

No. 106
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
94th Legislature
REGULAR SESSION OF 2007

House Chamber, Lansing, Wednesday, October 10, 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—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. Tom Pearce, from the 73rd District, offered the following invocation:

“In the last few weeks we have gone through some very difficult times as a state. I think many of you are as weary as I am and I thought this morning rather than a prayer for the state I would like us to have a prayer of blessing on each and every one of us here in this house. Would you pray with me? Paul writes in his letter to Ephesians:

For this reason I kneel before the Father, from whom His whole family in heaven and on earth derives its name. I pray that out of His glorious riches He may strengthen you with power through the Spirit in your inner being so that Christ may dwell in your hearts through faith and I pray that you be enrooted and established in love, may have power together with all the saints, to grasp how wide and long and high and deep is the love of Christ, and to know this love that surpasses knowledge—that you may be filled to the measure of all the fullness of God.

Now unto Him that is able to do immeasurably more than we can ask or imagine, according to His power that is at work within us, to Him be glory in the church and in Christ Jesus throughout all generations, for ever and ever!

Amen.”

Messages from the Senate

The Speaker laid before the House

House Bill No. 4956, entitled

A bill to amend 2000 PA 92, entitled “Food law of 2000,” by amending sections 1105, 1107, 1109, 2111, 2113, 2119, 2123, 2125, 2129, 3103, 3119, 3121, 3123, 3125, 3127, 3135, 3137, 3139, 4101, 4103, 4105, 4107, 4111, 4113, 4116, 4117, 4125, 5101, 5105, 5107, 6101, 6115, 6129, 6137, 6147, 6149, 7105, 7113, 7115, 7119, 7125, 7137, 8105, and 8107 (MCL 289.1105, 289.1107, 289.1109, 289.2111, 289.2113, 289.2119, 289.2123, 289.2125, 289.2129, 289.3103, 289.3119, 289.3121, 289.3123, 289.3125, 289.3127, 289.3135, 289.3137, 289.3139, 289.4101, 289.4103, 289.4105, 289.4107, 289.4111, 289.4113, 289.4116, 289.4117, 289.4125, 289.5101, 289.5105, 289.5107, 289.6101, 289.6115, 289.6129, 289.6137, 289.6147, 289.6149, 289.7105, 289.7113, 289.7115, 289.7119, 289.7125, 289.7137, 289.8105, and 289.8107), sections 1109, 3119, 4111, 4117, 6101, and 6149 as amended by 2002 PA 487 and section 4116 as added by 2004 PA 267, and by adding sections 6140, 6150, and 7106; and to repeal acts and parts of acts.

(The bill was received from the Senate on October 9, with substitute (S-2), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 105, p. 1710.)

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. 457

Yeas—103

Accavitti	Dean	Lahti	Polidori
Acciavatti	Dillon	LaJoy	Proos
Agema	Donigan	Law, David	Robertson
Amos	Ebli	Law, Kathleen	Rocca
Angerer	Elsenheimer	LeBlanc	Sak
Ball	Emmons	Leland	Schuitmaker
Bauer	Espinoza	Lemmons	Scott
Bennett	Farrah	Lindberg	Shaffer
Bieda	Gaffney	Marleau	Sheen
Booher	Gillard	Mayer	Sheltrown
Brandenburg	Gonzales	McDowell	Simpson
Brown	Green	Meadows	Smith, Alma
Byrnes	Griffin	Meekhof	Smith, Virgil
Byrum	Hammel	Meisner	Spade
Calley	Hammon	Melton	Stakoe
Casperson	Hansen	Meltzer	Steil
Caswell	Hildenbrand	Miller	Tobocman
Caul	Hood	Moolenaar	Vagnozzi
Cheeks	Hopgood	Moore	Valentine

Clack	Horn	Nitz	Walker
Clemente	Huizenga	Nofs	Ward
Condino	Hune	Opsommer	Warren
Constan	Jackson	Palsrok	Wenke
Corriveau	Johnson	Pastor	Wojno
Coulouris	Jones, Rick	Pavlov	Young
Cushingberry	Jones, Robert	Pearce	

Nays—7

DeRoche	Hoogendyk	Moss	Stahl
Garfield	Knollenberg	Palmer	

In The Chair: Sak

The House agreed to the title as amended.

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

Third Reading of Bills**House Bill No. 4494, entitled**

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2007; and to provide for the expenditure of the appropriations.

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

Roll Call No. 458**Yeas—110**

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

Coulouris
Cushingberry
Dean
DeRoche

Johnson
Jones, Rick
Jones, Robert
Knollenberg

Palsrok
Pastor
Pavlov

Wenke
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.

House Bill No. 4821, entitled

A bill to amend 2004 PA 46, entitled “Public safety officers benefit act,” by amending the title and section 2 (MCL 28.632) and by adding section 4b.

The bill was read a third time.

The question being on the passage of the bill,

Reps. Moore and Angerer moved to amend the bill as follows:

1. Amend page 3, line 24, after “**4A.**” by inserting “**(1)**”.

2. Amend page 3, line 25, after “**DUTY**” by inserting “**ON OR AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SECTION**”.

3. Amend page 4, following line 11, by inserting:

“(2) **THE STATE SHALL ALSO PROVIDE HEALTH COVERAGE ON THE TERMS INDICATED IN SUBSECTION (1) TO THE SPOUSE AND DEPENDENTS OF A LAW ENFORCEMENT OFFICER WHO DIED IN THE LINE OF DUTY BETWEEN OCTOBER 1, 2003 AND AUGUST 1, 2007 AND WHOSE SURVIVING SPOUSE AND DEPENDENT HEALTH COVERAGE WAS NOT CONTINUED BY THE PUBLIC AGENCY HE OR SHE SERVED.**”.

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

The question being on the passage of the bill,

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

Roll Call No. 459

Yeas—108

Accavitti
Acciavatti
Agema
Amos
Angerer
Ball
Bauer
Bennett
Bieda
Booher
Brandenburg
Brown
Byrnes
Calley
Casperson
Caswell
Caul
Cheeks

Dillon
Donigan
Ebli
Elsenheimer
Emmons
Espinoza
Farrah
Gaffney
Gillard
Gonzales
Green
Griffin
Hammel
Hammon
Hansen
Hildenbrand
Hood
Hoogendyk

Lahti
LaJoy
Law, David
Law, Kathleen
LeBlanc
Leland
Lemmons
Lindberg
Marleau
Mayes
McDowell
Meadows
Meekhof
Meisner
Melton
Meltzer
Miller
Moolenaar

Pearce
Polidori
Proos
Robertson
Rocca
Sak
Schuitmaker
Scott
Shaffer
Sheen
Sheltrown
Simpson
Smith, Alma
Smith, Virgil
Spade
Stahl
Stakoe
Steil

Clack	Hopgood	Moore	Tobocman
Clemente	Horn	Moss	Vagnozzi
Condino	Huizenga	Nitz	Valentine
Constan	Hune	Nofs	Walker
Corriveau	Jackson	Opsommer	Ward
Coulouris	Johnson	Palmer	Warren
Cushingberry	Jones, Rick	Palsrok	Wenke
Dean	Jones, Robert	Pastor	Wojno
DeRoche	Knollenberg	Pavlov	Young

Nays—1

Garfield

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 2004 PA 46, entitled “Public safety officers benefit act,” by amending the title and section 2 (MCL 28.632) and by adding section 4a.

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.

Rep. Byrum moved that her name be removed as co-sponsor of the bill.

The motion prevailed.

Reps. Accavitti, Agema, Amos, Ball, Booher, Brandenburg, Calley, Caswell, Caul, Clemente, Condino, Constan, Emmons, Gonzales, Hammel, Hansen, Huizenga, Jackson, Johnson, Knollenberg, Lahti, LaJoy, Kathleen Law, Leland, Lindberg, Meadows, Melton, Meltzer, Moolenaar, Moss, Nitz, Palmer, Palsrok, Pastor, Pearce, Proos, Robertson, Schuitmaker, Scott, Shaffer, Spade, Steil, Tobocman, Walker, Warren and Young were named co-sponsors of the bill.

Rep. Byrum, under Rule 31, made the following statement:

“Mr. Speaker and members of the House:

I did not vote on Roll Call No. 459 because of a possible conflict of interest.”

Rep. Garfield, 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 approached the author of the bill with a friendly amendment, but it was rejected. First I’m not against the legislation and certainly support it. With that said however, this is a bargaining issue that is used in local units of government as a bargaining tool. If local units see that the State will provide that benefit, why would they offer it to their first responders? Also, local units will not have to pay for that coverage, saving them money and passing that responsibility on to the State.”

House Bill No. 4607, entitled

A bill to amend 1982 PA 250, entitled “Child abuse and neglect prevention act,” (MCL 722.601 to 722.613) by adding section 9a.

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

Roll Call No. 460**Yeas—85**

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

Nays—24

Acciavatti	DeRoche	Meekhof	Pavlov
Agema	Elsenheimer	Meltzer	Robertson
Booher	Garfield	Moolenaar	Rocca
Brandenburg	Hoogendyk	Moss	Sheen
Calley	Hune	Palmer	Sheltrown
Caswell	Knollenberg	Pastor	Stakoe

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. Casperson, Cheeks, Cushingberry, Hopgood, Huizenga, Rick Jones, Lemmons, Melton, Moore, Nofs, Palsrok, Pearce, Sak, Schuitmaker, Valentine, Stahl, Kathleen Law and Warren were named co-sponsors of the bill.

Second Reading of Bills**House Bill No. 4289, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 319, 322, 625, 625k, 625l, and 904 (MCL 257.319, 257.322, 257.625, 257.625k, 257.625l, and 257.904), sections 319 and 904 as amended by 2004 PA 362, section 322 as amended by 2001 PA 159, section 625 as amended by 2006 PA 564, and sections 625k and 625l as amended by 2003 PA 61, and by adding sections 20b and 323f.

Was read a second time, and the question being on the adoption of the proposed substitute (H-4) previously recommended by the Committee on Judiciary,

The substitute (H-4) was not adopted, a majority of the members serving not voting therefor.

Rep. Schuitmaker moved to substitute (H-8) the bill.

The motion did not prevail and the substitute (H-8) was not adopted, a majority of the members serving not voting therefor.

Rep. Constan moved to substitute (H-7) the bill.

The motion prevailed and the substitute (H-7) was adopted, a majority of the members serving voting therefor.

Rep. Corriveau moved to amend the bill as follows:

1. Amend page 11, line 16, after "section 321a." by striking out the balance of the subsection.

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

Rep. Schuitmaker moved to amend the bill as follows:

1. Amend page 20, line 12, after "1," by striking out "2008" and inserting "2010".

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

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

The motion prevailed.

House Bill No. 4920, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 319, 322, 625, 625b, 625k, 625l, and 904 (MCL 257.319, 257.322, 257.625, 257.625b, 257.625k, 257.625l, and 257.904), sections 319 and 904 as amended by 2004 PA 362, section 322 as amended by 2001 PA 159, section 625 as amended by 2006 PA 564, section 625b as amended by 2004 PA 62, and sections 625k and 625l as amended by 2003 PA 61, and by adding section 20b.

Was read a second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Judiciary,

The substitute (H-3) was not adopted, a majority of the members serving not voting therefor.

Rep. Schuitmaker moved to substitute (H-8) the bill.

The motion did not prevail and the substitute (H-8) was not adopted, a majority of the members serving not voting therefor.

Rep. Corriveau moved to substitute (H-6) the bill.

The motion prevailed and the substitute (H-6) was adopted, a majority of the members serving voting therefor.

Rep. Schuitmaker moved to amend the bill as follows:

1. Amend page 31, line 22, after "1," by striking out "2008" and inserting "2010".

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Schuitmaker moved to amend the bill as follows:

1. Amend page 6, line 16, after "YEARS" by inserting "OR NOT MORE THAN 2 CONVICTIONS WITHIN 10 YEARS".

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

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

The motion prevailed.

House Bill No. 4819, entitled

A bill to prescribe the senior medical alert as the official response to reports of certain missing persons; to provide for the broadcast of information regarding those incidents; and to provide for certain civil immunity.

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

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

Rep. Meadows 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. Meadows 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. Ebli, Warren, Nitz, Condino, Bieda, Corriveau, Lemmons, Byrnes, Wojno, Dean, Gaffney, Elsenheimer, Caswell, Hune, Amos, Hansen, Proos, Rocca, Meekhof, Hoogendyk, Horn, Shaffer, Moss, Marleau, Knollenberg, Schuitmaker, Clack, Valentine, Farrah, Angerer, Young, Accavitti, Byrum, Bauer, Ball, Brandenburg, Caul, Constan, Garfield, Hammon, Hildenbrand, Hopgood, Johnson, Rick Jones, Kathleen Law, Leland, Mayes, Meadows, Melton, Palsrok, Pearce, Polidori, Sak, Scott, Alma Smith, Spade, Steil, Tobocman, Vagnozzi, Brown, Cushingberry, Hammel, Stahl, Gillard, Robert Jones and Lahti offered the following resolution:

House Resolution No. 202.

A resolution recognizing October 2007 as Breast Cancer Awareness Month in the state of Michigan.

Whereas, October has long been recognized across America as Breast Cancer Awareness Month in an effort to raise public awareness about the importance of early detection; and

Whereas, Over 2,290,000 Americans are currently struggling with breast cancer; and

Whereas, According to the Michigan Department of Community Health, breast cancer is the third most commonly diagnosed cancer in Michigan and the most frequently diagnosed among Michigan women; and

Whereas, Since the inception of Breast Cancer Awareness month, mammography use across America has doubled, and breast cancer death rates have declined; and

Whereas, The five year survival rate among women whose breast cancer has not spread beyond the breast at the time of diagnosis is 98.1 percent; and

Whereas, Even with impressive progress, many women do not utilize mammography at regular intervals, despite the fact that mammography is the best available method of detecting breast changes that may be cancer, long before physical symptoms can be seen or felt, and that breast cancer deaths could decline further if all women age 40 and older received mammograms at regular intervals; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body recognize October 2007 as Breast Cancer Awareness Month in Michigan; be it further

Resolved, That the members of this legislative body urge all Michigianians to use this month as an opportunity to educate themselves about breast cancer and take proactive steps to reduce their risk and get appropriate screening.

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. Byrum, Accavitti, Ball, Bieda, Byrnes, Clack, Condino, Constan, Farrah, Hansen, Hopgood, Johnson, Rick Jones, Kathleen Law, Lemmons, Mayes, Meadows, Melton, Palsrok, Pearce, Polidori, Proos, Sak, Alma Smith, Spade, Tobocman, Vagnozzi, Warren, Young, Brown, Cushingberry, Dean, Hammel, Leland, Gillard, Robert Jones and Lahti offered the following resolution:

House Resolution No. 203.

A resolution designating October 2007 as Safe Sleep Awareness Month in the state of Michigan.

Whereas, Sudden Infant Death Syndrome (SIDS) is the leading cause of death in infants between one month and one year of age. Many parents are unaware of the dangers of SIDS; and

Whereas, The risk factors for sudden infant death syndrome can be mitigated by reducing the baby's exposure to smoke and unsafe sleep practices, including overheating, suffocation and accidental fatal injuries; and

Whereas, Babies are needlessly dying because they are put to sleep in environments that are not safe, including: couches and adult beds, sleep areas with other children, adults or pets; pillows, blankets, adult beds or children's cribs with stuffed animals or other toys; and

Whereas, There are seven simple, inexpensive steps one should take to ensure babies sleep in a safe environment which include: the baby always sleeps alone in a crib; the baby sleeps on his or her back; there is nothing in the baby's sleep area; the baby's face is uncovered; there is no smoking around the baby; the baby is not overheated or overdressed; the baby must sleep on a firm mattress with a tight-fitting sheet; and

Whereas, A broader understanding of safe sleep practices by Michigan's parents will help prevent the nearly eight of 1,000 babies that die before their first birthday; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body designate October as Safe Sleep Awareness Month in the state of Michigan to promote awareness of safe sleep practices; and be it further

Resolved, That Michigan's hospitals are encouraged to instruct safe sleep practices to all new parents in order to prevent unsafe sleep environments and reduce infant deaths because of unsafe sleep; and be it further

Resolved, That copies of this resolution be transmitted to Tomorrow's Child as a token of our thanks for helping raise awareness of safe sleep practices and providing support to families who have lost a baby.

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. Miller, Accavitti, Bieda, Byrnes, Clack, Condino, Constan, Farrah, Hammon, Hopgood, Kathleen Law, Lemmons, Mayes, Meadows, Melton, Polidori, Rocca, Scott, Alma Smith, Tobocman, Vagnozzi, Warren, Brown, Cushingberry, Dean, Hammel, Leland, Robert Jones and Lahti offered the following resolution:

House Resolution No. 204.

A resolution to memorialize the Congress of the United States to enact legislation to require health plans to cover a minimum hospital stay for mastectomies, lumpectomies, and lymph node dissection for the treatment of breast cancer.

Whereas, Three congressional bills have been introduced to enact the Breast Cancer Patient Protection Act of 2007. These bills, H.R. 758, H.R. 119, and S. 459, would amend the Employee Retirement Income Security Act of 1974 (ERISA), the Public Health Service Act, and the Internal Revenue Code to require a group health plan or a health insurer offering group health insurance coverage that provides medical and surgical benefits to ensure that inpatient coverage (and in the case of lumpectomy, outpatient coverage) and radiation therapy are provided for breast cancer treatment; and

Whereas, The Breast Cancer Patient Protection Act would end the practice of "drive-through" mastectomies, where women are sometimes forced to leave the hospital following their physically and emotionally difficult surgeries, even if they and their doctors feel they are not ready to go home; and

Whereas, This legislation would also ensure a right to a minimum hospital stay of 48 hours to any woman following a mastectomy. The bills do not mandate a 48-hour stay, but allow women and their doctors the ability to determine when women are able to go home following major breast cancer surgery; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to enact the Breast Cancer Patient Protection Act of 2007 to require health plans to cover a minimum hospital stay for mastectomies, lumpectomies, and lymph node dissection for the treatment of breast cancer; 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. Gillard, Accavitti, Bieda, Byrnes, Clack, Condino, Constan, Farrah, Hammon, Hopgood, Johnson, Kathleen Law, Lemmons, Meadows, Melton, Polidori, Sak, Alma Smith, Tobocman, Vagnozzi, Warren, Young, Brown, Cushingberry, Dean, Hammel, Leland, Robert Jones and Lahti offered the following resolution:

House Resolution No. 205.

A resolution to memorialize the United States Congress to enact the School-Based Health Clinic Establishment Act of 2007.

Whereas, Members of the Michigan legislature regard the health of our children to be of paramount importance to families and communities in our state and we consider protecting the health and well-being of Michigan children to be essential to improving the lives of our youngest residents; and

Whereas, School-based health centers are a demonstrated effective means of bringing preventive and primary care to medically underserved children and increasing academic success. There are 1,700 health centers in 44 states serving 2 million children, including 87 health centers serving 200,000 children in Michigan; and

Whereas, School-based health centers work in collaboration with schools to integrate health into the overall school environment. This Act would authorize a grant-based program for the operation and development of school-based health centers; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the United States Congress to enact the School-Based Health Clinic Establishment Act of 2007; 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.

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, October 10:

House Bill Nos. 5274 5275 5276 5277 5278
Senate Joint Resolution I

The Clerk announced that the following Senate bills had been received on Wednesday, October 10:

Senate Bill Nos. 732 733

Reports of Standing Committees

The Committee on Intergovernmental, Urban and Regional Affairs, by Rep. Byrum, Chair, reported

House Bill No. 4451, entitled

A bill to amend 2001 PA 34, entitled "Revised municipal finance act," by amending section 103 (MCL 141.2103) and by adding sections 518 and 519.

With the recommendation that the bill be referred to the Committee on Retiree Health Care Reforms.

Favorable Roll Call

To Report Out:

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

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Retiree Health Care Reforms.

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, October 10, 2007

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

Absent: Reps. Johnson and Tobocman

Excused: Reps. Johnson and Tobocman

The Committee on Oversight and Investigations, by Rep. Tobocman, Chair, reported

House Bill No. 4806, entitled

A bill to amend 1992 PA 234, entitled "The judges retirement act of 1992," by amending sections 715 and 719 (MCL 38.2665 and 38.2669), section 715 as amended by 1999 PA 215 and section 719 as added by 1996 PA 523.

With the recommendation that the bill be referred to the Committee on Retiree Health Care Reforms.

Favorable Roll Call

To Report Out:

Yeas: Reps. Tobocman, Condino, Hood, Rick Jones and Horn

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Retiree Health Care Reforms.

The Committee on Oversight and Investigations, by Rep. Tobocman, Chair, reported

House Bill No. 4807, entitled

A bill to amend 1984 PA 427, entitled "Municipal employees retirement act of 1984," by amending section 36 (MCL 38.1536), as amended by 2004 PA 490.

With the recommendation that the bill be referred to the Committee on Retiree Health Care Reforms.

Favorable Roll Call

To Report Out:

Yeas: Reps. Tobocman, Condino, Hood, Rick Jones and Horn

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Retiree Health Care Reforms.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Tobocman, Chair, of the Committee on Oversight and Investigations, was received and read:

Meeting held on: Wednesday, October 10, 2007

Present: Reps. Tobocman, Condino, Hood, Rick Jones and Horn

The Committee on Families and Children's Services, by Rep. Clack, Chair, reported

House Bill No. 4564, entitled

A bill to amend 1970 PA 91, entitled "Child custody act of 1970," by amending section 6a (MCL 722.26a), as added by 1980 PA 434.

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

Favorable Roll Call

To Report Out:

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

Nays: None

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

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, October 10, 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. Condino, Chair, of the Committee on Judiciary, was received and read:

Meeting held on: Wednesday, October 10, 2007

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

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, October 10, 2007

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

Absent: Rep. Palsrok

Excused: Rep. Palsrok

Messages from the Senate

Senate Bill No. 732, entitled

A bill to designate enterprises owned or controlled by qualified veterans as Michigan patriot businesses; and to provide for the powers and duties of certain state governmental officers and entities.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Military and Veterans Affairs and Homeland Security.

Senate Bill No. 733, entitled

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," (MCL 125.2001 to 125.2094) by adding section 79.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Military and Veterans Affairs and Homeland Security.

Notices

October 10, 2007

Rich Brown
Clerk of the House

Mr. Clerk,

I hereby make the following committee assignment changes:

House Insurance Committee:

Remove Representative David Robertson

Appoint Representative Ed Gaffney

House Appropriations Committee:

Remove Representative Steve Tobocman

Appoint Representative Michael Sak

Regards,
Andy Dillon
Speaker of the House
Michigan House of Representatives

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Insurance from further consideration of **House Bill No. 4412**.

Rep. Melton

Communications from State Officers

The following communication from the Department of Community Health was received and read:

September 25, 2007

I am pleased to submit the completed Freedom to Work Medicaid Buy-In Report and supporting documents as a requirement of Public Act 32 of 2003, Section 400.106a, which states that the Department of Community health shall report to the Governor and the legislature on the effectiveness of the *Michigan freedom to work for individuals with disabilities law*.

The department's Office of Long-Term Care Supports and Services is currently receiving a federal Medicaid Infrastructure Grant intended to promote linkages between Medicaid and other employment-related service agencies, and to develop a comprehensive system of employment supports for people with disabilities. This grant paid for the evaluation.

The Michigan Freedom to Work Medicaid Program was established to provide medical assistance to eligible persons with disabilities who have an earned income or savings that exceeds the amount permitted by Medicaid covered programs. There has been a significant increase in the number of individuals enrolled under this program from 268 in July 2005 to 1,018 as of July 2007.

The number of participants continues to grow each month through ongoing collaborative efforts with advocates, the Medical Services Administration, the Department of Human Services, the Department of Education/Transition, Michigan Rehabilitation Services, and the Social Security Administration. We would also like to acknowledge and extend our sincere thanks to the MI Job Coalition, Consumer Task Force, Medicaid Infrastructure Grant Workgroup, and other individuals and organizations who contributed to this program. Research continues based on the evaluation to determine best avenues for further improvements to the law as well as how to address other barriers to employment for individuals with a disability.

Thank you for the opportunity to serve the needs of Michigan's citizens with disabilities.

Respectfully submitted,
Janet Olszewski
Director

The communication was referred to the Clerk.

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

September 27, 2007

Pursuant to Section 1002 of P.A. 345 of 2006, we are enclosing a copy of the following reports:

<u>Type of Report</u>	<u>Facility</u>	<u>Report #</u>	<u>License #</u>
Special Investigation Report	Woodland Center	2007C0207024	CS470245817

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 "Online Lookups, Child Welfare Licensed Facilities" at the following address: <http://www.michigan.gov/dhslicensing>.

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

Sincerely,
Marianne Udow
Director

The communication was referred to the Clerk.

The following communication from the Secretary of State was received and read:

Notices of Filing
Administrative Rules

October 8, 2007

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Michigan Department of Labor & Economic Growth, State Office of Administrative Hearings and Rules filed at 1:30 P.M. this date, administrative rule (07-10-03) for the Department of Environmental Quality, Water Bureau, Entitled "*Part 17. Soil Erosion and Sedimentation Control*" These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

Sincerely,
Terri Lynn Land
Secretary of State
Robin Houston, Office Supervisor
Office of the Great Seal

The communication was referred to the Clerk.

Introduction of Bills

Reps. Accavitti and Bieda introduced

House Bill No. 5279, entitled

A bill to amend 1986 PA 288, entitled "An act to establish a Michigan work-study program for qualified resident students attending eligible postsecondary schools and employed by qualified employers; and to prescribe the powers and duties of certain state agencies," by amending section 3 (MCL 390.1373).

The bill was read a first time by its title and referred to the Committee on Military and Veterans Affairs and Homeland Security.

Reps. Acciavatti, Rick Jones, Ward, Palsrok, Elsenheimer, Brandenburg, Hildenbrand, Palmer, Knollenberg, Steil, Opsommer, Booher, Pavlov, Marleau, Rocca, Shaffer, Moss, Nitz, Agema, Proos, Casperson, Horn, Hoogendyk, Meekhof, Garfield, Stahl, Robertson, Amos, Nofs, Moore, Moolenaar, Caul, Schuitmaker, Gaffney, Stakoe, Hune, Sheen and Huizenga introduced

House Bill No. 5280, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by repealing section 3d (MCL 205.93d).

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

Rep. Cushingberry introduced

House Bill No. 5281, entitled

A bill to amend 1972 PA 239, entitled "McCauley-Traxler-Law-Bowman-McNeely lottery act," by amending section 12 (MCL 432.12), as amended by 2006 PA 625.

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

Reps. Leland, Gonzales and Sheen introduced

House Joint Resolution BB, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending sections 12, 13, and 54 of article IV and by adding section 55 to article IV, to limit the legislative session, to reduce salaries of members of the legislature, and to extend term limits for legislators.

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

Rep. Young introduced

House Joint Resolution CC, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 3 of article IX, to increase the proportion of true cash value at which blighted property may be assessed.

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

Rep. Booher moved that the House adjourn.

The motion prevailed, the time being 4:25 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, October 11, at 12:00 Noon.

RICHARD J. BROWN
Clerk of the House of Representatives