

No. 77
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House of Representatives
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House Chamber, Lansing, Wednesday, September 6, 2006.

1:00 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	Elsenheimer—present	Law, Kathleen—present	Robertson—present
Acciavatti—present	Emmons—present	Leland—present	Rocca—present
Adamini—present	Espinoza—present	Lemmons, III—excused	Sak—present
Amos—present	Farhat—present	Lemmons, Jr.—present	Schuitmaker—present
Anderson—present	Farrah—present	Lipsey—present	Shaffer—present
Angerer—present	Gaffney—present	Marleau—present	Sheen—present
Ball—present	Garfield—present	Mayes—present	Sheltrown—present
Baxter—present	Gillard—present	McConico—e/d/s	Smith, Alma—present
Bennett—present	Gleason—present	McDowell—present	Smith, Virgil—present
Bieda—present	Gonzales—present	Meisner—present	Spade—present
Booher—present	Gosselin—present	Meyer—present	Stahl—present
Brandenburg—excused	Green—present	Miller—present	Stakoe—present
Brown—present	Hansen—present	Moolenaar—present	Steil—present
Byrnes—present	Hildenbrand—present	Moore—present	Stewart—present
Byrum—present	Hood—present	Mortimer—present	Taub—present
Casperson—present	Hoogendyk—present	Murphy—excused	Tobocman—present
Caswell—present	Hopgood—present	Newell—present	Vagnozzi—present
Caul—present	Huizenga—present	Nitz—present	Van Regenmorter—present
Cheeks—excused	Hummel—present	Nofs—present	Vander Veen—present
Clack—present	Hune—present	Palmer—present	Walker—present
Clemente—present	Hunter—present	Palsrok—present	Ward—present
Condino—present	Jones—present	Pastor—present	Waters—present
Cushingberry—present	Kahn—present	Pavlov—present	Wenke—present
DeRoche—present	Kolb—present	Pearce—present	Williams—present
Dillon—present	Kooiman—present	Plakas—present	Wojno—present
Donigan—present	LaJoy—present	Polidori—present	Zelenko—present
Drolet—present	Law, David—present	Proos—present	

e/d/s = entered during session

Rep. Dudley Spade, from the 57th District, offered the following invocation:

“Almighty God, You have given us this great land as our heritage. We humbly pray that we may always remember Your generosity and faithfully do Your will. Bless our land with honest industry, truthful education and an honorable way of life. Defend our liberties and strengthen the resolve of the people who have come from throughout the world to make America their home. Lead us to choose the harder right instead of the easier wrong.

We need Your help to do something about the world’s true problems – the problem of lying, which is called propaganda; the problem of selfishness, which is called self-interest; the problem of greed, which is called profit; and the problem of license, disguising itself as liberty.

Lord, we pray for Your guidance to see our problems for what they are as we work together for the best interest of our communities, our state and our nation. This we ask in Jesus’ name. Amen.”

Rep. Sak moved that Reps. Cheeks, Lemmons, III and Murphy be excused from today’s session.
The motion prevailed.

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

Reports of Standing Committees

The Committee on Appropriations, by Rep. Hummel, Chair, reported

House Bill No. 5003, entitled

A bill to amend 1939 PA 280, entitled “The social welfare act,” by amending section 109 (MCL 400.109), as amended by 2002 PA 673.

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. Hummel, Acciavatti, Kooiman, Stewart, Amos, Caswell, Farhat, Moolenaar, Shaffer, Steil, Taub, Walker, Booher, Caul, Hansen, Kahn, Brown, Kolb, Sak, Cushingberry, Williams, Plakas, Alma Smith, Gonzales and Hood

Nays: None

The Committee on Appropriations, by Rep. Hummel, Chair, reported

Senate Bill No. 48, entitled

A bill to amend 1964 PA 183, entitled “An act creating the state building authority with power to acquire, construct, furnish, equip, own, improve, enlarge, operate, mortgage, and maintain facilities for the use of the state or any of its agencies; to act as a developer or co-owner of facilities as a condominium project for the use of the state or any of its agencies; to authorize the execution of leases pertaining to those facilities by the building authority with the state or any of its agencies; to authorize the payment of true rentals by the state; to provide for the issuance of revenue obligations by the building authority to be paid from the true rentals to be paid by the state and other resources and security provided for and pledged by the building authority; to authorize the creation of funds; to authorize the conveyance of lands by the state or any of its agencies for the purposes authorized in this act; to authorize the appointment of a trustee for bondholders; to permit remedies for the benefit of parties in interest; to provide for other powers and duties of the authority; and to provide for other matters in relation to the authority and its obligations,” by amending section 7 (MCL 830.417), as amended by 2005 PA 67.

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. Hummel, Acciavatti, Kooiman, Stewart, Amos, Caul, Hansen, Kahn, Brown, Kolb, Sak, Cushingberry, Williams, Plakas, Alma Smith, Gonzales, Hood and Murphy

Nays: Reps. Caswell, Farhat, Moolenaar, Shaffer, Steil, Taub, Walker and Booher

The Committee on Appropriations, by Rep. Hummel, Chair, reported

Senate Bill No. 649, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 109 (MCL 400.109), as amended by 2002 PA 673.

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. Hummel, Acciavatti, Kooiman, Stewart, Amos, Caswell, Farhat, Moolenaar, Shaffer, Steil, Taub, Walker, Booher, Caul, Hansen, Kahn, Brown, Kolb, Sak, Cushingberry, Williams, Plakas, Alma Smith, Gonzales and Hood

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Hummel, Chair, of the Committee on Appropriations, was received and read:
Meeting held on: Wednesday, September 6, 2006

Present: Reps. Hummel, Acciavatti, Kooiman, Stewart, Amos, Caswell, Farhat, Moolenaar, Shaffer, Steil, Taub, Walker, Booher, Caul, Hansen, Kahn, Brown, Kolb, Sak, Cushingberry, Williams, Plakas, Alma Smith, Gonzales, Hood and Murphy

Absent: Reps. Pastor, Brandenburg and Cheeks

Excused: Reps. Pastor, Brandenburg and Cheeks

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

House Bill No. 6358, entitled

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public and certain private utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts," (MCL 460.1 to 460.10cc) by adding section 6r.

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. Nofs, Proos, Emmons, Garfield, Huizenga, LaJoy, Palsrok, Stahl, Baxter, Moore, Schuitmaker, Dillon, Mayes, Hopgood, Clemente and Gillard

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, September 6, 2006

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

Absent: Reps. Drolet, Accavitti and Hunter

Excused: Reps. Drolet, Accavitti and Hunter

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

House Bill No. 6370, entitled

A bill to amend 1965 PA 380, entitled "Executive organization act of 1965," (MCL 16.101 to 16.608) by adding section 311.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Wenke, Emmons, Palmer and Ward

Nays: Reps. Byrnes and Lipsey

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

House Bill No. 6371, entitled

A bill to amend 1964 PA 287, entitled "An act to provide for the organization and functions of the state boards of education under the constitutions of 1908 and 1963; to provide for the appointment and functions of the superintendent of public instruction under the constitution of 1963; and to repeal certain acts and parts of acts," by amending section 10 (MCL 388.1010).

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Wenke, Emmons, Palmer and Ward

Nays: Reps. Byrnes and Lipsey

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

House Bill No. 6372, entitled

A bill to amend 1943 PA 148, entitled "An act to provide for the regulation and licensing of proprietary schools in the state; to require surety; to provide for collection and disposition of fees; and to prescribe penalties for the violation of this act," by amending sections 1, 1a, 2, 2a, and 2b (MCL 395.101, 395.101a, 395.102, 395.102a, and 395.102b), sections 1, 2, 2a, and 2b as amended and section 1a as added by 1983 PA 60.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Wenke, Emmons, Palmer and Ward

Nays: Reps. Byrnes and Lipsey

The Committee on Higher Education and Career Preparation, by Rep. Wenke, Chair, reported
House Bill No. 6373, entitled

A bill to amend 1963 PA 40, entitled "An act to authorize private trade schools, business schools, correspondence schools and institutes to solicit students in this state; to provide for the issuance of permits to solicitors; to prescribe the powers and duties of the superintendent of public instruction; to provide penalties for violations of this act; and to repeal certain acts and parts of acts," by amending sections 1 and 3 (MCL 395.121 and 395.123), section 3 as amended by 1988 PA 244.

Without amendment and with the recommendation that the bill pass.
The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Wenke, Emmons, Palmer and Ward
Nays: Reps. Byrnes and Lipsey

The Committee on Higher Education and Career Preparation, by Rep. Wenke, Chair, reported
House Bill No. 6374, entitled

A bill to amend 1972 PA 251, entitled "An act to provide for the reciprocal exchange of educational services between this state and other states; to provide for reduced or waived tuition, and to designate the state agency for negotiating agreements," by amending sections 2, 4, and 5 (MCL 390.502, 390.504, and 390.505), as amended by 2005 PA 34.

Without amendment and with the recommendation that the bill pass.
The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Wenke, Emmons, Palmer and Ward
Nays: Reps. Byrnes and Lipsey

The Committee on Higher Education and Career Preparation, by Rep. Wenke, Chair, reported
House Bill No. 6375, entitled

A bill to amend 1931 PA 327, entitled "An act to provide for the organization, regulation and classification of corporations; to provide their rights, powers and immunities; to prescribe the conditions on which corporations may exercise their powers; to provide for the inclusion of certain existing corporations within the provisions of this act; to prescribe the terms and conditions upon which foreign corporations may be admitted to do business within this state; to require certain annual reports to be filed by corporations; to prescribe penalties for the violations of the provisions of this act; and to repeal certain acts and parts of acts relating to corporations," by amending sections 171, 172, 173, and 177 (MCL 450.171, 450.172, 450.173, and 450.177).

Without amendment and with the recommendation that the bill pass.
The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Wenke, Emmons, Palmer and Ward
Nays: Reps. Byrnes and Lipsey

The Committee on Higher Education and Career Preparation, by Rep. Wenke, Chair, reported
House Bill No. 6376, entitled

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending sections 105, 123, 124, and 143 (MCL 389.105, 389.123, 389.124, and 389.143), section 105 as amended by 2003 PA 306, section 123 as amended by 1980 PA 5, and section 124 as amended by 1997 PA 135.

Without amendment and with the recommendation that the bill pass.
The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Wenke, Emmons, Palmer and Ward

Nays: Reps. Byrnes and Lipsey

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

House Bill No. 6377, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 107 (MCL 388.1707), as amended by 2005 PA 155.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Wenke, Emmons, Palmer and Ward

Nays: Reps. Byrnes and Lipsey

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

House Bill No. 6378, entitled

A bill to amend 1946 (1st Ex Sess) PA 18, entitled "An act to authorize counties to provide a program of adult education; to provide personnel and equipment; to require approval of the superintendent of public instruction; and to authorize county appropriations therefor," by amending sections 1 and 2 (MCL 388.531 and 388.532).

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Wenke, Emmons, Palmer and Ward

Nays: Reps. Byrnes and Lipsey

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

House Bill No. 6379, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 3 (MCL 380.3), as amended by 2004 PA 303.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Wenke, Emmons, Palmer and Ward

Nays: Reps. Byrnes and Lipsey

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

House Bill No. 6380, entitled

A bill to amend 1975 PA 222, entitled "Higher education loan authority act," by amending section 2 (MCL 390.1152), as amended by 1987 PA 206.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Wenke, Emmons, Palmer and Ward

Nays: Reps. Byrnes and Lipsey

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

House Bill No. 6381, entitled

A bill to amend 1986 PA 102, entitled "An act to establish a grant program for certain part-time, independent students in this state; and to prescribe the powers and duties of certain state agencies and institutions of higher education," by amending section 3 (MCL 390.1283), as amended by 2004 PA 180.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Wenke, Emmons, Palmer and Ward

Nays: Reps. Byrnes and Lipsey

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

House Bill No. 6382, entitled

A bill to amend 1986 PA 273, entitled "An act to establish a Michigan educational opportunity grant program for resident qualified students enrolled in eligible public postsecondary schools; and to prescribe the powers and duties of certain state agencies," by amending section 3 (MCL 390.1403), as amended by 2004 PA 183.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Wenke, Emmons, Palmer and Ward

Nays: Reps. Byrnes and Lipsey

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

House Bill No. 6383, entitled

A bill to amend 1986 PA 303, entitled "An act to establish a Michigan work-study program for qualified resident students attending eligible graduate and professional graduate schools and employed by qualified employers; to prescribe the powers and duties of certain state agencies; and to provide for an appropriation," by amending section 3 (MCL 390.1323).

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Wenke, Emmons, Palmer and Ward

Nays: Reps. Byrnes and Lipsey

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

House Bill No. 6384, 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).

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Wenke, Emmons, Palmer and Ward

Nays: Reps. Byrnes and Lipsey

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Wenke, Chair, of the Committee on Higher Education and Career Preparation, was received and read:

Meeting held on: Wednesday, September 6, 2006

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

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

House Bill No. 6128, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending sections 5, 6, 11, and 54 (MCL 169.205, 169.206, 169.211, and 169.254), section 5 as amended by 1999 PA 237, section 6 as amended by 2003 PA 69, section 11 as amended by 1996 PA 590, and section 54 as amended by 1995 PA 264, and by adding sections 40, 52b, and 53a.

With the recommendation that the substitute (H-3) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Ward, Elsenheimer and Gaffney

Nays: Rep. Meisner

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

House Bill No. 6129, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending sections 15, 17, 24, 32, 33, 34, and 35 (MCL 169.215, 169.217, 169.224, 169.232, 169.233, 169.234, and 169.235), section 15 as amended by 2001 PA 250, section 17 as amended by 1989 PA 95, section 24 as amended by 1999 PA 237, section 32 as amended by 1999 PA 236, sections 33 and 34 as amended by 1999 PA 238, and section 35 as amended by 2000 PA 75.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Ward, Elsenheimer, Gaffney and Meisner

Nays: None

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

House Bill No. 6130, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending section 33 (MCL 169.233), as amended by 1999 PA 238.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Ward, Elsenheimer, Gaffney and Meisner

Nays: None

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

House Bill No. 6131, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending section 51 (MCL 169.251), as amended by 1989 PA 95.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

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

Nays: None

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

House Bill No. 6132, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," (MCL 169.201 to 169.282) by adding section 43a.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

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

Nays: None

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

House Bill No. 6133, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending section 47 (MCL 169.247), as amended by 2001 PA 250, and by adding section 48.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

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

Nays: None

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

House Bill No. 6134, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending sections 24, 26, 29, 35, and 43 (MCL 169.224, 169.226, 169.229, 169.235, and 169.243), section 24 as amended by 1999 PA 237, sections 26 and 29 as amended by 2001 PA 250, and section 35 as amended by 2000 PA 75.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

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

Nays: None

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

House Bill No. 6288, entitled

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

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Ward, Elsenheimer and Gaffney

Nays: Reps. Meisner and Gillard

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

House Bill No. 6289, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 32 (MCL 168.32).

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Ward, Elsenheimer and Gaffney

Nays: Reps. Meisner and Gillard

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, September 6, 2006

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

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Wenke, Chair, of the Committee on Higher Education and Career Preparation, was received and read:

Meeting held on: Tuesday, September 5, 2006

Present: Reps. Wenke, Byrnes, Lipsey and Spade

Absent: Reps. Emmons, Palmer and Ward

Excused: Reps. Emmons, Palmer and Ward

Second Reading of Bills**House Bill No. 6128, entitled**

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending sections 5, 6, 11, and 54 (MCL 169.205, 169.206, 169.211, and 169.254), section 5 as amended by 1999 PA 237, section 6 as amended by 2003 PA 69, section 11 as amended by 1996 PA 590, and section 54 as amended by 1995 PA 264, and by adding sections 40, 52b, and 53a.

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

The substitute (H-3) was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Speaker laid before the House

House Resolution No. 97.

A resolution to memorialize the Congress of the United States to adopt and present to the states for ratification an amendment to the United States Constitution that would provide that only citizens may be counted for purposes of determining congressional representation among the states.

(For text of resolution, see House Journal No. 58 of 2005, p. 934.)

(The resolution was reported by the Committee on Government Operations on September 5, consideration of which, under the rules, was postponed until today.)

The question being on the adoption of the resolution,

Rep. McDowell moved to substitute (H-1) the resolution as follows:

Substitute for House Resolution No. 97.

A resolution to memorialize the President and the Congress of the United States to enact legislation to bring the price of gasoline down for consumers by capping oil profits.

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

Whereas, The average price for a barrel of oil this year topped \$75.00; and

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

Whereas, Michigan's manufacturing, agricultural, and tourist economies are disproportionately impacted by rising fuel costs; and

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

Whereas, Gasoline is not a luxury for Michigan families; it is a necessity; and

Whereas, Staggering gasoline price increases are being realized despite the total combined profits of \$111 billion in 2005 for the big five oil companies. The largest of these companies, ExxonMobil, reported \$36.1 billion in profits in 2005, making it the largest corporation in the world; and

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

Whereas, Congressional leadership is needed to provide individual citizens, working families, and businesses with relief from these rapid gasoline price increases; now, therefore, be it

Resolved by the Michigan House of Representatives, That we memorialize the President of the United States and the United States Congress to enact legislation to bring the price of gasoline down for consumers by capping oil profits; and be it further

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

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

The question being on the adoption of the resolution,

Rep. Hoogendyk moved to substitute (H-2) the resolution as follows:

Substitute for House Resolution No. 97.

A resolution to memorialize the Congress of the United States to adopt and present to the states for ratification an amendment to the United States Constitution that would provide that only citizens may be counted for purposes of determining congressional representation among the states.

Whereas, One of the cornerstones of our democratic republic is the decennial census, which is the basis for congressional representation and the apportionment process. The data gathered through the census is used to determine how the 435 members of the United States House of Representatives are divided among the states; and

Whereas, With growing numbers of illegal immigrants concentrated in a small number of states, especially California, states with few illegal immigrants suffer a commensurate reduction in the number of their members of the United States House of Representatives. This is true for Michigan, which has experienced a steady decline in congressional representation over the past few decades. Projections for the next reapportionment, after the 2010 census, include the loss of more seats for Michigan and other states with few illegal immigrants; and

Whereas, In 2000, an estimated 5.3 million noncitizens in California were counted by the Census Bureau. In one Californian district, more than 260,000 noncitizens, or 43 percent of the district's population, were tabulated, a ratio of almost four noncitizens for every voter. As a result, it took fewer than 35,000 votes to win the district compared to almost 100,000 votes to win a typical Congressional race in Michigan. If only legal citizens were counted, California would have been allocated six fewer seats in the House of Representatives. In addition, New York, Texas, and Florida, which along with California account for more than 50 percent of all noncitizens residing in the United States, would have been allocated one fewer Congressional seat apiece if only citizens were calculated; and

Whereas, While estimates of actual illegal aliens in our country are higher, the 2000 federal census found 7 million illegal aliens. It seems wrong for illegal aliens to have as profound an impact on our political environment as they presently do. While immigration is a very complex issue that must be addressed, it seems clear that including illegal immigrants in the calculation of congressional representation is wrong; and

Whereas, A measure has been introduced in the United States House of Representatives to propose an amendment to the United States Constitution that would provide that only citizens may be counted for purposes of apportioning congressional representation among the states. This legislation, H.J.R. 53, is long overdue; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to adopt and present to the states for ratification an amendment to the United States Constitution that would provide that only citizens may be counted for purposes of determining congressional representation among the states; 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 question being on the adoption of the substitute (H-2) offered by Rep. Hoogendyk,

Rep. Ward demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the substitute (H-2) offered by Rep. Hoogendyk,

After debate,

Rep. Ward demanded the previous question.

The demand was supported.

The question being, "Shall the main question now be put?"

The previous question was ordered.

The question being on the adoption of the substitute (H-2) offered by Rep. Hoogendyk,

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

Roll Call No. 928

Yeas—72

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

Nays—23

Accavitti	Farrah	Leland	Smith, Alma
Adamini	Gonzales	Lemmons, Jr.	Smith, Virgil

Bennett	Hood	Meisner	Tobocman
Clack	Hopgood	Miller	Waters
Condino	Hunter	Plakas	Zelenko
Cushingberry	Kolb	Polidori	

In The Chair: Kooiman

The question being on the adoption of the resolution,

Rep. Ward demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the resolution,

After debate,

Rep. Ward demanded the previous question.

The demand was supported.

The question being, "Shall the main question now be put?"

The previous question was ordered.

The question being on the adoption of the resolution,

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

Roll Call No. 929

Yeas—75

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

Nays—24

Accavitti	Gonzales	Leland	Polidori
Bennett	Hood	Lemmons, Jr.	Smith, Alma
Clack	Hopgood	Lipsey	Smith, Virgil
Condino	Hunter	Meisner	Tobocman
Cushingberry	Kolb	Miller	Vagnozzi
Farrah	Law, Kathleen	Plakas	Zelenko

In The Chair: Kooiman

Second Reading of Bills**House Bill No. 6129, entitled**

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending sections 15, 17, 24, 32, 33, 34, and 35 (MCL 169.215, 169.217, 169.224, 169.232, 169.233, 169.234, and 169.235), section 15 as amended by 2001 PA 250, section 17 as amended by 1989 PA 95, section 24 as amended by 1999 PA 237, section 32 as amended by 1999 PA 236, sections 33 and 34 as amended by 1999 PA 238, and section 35 as amended by 2000 PA 75.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 6130, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending section 33 (MCL 169.233), as amended by 1999 PA 238.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 6131, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending section 51 (MCL 169.251), as amended by 1989 PA 95.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 6132, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," (MCL 169.201 to 169.282) by adding section 43a.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 6133, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending section 47 (MCL 169.247), as amended by 2001 PA 250, and by adding section 48.

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

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

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

The motion prevailed.

House Bill No. 6134, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending sections 24, 26, 29, 35, and 43 (MCL 169.224, 169.226, 169.229, 169.235, and 169.243), section 24 as amended by 1999 PA 237, sections 26 and 29 as amended by 2001 PA 250, and section 35 as amended by 2000 PA 75.

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

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

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

The motion prevailed.

House Bill No. 6370, entitled

A bill to amend 1965 PA 380, entitled "Executive organization act of 1965," (MCL 16.101 to 16.608) by adding section 311.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 6371, entitled

A bill to amend 1964 PA 287, entitled "An act to provide for the organization and functions of the state boards of education under the constitutions of 1908 and 1963; to provide for the appointment and functions of the superintendent of public instruction under the constitution of 1963; and to repeal certain acts and parts of acts," by amending section 10 (MCL 388.1010).

The bill was read a second time.

Rep. Emmons moved to amend the bill as follows:

1. Amend page 2, line 8, after "the" by striking out "hearing" and inserting "FINAL RESOLUTION".

2. Amend page 2, line 20, after "districts:" by inserting "**THE SUPERINTENDENT OF PUBLIC INSTRUCTION MAY TRANSMIT THE CLAIM OF APPEAL TO THE STATE OFFICE OF ADMINISTRATIVE HEARINGS AND RULES FOR A HEARING BY AN ADMINISTRATIVE LAW JUDGE. AFTER A HEARING, THE ADMINISTRATIVE LAW JUDGE SHALL PREPARE A PROPOSAL FOR DECISION FOR CONSIDERATION OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION AND SHALL SEND A COPY OF THE PROPOSAL FOR DECISION TO THE DESIGNATED APPELLANT AND APPELLEE. WITHIN 20 DAYS AFTER RECEIPT OF THE PROPOSAL FOR DECISION, THE APPELLANT OR APPELLEE MAY FILE WRITTEN OBJECTIONS TO THE PROPOSAL FOR DECISION WITH THE SUPERINTENDENT OF PUBLIC INSTRUCTION. AFTER CONSIDERING THE PROPOSAL FOR DECISION AND ANY OBJECTIONS FILED BY THE PARTIES, THE SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL ISSUE A FINAL DECISION AND ORDER.**"

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

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

The motion prevailed.

House Bill No. 6372, entitled

A bill to amend 1943 PA 148, entitled "An act to provide for the regulation and licensing of proprietary schools in the state; to require surety; to provide for collection and disposition of fees; and to prescribe penalties for the violation of this act," by amending sections 1, 1a, 2, 2a, and 2b (MCL 395.101, 395.101a, 395.102, 395.102a, and 395.102b), sections 1, 2, 2a, and 2b as amended and section 1a as added by 1983 PA 60.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 6373, entitled

A bill to amend 1963 PA 40, entitled "An act to authorize private trade schools, business schools, correspondence schools and institutes to solicit students in this state; to provide for the issuance of permits to solicitors; to prescribe the powers and duties of the superintendent of public instruction; to provide penalties for violations of this act; and to repeal certain acts and parts of acts," by amending sections 1 and 3 (MCL 395.121 and 395.123), section 3 as amended by 1988 PA 244.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 6374, entitled

A bill to amend 1972 PA 251, entitled "An act to provide for the reciprocal exchange of educational services between this state and other states; to provide for reduced or waived tuition, and to designate the state agency for negotiating agreements," by amending sections 2, 4, and 5 (MCL 390.502, 390.504, and 390.505), as amended by 2005 PA 34.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 6375, entitled

A bill to amend 1931 PA 327, entitled "An act to provide for the organization, regulation and classification of corporations; to provide their rights, powers and immunities; to prescribe the conditions on which corporations may exercise their powers; to provide for the inclusion of certain existing corporations within the provisions of this act; to prescribe the terms and conditions upon which foreign corporations may be admitted to do business within this state; to require certain annual reports to be filed by corporations; to prescribe penalties for the violations of the provisions of this act; and to repeal certain acts and parts of acts relating to corporations," by amending sections 171, 172, 173, and 177 (MCL 450.171, 450.172, 450.173, and 450.177).

The bill was read a second time.

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

The motion prevailed.

House Bill No. 6376, entitled

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending sections 105, 123, 124, and 143 (MCL 389.105, 389.123, 389.124, and 389.143), section 105 as amended by 2003 PA 306, section 123 as amended by 1980 PA 5, and section 124 as amended by 1997 PA 135.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 6377, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 107 (MCL 388.1707), as amended by 2005 PA 155.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 6378, entitled

A bill to amend 1946 (1st Ex Sess) PA 18, entitled "An act to authorize counties to provide a program of adult education; to provide personnel and equipment; to require approval of the superintendent of public instruction; and to authorize county appropriations therefor," by amending sections 1 and 2 (MCL 388.531 and 388.532).

The bill was read a second time.

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

The motion prevailed.

House Bill No. 6379, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 3 (MCL 380.3), as amended by 2004 PA 303.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 6380, entitled

A bill to amend 1975 PA 222, entitled "Higher education loan authority act," by amending section 2 (MCL 390.1152), as amended by 1987 PA 206.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 6381, entitled

A bill to amend 1986 PA 102, entitled "An act to establish a grant program for certain part-time, independent students in this state; and to prescribe the powers and duties of certain state agencies and institutions of higher education," by amending section 3 (MCL 390.1283), as amended by 2004 PA 180.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 6382, entitled

A bill to amend 1986 PA 273, entitled “An act to establish a Michigan educational opportunity grant program for resident qualified students enrolled in eligible public postsecondary schools; and to prescribe the powers and duties of certain state agencies,” by amending section 3 (MCL 390.1403), as amended by 2004 PA 183.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 6383, entitled

A bill to amend 1986 PA 303, entitled “An act to establish a Michigan work-study program for qualified resident students attending eligible graduate and professional graduate schools and employed by qualified employers; to prescribe the powers and duties of certain state agencies; and to provide for an appropriation,” by amending section 3 (MCL 390.1323).

The bill was read a second time.

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

The motion prevailed.

House Bill No. 6384, 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 second time.

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

The motion prevailed.

Senate Bill No. 420, entitled

A bill to amend 1970 PA 91, entitled “Child custody act of 1970,” by amending section 7b (MCL 722.27b), as amended by 2004 PA 542.

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills**Senate Bill No. 420, entitled**

A bill to amend 1970 PA 91, entitled “Child custody act of 1970,” by amending section 7b (MCL 722.27b), as amended by 2004 PA 542.

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

Roll Call No. 930**Yeas—102**

Accavitti	Emmons	Law, Kathleen	Rocca
Acciavatti	Espinoza	Leland	Sak
Adamini	Farhat	Lemmons, Jr.	Schuitmaker
Amos	Farrah	Lipsey	Shaffer
Anderson	Gaffney	Marleau	Sheen
Angerer	Garfield	Mayer	Sheltrown
Ball	Gillard	McDowell	Smith, Alma
Baxter	Gleason	Meisner	Smith, Virgil
Bennett	Gonzales	Meyer	Spade
Bieda	Gosselin	Miller	Stahl
Booher	Green	Moolenaar	Stakoe
Brown	Hansen	Moore	Steil
Byrnes	Hildenbrand	Mortimer	Stewart
Byrum	Hood	Newell	Taub
Casperson	Hoogendyk	Nitz	Tobocman

Caswell	Hopgood	Nofs	Vagnozzi
Caul	Huizenga	Palmer	Van Regenmorter
Clack	Hummel	Palsrok	Vander Veen
Clemente	Hune	Pastor	Walker
Condino	Hunter	Pavlov	Ward
Cushingberry	Jones	Pearce	Waters
DeRoche	Kahn	Plakas	Wenke
Dillon	Kolb	Polidori	Williams
Donigan	Kooiman	Proos	Wojno
Drolet	LaJoy	Robertson	Zelenko
Elsenheimer	Law, David		

Nays—0

In The Chair: Kooiman

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to declare the inherent rights of minor children; to establish rights and duties to their custody, support, and parenting time in disputed actions; to establish rights and duties to provide support for a child after the child reaches the age of majority under certain circumstances; to provide for certain procedure and appeals; and to repeal certain acts and parts of acts.”

The House agreed to the full title.

Rep. Ward 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

Messages from the Senate

The Speaker laid before the House

House Bill No. 5602, entitled

A bill to amend 1939 PA 288, entitled “Probate code of 1939,” by amending section 60 of chapter X (MCL 710.60), as amended by 1996 PA 409.

(The bill was received from the Senate on June 7, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 8, see House Journal No. 57, p. 1475.)

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 931

Yeas—102

Accavitti	Emmons	Law, Kathleen	Rocca
Acciavatti	Espinoza	Leland	Sak
Adamini	Farhat	Lemmons, Jr.	Schuitmaker
Amos	Farrah	Lipsey	Shaffer
Anderson	Gaffney	Marleau	Sheen
Angerer	Garfield	Mayes	Sheltrown
Ball	Gillard	McDowell	Smith, Alma
Baxter	Gleason	Meisner	Smith, Virgil
Bennett	Gonzales	Meyer	Spade
Bieda	Gosselin	Miller	Stahl
Booher	Green	Moolenaar	Stakoe
Brown	Hansen	Moore	Steil
Byrnes	Hildenbrand	Mortimer	Stewart
Byrum	Hood	Newell	Taub
Casperson	Hoogendyk	Nitz	Tobocman
Caswell	Hopgood	Nofs	Vagnozzi

Caul	Huizenga	Palmer	Van Regenmorter
Clack	Hummel	Palsrok	Vander Veen
Clemente	Hune	Pastor	Walker
Condino	Hunter	Pavlov	Ward
Cushingberry	Jones	Pearce	Waters
DeRoche	Kahn	Plakas	Wenke
Dillon	Kolb	Polidori	Williams
Donigan	Kooiman	Proos	Wojno
Drolet	LaJoy	Robertson	Zelenko
Elsenheimer	Law, David		

Nays—0

In The Chair: Kooiman

The House agreed to the full title of the bill.

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

Second Reading of Bills

House Bill No. 6238, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 4511 (MCL 500.4511), as added by 1995 PA 276.

The bill was read a second time.

Rep. Condino moved to amend the bill as follows:

1. Amend page 2, following line 16, by inserting:

“Enacting section 1. This amendatory act does not take effect unless House Bill No. 4627 of the 93rd Legislature is enacted into law.”.

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

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

The motion prevailed.

Rep. Hood moved to amend the bill as follows:

1. Amend page 2, following line 16, by inserting:

“Enacting section 1. This amendatory act does not take effect unless House Bill No. 4323 of the 93rd Legislature is enacted into law.”.

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

Rep. Hood moved that consideration of the amendment be postponed temporarily.

The motion prevailed.

Rep. Anderson moved to amend the bill as follows:

1. Amend page 2, following line 16, by inserting:

“Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 93rd Legislature are enacted into law:

(a) House Bill No. 4139.

(b) House Bill No. 4149.

(c) House Bill No. 4230.”.

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

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

The motion prevailed.

Rep. Kahn moved to substitute (H-1) the bill.

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

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

The motion prevailed.

House Bill No. 6253, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16181 and 16186 (MCL 333.16181 and 333.16186), section 16181 as amended by 2004 PA 200 and section 16186 as amended by 2004 PA 3.

The bill was read a second time.

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

The motion prevailed.

Senate Bill No. 880, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding chapter 41A.

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

The substitute (H-3) was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

Rep. McConico entered the House Chambers.

By unanimous consent the House returned to the order of

Third Reading of Bills**Senate Bill No. 1234, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 535 (MCL 750.535), as amended by 2002 PA 720.

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

Roll Call No. 932**Yeas—103**

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

Nays—0

In The Chair: Kooiman

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to revise, consolidate, codify, and add to the statutes relating to crimes; to define crimes and prescribe the penalties and remedies; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act,”

The House agreed to the full title.

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

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



Rep. Ward moved that House Committees be given leave to meet during the balance of today’s session.

The motion prevailed.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced the enrollment printing and presentation to the Governor on Wednesday, September 6, for her approval of the following bills:

- Enrolled House Bill No. 5217 at 9:57 a.m.**
- Enrolled House Bill No. 5800 at 9:59 a.m.**
- Enrolled House Bill No. 6223 at 10:01 a.m.**
- Enrolled House Bill No. 6224 at 10:03 a.m.**
- Enrolled House Bill No. 6225 at 10:05 a.m.**
- Enrolled House Bill No. 6226 at 10:07 a.m.**
- Enrolled House Bill No. 6227 at 10:09 a.m.**
- Enrolled House Bill No. 6228 at 10:11 a.m.**
- Enrolled House Bill No. 6229 at 10:13 a.m.**
- Enrolled House Bill No. 6230 at 10:15 a.m.**
- Enrolled House Bill No. 6231 at 10:17 a.m.**
- Enrolled House Bill No. 6232 at 10:19 a.m.**
- Enrolled House Bill No. 6233 at 10:21 a.m.**
- Enrolled House Bill No. 6234 at 10:23 a.m.**
- Enrolled House Bill No. 6235 at 10:25 a.m.**

The Clerk announced that the following bills had been printed and placed upon the files of the members on Wednesday, September 6:

House Bill Nos.	6392	6393	6394	6395	6396	6397	6398	6399	6400	6401	6402	6403	6404	6405
	6406	6407	6408	6409	6410	6411	6412	6413	6414	6415				
Senate Bill Nos.	1395	1396	1397	1398	1399	1400	1401	1402	1403	1404	1405	1406	1407	1408
	1409													

The Clerk announced that the following Senate bill had been received on Wednesday, September 6:

Senate Bill No. 1289

By unanimous consent the House returned to the order of

Messages from the Senate

Senate Bill No. 1289, entitled

A bill to amend 1974 PA 258, entitled “Mental health code,” by repealing section 216 (MCL 330.1216).

The Senate has passed the bill.

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

Introduction of Bills

Rep. Hildenbrand introduced

House Bill No. 6416, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 7524 (MCL 333.7524), as amended by 1994 PA 8.

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

Reps. Zelenko, Sak, Gonzales, Meisner, Hune, Shaffer, Gaffney, Wenke, Waters, Alma Smith, Clack, Accavitti, Anderson, Lipsey, Kolb, Kathleen Law, Plakas, Williams, Espinoza, Farrah, Byrnes, Cushingberry, Mayes, Vander Veen, Miller, Vagnozzi and Cheeks introduced

House Bill No. 6417, entitled

A bill to amend 1887 PA 128, entitled "An act establishing the minimum ages for contracting marriages; to require a civil license in order to marry and its registration; to provide for the implementation of federal law; and to provide a penalty for the violation of this act," by amending section 3 (MCL 551.103), as amended by 1984 PA 346.

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

Reps. Gillard, Miller, Cushingberry, Polidori, Bennett, Sheltroun, Lemmons, Jr., Ball, Condino, Mayes, Kathleen Law, Kahn and Lemmons, III introduced

House Bill No. 6418, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 30106 (MCL 324.30106), as added by 1995 PA 59, and by adding section 30106a.

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

Reps. Gaffney, Vagnozzi and David Law introduced

House Bill No. 6419, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1211 (MCL 380.1211), as amended by 2003 PA 126.

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

Reps. Gaffney, Vagnozzi and David Law introduced

House Bill No. 6420, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 20 (MCL 388.1620), as amended by 2005 PA 155.

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

Reps. Kooiman, Farhat, Proos, Vander Veen, Green, Booher, Stahl, Hansen, Moolenaar, Gillard, Lipsey, Sheen, Hoogendyk, Hildenbrand, Huizenga, Walker, Pearce, Wenke, Shaffer, Caul, Kahn, Nitz, Palsrok and Ball introduced

House Bill No. 6421, entitled

A bill to amend 1964 PA 286, entitled "An act to provide for the organization, powers, and duties of the state transportation commission and the state transportation department; to provide for the appointment, powers, and duties of the state transportation director; to abolish the office of state highway commissioner and the commissioner's advisory board and to transfer their powers and duties; to provide for penalties and remedies; and to repeal certain acts and parts of acts," by amending section 3 (MCL 247.803).

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

Reps. Lemmons, III, Lemmons, Jr., Tobocman, McConico, Hunter, Dillon, Sak, Clack and Cheeks introduced

House Bill No. 6422, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 11547b.

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

Reps. Condino, Lipsey, Alma Smith, Accavitti, Polidori, Vagnozzi, Cushingberry, Tobocman, Kathleen Law and Plakas introduced

House Bill No. 6423, entitled

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending section 3 (MCL 445.903), as amended by 2004 PA 462.

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

Reps. Espinoza, Alma Smith, Leland, Anderson, Angerer, Polidori, Farrah, Kathleen Law, Sheltroun, Gleason and Tobocman introduced

House Bill No. 6424, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 20 (MCL 421.20), as amended by 2003 PA 174, and by adding section 64a.

The bill was read a first time by its title and referred to the Committee on Employment Relations, Training, and Safety.

Reps. McDowell, Bennett, Polidori, Miller, Alma Smith, Espinoza, Anderson, Angerer, Farrah, Kathleen Law, Sheltroun, Gleason, Kolb, Sak, Adamini, Brown, Clack, Lemmons, Jr., Lipsey, Waters, Vagnozzi, Tobocman and Cheeks introduced

House Bill No. 6425, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 27 (MCL 421.27), as amended by 2002 PA 192.

The bill was read a first time by its title and referred to the Committee on Employment Relations, Training, and Safety.

Reps. Sheltroun, Alma Smith, Vagnozzi, Meisner, Cushingberry, Lemmons, Jr., Miller, Bennett, Clemente, Gonzales, Angerer, Donigan, Wojno, McDowell, Bieda, Espinoza, Leland, Lipsey, Gillard, Hood, Farrah, Anderson, Brown, Sak, Hopgood, Williams, Virgil Smith, Plakas, Hunter, Polidori, Kolb, Gleason, Clack, Adamini, Byrum and Cheeks introduced

House Bill No. 6426, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 27 (MCL 421.27), as amended by 2002 PA 192.

The bill was read a first time by its title and referred to the Committee on Employment Relations, Training, and Safety.

Reps. Donigan, Angerer, Bennett, Farrah, Alma Smith, Wojno, Accavitti, Kathleen Law, Anderson, Gleason, Cushingberry, Vagnozzi, Tobocman, Hopgood and Polidori introduced

House Bill No. 6427, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending sections 27 and 73 (MCL 421.27 and 421.73), section 27 as amended by 2002 PA 192 and section 73 as added by 1984 PA 172.

The bill was read a first time by its title and referred to the Committee on Employment Relations, Training, and Safety.

Reps. Gleason, McDowell, Anderson, Donigan, Cushingberry, Bieda, Wojno, Accavitti, Leland, Vagnozzi, Gonzales, Sheltroun, Angerer, Mayes, Bennett, Plakas, Hunter, Dillon, Polidori, Miller, Lipsey, Farrah, Lemmons, Jr., Clack, Brown, Adamini, Sak, Kolb, Spade, Zelenko, Williams, Hopgood, Alma Smith, Meisner, Condino, Gillard, Cheeks and Lemmons, III introduced

House Bill No. 6428, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 27 (MCL 421.27), as amended by 2002 PA 192.

The bill was read a first time by its title and referred to the Committee on Employment Relations, Training, and Safety.

Reps. Bennett, Miller, Polidori, Sheltroun, Wojno, Angerer, Donigan, Hopgood, Farrah, Gillard, Kathleen Law, McDowell, Mayes, Alma Smith, Bieda, Lipsey, Accavitti, Kolb, Tobocman, Brown, Adamini, Sak, Williams, Leland, Clack, Anderson, Plakas, Waters, Zelenko, Cushingberry, Lemmons, Jr., Byrum and Murphy introduced

House Bill No. 6429, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 27 (MCL 421.27), as amended by 2002 PA 192.

The bill was read a first time by its title and referred to the Committee on Employment Relations, Training, and Safety.

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Committee on Judiciary, by Rep. Van Regenmorter, Chair, reported

House Bill No. 5435, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 224a (MCL 750.224a), as amended by 2004 PA 338.

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. Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey, Condino, Adamini and Virgil Smith

Nays: None

The Committee on Judiciary, by Rep. Van Regenmorter, Chair, reported

Senate Bill No. 712, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 303a (MCL 750.303a), as added by 1996 PA 539.

With the recommendation that the bill be referred to the Committee on Senior Health, Security, and Retirement.

Favorable Roll Call

To Report Out:

Yeas: Reps. Van Regenmorter, Newell, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey, Condino and Adamini

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Senior Health, Security, and Retirement.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, September 6, 2006

Present: Reps. Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey, Condino, Adamini and Virgil Smith

Absent: Reps. McConico and Bieda

Excused: Reps. McConico and Bieda

Rep. Jones moved that the House adjourn.

The motion prevailed, the time being 2:55 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, September 7, at 10:30 a.m.

GARY L. RANDALL
Clerk of the House of Representatives