

**No. 29**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**94th Legislature**  
**REGULAR SESSION OF 2007**

---

---

House Chamber, Lansing, Thursday, March 22, 2007.

12:00 Noon.

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—present	Donigan—present	LaJoy—present	Polidori—present
Agema—present	Ebli—present	Law, David—present	Proos—present
Amos—present	Elsenheimer—present	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—present	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—present	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—present
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. Judy Emmons, from the 70th District, offered the following invocation:

“Heavenly Father, we gather today in this great building where many have gone before us and we thank You for the opportunity to serve. We thank You for the opportunity to serve our fellow man, our citizens, our constituents, but most of all we thank You for the opportunity to serve You. We know that You are the author of all that is true and all that is right - help us to remember that. Help us to remember that we do not have all the answers that You do and that we should seek our guidance from You. And now as spring unfolds in Michigan, one of the most beautiful seasons of the year here in this great state, we would ask Your blessing upon our second largest industry, the agricultural industry, because spring is the season of planting and promise and we know that as we serve You it will be all for the good of this state. We ask these things in the name of our Lord, Amen.”

Rep. Green moved that Rep. Knollenberg be excused temporarily from today’s session.  
The motion prevailed.

Rep. Hoogendyk moved that Rep. Stahl be excused temporarily from today’s session.  
The motion prevailed.

### Third Reading of Bills

#### House Bill No. 4100, entitled

A bill to amend 1984 PA 431, entitled “The management and budget act,” by amending section 261 (MCL 18.1261), as amended by 2006 PA 622.

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

#### Roll Call No. 58

#### Yeas—107

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

Coulouris  
Cushingberry  
Dean

Jackson  
Johnson  
Jones, Rick

Palmer  
Palsrok  
Pastor

Wojno  
Young

### 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.

Reps. LeBlanc, Farrah, Hopgood, Bieda, Clack, Vagnozzi, Accavitti, Amos, Ward, Sak, Moolenaar, Ball, Byrnes, Cheeks, Espinoza, Gonzales, Rick Jones, David Law, Leland, Lemmons, Miller, Polidori, Proos, Rocca, Schuitmaker, Sheltroun, Alma Smith, Bauer, Meadows, Calley, Constan, Corriveau, Coulouris, Hammel, Hammon, Johnson, Robert Jones, Melton, Opsommer, Scott, Valentine, Warren, Young and Simpson were named co-sponsors of the bill.

### House Bill No. 4315, entitled

A bill to amend 1968 PA 318, entitled “An act to implement the provisions of section 10 of article 4 of the constitution relating to substantial conflicts of interest on the part of members of the legislature and state officers in respect to contracts with the state and the political subdivisions thereof; to provide for penalties for the violation thereof; to repeal all acts and parts of acts in conflict with this act; and to validate certain contracts,” by amending section 2 (MCL 15.302).

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

### Roll Call No. 59

### Yeas—101

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

### Nays—6

Agema  
Garfield

Hoogendyk  
Meekhof

Palmer

Sheen

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 1968 PA 318, entitled “An act to implement the provisions of section 10 of article 4 of the constitution relating to substantial conflicts of interest on the part of members of the legislature and state officers in respect to contracts with the state and the political subdivisions thereof; to provide for penalties for the violation thereof; to repeal all acts and parts of acts in conflict with this act; and to validate certain contracts,” (MCL 15.301 to 15.310) by adding section 2a.

The motion prevailed.

The House agreed to the title as amended.

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

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

Reps. LeBlanc, Lindberg, Hopgood, Vagnozzi, Ward, Sak, Moolenaar, Griffin, Caul, Gonzales, Proos, Rocca, Schuitmaker, Sheltroun, Alma Smith, Spade, Bauer, Constan, Coulouris, Hammel, Hammon, Horn, Johnson, Robert Jones, Melton, Meltzer and Warren were named co-sponsors of the bill.

---

Rep. Sheen, 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:

The constitutional purpose of a citizen legislature is to include citizens from all walks of life and employment experience to give true representation and perspective to the issues which we vote on. Does this mean a former school board member or teacher can't vote on education issues, or attorneys can't vote on court or liability legislation? It would be almost impossible for any House or Senate members to ever all be able to vote on any issue without some possible conflict of interest. I believe this bill is going to create all kinds of accusations of possible conflicts of interest by opposing parties and candidates real or contrived, which will simply serve to create more conflict and wrong public perception. This bill goes against what the constitutional purpose of a citizen legislature was supposed to bring about.”

### Second Reading of Bills

#### **House Bill No. 4472, entitled**

A bill to amend 1968 PA 318, entitled “An act to implement the provisions of section 10 of article 4 of the constitution relating to substantial conflicts of interest on the part of members of the legislature and state officers in respect to contracts with the state and the political subdivisions thereof; to provide for penalties for the violation thereof; to repeal all acts and parts of acts in conflict with this act; and to validate certain contracts,” by amending section 2 (MCL 15.302).

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

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 1, by inserting:

**“(3) A MEMBER OF A STATE BOARD THAT APPROVES GRANTS OF STATE FUNDS SHALL NOT DIRECTLY OR INDIRECTLY APPLY FOR OR ACCEPT THE AWARD OF A GRANT FUNDED BY THE STATE AND APPROVED BY THAT STATE BOARD DURING THE MEMBER’S TERM OF OFFICE. THE**

**PROHIBITION IN THIS SUBSECTION DOES NOT APPLY TO A MEMBER OF THE GOVERNING BOARD OF A PUBLIC INSTITUTION OF HIGHER EDUCATION WHEN THE MEMBER IS ACTING SOLELY AS A MEMBER OF THE BOARD OF THAT INSTITUTION.”**

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

Rep. Ward demanded the yeas and nays.

The demand was supported.

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

---

Rep. Angerer moved that Reps. Dillon, Tobocman and Virgil Smith be excused temporarily from today's session.  
The motion prevailed.

**Point of Order**

Rep. Angerer requested a ruling from the Chair regarding the germaneness of the amendment offered by Rep. Ward.

The Chair ruled that the amendment is not germane pursuant to House Rule 60.

Rep. Ward appealed the decision of the Chair.

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

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

**Roll Call No. 60**

**Yeas—55**

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

**Nays—51**

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

Elsenheimer  
Emmons

Law, David  
Marleau

Pavlov  
Pearce

Wenke

In The Chair: Sak

Rep. Angerer moved that Reps. Gillard and Jackson be excused temporarily from today's session.  
The motion prevailed.

Rep. Ward moved to amend the bill as follows:

1. Amend page 1, line 6, after "**LEGISLATURE**" by inserting a comma and "**THE GOVERNOR, THE LIEUTENANT GOVERNOR, THE SECRETARY OF STATE, OR THE ATTORNEY GENERAL**".

2. Amend page 1, line 8, after "**DURING**" by striking out "**THE LEGISLATOR'S**" and inserting "**HIS OR HER**".

3. Amend page 2, line 1, after "**THE**" by striking out "**LEGISLATIVE**".

The question being on the adoption of the amendments offered by Ward,

Rep. Ward demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Ward,

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

**Roll Call No. 61**

**Yeas—104**

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

**Nays—0**

In The Chair: Sak

Rep. Ward moved to amend the bill as follows:

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

**“(3) IT IS A SUBSTANTIAL CONFLICT OF INTEREST FOR A LEGISLATOR, THE GOVERNOR, THE LIEUTENANT GOVERNOR, THE SECRETARY OF STATE, OR THE ATTORNEY GENERAL TO PARTICIPATE IN THE NEGOTIATION OF A STATE CONTRACT WITH A PARTY THAT HAS MADE A CONTRIBUTION TO A CAMPAIGN COMMITTEE OF THAT INDIVIDUAL.”.**

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

Rep. Ward demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 62**

**Yeas—63**

Acciavatti	Elsenheimer	Mayes	Robertson
Agema	Emmons	Meekhof	Rocca
Amos	Espinoza	Meltzer	Schuitmaker
Ball	Gaffney	Miller	Shaffer
Booher	Garfield	Moolenaar	Sheen
Brandenburg	Green	Moore	Sheltrown
Brown	Hansen	Moss	Simpson
Byrum	Hildenbrand	Nitz	Spade
Calley	Hoogendyk	Nofs	Stahl
Casperson	Horn	Opsommer	Stakoe
Caswell	Huizenga	Palmer	Steil
Caul	Hune	Palsrok	Valentine
Corriveau	Jones, Rick	Pastor	Walker
Dean	LaJoy	Pavlov	Ward
DeRoche	Law, David	Pearce	Wenke
Ebli	Marleau	Proos	

**Nays—43**

Accavitti	Coulouris	Johnson	Melton
Angerer	Cushingberry	Jones, Robert	Polidori
Bauer	Donigan	Lahti	Sak
Bennett	Farrah	Law, Kathleen	Scott
Bieda	Gonzales	LeBlanc	Smith, Alma
Byrnes	Griffin	Leland	Smith, Virgil
Cheeks	Hammel	Lemmons	Vagnozzi
Clack	Hammon	Lindberg	Warren
Clemente	Hood	McDowell	Wojno
Condino	Hopgood	Meadows	Young
Constan	Jackson	Meisner	

In The Chair: Sak

Rep. Bieda, having reserved the right to explain his nay vote, made the following statement:

“Mr. Speaker and members of the House:

While I like the intent of the amendment in question, I voted against this particular amendment because it is too broad and needs to be more narrowly tailored. For example, even an extremely small contribution (a dollar or less) would trigger this requirement. The amendment is also unclear as to how long ago the contribution restriction would apply. Would a \$5.00 contribution made to a candidate committee twenty years ago trigger this restriction? Personally,

I think the intent of this amendment should more properly be examined in the context of a separate piece of legislation rather than an amendment (however well intentioned) offered on the House floor to this particular piece of legislation.”

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

The motion prevailed.

Rep. Angerer 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. 4472, entitled

A bill to amend 1968 PA 318, entitled “An act to implement the provisions of section 10 of article 4 of the constitution relating to substantial conflicts of interest on the part of members of the legislature and state officers in respect to contracts with the state and the political subdivisions thereof; to provide for penalties for the violation thereof; to repeal all acts and parts of acts in conflict with this act; and to validate certain contracts,” by amending section 2 (MCL 15.302).

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

#### Roll Call No. 63

#### Yeas—107

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

#### Nays—1

Sheen

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.

Reps. LeBlanc, Farrah, LaJoy, Hopgood, Brandenburg, Wojno, Ward, Steil, Agema, Sak, Nitz, Dillon, Ball, Griffin, Cheeks, Hildenbrand, Rick Jones, David Law, Lemmons, Mayes, McDowell, Proos, Rocca, Schuitmaker, Calley, Corriveau, Hammel, Hammon, Horn, Johnson, Robert Jones, Opsommer and Scott were named co-sponsors of the bill.

### Second Reading of Bills

#### House Bill No. 4184, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 34a (MCL 791.234a), as amended by 1998 PA 315.

The bill was read a second time.

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

The motion prevailed.

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

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

---

Rep. Hansen moved that Rep. DeRoche be excused temporarily from today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### House Bill No. 4184, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 34a (MCL 791.234a), as amended by 1998 PA 315.

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

#### Roll Call No. 64

#### Yeas—103

Accavitti	Dillon	Lahti	Polidori
Acciavatti	Donigan	LaJoy	Proos
Agema	Ebli	Law, Kathleen	Robertson
Amos	Elsenheimer	LeBlanc	Rocca
Angerer	Emmons	Leland	Sak
Ball	Espinoza	Lemmons	Schuitmaker
Bauer	Farrah	Lindberg	Scott
Bennett	Gaffney	Marleau	Shaffer
Bieda	Garfield	Mayes	Sheen
Booher	Gillard	McDowell	Sheltrown
Brandenburg	Gonzales	Meadows	Simpson
Brown	Green	Meekhof	Smith, Alma
Byrnes	Griffin	Meisner	Smith, Virgil
Byrum	Hammel	Melton	Spade
Calley	Hammon	Meltzer	Stahl
Casperson	Hansen	Miller	Stakoe

Caul	Hildenbrand	Moolenaar	Steil
Cheeks	Hood	Moore	Tobocman
Clack	Hoogendyk	Moss	Vagnozzi
Clemente	Hopgood	Nitz	Valentine
Condino	Horn	Nofs	Walker
Constan	Huizenga	Palmer	Warren
Corriveau	Jackson	Palsrok	Wenke
Coulouris	Johnson	Pastor	Wojno
Cushingberry	Jones, Rick	Pavlov	Young
Dean	Jones, Robert	Pearce	

### Nays—5

Caswell	Law, David	Opsommer	Ward
Hune			

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.

### Second Reading of Bills

#### House Bill No. 4272, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 3b of chapter XI (MCL 771.3b), as amended by 1998 PA 49.

The bill was read a second time.

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

The motion prevailed.

Rep. Tobocman 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. 4272, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 3b of chapter XI (MCL 771.3b), as amended by 1998 PA 49.

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

### Roll Call No. 65

### Yeas—104

Accavitti	Dillon	Lahti	Pearce
Acciavatti	Donigan	LaJoy	Polidori
Agema	Ebli	Law, Kathleen	Proos
Amos	Elsenheimer	LeBlanc	Robertson
Angerer	Emmons	Leland	Rocca

Ball	Espinoza	Lemmons	Sak
Bauer	Farrah	Lindberg	Schuitmaker
Bennett	Gaffney	Marleau	Scott
Bieda	Garfield	Mayer	Shaffer
Booher	Gillard	McDowell	Sheen
Brandenburg	Gonzales	Meadows	Sheltrown
Brown	Green	Meekhof	Simpson
Byrnes	Griffin	Meisner	Smith, Alma
Byrum	Hammel	Melton	Smith, Virgil
Calley	Hammon	Meltzer	Spade
Casperson	Hansen	Miller	Stahl
Caul	Hildenbrand	Moolenaar	Stakoe
Cheeks	Hood	Moore	Steil
Clack	Hoogendyk	Moss	Tobocman
Clemente	Hopgood	Nitz	Vagnozzi
Condino	Horn	Nofs	Valentine
Constan	Huizenga	Opsommer	Walker
Corriveau	Jackson	Palmer	Warren
Coulouris	Johnson	Palsrok	Wenke
Cushingberry	Jones, Rick	Pastor	Wojno
Dean	Jones, Robert	Pavlov	Young

### Nays—5

Caswell	Hune	Law, David	Ward
DeRoche			

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.

### Second Reading of Bills

#### House Bill No. 4475, entitled

A bill to amend 1953 PA 232, entitled “Corrections code of 1953,” by amending sections 35 and 44 (MCL 791.235 and 791.244), section 35 as amended by 1998 PA 315 and section 44 as amended by 1999 PA 191.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Judiciary (for amendments, see House Journal No. 28, p. 351),

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

Rep. Meadows moved to amend the bill as follows:

1. Amend page 9, line 3, after “**LEAST**” by striking out “**10**” and inserting “**14**”.

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

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

The motion prevailed.

Rep. Tobocman 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. 4475, entitled**

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending sections 35 and 44 (MCL 791.235 and 791.244), section 35 as amended by 1998 PA 315 and section 44 as amended by 1999 PA 191.

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

**Roll Call No. 66**

**Yeas—78**

Accavitti	Coulouris	Johnson	Pearce
Acciavatti	Cushingberry	Jones, Rick	Polidori
Amos	Dillon	Jones, Robert	Sak
Angerer	Donigan	Lahti	Scott
Ball	Espinoza	Law, Kathleen	Shaffer
Bauer	Farrah	Leland	Sheen
Bennett	Gaffney	Lemmons	Sheltrown
Bieda	Garfield	Lindberg	Smith, Alma
Booher	Gillard	Meadows	Smith, Virgil
Brandenburg	Gonzales	Meisner	Spade
Byrnes	Green	Melton	Stahl
Calley	Hammel	Meltzer	Stakoe
Casperson	Hammon	Miller	Steil
Caswell	Hansen	Moore	Tobocman
Caul	Hildenbrand	Nitz	Vagnozzi
Cheeks	Hood	Nofs	Warren
Clack	Hoogendyk	Opsommer	Wenke
Clemente	Hopgood	Palmer	Wojno
Condino	Horn	Pastor	Young
Constan	Jackson		

**Nays—31**

Agema	Emmons	Mayes	Robertson
Brown	Griffin	McDowell	Rocca
Byrum	Huizenga	Meekhof	Schuitmaker
Corriveau	Hune	Moolenaar	Simpson
Dean	LaJoy	Moss	Valentine
DeRoche	Law, David	Palsrok	Walker
Ebli	LeBlanc	Pavlov	Ward
Elsenheimer	Marleau	Proos	

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.

By unanimous consent the House returned to the order of

**Motions and Resolutions**

Rep. Tobocman moved to suspend that portion of Rule 41 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.

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

Rep. Tobocman moved that when the House adjourns today it stand adjourned until Tuesday, March 27, at 1:30 p.m. The motion prevailed.

Reps. Jackson, Agema, Bieda, Brown, Byrnes, Casperson, Caswell, Cheeks, Clack, Condino, Constan, Cushingberry, Dean, Gonzales, Green, Hammel, Hammon, Hansen, Hopgood, Johnson, Rick Jones, Robert Jones, Kathleen Law, LeBlanc, Leland, Lemmons, Marleau, Mayes, McDowell, Meadows, Miller, Moss, Nofs, Opsommer, Polidori, Sak, Schuitmaker, Sheltroun, Spade, Stahl, Steil, Tobocman, Vagnozzi, Valentine, Warren and Wojno offered the following resolution:

**House Resolution No. 53.**

A resolution to memorialize the Congress of the United States to enact legislation to increase funding for veterans health programs and to reform budget practices to assure that veterans health care needs are addressed by direct rather than discretionary funding.

Whereas, Providing medical care for the men and women who risk their lives in defense of our nation is a most important responsibility. While this is always true, the significance of this task should be eminently clear as our armed forces are engaged in battle; and

Whereas, Funding for the Department of Veterans Affairs is determined each year by the Congress as part of discretionary spending. This budget is seriously under funded each year. This chronic under funding has a direct impact on the level of services available to our injured veterans. Currently, nearly 90 percent of federal health care spending is carried out through direct, rather than discretionary funding; and

Whereas, The Department of Veterans Affairs has the nation's largest health care system, with more than 150 hospitals, hundreds of clinics, nursing homes, residential rehabilitation treatment programs, and specialized services to deal with the most horrific and widest range of injuries. Recent rises in demand for health care services have far outpaced spending; and

Whereas, The American people owe our returning veterans proper health care services to address the injuries they sustain in defense of our freedoms. Quality health care for those injured in service to the country should not be subject to the annual fluctuations of a budget process that is often held hostage to politics. Clearly, the care of our wounded must be a top priority; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to enact legislation to increase funding for veterans health programs and to reform budget practices to assure that veterans health care needs are addressed by direct rather than discretionary funding; 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 Military and Veterans Affairs and Homeland Security.

**Announcement by the Clerk of Printing and Enrollment**

The Clerk announced that the following bills had been printed and placed upon the files of the members on Thursday, March 22:

<b>House Bill Nos.</b>	<b>4499</b>	<b>4500</b>	<b>4501</b>	<b>4502</b>	<b>4503</b>	<b>4504</b>	<b>4505</b>	<b>4506</b>	<b>4507</b>	<b>4508</b>	<b>4509</b>
<b>Senate Bill Nos.</b>	<b>363</b>	<b>364</b>	<b>365</b>	<b>366</b>	<b>367</b>						

**Reports of Standing Committees**

The Committee on Insurance, by Rep. Virgil Smith, Chair, reported

**House Bill No. 4328, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 2038 (MCL 500.2038).

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. Virgil Smith, Farrah, Condino, Constan, Johnson, Lemmons, Polidori, Scott, Simpson, Wojno, Hune and Rocca

Nays: Rep. Hildenbrand

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Virgil Smith, Chair, of the Committee on Insurance, was received and read:  
Meeting held on: Thursday, March 22, 2007

Present: Reps. Virgil Smith, Farrah, Condino, Constan, Johnson, Lemmons, Polidori, Scott, Simpson, Wojno, Hune, Robertson, Emmons, Hildenbrand, David Law, Moore and Rocca

The Committee on Health Policy, by Rep. Angerer, Chair, reported

**House Bill No. 4207, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 17213. With the recommendation that the substitute (H-2) 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. Angerer, Simpson, Byrum, Clack, Corriveau, Coulouris, Donigan, Hammon, Robert Jones, Valentine, Wojno, Gaffney, Hune, Marleau, Green, Ball and Calley

Nays: None

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Angerer, Chair, of the Committee on Health Policy, was received and read:  
Meeting held on: Thursday, March 22, 2007

Present: Reps. Angerer, Simpson, Byrum, Clack, Corriveau, Coulouris, Donigan, Hammon, Robert Jones, Valentine, Wojno, Gaffney, Hune, Marleau, Green, Ball and Calley

Absent: Rep. Ward

Excused: Rep. Ward

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Mayes, Chair, of the Committee on Agriculture, was received and read:  
Meeting held on: Wednesday, March 21, 2007

Present: Reps. Mayes, Byrum, Angerer, Brown, Kathleen Law, Leland, Sheltroun, Walker, Nitz, Ball and Meekhof

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Clemente, Chair, of the Committee on New Economy and Quality of Life, was received and read:

Meeting held on: Thursday, March 22, 2007

Present: Reps. Clemente, Leland, Clack, Griffin, Meadows, Meisner, Melton, Huizenga, Hildenbrand, Garfield and Pastor

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Hopgood, Chair, of the Committee on Transportation, was received and read:  
Meeting held on: Thursday, March 22, 2007

Present: Reps. Hopgood, Griffin, Accavitti, Bieda, Donigan, Ebli, Leland, Mayes, Miller, Young, LaJoy, Casperson, Nitz, Pavlov, Stahl and Knollenberg

Absent: Rep. Pearce

Excused: Rep. Pearce

**Introduction of Bills**

Reps. Caul, Shaffer, Hansen and Emmons introduced

**House Bill No. 4510, 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 first time by its title and referred to the Committee on Health Policy.

Reps. Gonzales, Cushingberry and Alma Smith introduced

**House Bill No. 4511, entitled**

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 4 (MCL 38.1304), as amended by 2003 PA 17.

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

Reps. Gonzales, Cushingberry and Alma Smith introduced

**House Bill No. 4512, entitled**

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending section 38 (MCL 38.38), as amended by 2002 PA 93.

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

Rep. Cushingberry introduced

**House Bill No. 4513, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 233 (MCL 436.1233).

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

Reps. Brown, Espinoza, Polidori, Dean and Ebli introduced

**House Bill No. 4514, entitled**

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 2 (MCL 205.92), as amended by 2004 PA 172.

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

Reps. Byrum, Coulouris, LeBlanc, McDowell, Lahti, Ebli, Bieda, Valentine, Bennett, Angerer, Proos, Wenke and Young introduced

**House Bill No. 4515, entitled**

A bill to amend 1836 PA 25, entitled "An act concerning the records of deeds and other conveyances of land," by amending section 1 (MCL 565.581).

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

Reps. Byrum, Coulouris, LeBlanc, McDowell, Lahti, Ebli, Bieda, Valentine, Bennett, Byrnes, Angerer, Proos, Wenke and Young introduced

**House Bill No. 4516, entitled**

A bill to amend 1937 PA 103, entitled "An act to prescribe certain conditions relative to the execution of instruments entitled to be recorded in the office of the register of deeds," by amending section 1 (MCL 565.201), as amended by 2002 PA 19.

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

Reps. Byrum, Coulouris, LeBlanc, McDowell, Lahti, Ebli, Bieda, Valentine, Bennett, Byrnes, Angerer, Wenke and Young introduced

**House Bill No. 4517, entitled**

A bill to amend 1867 PA 20, entitled "An act relative to recording deeds, mortgages and instruments of record, and to declare the effect thereof," by amending section 1 (MCL 565.491), as amended by 1992 PA 211.

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

Reps. Byrum, Coulouris, LeBlanc, Lahti, Ebli, Bieda, Valentine, Bennett, Byrnes, Angerer, Wenke and Young introduced

**House Bill No. 4518, entitled**

A bill to amend 1873 PA 5, entitled "An act to provide for the recording of judgments in actions affecting or relating to the title of real estate," by amending section 1 (MCL 565.401).

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

Reps. Byrum, Coulouris, LeBlanc, McDowell, Lahti, Ebli, Bieda, Valentine, Bennett, Byrnes, Angerer, Wenke and Young introduced

**House Bill No. 4519, entitled**

A bill to amend 1915 PA 123, entitled "An act to provide for the recording and use in evidence of affidavits affecting real property; and to provide a penalty for the making of false affidavits," by amending section 2 (MCL 565.452).

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

Reps. Byrum, Coulouris, LeBlanc, McDowell, Lahti, Ebli, Bieda, Valentine, Bennett, Byrnes, Angerer, Wenke and Young introduced

**House Bill No. 4520, entitled**

A bill to amend 1875 PA 54, entitled "An act to facilitate the inspection and reproduction of the records and files in the offices of the registers of deeds," by amending section 1 (MCL 565.551), as amended by 1994 PA 51.

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

Reps. Byrum, Coulouris, LeBlanc, Lahti, McDowell, Ebli, Bieda, Valentine, Bennett, Byrnes, Angerer, Wenke and Young introduced

**House Bill No. 4521, entitled**

A bill to amend 1846 RS 84, entitled "Of divorce," (MCL 552.1 to 552.45) by adding section 40.

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

Reps. Byrum, Coulouris, LeBlanc, McDowell, Lahti, Ebli, Bieda, Valentine, Bennett, Byrnes, Angerer, Wenke and Young introduced

**House Bill No. 4522, entitled**

A bill to amend 1956 PA 205, entitled "The paternity act," by amending section 2 (MCL 722.712), as amended by 2004 PA 253.

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

Reps. Byrum, Coulouris, LeBlanc, McDowell, Lahti, Ebli, Bieda, Valentine, Bennett, Byrnes, Angerer, Wenke and Young introduced

**House Bill No. 4523, entitled**

A bill to amend 1966 PA 138, entitled "The family support act," by amending section 2 (MCL 552.452), as amended by 2002 PA 574.

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

Rep. Hildenbrand introduced

**House Bill No. 4524, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 43536a (MCL 324.43536a), as amended by 2004 PA 545.

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

Rep. Condino introduced

**House Bill No. 4525, 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 1 (MCL 28.291), as amended by 2005 PA 143.

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

Rep. Meadows introduced

**House Bill No. 4526, entitled**

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," (MCL 791.201 to 791.285) by adding section 37a.

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

Rep. Hoogendyk introduced

**House Bill No. 4527, entitled**

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending sections 35, 37, and 67 (MCL 791.235, 791.237, and 791.267), section 35 as amended by 1998 PA 315, section 37 as amended by 1994 PA 217, and section 67 as amended by 1996 PA 565, and by adding section 34b.

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

Reps. Robert Jones and Condino introduced

**House Bill No. 4528, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 307 (MCL 257.307), as amended by 2006 PA 298.

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

Reps. Amos, Opsommer, Hopgood, Miller, Meadows, Robert Jones, Griffin, Vagnozzi, Cheeks, Rick Jones, Stahl, David Law, LaJoy, Wenke, Pearce, Pastor, Robertson, Nofs, Gaffney, Hune, Shaffer, Knollenberg, Calley, Agema, Marleau, Palmer, Garfield, Meekhof, Nitz, Espinoza, Gonzales, Meisner, Jackson, Cushingberry, Alma Smith, Spade, Bauer, McDowell, Johnson, Virgil Smith, Farrah, Sheltrown, Meltzer, Byrnes, Casperson, Green, Leland, Condino, Angerer, Huizenga, Mayes, Walker, Sheen, Moolenaar, Acciavatti, Elsenheimer, Ward, Horn, Warren, Bieda, Sak and Hammon introduced

**House Bill No. 4529, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 105c (MCL 388.1705c), as amended by 2006 PA 342.

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

Reps. Gonzales and Cushingberry introduced

**House Bill No. 4530, entitled**

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending sections 4, 41, and 41a (MCL 38.1304, 38.1341, and 38.1341a), section 4 as amended by 2003 PA 17, section 41 as amended by 2002 PA 94, and section 41a as amended by 1996 PA 488.

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

Rep. Palsrok moved that the House adjourn.  
The motion prevailed, the time being 3:05 p.m.

The Speaker Pro Tempore declared the House adjourned until Tuesday, March 27, at 1:30 p.m.

RICHARD J. BROWN  
Clerk of the House of Representatives