

No. 51
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
94th Legislature
REGULAR SESSION OF 2008

House Chamber, Lansing, Tuesday, May 27, 2008.

1:30 p.m.

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

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

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

e/d/s = entered during session

Rep. Rick Shaffer, from the 59th District, offered the following invocation:

“Heavenly Father: as Your word admonishes – we, Your humble servants advance to the Throne of Grace in humble boldness. We give thanks that You are our maker, sustainer of life, and the giver of good and perfect gifts that provide quality of life that we enjoy.

Upon reflection of the recent Memorial Day weekend, we have been reminded of our freedoms obtained at the highest cost. Men and women who have served in various armed conflicts (throughout the ages) who gave their lives, so that we have been able to enjoy prosperity with little disruption in our life styles; keep us Dear Lord ever mindful of their sacrifices.

Today, Father, this legislative body gathers to deliberate on the advancement of issues relative to Michigan’s future; we ask collectively for wisdom from on high. Although concerns are complex, we ask for Your kind leading in areas of economic woes, unemployment and the escalation of fuel prices (to name a few) and we are confident that Your will, will prevail.

Continue to guide us, our legislative staff, and all departments and staff that assist us in providing a high level of service to our Michigan constituency.

I pray in Your name. Amen.”

Motions and Resolutions

Reps. Steil, Ball, Bieda, Booher, Byrnes, Caul, Clack, Condino, Constan, Dean, Gonzales, Green, Hammel, Hammon, Hansen, Hildenbrand, Hopgood, Huizenga, Rick Jones, Robert Jones, Lahti, LaJoy, David Law, Kathleen Law, LeBlanc, Leland, Lemmons, Marleau, McDowell, Miller, Moolenaar, Opsommer, Palmer, Palsrok, Pastor, Pearce, Polidori, Proos, Sak, Shaffer, Spade, Stakoe, Tobocman, Vagnozzi and Wojno offered the following resolution:

House Resolution No. 381.

A resolution memorializing June 28, 2008, as Epilepsy Awareness Day in the state of Michigan.

Whereas, Epilepsy and Seizure Disorders affect over 2.7 million Americans, including more than 100,000 Michigan residents; and

Whereas, As one of the most common neurological disorders diagnosed in children under the age of two and adults over the age of 65, more than 200,000 new cases of epilepsy are treated each year due to a recognized seizure; and

Whereas, Though the origin of epilepsy in patients can be traced to head injury, stroke, birth defect, genetic predisposition, brain tumor, viral infections and other factors, nearly 70% of all cases have no apparent cause; and

Whereas, The diagnosis of epilepsy can lead to prejudice in the work place, educational arena, and private life, producing a feeling of seclusion for those living with this devastating disorder; and

Whereas, Increased public education and community awareness can dispel the common misunderstandings regarding seizures and their affects; and

Whereas, Epilepsy Awareness Day seeks to shed light on this neurological disorder, allowing those who suffer the opportunity to live full and active lives without the threat of isolation; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body commemorate June 28, 2008, as Epilepsy Awareness Day in the state of Michigan; and be it further;

Resolved, That a copy of this resolution be transmitted to the Epilepsy Awareness Foundation of West Michigan in recognition of the Epilepsy Walk held in Grand Rapids.

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 and joint resolution had been printed and placed upon the files of the members on Friday, May 23:

House Bill Nos.	6151	6152	6153	6154	6155	6156	6157	6158	6159	6160	6161	6162	6163	6164
	6165	6166	6167	6168	6169	6170	6171	6172	6173	6174	6175	6176	6177	6178
	6179	6180	6181											

House Joint Resolution CCC

Reports of Standing Committees

The Committee on Labor, by Rep. Miller, Chair, reported

House Resolution No. 117.

A resolution to memorialize the Congress of the United States to provide a federal extension of unemployment benefits for those unemployed workers in the state of Michigan.

(For text of resolution, see House Journal No. 50 of 2007, p. 750.)

With the recommendation that the resolution be adopted.

The resolution was laid over one day under the rules.

Favorable Roll Call

To Report Out:

Yeas: Reps. Miller, Meadows, Bieda, Hopgood, Lindberg, LaJoy and Rick Jones

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, May 27, 2008

Present: Reps. Miller, Meadows, Bieda, Constan, Hopgood, Lindberg, LaJoy and Rick Jones

Absent: Reps. Farrah, Wenke and Steil

Excused: Reps. Farrah, Wenke and Steil

The Committee on Banking and Financial Services, by Rep. Coulouris, Chair, reported

House Bill No. 4054, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 2635 (MCL 339.2635), as amended by 2006 PA 414.

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. Coulouris, Clemente, Mayes, Robertson, Green and Calley

Nays: None

The Committee on Banking and Financial Services, by Rep. Coulouris, Chair, reported

House Bill No. 6148, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 14p of chapter XVII (MCL 777.14p), as amended by 2006 PA 251.

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. Coulouris, Clemente, Mayes, Robertson, Green and Calley

Nays: None

The Committee on Banking and Financial Services, by Rep. Coulouris, Chair, reported
Senate Bill No. 343, entitled

A bill to amend 1981 PA 125, entitled "The secondary mortgage loan act," by amending section 27 (MCL 493.77), as amended by 1997 PA 91.

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. Coulouris, Clemente, Mayes, Robertson, Green and Calley
Nays: None

The Committee on Banking and Financial Services, by Rep. Coulouris, Chair, reported
Senate Bill No. 356, entitled

A bill to amend 1987 PA 173, entitled "Mortgage brokers, lenders, and servicers licensing act," by amending section 29 (MCL 445.1679), as amended by 1996 PA 210.

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. Coulouris, Clemente, Mayes, Robertson, Green and Calley
Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Coulouris, Chair, of the Committee on Banking and Financial Services, was received and read:

Meeting held on: Tuesday, May 27, 2008

Present: Reps. Coulouris, Clemente, Mayes, Robertson, Green and Calley

Absent: Reps. Johnson, Virgil Smith and Moore

Excused: Reps. Johnson, Virgil Smith and Moore

The Committee on Agriculture, by Rep. Mayes, Chair, reported
House Bill No. 5992, entitled

A bill to amend 2000 PA 92, entitled "Food law of 2000," by amending section 3119 (MCL 289.3119), as amended by 2007 PA 113.

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 and Ball
Nays: None

The Committee on Agriculture, by Rep. Mayes, Chair, reported
House Bill No. 6115, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 8501, 8501a, 8517, and 8520 (MCL 324.8501, 324.8501a, 324.8517, and 324.8520), section 8501 as amended by 2008 PA 13,

sections 8501a and 8520 as added by 2006 PA 503, and section 8517 as amended by 2008 PA 14, and by adding sections 8512b and 8512f.

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. Mayes, Byrum, Angerer, Brown, Kathleen Law, Leland, Sheltroun, Walker and Ball
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: Tuesday, May 27, 2008
Present: Reps. Mayes, Byrum, Angerer, Brown, Kathleen Law, Leland, Sheltroun, Walker, Nitz and Ball
Absent: Rep. Meekhof
Excused: Rep. Meekhof

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Sheltroun, Chair, of the Committee on Tourism, Outdoor Recreation and Natural Resources, was received and read:
Meeting held on: Tuesday, May 27, 2008
Present: Reps. Sheltroun, Brown, Hammon, Kathleen Law, Lindberg, Simpson, Casperson, Walker, Stakoe and Horn
Absent: Rep. Ebli
Excused: Rep. Ebli

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Meisner, Chair, of the Committee on Commerce, was received and read:
Meeting held on: Tuesday, May 27, 2008
Present: Reps. Meisner, Robert Jones, Accavitti, Byrum, Clemente, Coulouris, Dean, Griffin, Sheltroun, Simpson, Valentine, Hildenbrand, Huizenga, Palsrok, Stakoe, Rick Jones, Knollenberg and Meltzer
Absent: Rep. Johnson
Excused: Rep. Johnson

Messages from the Senate

House Bill No. 4965, entitled

A bill to authorize the state administrative board to convey certain interests in property in Kalkaska county; and to provide for disposition of the revenue derived from the conveyance.

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.

House Bill No. 5804, entitled

A bill to make appropriations for the department of history, arts, and libraries for the fiscal year ending September 30, 2009; to provide for the expenditure of those appropriations; to provide for the disposition of fees and other income received by the state agencies; to create funds; to provide for the disbursement of certain grants; to provide for reports; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

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

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

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

House Bill No. 5807, entitled

A bill to make appropriations for the department of agriculture for the fiscal year ending September 30, 2009; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to require reports, audits, and plans; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by certain state agencies.

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

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

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

House Bill No. 5808, entitled

A bill to make appropriations for the state transportation department and certain transportation purposes for the fiscal year ending September 30, 2009; to provide for the imposition of fees; to provide for reports; to create certain funds and programs; to prescribe requirements for certain railroad and bus facilities; to prescribe certain powers and duties of certain state departments and officials and local units of government; and to provide for the expenditure of the appropriations.

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

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

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

House Bill No. 5809, entitled

A bill to make appropriations for the department of labor and economic growth and certain other state purposes for the fiscal year ending September 30, 2009; to provide for the expenditure of those appropriations; to provide for the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

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

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

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

House Bill No. 5810, entitled

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 2009; to provide for the expenditure of these appropriations; to place certain restrictions on the expenditure of these appropriations; to prescribe the powers and duties of certain officials and employees; to require certain reports; and to provide for the disposition of fees and other income received by the judicial branch.

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

The Senate has passed the bill as substituted (S-1) and amended the title to read as follows:

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 2009; to provide for the expenditure of these appropriations; to place certain restrictions on the expenditure of these appropriations; to prescribe the powers and duties of certain state and local departments, officials, and employees; to require certain reports; and to provide for the disposition of fees and other income received by the judicial branch.

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

House Bill No. 5811, entitled

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2009; to provide for the expenditure of those appropriations; to provide for certain reports and the consideration of those reports; to provide for the disposition of other income received by the various state agencies; to provide for certain emergency powers; and to provide for the powers and duties of certain committees, certain state agencies, and certain employees.

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

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

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

House Bill No. 5812, entitled

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 2009; to provide for the expenditure of the appropriations; to provide for certain powers and duties of the department of military and veterans affairs, other state agencies, and local units of government related to the appropriations; and to provide for the preparation of certain reports related to the appropriations.

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

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

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

House Bill No. 5814, entitled

A bill to make appropriations for the department of human services and certain state purposes related to public welfare services for the fiscal year ending September 30, 2009; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to provide for reports; to provide for the disposition of fees and other income received by the state agency; and to provide for the powers and duties of certain individuals, local governments, and state departments, agencies, and officers.

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

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

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

Introduction of Bills

Reps. Farrah and Calley introduced

House Bill No. 6182, entitled

A bill to amend 2007 PA 36, entitled "Michigan business tax act," by amending section 413 (MCL 208.1413), as amended by 2007 PA 145.

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

Announcements by the Clerk

May 23, 2008

Received from the Auditor General a copy of the following audit report and/or report summary:

Financial audit of the Michigan Economic Development Corporation, a discretely presented component unit of the State of Michigan, for the period October 1, 2005 through September 30, 2007.

Richard J. Brown
Clerk of the House

By unanimous consent the House returned to the order of

Communications from State Officers

The following communications from the Secretary of State were received and read:

Notices of Filing
Administrative Rules

May 9, 2008

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Michigan Department of Labor and Economic Growth Growth, State Office of Administrative Hearings and Rules filed at 3:06 p.m. this date, administrative rule (08-05-04) for the Department of Labor and Economic Growth "Administrative Hearings for the Suspension and Revocation of Michigan Teaching Certificates and School Administrator Certificates".

These rules take effect 7 days after filing with the Secretary of State.

May 9, 2008

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Michigan Department of Labor and Economic Growth Growth, State Office of Administrative Hearings and Rules filed at 3:04 p.m. this date, administrative rule (08-05-05) for the Department of Labor and Economic Growth "School Administrator Continuing Education".

These rules take effect 7 days after filing with the Secretary of State.

May 9, 2008

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Michigan Department of Labor and Economic Growth, State Office of Administrative Hearings and Rules filed at 3:08 p.m. this date, administrative rule (08-05-06) for the Department of Labor and Economic Growth "Administrator Certificate Code".

These rules take effect 7 days after filing with the Secretary of State.

May 16, 2008

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Michigan Department of Labor and Economic Growth, State Office of Administrative Hearings and Rules filed at 11:05 a.m. this date, administrative rule (08-05-07) for the Department of Treasury "Michigan Gaming Control Board".

These rules take effect 7 days after filing with the Secretary of State.

May 16, 2008

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Michigan Department of Labor and Economic Growth, State Office of Administrative Hearings and Rules filed at 11:07 a.m. this date, administrative rule (08-05-08) for the Department of Labor and Economic Growth "Subdivisions of Land".

These rules take effect 30 days after filing with the Secretary of State.

May 21, 2008

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Michigan Department of Labor and Economic Growth, State Office of Administrative Hearings and Rules filed at 3:37 p.m. this date, administrative rule (08-05-09) for the Department of Labor and Economic Growth "Technical Standards for Electric Service".

These rules take effect immediately after filing with the Secretary of State.

May 21, 2008

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Michigan Department of Labor and Economic Growth, State Office of Administrative Hearings and Rules filed at 3:39 p.m. this date, administrative rule (08-05-10) for the Department of Labor and Economic Growth "Billing Practices Applicable to Non-Residential Electric and Gas Customers".

These rules take effect immediately after filing with the Secretary of State.

May 21, 2008

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Michigan Department of Labor and Economic Growth, State Office of Administrative Hearings and Rules filed at 3:41 p.m. this date, administrative rule (08-05-11) for the Department of Labor and Economic Growth "Telecommunications License Transfer Procedures".

These rules take effect immediately after filing with the Secretary of State.

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

The communications were referred to the Clerk.

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Tobocman moved that the Committee on Judiciary be discharged from further consideration of **Senate Bill No. 776** and motion postponed temporarily on April 23, see House Journal No. 37, p. 862.

(For first notice see House Journal No. 36, p. 843.)

The question being on the motion made previously by Rep. Tobocman,

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

The bill was placed on the order of Second Reading of Bills.

Rep. Meekhof moved that Reps. Steil and Garfield be excused from the balance of today's session.
The motion prevailed.

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

Second Reading of Bills

Senate Bill No. 776, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 90h.
The bill was read a second time.

Rep. Bauer moved to amend the bill as follows:

1. Amend page 4, line 14, after the first "LIFE" by striking out the balance of the subsection and inserting a comma and "PRESERVE THE HEALTH, OR PRESERVE THE FUTURE FERTILITY OF A WOMAN WHOSE LIFE, HEALTH, OR FUTURE FERTILITY IS ENDANGERED."

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

Rep. Bauer demanded the yeas and nays.

The demand was supported.

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

The amendment was not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 437

Yeas—40

Accavitti	Coulouris	Johnson	Polidori
Bauer	Donigan	Jones, Robert	Scott
Bennett	Farrah	Law, Kathleen	Smith, Alma
Bieda	Gillard	Leland	Smith, Virgil
Byrnes	Gonzales	Lemmons	Tobocman
Byrum	Hammel	Lindberg	Vagnozzi
Cheeks	Hammon	Meadows	Valentine
Clack	Hood	Meisner	Warren
Condino	Hopgood	Melton	Wojno
Corriveau	Jackson	Miller	Young

Nays—67

Acciavatti	Ebli	Law, David	Pearce
Agema	Elsenheimer	LeBlanc	Proos
Amos	Emmons	Marleau	Robertson
Angerer	Espinoza	Mayer	Rocca
Ball	Gaffney	McDowell	Sak
Booher	Green	Meekhof	Schuitmaker
Brandenburg	Griffin	Meltzer	Shaffer
Brown	Hansen	Moolenaar	Sheen
Calley	Hildenbrand	Moore	Sheltrown
Casperson	Hoogendyk	Moss	Simpson
Caswell	Horn	Nitz	Spade
Caul	Huizenga	Nofs	Stahl
Clemente	Hune	Opsommer	Stakoe
Constan	Jones, Rick	Palmer	Walker
Dean	Knollenberg	Palsrok	Ward

DeRoche
Dillon

Lahti
LaJoy

Pastor
Pavlov

Wenke

In The Chair: Sak

Rep. Byrnes moved to amend the bill as follows:

1. Amend page 5, following line 2, by inserting:

“(7) THIS SECTION DOES NOT APPLY WHEN THE PHYSICIAN IS TREATING A WOMAN WHOSE PREGNANCY IS THE RESULT OF INCEST OR RAPE.” and renumbering the remaining subsection.

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

Rep. Byrnes demanded the yeas and nays.

The demand was supported.

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

The amendment was not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 438

Yeas—41

Accavitti
Amos
Bauer
Bennett
Bieda
Byrnes
Byrum
Cheeks
Clack
Condino
Corriveau

Coulouris
Donigan
Ebli
Farrah
Gillard
Gonzales
Hammel
Hammon
Hood
Hopgood

Jackson
Johnson
Jones, Robert
Law, Kathleen
Leland
Lemmons
Lindberg
Meadows
Meisner
Melton

Miller
Polidori
Scott
Smith, Alma
Smith, Virgil
Tobocman
Vagnozzi
Valentine
Warren
Young

Nays—66

Acciavatti
Agema
Angerer
Ball
Booher
Brandenburg
Brown
Calley
Casperson
Caswell
Caul
Clemente
Constan
Dean
DeRoche
Dillon
Elsenheimer

Emmons
Espinoza
Gaffney
Green
Griffin
Hansen
Hildenbrand
Hoogendyk
Horn
Huizenga
Hune
Jones, Rick
Knollenberg
Lahti
LaJoy
Law, David
LeBlanc

Marleau
Mayes
McDowell
Meekhof
Meltzer
Moolenaar
Moore
Moss
Nitz
Nofs
Opsommer
Palmer
Palsrok
Pastor
Pavlov
Pearce

Proos
Robertson
Rocca
Sak
Schuitmaker
Shaffer
Sheen
Sheltrown
Simpson
Spade
Stahl
Stakoe
Walker
Ward
Wenke
Wojno

In The Chair: Sak

Rep. Alma Smith moved to amend the bill as follows:

1. Amend page 5, following line 2, by inserting:

“(7) THIS SECTION APPLIES ONLY TO A PATIENT WHOSE PREGNANCY HAS BEEN DETERMINED BY A PHYSICIAN TO BE AFTER 24 WEEKS OF GESTATION.” and renumbering the remaining subsection.

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

Rep. Alma Smith demanded the yeas and nays.

The demand was supported.

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

The amendment was not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 439

Yeas—31

Bauer	Farrah	Law, Kathleen	Smith, Alma
Bennett	Gillard	Leland	Smith, Virgil
Byrnes	Gonzales	Lemmons	Tobocman
Byrum	Hammel	Lindberg	Vagnozzi
Cheeks	Hood	Meadows	Valentine
Clack	Hopgood	Meisner	Warren
Condino	Johnson	Miller	Young
Donigan	Jones, Robert	Scott	

Nays—76

Accavitti	DeRoche	Lahti	Pavlov
Acciavatti	Dillon	LaJoy	Pearce
Agema	Ebli	Law, David	Polidori
Amos	Elsenheimer	LeBlanc	Proos
Angerer	Emmons	Marleau	Robertson
Ball	Espinoza	Mayes	Rocca
Bieda	Gaffney	McDowell	Sak
Booher	Green	Meekhof	Schuitmaker
Brandenburg	Griffin	Melton	Shaffer
Brown	Hammon	Meltzer	Sheen
Calley	Hansen	Moolenaar	Sheltrown
Casperson	Hildenbrand	Moore	Simpson
Caswell	Hoogendyk	Moss	Spade
Caul	Horn	Nitz	Stahl
Clemente	Huizenga	Nofs	Stakoe
Constan	Hune	Opsommer	Walker
Corriveau	Jackson	Palmer	Ward
Coulouris	Jones, Rick	Palsrok	Wenke
Dean	Knollenberg	Pastor	Wojno

In The Chair: Sak

Rep. Meadows moved to amend the bill as follows:

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

“(K) THAT CITIZENS OF THIS STATE HAVE A PROTECTABLE INTEREST IN FREEDOM FROM UNREASONABLE GOVERNMENT INTRUSIONS INTO THEIR PRIVATE LIVES AND THAT THIS INTEREST ENCOMPASSES AND PROTECTS THE RIGHT OF CONSENTING INDIVIDUALS TO OBTAIN AND USE SAFE AND EFFECTIVE METHODS OF CONTRACEPTION WITHOUT INTERFERENCE BY GOVERNMENTAL ENTITIES.”

(I) THAT IT IS THE PUBLIC POLICY OF THIS STATE THAT THE INTEREST IN FREEDOM FROM UNREASONABLE GOVERNMENT INTRUSIONS INTO THE PRIVATE LIVES OF CITIZENS, AND SPECIFICALLY THE RIGHT OF CONSENTING INDIVIDUALS TO OBTAIN AND USE SAFE AND EFFECTIVE METHODS OF CONTRACEPTION WITHOUT INTERFERENCE BY GOVERNMENTAL ENTITIES, SHALL BE SAFEGUARDED AND THAT THE LAWS OF THIS STATE SHALL BE INTERPRETED AND CONSTRUED TO RECOGNIZE AND PROTECT THESE RIGHTS.”.

2. Amend page 5, following line 2, by inserting:

“(7) NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, A STATE OR LOCAL GOVERNMENTAL UNIT SHALL NOT DO ANY OF THE FOLLOWING:

(A) DEPRIVE CONSENTING INDIVIDUALS OF THE RIGHT TO OBTAIN AND USE SAFE AND EFFECTIVE METHODS OF CONTRACEPTION.

(B) INTERFERE WITH OR DISCRIMINATE AGAINST, IN THE REGULATION OR PROVISION OF BENEFITS, FACILITIES, SERVICES, OR INFORMATION, THE RIGHT OF CONSENTING INDIVIDUALS TO OBTAIN AND USE SAFE AND EFFECTIVE METHODS OF CONTRACEPTION.

(8) SUBSECTION (7) DOES NOT PREVENT IMPLEMENTATION OF LAWS, RULES, ORDINANCES, TAXES, OR REGULATIONS THAT AFFECT THE METHOD AND MANNER OF SALE OR DISTRIBUTION OF CONTRACEPTIVES, PROVIDED SUCH LAWS, RULES, ORDINANCES, TAXES, OR REGULATIONS ARE REASONABLY DESIGNED TO PROMOTE PUBLIC HEALTH AND SAFETY AND DO NOT HAVE THE EFFECT OF UNREASONABLY HINDERING PUBLIC ACCESS TO CONTRACEPTIVES.” and renumbering the remaining subsection.

The question being on the adoption of the amendments offered by Rep. Meadows,

Rep. Meadows demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Rep. Meadows,

The amendments were not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 440

Yeas—41

Accavitti	Coulouris	Johnson	Polidori
Amos	Donigan	Jones, Robert	Scott
Bauer	Farrah	Law, Kathleen	Smith, Alma
Bennett	Gillard	Leland	Smith, Virgil
Bieda	Gonzales	Lemmons	Tobocman
Byrnes	Hammel	Lindberg	Vagnozzi
Byrum	Hammon	Meadows	Valentine
Cheeks	Hood	Meisner	Warren
Clack	Hopgood	Melton	Wojno
Condino	Jackson	Miller	Young
Corriveau			

Nays—66

Acciavatti	Elsenheimer	LeBlanc	Pearce
Agema	Emmons	Marleau	Proos
Angerer	Espinoza	Mayes	Robertson
Ball	Gaffney	McDowell	Rocca
Booher	Green	Meekhof	Sak
Brandenburg	Griffin	Meltzer	Schuitmaker
Brown	Hansen	Moolenaar	Shaffer
Calley	Hildenbrand	Moore	Sheen
Casperson	Hoogendyk	Moss	Sheltrown
Caswell	Horn	Nitz	Simpson
Caul	Huizenga	Nofs	Spade
Clemente	Hune	Opsommer	Stahl
Constan	Jones, Rick	Palmer	Stakoe
Dean	Knollenberg	Palsrok	Walker

DeRoche	Lahti	Pastor	Ward
Dillon	LaJoy	Pavlov	Wenke
Ebli	Law, David		

In The Chair: Sak

Rep. Warren moved to amend the bill as follows:

1. Amend page 5, following line 18, by inserting:

“Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 94th Legislature are enacted into law:

(a) House Bill No. 4616.

(b) House Bill No. 4617.

(c) House Bill No. 4618.”.

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

Rep. Warren demanded the yeas and nays.

The demand was supported.

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

The amendment was not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 441

Yeas—41

Accavitti	Coulouris	Johnson	Polidori
Amos	Cushingberry	Jones, Robert	Scott
Bauer	Donigan	Law, Kathleen	Smith, Alma
Bennett	Farrah	Leland	Smith, Virgil
Bieda	Gillard	Lemmons	Tobocman
Byrnes	Gonzales	Lindberg	Vagnozzi
Byrum	Hammel	Meadows	Valentine
Cheeks	Hammon	Meisner	Warren
Clack	Hood	Melton	Wojno
Condino	Hopgood	Miller	Young
Corriveau			

Nays—67

Acciavatti	Elsenheimer	Law, David	Pearce
Agema	Emmons	LeBlanc	Proos
Angerer	Espinoza	Marleau	Robertson
Ball	Gaffney	Mayes	Rocca
Booher	Green	McDowell	Sak
Brandenburg	Griffin	Meekhof	Schuitmaker
Brown	Hansen	Meltzer	Shaffer
Calley	Hildenbrand	Moolenaar	Sheen
Casperson	Hoogendyk	Moore	Sheltrown
Caswell	Horn	Moss	Simpson
Caul	Huizenga	Nitz	Spade
Clemente	Hune	Nofs	Stahl
Constan	Jackson	Opsommer	Stakoe
Dean	Jones, Rick	Palmer	Walker
DeRoche	Knollenberg	Palsrok	Ward
Dillon	Lahti	Pastor	Wenke
Ebli	LaJoy	Pavlov	

In The Chair: Sak

Rep. Tobocman 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 Reps. Accavitti and Cushingberry be excused temporarily from today's session.
The motion prevailed.

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

Senate Bill No. 776, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 90h.
Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 442

Yeas—74

Acciavatti	Dillon	LaJoy	Pearce
Agema	Ebli	Law, David	Polidori
Amos	Elsenheimer	LeBlanc	Proos
Angerer	Emmons	Marleau	Robertson
Ball	Espinoza	Mayer	Rocca
Bieda	Gaffney	McDowell	Sak
Booher	Green	Meekhof	Schuitmaker
Brandenburg	Griffin	Meltzer	Shaffer
Brown	Hammon	Moolenaar	Sheen
Calley	Hansen	Moore	Sheltrown
Casperson	Hildenbrand	Moss	Simpson
Caswell	Hoogendyk	Nitz	Spade
Caul	Horn	Nofs	Stahl
Clemente	Huizenga	Opsommer	Stakoe
Constan	Hune	Palmer	Walker
Corriveau	Jackson	Palsrok	Ward
Coulouris	Jones, Rick	Pastor	Wenke
Dean	Knollenberg	Pavlov	Wojno
DeRoche	Lahti		

Nays—32

Bauer	Farrah	Law, Kathleen	Scott
Bennett	Gillard	Leland	Smith, Alma
Byrnes	Gonzales	Lemmons	Smith, Virgil
Byrum	Hammel	Lindberg	Tobocman
Cheeks	Hood	Meadows	Vagnozzi
Clack	Hopgood	Meisner	Valentine
Condino	Johnson	Melton	Warren
Donigan	Jones, Robert	Miller	Young

In The Chair: Sak

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

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

The House agreed to the full title.

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

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

Rep. Hammel, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I could not support SB776 for the following reasons. First and foremost it is a redundant bill that is already covered by Federal Statute. There is no evidence this procedure has been performed in the State of Michigan since 06. The bill also does not allow for any protections for the mothers health or any provisions in cases of rape or incest.”

Rep. Gonzales, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

This action would create a state law that is not needed due to existing federal law, and results in ambiguity potentially with other medical procedures. I have faith in women controlling their own destinies with the advice of women’s health doctors. Additionally, this bill is essentially unscientific, and it is not in the best interest of the health and welfare of women and families throughout our state.”

Rep. Bauer, having reserved the right to explain her protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I voted no for Senate Bill 776 because it is an unnecessary law that interferes with decisions that are better made based on sound medical judgment, and because several amendments to add protections for a woman’s health, which I supported, were not adopted.

Doctors, including the American College of Obstetricians and Gynecologists, oppose this bill because it interferes with medical decision making. A letter from the Michigan Section of the American College of Obstetricians and Gynecologists states that “the bill is unscientific and is not in the best interest of the health and welfare of women and families in Michigan” and also states the group’s opposition to the criminalization of any medical practice.

A federal law, which is currently in effect in all 50 states, provides all the legal protection necessary to ensure that the late term abortion procedure known as partial birth abortion is not utilized in Michigan, even though this procedure is utilized in less than 0.02% of all abortion procedures.

Even though the federal law was upheld on constitutional grounds by the U.S. Supreme Court, four of the nine justices questioned the constitutionality of this law because it does not include adequate protections for the mother and required under Roe v Wade. Senate Bill 776 contains even fewer protections for the life of the mother than the federal law.

Several amendments were offered that would have at least provided some exceptions for situations in which a woman’s health becomes a consideration, and for instances of rape and incest when a later term abortion decision must be made. Further, this law even infringes on a woman’s legal right to choose an abortion before viability of the fetus, which should be a medical decision, not a political one.

Most important, I believe that politicians should not legislate medical decision-making. Women should be making these decisions based on their own personal values and their doctor’s advice.”

Rep. Warren, having reserved the right to explain her protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

Thank you for this opportunity to explain why I am voting against Senate Bill 776.

Today is truly a sad day for the Michigan Legislature.

Today is a sad day not only because we are interfering in the private medical decisions made between women and their doctors, but also because we have made the conscious determination to put divisive politics above good public policy. We have let a vocal minority make decisions for the diverse and varied citizens of this state. And perhaps most distressingly, we have let special interests dictate our legislative agenda.

That I stand before you today I am sure comes as no surprise to most of you. As a longtime advocate for women's rights, I wholeheartedly support a woman's right to choose and oppose any attempt to chip away at this fundamental freedom.

More than that however, I am standing here today because at its very core, Senate Bill 776 is an answer in search of a question. It is a redundant and unnecessary bill that bans a safe and rarely used medical procedure that has in fact already been prohibited by federal legislation. Even more insultingly, it offers absolutely no exception to protect a woman's health or future fertility and does nothing to increase citizens' access to birth control or comprehensive sex education.

I was elected to the Michigan Legislature in order to pass public policies that would put the people of Michigan before petty politics and with each bill we read and each vote we take, I think that it is our duty, as Representatives, to ask ourselves how this legislation moves Michigan forward.

After spending countless hours discussing and debating this bill, I can tell you, without equivocation, that this legislation simply does not pass this test. And yet today, with approximately 30 session days left in our legislation session, we are not taking up the remaining bills in a groundbreaking package that seeks to protect our Great Lakes from large-scale water diversions or even addressing the \$300 million shortfall in our general fund budget that threatens our vital public safety and core health and human services. Instead we are taking a vote on a bill that does not one thing to make Michigan a stronger and better place to live.

And when it comes down to it, I know that is question my constituents will be asking when I go back to my district.

Thank you

Rebekah Warren

State Representative

53rd District"

Second Reading of Bills

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.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Judiciary (for amendment, see House Journal No. 47, p. 1087),

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 6048, entitled

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

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

Roll Call No. 443

Yeas—57

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

Nays—51

Acciavatti	Espinoza	Meekhof	Proos
Agema	Green	Meltzer	Robertson
Amos	Hansen	Moolenaar	Sak
Angerer	Hildenbrand	Moore	Schuitmaker
Booher	Hoogendyk	Moss	Shaffer
Brandenburg	Horn	Nitz	Sheen
Calley	Huizenga	Nofs	Sheltrown
Casperson	Hune	Opsommer	Spade
Caswell	Jones, Rick	Palmer	Stahl
Caul	Knollenberg	Palsrok	Stakoe
DeRoche	LaJoy	Pastor	Walker
Elsenheimer	Law, David	Pavlov	Wenke
Emmons	Marleau	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.

Second Reading of Bills**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.
 The bill was read a second time.

Rep. Donigan moved that the bill be placed on the order of Third Reading of Bills.
 The motion prevailed.

Rep. Tobocman moved that the bill be placed on its immediate passage.
 The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills**House Bill No. 6050, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding part 98.
 The bill was read a third time.

The question being on the passage of the bill,

Rep. Tobocman moved that consideration of the bill be postponed temporarily.
 The motion prevailed.

Second Reading of Bills**House Bill No. 4998, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3149.
 Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Insurance (for amendments, see House Journal No. 38, p. 870),

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

Rep. Garfield moved to amend the bill as follows:

1. Amend page 1, line 9, after “FEES” by inserting “SO LONG AS THE ATTORNEY FEES DO NOT EXCEED \$1,000.00”.

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4998, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” (MCL 500.100 to 500.8302) by adding section 3149.

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

Roll Call No. 444

Yeas—59

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

Nays—48

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

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.

Rep. Pearce, under Rule 31, made the following statement:
“Mr. Speaker and members of the House:
I did not vote on Roll Call No. 444 because of a possible conflict of interest.”

Second Reading of Bills

Senate Bill No. 296, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 81129 (MCL 324.81129), as amended by 2003 PA 111.

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

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

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

The motion prevailed.

House Bill No. 4994, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending sections 3141 and 3145 (MCL 500.3141 and 500.3145).

The bill was read a second time.

Rep. Hoogendyk moved to amend the bill as follows:

1. Amend page 4, following 10, by inserting:

“Enacting section 2. This amendatory act does not take effect unless Senate Bill No. 1059 of the 94th Legislature is enacted into law.”.

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

Rep. Hoogendyk demanded the yeas and nays.

The demand was supported.

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

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

The motion prevailed.

Pending the Second Reading of

House Bill No. 4451, entitled

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

Rep. Tobocman moved that the bill be referred to the Committee on Oversight and Investigations.

The motion prevailed.

Pending the Second Reading of

House Bill No. 5546, entitled

A bill to amend 1992 PA 234, entitled “The judges retirement act of 1992,” by amending section 205 (MCL 38.2205).

Rep. Tobocman moved that the bill be referred to the Committee on Oversight and Investigations.

The motion prevailed.

Pending the Second Reading of

House Bill No. 5338, entitled

A bill to amend 1991 PA 179, entitled “Michigan telecommunications act,” (MCL 484.2101 to 484.2604) by adding section 304c.

Rep. Tobocman moved that the bill be referred to the Committee on Oversight and Investigations.

The motion prevailed.

Pending the Second Reading of
House Bill No. 5039, entitled

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending sections 2, 9, and 14 (MCL 28.422, 28.429, and 28.434), section 2 as amended by 2004 PA 101, section 9 as amended by 2004 PA 100, and section 14 as amended by 2000 PA 381.

Rep. Tobocman moved that the bill be referred to the Committee on Oversight and Investigations.

The motion prevailed.

Pending the Second Reading of
House Bill No. 5331, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 43523, 43528, and 43531 (MCL 324.43523, 324.43528, and 324.43531), section 43523 as amended by 2006 PA 280 and sections 43528 and 43531 as amended by 1996 PA 585.

Rep. Tobocman moved that the bill be referred to the Committee on Oversight and Investigations.

The motion prevailed.

Pending the Second Reading of
House Bill No. 4820, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 3112 and 3122 (MCL 324.3112 and 324.3122), section 3112 as amended by 2005 PA 33 and section 3122 as added by 2004 PA 90.

Rep. Tobocman moved that the bill be referred to the Committee on Oversight and Investigations.

The motion prevailed.

Pending the Second Reading of
House Bill No. 5771, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40501 (MCL 324.40501), as added by 1995 PA 57.

Rep. Tobocman moved that the bill be referred to the Committee on Oversight and Investigations.

The motion prevailed.

Pending the Second Reading of
House Bill No. 5361, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 383a (MCL 750.383a).

Rep. Tobocman moved that the bill be referred to the Committee on Oversight and Investigations.

The motion prevailed.

Pending the Second Reading of
House Bill No. 5362, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16s of chapter XVII (MCL 777.16s), as amended by 2005 PA 106.

Rep. Tobocman moved that the bill be referred to the Committee on Oversight and Investigations.

The motion prevailed.

Pending the Second Reading of
House Bill No. 5127, entitled

A bill to prohibit certain units of government from establishing the ownership of real property as a qualification for public office; and to provide remedies.

Rep. Tobocman moved that the bill be referred to the Committee on Oversight and Investigations.

The motion prevailed.

Pending the Second Reading of
House Bill No. 5677, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 36101 (MCL 324.36101), as amended by 2000 PA 262.

Rep. Tobocman moved that the bill be referred to the Committee on Oversight and Investigations.
The motion prevailed.

Pending the Second Reading of
House Bill No. 5678, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 9 (MCL 211.9), as amended by 2006 PA 550.

Rep. Tobocman moved that the bill be referred to the Committee on Oversight and Investigations.
The motion prevailed.

Pending the Second Reading of
House Bill No. 5679, entitled

A bill to amend 2000 PA 92, entitled "Food law of 2000," by amending section 1107 (MCL 289.1107).

Rep. Tobocman moved that the bill be referred to the Committee on Oversight and Investigations.
The motion prevailed.

Pending the Second Reading of
House Bill No. 5013, entitled

A bill to amend 1982 PA 162, entitled "Nonprofit corporation act," by amending section 1137 (MCL 450.3137), as added by 1984 PA 209.

Rep. Tobocman moved that the bill be referred to the Committee on Oversight and Investigations.
The motion prevailed.

Pending the Second Reading of
House Bill No. 5748, entitled

A bill to amend 1984 PA 44, entitled "Motor fuels quality act," by amending section 3 (MCL 290.643), as amended by 2006 PA 271.

Rep. Tobocman moved that the bill be referred to the Committee on Oversight and Investigations.
The motion prevailed.

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 Wednesday, May 28, at 10:00 a.m.
The motion prevailed.

Notices

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Oversight and Investigations from further consideration of **House Bill No. 4820**.

Rep. Hansen

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Oversight and Investigations from further consideration of **House Bill No. 5013**.

Rep. Meekhof

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Oversight and Investigations from further consideration of **House Bill No. 5039**.

Rep. Rick Jones

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Oversight and Investigations from further consideration of **House Bill No. 5127**.

Rep. Rocca

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Oversight and Investigations from further consideration of **House Bill No. 5331**.

Rep. Walker

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Oversight and Investigations from further consideration of **House Bill No. 5338**.

Rep. Caul

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Oversight and Investigations from further consideration of **House Bill No. 5361**.

Rep. Moss

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Oversight and Investigations from further consideration of **House Bill No. 5362**.

Rep. Moss

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Oversight and Investigations from further consideration of **House Bill No. 5546**.

Rep. Calley

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Oversight and Investigations from further consideration of **House Bill No. 5677**.

Rep. Palsrok

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Oversight and Investigations from further consideration of **House Bill No. 5678**.

Rep. Elsenheimer

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Oversight and Investigations from further consideration of **House Bill No. 5679**.

Rep. Walker

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Oversight and Investigations from further consideration of **House Bill No. 5748**.

Rep. Walker

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Oversight and Investigations from further consideration of **House Bill No. 5771**.

Rep. Stakoe

Rep. Hopgood moved that the House adjourn.
The motion prevailed, the time being 11:05 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, May 28, at 10:00 a.m.

RICHARD J. BROWN
Clerk of the House of Representatives