

No. 47
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
94th Legislature
REGULAR SESSION OF 2008

House Chamber, Lansing, Thursday, May 15, 2008.

12:00 Noon.

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

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

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

e/d/s = entered during session

Rep. Richard J. Ball, from the 85th District, offered the following invocation:

“Dear heavenly Father,

Grant us the ability and determination to do what is best for the citizens of Michigan. Your omnipotent insight and wisdom if needed today, and every day, in this legislative chamber to guide us in drafting the best public policy.

Each one of the 110 of us was elected by the citizens of our district to do what is best for them and all the citizens of Michigan. Heavenly Father we need You at our side to guide each of us individually, and all of us collectively, to accomplish this mission.

Show us how, and encourage us, to blend together the knowledge and differing opinions of each of us to create policy that has only a single goal: What is best for the citizens of Michigan.

In Your heavenly name we pray. AMEN.”

Rep. Booher moved that Reps. Gaffney and Nofs be excused from today’s session.
The motion prevailed.

Third Reading of Bills

House Bill No. 4532, entitled

A bill to prohibit employers from making employment decisions based upon certain conduct that is unrelated to employment; and to provide remedies.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Miller moved to amend the bill as follows:

1. Amend page 1, line 7, after “permits” by striking out the balance of the subdivision and inserting “50 or more individuals to work at any time during the calendar year or accepts applications for employment for 50 or more positions during the calendar year, or an agent of that individual or entity.”.

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

The question being on the passage of the bill,

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

Roll Call No. 392

Yeas—63

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

Nays—45

Acciavatti	Green	Marleau	Pearce
Agema	Hansen	Meekhof	Proos
Amos	Hildenbrand	Meltzer	Robertson
Booher	Hoogendyk	Moolenaar	Schuitmaker
Calley	Horn	Moss	Shaffer
Casperson	Huizenga	Nitz	Sheen
Caul	Hune	Opsommer	Sheltrown
Constan	Knollenberg	Palmer	Stahl
DeRoche	Lahti	Palsrok	Walker
Elsenheimer	LaJoy	Pastor	Ward
Emmons	Law, David	Pavlov	Wenke
Garfield			

In The Chair: Sak

The House agreed to the title of the bill.

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

Rep. Tobocman moved that Rep. Bauer be excused temporarily from today's session.
The motion prevailed.

Rep. Tobocman moved that the bill be given immediate effect.
The question being on the motion made by Rep. Tobocman,
Rep. Hildenbrand demanded the yeas and nays.
The demand was supported.

The question being on the motion made by Rep. Tobocman,
The motion did not prevail, 2/3 of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 393**Yeas—58**

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

Nays—48

Acciavatti	Garfield	Marleau	Proos
Agema	Green	Meekhof	Robertson
Amos	Hansen	Meltzer	Schuitmaker
Booher	Hildenbrand	Moolenaar	Shaffer
Calley	Hoogendyk	Moss	Sheen
Casperson	Horn	Nitz	Sheltrown
Caswell	Huizenga	Opsommer	Stahl
Caul	Hune	Palmer	Stakoe
Constan	Knollenberg	Palsrok	Steil
DeRoche	Lahti	Pastor	Walker
Elsenheimer	LaJoy	Pavlov	Ward
Emmons	Law, David	Pearce	Wenke

In The Chair: Sak

House Bill No. 4887, entitled

A bill to prohibit employers from making certain recruiting or hiring decisions based upon an individual's credit history; to prohibit employers from making certain inquiries; to prohibit certain waivers; to prohibit retaliation; and to provide remedies.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Miller moved to amend the bill as follows:

1. Amend page 2, line 12, after "of" by striking out the balance of the subsection and inserting "any of the following:
 - (a) A state or nationally chartered bank, bank holding company, or its affiliate or subsidiary.
 - (b) A state or federally chartered savings and loan, savings bank, or credit union or credit union affiliate or subsidiary.
 - (c) An individual or firm licensed or registered under article 7 of the occupational code, 1980 PA 299, MCL 339.720 to 399.736.
 - (d) A casino."

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

The question being on the passage of the bill,

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

Roll Call No. 394**Yeas—57**

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

Nays—51

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

In The Chair: Sak

The House agreed to the title of the bill.

House Bill No. 4926, entitled

A bill to prohibit employers from making employment decisions based upon certain physical characteristics or fitness; to prohibit retaliation; and to provide remedies.

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

Roll Call No. 395**Yeas—57**

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

Nays—51

Acciavatti	Green	Meekhof	Robertson
Agema	Hansen	Meltzer	Rocca
Amos	Hildenbrand	Moolenaar	Schuitmaker
Ball	Hoogendyk	Moore	Shaffer

Booher	Horn	Moss	Sheen
Calley	Huizenga	Nitz	Sheltrown
Casperson	Hune	Opsommer	Stahl
Caswell	Jones, Rick	Palmer	Stakoe
Caul	Knollenberg	Palsrok	Steil
DeRoche	Lahti	Pastor	Walker
Elsenheimer	LaJoy	Pavlov	Ward
Emmons	Law, David	Pearce	Wenke
Garfield	Marleau	Proos	

In The Chair: Sak

The House agreed to the title of the bill.

House Bill No. 4927, entitled

A bill to prohibit employers from making employment decisions based upon certain factors that are unrelated to employment; to prohibit certain inquiries; to prohibit retaliation; and to provide remedies.

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

Roll Call No. 396

Yeas—58

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

Nays—50

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

Emmons
Garfield

Law, David
Marleau

Pearce

Wenke

In The Chair: Sak

The House agreed to the title of the bill.

House Bill No. 5829, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 34 (MCL 791.234), as amended by 2006 PA 167.

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

Roll Call No. 397

Yeas—92

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

Nays—16

Amos	Dean	Law, David	Sak
Brandenburg	DeRoche	Pastor	Simpson
Brown	Ebli	Robertson	Spade
Caswell	Hune	Rocca	Valentine

In The Chair: Sak

The House agreed to the title of the bill.

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

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

House Bill No. 5830, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 7401 and 7403 (MCL 333.7401 and 333.7403), as amended by 2002 PA 710; and to repeal acts and parts of acts.

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

Roll Call No. 398**Yeas—81**

Accavitti	Dillon	Johnson	Pearce
Acciavatti	Donigan	Jones, Rick	Polidori
Agema	Elsenheimer	Jones, Robert	Proos
Angerer	Emmons	Knollenberg	Schuitmaker
Ball	Espinoza	Lahti	Scott
Bauer	Farrah	Law, Kathleen	Shaffer
Bennett	Garfield	LeBlanc	Sheltrown
Bieda	Gillard	Leland	Smith, Alma
Booher	Gonzales	Lemmons	Smith, Virgil
Byrnes	Green	Lindberg	Stahl
Byrum	Griffin	Mayes	Stakoe
Calley	Hammel	McDowell	Steil
Caul	Hammon	Meadows	Tobocman
Cheeks	Hansen	Meisner	Vagnozzi
Clack	Hildenbrand	Melton	Walker
Clemente	Hood	Miller	Ward
Condino	Hoogendyk	Nitz	Warren
Constan	Hopgood	Opsommer	Wenke
Corriveau	Horn	Palmer	Wojno
Coulouris	Jackson	Pavlov	Young
Cushingberry			

Nays—27

Amos	Ebli	Meltzer	Rocca
Brandenburg	Huizenga	Moolenaar	Sak
Brown	Hune	Moore	Sheen
Casperson	LaJoy	Moss	Simpson
Caswell	Law, David	Palsrok	Spade
Dean	Marleau	Pastor	Valentine
DeRoche	Meekhof	Robertson	

In The Chair: Sak

The House agreed to the title of the bill.

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

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

House Bill No. 5831, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 2 of chapter XI (MCL 771.2), as amended by 2002 PA 666.

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

Roll Call No. 399**Yeas—88**

Accavitti	Dillon	Jones, Robert	Pavlov
Acciavatti	Donigan	Lahti	Pearce
Agema	Elsenheimer	LaJoy	Polidori
Angerer	Emmons	Law, Kathleen	Proos
Ball	Espinoza	LeBlanc	Schuitmaker
Bauer	Farrah	Leland	Scott
Bennett	Garfield	Lemmons	Shaffer
Bieda	Gillard	Lindberg	Sheen
Booher	Gonzales	Marleau	Sheltrown
Byrnes	Green	Mayes	Smith, Alma
Byrum	Griffin	McDowell	Smith, Virgil
Calley	Hammel	Meadows	Stahl
Caswell	Hammon	Meekhof	Stakoe
Caul	Hansen	Meisner	Steil
Cheeks	Hildenbrand	Melton	Tobocman
Clack	Hoogendyk	Miller	Vagnozzi
Clemente	Hopgood	Moolenaar	Walker
Condino	Horn	Moore	Ward
Constan	Huizenga	Nitz	Warren
Corriveau	Jackson	Opsommer	Wenke
Coulouris	Johnson	Palmer	Wojno
Cushingberry	Jones, Rick	Palsrok	Young

Nays—20

Amos	DeRoche	Law, David	Rocca
Brandenburg	Ebli	Meltzer	Sak
Brown	Hood	Moss	Simpson
Casperson	Hune	Pastor	Spade
Dean	Knollenberg	Robertson	Valentine

In The Chair: Sak

The House agreed to the title of the bill.

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

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

House Bill No. 6015, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 10, 11, and 12 of chapter IX (MCL 769.10, 769.11, and 769.12), as amended by 2006 PA 655.

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

Roll Call No. 400**Yeas—104**

Accavitti	Dillon	Lahti	Pearce
Acciavatti	Donigan	LaJoy	Polidori
Agema	Ebli	Law, David	Proos

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

Nays—4

Brown	Dean	Hune	Sak
-------	------	------	-----

In The Chair: Sak

The House agreed to the title of the bill.

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

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

Second Reading of Bills

House Bill No. 4569, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding part 140 to article 12.

The bill was read a second time.

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

The motion prevailed.

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

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

Rep. Tobocman moved that Rep. Accavitti 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. 4569, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding part 140 to article 12.

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

Roll Call No. 401

Yeas—72

Angerer	Dillon	LaJoy	Polidori
Ball	Donigan	Law, David	Rocca
Bauer	Ebli	Law, Kathleen	Sak
Bennett	Espinoza	LeBlanc	Schuitmaker
Bieda	Farrah	Leland	Scott
Brown	Gillard	Lemmons	Sheltrown
Byrnes	Gonzales	Lindberg	Smith, Alma
Byrum	Green	Marleau	Smith, Virgil
Calley	Hammel	Mayer	Spade
Cheeks	Hammon	McDowell	Stakoe
Clack	Hood	Meadows	Steil
Clemente	Hopgood	Meekhof	Tobocman
Condino	Horn	Meisner	Vagnozzi
Constan	Jackson	Melton	Valentine
Corriveau	Johnson	Meltzer	Ward
Coulouris	Jones, Rick	Miller	Warren
Cushingberry	Jones, Robert	Moss	Wojno
Dean	Lahti	Opsommer	Young

Nays—35

Acciavatti	Elsenheimer	Knollenberg	Proos
Agema	Emmons	Moolenaar	Robertson
Amos	Garfield	Moore	Shaffer
Booher	Griffin	Nitz	Sheen
Brandenburg	Hansen	Palmer	Simpson
Casperson	Hildenbrand	Palsrok	Stahl
Caswell	Hoogendyk	Pastor	Walker
Caul	Huizenga	Pavlov	Wenke
DeRoche	Hune	Pearce	

In The Chair: Sak

The House agreed to the title of the bill.

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

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

By unanimous consent the House returned to the order of

Messages from the Senate

House Bill No. 4184, entitled

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

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1953 PA 232, entitled "An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to allow for the operation of certain facilities by private entities; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to provide for a lifetime electronic monitoring program; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act," by amending section 34a (MCL 791.234a), as amended by 1998 PA 315; and to repeal acts and parts of acts.

The Speaker announced that pursuant to Rule 42, the bill was laid over one day.

Rep. Tobocman moved that Rule 42 be suspended.

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

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

The substitute (S-1) was not concurred in, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 402

Yeas—2

Palsrok

Stahl

Nays—106

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

Cushingberry
Dean

Jones, Rick
Jones, Robert

Pavlov

Young

In The Chair: Sak

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Speaker laid before the House

House Resolution No. 294.

A resolution to urge the Great Lakes states to reject changes to the Great Lakes-St. Lawrence River Basin Water Resources Compact and enact it as presented in December 2005.

(For text of resolution, see House Journal No. 21, p. 380.)

(The resolution was reported by the Committee on Great Lakes and Environment on March 19, with substitute (H-1), consideration of which, under the rules, was postponed until March 20.)

(For substitute, see House Journal No. 28, p. 572.)

The question being on the adoption of the proposed substitute (H-1) recommended by the Committee,

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

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

Substitute for House Resolution No. 294.

A resolution to urge the Great Lakes states to reject changes to the Great Lakes-St. Lawrence River Basin Water Resources Compact and enact it as presented in December 2005.

Whereas, The Great Lakes-St. Lawrence River Basin Water Resources Compact would protect the Great Lakes from diversions and wasteful withdrawals while preserving reasonable use of Great Lakes water within the region. This historic document represents a hard-fought compromise negotiated over five years by the Great Lakes governors and Canadian premiers with input from thousands of stakeholders and citizens; and

Whereas, Each Great Lakes state and the United States Congress must approve the same language for the compact to become legally binding. Four Great Lakes states—Minnesota, Illinois, Indiana, and New York—have already enacted the compact as agreed to by the governors and premiers in December 2005. In addition, both chambers of the Michigan Legislature and the Wisconsin Legislature have passed bills to ratify the compact. However, the compact has only passed one chamber in the Pennsylvania General Assembly and the Ohio General Assembly. Of particular concern, the Ohio Senate has indicated that it will consider amending the compact; and

Whereas, Any changes to the compact at this late stage of the process would be a major setback and could undo all the hard work that went into reaching the current compromise. Unilateral changes would place the compact in jeopardy of ever becoming law and would threaten the long-term future of the Great Lakes and all the industries, businesses, farmers, and citizens that depend on them; now, therefore, be it

Resolved by the House of Representatives, That we urge the Great Lakes states to reject changes to the Great Lakes-St. Lawrence River Basin Water Resources Compact and enact it as presented in December 2005; and be it further

Resolved, That copies of this resolution be transmitted to the Ohio General Assembly, the Pennsylvania General Assembly, and the governors of Ohio and Pennsylvania.

The motion prevailed and the substitute (H-2) was adopted, a majority of the members present voting therefor.

The question being on the adoption of the resolution,

The resolution was adopted.

The Speaker laid before the House

House Concurrent Resolution No. 76.

A concurrent resolution to urge the Great Lakes states to reject changes to the Great Lakes-St. Lawrence River Basin Water Resources Compact and enact it as presented in December 2005.

(For text of concurrent resolution, see House Journal No. 21, p. 381.)

(The concurrent resolution was reported by the Committee on Great Lakes and Environment on March 19, with substitute (H-1), consideration of which, under the rules, was postponed until March 20.)

(For substitute, see House Journal No. 28, p. 573.)

The question being on the adoption of the proposed substitute (H-1) recommended by the Committee,

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

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

Substitute for House Concurrent Resolution No. 76.

A concurrent resolution to urge the Great Lakes states to reject changes to the Great Lakes-St. Lawrence River Basin Water Resources Compact and enact it as presented in December 2005.

Whereas, The Great Lakes-St. Lawrence River Basin Water Resources Compact would protect the Great Lakes from diversions and wasteful withdrawals while preserving reasonable use of Great Lakes water within the region. This historic document represents a hard-fought compromise negotiated over five years by the Great Lakes governors and Canadian premiers with input from thousands of stakeholders and citizens; and

Whereas, Each Great Lakes state and the United States Congress must approve the same language for the compact to become legally binding. Four Great Lakes states—Minnesota, Illinois, Indiana, and New York—have already enacted the compact as agreed to by the governors and premiers in December 2005. In addition, both chambers of the Michigan Legislature and the Wisconsin Legislature have passed bills to ratify the compact. However, the compact has only passed one chamber in the Pennsylvania General Assembly and the Ohio General Assembly. Of particular concern, the Ohio Senate has indicated that it will consider amending the compact; and

Whereas, Any changes to the compact at this late stage of the process would be a major setback and could undo all the hard work that went into reaching the current compromise. Unilateral changes would place the compact in jeopardy of ever becoming law and would threaten the long-term future of the Great Lakes and all the industries, businesses, farmers, and citizens that depend on them; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we urge the Great Lakes states to reject changes to the Great Lakes-St. Lawrence River Basin Water Resources Compact and enact it as presented in December 2005; and be it further

Resolved, That copies of this resolution be transmitted to the Ohio General Assembly, the Pennsylvania General Assembly, and the governors of Ohio and Pennsylvania.

The motion prevailed and the substitute (H-2) was adopted, a majority of the members present voting therefor.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

Rep. Meekhof moved that Reps. Marleau and Meltzer be excused temporarily from today's session.

The motion prevailed.

The Speaker laid before the House

House Concurrent Resolution No. 80.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Washtenaw Community College relative to the Washtenaw Community College Technical and Industrial Building Renovations Project.

(For text of concurrent resolution, see House Journal No. 34, p. 763.)

(The concurrent resolution was reported by the Committee on Appropriations on April 23, consideration of which, under the rules, was postponed until April 24; Rule 71 suspended and concurrent resolution postponed temporarily on April 23, see House Journal No. 37, p. 858.)

The question being on the adoption of the concurrent resolution,

The Clerk made the following statement:

“Mr. Speaker and members of the House, the lease and exhibits attached to the resolution are available for review by the membership in the Clerk's office.”

The question being on the adoption of the concurrent resolution,

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

Substitute for House Concurrent Resolution No. 80.

A concurrent resolution urging the Speaker of the House and the Majority caucus members of the Michigan House of Representatives to allow a vote on passage of Senate Bill 776, the Partial Birth Abortion Ban Act.

Whereas, Partial Birth Abortion is an unspeakable procedure which typically involves the killing of a fetus outside of the womb; and

Whereas, Partial-birth abortions pose serious risks to the health of a woman, and they are never medically necessary to preserve the life of the mother; and

Whereas, The state of Michigan has a compelling interest in preserving and protecting the life of the mother and the child by prohibiting partial-birth abortion; and

Whereas, The Minority caucus of the Michigan House of Representatives, overwhelmingly committed to the defense of the unborn, has been calling for swift passage of Senate Bill 776 since its passage in the Senate and transmittal to the House in January 2008; and

Whereas, The Speaker of the House and the Majority caucus members of the Michigan House of Representatives have obstructed any action on this important legislation for over three months; and

Whereas, There at least 67 members of the House of Representatives who consider themselves to be pro-life, indicating that this legislation would pass overwhelmingly, were it allowed to come up for a vote in the House; and

Whereas, Passage of Senate Bill 776 would send a positive message to the hundreds of dedicated pro-life advocates who have traveled to our state's capital for the Right to Life of Michigan annual legislative day; now, therefore be it

Resolved by the Michigan House of Representatives (the Senate concurring), That we urge the Speaker of the House and the Majority caucus members of the Michigan House of Representatives to allow a vote on passage of Senate Bill 776, the Partial Birth Abortion Ban Act.

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

The question being on the adoption of the concurrent resolution,

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

Roll Call No. 403

Yeas—76

Accavitti	Corriveau	Johnson	Polidori
Acciavatti	Coulouris	Jones, Rick	Proos
Angerer	Cushingberry	Jones, Robert	Rocca
Ball	Dean	Lahti	Sak
Bauer	Dillon	Law, Kathleen	Scott
Bennett	Donigan	LeBlanc	Shaffer
Bieda	Ebli	Leland	Simpson
Booher	Emmons	Lemmons	Smith, Alma
Brown	Espinoza	Lindberg	Smith, Virgil
Byrnes	Farrah	Mayes	Spade
Byrum	Gillard	McDowell	Stakoe
Casperson	Gonzales	Meadows	Tobocman
Caswell	Griffin	Meisner	Vagnozzi
Caul	Hammel	Melton	Valentine
Cheeks	Hammon	Miller	Ward
Clack	Hansen	Nitz	Warren
Clemente	Hood	Palsrok	Wenke
Condino	Hopgood	Pastor	Wojno
Constan	Jackson	Pearce	Young

Nays—30

Agema	Hildenbrand	Meekhof	Robertson
Amos	Hoogendyk	Moolenaar	Schuitmaker
Brandenburg	Horn	Moore	Sheen
Calley	Huizenga	Moss	Sheltrown
DeRoche	Hune	Opsommer	Stahl
Elsenheimer	Knollenberg	Palmer	Steil
Garfield	LaJoy	Pavlov	Walker
Green	Law, David		

The Speaker laid before the House

House Concurrent Resolution No. 81.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Management and Budget State Facility Preservation Projects-Phase I and II Group F VanWagoner Building (the "Facility").

(For text of concurrent resolution, see House Journal No. 34, p. 764.)

(The concurrent resolution was reported by the Committee on Appropriations on April 23, consideration of which, under the rules, was postponed until April 24.)

The question being on the adoption of the concurrent resolution,

The Clerk made the following statement:

"Mr. Speaker and members of the House, the lease and exhibits attached to the resolution are available for review by the membership in the Clerk's office."

The question being on the adoption of the concurrent resolution,

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

Substitute for House Concurrent Resolution No. 81.

A concurrent resolution urging the Speaker of the House and the Majority caucus members of the Michigan House of Representatives to allow a vote on passage of Senate Bill 776, the Partial Birth Abortion Ban Act.

Whereas, Partial Birth Abortion is an unspeakable procedure which typically involves the killing of a fetus outside of the womb; and

Whereas, Partial-birth abortions pose serious risks to the health of a woman, and they are never medically necessary to preserve the life of the mother; and

Whereas, The state of Michigan has a compelling interest in preserving and protecting the life of the mother and the child by prohibiting partial-birth abortion; and

Whereas, The Minority caucus of the Michigan House of Representatives, overwhelmingly committed to the defense of the unborn, has been calling for swift passage of Senate Bill 776 since its passage in the Senate and transmittal to the House in January 2008; and

Whereas, The Speaker of the House and the Majority caucus members of the Michigan House of Representatives have obstructed any action on this important legislation for over three months; and

Whereas, There at least 67 members of the House of Representatives who consider themselves to be pro-life, indicating that this legislation would pass overwhelmingly, were it allowed to come up for a vote in the House; and

Whereas, Passage of Senate Bill 776 would send a positive message to the hundreds of dedicated pro-life advocates who have traveled to our state's capital for the Right to Life of Michigan annual legislative day; now, therefore be it

Resolved by the Michigan House of Representatives (the Senate concurring), That we urge the Speaker of the House and the Majority caucus members of the Michigan House of Representatives to allow a vote on passage of Senate Bill 776, the Partial Birth Abortion Ban Act.

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

The question being on the adoption of the concurrent resolution,

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

Roll Call No. 404

Yeas—72

Accavitti	Cushingberry	Jones, Robert	Proos
Acciavatti	Dean	Lahti	Rocca
Angerer	Dillon	Law, David	Sak
Bauer	Donigan	Law, Kathleen	Scott
Bennett	Ebli	LeBlanc	Shaffer
Bieda	Espinoza	Leland	Sheltrown
Booher	Farrah	Lemmons	Simpson
Brown	Gillard	Lindberg	Smith, Alma
Byrnes	Gonzales	Mayes	Smith, Virgil
Byrum	Griffin	McDowell	Spade
Caul	Hammel	Meadows	Tobocman
Cheeks	Hammon	Meisner	Vagnozzi
Clack	Hansen	Melton	Valentine
Clemente	Hood	Miller	Ward

Condino	Hopgood	Nitz	Warren
Constan	Jackson	Palsrok	Wenke
Corriveau	Johnson	Pastor	Wojno
Coulouris	Jones, Rick	Polidori	Young

Nays—35

Agema	Emmons	LaJoy	Pearce
Amos	Garfield	Meekhof	Robertson
Ball	Green	Meltzer	Schuitmaker
Brandenburg	Hildenbrand	Moolenaar	Sheen
Calley	Hoogendyk	Moore	Stahl
Casperson	Horn	Moss	Stakoe
Caswell	Huizenga	Opsommer	Steil
DeRoche	Hune	Palmer	Walker
Elsenheimer	Knollenberg	Pavlov	

In The Chair: Sak

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

“Mr. Speaker and members of the House:

While I do not necessarily oppose HCR 81 and 82, I voted against these non-binding resolutions because lawmakers have not yet determined where the funding for these projects will come from, and I do not want to support anything that will drive the state deeper into debt as we are look for solutions regarding Michigan’s transportation funding needs, high gasoline taxes, and high property taxes.

Furthermore, the legislation was not made available for sufficient review before I was asked to vote on it, and I would like to know the details of what the projects would be so that we can avoid any unnecessary infrastructure spending.

For these reasons, I cannot formally support these resolutions at this time.”

The Speaker laid before the House

House Concurrent Resolution No. 82.

A concurrent resolution approving a lease between the State of Michigan and the State Building Authority relative to the Department of Management and Budget State Facility Preservation Projects-Phase I and II Group G Special Maintenance Projects (the “Facility”).

(For text of concurrent resolution, see House Journal No. 34, p. 765.)

(The concurrent resolution was reported by the Committee on Appropriations on April 23, consideration of which, under the rules, was postponed until April 24.)

The question being on the adoption of the concurrent resolution,

The Clerk made the following statement:

“Mr. Speaker and members of the House, the lease and exhibits attached to the resolution are available for review by the membership in the Clerk’s office.”

The question being on the adoption of the concurrent resolution,

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

Substitute for House Concurrent Resolution No. 82.

A concurrent resolution urging the Speaker of the House and the Majority caucus members of the Michigan House of Representatives to allow a vote on passage of Senate Bill 776, the Partial Birth Abortion Ban Act.

Whereas, Partial Birth Abortion is an unspeakable procedure which typically involves the killing of a fetus outside of the womb; and

Whereas, Partial-birth abortions pose serious risks to the health of a woman, and they are never medically necessary to preserve the life of the mother; and

Whereas, The state of Michigan has a compelling interest in preserving and protecting the life of the mother and the child by prohibiting partial-birth abortion; and

Whereas, The Minority caucus of the Michigan House of Representatives, overwhelmingly committed to the defense of the unborn, has been calling for swift passage of Senate Bill 776 since its passage in the Senate and transmittal to the House in January 2008; and

Whereas, The Speaker of the House and the Majority caucus members of the Michigan House of Representatives have obstructed any action on this important legislation for over three months; and

Whereas, There at least 67 members of the House of Representatives who consider themselves to be pro-life, indicating that this legislation would pass overwhelmingly, were it allowed to come up for a vote in the House; and

Whereas, Passage of Senate Bill 776 would send a positive message to the hundreds of dedicated pro-life advocates who have traveled to our state's capital for the Right to Life of Michigan annual legislative day; now, therefore be it

Resolved by the Michigan House of Representatives (the Senate concurring), That we urge the Speaker of the House and the Majority caucus members of the Michigan House of Representatives to allow a vote on passage of Senate Bill 776, the Partial Birth Abortion Ban Act.

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

The question being on the adoption of the concurrent resolution,

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

Roll Call No. 405

Yeas—70

Accavitti	Cushingberry	Lahti	Proos
Acciavatti	Dean	LaJoy	Rocca
Angerer	Dillon	Law, Kathleen	Sak
Bauer	Donigan	LeBlanc	Scott
Bennett	Ebli	Leland	Sheltrown
Bieda	Espinoza	Lemmons	Simpson
Booher	Farrah	Lindberg	Smith, Alma
Brown	Gillard	Mayes	Smith, Virgil
Byrnes	Gonzales	McDowell	Spade
Byrum	Griffin	Meadows	Tobocman
Caul	Hammel	Meisner	Vagnozzi
Cheeks	Hammon	Melton	Valentine
Clack	Hood	Miller	Ward
Clemente	Hopgood	Nitz	Warren
Condino	Jackson	Palsrok	Wenke
Constan	Johnson	Pastor	Wojno
Corriveau	Jones, Rick	Polidori	Young
Coulouris	Jones, Robert		

Nays—37

Agema	Garfield	Law, David	Pearce
Amos	Green	Meekhof	Robertson
Ball	Hansen	Meltzer	Schuitmaker
Brandenburg	Hildenbrand	Moolenaar	Shaffer
Calley	Hoogendyk	Moore	Sheen
Casperson	Horn	Moss	Stahl
Caswell	Huizenga	Opsommer	Stakoe
DeRoche	Hune	Palmer	Steil
Elsenheimer	Knollenberg	Pavlov	Walker
Emmons			

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

“Mr. Speaker and members of the House:

While I do not necessarily oppose HCR 81 and 82, I voted against these non-binding resolutions because lawmakers have not yet determined where the funding for these projects will come from, and I do not want to support anything that will drive the state deeper into debt as we are look for solutions regarding Michigan’s transportation funding needs, high gasoline taxes, and high property taxes.

Furthermore, the legislation was not made available for sufficient review before I was asked to vote on it, and I would like to know the details of what the projects would be so that we can avoid any unnecessary infrastructure spending.

For these reasons, I cannot formally support these resolutions at this time.”

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Tobocman moved that when the House adjourns today it stand adjourned until Tuesday, May 20, at 1:30 p.m. The motion prevailed.

Reps. Sak, Angerer, Ball, Bauer, Bieda, Brown, Byrnes, Caul, Clack, Condino, Constan, Dean, Donigan, Gonzales, Griffin, Hammel, Hammon, Hopgood, Robert Jones, Lahti, David Law, Kathleen Law, LeBlanc, Lemmons, Marleau, Meadows, Nitz, Opsommer, Pearce, Polidori, Proos, Schuitmaker, Sheltrown, Spade, Tobocman, Vagnozzi and Warren offered the following resolution:

House Resolution No. 367.

A resolution recognizing May 17-23, 2008, as Michigan Week.

Whereas, Michigan achieved statehood on January 26, 1837, becoming the nation’s 26th state and uniting two peninsulas; and

Whereas, From that momentous day on, the citizens of this Great Lakes State have endeavored to create a better place in which to live; and

Whereas, For more than 160 years, Michigan residents have exhibited unique resilience in adapting to obstacles and challenges, and have demonstrated skill and innovation that has earned our state the respect of the nation and the world; and

Whereas, Michigan is blessed beyond measure with natural wonders, man-made marvels, colorful seasons and diverse recreations making all citizens proud of our majestic state and ready to share with others the many reasons why we call it home; and

Whereas, Each year since 1954, the people of this state have celebrated Michigan Week as a time to encourage greater knowledge and awareness of Michigan and its history; to afford an inspired view of our state’s advantages to the world; and to foster a spirit of cooperation among all communities that will make the Great Lakes State a better place to live, work and raise a family; and

Whereas, The Governor of Michigan has declared Michigan Week from May 17-23, 2008, with the theme, “Great Lakes, Great Traditions”; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body hereby recognize May 17-23, 2008, as Michigan Week.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Byrnes, Palsrok, Sak, Hammel, Dean, Accavitti, Ball, Bauer, Bieda, Brown, Caul, Clack, Condino, Constan, Donigan, Gonzales, Griffin, Hammon, Hopgood, Robert Jones, Lahti, Kathleen Law, LeBlanc, Lemmons, Marleau, Nitz, Opsommer, Palmer, Pastor, Pearce, Polidori, Proos, Sheltrown, Spade, Stahl, Steil, Tobocman, Vagnozzi and Warren offered the following resolution:

House Resolution No. 368.

A resolution recognizing the 10th anniversary of *The Legend of Sleeping Bear* being named as the official children’s book of the state of Michigan.

Whereas, Encouraging reading from an early age is the foundation of learning and quality education; and

Whereas, More than 200,000 copies of this book have been sold and read across the state and nationwide since it was first published; and

Whereas, The story finds its origins in the Ojibwe legend of the origination of the Manitou Islands and the Sleeping Bear Dunes, honoring our history and native culture; and

Whereas, The author, illustrator, elected officials and teachers have read this book in countless classrooms across Michigan to build enthusiasm for developing a passion for reading; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body recognize this 10th anniversary of *The Legend of Sleeping Bear* becoming the official children's book of the state of Michigan, and call this observance to the attention of all our citizens.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Sak, Angerer, Ball, Bauer, Bieda, Brown, Byrnes, Clack, Condino, Constan, Dean, Donigan, Gonzales, Griffin, Hammel, Hammon, Hopgood, Rick Jones, Robert Jones, Lahti, David Law, Kathleen Law, LeBlanc, Lemmons, Marleau, Meadows, Nitz, Opsommer, Pearce, Polidori, Proos, Schuitmaker, Sheltroun, Spade, Stahl, Tobocman, Vagnozzi and Warren offered the following resolution:

House Resolution No. 369.

A resolution proclaiming May 15, 2008, as Peace Officers' Memorial Day in Michigan.

Whereas, The police officers of Michigan have worked devotedly and selflessly in behalf of the people of this state, regardless of the peril or hazard to themselves; and

Whereas, These officers have safeguarded the lives and property of their fellow Americans; and

Whereas, By the enforcement of our laws, these same officers have given our country internal freedom from fear of the violence and civil disorder that is presently affecting other nations; and

Whereas, These men and women by their patriotic service and their dedicated efforts have earned the gratitude of the citizens of Michigan and the nation; now, therefore, be it

Resolved by the Michigan House of Representatives, That the members of this legislative body recognize Thursday, May 15, 2008, as Peace Officers' Memorial Day in Michigan.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members on Thursday, May 15:

House Bill Nos. 6117 6118 6119 6120 6121
Senate Bill No. 1313

The Clerk announced that the following Senate bills had been received on Thursday, May 15:

Senate Bill Nos. 860 1308

Reports of Standing Committees

The Committee on Agriculture, by Rep. Mayes, Chair, reported

House Bill No. 5750, entitled

A bill to amend 1984 PA 44, entitled "Motor fuels quality act," (MCL 290.641 to 290.650d) by adding section 5a.

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. Mayes, Byrum, Angerer, Brown, Kathleen Law, Leland, Sheltroun, Walker, Nitz, Ball and Meekhof
Nays: None

The Committee on Agriculture, by Rep. Mayes, Chair, reported

House Bill No. 5769, entitled

A bill to amend 2006 PA 272, entitled "Renewable fuels commission act," by amending sections 3 and 6 (MCL 290.583 and 290.586).

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. Mayes, Byrum, Angerer, Brown, Kathleen Law, Leland, Sheltroun, Walker, Nitz, Ball and Meekhof
Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, May 14, 2008

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

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

House Bill No. 6048, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 20190.

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

1. Amend page 2, line 23, by striking out all of subdivision (A) and inserting:

"(A) "EMERGENCY CONTRACEPTION" MEANS A DRUG, MEDICINE, ORAL HORMONAL COMPOUND, MIXTURE, PREPARATION, INSTRUMENT, ARTICLE, OR DEVICE THAT IS APPROVED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION AND THAT PREVENTS A PREGNANCY AFTER SEXUAL INTERCOURSE. EMERGENCY CONTRACEPTION DOES NOT INCLUDE A DRUG, MEDICINE, ORAL HORMONAL COMPOUND, MIXTURE, PREPARATION, INSTRUMENT, ARTICLE, OR DEVICE OF ANY NATURE THAT IS PRESCRIBED TO TERMINATE THE PREGNANCY OF A FEMALE."

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Scott, Virgil Smith, Warren and Rick Jones
Nays: Rep. Elsenheimer

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

House Bill No. 6049, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 17751 and 17763 (MCL 333.17751 and 333.17763), as amended by 2006 PA 672.

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

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Scott, Virgil Smith and Warren
 Nays: Reps. Elsenheimer, Rick Jones and Rocca

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

House Bill No. 6050, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding part 98.
 Without amendment and with the recommendation that the bill pass.
 The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Scott, Virgil Smith, Warren and Rick Jones
 Nays: Rep. Elsenheimer

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, May 15, 2008

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

Absent: Reps. Schuitmaker and Stakoe

Excused: Reps. Schuitmaker and Stakoe

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, May 15, 2008

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

Absent: Rep. Pastor

Excused: Rep. Pastor

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Meadows, Chair, of the Committee on Retiree Health Care Reforms, was received and read:

Meeting held on: Thursday, May 15, 2008

Present: Reps. Meadows, Coulouris, Spade, Johnson, Valentine, Wenke, Calley, Knollenberg and Moss

Absent: Rep. Alma Smith

Excused: Rep. Alma Smith

Messages from the Senate**House Bill No. 4602, entitled**

A bill to amend 1988 PA 418, entitled "Uniform statutory rule against perpetuities," by amending sections 2 and 5 (MCL 554.72 and 554.75).

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

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

House Bill No. 5909, entitled

A bill to exclude certain personal property held in trust from the rule against perpetuities and similar rules that potentially affect the duration of trusts.

The Senate has passed the bill and ordered that it be given immediate effect.

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

Senate Bill No. 1308, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 12102a (MCL 324.12102a), as added by 2008 PA 8.

The Senate has passed the bill.

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

Senate Concurrent Resolution No. 27.

A concurrent resolution to urge the Great Lakes states to resist changes to the Great Lakes-St. Lawrence River Basin Water Resources Compact and to adopt the compact as presented in December 2005.

Whereas, Water diversions out of the Great Lakes basin represent one of the greatest threats to the Great Lakes states. Large diversions, either individually or cumulatively, could irrevocably lower water levels and harm natural resources with consequent impacts on shipping, water use, recreation, drinking water, and the quality of life throughout the Great Lakes region. Unfortunately, current legal protections against diversions are precarious; and

Whereas, The Great Lakes-St. Lawrence River Basin Water Resources Compact and Agreement would bolster protections against diversions and help preserve the Great Lakes for the mutual economic and social interest of the entire region. The compact and agreement represent a delicate balance achieved after nearly five years of negotiation between the Great Lakes governors, Canadian premiers, industries, businesses, power suppliers, farmers, drinking water suppliers, environmental and conservation interests, and other parties that hold a vital stake in Great Lakes water; and

Whereas, Quick approval of the legally binding interstate compact by each Great Lakes state, so that it can be presented to the United States Congress, is imperative to eliminate uncertainty among water users throughout the Great Lakes region and before the influence of the Great Lakes states dwindles in the near future. To achieve this end, each Great Lakes state and the United States Congress must agree to identical compact language as soon as possible; and

Whereas, The Great Lakes states are well on their way to ratifying the interstate compact. Minnesota, Illinois, and Indiana have already enacted the compact language agreed to in 2005. The Ohio and Pennsylvania House of Representatives have passed compact legislation without changes. The governor of New York is considering signing the same compact legislation; and

Whereas, Changes to the compact made by any Great Lakes state at this point would at best lead to several more years of negotiations and at worst squander this historic opportunity to protect the Great Lakes for generations to come; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we urge the Great Lakes states to resist changes to the Great Lakes-St. Lawrence River Basin Water Resources Compact and to adopt the compact as signed by the governors in 2005; and be it further

Resolved, That copies of this resolution be transmitted to the governors and legislative leaders of the eight Great Lakes states.

The Senate has adopted the concurrent resolution.

Reps. Agema, Ball, Bieda, Byrnes, Clack, Clemente, Condino, Dean, Donigan, Gonzales, Griffin, Hopgood, Rick Jones, Robert Jones, Kathleen Law, LeBlanc, Lemmons, Polidori, Sak, Spade, Tobocman, Vagnozzi and Warren were named co-sponsors of the concurrent resolution.

The concurrent resolution was referred to the Committee on Great Lakes and Environment.

Notices

The Speaker appointed as conferees, on the part of the House of Representatives for **House Bill No. 4184**, Reps. Condino, Alma Smith and Rick Jones.

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Appropriations from further consideration of **House Bill No. 4666**.

Rep. Agema

Introduction of Bills

Rep. Bieda introduced

House Bill No. 6122, entitled

A bill to amend 1993 PA 330, entitled "State real estate transfer tax act," by amending sections 2, 3, 6, and 12 (MCL 207.522, 207.523, 207.526, and 207.532), section 6 as amended by 2003 PA 128.

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

Reps. Rick Jones, Polidori, Stahl, Steil, LaJoy, Meltzer, Mayes, Stakoe and Dean introduced

House Bill No. 6123, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1164.

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

By unanimous consent the House returned to the order of

Messages from the Senate**Senate Bill No. 860, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 32701, 32702, 32703, 32705, 32706, 32707, 32708, 32708a, 32709, 32710, 32721, 32722, 32723, 32725, 32727, and 32728 (MCL 324.32701, 324.32702, 324.32703, 324.32705, 324.32706, 324.32707, 324.32708, 324.32708a, 324.32709, 324.32710, 324.32721, 324.32722, 324.32723, 324.32725, 324.32727, and 324.32728), sections 32701, 32702, 32703, and 32707 as amended and sections 32721, 32722, 32723, 32727, and 32728 as added by 2006 PA 33, sections 32705 and 32708 as amended and section 32708a as added by 2006 PA 35, section 32706 as amended by 1996 PA 434, sections 32709 and 32710 as added by 1995 PA 59, and section 32725 as added by 2006 PA 36, and by adding sections 32706a, 32706b, 32706c, 32706d, and 32729; and to repeal acts and parts of acts.

The Senate has passed the bill.

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

Rep. Jackson moved that the House adjourn.

The motion prevailed, the time being 2:30 p.m.

The Speaker Pro Tempore declared the House adjourned until Tuesday, May 20, at 1:30 p.m.

RICHARD J. BROWN
Clerk of the House of Representatives