

**No. 41**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**93rd Legislature**  
**REGULAR SESSION OF 2006**

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House Chamber, Lansing, Tuesday, May 2, 2006.

1:00 p.m.

The House was called to order by Associate Speaker Pro Tempore Elsenheimer.

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

Accavitti—present	Elsenheimer—present	Law, Kathleen—present	Robertson—present
Acciavatti—present	Emmons—present	Leland—present	Rocca—present
Adamini—present	Espinoza—present	Lemmons, III—excused	Sak—present
Amos—present	Farhat—present	Lemmons, Jr.—present	Schuitmaker—present
Anderson—present	Farrah—present	Lipsev—present	Shaffer—present
Angerer—present	Gaffney—present	Marleau—present	Sheen—present
Ball—present	Garfield—present	Mayes—present	Sheltrown—present
Baxter—present	Gillard—present	McConico—present	Smith, Alma—present
Bennett—present	Gleason—present	McDowell—present	Smith, Virgil—present
Bieda—present	Gonzales—present	Meisner—present	Spade—present
Booher—present	Gosselin—present	Meyer—present	Stahl—present
Brandenburg—present	Green—present	Miller—present	Stakoe—present
Brown—present	Hansen—present	Moolenaar—present	Steil—present
Byrnes—present	Hildenbrand—present	Moore—present	Stewart—present
Byrum—present	Hood—present	Mortimer—present	Taub—present
Casperson—present	Hoogendyk—present	Murphy—present	Tobocman—present
Caswell—present	Hopgood—present	Newell—present	Vagnozzi—present
Caul—present	Huizenga—present	Nitz—present	Van Regenmorter—present
Cheeks—present	Hummel—present	Nofs—present	Vander Veen—present
Clack—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. Lamar Lemmons, Jr., from the 2nd District, offered the following invocation:

“Our Father, we come here today acknowledging You and giving You praise. We ask that You move in us today and put our minds in the right place. Give us the understanding that we need to make this day. Put Your hands of wisdom around our minds so that we can make the right decisions for the people. In Jesus name, Amen.”

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

### Reports of Standing Committees

The Committee on Regulatory Reform, by Rep. Rocca, Chair, reported

**House Bill No. 5874, entitled**

A bill to amend 1980 PA 299, entitled “Occupational code,” by amending sections 104, 601, 602, 603, 604, 728, 1009, 1019, and 2412 (MCL 339.104, 339.601, 339.602, 339.603, 339.604, 339.728, 339.1009, 339.1019, and 339.2412), section 104 as amended by 1996 PA 151, sections 601 and 602 as amended by 2005 PA 278, section 604 as amended by 1989 PA 261, section 728 as amended by 2000 PA 334, sections 1009 and 1019 as amended by 1992 PA 253, and section 2412 as amended by 2001 PA 113, and by adding section 2006; and to repeal acts and parts of acts.

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. Rocca, Jones, Van Regenmorter, Gaffney, Palsrok, Wojno and McDowell

Nays: None

The Committee on Regulatory Reform, by Rep. Rocca, Chair, reported

**House Bill No. 5875, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 4701 (MCL 600.4701), as amended by 2002 PA 142.

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

1. Amend page 2, line 26, after “**SECTION**” by striking out the balance of the subparagraph and inserting “**601 OF THE OCCUPATIONAL CODE, 1980 PA 299, MCL 339.601, REGARDING THE UNLICENSED PRACTICE OF AN OCCUPATION REGULATED UNDER ARTICLE 20 OF THE OCCUPATIONAL CODE, 1980 PA 299, MCL 339.2001 TO 339.2014.**”.

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

#### Favorable Roll Call

To Report Out:

Yeas: Reps. Rocca, Jones, Van Regenmorter, Gaffney, Palsrok, Wojno, McDowell and Virgil Smith

Nays: None

### COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Rocca, Chair, of the Committee on Regulatory Reform, was received and read:

Meeting held on: Tuesday, May 2, 2006

Present: Reps. Rocca, Jones, Van Regenmorter, Gaffney, Palsrok, Wojno, McDowell and Virgil Smith

Absent: Rep. Lemmons, III

Excused: Rep. Lemmons, III

The Committee on Transportation, by Rep. LaJoy, Chair, reported

**House Bill No. 5607, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 224 (MCL 257.224), as amended by 1995 PA 129.

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. LaJoy, David Law, Gosselin, Meyer, Casperson, Nitz, Moore, Pavlov, Pearce, Anderson, Byrnes, Kathleen Law, Leland, Condino and Tobocman

Nays: None

The Committee on Transportation, by Rep. LaJoy, Chair, reported

**House Bill No. 5979, entitled**

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 10 (MCL 247.660), as amended by 2004 PA 384.

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. LaJoy, David Law, Gosselin, Meyer, Casperson, Nitz, Moore, Pavlov, Pearce, Anderson, Byrnes, Kathleen Law, Leland, Condino and Tobocman

Nays: None

The Committee on Transportation, by Rep. LaJoy, Chair, reported

**House Bill No. 6003, entitled**

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund

of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 11e (MCL 247.661e), as added by 1992 PA 223.

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. LaJoy, David Law, Gosselin, Meyer, Casperson, Nitz, Moore, Pavlov, Pearce, Anderson, Byrnes, Kathleen Law, Gleason, Leland, Condino and Tobocman

Nays: None

The Committee on Transportation, by Rep. LaJoy, Chair, reported

#### **Senate Bill No. 1192, entitled**

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," (MCL 247.651 to 247.675) by adding section 11f.

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. LaJoy, David Law, Gosselin, Meyer, Casperson, Nitz, Moore, Pavlov, Pearce, Anderson, Byrnes, Kathleen Law, Gleason, Leland, Condino and Tobocman  
Nays: None

#### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, May 2, 2006

Present: Reps. LaJoy, David Law, Gosselin, Meyer, Casperson, Nitz, Moore, Pavlov, Pearce, Anderson, Byrnes, Kathleen Law, Gleason, Leland, Condino and Tobocman

Absent: Rep. Wenke

Excused: Rep. Wenke

#### COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Elsenheimer, Chair, of the Committee on Tort Reform, was received and read:

Meeting held on: Tuesday, May 2, 2006

Present: Reps. Elsenheimer, Kahn, Gaffney, Huizenga, Hune, Adamini and Bieda

Absent: Rep. McConico

Excused: Rep. McConico

#### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, May 2, 2006

Present: Reps. Huizenga, Baxter, Emmons, Palsrok, Wenke, Green, Hildenbrand, Jones, David Law, Marleau, Pavlov, Schuitmaker, Meisner, Tobocman, Dillon, Bennett, Accavitti and Leland

Absent: Rep. McConico

Excused: Rep. McConico

#### 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 Friday, April 28:

**House Bill Nos. 6008 6009 6010 6011 6012 6013 6014 6015 6016 6017 6018 6019 6020 6021 6022**

**Senate Bill Nos. 1233 1234**

**Senate Joint Resolution K**

The Clerk announced the enrollment printing and presentation to the Governor on Monday, May 1, for her approval of the following bills:

**Enrolled House Bill No. 4423 at 2:08 p.m.**

**Enrolled House Bill No. 4976 at 2:10 p.m.**

**Enrolled House Bill No. 5154 at 2:12 p.m.**

**Enrolled House Bill No. 5336 at 2:14 p.m.**

**Enrolled House Bill No. 5811 at 2:16 p.m.**

The Clerk announced that the following Senate bills had been received on Tuesday, May 2:  
**Senate Bill Nos. 1051 1182**

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

**Senate Bill No. 1051, entitled**

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 10 (MCL 247.660), as amended by 2004 PA 384.

The Senate has passed the bill.

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

**Senate Bill No. 1182, entitled**

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and

agencies of those loans from certain specified sources; and to repeal acts and parts of acts,” by amending section 13 (MCL 247.663), as amended by 2004 PA 9.

The Senate has passed the bill.

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

### Communications from State Officers

The following communications from the Auditor General were received and read:

April 26, 2006

Enclosed is a copy of the following audit report and/or report summary:  
Performance audit of the Use of Warranties,  
Department of Transportation  
April 2006

April 27, 2006

Enclosed is a copy of the following audit report and/or report summary:  
Performance audit of the Michigan Child Support Enforcement System,  
Department of Human Services and Department of Information Technology  
April 2006

April 28, 2006

Enclosed is a copy of the following audit report and/or report summary:  
Financial audit of the Michigan Broadband Development Authority,  
(A Component Unit of the State of Michigan),  
for the period October 1, 2004 through September 30, 2005

Sincerely,  
Thomas H. McTavish, C.P.A.  
Auditor General

The communications were referred to the Clerk and the accompanying reports referred to the Committee on Government Operations.

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

April 2006

It is my pleasure to submit to you the 2005 Annual Report of the Transportation Asset Management Council. MCL 247.659a(9) requires the Council to file an annual report with the Legislature and State Transportation Commission by May 2 of each year.

During 2005, the Council surveyed 43,000 miles of federal-aid eligible roads and analyzed the condition of the system. This is the second statewide survey of every mile of federal-aid eligible road in Michigan using a common process. This effort was achieved through a cooperative effort of individuals from county road commissions, city engineering staffs, the Michigan Department of Transportation, regional planning agencies, and metropolitan planning organizations.

As we continue this effort over the next several years, it is the intent of the Council to analyze and report to the Legislature and State Transportation Commission on the investments made to this system and the resulting condition. In this way, you will be kept up-to-date on the overall condition of our roads and bridges; how we are spending the public dollars you have entrusted to us; and the system needs for maintaining and preserving our roads and bridges.

This report was approved by the Council on April 5, 2006. If you have any questions regarding the report you can contact me or our Staff Coordinator, Rick Lilly, at 517-335-2606.

Sincerely,  
Carmine Palombo, P. E., Chair  
Transportation Asset Management Council

The communication was referred to the Clerk.

### Announcements by the Clerk

April 26, 2006

Received from the Michigan Supreme Court, on order of the Court, the request by the House of Representatives for an advisory opinion on the constitutionality of the photo identification requirements contained in 2005 PA 71 is considered, and it is GRANTED.

Gary L. Randall  
Clerk of the House

By unanimous consent the House returned to the order of  
**Second Reading of Bills**

#### **House Bill No. 5014, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 5927 (MCL 333.5927), as added by 1987 PA 258.

The bill was read a second time.

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

The motion prevailed.

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

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

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

#### **House Bill No. 5014, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 5927 (MCL 333.5927), as added by 1987 PA 258.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

### **Second Reading of Bills**

#### **House Bill No. 5960, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 78101 (MCL 324.78101), as amended by 2004 PA 587, and by adding section 78117.

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

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

Rep. Stakoe 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.

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Rep. Sak moved that Rep. Virgil Smith be excused temporarily from today's session.  
The motion prevailed.



By unanimous consent the House returned to the order of

**Third Reading of Bills**

**House Bill No. 5960, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 78101 (MCL 324.78101), as amended by 2004 PA 587, and by adding section 78117.

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

**Roll Call No. 412**

**Yeas—105**

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

**Nays—0**

In The Chair: Elsenheimer

The House agreed to the title of the bill.

**Second Reading of Bills**

**House Bill No. 5608, entitled**

A bill entering into the interstate insurance product regulation compact; and for related purposes.

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

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

Rep. Ward moved that consideration of the bill be postponed for the day.  
The motion prevailed.

**House Bill No. 5015, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 5901, 5909, 5913, 5915, 5919, and 5923 (MCL 333.5901, 333.5909, 333.5913, 333.5915, 333.5919, and 333.5923), as added by 1987 PA 258, and by adding section 5922.

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

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

Rep. Gaffney moved to amend the bill as follows:

1. Amend page 2, line 13, after "**MEMBERS**" by striking out the balance of the line through "**SENATE,**" on line 14.
2. Amend page 4, line 12, after "**MONEY**" by inserting a comma and "**IF AVAILABLE,**".
3. Amend page 4, following line 25, by inserting:

**"(6) THE HEPATITIS C ADVISORY TASK FORCE CREATED UNDER THIS SECTION IS ABOLISHED EFFECTIVE JUNE 30, 2010."**

The motion prevailed and the amendments were 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.

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

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

By unanimous consent the House returned to the order of

**Third Reading of Bills**

**House Bill No. 5015, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 5901, 5909, 5913, 5915, 5919, and 5923 (MCL 333.5901, 333.5909, 333.5913, 333.5915, 333.5919, and 333.5923), as added by 1987 PA 258, and by adding section 5922.

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

**Roll Call No. 413**

**Yeas—105**

Accavitti	Elsenheimer	Law, David	Proos
Acciavatti	Emmons	Law, Kathleen	Robertson
Adamini	Espinoza	Leland	Rocca
Amos	Farhat	Lemmons, Jr.	Sak
Anderson	Farrah	Lipse	Schuitmaker
Angerer	Gaffney	Marleau	Shaffer
Ball	Garfield	Mayer	Sheen
Baxter	Gillard	McConico	Sheltrown
Bennett	Gleason	McDowell	Smith, Alma
Bieda	Gonzales	Meisner	Spade
Booher	Gosselin	Meyer	Stahl
Brandenburg	Green	Miller	Stakoe
Brown	Hansen	Moolenaar	Steil
Byrnes	Hildenbrand	Moore	Stewart
Byrum	Hood	Mortimer	Taub
Casperson	Hoogendyk	Murphy	Tobocman
Caswell	Hopgood	Newell	Vagnozzi
Caul	Huizenga	Nitz	Van Regenmorter
Cheeks	Hummel	Nofs	Vander Veen
Clack	Hune	Palmer	Walker

Clemente	Hunter	Palsrok	Ward
Condino	Jones	Pastor	Waters
Cushingberry	Kahn	Pavlov	Wenke
DeRoche	Kolb	Pearce	Williams
Dillon	Kooiman	Plakas	Wojno
Donigan	LaJoy	Polidori	Zelenko
Drolet			

**Nays—0**

In The Chair: Elsenheimer

The question being on agreeing to the title of the bill,  
Rep. Ward moved to amend the title to read as follows:

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 5901, 5911, 5913, 5915, 5919, and 5923 (MCL 333.5901, 333.5911, 333.5913, 333.5915, 333.5919, and 333.5923), as added by 1987 PA 258, and by adding section 5906; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

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Rep. Stakoe moved that Rep. Huizenga be excused from the balance of today’s session.  
The motion prevailed.

The House returned to the consideration of  
**House Bill No. 5014, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 5927 (MCL 333.5927), as added by 1987 PA 258.

(The bill was considered earlier today, see today’s Journal p. 982.)

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. 414****Yeas—104**

Accavitti	Drolet	Law, David	Proos
Acciavatti	Elsenheimer	Law, Kathleen	Robertson
Adamini	Emmons	Leland	Rocca
Amos	Espinoza	Lemmons, Jr.	Sak
Anderson	Farhat	Lipsey	Schuitmaker
Angerer	Farrah	Marleau	Shaffer
Ball	Gaffney	Mayer	Sheen
Baxter	Garfield	McConico	Sheltrown
Bennett	Gillard	McDowell	Smith, Alma
Bieda	Gleason	Meisner	Spade
Booher	Gonzales	Meyer	Stahl
Brandenburg	Gosselin	Miller	Stakoe
Brown	Green	Moolenaar	Steil
Byrnes	Hansen	Moore	Stewart

Byrum	Hildenbrand	Mortimer	Taub
Casperson	Hood	Murphy	Tobocman
Caswell	Hoogendyk	Newell	Vagnozzi
Caul	Hopgood	Nitz	Van Regenmorter
Cheeks	Hummel	Nofs	Vander Veen
Clack	Hune	Palmer	Walker
Clemente	Hunter	Palsrok	Ward
Condino	Jones	Pastor	Waters
Cushingberry	Kahn	Pavlov	Wenke
DeRoche	Kolb	Pearce	Williams
Dillon	Kooiman	Plakas	Wojno
Donigan	LaJoy	Polidori	Zelenko

### Nays—0

In The Chair: Elsenheimer

The House agreed to the title of the bill.

Rep. Ward 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

Rep. Sak offered the following resolution:

#### **House Resolution No. 255.**

A resolution recognizing May 2, 2006, as VSA Arts of Michigan - Day at the Capitol.

Whereas, We are proud to recognize VSA Arts of Michigan as they celebrate their annual VSA Arts of Michigan - Day at the Capitol. This day celebrates their accomplishments throughout the year; and

Whereas, VSA Arts of Michigan - Day at the Capitol supports the organization's mission by promoting creative power in people with disabilities; and

Whereas, Nationally, VSA Arts was founded in 1974 by Jean Kennedy Smith. VSA Arts came to Michigan in 1977; and

Whereas, This years celebration will include a performance by piano soloist Elizabeth Dunn Kazmierski who is the VSA Arts of Michigan Young Soloist of the Year; and

Whereas, There will also be a dance performance by the Kent County Living Light Dance Company, as well as, a gallery of art by VSA artists; and

Whereas, VSA Arts of Michigan's goal is to increase public awareness by providing access and opportunity in the arts to people with disabilities, using arts to encourage positive interactions between persons with and without disabilities, and increasing the opportunities for people with disabilities to pursue a career in the arts; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body recognize May 2, 2006, as VSA Arts of Michigan - Day at the Capitol.

Pending the reference of the resolution to a committee,

Rep. Ward moved that Rule 77 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.

**Reports of Standing Committees**

The Committee on Senior Health, Security, and Retirement, by Rep. Vander Veen, Chair, reported

**House Bill No. 5389, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 109i.

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. Vander Veen, Green, Van Regenmorter, Stahl, Proos, Zelenko, Polidori and Vagnozzi

Nays: None

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Vander Veen, Chair, of the Committee on Senior Health, Security, and Retirement, was received and read:

Meeting held on: Tuesday, May 2, 2006

Present: Reps. Vander Veen, Green, Van Regenmorter, Stahl, Proos, Zelenko, Polidori and Vagnozzi

Absent: Rep. Clack

Excused: Rep. Clack

The Committee on Government Operations, by Rep. Drolet, Chair, reported

**House Bill No. 5060, entitled**

A bill to amend 1911 PA 149, entitled "An act to provide for the acquisition by purchase, condemnation and otherwise by state agencies and public corporations of private property for the use or benefit of the public, and to define the terms "public corporations," "state agencies" and "private property" as used herein," by amending section 3 (MCL 213.23).

With the recommendation that the substitute (H-4) 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. Drolet, Hoogendyk, Gosselin, Garfield, Sheen, Emmons, Tobocman and Lipsey

Nays: None

The Committee on Government Operations, by Rep. Drolet, Chair, reported

**House Bill No. 5821, entitled**

A bill to amend 1980 PA 87, entitled "The uniform condemnation procedures act," by amending section 5 (MCL 213.55), as amended by 1996 PA 474.

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. Drolet, Hoogendyk, Gosselin, Garfield, Sheen, Emmons, Tobocman and Lipsey

Nays: None

The Committee on Government Operations, by Rep. Drolet, Chair, reported  
**Senate Bill No. 181, entitled**

A bill to create the office of state poet laureate in the executive branch; to provide for the appointment and term of certain state officers; and to impose duties and responsibilities on certain state officers.

With the recommendation that the bill be referred to the Committee on House Oversight, Elections, and Ethics.

#### Favorable Roll Call

To Report Out:

Yeas: Reps. Drolet, Hoogendyk, Gosselin, Garfield and Sheen

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on House Oversight, Elections, and Ethics.

The Committee on Government Operations, by Rep. Drolet, Chair, reported  
**Senate Bill No. 693, entitled**

A bill to amend 1911 PA 149, entitled "An act to provide for the acquisition by purchase, condemnation and otherwise by state agencies and public corporations of private property for the use or benefit of the public, and to define the terms "public corporations," "state agencies" and "private property" as used herein," by amending section 3 (MCL 213.23).

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. Drolet, Hoogendyk, Gosselin, Garfield, Sheen, Emmons, Tobocman and Lipsey

Nays: None

### COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Drolet, Chair, of the Committee on Government Operations, was received and read:

Meeting held on: Tuesday, May 2, 2006

Present: Reps. Drolet, Hoogendyk, Gosselin, Garfield, Sheen, Emmons, Tobocman and Lipsey

Absent: Rep. Lemmons, III

Excused: Rep. Lemmons, III

### Introduction of Bills

Reps. Espinoza, Leland, Jones, Sheltroun, Nofs, Gleason, Green, McDowell, Tobocman, Spade, Angerer, Plakas, Gonzales, Polidori, Zelenko, Murphy, Clack and Anderson introduced

**House Bill No. 6023, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 5207a.

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

Reps. Jones, Shaffer, Moore, Ball, Hansen, Steil, Sak, Hoogendyk, Polidori, Booher, Wenke, Vander Veen, Gillard and Sheltroun introduced

**House Bill No. 6024, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 710e (MCL 257.710e), as amended by 1999 PA 29.

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

Rep. Caswell introduced

**House Bill No. 6025, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 101 (MCL 388.1701), as amended by 2005 PA 155.

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

Rep. Ward introduced

**House Bill No. 6026, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 4, 5, and 614 (MCL 380.4, 380.5, and 380.614), sections 4 and 5 as amended by 2005 PA 61 and section 614 as amended by 2004 PA 419.

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

Rep. Ward introduced

**House Bill No. 6027, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13p of chapter XVII (MCL 777.13p), as amended by 2005 PA 279.

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

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Rep. Pearce moved that the House adjourn.

The motion prevailed, the time being 5:05 p.m.

Associate Speaker Pro Tempore Elsenheimer declared the House adjourned until Wednesday, May 3, at 1:00 p.m.

GARY L. RANDALL  
Clerk of the House of Representatives

