. 14, entitled

A bill to amend 1855 PA 105, entitled “An act to regulate the disposition of the surplus funds in the state treasury; to provide for the deposit of surplus funds in certain financial institutions; to lend surplus funds pursuant to loan agreements secured by certain commercial, agricultural, or industrial real and personal property; to authorize the loan of surplus funds to certain municipalities; to authorize the participation in certain loan programs; to authorize an appropriation; and to prescribe the duties of certain state agencies,” by amending section 2e (MCL 21.142e), as amended by 2004 PA 342.

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

Roll Call No. 23**Yeas—103**

Accavitti	Dillon	Law, David	Polidori
Agema	Donigan	Law, Kathleen	Proos
Amos	Ebli	LeBlanc	Robertson
Angerer	Emmons	Leland	Rocca
Ball	Espinoza	Lemmons	Sak
Bauer	Farrah	Lindberg	Schuitmaker
Bennett	Gaffney	Marleau	Scott
Bieda	Garfield	Mayes	Shaffer
Booher	Gonzales	McDowell	Sheen

Brandenburg	Green	Meadows	Sheltrown
Brown	Griffin	Meekhof	Simpson
Byrnes	Hammon	Meisner	Smith, Alma
Byrum	Hansen	Melton	Smith, Virgil
Calley	Hildenbrand	Meltzer	Spade
Casperson	Hoogendyk	Miller	Stahl
Caswell	Hopgood	Moolenaar	Stakoe
Caul	Horn	Moore	Steil
Clack	Huizenga	Moss	Tobocman
Clemente	Hune	Nitz	Vagnozzi
Condino	Jackson	Nofs	Valentine
Constan	Johnson	Opsommer	Walker
Corriveau	Jones, Rick	Palmer	Warren
Coulouris	Jones, Robert	Palsrok	Wenke
Cushingberry	Knollenberg	Pastor	Wojno
Dean	Lahti	Pavlov	Young
DeRoche	LaJoy	Pearce	

Nays—0

In The Chair: Sak

The House agreed to the title of the bill.

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

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

Senate Bill No. 166, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies and capital outlay for the fiscal year ending September 30, 2006; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

(The bill was passed on February 27, see House Journal No. 18, p. 196; immediate effect motion withdrawn, Rule 63 suspended, bill reconsidered and bill postponed for the day on March 6, see House Journal No. 21, p. 232.)

The question being on the passage of the bill,

Rep. Cushingberry moved to substitute (H-4) the bill.

The motion was seconded.

The question being on the adoption of the substitute (H-4) offered by Rep. Cushingberry,

Rep. Hildenbrand demanded the yeas and nays,

The demand was supported.

The question being on the adoption of the substitute (H-4) offered by Rep. Cushingberry,

The substitute (H-4) was adopted, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 24**Yeas—93**

Accavitti	Dillon	Law, David	Pearce
Agema	Donigan	Law, Kathleen	Polidori
Angerer	Ebli	LeBlanc	Proos
Ball	Emmons	Leland	Robertson
Bauer	Espinoza	Lemmons	Rocca
Bennett	Farrah	Lindberg	Sak
Bieda	Gaffney	Marleau	Schuitmaker
Booher	Gonzales	Mayer	Scott
Brown	Green	McDowell	Shaffer

Byrnes	Griffin	Meadows	Sheltrown
Byrum	Hammon	Meekhof	Simpson
Calley	Hansen	Meisner	Smith, Alma
Casperson	Hildenbrand	Melton	Smith, Virgil
Caswell	Hopgood	Meltzer	Spade
Caul	Horn	Miller	Steil
Clack	Huizenga	Moolenaar	Tobocman
Clemente	Hune	Moore	Vagnozzi
Condino	Jackson	Moss	Valentine
Constan	Johnson	Nitz	Walker
Corriveau	Jones, Rick	Nofs	Warren
Coulouris	Jones, Robert	Opsommer	Wenke
Cushingberry	Lahti	Palsrok	Wojno
Dean	LaJoy	Pavlov	Young
DeRoche			

Nays—10

Amos	Hoogendyk	Pastor	Stahl
Brandenburg	Knollenberg	Sheen	Stakoe
Garfield	Palmer		

In The Chair: Sak

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. 25**Yeas—64**

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

Nays—41

Agema	Hansen	Meekhof	Proos
Booher	Hildenbrand	Meltzer	Robertson
Brandenburg	Hoogendyk	Moore	Schuitmaker
Calley	Horn	Moss	Shaffer

Casperson	Huizenga	Nitz	Sheen
Caswell	Hune	Palmer	Stahl
Caul	Jones, Rick	Palsrok	Stakoe
DeRoche	Knollenberg	Pastor	Steil
Gaffney	LaJoy	Pavlov	Walker
Garfield	Marleau	Pearce	Wenke
Green			

In The Chair: Sak

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

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

A bill to make, supplement, and adjust appropriations for various state departments and agencies and capital outlay for the fiscal years ending September 30, 2006 and September 30, 2007; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

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

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

Rep. Hildenbrand demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 26

Yeas—61

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

Nays—44

Agema	Garfield	Marleau	Pearce
Amos	Green	Meekhof	Proos
Booher	Hansen	Meltzer	Robertson
Brandenburg	Hildenbrand	Moore	Schuitmaker
Calley	Hoogendyk	Moss	Shaffer
Casperson	Horn	Nitz	Sheen
Caswell	Huizenga	Opsommer	Stahl
Caul	Hune	Palmer	Stakoe
DeRoche	Jones, Rick	Palsrok	Steil

Emmons
Gaffney

Knollenberg
LaJoy

Pastor
Pavlov

Walker
Wenke

In The Chair: Sak

Rep. Tobocman moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.

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

Rep. Hildenbrand moved to reconsider the vote by which the House adopted **House Resolution No. 21**.
The question being on the motion made by Rep. Hildenbrand,
Rep. Hildenbrand demanded the yeas and nays.
The demand was supported.
The question being on the motion made by Rep. Hildenbrand,
The motion did not prevail, a majority of members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 27

Yeas—49

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

Nays—54

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

In The Chair: Sak

Second Reading of Bills

House Bill No. 4189, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 27a (MCL 211.27a), as amended by 2006 PA 446.

The bill was read a second time.

Rep. Bieda moved to amend the bill as follows:

1. Amend page 6, line 20, after "**CREATED**" by inserting "**AND RECORDED IN THE REGISTER OF DEEDS OFFICE**".

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

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

The motion prevailed.

House Bill No. 4177, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 2118 and 2120 (MCL 500.2118 and 500.2120), section 2118 as amended by 2002 PA 492 and section 2120 as amended by 1984 PA 350, and by adding section 2116a.

The bill was read a second time.

Rep. Spade moved to amend the bill as follows:

1. Amend page 1, line 4, after "**PERSON**" by striking out the balance of the line through "**INSURANCE**" on line 5 and inserting "**FAILED TO MAINTAIN INSURANCE REQUIRED BY SECTION 3101 FOR A VEHICLE OWNED BY THE PERSON**".

2. Amend page 1, line 8, after "**STATES**" by inserting "**AND THAT THE VEHICLE WAS NOT DRIVEN OR MOVED DURING THE 6-MONTH PERIOD IMMEDIATELY PRECEDING APPLICATION OR DURING THE PERIOD OF TIME THE INSURANCE WAS NOT MAINTAINED, WHICHEVER PERIOD IS SHORTER**".

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

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

The motion prevailed.

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

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Hopgood, Accavitti, Bieda, Brown, Byrnes, Byrum, Casperson, Clack, Condino, Constan, Cushingberry, Dean, Farrah, Gonzales, Hammon, Johnson, Robert Jones, Kathleen Law, LeBlanc, Leland, Lemmons, Marleau, Miller, Polidori, Sak, Sheltroun, Alma Smith, Spade, Tobocman, Vagnozzi, Melton, Warren and Wojno offered the following resolution:

House Resolution No. 36.

A resolution recognizing April 28, 2007, as Workers Memorial Day in the state of Michigan.

Whereas, Since 1989, people throughout the world observe Workers Memorial Day on April 28th. It is a day to remember those who have suffered and died on the job; and

Whereas, It is important to remember those who have died in workplace catastrophes, suffered diseases because of exposure to toxic substances, or been injured because of dangerous conditions; and

Whereas, April 28th is the anniversary of the Occupational Safety and Health Administration. Every year on April 28th, people in hundreds of communities and worksites recognize workers who have been killed or injured on the job. Trade unionist around the world now mark April 28th as International Day of Mourning; and

Whereas, Workers Memorial Day is observed in nearly one hundred countries. It has been officially endorsed by the International Confederation of Free Trade Unions and the International Labor Organization. Five countries – Canada, Portugal, Spain, Taiwan, and Thailand – formally recognize April 28th as Workers Memorial Day; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body recognize April 28th, 2007, as Workers Memorial Day in the state of Michigan.

Pending the reference of the resolution to a committee,

Rep. Tobocman moved that Rule 71 be suspended and the resolution be considered at this time.

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Kathleen Law, Accavitti, Bieda, Brown, Byrnes, Byrum, Clack, Condino, Constan, Cushingberry, Emmons, Farrah, Gonzales, Green, Hammon, Hopgood, Johnson, LeBlanc, Leland, Lemmons, Marleau, Palmer, Polidori, Sak, Sheltroun, Alma Smith, Spade, Tobocman, Vagnozzi, Bauer, Melton, Warren and Wojno offered the following resolution:

House Resolution No. 37.

A resolution to memorialize Congress to support the National Cancer Institute's plan to eliminate suffering and death from cancer by the year 2015.

Whereas, Each year more than 1.4 million Americans are diagnosed with cancer. One out of every two men and one out of every three women will be diagnosed with cancer in their lifetimes. In 1971 Congress began the battle against cancer with enactment of the National Cancer Act and creation of the National Cancer Institute within the National Institutes of Health. The foundation laid by their foresight puts the nation in position to aggressively enter the final stages of the fight against cancer. Sixty designated cancer research centers have been established across the country by the National Cancer Institute. These Centers have the capacity to share knowledge with each other and solve problems in real time through advances in computer technology as well as work collaboratively with researchers in other disciplines, such as engineering, to develop the technologies needed to fight cancer; and

Whereas, Scientific research on the human genome and proteins have led to breakthroughs in our understanding of the molecular changes that cause cancer and differences between the same cancers in different patients. This understanding makes it possible to design therapies that target the cancer and bypass healthy tissues that will eliminate the suffering caused by collateral damage to normal tissues from chemotherapy and radiation treatment. Therapies can also be modified to account for the cancer's response to a given treatment in individual patients. Doctors believe it is within their grasp to cure or manage cancer similar to other chronic diseases that a person can live with and not necessarily die from; and

Whereas, Concurrent advances in imaging technologies and knowledge networking mean scientists and doctors will be able to see and assess the impact of treatment within days and not have to wait months or years to know the outcome. Imaging technologies now show not only the physical size, shape, and location of cancer tissue but can also show the function of the tissue. Thus, doctors may apply a treatment targeting the abnormal cells that make up the cancer tissue and be able to see within 24 to 48 hours whether the treatment is altering function in the expected way. Knowledge networking through computers in real time means scientists and doctors working across the country at the 60 centers sponsored by the National Cancer Institute can share what they have learned. This will be particularly valuable with rare forms of cancer as doctors will pool their experience with patients being treated in different centers; and

Whereas, Tremendous advances in the treatment and cure of cancer have been achieved in the past 35 years and this nation has never shied away from bold goals to advance science and technology. The Director of the National Cancer Institute has shown great leadership, enthusiasm, and optimism for being able to harness what we know and catapult the scientific and clinical communities forward through the final stage of the battle against cancer; now, therefore, be it

Resolved by the House of Representatives, That we memorialize Congress to support the National Cancer Institute's plan to eliminate suffering and death from cancer by the year 2015; 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. Amos, Accavitti, Agema, Bieda, Booher, Brandenburg, Brown, Byrnes, Byrum, Casperson, Caul, Clack, Condino, Constan, Cushingberry, Emmons, Farrah, Garfield, Gonzales, Green, Hammon, Hansen, Hildenbrand, Hoogendyk, Hopgood, Horn, Huizenga, Johnson, Rick Jones, Robert Jones, Knollenberg, Kathleen Law, LeBlanc, Leland, Lemmons, Marleau, Meekhof, Miller, Moss, Opsommer, Palmer, Palsrok, Pastor, Pavlov, Pearce, Polidori, Proos, Rocca, Sak, Sheltroun, Alma Smith, Spade, Stahl, Steil, Tobocman, Vagnozzi, Bauer, LaJoy, Melton, Shaffer, Warren and Wojno offered the following resolution:

House Resolution No. 38.

A resolution proclaiming March 26, 2007, as Support Our Troops Day in the state of Michigan.

Whereas, It was through the brave and noble efforts of our Forefathers that the United States of America first gained freedom and became a sovereign nation. Since the American Revolution and throughout our country's history many

wars have been fought; many battles have been waged; and many lives have been lost in order to protect our country and our cherished freedom; and

Whereas, In 1938, Congress proclaimed November 11th to be Armistice Day and in 1954, changed the name to Veterans' Day to honor all who have fought bravely in America's wars; and

Whereas, In 1868, General John Logan, national commander of the Grand Army of the Republic, officially proclaimed the 30th day of May to be Memorial Day, in honor of those fine men and women who have given their lives in noble service to our country; and

Whereas, In order to continually protect our cherished freedom we must always maintain armed forces and be ever vigilant against threats to our nation. For this reason, thousands of American troops are currently stationed around the world on peacekeeping missions, as well as fighting the war on terror. They spend months and years away from family and friends. Moreover, these brave Americans put themselves in harm's way to keep us safe, knowing full-well they may be making the ultimate sacrifice; and

Whereas, Our active troops are remembered along with veterans on Memorial Day and Veterans' Day; however, there is no day set aside specifically to honor the men and women who are presently serving our country. These brave men and women, as well as their families, deserve to know that we appreciate all of the sacrifices they are making for this country; and

Whereas, Alexandra McGregor, a student at Waterford Kettering High School, has initiated a Candlelight Recognition to Support Our Troops at Waterford Kettering on March 26, 2007. It is the ultimate goal of Alexandra McGregor to get our whole nation to observe five minutes of silence at 6:00 p.m., EST, in honor and appreciation of our American soldiers currently serving around the world. Alexandra also encourages state and local governments to proclaim March 26th as Support Our Troops Day. Furthermore, it is her hope that March 26th could be officially established by the Federal Government as Support Our Troops Day: now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body proclaim March 26, 2007, to be Support Our Troops Day in the state of Michigan; and be it further

Resolved, That residents of the state of Michigan are respectfully requested to pause for five minutes at 6:00 p.m. on March 26, 2007, to reflect with grateful hearts on the sacrifices being made by our servicemen and women in order to preserve our freedom and our way of life; and be it further

Resolved, That we encourages schools, churches, associations, and local governments to organize and promote ceremonies on March 26th in observance of Support Our Troops Day; and be it further

Resolved, That copies of this adopted resolution be transmitted to Alexandra McGregor and Waterford Kettering High School.

Pending the reference of the resolution to a committee,

Rep. Tobocman moved that Rule 71 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.

Rep. Rocca moved that the House adjourn.

The motion prevailed, the time being 3:50 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, March 8, at 12:00 Noon.

RICHARD J. BROWN
Clerk of the House of Representatives

