

No. 66
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House of Representatives
93rd Legislature
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House Chamber, Lansing, Wednesday, June 28, 2006.

1:00 p.m.

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

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

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

e/d/s = entered during session

Rep. Dave Robertson, from the 51st District, offered the following invocation:

“Lord God, Father of all mankind,

You have appointed us, through the votes of the people of Michigan, to serve You and our state as leaders and as lawmakers for our people. Guide our hearts, our minds, and our hands as we go about our duties today so that we deal with the problems that our state faces with wisdom and mutual respect. Give us the ability to see the larger picture in all of our deliberations and actions, and guide us to long-term solutions to those things that bring crisis into the lives of so many of our citizens. May the work that we do here today and everyday help our people and serve to glorify You.

Heavenly Father, we also ask for Your comfort for the family of Marine Lance Corporal Brandon Webb of Swartz Creek who was killed last Tuesday in Iraq in the fight against terrorism, and for all the families of those who have died in this war against barbarism and oppression. Protect from harm those who are fighting to protect us, and also all those men and women of our nation’s armed forces who are stationed around the world to help keep the peace in a dangerous and deadly world. As we prepare next week to celebrate the birth of our great nation and the freedom that we enjoy as Americans, keep us ever mindful that freedom is not free. Freedom is purchased with the blood of young men and women who lay down their lives so that we can live our lives in peace and safety. May we as legislators never abuse our positions by trampling on the freedoms of our people that were purchased at such a dear price by others.

We ask these and all Your blessings in the name of Jesus Christ, Your Son and our Savior. Amen.”

The Speaker assumed the Chair.

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

The Speaker called Associate Speaker Pro Tempore Elsenheimer to the Chair.

Reports of Standing Committees

The Committee on Commerce, by Rep. Baxter, Vice-Chair, reported

House Bill No. 6041, entitled

A bill to amend 1984 PA 431, entitled “The management and budget act,” by amending sections 261 and 268 (MCL 18.1261 and 18.1268), section 261 as amended by 2005 PA 91 and section 268 as added by 1988 PA 237, and by adding section 268a.

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. Huizenga, Baxter, Emmons, Palsrok, Wenke, Green, Hildenbrand, Jones, David Law, Marleau, Pavlov, Tobocman, Accavitti and Leland

Nays: None

The Committee on Commerce, by Rep. Baxter, Vice-Chair, reported

House Bill No. 6257, entitled

A bill to amend 1984 PA 431, entitled “The management and budget act,” by amending section 261 (MCL 18.1261), as amended by 2005 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. Huizenga, Baxter, Emmons, Palsrok, Wenke, Green, Hildenbrand, Jones, David Law, Marleau, Pavlov, Meisner, Tobocman, Accavitti and Leland

Nays: None

The Committee on Commerce, by Rep. Baxter, Vice-Chair, reported

House Bill No. 6258, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 263a.

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. Huizenga, Baxter, Emmons, Palsrok, Wenke, Green, Hildenbrand, Jones, David Law, Marleau, Pavlov, Meisner, Tobocman, Accavitti and Leland

Nays: None

The Committee on Commerce, by Rep. Baxter, Vice-Chair, reported

House Bill No. 6259, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 263b.

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. Huizenga, Baxter, Emmons, Palsrok, Wenke, Green, Hildenbrand, Jones, David Law, Marleau, Pavlov, Meisner, Tobocman, Accavitti and Leland

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, June 28, 2006

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

Absent: Reps. Dillon, Bennett and McConico

Excused: Reps. Dillon, Bennett and McConico

Second Reading of Bills**House Bill No. 6041, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending sections 261 and 268 (MCL 18.1261 and 18.1268), section 261 as amended by 2005 PA 91 and section 268 as added by 1988 PA 237, and by adding section 268a.

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

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

Rep. Moore moved to substitute (H-3) the bill.

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

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

The motion prevailed.

House Bill No. 6257, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 261 (MCL 18.1261), as amended by 2005 PA 91.

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

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

Rep. McDowell moved to amend the bill as follows:

1. Amend page 2, line 9, after "competitive" by striking out "bidding" and inserting "SOLICITATION".

2. Amend page 2, line 10, after "authorized" by striking out the balance of the subsection and inserting "UNDER THIS ACT UNLESS 1 OR MORE OF THE FOLLOWING APPLY:

(A) PROCUREMENT OF GOODS OR SERVICES IS NECESSARY FOR THE IMMINENT PROTECTION OF PUBLIC HEALTH OR SAFETY OR TO MITIGATE AN IMMINENT THREAT TO PUBLIC HEALTH OR SAFETY, AS DETERMINED BY THE DIRECTOR OR HIS OR HER DESIGNATED REPRESENTATIVE.

(B) PROCUREMENT OF GOODS OR SERVICES IS FOR EMERGENCY REPAIR OR CONSTRUCTION CAUSED BY UNFORESEEN CIRCUMSTANCES WHEN THE REPAIR OR CONSTRUCTION IS NECESSARY TO PROTECT LIFE OR PROPERTY.

(C) PROCUREMENT OF GOODS OR SERVICES IS IN RESPONSE TO A DECLARED STATE OF EMERGENCY OR STATE OF DISASTER UNDER THE EMERGENCY MANAGEMENT ACT, 1976 PA 390, MCL 30.401 TO 30.421.

(D) PROCUREMENT OF GOODS OR SERVICES IS IN RESPONSE TO A DECLARED STATE OF EMERGENCY UNDER 1945 PA 302, MCL 10.31 TO 10.33.

(E) PROCUREMENT OF GOODS OR SERVICES IS IN RESPONSE TO A DECLARED STATE OF ENERGY EMERGENCY UNDER 1982 PA 191, MCL 10.81 TO 10.89.

(F) PROCUREMENT OF GOODS OR SERVICES IS WITHIN A STATE AGENCY'S PURCHASING AUTHORITY DELEGATED UNDER SUBSECTION (4), AND THE STATE AGENCY HAS ESTABLISHED POLICIES OR PROCEDURES APPROVED BY THE DEPARTMENT TO ENSURE THAT GOODS OR SERVICES ARE PURCHASED BY THE STATE AGENCY AT FAIR AND REASONABLE PRICES."

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

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

The motion prevailed.

House Bill No. 6258, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 263a.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 6259, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 263b.

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

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

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

The motion prevailed.

By unanimous consent the House returned to the order of
Reports of Standing Committees

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

House Bill No. 4042, 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 section 51 (MCL 28.4251), as amended by 2002 PA 719.

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

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

Nays: None

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

House Bill No. 5221, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8407 (MCL 600.8407), as amended by 1991 PA 192.

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

Nays: None

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

Senate Bill No. 1196, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 40a (MCL 791.240a), as amended by 1993 PA 346.

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

Nays: None

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

Senate Bill No. 1226, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 703 (MCL 436.1703), as amended by 2004 PA 63.

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

Nays: None

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

Senate Bill No. 1234, entitled

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

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

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, June 28, 2006

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

Absent: Rep. McConico

Excused: Rep. McConico

Second Reading of Bills

Senate Bill No. 1196, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 40a (MCL 791.240a), as amended by 1993 PA 346.

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

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

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

The motion prevailed.

House Bill No. 5337, entitled

A bill to amend 1967 PA 150, entitled "Michigan military act," by amending section 117 (MCL 32.517).

Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Veterans Affairs and Homeland Security,

The substitute (H-2) was not adopted, a majority of the members serving not voting therefor.

Rep. Jones moved to substitute (H-4) the bill.

The motion prevailed and the substitute (H-4) was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

Senate Bill No. 1182, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 13 (MCL 247.663), as amended by 2004 PA 9.

Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Transportation,

The substitute (H-2) was adopted, a majority of the members serving voting therefor.

Rep. Pearce moved to amend the bill as follows:

1. Amend page 8, line 27, after "**SYSTEM.**" by striking out the balance of the subsection and inserting "**THE DEPARTMENT MAY PROVIDE FOR PILOT PROJECTS THAT WOULD ALLOW A CITY OR VILLAGE THAT HAS ADOPTED AN ASSET MANAGEMENT PLAN UNDER SUBSECTION (6) TO COMBINE THEIR LOCAL AND MAJOR STREET FUNDS INTO 1 STREET FUND AND TO SUBMIT A SINGLE REPORT TO THE DEPARTMENT ON THE EXPENDITURE OF FUNDS ON THE LOCAL AND MAJOR STREET SYSTEMS.**"

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

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

The motion prevailed.

Senate Bill No. 971, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 35103 and 74102a (MCL 324.35103 and 324.74102a), section 35103 as amended by 1996 PA 290 and section 74102a as added by 2004 PA 392, and by adding section 74102b.

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

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

The motion prevailed.

Senate Bill No. 1224, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 612 and 660 (MCL 257.612 and 257.660), section 612 as amended by 1990 PA 33 and section 660 as amended by 2002 PA 494, and by adding sections 660a, 660b, 660c, and 660d.

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

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

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

The motion prevailed.

Senate Bill No. 1108, entitled

A bill to amend 1941 PA 207, entitled "Fire prevention code," by amending the title and section 19 (MCL 29.19), the title as amended by 1984 PA 314 and section 19 as amended by 1998 PA 45.

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

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

Rep. Palmer moved to substitute (H-2) the bill.

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

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

The motion prevailed.

House Bill No. 5815, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2264a.

The bill was read a second time.

Rep. Pavlov moved to amend the bill as follows:

1. Amend page 2, line 9, after "**CHARGED**" by striking out the balance of the subsection and inserting "**FOR DEPENDENT STUDENT STATUS.**".

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

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

The motion prevailed.

House Bill No. 5816, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding section 409a.

The bill was read a second time.

Rep. Pavlov moved to amend the bill as follows:

1. Amend page 2, line 6, after "**CHARGED**" by striking out the balance of the subsection and inserting "**FOR DEPENDENT STUDENT STATUS.**".

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

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

The motion prevailed.

House Bill No. 6223, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 8134 (MCL 500.8134), as amended by 1998 PA 279.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 6224, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 8133a.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 6225, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 8124a.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 6226, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 8124 (MCL 500.8124), as added by 1989 PA 302.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 6227, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 8111 (MCL 500.8111), as amended by 1992 PA 182.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 6228, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 7945 (MCL 500.7945), as amended by 1980 PA 41.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 6229, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 7941 (MCL 500.7941), as amended by 1990 PA 137.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 6230, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 7931 (MCL 500.7931), as amended by 1980 PA 41.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 6231, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 7925 (MCL 500.7925), as amended by 1980 PA 41.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 6232, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 7921 (MCL 500.7921), as amended by 1993 PA 200.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 6233, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 7918 (MCL 500.7918), as amended by 2001 PA 182.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 6234, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 7911 (MCL 500.7911), as amended by 1993 PA 200.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 6235, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3503 (MCL 500.3503), as added by 2000 PA 252.

The bill was read a second time.

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

The motion prevailed.

Senate Bill No. 403, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16131 and 16263 (MCL 333.16131 and 333.16263), as amended by 2004 PA 97, and by adding section 16346 and part 183A.

Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Health Policy,

The substitute (H-2) was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

Rep. Ward moved to reconsider the vote by which the House placed the bill on the order of Third Reading of Bills.

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

Rep. Ward moved to reconsider the vote by which the House adopted the substitute (H-2) previously recommended by the Committee on Health Policy.

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

The question being on the adoption of the substitute (H- 2) previously recommended by the Committee on Health Policy,

The substitute (H-2) was not adopted, a majority of the members serving not voting therefor.

Rep. Gaffney moved to substitute (H-3) the bill.

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

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

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

Rep. Ward moved that **House Bill No. 6041** be placed on its immediate passage.

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

House Bill No. 6041, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending sections 261 and 268 (MCL 18.1261 and 18.1268), section 261 as amended by 2005 PA 91 and section 268 as added by 1988 PA 237, and by adding section 268a.

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

Roll Call No. 794**Yeas—102**

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

Nays—4

Drolet	Garfield	Gosselin	Hoogendyk
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In The Chair: Elsenheimer

The question being on agreeing to the title of the bill,

Rep. Ward moved to amend the title to read as follows:

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 262a.

The motion prevailed.

The House agreed to the title as amended.

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

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

Rep. Ward moved that **House Bill No. 6258** be placed on its immediate passage.

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

House Bill No. 6258, entitled

A bill to amend 1984 PA 431, entitled “The management and budget act,” (MCL 18.1101 to 18.1594) by adding section 263a.

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

Roll Call No. 795**Yeas—106**

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

Nays—0

In The Chair: Elsenheimer

The House agreed to the title of the bill.

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

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

Rep. Ward moved that **House Bill No. 6259** be placed on its immediate passage.

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

House Bill No. 6259, entitled

A bill to amend 1984 PA 431, entitled “The management and budget act,” (MCL 18.1101 to 18.1594) by adding section 263b.

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

Roll Call No. 796**Yeas—106**

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

Nays—0

In The Chair: Elsenheimer

The House agreed to the title of the bill.

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

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

Rep. Ward moved that **House Bill No. 6257** be placed on its immediate passage.

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

House Bill No. 6257, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 261 (MCL 18.1261), as amended by 2005 PA 91.

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

Roll Call No. 797**Yeas—102**

Accavitti	Elsenheimer	Lemmons, III	Robertson
Acciavatti	Emmons	Lemmons, Jr.	Rocca
Adamini	Espinoza	Lipsey	Sak
Amos	Farhat	Marleau	Schuitmaker

Anderson	Farrah	Mayes	Shaffer
Angerer	Gaffney	McConico	Sheltrown
Ball	Gillard	McDowell	Smith, Alma
Baxter	Gleason	Meisner	Smith, Virgil
Bennett	Gonzales	Meyer	Spade
Bieda	Green	Miller	Stahl
Booher	Hansen	Moolenaar	Stakoe
Brandenburg	Hildenbrand	Moore	Steil
Brown	Hood	Mortimer	Stewart
Byrnes	Hopgood	Murphy	Taub
Byrum	Huizenga	Newell	Tobocman
Casperson	Hummel	Nitz	Vagnozzi
Caswell	Hune	Nofs	Van Regenmorter
Caul	Hunter	Palmer	Vander Veen
Cheeks	Jones	Palsrok	Walker
Clack	Kahn	Pastor	Ward
Clemente	Kolb	Pavlov	Waters
Condino	Kooiman	Pearce	Wenke
Cushingberry	LaJoy	Plakas	Williams
DeRoche	Law, David	Polidori	Wojno
Dillon	Law, Kathleen	Proos	Zelenko
Donigan	Leland		

Nays—4

Drolet	Garfield	Gosselin	Hoogendyk
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In The Chair: Elsenheimer

The House agreed to the title of the bill.

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

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

Rep. Ward moved that **Senate Bill No. 1196** be placed on its immediate passage.

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

Senate Bill No. 1196, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 40a (MCL 791.240a), as amended by 1993 PA 346.

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

Roll Call No. 798**Yeas—106**

Accavitti	Elsenheimer	Law, Kathleen	Proos
Acciavatti	Emmons	Leland	Robertson
Adamini	Espinoza	Lemmons, III	Rocca
Amos	Farhat	Lemmons, Jr.	Sak
Anderson	Farrah	Lipsey	Schuitmaker
Angerer	Gaffney	Marleau	Shaffer
Ball	Garfield	Mayes	Sheltrown
Baxter	Gillard	McConico	Smith, Alma
Bennett	Gleason	McDowell	Smith, Virgil

Bieda	Gonzales	Meisner	Spade
Booher	Gosselin	Meyer	Stahl
Brandenburg	Green	Miller	Stakoe
Brown	Hansen	Moolenaar	Steil
Byrnes	Hildenbrand	Moore	Stewart
Byrum	Hood	Mortimer	Taub
Casperson	Hoogendyk	Murphy	Tobocman
Caswell	Hopgood	Newell	Vagnozzi
Caul	Huizenga	Nitz	Van Regenmorter
Cheeks	Hummel	Nofs	Vander Veen
Clack	Hune	Palmer	Walker
Clemente	Hunter	Palsrok	Ward
Condino	Jones	Pastor	Waters
Cushingberry	Kahn	Pavlov	Wenke
DeRoche	Kolb	Pearce	Williams
Dillon	Kooiman	Plakas	Wojno
Donigan	LaJoy	Polidori	Zelenko
Drolet	Law, David		

Nays—0

In The Chair: Elsenheimer

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

“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 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.”

The House agreed to the full title.

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

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

Second Reading of Bills

House Bill No. 4264, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” (MCL 380.1 to 380.1852) by adding section 475. (The bill was read a second time, substitute (H-4) adopted, amendment offered and bill postponed temporarily on June 27, see House Journal No. 65, p. 1750.)

Rep. Hopgood moved to amend the bill as follows:

1. Amend page 2, following line 6, by inserting:

“(3) IF THE BOARD OF A SCHOOL DISTRICT ESTABLISHES A SINGLE-GENDER SCHOOL, CLASS, OR PROGRAM DESCRIBED IN SUBSECTION (1), THEN AT THE END OF 4 YEARS OF OPERATING THE SINGLE-GENDER SCHOOL, CLASS, OR PROGRAM, THE INTERMEDIATE SCHOOL DISTRICT, IN CONJUNCTION WITH THE SCHOOL DISTRICT, SHALL DEVELOP AND PUBLISH AN EVALUATION OF THE SINGLE-GENDER SCHOOL, CLASS, OR PROGRAM THAT USES MEASURABLE DATA TO EVALUATE THE EDUCATIONAL ACHIEVEMENTS OF THE SINGLE-GENDER SCHOOL, CLASS, OR PROGRAM. THE INTERMEDIATE SCHOOL DISTRICT SHALL MAKE THIS EVALUATION

AVAILABLE TO THE PUBLIC TO ASSIST PARENTS AND POLICYMAKERS IN EVALUATING THE SINGLE-GENDER SCHOOL, CLASS, OR PROGRAM.”.

The question being on the adoption of the amendment offered previously by Rep. Hopgood, Rep. Hopgood withdrew the amendment.

Rep. Palmer moved to substitute (H-5) the bill.

The motion prevailed and the substitute (H-5) was adopted, a majority of the members serving voting therefor.

Rep. Palmer moved to amend the bill as follows:

1. Amend page 1, line 6, after **“PROGRAM”** by inserting **“AND A SUBSTANTIALLY EQUAL SCHOOL, CLASS, OR PROGRAM FOR PUPILS OF THE OTHER GENDER, IF PRACTICABLE”**.

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

Rep. Lemmons, III moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4264, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” (MCL 380.1 to 380.1852) by adding section 475.

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

Roll Call No. 799

Yeas—81

Accavitti	Dillon	Jones	Pavlov
Acciavatti	Elsenheimer	Kooiman	Pearce
Adamini	Emmons	Law, David	Proos
Amos	Espinoza	Leland	Robertson
Ball	Farrar	Lemmons, III	Rocca
Baxter	Gaffney	Lemmons, Jr.	Sak
Bennett	Garfield	Lipsey	Shaffer
Bieda	Gillard	Marleau	Sheltrown
Booher	Gleason	McConico	Smith, Virgil
Brandenburg	Gonzales	McDowell	Stahl
Brown	Gosselin	Meyer	Stakoe
Byrnes	Green	Moolenaar	Steil
Casperson	Hansen	Moore	Stewart
Caswell	Hildenbrand	Mortimer	Taub
Caul	Hood	Newell	Tobocman
Cheeks	Hoogendyk	Nitz	Van Regenmorter
Clack	Huizenga	Nofs	Vander Veen
Clemente	Hummel	Palmer	Walker
Condino	Hune	Palsrok	Waters
Cushingberry	Hunter	Pastor	Wojno
DeRoche			

Nays—25

Anderson	Kahn	Miller	Spade
Angerer	Kolb	Murphy	Vagnozzi
Byrum	LaJoy	Plakas	Ward
Donigan	Law, Kathleen	Polidori	Wenke
Drolet	Mayes	Schuitmaker	Williams

Farhat
Hopgood

Meisner

Smith, Alma

Zelenko

In The Chair: Elsenheimer

The House agreed to the title of the bill.
Rep. Ward moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.

Reps. Murphy and Williams moved that their names be removed as co-sponsors of the bill.
The motion prevailed.

Reps. McConico, Meyer, Newell, Virgil Smith, Hunter, Pastor, DeRoche, Garfield, Hoogendyk, Nofs, Sak, Huizenga, Dillon, Baxter, Booher, Elsenheimer, Gonzales, Gosselin, Jones, Leland, Marleau, Mortimer, Palmer, Pavlov and Pearce were named co-sponsors of the bill.

Rep. Kathleen Law, 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 on House Bill 4264, 6247 and SB1296 because separate but equal has been proven time and again to result in discrimination. Single-sex schools would be inherently unequal, and thus unconstitutional.

Title IX currently permits select single-sex classes – in physical education or to remedy past discrimination for example; it doesn’t allow schools to segregate students arbitrarily. What is needed is a thoughtful examination of the diverse single-sex schools that already exist, to see what works and what doesn’t before ushering in single sex schools. To improve performance, schools should focus more on academics, discipline, smaller classes, more parental involvement and better teacher training, rather than splitting up boys and girls.

Additionally, without the opposite sex, students are denied a learning environment representative of real life. This deprives them of the opportunity to develop skills for interaction with peers regardless of gender in their work environment and fosters ignorance and prejudice towards the other gender.

Supporters point to the successes of single-sex private schools when justifying the move for single sex public schools; but many educators attribute much of the academic successes of these private schools to their smaller class sizes, engaged parents, well-trained teachers, and strong academic emphasis.

It is for these reasons that I voted NO on House Bill 4264, 6247 and SB1296.”

Second Reading of Bills

House Bill No. 6247, entitled

A bill to amend 1976 PA 453, entitled “Elliott-Larsen civil rights act,” (MCL 37.2101 to 37.2804) by adding section 404a.

The bill was read a second time.

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

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 6247, entitled

A bill to amend 1976 PA 453, entitled “Elliott-Larsen civil rights act,” (MCL 37.2101 to 37.2804) by adding section 404a.

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

Roll Call No. 800**Yeas—80**

Accavitti	Dillon	Jones	Pavlov
Acciavatti	Elsenheimer	Kooiman	Pearce
Adamini	Emmons	Law, David	Proos
Amos	Espinoza	Leland	Robertson
Ball	Farrah	Lemmons, III	Rocca
Baxter	Gaffney	Lemmons, Jr.	Sak
Bennett	Garfield	Lipsev	Shaffer
Bieda	Gillard	Marleau	Sheltrown
Booher	Gleason	McConico	Smith, Virgil
Brandenburg	Gonzales	McDowell	Stahl
Brown	Gosselin	Meyer	Stakoe
Byrnes	Green	Moolenaar	Steil
Casperson	Hansen	Moore	Stewart
Caul	Hildenbrand	Mortimer	Taub
Cheeks	Hood	Newell	Tobocman
Clack	Hoogendyk	Nitz	Van Regenmorter
Clemente	Huizenga	Nofs	Vander Veen
Condino	Hummel	Palmer	Walker
Cushingberry	Hune	Palsrok	Waters
DeRoche	Hunter	Pastor	Wojno

Nays—26

Anderson	Hopgood	Miller	Spade
Angerer	Kahn	Murphy	Vagnozzi
Byrum	Kolb	Plakas	Ward
Caswell	LaJoy	Polidori	Wenke
Donigan	Law, Kathleen	Schuitmaker	Williams
Drolet	Mayes	Smith, Alma	Zelenko
Farhat	Meisner		

In The Chair: Elsenheimer

The House agreed to the title of the bill.

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

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

Reps. Hunter, DeRoche, Hoogendyk, Nofs, Sak, Huizenga, Baxter, Booher, Cheeks, Gonzales, Gosselin, Jones, Lemmons, III, Lemmons, Jr., Marleau, Mortimer, Palmer and Pearce were named co-sponsors of the bill.

Rep. Kathleen Law, 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 on House Bill 4264, 6247 and SB1296 because separate but equal has been proven time and again to result in discrimination. Single-sex schools would be inherently unequal, and thus unconstitutional.

Title IX currently permits select single-sex classes – in physical education or to remedy past discrimination for example; it doesn’t allow schools to segregate students arbitrarily. What is needed is a thoughtful examination of the diverse single-sex schools that already exist, to see what works and what doesn’t before ushering in single sex schools. To improve performance, schools should focus more on academics, discipline, smaller classes, more parental involvement and better teacher training, rather than splitting up boys and girls.

Additionally, without the opposite sex, students are denied a learning environment representative of real life. This deprives them of the opportunity to develop skills for interaction with peers regardless of gender in their work environment and fosters ignorance and prejudice towards the other gender.

Supporters point to the successes of single-sex private schools when justifying the move for single sex public schools; but many educators attribute much of the academic successes of these private schools to their smaller class sizes, engaged parents, well-trained teachers, and strong academic emphasis.

It is for these reasons that I voted NO on House Bill 4264, 6247 and SB1296.”

Second Reading of Bills

Senate Bill No. 1296, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1146 (MCL 380.1146). The bill was read a second time.

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

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

Rep. Palmer moved to amend the bill as follows:

1. Amend page 2, line 5, after “PROGRAM” by inserting “AND A SUBSTANTIALLY EQUAL SCHOOL, CLASS, OR PROGRAM FOR PUPILS OF THE OTHER GENDER, IF PRACTICABLE”.

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 1296, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1146 (MCL 380.1146).

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

Roll Call No. 801

Yeas—79

Accavitti	Emmons	Law, David	Plakas
Acciavatti	Espinoza	Leland	Proos
Adamini	Farrah	Lemmons, III	Robertson
Amos	Gaffney	Lemmons, Jr.	Rocca
Baxter	Garfield	Lipsey	Sak
Bennett	Gillard	Marleau	Shaffer
Bieda	Gleason	McConico	Sheltrown
Booher	Gonzales	McDowell	Smith, Virgil
Brandenburg	Gosselin	Meyer	Stahl
Brown	Green	Moolenaar	Stakoe
Byrnes	Hansen	Moore	Steil
Casperson	Hildenbrand	Mortimer	Stewart
Caul	Hood	Newell	Taub
Cheeks	Hoogendyk	Nitz	Tobocman
Clemente	Huizenga	Nofs	Van Regenmorter
Condino	Hummel	Palmer	Vander Veen
Cushingberry	Hune	Palsrok	Walker
DeRoche	Hunter	Pastor	Waters
Dillon	Jones	Pavlov	Wojno
Elsenheimer	Kooiman	Pearce	

Nays—27

Anderson	Drolet	Mayes	Spade
Angerer	Farhat	Meisner	Vagnozzi
Ball	Hopgood	Miller	Ward
Byrum	Kahn	Murphy	Wenke
Caswell	Kolb	Polidori	Williams
Clack	LaJoy	Schuitmaker	Zelenko
Donigan	Law, Kathleen	Smith, Alma	

In The Chair: Elsenheimer

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

“An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts,”

The House agreed to the full title.

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

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

Rep. Kathleen Law, 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 on House Bill 4264, 6247 and SB1296 because separate but equal has been proven time and again to result in discrimination. Single-sex schools would be inherently unequal, and thus unconstitutional.

Title IX currently permits select single-sex classes – in physical education or to remedy past discrimination for example; it doesn’t allow schools to segregate students arbitrarily. What is needed is a thoughtful examination of the diverse single-sex schools that already exist, to see what works and what doesn’t before ushering in single sex schools. To improve performance, schools should focus more on academics, discipline, smaller classes, more parental involvement and better teacher training, rather than splitting up boys and girls.

Additionally, without the opposite sex, students are denied a learning environment representative of real life. This deprives them of the opportunity to develop skills for interaction with peers regardless of gender in their work environment and fosters ignorance and prejudice towards the other gender.

Supporters point to the successes of single-sex private schools when justifying the move for single sex public schools; but many educators attribute much of the academic successes of these private schools to their smaller class sizes, engaged parents, well-trained teachers, and strong academic emphasis.

It is for these reasons that I voted NO on House Bill 4264, 6247 and SB1296.”

By unanimous consent the House returned to the order of

Messages from the Senate

The Speaker laid before the House

Senate Bill No. 541, entitled

A bill to regulate the transfer of structured settlement rights; to place conditions on the transfer of structured settlement rights; to establish a procedure for approval of transfer of structured settlement rights; and to repeal acts and parts of acts.

(The bill was received from the Senate on June 20, with an amendment to the House substitute (H-1) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 21, see House Journal No. 62, p. 1631.)

The question being on concurring in the amendment to the House substitute (H-1) made to the bill by the Senate, The amendment was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 802**Yeas—106**

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

Nays—0

In The Chair: Elsenheimer

The Speaker laid before the House

House Bill No. 6084, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 248f, 302, 302a, 303, 306, 307, 307a, 312e, 312f, 314, 319b, 319f, 319g, 324, 732, 801c, 811k, and 907 (MCL 257.248f, 257.302, 257.302a, 257.303, 257.306, 257.307, 257.307a, 257.312e, 257.312f, 257.314, 257.319b, 257.319f, 257.319g, 257.324, 257.732, 257.801c, 257.811k, and 257.907), section 248f as added by 1993 PA 300, section 302 as amended by 1991 PA 100, section 302a as added by 1990 PA 181, sections 303 and 307 as amended by 2005 PA 142, sections 306, 312e, 312f, and 314 as amended by 2004 PA 362, section 307a as added by 1988 PA 346, sections 319b, 319g, and 732 as amended by 2004 PA 495, section 319f as added by 1996 PA 404, section 324 as amended by 2001 PA 159, section 801c as amended by 1980 PA 281, section 811k as added by 2000 PA 73, and section 907 as amended by 2005 PA 1, and by adding section 303a.

(The bill was received from the Senate on June 21, with substitute (S-2), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 22, see House Journal No. 63, p. 1676.)

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

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

Roll Call No. 803**Yeas—106**

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

Nays—0

In The Chair: Elsenheimer

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

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

The House agreed to the title as amended.

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

The Speaker laid before the House

House Bill No. 6069, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1225 (MCL 380.1225), as amended by 2002 PA 246.

(The bill was received from the Senate on June 22, with substitute (S-2), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 27, see House Journal No. 64, p. 1729.)

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

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

Roll Call No. 804**Yeas—106**

Accavitti	Elsenheimer	Law, Kathleen	Proos
Acciavatti	Emmons	Leland	Robertson

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

Nays—0

In The Chair: Elsenheimer

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

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

The House agreed to the full title of the bill.

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

Rep. Waters moved that Rep. Plakas be excused temporarily from today's session.

The motion prevailed.

The Speaker laid before the House

Senate Bill No. 1074, entitled

A bill to amend 2000 PA 403, entitled "Motor fuel tax act," by amending section 8 (MCL 207.1008), as amended by 2002 PA 668.

(The bill was received from the Senate on June 27, with an amendment to the House substitute (H-1) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 65, p. 1773.)

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

The amendment was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 805**Yeas—105**

Accavitti	Elsenheimer	Law, David	Proos
Acciavatti	Emmons	Law, Kathleen	Robertson

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

Nays—0

In The Chair: Elsenheimer

Rep. Ward moved that House Committees be given leave to meet during the balance of today's session. The motion prevailed.

Rep. Hood asked and obtained an excuse from tomorrow's session.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Miller, Accavitti, Adamini, Anderson, Ball, Bennett, Bieda, Booher, Brandenburg, Brown, Byrnes, Byrum, Clack, Clemente, Espinoza, Farrah, Gillard, Gleason, Gonzales, Green, Hopgood, Kathleen Law, Leland, Lemmons, III, Lemmons, Jr., Lipsey, Mayes, McDowell, Meisner, Plakas, Polidori, Sak, Alma Smith, Spade, Tobocman, Vagnozzi, Vander Veen, Waters, Wojno and Zelenko offered the following resolution:

House Resolution No. 284.

A resolution recognizing the week of October 1 through October 7, 2006, as Inflammatory Breast Cancer Awareness Week in the state of Michigan.

Whereas, Many of Michigan's citizens have been diagnosed and suffer from inflammatory breast cancer and deserve designated calendar days to raise awareness about the condition, as well as a chance to connect with others inflicted with the disease; and

Whereas, Few women or men who have been diagnosed with inflammatory breast cancer are properly educated about the disease. Countless individuals are mis-diagnosed and because of the disease's aggressiveness and the survival rate at about 40%, approximately 5 years, time is of great importance; and

Whereas, Inflammatory breast cancer is a completely different condition from traditional breast cancer due to its extremely different forms of treatment, symptoms, and function within the body. Inflammatory breast cancer is the most aggressive form of breast cancer, as well as the deadliest; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body recognize the week of October 1 through October 7, 2006 as Inflammatory Breast Cancer Awareness Week in the state of Michigan. We encourage all citizens to recognize the many individuals inflicted with this disease and aid in promoting state-wide awareness and education regarding the realities associated with inflammatory breast cancer.

Pending the reference of the resolution to a committee,

Rep. Ward moved that Rule 77 be suspended and the resolution be considered at this time.

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Sheltrown, Plakas, Cushingberry, Vagnozzi, Lemmons, Jr., Bennett, Miller, Spade, Polidori, Gonzales, Donigan, Leland, Farrah, Kathleen Law, Brown, Adamini, McDowell, Sak, Mayes, Anderson, Gillard, Lemmons, III, Accavitti, Ball, Booher, Brandenburg, Byrnes, Byrum, Clack, Clemente, Espinoza, Gleason, Green, Hopgood, Lipsey, Meisner, Alma Smith, Tobocman, Vander Veen, Waters, Wojno and Zelenko offered the following resolution:

House Resolution No. 285.

A resolution to memorialize the Congress of the United States to divert excess oil company profits to provide incentives for the development of biodiesel and ethanol production facilities and to encourage the use of these fuels in diesel fuel vehicles and flexible fuel vehicles.

Whereas, High gasoline prices will impact all sectors of Michigan's economy. Recently, the price of regular gasoline has approached, and in certain regions of the state exceeded, \$3.00 per gallon. This price is substantially higher than the price of gasoline sold at this time last year. These extreme gasoline prices disproportionately impact Michigan's manufacturing, agriculture, and tourism sectors, which are highly dependent on fuels and negatively affected by soaring fuel costs; and

Whereas, Oil companies reported record increases in their 2005 profits compared to a year earlier. In particular, ExxonMobil reported \$36.1 billion in 2005 profits, or 43 percent higher than the previous year, making it the world's largest corporation. Royal Dutch Shell's 2005 profits reached \$23 billion, exceeding its 2004 earnings by nearly a third. Exceptional profits were also reported by Chevron, British Petroleum, and Conoco Phillips, the other major international oil companies; and

Whereas, It is becoming increasingly apparent that alternative fuels must be a critical component of the state and the nation's energy supply. Access to the world supply of crude oil is very precarious, and gasoline and diesel fuel prices are reaching new highs; and

Whereas, Biodiesel and ethanol are renewable alternative fuels produced in the United States primarily from soybean and corn crops, which are both prominent crops in Michigan's agricultural sector. Advancing the development of biodiesel and ethanol by using excess oil company profits will help the United States meet its energy needs, lessen our dependence on foreign oil supplies, and reduce tail pipe emissions that have the potential to harm human health and the environment; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to divert excess oil company profits to provide incentives for the development of biodiesel and ethanol production facilities and to encourage the use of these fuels in diesel fuel vehicles and flexible fuel vehicles; and be it further

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

The resolution was referred to the Committee on Government Operations.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced the enrollment printing and presentation to the Governor on Wednesday, June 28 for her approval of the following bill:

Enrolled House Bill No. 5192 at 1:14 p.m.

The Clerk announced that the following bills had been printed and placed upon the files of the members on Wednesday, June 28:

House Bill Nos. 6270 6271 6272

Senate Bill Nos. 1332 1333 1334 1335

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Committee on Insurance, by Rep. Hune, Chair, reported

House Bill No. 6238, entitled

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

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. Hune, Robertson, Emmons, Gaffney, Ball, David Law, Marleau, Mortimer, Hunter, Adamini, Leland, Anderson, Condino and Farrah

Nays: None

The Committee on Insurance, by Rep. Hune, Chair, reported

House Bill No. 6248, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 126.

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. Hune, Robertson, Emmons, Gaffney, Ball, David Law, Marleau, Mortimer, Hunter, Adamini, Leland, Anderson, Condino and Farrah

Nays: None

The Committee on Insurance, by Rep. Hune, Chair, reported

House Bill No. 6270, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 451 (MCL 500.451), as amended by 1994 PA 228.

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. Hune, Robertson, Emmons, Gaffney, Ball, Hildenbrand, David Law, Marleau and Mortimer

Nays: Reps. Hunter, Adamini, Leland, Anderson, Condino and Farrah

The Committee on Insurance, by Rep. Hune, Chair, reported

Senate Bill No. 880, entitled

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

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

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Hune, Robertson, Emmons, Gaffney, Ball, David Law, Marleau, Mortimer, Hunter, Adamini, Leland, Anderson, Condino and Farrah

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, June 28, 2006

Present: Reps. Hune, Robertson, Emmons, Gaffney, Ball, Hildenbrand, David Law, Marleau, Mortimer, Hunter, Adamini, Leland, Anderson, Condino and Farrah

Absent: Reps. Sheen and Wojno

Excused: Rep. Sheen

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Stakoe, Chair, of the Committee on Local Government and Urban Policy, was received and read:

Meeting held on: Wednesday, June 28, 2006

Present: Reps. Stakoe, Elsenheimer, Van Regenmorter, Robertson, Nitz, Schuitmaker, Accavitti, Donigan, Vagnozzi and Virgil Smith

Absent: Rep. Baxter

Excused: Rep. Baxter

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, June 28, 2006

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

Messages from the Senate**House Bill No. 4971, entitled**

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding section 32.

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. 6194, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 5238 (MCL 500.5238), as amended by 1989 PA 139.

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. 6195, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 5245 (MCL 500.5245).

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. 6196, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 5248 (MCL 500.5248). 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. 5819, entitled

A bill to amend 1980 PA 87, entitled "The uniform condemnation procedures act," by amending section 9 (MCL 213.59), as amended by 1996 PA 474.

The Senate has amended the bill as follows:

1. Amend page 2, line 1, after "need." by striking out the balance of the subsection.
2. Amend page 3, following line 18, by inserting:

"(6) THE PAYMENT OF ESCROW, AS ORDERED UNDER SUBSECTION (5), MUST BE MADE NO LATER THAN 30 DAYS BEFORE PHYSICAL DISPOSSESSION. IF THERE IS A DISPUTE AFTER THE PAYMENT IS MADE, THE DISPUTE SHALL BE RESOLVED AT AN APPORTIONMENT HEARING HELD BEFORE PHYSICAL DISPOSSESSION.

(7) THE FOLLOWING SPECIAL PROVISIONS APPLY IF THE SURRENDER OF POSSESSION OF PROPERTY PURSUANT TO THE TRANSFER OF TITLE TO THE PROPERTY IN CONDEMNATION PROCEEDINGS REQUIRES THE RELOCATION OF THE OWNER OR ANOTHER OCCUPANT:

(A) IF THE SURRENDER OR POSSESSION OF PROPERTY REQUIRES THE RELOCATION OF ANY INDIVIDUAL WHO OCCUPIES A RESIDENTIAL DWELLING ON THE PROPERTY, THE INDIVIDUAL SHALL NOT BE REQUIRED TO MOVE FROM HIS OR HER DWELLING UNLESS HE OR SHE HAS HAD A REASONABLE OPPORTUNITY NOT TO EXCEED 180 DAYS AFTER THE PAYMENT DATE OF MOVING EXPENSES OR THE MOVING ALLOWANCE PROVIDED UNDER 1965 PA 40, MCL 213.351 TO 213.355, TO RELOCATE TO A COMPARABLE REPLACEMENT DWELLING.

(B) HOWEVER, IF THE AGENCY IS COMPLYING WITH APPLICABLE FEDERAL REGULATIONS AND PROCEDURES REGARDING PAYMENT OF COMPENSATION OR RELOCATION REQUIREMENTS, THOSE FEDERAL REGULATIONS AND PROCEDURES TAKE PRECEDENCE OVER ANY CONFLICTING PROVISIONS IN THIS SECTION.

(8) AS USED IN THIS SECTION, "COMPARABLE REPLACEMENT DWELLING" MEANS ANY DWELLING THAT IS ALL OF THE FOLLOWING:

(A) DECENT, SAFE, AND SANITARY.

(B) ADEQUATE IN SIZE TO ACCOMMODATE THE OCCUPANTS.

(C) WITHIN THE FINANCIAL MEANS OF THE INDIVIDUAL.

(D) FUNCTIONALLY EQUIVALENT.

(E) IN AN AREA NOT SUBJECT TO UNREASONABLE ADVERSE ENVIRONMENTAL CONDITIONS.

(F) IN A LOCATION GENERALLY NOT LESS DESIRABLE THAN THE LOCATION OF THE INDIVIDUAL'S DWELLING WITH RESPECT TO PUBLIC UTILITIES, FACILITIES, SERVICES, AND THE INDIVIDUAL'S PLACE OF EMPLOYMENT.

Enacting section 1. This amendatory act takes effect December 23, 2006." and renumbering the remaining enacting section.

3. Amend page 3, line 24, by striking out all of line 24 through the balance of the enacting section.

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

The Speaker announced that pursuant to Rule 45, the bill was laid over one day.

House Bill No. 5953, entitled

A bill to amend 1909 PA 259, entitled "An act to provide that judgments of divorce and judgments of separate maintenance shall make provision in satisfaction of the claims of the wife in the property of the husband and in satisfaction of the claims of the husband and wife in contracts of insurance and annuity upon the life of the husband or wife, and in satisfaction of claims of the husband and wife in or to any pension, annuity, retirement allowance, or accumulated contributions in any pension, annuity, or retirement system, including any rights or contingent rights in and to unvested pension, annuity, or retirement benefits; and to change the tenure of lands owned by husband and wife in case of divorce, and to provide for the disposition or partition of such lands or the proceeds thereof," by amending section 1 (MCL 552.101), as amended by 1985 PA 42.

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

The Senate has passed the bill as substituted (S-1) and ordered that it be given immediate effect.

The Speaker announced that pursuant to Rule 45, the bill was laid over one day.

House Bill No. 5955, entitled

A bill to amend 1917 PA 273, entitled "An act to regulate and license pawnbrokers in certain governmental units of this state; and to prescribe certain powers and duties of certain local governmental units and state agencies," by amending sections 1 and 3 (MCL 446.201 and 446.203), section 1 as amended by 2004 PA 585 and section 3 as amended by 2002 PA 469.

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

The Senate has passed the bill as substituted (S-1) and ordered that it be given immediate effect.

The Speaker announced that pursuant to Rule 45, the bill was laid over one day.

House Bill No. 5956, entitled

A bill to amend 1945 PA 231, entitled "An act to prescribe additional regulations and requirements for pawnbrokers, secondhand dealers and junk dealers; to provide for the taking of fingerprints and the making of reports to enforcement officers; to prescribe penalties for the violation of the provisions of this act; and to declare the effect of this act," by amending sections 1 and 6 (MCL 445.471 and 445.476).

The Senate has substituted (S-2) the bill.

The Senate has passed the bill as substituted (S-2) and ordered that it be given immediate effect.

The Speaker announced that pursuant to Rule 45, the bill was laid over one day.

House Bill No. 5957, entitled

A bill to amend 1917 PA 350, entitled "An act to regulate and license second hand dealers and junk dealers; and to prescribe penalties for the violation of the provisions of this act," by amending sections 1 and 3 (MCL 445.401 and 445.403).

The Senate has substituted (S-2) the bill.

The Senate has passed the bill as substituted (S-2) and ordered that it be given immediate effect.

The Speaker announced that pursuant to Rule 45, the bill was laid over one day.

House Bill No. 5958, entitled

A bill to amend 1981 PA 95, entitled "The precious metal and gem dealer act," by amending sections 2 and 3 (MCL 445.482 and 445.483), section 2 as amended by 1990 PA 34.

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 pursuant to Joint Rule 20, inserted the full title.

The Speaker announced that pursuant to Rule 45, the bill was laid over one day.

Messages from the Governor

Date: June 27, 2006

Time: 2:10 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 6183 (Public Act No. 240, I.E.), being

An act to amend 1975 PA 228, entitled "An act to provide for the imposition, levy, computation, collection, assessment and enforcement, by lien or otherwise, of taxes on certain commercial, business, and financial activities; to prescribe the manner and times of making certain reports and paying taxes; to prescribe the powers and duties of public officers and state departments; to permit the inspection of records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits, and refunds; to provide penalties; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; and to provide an appropriation," by amending sections 38g, 39c, and 71 (MCL 208.38g, 208.39c, and 208.71), section 38g as amended by 2006 PA 112, section 39c as amended by 2006 PA 53, and section 71 as amended by 1999 PA 115.

(Filed with the Secretary of State June 27, 2006, at 2:18 p.m.)

Communications from State Officers

The following communication from the Auditor General was received and read:

June 27, 2006

Enclosed is a copy of the following audit report and/or report summary:
Financial audit, including the provisions of the Single Audit Act, of the
Department of Corrections
for the period October 1, 2003 through September 30, 2005

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

The communication was referred to the Clerk and the accompanying report referred to the Committee on Government Operations.

Introduction of Bills

Rep. McConico introduced
House Bill No. 6273, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 14j. The bill was read a first time by its title and referred to the Committee on Family and Children Services.

Rep. McConico introduced
House Bill No. 6274, entitled

A bill to amend 1979 PA 218, entitled "Adult foster care facility licensing act," by amending sections 13, 16, and 18 (MCL 400.713, 400.716, and 400.718), section 13 as amended by 2004 PA 281.

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

Rep. Robertson introduced
House Bill No. 6275, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," (MCL 791.201 to 791.283) by adding section 40. The bill was read a first time by its title and referred to the Committee on Judiciary.

Reps. Caswell, Sak, Zelenko, Stakoe, Vander Veen, Shaffer and Hansen introduced
House Bill No. 6276, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20155 (MCL 333.20155), as amended by 2006 PA 195.

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

Reps. Sheen, Drolet, Gosselin, Vander Veen, Hoogendyk, Baxter, Shaffer, Robertson, Pastor, Booher, Gaffney, Nofs and Stahl introduced

House Bill No. 6277, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4v (MCL 205.54v), as amended by 2002 PA 452.

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

Reps. Sheen, Drolet, Gosselin, Hoogendyk, Vander Veen, Baxter, Shaffer, Robertson, Pastor, Booher, Gaffney, Nofs and Stahl introduced

House Bill No. 6278, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 4q (MCL 205.94q), as amended by 2002 PA 456.

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

Reps. Palmer, Bieda, Vander Veen, Huizenga, Baxter, Sheen, Pastor, Garfield, Taub, Pearce, Brandenburg, Casperson, Gosselin, Robertson, Moolenaar, Hoogendyk, Drolet and Murphy introduced

House Bill No. 6279, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding chapter 10B.

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

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Committee on Education, by Rep. Palmer, Chair, reported

House Bill No. 5251, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1278 (MCL 380.1278), as amended by 2004 PA 596.

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. Palmer, Mortimer, Gosselin, Hoogendyk, Vander Veen, Wenke, Ball, Hildenbrand, Pearce, Proos, Robertson, Angerer, Virgil Smith, Clack and Polidori

Nays: Reps. Meyer and Miller

The Committee on Education, by Rep. Palmer, Chair, reported

House Bill No. 6173, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1230, 1230a, 1230c, 1230d, 1230g, 1535a, and 1539b (MCL 380.1230, 380.1230a, 380.1230c, 380.1230d, 380.1230g, 380.1535a, and 380.1539b), as amended by 2006 PA 84, and by adding section 1230e.

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. Palmer, Mortimer, Gosselin, Meyer, Hoogendyk, Vander Veen, Wenke, Ball, Hildenbrand, Pearce, Proos, Robertson, Hopgood, Miller, Angerer, Vagnozzi and Polidori

Nays: None

The Committee on Education, by Rep. Palmer, Chair, reported

House Bill No. 6174, entitled

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts," by amending sections 5, 5c, and 5f (MCL 722.115, 722.115c, and 722.115f), section 5 as amended by 2006 PA 51, section 5c as added by 2005 PA 133, and section 5f as added by 2005 PA 128.

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. Palmer, Mortimer, Gosselin, Meyer, Hoogendyk, Vander Veen, Wenke, Ball, Hildenbrand, Pearce, Proos, Robertson, Hopgood, Miller, Angerer, Vagnozzi and Polidori

Nays: None

The Committee on Education, by Rep. Palmer, Chair, reported

House Joint Resolution M, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 53 of article IV, to expand the audit authority of the auditor general.

With the recommendation that the substitute (H-1) be adopted and that the joint resolution then be adopted.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Palmer, Mortimer, Gosselin, Meyer, Hoogendyk, Vander Veen, Wenke, Pearce, Proos and Robertson

Nays: Reps. Ball, Hildenbrand, Hopgood, Miller, Angerer, Virgil Smith, Clack, Vagnozzi and Polidori

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, June 28, 2006

Present: Reps. Palmer, Mortimer, Gosselin, Meyer, Hoogendyk, Vander Veen, Wenke, Ball, Hildenbrand, Pearce, Proos, Robertson, Hopgood, Miller, Angerer, Virgil Smith, Clack, Vagnozzi and Polidori

Rep. Kathleen Law moved that the House adjourn.
The motion prevailed, the time being 3:55 p.m.

Associate Speaker Pro Tempore Elsenheimer declared the House adjourned until Thursday, June 29, at 10:30 a.m.

GARY L. RANDALL
Clerk of the House of Representatives