

**No. 38**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**93rd Legislature**  
**REGULAR SESSION OF 2006**

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House Chamber, Lansing, Tuesday, April 25, 2006.

1:00 p.m.

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

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

Accavitti—present	Elsenheimer—present	Law, Kathleen—present	Robertson—present
Acciavatti—present	Emmons—e/d/s	Leland—present	Rocca—present
Adamini—present	Espinoza—present	Lemmons, III—excused	Sak—present
Amos—present	Farhat—present	Lemmons, Jr.—present	Schuitmaker—present
Anderson—present	Farrah—present	Lipsev—present	Shaffer—present
Angerer—present	Gaffney—present	Marleau—present	Sheen—present
Ball—present	Garfield—present	Mayes—present	Sheltrown—present
Baxter—present	Gillard—present	McConico—present	Smith, Alma—present
Bennett—present	Gleason—present	McDowell—present	Smith, Virgil—present
Bieda—present	Gonzales—present	Meisner—present	Spade—present
Booher—present	Gosselin—present	Meyer—present	Stahl—present
Brandenburg—e/d/s	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—e/d/s
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. Tom Pearce, from the 73rd District, offered the following invocation:

“Father, it says in Your word (Proverbs 3:5-6):

Trust in the Lord with all your heart and lean not on your own understanding; in all your ways acknowledge Him and He will make your paths straight.

Today, Lord, we acknowledge You as the Creator of the heavens and the earth. We acknowledge You as the One who places within power those that are to make the rules for our land, for our state. Lord, may we acknowledge You and seek Your wisdom and Your discernment, Your love and Your compassion, as we seek to serve this great state. Be with our citizens whether they be grieving, or lonely for their loved ones who are serving overseas on our behalf.

We thank You for all that You have done for us. We thank You for all that You are going to do. In Jesus’ name, Amen.”

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

### Reports of Standing Committees

The Speaker laid before the House

**House Concurrent Resolution No. 15.**

A concurrent resolution to memorialize the Congress of the United States and the United States Department of Agriculture (USDA) to provide assistance in the effort to mitigate the infestation of the Emerald Ash Borer.

(For text of concurrent resolution, see House Journal No. 46 of 2005, p. 700.)

(The concurrent resolution was reported by the Committee on Agriculture on June 8, consideration of which, under the rules, was postponed until June 9; substitute (H-1) offered and concurrent resolution postponed temporarily on June 14, see House Journal No. 54 of 2005, p. 854.)

The question being on the adoption of the substitute (H-1) offered previously by Rep. Vagnozzi,

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

Rep. Farhat moved to substitute (H-3) the resolution as follows:

**Substitute for House Concurrent Resolution No. 15**

A concurrent resolution to request the President of the United States to direct the United States Attorney General and the Chairman of the Federal Trade Commission to investigate all potential price gouging, price fixing, collusion, and other anticompetitive practices related to gasoline prices.

Whereas, Rapidly rising gasoline prices are rippling through the American economy and creating difficult financial situations for individual families and businesses. With crude oil prices hitting \$75 per barrel—an increase of more than 40 percent in less than a year—the country faces a great challenge. While there are numerous factors behind the escalating prices of oil to record levels, there are valid concerns across the country that there could be instances in which prices are being artificially increased in some situations because of activities that are not related solely to market forces; and

Whereas, The path from the oil field to the consumer is a long one. Refining, distribution, marketing, and storage are all processes that must operate above suspicion in order to assure the American people that the prices they pay are honest. Worries over price gouging, collusion, or other illegal activities can seriously undermine the public’s trust; and

Whereas, It is essential that all efforts be made to ensure integrity in this critically important element of our economy. The United States Attorney General and the Federal Trade Commission should take the lead in protecting the public from illegal activities. This vigilance must extend to refining; transportation of fuel by pipelines, marine vessels, and trucks; storage and marketing, including at the wholesale level; and commodity trading; and

Whereas, American consumers have every right to expect that markets are fair and that their governmental agencies and personnel are doing all they can to eliminate all illegal activities, including artificial spot shortages; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we respectfully request the President of the United States to direct the United States Attorney General and the Chairman of the Federal Trade Commission to investigate all potential price gouging, price fixing, collusion, and other anticompetitive practices related to gasoline prices; and be it further

Resolved, That a copy of this resolution be transmitted to the Office of the President of the United States.

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

The question being on the adoption of the concurrent resolution,

Rep. Ward demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the concurrent resolution,

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

**Roll Call No. 356**

**Yeas—102**

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

**Nays—1**

Drolet

In The Chair: Kooiman

Rep. Brandenburg entered the House Chambers.

The Speaker laid before the House

**House Resolution No. 182.**

A resolution to memorialize the Congress and the President of the United States to increase funding for the Low Income Home Energy Assistance Program (LIHEAP).

(For text of resolution, see House Journal No. 4, p. 29.)

(The resolution was reported by the Committee on Energy and Technology on March 8, consideration of which, under the rules, was postponed until March 9.)

The question being on the adoption of the resolution,

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

**Substitute for House Resolution No. 182.**

A resolution to request the President of the United States to direct the United States Attorney General and the Chairman of the Federal Trade Commission to investigate all potential price gouging, price fixing, collusion, and other anticompetitive practices related to gasoline prices.

Whereas, Rapidly rising gasoline prices are rippling through the American economy and creating difficult financial situations for individual families and businesses. With crude oil prices hitting \$75 per barrel—an increase of more than 40 percent in less than a year—the country faces a great challenge. While there are numerous factors behind the escalating prices of oil to record levels, there are valid concerns across the country that there could be instances in which prices are being artificially increased in some situations because of activities that are not related solely to market forces; and

Whereas, The path from the oil field to the consumer is a long one. Refining, distribution, marketing, and storage are all processes that must operate above suspicion in order to assure the American people that the prices they pay are honest. Worries over price gouging, collusion, or other illegal activities can seriously undermine the public's trust; and

Whereas, It is essential that all efforts be made to ensure integrity in this critically important element of our economy. The United States Attorney General and the Federal Trade Commission should take the lead in protecting the public from illegal activities. This vigilance must extend to refining; transportation of fuel by pipelines, marine vessels, and trucks; storage and marketing, including at the wholesale level; and commodity trading; and

Whereas, American consumers have every right to expect that markets are fair and that their governmental agencies and personnel are doing all they can to eliminate all illegal activities, including artificial spot shortages; now, therefore, be it

Resolved by the House of Representatives, That we respectfully request the President of the United States to direct the United States Attorney General and the Chairman of the Federal Trade Commission to investigate all potential price gouging, price fixing, collusion, and other anticompetitive practices related to gasoline prices; and be it further

Resolved, That a copy of this resolution be transmitted to the Office of the President of the United States.

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

The question being on the adoption of the resolution,

Rep. Ward demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the resolution,

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

**Roll Call No. 357**

**Yeas—100**

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

Clemente	Kahn	Pastor	Ward
Condino	Kolb	Pavlov	Waters
Cushingberry	Kooiman	Pearce	Wenke
DeRoche	LaJoy	Plakas	Wojno
Dillon	Law, David	Polidori	Zelenko

**Nays—4**

Drolet	Gosselin	Hoogendyk	Sheen
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In The Chair: Kooiman

Rep. Emmons entered the House Chambers.

**Second Reading of Bills****House Bill No. 5142, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” (MCL 760.1 to 777.69) by adding section 21c to chapter VIII.

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. Casperson moved to amend the bill as follows:

1. Amend page 1, line 2, after “**FOR**” by striking out “**ANY**” and inserting “**A**”.

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

Rep. Casperson 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. 5142, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” (MCL 760.1 to 777.69) by adding section 21c to chapter VIII.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

**Second Reading of Bills****House Bill No. 5143, entitled**

A bill to clarify the rights and duties of self-defense and the defense of others; to provide for criminal and civil immunity under certain circumstances; to regulate the investigation of incidents involving self-defense or the defense of others; and to provide for certain remedies.

Was read a second time, and the question being on the adoption of the proposed substitute (H-4) previously recommended by the Committee on Judiciary,

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

Rep. Jones moved to amend the bill as follows:

1. Amend page 3, line 17, by striking out all of subsection (3) and renumbering the remaining subsection.

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

Rep. Jones moved to amend the bill as follows:

1. Amend page 1, line 1, after "the" by striking out the balance of the section and inserting "'Dr. Ossian Sweet self-defense act'".

The motion prevailed and the amendment 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.

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. 5143, entitled**

A bill to clarify the rights and duties of self-defense and the defense of others; to provide for criminal and civil immunity under certain circumstances; to regulate the investigation of incidents involving self-defense or the defense of others; and to provide for certain remedies.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

### **Second Reading of Bills**

#### **House Bill No. 5153, entitled**

A bill to clarify the rights and duties of self-defense and the defense of others; to provide for criminal and civil immunity under certain circumstances; to regulate the investigation of incidents involving self-defense or the defense of others; and to provide for certain remedies.

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

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

Rep. Lipsey moved to amend the bill as follows:

1. Amend page 1, line 2, by striking out all of subsection (1).

2. Amend page 1, line 6, by striking out "(2)".

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

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

The motion prevailed.

#### **House Bill No. 5548, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 2922b.

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. Moore 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. 5548, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9947) by adding section 2922b.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

**Second Reading of Bills**

The House returned to the consideration of

**House Bill No. 5153, entitled**

A bill to clarify the rights and duties of self-defense and the defense of others; to provide for criminal and civil immunity under certain circumstances; to regulate the investigation of incidents involving self-defense or the defense of others; and to provide for certain remedies.

(The bill was considered earlier today, see today's Journal, p. 860.)

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

The amendments were not adopted, a majority of the members serving not voting therefor.

Rep. Mortimer 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. 5153, entitled**

A bill to clarify the rights and duties of self-defense and the defense of others; to provide for criminal and civil immunity under certain circumstances; to regulate the investigation of incidents involving self-defense or the defense of others; and to provide for certain remedies.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

**House Bill No. 5300, entitled**

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," (MCL 125.1401 to 125.1499c) by adding section 44h.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

By unanimous consent the House returned to the order of

**Motions and Resolutions**

Reps. Moore, Accavitti, Anderson, Ball, Bieda, Booher, Brandenburg, Brown, Byrum, Casperson, Caul, Clack, Farhat, Farrah, Gonzales, Gosselin, Hansen, Hildenbrand, Hopgood, Huizenga, Kahn, Kolb, Kooiman, Kathleen Law,

Lemmons, Jr., Lipsey, Marleau, Meyer, Miller, Mortimer, Murphy, Pastor, Pearce, Plakas, Proos, Robertson, Sak, Shaffer, Sheltroun, Alma Smith, Spade, Taub and Zelenko offered the following resolution:

**House Resolution No. 245.**

A resolution designating April 29, 2006, as "Dale Earnhardt Day" in the state of Michigan.

Whereas, NASCAR racing legend Dale Earnhardt was born on April 29, 1951; and

Whereas, With 76 victories during his career, including seven Winston Cup Championships, four IROC Championships, 10 wins at Talladega Superspeedway, and 34 wins at Daytona International Speedway, Dale Earnhardt was truly the face of NASCAR. He inspired fans throughout Michigan and the nation with his skill on the track; and

Whereas, Dale Earnhardt won his third straight IROC Race of Champions in 1999 at our state's own Michigan International Speedway; and

Whereas, Known as "The Intimidator", Dale Earnhardt, at the wheel of the No. 3 car, created a legacy by amassing many wins. His first career Winston Cup win came on April 1, 1979, at Bristol Motor Speedway; and

Whereas, Dale Earnhardt changed the sport of racing. He bridged past, present, and future generations of fans by upholding the finest NASCAR traditions, while remaining a cutting-edge competitor throughout the entirety of his career; and

Whereas, His tragic death on February 18, 2001, deeply touched countless people. The loss of this great icon of auto racing will be missed at race tracks across the country for generations to come; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body designate April 29, 2006, as "Dale Earnhardt Day" in the state of Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to the Dale Earnhardt Foundation.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

### Reports of Standing Committees

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

**House Bill No. 4641, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding sections 413 and 526.

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

1. Amend page 2, line 3, after "**BREWERS**" by inserting a comma and "**MICROBREWERS, AND BREWPUBS**".

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

### Favorable Roll Call

To Report Out:

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

Nays: Rep. Van Regenmorter

### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, April 25, 2006

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

Absent: Rep. Lemmons, III

Excused: Rep. Lemmons, III

The Committee on Health Policy, by Rep. Gaffney, Chair, reported

**House Bill No. 5014, entitled**

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

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. Gaffney, Robertson, Hune, Ward, Nofs, Ball, Green, Kahn, Wojno, McDowell, Gleason, Angerer and Clack

Nays: None

The Committee on Health Policy, by Rep. Gaffney, Chair, reported

**House Bill No. 5015, entitled**

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

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. Gaffney, Newell, Robertson, Hune, Ward, Nofs, Ball, Green, Kahn, Wojno, McDowell, Gleason, Angerer and Clack

Nays: None

The Committee on Health Policy, by Rep. Gaffney, Chair, reported

**House Bill No. 5420, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 2828 (MCL 333.2828).

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. Gaffney, Newell, Robertson, Vander Veen, Hune, Ward, Nofs, Ball, Green, Kahn, Wojno, McDowell, Gleason, Angerer and Clack

Nays: None

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Gaffney, Chair, of the Committee on Health Policy, was received and read:

Meeting held on: Tuesday, April 25, 2006

Present: Reps. Gaffney, Newell, Robertson, Vander Veen, Hune, Ward, Nofs, Ball, Green, Kahn, Wojno, McDowell, Gleason, Angerer and Clack

Absent: Reps. Mortimer and Adamini

Excused: Reps. Mortimer and Adamini

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

**House Bill No. 5903, entitled**

A bill to establish a higher education enrollment option grant program for certain students; to prescribe certain duties of public schools; and to prescribe certain powers and duties of certain postsecondary educational institutions and state departments, officials, and agencies.

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. Drolet, Hoogendyk, Gosselin, Garfield, Sheen and Emmons  
Nays: None

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

**House Bill No. 5904, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1561 (MCL 380.1561), as amended by 1996 PA 339.

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. Drolet, Hoogendyk, Gosselin, Garfield, Sheen and Emmons  
Nays: None

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

**House Resolution No. 82.**

A resolution to express support for the Republic of China on Taiwan's participation in the World Health Organization and the World Health Assembly.

(For text of resolution, see House Journal No. 49 of 2005, p. 741.)

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. Drolet, Hoogendyk, Gosselin, Garfield, Sheen, Emmons, Tobocman and Lipsey  
Nays: None

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, April 25, 2006

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

Absent: Rep. Lemmons, III

Excused: Rep. Lemmons, III

The Committee on Commerce, by Rep. Huizenga, Chair, reported

**Senate Bill No. 727, entitled**

A bill to create certain offices in the Michigan economic development corporation; and to impose certain duties and responsibilities on those officers and on certain state employees and public employees.

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, Hildenbrand, Jones, David Law, Marleau, Pavlov, Meisner, Tobocman and Leland

Nays: None

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Huizenga, Chair, of the Committee on Commerce, was received and read:  
Meeting held on: Tuesday, April 25, 2006

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

Absent: Reps. Wenke, Green and Bennett

Excused: Reps. Wenke, Green and Bennett

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Elsenheimer, Chair, of the Committee on Tort Reform, was received and read:  
Meeting held on: Tuesday, April 25, 2006

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

Absent: Rep. Kahn

Excused: Rep. Kahn

**Announcement by the Clerk of Printing and Enrollment**

The Clerk announced that the following Senate bills had been received on Thursday, April 20:

**Senate Bill Nos. 43 784 927 928 1074 1075 1076 1077 1078 1079 1109 1111 1132 1176  
1192**

The Clerk announced that the following bills had been printed and placed upon the files of the members on Friday, April 21:

**House Bill Nos. 5959 5960 5961**

**Senate Bill Nos. 1214 1215 1216 1217 1218 1219 1220 1221 1222 1223 1224 1225 1226**

The Clerk announced the enrollment printing and presentation to the Governor on Monday, April 24, for her approval of the following bill:

**Enrolled House Bill No. 5643 at 11:25 a.m.**

The Clerk announced that the following bills had been printed and placed upon the files of the members on Tuesday, April 25:

**Senate Bill Nos. 1227 1228 1229 1230**

The Clerk announced that the following Senate bill had been received on Tuesday, April 25:

**Senate Bill No. 1196**

By unanimous consent the House returned to the order of

**Messages from the Senate****House Bill No. 5490, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 4703, 4704, 4705, and 4708 (MCL 600.4703, 600.4704, 600.4705, and 600.4708), as added by 1988 PA 104.

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. 5627, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 913 (MCL 436.1913).

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. 5823, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 49, 159j, and 535a (MCL 750.49, 750.159j, and 750.535a), section 49 as amended by 1998 PA 38, section 159j as added by 1995 PA 187, and section 535a as amended by 1999 PA 185.

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. 5824, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7523 (MCL 333.7523), as amended by 1990 PA 336.

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. 5336, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding part 25.

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

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

**Senate Bill No. 242, entitled**

A bill to make, supplement, and adjust appropriations for various state departments and agencies, the judicial branch, and the legislative branch for the fiscal years ending September 30, 2005 and September 30, 2006; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

The Senate has substituted (S-5) the House substitute (H-4).

The Senate has concurred in the House substitute (H-4) as substituted (S-5) and agreed to the title of the bill as amended.

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

**Senate Bill No. 43, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 272.

The Senate has passed the bill.

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

**Senate Bill No. 784, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.157) by adding section 7jj.

The Senate has passed the bill.

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

**Senate Bill No. 927, entitled**

A bill to amend 1959 PA 241, entitled "An act relating to the marking of containers used for liquefied petroleum or carbonic gas; to prohibit the defacing, erasing or other removal of such mark, and the filling, refilling, trafficking in or use of such containers without the authority of the owner; and to provide a penalty for the violation thereof," by amending the title and section 2 (MCL 429.112).

The Senate has passed the bill.

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

**Senate Bill No. 928, entitled**

A bill to amend 1959 PA 241, entitled "An act relating to the marking of containers used for liquefied petroleum or carbonic gas; to prohibit the defacing, erasing or other removal of such mark, and the filling, refilling, trafficking in

or use of such containers without the authority of the owner; and to provide a penalty for the violation thereof,” by amending section 3 (MCL 429.113).

The Senate has passed the bill.

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

**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 Senate has passed the bill.

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

**Senate Bill No. 1075, entitled**

A bill to amend 1984 PA 431, entitled “The management and budget act,” by amending section 213 (MCL 18.1213).

The Senate has passed the bill.

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

**Senate Bill No. 1076, entitled**

A bill to amend 1984 PA 270, entitled “Michigan strategic fund act,” (MCL 125.2001 to 125.2094) by adding section 78.

The Senate has passed the bill.

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

**Senate Bill No. 1077, entitled**

A bill to create a commission to investigate alternative fuels; to define certain alternative fuels; to determine certain powers and duties of the commission; and to repeal acts and parts of acts.

The Senate has passed the bill.

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

**Senate Bill No. 1078, entitled**

A bill to amend 1996 PA 376, entitled “Michigan renaissance zone act,” by amending sections 3, 6, and 8 (MCL 125.2683, 125.2686, and 125.2688), section 3 as amended by 2005 PA 275, section 6 as amended by 2006 PA 116, and section 8 as amended by 2003 PA 266, and by adding section 8e.

The Senate has passed the bill.

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

**Senate Bill No. 1079, entitled**

A bill to amend 1984 PA 44, entitled “Motor fuels quality act,” by amending sections 2, 3, 4a, 5, 6, and 7 (MCL 290.642, 290.643, 290.644a, 290.645, 290.646, and 290.647), sections 2 and 7 as amended by 1993 PA 236, sections 3 and 5 as amended by 2002 PA 13, section 4a as amended by 2002 PA 425, and section 6 as amended by 2004 PA 278.

The Senate has passed the bill.

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

**Senate Bill No. 1109, entitled**

A bill to amend 2000 PA 403, entitled “Motor fuel tax act,” by repealing section 124 (MCL 207.1124).

The Senate has passed the bill.

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

**Senate Bill No. 1111, entitled**

A bill to amend 1974 PA 198, entitled “An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an

exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties,” by amending section 2 (MCL 207.552), as amended by 2005 PA 267.

The Senate has passed the bill.

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

**Senate Bill No. 1132, entitled**

A bill to amend 1951 PA 51, entitled “An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts,” by amending section 11e (MCL 247.661e), as added by 1992 PA 223.

The Senate has passed the bill.

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

**Senate Bill No. 1176, entitled**

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” (MCL 206.1 to 206.532) by adding section 275.

The Senate has passed the bill.

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

**Senate Bill No. 1192, entitled**

A bill to amend 1951 PA 51, entitled “An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation

functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts,” (MCL 247.651 to 247.675) by adding section 11f.

The Senate has passed the bill.

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

#### **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.

The Senate has passed the bill.

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

### **Messages from the Governor**

Date: April 20, 2006

Time: 9:45 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

#### **Enrolled House Bill No. 5606 (Public Act No. 123, I.E.), being**

An act to amend 1976 PA 451, entitled “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,” by amending section 1280 (MCL 380.1280), as amended by 2003 PA 275, and by adding section 1278b.

(Filed with the Secretary of State April 20, 2006, at 10:28 a.m.)

### **Introduction of Bills**

Reps. Hune, Gaffney, Hildenbrand and Ward introduced

#### **House Bill No. 5962, entitled**

A bill to amend 1980 PA 350, entitled “The nonprofit health care corporation reform act,” by amending section 406 (MCL 550.1406).

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

Reps. Elsenheimer, Taub, Hildenbrand, Vander Veen, Palmer, Emmons, Stahl, Booher, Walker, Garfield, Gosselin, Robertson, Baxter, Pastor, Newell and Schuitmaker introduced

#### **House Bill No. 5963, entitled**

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1233b (MCL 380.1233b), by 1995 PA 289.

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

Reps. Ball, Brown, Acciavatti, Jones and Marleau introduced

**House Bill No. 5964, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 491 (MCL 750.491). The bill was read a first time by its title and referred to the Committee on Government Operations.

Reps. Ball, Schuitmaker, Acciavatti and Jones introduced

**House Bill No. 5965, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 951, 952, and 957 (MCL 168.951, 168.952, and 168.957), section 951 as amended by 1993 PA 45 and section 952 as amended by 1993 PA 137, and by adding section 952b.

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

Reps. Walker, Moolenaar, Mortimer, Huizenga, Caul, Vander Veen, Hansen, Elsenheimer, Booher, Brown, Sheltroun, McDowell, Miller and Shaffer introduced

**House Bill No. 5966, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2567a (MCL 600.2567a), as amended by 2002 PA 700.

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

Reps. Ball, Acciavatti, Schuitmaker, Pastor, Pavlov, Gosselin, Robertson, Taub, Moore, Caul, David Law, Casperson and Farhat introduced

**House Bill No. 5967, entitled**

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending sections 36 and 40a (MCL 791.236 and 791.240a), section 36 as amended by 2003 PA 75 and section 40a as amended by 1993 PA 346.

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

Reps. Schuitmaker, Taub, Robertson, Emmons, Elsenheimer, Pearce, Green, Proos, Jones, Booher, Hansen, Amos, Moolenaar, Van Regenmorter, Gaffney, Hoogendyk, Wenke, Newell, Farhat, Palsrok, Ball and Acciavatti introduced

**House Bill No. 5968, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 4a of chapter IX (MCL 769.4a), as amended by 2004 PA 220.

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

Reps. Robertson, Gosselin, Ball, Taub, Acciavatti and Schuitmaker introduced

**House Bill No. 5969, entitled**

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 6 (MCL 791.206), as amended by 1996 PA 104.

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

Reps. Van Regenmorter, Gosselin and Taub introduced

**House Bill No. 5970, entitled**

A bill to amend 1969 PA 306, entitled "Administrative procedures act of 1969," by amending section 7 (MCL 24.207), as amended by 2000 PA 216.

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

Reps. Acciavatti, Ball, Gosselin, Taub and Schuitmaker introduced

**House Bill No. 5971, entitled**

A bill to amend 1969 PA 306, entitled "Administrative procedures act of 1969," by amending sections 7, 31, 38, and 44 (MCL 24.207, 24.231, 24.238, and 24.244), section 7 as amended by 2000 PA 216, section 31 as amended by 1989 PA 288, and section 44 as amended by 2004 PA 23.

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



Reps. Jones, Miller, Hansen, David Law, Caul, Marleau, Ball, Gosselin, Plakas, Palsrok, Elsenheimer, Taub, Zelenko, Tobocman, Vagnozzi, Sheltroun, Accavitti, Condino, Alma Smith, Pastor, Schuitmaker, Booher, Shaffer, Emmons, Gleason and Gonzales introduced

**House Bill No. 5972, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 81e. The bill was read a first time by its title and referred to the Committee on Judiciary.

Reps. Schuitmaker, Miller, Hansen, David Law, Caul, Marleau, Ball, Gosselin, Plakas, Palsrok, Elsenheimer, Taub, Zelenko, Tobocman, Vagnozzi, Sheltroun, Accavitti, Condino, Alma Smith, Pastor, Booher, Shaffer, Emmons, Gleason, Gonzales and Jones introduced

**House Bill No. 5973, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16d of chapter XVII (MCL 777.16d), as amended by 2005 PA 336.

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

Reps. McDowell, Espinoza, Lipsey, Polidori, Alma Smith, Bieda, Gillard, Leland, Hood, Plakas, Vagnozzi, Gleason and Lemmons, III introduced

**House Bill No. 5974, entitled**

A bill to amend 1972 PA 230, entitled "Stille-DeRossett-Hale single state construction code act," (MCL 125.1501 to 125.1531) by adding section 4d.

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

Reps. Jones, Garfield, Vander Veen, Pastor, Gosselin, Palmer, Marleau, Stahl, Hoogendyk, Drolet, Hildenbrand and Gaffney introduced

**House Bill No. 5975, entitled**

A bill to require all governmental entities to provide financial statements regarding commercial activity performed by a governmental entity; and to require the financial statements to be audited.

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

Reps. Garfield, Vander Veen, Pastor, Jones, Gosselin, Palmer, Marleau, Stahl, Hoogendyk, LaJoy, Drolet, Hildenbrand and Gaffney introduced

**House Bill No. 5976, entitled**

A bill to prohibit governmental entities from commercially competing against the private sector; and to provide for remedies and penalties.

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

Rep. Moolenaar introduced

**House Bill No. 5977, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1284b (MCL 380.1284b), as amended by 2005 PA 144.

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

### Announcements by the Clerk

April 17, 2006

Received from Michigan Law Revision Commission the 2004-2005 Combined Annual Report pursuant to Article IV, Section 15 of the Michigan Constitution.

Gary L. Randall  
Clerk of the House

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

The Committee on Transportation, by Rep. LaJoy, Chair, reported  
**House Resolution No. 188.**

A resolution to memorialize the President and the Congress of the United States to oppose implementation of the proposed rules under the Western Hemisphere Travel Initiative requiring all citizens of any age of the United States, Canada, Mexico, and Bermuda to have a passport to enter or re-enter the United States.

(For text of resolution, see House Journal No. 6, p. 82.)

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

**Substitute for House Resolution No. 188.**

A resolution to memorialize the President and the Congress of the United States to use flexibility in the implementation of rules to allow use of an enhanced drivers license under the Western Hemisphere Travel Initiative which requires all citizens of any age of the United States, Canada, Mexico, and Bermuda to have a passport or other secure documentation to enter or re-enter the United States.

Whereas, The Michigan-Canada crossing is the busiest border crossing in North America, including commerce, tourism, trade, workers, and students, averaging hundreds of millions of dollars in trade value per day in Michigan alone and hundreds of billions of dollars per year across the entire northern border. There are 10 land ports of entry between Canada and Michigan, and in 2004 over 21 million passenger vehicles crossed at just five of those ports. In 2004, there were 58,000 daily border crossings to and from Michigan and Canada; and

Whereas, The Western Hemisphere Travel Initiative is a proposal developed by the United States Department of Homeland Security and the United States Department of State, to require that all citizens of any age entering or re-entering the United States from Canada, Mexico, and Bermuda, have in their possession a passport or other secure documentation as the only acceptable documentation required by law as of December 31, 2007; and

Whereas, This proposal could have a devastating economic impact on Michigan by slowing commerce and tourism. The costly (\$97 for each adult and \$82 for each child) and cumbersome process of obtaining a passport may discourage many families, entrepreneurs, and tourists from traveling across the border. Many residents in border regions would be discouraged from taking spontaneous trips across the border. It is projected that the total number of persons crossing the border would decline, subsequently causing financial difficulties for bridge and tunnel operators along the border who largely depend on toll revenue to undertake maintenance and improvement projects. It is estimated that the impact of this policy would be economically devastating to Michigan because Canada remains Michigan's primary export market, with \$175 billion worth of merchandise goods exchanged during 2004 alone; and

Whereas, This proposal could end an 80-year period of trust between the United States and Canada that allowed for seamless cross-border trade and travel and the opportunity for education and employment exchanges; and

Whereas, Protecting our borders is critical to ensuring homeland security, and alternative means of establishing a traveler's identity and nationality should be thoroughly examined by the Departments of Homeland Security and State. One such alternative that would be much cheaper and less cumbersome could involve an identification code on driver's licenses issued in Michigan; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the President and the Congress of the United States to use flexibility in the implementation of rules to allow use of an enhanced drivers license under the Western Hemisphere Travel Initiative which requires all citizens of any age of the United States, Canada, Mexico, and Bermuda to have a passport or other secure documentation to enter or re-enter the United States; and be it further

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

The resolution and substitute were laid over one day under the rules.

#### Favorable Roll Call

To Report Out:

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

Nays: None

#### COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. LaJoy, Chair, of the Committee on Transportation, was received and read:  
 Meeting held on: Tuesday, April 25, 2006

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

Absent: Rep. Wenke

Excused: Rep. Wenke

Rep. Williams entered the House Chambers.

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

### Third Reading of Bills

The House returned to the consideration of

#### House Bill No. 5300, entitled

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," (MCL 125.1401 to 125.1499c) by adding section 44h.

(The bill was considered earlier today, see today's Journal p. 861.)

The question being on the passage of the bill,

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

#### Roll Call No. 358

#### Yeas—98

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

**Nays—7**

Cushingberry  
Farrah

Hood  
Kolb

Lipsey  
Smith, Virgil

Tobocman

In The Chair: Kooiman

The House agreed to the title of the bill.

---

Rep. Alma Smith, under Rule 33, made the following statement:

“Mr. Speaker and members of the House:

I was absent from the Chamber when the vote was taken on Roll Call No. 358. Had I been present, I would have voted ‘nay’.”

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Rep. Tobocman, 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 voted against HB 5300 - 5310 because this legislation is completely unnecessary, will harm valued residents, and sends the wrong message as a state welcoming to immigrants. Specifically, these bills seek to address some alleged problem of undocumented (or so-called ‘illegal’) immigrants seeking public benefits. Numerous studies have demonstrated that immigrants, particularly those who have been in the U.S. for longer periods of time, contribute more in taxes than they use in benefits. Here in Michigan, a state far from our nation’s southern border where our largest illegal immigration problems exist, most immigrants come seeking permanent or longer-term residency.

These bills will deny MSHDA loans, various student benefits, and MERIT scholarships to people who deserve support. This would include persons who have applied for residency status and are awaiting a hearing date before the federal Bureau of Immigration Affairs. Despite the strength of their legal claims of residency, they would be denied access to these state programs until they can get a hearing date, which can take almost a decade in many cases. Additionally, the bills may exclude victims of domestic violence and other legal immigrant statuses.

What is particularly troubling is that several of these benefit programs are designed less to benefit the recipient than to benefit Michigan. HB 5300 provides loans to homebuyers who, otherwise might not be able to purchase a new home. This bill benefits the state by increasing homeownership, which fundamentally stabilizes distressed and blighted neighborhoods, and helps to encourage home construction, boosting our economy. No immigrant purchasing a new home comes to Michigan for a temporary benefit. The fact that they are purchasing a home is evidence itself of their desire to settle here permanently.

Equally troubling are the limitations on the MERIT scholarship. Immigrant children almost universally find themselves in the U.S. through no decision of their own, but, rather the decision of their parents. For those immigrant students who have the wherewithal to succeed in school and develop college test scores that are high enough to EARN them a MERIT award, Michigan will be turning its back. These are exactly the type of knowledge workers a Twenty-First Century economy needs. By attending Michigan high schools, these students are demonstrating a desire to stay and contribute as educated and tax-paying Michigan citizens.

Similarly, given the state’s nursing shortage (in fact, metro Detroit hospitals are hiring Canadian nurses at record numbers), it is short-sighted to withdraw nursing scholarships to immigrants. Wouldn’t it be better to have an immigrant paying income taxes and property taxes here in Michigan, than one who is paying them in Canada?

If Michigan is going to create jobs, we need to become a global economy that consists of an educated workforce and one that has diversity. If our cities are to grow and development pressures to be relieved from Michigan family farms, we need to attract immigrants. No major U.S. city grew in the 1990s without immigration.

These bills are unjust, unnecessary and harmful to our state’s future.”

Rep. Cushingberry, 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 package of bills is wrong headed. We accept the labor of our immigrants, their Social Security payments, gifts, and many other valuable contributions yet now we want to send an unwelcome message to them. As far back as the Nixon administration, we have had in place procedures for individuals who are in this great Country the opportunity to apply for citizenship and be treated as we want to be treated when it comes to the benefits of our society. Now we want to close the door right when the immigration system has become tangled in the so called Homeland Security Department; mired in a bureaucratic bramble and thistle. Individuals who previously applied timely under the various amnesty programs of the past are delayed in some cases decades and are wholesaled denied permanent status under new laws different than the laws which were in effect originally.

Children born here and therefore citizens of this Country are sometimes even denied parents because they are not citizens and the maze to allow their parents legal status makes many errors.

Most people who come here do so legally but their visa’s expire before determinations can be made. This package of bills is unnecessary and affects a small but real minority of individuals who are not a threat to our society. To place them and their families in jeopardy as hb’s 5300-5310 aims to do is posturing and electioneering at its worst.

America has changed substantially even today and the new reality is a multi-cultural society. If we accept that there has been a significant census undercount of people of color over the past forty years we would know that the dreaded day of some people who want to cling to a past inspired in undercurrent by the so called silent majority’s desired benign neglect; the white citizens council/ John Birch society to keep America dominated by them; the merger of Nazi’s with ku klux klansmen; glorification of the former Confederacy through symbols like it’s flag flying in many State Capitols and the desire of some for our great State to emulate those States, that day has already arrived and we need to accept that non-whites are the majority in America today and that is irreversible.

We should encourage those who are at various levels of application, petition, and appeal to improve themselves and to come to use the underutilized capacity in Urban cores like Detroit. Clearly we have housing which has been made productive by immigrants who have come to our City. I dread the thought of what many of our State’s urban cores would look like without the active immigrant communities.

Finally, how can those of us who profess to be devout and religious be so negative and unloving? Are these bills an expression of our love for our neighbors? Is this how we would want to be treated in similar circumstances?

We are no longer under an eye for an eye law but a love standard and it is my opinion that these bills fall short.”

### House Bill No. 5301, entitled

A bill to amend 2002 PA 591, entitled “Michigan nursing scholarship act,” by amending section 4 (MCL 390.1184).

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

### Roll Call No. 359

### Yeas—99

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

Clemente	Hunter	Pastor	Wenke
Condino	Jones	Pavlov	Williams
DeRoche	Kahn	Pearce	Wojno
Dillon	Kooiman	Plakas	Zelenko
Donigan	LaJoy	Polidori	

### Nays—7

Cushingberry	Kolb	Smith, Alma	Tobocman
Hood	Lipsev	Smith, Virgil	

In The Chair: Kooiman

The House agreed to the title of the bill.

Rep. Tobocman, 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 voted against HB 5300 - 5310 because this legislation is completely unnecessary, will harm valued residents, and sends the wrong message as a state welcoming to immigrants. Specifically, these bills seek to address some alleged problem of undocumented (or so-called ‘illegal’) immigrants seeking public benefits. Numerous studies have demonstrated that immigrants, particularly those who have been in the U.S. for longer periods of time, contribute more in taxes than they use in benefits. Here in Michigan, a state far from our nation’s southern border where our largest illegal immigration problems exist, most immigrants come seeking permanent or longer-term residency.

These bills will deny MSHDA loans, various student benefits, and MERIT scholarships to people who deserve support. This would include persons who have applied for residency status and are awaiting a hearing date before the federal Bureau of Immigration Affairs. Despite the strength of their legal claims of residency, they would be denied access to these state programs until they can get a hearing date, which can take almost a decade in many cases. Additionally, the bills may exclude victims of domestic violence and other legal immigrant statuses.

What is particularly troubling is that several of these benefit programs are designed less to benefit the recipient than to benefit Michigan. HB 5300 provides loans to homebuyers who, otherwise might not be able to purchase a new home. This bill benefits the state by increasing homeownership, which fundamentally stabilizes distressed and blighted neighborhoods, and helps to encourage home construction, boosting our economy. No immigrant purchasing a new home comes to Michigan for a temporary benefit. The fact that they are purchasing a home is evidence itself of their desire to settle here permanently.

Equally troubling are the limitations on the MERIT scholarship. Immigrant children almost universally find themselves in the U.S. through no decision of their own, but, rather the decision of their parents. For those immigrant students who have the wherewithal to succeed in school and develop college test scores that are high enough to EARN them a MERIT award, Michigan will be turning its back. These are exactly the type of knowledge workers a Twenty-First Century economy needs. By attending Michigan high schools, these students are demonstrating a desire to stay and contribute as educated and tax-paying Michigan citizens.

Similarly, given the state’s nursing shortage (in fact, metro Detroit hospitals are hiring Canadian nurses at record numbers), it is short-sighted to withdraw nursing scholarships to immigrants. Wouldn’t it be better to have an immigrant paying income taxes and property taxes here in Michigan, than one who is paying them in Canada?

If Michigan is going to create jobs, we need to become a global economy that consists of an educated workforce and one that has diversity. If our cities are to grow and development pressures to be relieved from Michigan family farms, we need to attract immigrants. No major U.S. city grew in the 1990s without immigration.

These bills are unjust, unnecessary and harmful to our state’s future.”

Rep. Cushingberry, 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 package of bills is wrong headed. We accept the labor of our immigrants, their Social Security payments, gifts, and many other valuable contributions yet now we want to send an unwelcome message to them. As far back as the

Nixon administration, we have had in place procedures for individuals who are in this great Country the opportunity to apply for citizenship and be treated as we want to be treated when it comes to the benefits of our society. Now we want to close the door right when the immigration system has become tangled in the so called Homeland Security Department; mired in a bureaucratic bramble and thistle. Individuals who previously applied timely under the various amnesty programs of the past are delayed in some cases decades and are wholesaled denied permanent status under new laws different than the laws which were in effect originally.

Children born here and therefore citizens of this Country are sometimes even denied parents because they are not citizens and the maze to allow their parents legal status makes many errors.

Most people who come here do so legally but their visa's expire before determinations can be made. This package of bills is unnecessary and affects a small but real minority of individuals who are not a threat to our society. To place them and their families in jeopardy as hb's 5300-5310 aims to do is posturing and electioneering at its worst.

America has changed substantially even today and the new reality is a multi-cultural society. If we accept that there has been a significant census undercount of people of color over the past forty years we would know that the dreaded day of some people who want to cling to a past inspired in undercurrent by the so called silent majority's desired benign neglect; the white citizens council/ John Birch society to keep America dominated by them; the merger of Nazi's with ku klux klansmen; glorification of the former Confederacy through symbols like it's flag flying in many State Capitols and the desire of some for our great State to emulate those States, that day has already arrived and we need to accept that non-whites are the majority in America today and that is irreversible.

We should encourage those who are at various levels of application, petition, and appeal to improve themselves and to come to use the underutilized capacity in Urban cores like Detroit. Clearly we have housing which has been made productive by immigrants who have come to our City. I dread the thought of what many of our State's urban cores would look like without the active immigrant communities.

Finally, how can those of us who profess to be devout and religious be so negative and unloving? Are these bills an expression of our love for our neighbors? Is this how we would want to be treated in similar circumstances?

We are no longer under an eye for an eye law but a love standard and it is my opinion that these bills fall short."

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

### House Bill No. 5302, entitled

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

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

### Roll Call No. 360

### Yeas—99

Accavitti	Drolet	Law, David	Proos
Acciavatti	Elsenheimer	Law, Kathleen	Robertson
Adamini	Emmons	Leland	Rocca
Amos	Espinoza	Lemmons, Jr.	Sak
Anderson	Farhat	Marleau	Schuitmaker
Angerer	Farrah	Mayes	Shaffer
Ball	Gaffney	McConico	Sheen
Baxter	Garfield	McDowell	Sheltrown
Bennett	Gillard	Meisner	Spade
Bieda	Gleason	Meyer	Stahl
Booher	Gonzales	Miller	Stakoe
Brandenburg	Gosselin	Moolenaar	Steil
Brown	Green	Moore	Stewart
Byrnes	Hansen	Mortimer	Taub
Byrum	Hildenbrand	Murphy	Vagnozzi
Casperson	Hoogendyk	Newell	Van Regenmorter

Caswell	Hopgood	Nitz	Vander Veen
Caul	Huizenga	Nofs	Walker
Cheeks	Hummel	Palmer	Ward
Clack	Hune	Palsrok	Waters
Clemente	Hunter	Pastor	Wenke
Condino	Jones	Pavlov	Williams
DeRoche	Kahn	Pearce	Wojno
Dillon	Kooiman	Plakas	Zelenko
Donigan	LaJoy	Polidori	

### Nays—7

Cushingberry	Kolb	Smith, Alma	Tobocman
Hood	Lipsey	Smith, Virgil	

In The Chair: Elsenheimer

The House agreed to the title of the bill.

Rep. Tobocman, 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 voted against HB 5300 - 5310 because this legislation is completely unnecessary, will harm valued residents, and sends the wrong message as a state welcoming to immigrants. Specifically, these bills seek to address some alleged problem of undocumented (or so-called ‘illegal’) immigrants seeking public benefits. Numerous studies have demonstrated that immigrants, particularly those who have been in the U.S. for longer periods of time, contribute more in taxes than they use in benefits. Here in Michigan, a state far from our nation’s southern border where our largest illegal immigration problems exist, most immigrants come seeking permanent or longer-term residency.

These bills will deny MSHDA loans, various student benefits, and MERIT scholarships to people who deserve support. This would include persons who have applied for residency status and are awaiting a hearing date before the federal Bureau of Immigration Affairs. Despite the strength of their legal claims of residency, they would be denied access to these state programs until they can get a hearing date, which can take almost a decade in many cases. Additionally, the bills may exclude victims of domestic violence and other legal immigrant statuses.

What is particularly troubling is that several of these benefit programs are designed less to benefit the recipient than to benefit Michigan. HB 5300 provides loans to homebuyers who, otherwise might not be able to purchase a new home. This bill benefits the state by increasing homeownership, which fundamentally stabilizes distressed and blighted neighborhoods, and helps to encourage home construction, boosting our economy. No immigrant purchasing a new home comes to Michigan for a temporary benefit. The fact that they are purchasing a home is evidence itself of their desire to settle here permanently.

Equally troubling are the limitations on the MERIT scholarship. Immigrant children almost universally find themselves in the U.S. through no decision of their own, but, rather the decision of their parents. For those immigrant students who have the wherewithal to succeed in school and develop college test scores that are high enough to EARN them a MERIT award, Michigan will be turning its back. These are exactly the type of knowledge workers a Twenty-First Century economy needs. By attending Michigan high schools, these students are demonstrating a desire to stay and contribute as educated and tax-paying Michigan citizens.

Similarly, given the state’s nursing shortage (in fact, metro Detroit hospitals are hiring Canadian nurses at record numbers), it is short-sighted to withdraw nursing scholarships to immigrants. Wouldn’t it be better to have an immigrant paying income taxes and property taxes here in Michigan, than one who is paying them in Canada?

If Michigan is going to create jobs, we need to become a global economy that consists of an educated workforce and one that has diversity. If our cities are to grow and development pressures to be relieved from Michigan family farms, we need to attract immigrants. No major U.S. city grew in the 1990s without immigration.

These bills are unjust, unnecessary and harmful to our state’s future.”



Rep. Cushingberry, 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 package of bills is wrong headed. We accept the labor of our immigrants, their Social Security payments, gifts, and many other valuable contributions yet now we want to send an unwelcome message to them. As far back as the Nixon administration, we have had in place procedures for individuals who are in this great Country the opportunity to apply for citizenship and be treated as we want to be treated when it comes to the benefits of our society. Now we want to close the door right when the immigration system has become tangled in the so called Homeland Security Department; mired in a bureaucratic bramble and thistle. Individuals who previously applied timely under the various amnesty programs of the past are delayed in some cases decades and are wholesaled denied permanent status under new laws different than the laws which were in effect originally.

Children born here and therefore citizens of this Country are sometimes even denied parents because they are not citizens and the maze to allow their parents legal status makes many errors.

Most people who come here do so legally but their visa’s expire before determinations can be made. This package of bills is unnecessary and affects a small but real minority of individuals who are not a threat to our society. To place them and their families in jeopardy as hb’s 5300-5310 aims to do is posturing and electioneering at its worst.

America has changed substantially even today and the new reality is a multi-cultural society. If we accept that there has been a significant census undercount of people of color over the past forty years we would know that the dreaded day of some people who want to cling to a past inspired in undercurrent by the so called silent majority’s desired benign neglect; the white citizens council/ John Birch society to keep America dominated by them; the merger of Nazi’s with ku klux klansmen; glorification of the former Confederacy through symbols like it’s flag flying in many State Capitols and the desire of some for our great State to emulate those States, that day has already arrived and we need to accept that non-whites are the majority in America today and that is irreversible.

We should encourage those who are at various levels of application, petition, and appeal to improve themselves and to come to use the underutilized capacity in Urban cores like Detroit. Clearly we have housing which has been made productive by immigrants who have come to our City. I dread the thought of what many of our State’s urban cores would look like without the active immigrant communities.

Finally, how can those of us who profess to be devout and religious be so negative and unloving? Are these bills an expression of our love for our neighbors? Is this how we would want to be treated in similar circumstances?

We are no longer under an eye for an eye law but a love standard and it is my opinion that these bills fall short.”

### House Bill No. 5303, entitled

A bill to amend 1964 PA 208, entitled “An act to grant scholarships to students enrolled in postsecondary education institutions; and to provide for the administration of the scholarship program,” by amending section 4 (MCL 390.974), as amended by 1986 PA 270.

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

### Roll Call No. 361

### Yeas—99

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

Cheeks	Hummel	Palmer	Ward
Clack	Hune	Palsrok	Waters
Clemente	Hunter	Pastor	Wenke
Condino	Jones	Pavlov	Williams
DeRoche	Kahn	Pearce	Wojno
Dillon	Kooiman	Plakas	Zelenko
Donigan	LaJoy	Polidori	

### Nays—7

Cushingberry	Kolb	Smith, Alma	Tobocman
Hood	Lipsey	Smith, Virgil	

In The Chair: Elsenheimer

The House agreed to the title of the bill.

Rep. Tobocman, 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 voted against HB 5300 - 5310 because this legislation is completely unnecessary, will harm valued residents, and sends the wrong message as a state welcoming to immigrants. Specifically, these bills seek to address some alleged problem of undocumented (or so-called ‘illegal’) immigrants seeking public benefits. Numerous studies have demonstrated that immigrants, particularly those who have been in the U.S. for longer periods of time, contribute more in taxes than they use in benefits. Here in Michigan, a state far from our nation’s southern border where our largest illegal immigration problems exist, most immigrants come seeking permanent or longer-term residency.

These bills will deny MSHDA loans, various student benefits, and MERIT scholarships to people who deserve support. This would include persons who have applied for residency status and are awaiting a hearing date before the federal Bureau of Immigration Affairs. Despite the strength of their legal claims of residency, they would be denied access to these state programs until they can get a hearing date, which can take almost a decade in many cases. Additionally, the bills may exclude victims of domestic violence and other legal immigrant statuses.

What is particularly troubling is that several of these benefit programs are designed less to benefit the recipient than to benefit Michigan. HB 5300 provides loans to homebuyers who, otherwise might not be able to purchase a new home. This bill benefits the state by increasing homeownership, which fundamentally stabilizes distressed and blighted neighborhoods, and helps to encourage home construction, boosting our economy. No immigrant purchasing a new home comes to Michigan for a temporary benefit. The fact that they are purchasing a home is evidence itself of their desire to settle here permanently.

Equally troubling are the limitations on the MERIT scholarship. Immigrant children almost universally find themselves in the U.S. through no decision of their own, but, rather the decision of their parents. For those immigrant students who have the wherewithal to succeed in school and develop college test scores that are high enough to EARN them a MERIT award, Michigan will be turning its back. These are exactly the type of knowledge workers a Twenty-First Century economy needs. By attending Michigan high schools, these students are demonstrating a desire to stay and contribute as educated and tax-paying Michigan citizens.

Similarly, given the state’s nursing shortage (in fact, metro Detroit hospitals are hiring Canadian nurses at record numbers), it is short-sighted to withdraw nursing scholarships to immigrants. Wouldn’t it be better to have an immigrant paying income taxes and property taxes here in Michigan, than one who is paying them in Canada?

If Michigan is going to create jobs, we need to become a global economy that consists of an educated workforce and one that has diversity. If our cities are to grow and development pressures to be relieved from Michigan family farms, we need to attract immigrants. No major U.S. city grew in the 1990s without immigration.

These bills are unjust, unnecessary and harmful to our state’s future.”

Rep. Cushingberry, 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 package of bills is wrong headed. We accept the labor of our immigrants, their Social Security payments, gifts, and many other valuable contributions yet now we want to send an unwelcome message to them. As far back as the Nixon administration, we have had in place procedures for individuals who are in this great Country the opportunity to apply for citizenship and be treated as we want to be treated when it comes to the benefits of our society. Now we want to close the door right when the immigration system has become tangled in the so called Homeland Security Department; mired in a bureaucratic bramble and thistle. Individuals who previously applied timely under the various amnesty programs of the past are delayed in some cases decades and are wholesaled denied permanent status under new laws different than the laws which were in effect originally.

Children born here and therefore citizens of this Country are sometimes even denied parents because they are not citizens and the maze to allow their parents legal status makes many errors.

Most people who come here do so legally but their visa’s expire before determinations can be made. This package of bills is unnecessary and affects a small but real minority of individuals who are not a threat to our society. To place them and their families in jeopardy as hb’s 5300-5310 aims to do is posturing and electioneering at its worst.

America has changed substantially even today and the new reality is a multi-cultural society. If we accept that there has been a significant census undercount of people of color over the past forty years we would know that the dreaded day of some people who want to cling to a past inspired in undercurrent by the so called silent majority’s desired benign neglect; the white citizens council/ John Birch society to keep America dominated by them; the merger of Nazi’s with ku klux klansmen; glorification of the former Confederacy through symbols like it’s flag flying in many State Capitols and the desire of some for our great State to emulate those States, that day has already arrived and we need to accept that non-whites are the majority in America today and that is irreversible.

We should encourage those who are at various levels of application, petition, and appeal to improve themselves and to come to use the underutilized capacity in Urban cores like Detroit. Clearly we have housing which has been made productive by immigrants who have come to our City. I dread the thought of what many of our State’s urban cores would look like without the active immigrant communities.

Finally, how can those of us who profess to be devout and religious be so negative and unloving? Are these bills an expression of our love for our neighbors? Is this how we would want to be treated in similar circumstances?

We are no longer under an eye for an eye law but a love standard and it is my opinion that these bills fall short.”

### **House Bill No. 5304, entitled**

A bill to amend 1986 PA 303, entitled “An act to establish a Michigan work-study program for qualified resident students attending eligible graduate and professional graduate schools and employed by qualified employers; to prescribe the powers and duties of certain state agencies; and to provide for an appropriation,” by amending section 4 (MCL 390.1324).

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

### **Roll Call No. 362**

### **Yeas—99**

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

Caul	Huizenga	Nofs	Walker
Cheeks	Hummel	Palmer	Ward
Clack	Hune	Palsrok	Waters
Clemente	Hunter	Pastor	Wenke
Condino	Jones	Pavlov	Williams
DeRoche	Kahn	Pearce	Wojno
Dillon	Kooiman	Plakas	Zelenko
Donigan	LaJoy	Polidori	

### Nays—7

Cushingberry	Kolb	Smith, Alma	Tobocman
Hood	Lipsey	Smith, Virgil	

In The Chair: Elsenheimer

The House agreed to the title of the bill.

Rep. Tobocman, 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 voted against HB 5300 - 5310 because this legislation is completely unnecessary, will harm valued residents, and sends the wrong message as a state welcoming to immigrants. Specifically, these bills seek to address some alleged problem of undocumented (or so-called ‘illegal’) immigrants seeking public benefits. Numerous studies have demonstrated that immigrants, particularly those who have been in the U.S. for longer periods of time, contribute more in taxes than they use in benefits. Here in Michigan, a state far from our nation’s southern border where our largest illegal immigration problems exist, most immigrants come seeking permanent or longer-term residency.

These bills will deny MSHDA loans, various student benefits, and MERIT scholarships to people who deserve support. This would include persons who have applied for residency status and are awaiting a hearing date before the federal Bureau of Immigration Affairs. Despite the strength of their legal claims of residency, they would be denied access to these state programs until they can get a hearing date, which can take almost a decade in many cases. Additionally, the bills may exclude victims of domestic violence and other legal immigrant statuses.

What is particularly troubling is that several of these benefit programs are designed less to benefit the recipient than to benefit Michigan. HB 5300 provides loans to homebuyers who, otherwise might not be able to purchase a new home. This bill benefits the state by increasing homeownership, which fundamentally stabilizes distressed and blighted neighborhoods, and helps to encourage home construction, boosting our economy. No immigrant purchasing a new home comes to Michigan for a temporary benefit. The fact that they are purchasing a home is evidence itself of their desire to settle here permanently.

Equally troubling are the limitations on the MERIT scholarship. Immigrant children almost universally find themselves in the U.S. through no decision of their own, but, rather the decision of their parents. For those immigrant students who have the wherewithal to succeed in school and develop college test scores that are high enough to EARN them a MERIT award, Michigan will be turning its back. These are exactly the type of knowledge workers a Twenty-First Century economy needs. By attending Michigan high schools, these students are demonstrating a desire to stay and contribute as educated and tax-paying Michigan citizens.

Similarly, given the state’s nursing shortage (in fact, metro Detroit hospitals are hiring Canadian nurses at record numbers), it is short-sighted to withdraw nursing scholarships to immigrants. Wouldn’t it be better to have an immigrant paying income taxes and property taxes here in Michigan, than one who is paying them in Canada?

If Michigan is going to create jobs, we need to become a global economy that consists of an educated workforce and one that has diversity. If our cities are to grow and development pressures to be relieved from Michigan family farms, we need to attract immigrants. No major U.S. city grew in the 1990s without immigration.

These bills are unjust, unnecessary and harmful to our state’s future.”

Rep. Cushingberry, 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 package of bills is wrong headed. We accept the labor of our immigrants, their Social Security payments, gifts, and many other valuable contributions yet now we want to send an unwelcome message to them. As far back as the Nixon administration, we have had in place procedures for individuals who are in this great Country the opportunity to apply for citizenship and be treated as we want to be treated when it comes to the benefits of our society. Now we want to close the door right when the immigration system has become tangled in the so called Homeland Security Department; mired in a bureaucratic bramble and thistle. Individuals who previously applied timely under the various amnesty programs of the past are delayed in some cases decades and are wholesaled denied permanent status under new laws different than the laws which were in effect originally.

Children born here and therefore citizens of this Country are sometimes even denied parents because they are not citizens and the maze to allow their parents legal status makes many errors.

Most people who come here do so legally but their visa’s expire before determinations can be made. This package of bills is unnecessary and affects a small but real minority of individuals who are not a threat to our society. To place them and their families in jeopardy as hb’s 5300-5310 aims to do is posturing and electioneering at its worst.

America has changed substantially even today and the new reality is a multi-cultural society. If we accept that there has been a significant census undercount of people of color over the past forty years we would know that the dreaded day of some people who want to cling to a past inspired in undercurrent by the so called silent majority’s desired benign neglect; the white citizens council/ John Birch society to keep America dominated by them; the merger of Nazi’s with ku klux klansmen; glorification of the former Confederacy through symbols like it’s flag flying in many State Capitols and the desire of some for our great State to emulate those States, that day has already arrived and we need to accept that non-whites are the majority in America today and that is irreversible.

We should encourage those who are at various levels of application, petition, and appeal to improve themselves and to come to use the underutilized capacity in Urban cores like Detroit. Clearly we have housing which has been made productive by immigrants who have come to our City. I dread the thought of what many of our State’s urban cores would look like without the active immigrant communities.

Finally, how can those of us who profess to be devout and religious be so negative and unloving? Are these bills an expression of our love for our neighbors? Is this how we would want to be treated in similar circumstances?

We are no longer under an eye for an eye law but a love standard and it is my opinion that these bills fall short.”

**House Bill No. 5305, entitled**

A bill to amend 1986 PA 288, entitled “An act to establish a Michigan work-study program for qualified resident students attending eligible postsecondary schools and employed by qualified employers; and to prescribe the powers and duties of certain state agencies,” by amending section 4 (MCL 390.1374), as amended by 1990 PA 47.

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

**Roll Call No. 363**

**Yeas—99**

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

Cheeks	Hummel	Palmer	Ward
Clack	Hune	Palsrok	Waters
Clemente	Hunter	Pastor	Wenke
Condino	Jones	Pavlov	Williams
DeRoche	Kahn	Pearce	Wojno
Dillon	Kooiman	Plakas	Zelenko
Donigan	LaJoy	Polidori	

### Nays—7

Cushingberry	Kolb	Smith, Alma	Tobocman
Hood	Lipsey	Smith, Virgil	

In The Chair: Elsenheimer

The House agreed to the title of the bill.

Rep. Tobocman, 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 voted against HB 5300 - 5310 because this legislation is completely unnecessary, will harm valued residents, and sends the wrong message as a state welcoming to immigrants. Specifically, these bills seek to address some alleged problem of undocumented (or so-called ‘illegal’) immigrants seeking public benefits. Numerous studies have demonstrated that immigrants, particularly those who have been in the U.S. for longer periods of time, contribute more in taxes than they use in benefits. Here in Michigan, a state far from our nation’s southern border where our largest illegal immigration problems exist, most immigrants come seeking permanent or longer-term residency.

These bills will deny MSHDA loans, various student benefits, and MERIT scholarships to people who deserve support. This would include persons who have applied for residency status and are awaiting a hearing date before the federal Bureau of Immigration Affairs. Despite the strength of their legal claims of residency, they would be denied access to these state programs until they can get a hearing date, which can take almost a decade in many cases. Additionally, the bills may exclude victims of domestic violence and other legal immigrant statuses.

What is particularly troubling is that several of these benefit programs are designed less to benefit the recipient than to benefit Michigan. HB 5300 provides loans to homebuyers who, otherwise might not be able to purchase a new home. This bill benefits the state by increasing homeownership, which fundamentally stabilizes distressed and blighted neighborhoods, and helps to encourage home construction, boosting our economy. No immigrant purchasing a new home comes to Michigan for a temporary benefit. The fact that they are purchasing a home is evidence itself of their desire to settle here permanently.

Equally troubling are the limitations on the MERIT scholarship. Immigrant children almost universally find themselves in the U.S. through no decision of their own, but, rather the decision of their parents. For those immigrant students who have the wherewithal to succeed in school and develop college test scores that are high enough to EARN them a MERIT award, Michigan will be turning its back. These are exactly the type of knowledge workers a Twenty-First Century economy needs. By attending Michigan high schools, these students are demonstrating a desire to stay and contribute as educated and tax-paying Michigan citizens.

Similarly, given the state’s nursing shortage (in fact, metro Detroit hospitals are hiring Canadian nurses at record numbers), it is short-sighted to withdraw nursing scholarships to immigrants. Wouldn’t it be better to have an immigrant paying income taxes and property taxes here in Michigan, than one who is paying them in Canada?

If Michigan is going to create jobs, we need to become a global economy that consists of an educated workforce and one that has diversity. If our cities are to grow and development pressures to be relieved from Michigan family farms, we need to attract immigrants. No major U.S. city grew in the 1990s without immigration.

These bills are unjust, unnecessary and harmful to our state’s future.”

Rep. Cushingberry, 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 package of bills is wrong headed. We accept the labor of our immigrants, their Social Security payments, gifts, and many other valuable contributions yet now we want to send an unwelcome message to them. As far back as the Nixon administration, we have had in place procedures for individuals who are in this great Country the opportunity to apply for citizenship and be treated as we want to be treated when it comes to the benefits of our society. Now we want to close the door right when the immigration system has become tangled in the so called Homeland Security Department; mired in a bureaucratic bramble and thistle. Individuals who previously applied timely under the various amnesty programs of the past are delayed in some cases decades and are wholesaled denied permanent status under new laws different than the laws which were in effect originally.

Children born here and therefore citizens of this Country are sometimes even denied parents because they are not citizens and the maze to allow their parents legal status makes many errors.

Most people who come here do so legally but their visa’s expire before determinations can be made. This package of bills is unnecessary and affects a small but real minority of individuals who are not a threat to our society. To place them and their families in jeopardy as hb’s 5300-5310 aims to do is posturing and electioneering at its worst.

America has changed substantially even today and the new reality is a multi-cultural society. If we accept that there has been a significant census undercount of people of color over the past forty years we would know that the dreaded day of some people who want to cling to a past inspired in undercurrent by the so called silent majority’s desired benign neglect; the white citizens council/ John Birch society to keep America dominated by them; the merger of Nazi’s with ku klux klansmen; glorification of the former Confederacy through symbols like it’s flag flying in many State Capitols and the desire of some for our great State to emulate those States, that day has already arrived and we need to accept that non-whites are the majority in America today and that is irreversible.

We should encourage those who are at various levels of application, petition, and appeal to improve themselves and to come to use the underutilized capacity in Urban cores like Detroit. Clearly we have housing which has been made productive by immigrants who have come to our City. I dread the thought of what many of our State’s urban cores would look like without the active immigrant communities.

Finally, how can those of us who profess to be devout and religious be so negative and unloving? Are these bills an expression of our love for our neighbors? Is this how we would want to be treated in similar circumstances?

We are no longer under an eye for an eye law but a love standard and it is my opinion that these bills fall short.”

### House Bill No. 5306, entitled

A bill to amend 1986 PA 273, entitled “An act to establish a Michigan educational opportunity grant program for resident qualified students enrolled in eligible public postsecondary schools; and to prescribe the powers and duties of certain state agencies,” by amending section 4 (MCL 390.1404).

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

### Roll Call No. 364

### Yeas—98

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

Cheeks	Hune	Palsrok	Ward
Clemente	Hunter	Pastor	Waters
Condino	Jones	Pavlov	Wenke
DeRoche	Kahn	Pearce	Williams
Dillon	Kooiman	Plakas	Wojno
Donigan	LaJoy	Polidori	Zelenko
Drolet	Law, David		

### Nays—8

Clack	Hood	Lipsey	Smith, Virgil
Cushingberry	Kolb	Smith, Alma	Tobocman

In The Chair: Elsenheimer

The House agreed to the title of the bill.

Rep. Tobocman, 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 voted against HB 5300 - 5310 because this legislation is completely unnecessary, will harm valued residents, and sends the wrong message as a state welcoming to immigrants. Specifically, these bills seek to address some alleged problem of undocumented (or so-called ‘illegal’) immigrants seeking public benefits. Numerous studies have demonstrated that immigrants, particularly those who have been in the U.S. for longer periods of time, contribute more in taxes than they use in benefits. Here in Michigan, a state far from our nation’s southern border where our largest illegal immigration problems exist, most immigrants come seeking permanent or longer-term residency.

These bills will deny MSHDA loans, various student benefits, and MERIT scholarships to people who deserve support. This would include persons who have applied for residency status and are awaiting a hearing date before the federal Bureau of Immigration Affairs. Despite the strength of their legal claims of residency, they would be denied access to these state programs until they can get a hearing date, which can take almost a decade in many cases. Additionally, the bills may exclude victims of domestic violence and other legal immigrant statuses.

What is particularly troubling is that several of these benefit programs are designed less to benefit the recipient than to benefit Michigan. HB 5300 provides loans to homebuyers who, otherwise might not be able to purchase a new home. This bill benefits the state by increasing homeownership, which fundamentally stabilizes distressed and blighted neighborhoods, and helps to encourage home construction, boosting our economy. No immigrant purchasing a new home comes to Michigan for a temporary benefit. The fact that they are purchasing a home is evidence itself of their desire to settle here permanently.

Equally troubling are the limitations on the MERIT scholarship. Immigrant children almost universally find themselves in the U.S. through no decision of their own, but, rather the decision of their parents. For those immigrant students who have the wherewithal to succeed in school and develop college test scores that are high enough to EARN them a MERIT award, Michigan will be turning its back. These are exactly the type of knowledge workers a Twenty-First Century economy needs. By attending Michigan high schools, these students are demonstrating a desire to stay and contribute as educated and tax-paying Michigan citizens.

Similarly, given the state’s nursing shortage (in fact, metro Detroit hospitals are hiring Canadian nurses at record numbers), it is short-sighted to withdraw nursing scholarships to immigrants. Wouldn’t it be better to have an immigrant paying income taxes and property taxes here in Michigan, than one who is paying them in Canada?

If Michigan is going to create jobs, we need to become a global economy that consists of an educated workforce and one that has diversity. If our cities are to grow and development pressures to be relieved from Michigan family farms, we need to attract immigrants. No major U.S. city grew in the 1990s without immigration.

These bills are unjust, unnecessary and harmful to our state’s future.”



Rep. Cushingberry, 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 package of bills is wrong headed. We accept the labor of our immigrants, their Social Security payments, gifts, and many other valuable contributions yet now we want to send an unwelcome message to them. As far back as the Nixon administration, we have had in place procedures for individuals who are in this great Country the opportunity to apply for citizenship and be treated as we want to be treated when it comes to the benefits of our society. Now we want to close the door right when the immigration system has become tangled in the so called Homeland Security Department; mired in a bureaucratic bramble and thistle. Individuals who previously applied timely under the various amnesty programs of the past are delayed in some cases decades and are wholesaled denied permanent status under new laws different than the laws which were in effect originally.

Children born here and therefore citizens of this Country are sometimes even denied parents because they are not citizens and the maze to allow their parents legal status makes many errors.

Most people who come here do so legally but their visa’s expire before determinations can be made. This package of bills is unnecessary and affects a small but real minority of individuals who are not a threat to our society. To place them and their families in jeopardy as hb’s 5300-5310 aims to do is posturing and electioneering at its worst.

America has changed substantially even today and the new reality is a multi-cultural society. If we accept that there has been a significant census undercount of people of color over the past forty years we would know that the dreaded day of some people who want to cling to a past inspired in undercurrent by the so called silent majority’s desired benign neglect; the white citizens council/ John Birch society to keep America dominated by them; the merger of Nazi’s with ku klux klansmen; glorification of the former Confederacy through symbols like it’s flag flying in many State Capitols and the desire of some for our great State to emulate those States, that day has already arrived and we need to accept that non-whites are the majority in America today and that is irreversible.

We should encourage those who are at various levels of application, petition, and appeal to improve themselves and to come to use the underutilized capacity in Urban cores like Detroit. Clearly we have housing which has been made productive by immigrants who have come to our City. I dread the thought of what many of our State’s urban cores would look like without the active immigrant communities.

Finally, how can those of us who profess to be devout and religious be so negative and unloving? Are these bills an expression of our love for our neighbors? Is this how we would want to be treated in similar circumstances?

We are no longer under an eye for an eye law but a love standard and it is my opinion that these bills fall short.”

### House Bill No. 5307, entitled

A bill to amend 1966 PA 313, entitled “An act to award tuition grants to resident students enrolled in independent nonprofit institutions of higher learning; and to make an appropriation therefor,” by amending section 3 (MCL 390.993), as amended by 1980 PA 503.

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

### Roll Call No. 365

### Yeas—98

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

Cheeks	Hune	Palsrok	Ward
Clemente	Hunter	Pastor	Waters
Condino	Jones	Pavlov	Wenke
DeRoche	Kahn	Pearce	Williams
Dillon	Kooiman	Plakas	Wojno
Donigan	LaJoy	Polidori	Zelenko
Drolet	Law, David		

### Nays—8

Clack	Hood	Lipsey	Smith, Virgil
Cushingberry	Kolb	Smith, Alma	Tobocman

In The Chair: Elsenheimer

The House agreed to the title of the bill.

Rep. Tobocman, 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 voted against HB 5300 - 5310 because this legislation is completely unnecessary, will harm valued residents, and sends the wrong message as a state welcoming to immigrants. Specifically, these bills seek to address some alleged problem of undocumented (or so-called ‘illegal’) immigrants seeking public benefits. Numerous studies have demonstrated that immigrants, particularly those who have been in the U.S. for longer periods of time, contribute more in taxes than they use in benefits. Here in Michigan, a state far from our nation’s southern border where our largest illegal immigration problems exist, most immigrants come seeking permanent or longer-term residency.

These bills will deny MSHDA loans, various student benefits, and MERIT scholarships to people who deserve support. This would include persons who have applied for residency status and are awaiting a hearing date before the federal Bureau of Immigration Affairs. Despite the strength of their legal claims of residency, they would be denied access to these state programs until they can get a hearing date, which can take almost a decade in many cases. Additionally, the bills may exclude victims of domestic violence and other legal immigrant statuses.

What is particularly troubling is that several of these benefit programs are designed less to benefit the recipient than to benefit Michigan. HB 5300 provides loans to homebuyers who, otherwise might not be able to purchase a new home. This bill benefits the state by increasing homeownership, which fundamentally stabilizes distressed and blighted neighborhoods, and helps to encourage home construction, boosting our economy. No immigrant purchasing a new home comes to Michigan for a temporary benefit. The fact that they are purchasing a home is evidence itself of their desire to settle here permanently.

Equally troubling are the limitations on the MERIT scholarship. Immigrant children almost universally find themselves in the U.S. through no decision of their own, but, rather the decision of their parents. For those immigrant students who have the wherewithal to succeed in school and develop college test scores that are high enough to EARN them a MERIT award, Michigan will be turning its back. These are exactly the type of knowledge workers a Twenty-First Century economy needs. By attending Michigan high schools, these students are demonstrating a desire to stay and contribute as educated and tax-paying Michigan citizens.

Similarly, given the state’s nursing shortage (in fact, metro Detroit hospitals are hiring Canadian nurses at record numbers), it is short-sighted to withdraw nursing scholarships to immigrants. Wouldn’t it be better to have an immigrant paying income taxes and property taxes here in Michigan, than one who is paying them in Canada?

If Michigan is going to create jobs, we need to become a global economy that consists of an educated workforce and one that has diversity. If our cities are to grow and development pressures to be relieved from Michigan family farms, we need to attract immigrants. No major U.S. city grew in the 1990s without immigration.

These bills are unjust, unnecessary and harmful to our state’s future.”

Rep. Cushingberry, 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 package of bills is wrong headed. We accept the labor of our immigrants, their Social Security payments, gifts, and many other valuable contributions yet now we want to send an unwelcome message to them. As far back as the Nixon administration, we have had in place procedures for individuals who are in this great Country the opportunity to apply for citizenship and be treated as we want to be treated when it comes to the benefits of our society. Now we want to close the door right when the immigration system has become tangled in the so called Homeland Security Department; mired in a bureaucratic bramble and thistle. Individuals who previously applied timely under the various amnesty programs of the past are delayed in some cases decades and are wholesaled denied permanent status under new laws different than the laws which were in effect originally.

Children born here and therefore citizens of this Country are sometimes even denied parents because they are not citizens and the maze to allow their parents legal status makes many errors.

Most people who come here do so legally but their visa’s expire before determinations can be made. This package of bills is unnecessary and affects a small but real minority of individuals who are not a threat to our society. To place them and their families in jeopardy as hb’s 5300-5310 aims to do is posturing and electioneering at its worst.

America has changed substantially even today and the new reality is a multi-cultural society. If we accept that there has been a significant census undercount of people of color over the past forty years we would know that the dreaded day of some people who want to cling to a past inspired in undercurrent by the so called silent majority’s desired benign neglect; the white citizens council/ John Birch society to keep America dominated by them; the merger of Nazi’s with ku klux klansmen; glorification of the former Confederacy through symbols like it’s flag flying in many State Capitols and the desire of some for our great State to emulate those States, that day has already arrived and we need to accept that non-whites are the majority in America today and that is irreversible.

We should encourage those who are at various levels of application, petition, and appeal to improve themselves and to come to use the underutilized capacity in Urban cores like Detroit. Clearly we have housing which has been made productive by immigrants who have come to our City. I dread the thought of what many of our State’s urban cores would look like without the active immigrant communities.

Finally, how can those of us who profess to be devout and religious be so negative and unloving? Are these bills an expression of our love for our neighbors? Is this how we would want to be treated in similar circumstances?

We are no longer under an eye for an eye law but a love standard and it is my opinion that these bills fall short.”

### House Bill No. 5308, entitled

A bill to amend 1978 PA 105, entitled “An act to provide grants to students enrolled in independent nonprofit institutions of higher learning; and to provide for the promulgation of rules,” by amending section 4 (MCL 390.1274), as amended by 2004 PA 184.

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

### Roll Call No. 366

### Yeas—99

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

Cheeks	Hummel	Palmer	Ward
Clack	Hune	Palsrok	Waters
Clemente	Hunter	Pastor	Wenke
Condino	Jones	Pavlov	Williams
DeRoche	Kahn	Pearce	Wojno
Dillon	Kooiman	Plakas	Zelenko
Donigan	LaJoy	Polidori	

### Nays—7

Cushingberry	Kolb	Smith, Alma	Tobocman
Hood	Lipsey	Smith, Virgil	

In The Chair: Elsenheimer

The House agreed to the title of the bill.

Rep. Tobocman, 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 voted against HB 5300 - 5310 because this legislation is completely unnecessary, will harm valued residents, and sends the wrong message as a state welcoming to immigrants. Specifically, these bills seek to address some alleged problem of undocumented (or so-called ‘illegal’) immigrants seeking public benefits. Numerous studies have demonstrated that immigrants, particularly those who have been in the U.S. for longer periods of time, contribute more in taxes than they use in benefits. Here in Michigan, a state far from our nation’s southern border where our largest illegal immigration problems exist, most immigrants come seeking permanent or longer-term residency.

These bills will deny MSHDA loans, various student benefits, and MERIT scholarships to people who deserve support. This would include persons who have applied for residency status and are awaiting a hearing date before the federal Bureau of Immigration Affairs. Despite the strength of their legal claims of residency, they would be denied access to these state programs until they can get a hearing date, which can take almost a decade in many cases. Additionally, the bills may exclude victims of domestic violence and other legal immigrant statuses.

What is particularly troubling is that several of these benefit programs are designed less to benefit the recipient than to benefit Michigan. HB 5300 provides loans to homebuyers who, otherwise might not be able to purchase a new home. This bill benefits the state by increasing homeownership, which fundamentally stabilizes distressed and blighted neighborhoods, and helps to encourage home construction, boosting our economy. No immigrant purchasing a new home comes to Michigan for a temporary benefit. The fact that they are purchasing a home is evidence itself of their desire to settle here permanently.

Equally troubling are the limitations on the MERIT scholarship. Immigrant children almost universally find themselves in the U.S. through no decision of their own, but, rather the decision of their parents. For those immigrant students who have the wherewithal to succeed in school and develop college test scores that are high enough to EARN them a MERIT award, Michigan will be turning its back. These are exactly the type of knowledge workers a Twenty-First Century economy needs. By attending Michigan high schools, these students are demonstrating a desire to stay and contribute as educated and tax-paying Michigan citizens.

Similarly, given the state’s nursing shortage (in fact, metro Detroit hospitals are hiring Canadian nurses at record numbers), it is short-sighted to withdraw nursing scholarships to immigrants. Wouldn’t it be better to have an immigrant paying income taxes and property taxes here in Michigan, than one who is paying them in Canada?

If Michigan is going to create jobs, we need to become a global economy that consists of an educated workforce and one that has diversity. If our cities are to grow and development pressures to be relieved from Michigan family farms, we need to attract immigrants. No major U.S. city grew in the 1990s without immigration.

These bills are unjust, unnecessary and harmful to our state’s future.”

Rep. Cushingberry, 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 package of bills is wrong headed. We accept the labor of our immigrants, their Social Security payments, gifts, and many other valuable contributions yet now we want to send an unwelcome message to them. As far back as the Nixon administration, we have had in place procedures for individuals who are in this great Country the opportunity to apply for citizenship and be treated as we want to be treated when it comes to the benefits of our society. Now we want to close the door right when the immigration system has become tangled in the so called Homeland Security Department; mired in a bureaucratic bramble and thistle. Individuals who previously applied timely under the various amnesty programs of the past are delayed in some cases decades and are wholesaled denied permanent status under new laws different than the laws which were in effect originally.

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Most people who come here do so legally but their visa’s expire before determinations can be made. This package of bills is unnecessary and affects a small but real minority of individuals who are not a threat to our society. To place them and their families in jeopardy as hb’s 5300-5310 aims to do is posturing and electioneering at its worst.

America has changed substantially even today and the new reality is a multi-cultural society. If we accept that there has been a significant census undercount of people of color over the past forty years we would know that the dreaded day of some people who want to cling to a past inspired in undercurrent by the so called silent majority’s desired benign neglect; the white citizens council/ John Birch society to keep America dominated by them; the merger of Nazi’s with ku klux klansmen; glorification of the former Confederacy through symbols like it’s flag flying in many State Capitols and the desire of some for our great State to emulate those States, that day has already arrived and we need to accept that non-whites are the majority in America today and that is irreversible.

We should encourage those who are at various levels of application, petition, and appeal to improve themselves and to come to use the underutilized capacity in Urban cores like Detroit. Clearly we have housing which has been made productive by immigrants who have come to our City. I dread the thought of what many of our State’s urban cores would look like without the active immigrant communities.

Finally, how can those of us who profess to be devout and religious be so negative and unloving? Are these bills an expression of our love for our neighbors? Is this how we would want to be treated in similar circumstances?

We are no longer under an eye for an eye law but a love standard and it is my opinion that these bills fall short.”

### **House Bill No. 5309, entitled**

A bill to amend 1976 PA 228, entitled “The legislative merit award program act,” by amending section 4 (MCL 390.1304), as amended by 2004 PA 182.

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

### **Roll Call No. 367**

### **Yeas—95**

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

Clack	Jones	Pastor	Wenke
Condino	Kahn	Pavlov	Williams
DeRoche	Kooiman	Pearce	Wojno
Dillon	LaJoy	Plakas	Zelenko
Donigan	Law, David	Proos	

### Nays—11

Clemente	Gonzales	Lipsey	Smith, Virgil
Cushingberry	Hood	Polidori	Tobocman
Farrah	Kolb	Smith, Alma	

In The Chair: Elsenheimer

The House agreed to the title of the bill.

Rep. Tobocman, 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 voted against HB 5300 - 5310 because this legislation is completely unnecessary, will harm valued residents, and sends the wrong message as a state welcoming to immigrants. Specifically, these bills seek to address some alleged problem of undocumented (or so-called ‘illegal’) immigrants seeking public benefits. Numerous studies have demonstrated that immigrants, particularly those who have been in the U.S. for longer periods of time, contribute more in taxes than they use in benefits. Here in Michigan, a state far from our nation’s southern border where our largest illegal immigration problems exist, most immigrants come seeking permanent or longer-term residency.

These bills will deny MSHDA loans, various student benefits, and MERIT scholarships to people who deserve support. This would include persons who have applied for residency status and are awaiting a hearing date before the federal Bureau of Immigration Affairs. Despite the strength of their legal claims of residency, they would be denied access to these state programs until they can get a hearing date, which can take almost a decade in many cases. Additionally, the bills may exclude victims of domestic violence and other legal immigrant statuses.

What is particularly troubling is that several of these benefit programs are designed less to benefit the recipient than to benefit Michigan. HB 5300 provides loans to homebuyers who, otherwise might not be able to purchase a new home. This bill benefits the state by increasing homeownership, which fundamentally stabilizes distressed and blighted neighborhoods, and helps to encourage home construction, boosting our economy. No immigrant purchasing a new home comes to Michigan for a temporary benefit. The fact that they are purchasing a home is evidence itself of their desire to settle here permanently.

Equally troubling are the limitations on the MERIT scholarship. Immigrant children almost universally find themselves in the U.S. through no decision of their own, but, rather the decision of their parents. For those immigrant students who have the wherewithal to succeed in school and develop college test scores that are high enough to EARN them a MERIT award, Michigan will be turning its back. These are exactly the type of knowledge workers a Twenty-First Century economy needs. By attending Michigan high schools, these students are demonstrating a desire to stay and contribute as educated and tax-paying Michigan citizens.

Similarly, given the state’s nursing shortage (in fact, metro Detroit hospitals are hiring Canadian nurses at record numbers), it is short-sighted to withdraw nursing scholarships to immigrants. Wouldn’t it be better to have an immigrant paying income taxes and property taxes here in Michigan, than one who is paying them in Canada?

If Michigan is going to create jobs, we need to become a global economy that consists of an educated workforce and one that has diversity. If our cities are to grow and development pressures to be relieved from Michigan family farms, we need to attract immigrants. No major U.S. city grew in the 1990s without immigration.

These bills are unjust, unnecessary and harmful to our state’s future.”

Rep. Cushingberry, 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 package of bills is wrong headed. We accept the labor of our immigrants, their Social Security payments, gifts, and many other valuable contributions yet now we want to send an unwelcome message to them. As far back as the Nixon administration, we have had in place procedures for individuals who are in this great Country the opportunity to apply for citizenship and be treated as we want to be treated when it comes to the benefits of our society. Now we want to close the door right when the immigration system has become tangled in the so called Homeland Security Department; mired in a bureaucratic bramble and thistle. Individuals who previously applied timely under the various amnesty programs of the past are delayed in some cases decades and are wholesaled denied permanent status under new laws different than the laws which were in effect originally.

Children born here and therefore citizens of this Country are sometimes even denied parents because they are not citizens and the maze to allow their parents legal status makes many errors.

Most people who come here do so legally but their visa’s expire before determinations can be made. This package of bills is unnecessary and affects a small but real minority of individuals who are not a threat to our society. To place them and their families in jeopardy as hb’s 5300-5310 aims to do is posturing and electioneering at its worst.

America has changed substantially even today and the new reality is a multi-cultural society. If we accept that there has been a significant census undercount of people of color over the past forty years we would know that the dreaded day of some people who want to cling to a past inspired in undercurrent by the so called silent majority’s desired benign neglect; the white citizens council/ John Birch society to keep America dominated by them; the merger of Nazi’s with ku klux klansmen; glorification of the former Confederacy through symbols like it’s flag flying in many State Capitols and the desire of some for our great State to emulate those States, that day has already arrived and we need to accept that non-whites are the majority in America today and that is irreversible.

We should encourage those who are at various levels of application, petition, and appeal to improve themselves and to come to use the underutilized capacity in Urban cores like Detroit. Clearly we have housing which has been made productive by immigrants who have come to our City. I dread the thought of what many of our State’s urban cores would look like without the active immigrant communities.

Finally, how can those of us who profess to be devout and religious be so negative and unloving? Are these bills an expression of our love for our neighbors? Is this how we would want to be treated in similar circumstances?

We are no longer under an eye for an eye law but a love standard and it is my opinion that these bills fall short.”

### House Bill No. 5310, entitled

A bill to amend 1999 PA 94, entitled “Michigan merit award scholarship act,” by amending section 7b (MCL 390.1457b), as added by 2004 PA 595.

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

### Roll Call No. 368

### Yeas—93

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

Condino	Kahn	Pastor	Wenke
DeRoche	Kooiman	Pavlov	Williams
Dillon	LaJoy	Pearce	Wojno
Donigan	Law, David	Plakas	Zelenko
Drolet			

### Nays—13

Clack	Gonzales	Lipsey	Smith, Virgil
Clemente	Hood	Polidori	Tobocman
Cushingberry	Kolb	Smith, Alma	Vagnozzi
Farrah			

In The Chair: Elsenheimer

The House agreed to the title of the bill.

Rep. Tobocman, 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 voted against HB 5300 - 5310 because this legislation is completely unnecessary, will harm valued residents, and sends the wrong message as a state welcoming to immigrants. Specifically, these bills seek to address some alleged problem of undocumented (or so-called ‘illegal’) immigrants seeking public benefits. Numerous studies have demonstrated that immigrants, particularly those who have been in the U.S. for longer periods of time, contribute more in taxes than they use in benefits. Here in Michigan, a state far from our nation’s southern border where our largest illegal immigration problems exist, most immigrants come seeking permanent or longer-term residency.

These bills will deny MSHDA loans, various student benefits, and MERIT scholarships to people who deserve support. This would include persons who have applied for residency status and are awaiting a hearing date before the federal Bureau of Immigration Affairs. Despite the strength of their legal claims of residency, they would be denied access to these state programs until they can get a hearing date, which can take almost a decade in many cases. Additionally, the bills may exclude victims of domestic violence and other legal immigrant statuses.

What is particularly troubling is that several of these benefit programs are designed less to benefit the recipient than to benefit Michigan. HB 5300 provides loans to homebuyers who, otherwise might not be able to purchase a new home. This bill benefits the state by increasing homeownership, which fundamentally stabilizes distressed and blighted neighborhoods, and helps to encourage home construction, boosting our economy. No immigrant purchasing a new home comes to Michigan for a temporary benefit. The fact that they are purchasing a home is evidence itself of their desire to settle here permanently.

Equally troubling are the limitations on the MERIT scholarship. Immigrant children almost universally find themselves in the U.S. through no decision of their own, but, rather the decision of their parents. For those immigrant students who have the wherewithal to succeed in school and develop college test scores that are high enough to EARN them a MERIT award, Michigan will be turning its back. These are exactly the type of knowledge workers a Twenty-First Century economy needs. By attending Michigan high schools, these students are demonstrating a desire to stay and contribute as educated and tax-paying Michigan citizens.

Similarly, given the state’s nursing shortage (in fact, metro Detroit hospitals are hiring Canadian nurses at record numbers), it is short-sighted to withdraw nursing scholarships to immigrants. Wouldn’t it be better to have an immigrant paying income taxes and property taxes here in Michigan, than one who is paying them in Canada?

If Michigan is going to create jobs, we need to become a global economy that consists of an educated workforce and one that has diversity. If our cities are to grow and development pressures to be relieved from Michigan family farms, we need to attract immigrants. No major U.S. city grew in the 1990s without immigration.

These bills are unjust, unnecessary and harmful to our state’s future.”



Rep. Cushingberry, 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 package of bills is wrong headed. We accept the labor of our immigrants, their Social Security payments, gifts, and many other valuable contributions yet now we want to send an unwelcome message to them. As far back as the Nixon administration, we have had in place procedures for individuals who are in this great Country the opportunity to apply for citizenship and be treated as we want to be treated when it comes to the benefits of our society. Now we want to close the door right when the immigration system has become tangled in the so called Homeland Security Department; mired in a bureaucratic bramble and thistle. Individuals who previously applied timely under the various amnesty programs of the past are delayed in some cases decades and are wholesaled denied permanent status under new laws different than the laws which were in effect originally.

Children born here and therefore citizens of this Country are sometimes even denied parents because they are not citizens and the maze to allow their parents legal status makes many errors.

Most people who come here do so legally but their visa's expire before determinations can be made. This package of bills is unnecessary and affects a small but real minority of individuals who are not a threat to our society. To place them and their families in jeopardy as hb's 5300-5310 aims to do is posturing and electioneering at its worst.

America has changed substantially even today and the new reality is a multi-cultural society. If we accept that there has been a significant census undercount of people of color over the past forty years we would know that the dreaded day of some people who want to cling to a past inspired in undercurrent by the so called silent majority's desired benign neglect; the white citizens council/ John Birch society to keep America dominated by them; the merger of Nazi's with ku klux klansmen; glorification of the former Confederacy through symbols like it's flag flying in many State Capitols and the desire of some for our great State to emulate those States, that day has already arrived and we need to accept that non-whites are the majority in America today and that is irreversible.

We should encourage those who are at various levels of application, petition, and appeal to improve themselves and to come to use the underutilized capacity in Urban cores like Detroit. Clearly we have housing which has been made productive by immigrants who have come to our City. I dread the thought of what many of our State's urban cores would look like without the active immigrant communities.

Finally, how can those of us who profess to be devout and religious be so negative and unloving? Are these bills an expression of our love for our neighbors? Is this how we would want to be treated in similar circumstances?

We are no longer under an eye for an eye law but a love standard and it is my opinion that these bills fall short.”

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The Speaker Pro Tempore resumed the Chair.

### Second Reading of Bills

#### Senate Bill No. 777, entitled

A bill to amend 1965 PA 329, entitled “Michigan seed law,” (MCL 286.701 to 286.716) by amending the title, as amended by 1988 PA 455, and by adding section 14; and to repeal acts and parts of acts.

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

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

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

The question being on the adoption of the substitute (H-4) offered by Rep. Kolb,

Rep. Kolb demanded the yeas and nays,

The demand was supported.

The question being on the adoption of the substitute (H-4) offered by Rep. Kolb,

The substitute (H-4) was not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

#### Roll Call No. 369

#### Yeas—33

Anderson  
Bennett

Donigan  
Farrah

Law, Kathleen  
Leland

Smith, Alma  
Stakoe

Bieda	Gaffney	Lemmons, Jr.	Tobocman
Brandenburg	Hood	Lipsey	Vagnozzi
Byrnes	Hopgood	McConico	Waters
Cheeks	Hunter	Meisner	Williams
Clack	Kolb	Miller	Wojno
Clemente	Law, David	Polidori	Zelenko
Condino			

**Nays—72**

Acciavatti	Espinoza	Marleau	Robertson
Adamini	Farhat	Mayes	Rocca
Amos	Garfield	McDowell	Sak
Angerer	Gillard	Meyer	Schuitmaker
Ball	Gleason	Moolenaar	Shaffer
Baxter	Gonzales	Moore	Sheen
Booher	Gosselin	Mortimer	Sheltrown
Brown	Green	Murphy	Smith, Virgil
Byrum	Hansen	Newell	Spade
Casperson	Hildenbrand	Nitz	Stahl
Caswell	Hoogendyk	Nofs	Steil
Caul	Huizenga	Palmer	Stewart
Cushingberry	Hummel	Palsrok	Taub
DeRoche	Hune	Pastor	Van Regenmorter
Dillon	Jones	Pavlov	Vander Veen
Drolet	Kahn	Pearce	Walker
Elsenheimer	Kooiman	Plakas	Ward
Emmons	LaJoy	Proos	Wenke

In The Chair: Kooiman

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

The motion prevailed.

Rep. Hildenbrand 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. 777, entitled**

A bill to amend 1965 PA 329, entitled "Michigan seed law," (MCL 286.701 to 286.716) by amending the title, as amended by 1988 PA 455, and by adding section 14; and to repeal acts and parts of acts.

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

**Roll Call No. 370****Yeas—74**

Acciavatti	Espinoza	McDowell	Rocca
Adamini	Farhat	Meyer	Sak
Amos	Gaffney	Moolenaar	Schuitmaker
Angerer	Garfield	Moore	Shaffer
Ball	Gillard	Mortimer	Sheen
Baxter	Gleason	Murphy	Sheltrown

Booher	Gosselin	Newell	Smith, Virgil
Brown	Green	Nitz	Spade
Byrnes	Hansen	Nofs	Stahl
Byrum	Hildenbrand	Palmer	Steil
Casperson	Hoogendyk	Palsrok	Stewart
Caswell	Huizenga	Pastor	Taub
Caul	Hune	Pavlov	Van Regenmorter
Cushingberry	Jones	Pearce	Vander Veen
DeRoche	Kahn	Plakas	Walker
Dillon	Kooiman	Polidori	Ward
Drolet	LaJoy	Proos	Wenke
Elsenheimer	Leland	Robertson	Williams
Emmons	Mayes		

**Nays—32**

Accavitti	Condino	Kolb	Miller
Anderson	Donigan	Law, David	Smith, Alma
Bennett	Farrah	Law, Kathleen	Stakoe
Bieda	Gonzales	Lemmons, Jr.	Tobocman
Brandenburg	Hood	Lipsey	Vagnozzi
Cheeks	Hopgood	Marleau	Waters
Clack	Hummel	McConico	Wojno
Clemente	Hunter	Meisner	Zelenko

In The Chair: Kooiman

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

“An act to regulate the labeling, coloration, advertising, sale, offering, exposing, or transporting for sale of agricultural, vegetable, lawn, flower, and forest tree seeds; to authorize the director of agriculture to adopt rules for the enforcement of this act; to provide for the inspection and testing of seed; to prescribe license fees; to prescribe penalties for violation of this act; and to repeal certain acts and parts of acts.”

The House agreed to the full title.

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

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

The House returned to the consideration of

**House Bill No. 5142, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” (MCL 760.1 to 777.69) by adding section 21c to chapter VIII.

(The bill was considered earlier today, see today’s Journal p. 859.)

The question being on the passage of the bill,

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

**Roll Call No. 371****Yeas—91**

Accavitti	Elsenheimer	Law, David	Sak
Acciavatti	Emmons	Law, Kathleen	Schuitmaker
Adamini	Espinoza	Marleau	Shaffer

Amos	Farhat	Mayes	Sheen
Anderson	Farrah	McDowell	Sheltrown
Angerer	Gaffney	Meyer	Smith, Virgil
Ball	Garfield	Miller	Spade
Baxter	Gillard	Moolenaar	Stahl
Bennett	Gleason	Moore	Stakoe
Bieda	Gonzales	Mortimer	Steil
Booher	Gosselin	Newell	Stewart
Brandenburg	Green	Nitz	Taub
Brown	Hansen	Nofs	Vagnozzi
Byrnes	Hildenbrand	Palmer	Van Regenmorter
Byrum	Hoogendyk	Palsrok	Vander Veen
Casperson	Hopgood	Pastor	Walker
Caswell	Huizenga	Pavlov	Ward
Caul	Hummel	Pearce	Waters
Clemente	Hune	Plakas	Wenke
DeRoche	Jones	Polidori	Williams
Dillon	Kahn	Proos	Wojno
Donigan	Kooiman	Robertson	Zelenko
Drolet	LaJoy	Rocca	

#### Nays—15

Cheeks	Hood	Lemmons, Jr.	Murphy
Clack	Hunter	Lipsey	Smith, Alma
Condino	Kolb	McConico	Tobocman
Cushingberry	Leland	Meisner	

In The Chair: Kooiman

The House agreed to the title of the bill.

Rep. Cushingberry, 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:

What is the problem we are trying to cure? Are we advocating killing? Is this another piece of electioneering at the danger of the general public? What if someone honestly accidentally strikes or touches someone can you use deadly force?

‘Vengeance is mine sayeth the Lord.’ ‘Ye have heard that it has been said an eye for an eye but I say unto you resist not evil. . . .’ This package of bills hb’s 5142, 5143, 5153, and 5488 are designed to bring out the worst in our fraught with danger for the whole community. What if someone’s aim is off and innocent bystanders are near by and get killed? Should they die to make a point?

As an outdoorsman who respects weapons I have serious and grave suspicions about this package. My experience as a member of the bar tells me most shootings are between friends, families, acquaintances, and people otherwise known to one another. The murder rate will probably go up and the spiral of violence will continue – fear, weapons, anger, vengeance, cops, jails and prisons. Where will it end!

Despair and hopelessness will then increase and those bent on wrong-doing will be more apt to use ultimate force in the first place.

How about more mental health treatment available and more mental health facilities so volatile individuals can get more help.

How about anger management being a part of school curriculums as well as ethics? Why not more human sexuality and respect for the opposite sex becoming hot media topics to encourage greater respect?  
 Finally will we ever embrace our diversity or is this our generations lynching justified by self defense?  
 Too many unanswered questions for this solution in search of a problem.”

The House returned to the consideration of  
**House Bill No. 5143, entitled**

A bill to clarify the rights and duties of self-defense and the defense of others; to provide for criminal and civil immunity under certain circumstances; to regulate the investigation of incidents involving self-defense or the defense of others; and to provide for certain remedies.

(The bill was considered earlier today, see today’s Journal p. 859.)

The question being on the passage of the bill,

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

**Roll Call No. 372**

**Yeas—90**

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

**Nays—16**

Cheeks	Hood	Lemmons, Jr.	Murphy
Clack	Hunter	Lipsey	Smith, Alma
Condino	Kolb	McConico	Tobocman
Cushingberry	Leland	Meisner	Waters

In The Chair: Kooiman

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

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

A bill to clarify the rights and duties of self-defense and the defense of others; and to provide for certain remedies.

The motion prevailed.

The House agreed to the title as amended.

Rep. Cushingberry, 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:

What is the problem we are trying to cure? Are we advocating killing? Is this another piece of electioneering at the danger of the general public? What if someone honestly accidentally strikes or touches someone can you use deadly force?

‘Vengeance is mine sayeth the Lord.’ ‘Ye have heard that it has been said an eye for an eye but I say unto you resist not evil. . . .’ This package of bills hb’s 5142, 5143, 5153, and 5488 are designed to bring out the worst in our fraught with danger for the whole community. What if someone’s aim is off and innocent bystanders are near by and get killed? Should they die to make a point?

As an outdoorsman who respects weapons I have serious and grave suspicions about this package. My experience as a member of the bar tells me most shootings are between friends, families, acquaintances, and people otherwise known to one another. The murder rate will probably go up and the spiral of violence will continue – fear, weapons, anger, vengeance, cops, jails and prisons. Where will it end!

Despair and hopelessness will then increase and those bent on wrong-doing will be more apt to use ultimate force in the first place.

How about more mental health treatment available and more mental health facilities so volatile individuals can get more help.

How about anger management being a part of school curriculums as well as ethics? Why not more human sexuality and respect for the opposite sex becoming hot media topics to encourage greater respect?

Finally will we ever embrace our diversity or is this our generations lynching justified by self defense?

Too many unanswered questions for this solution in search of a problem.”

The House returned to the consideration of

**House Bill No. 5153, entitled**

A bill to clarify the rights and duties of self-defense and the defense of others; to provide for criminal and civil immunity under certain circumstances; to regulate the investigation of incidents involving self-defense or the defense of others; and to provide for certain remedies.

(The bill was considered earlier today, see today’s Journal p. 861.)

The question being on the passage of the bill,

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

**Roll Call No. 373**

**Yeas—90**

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

**Nays—16**

Cheeks	Hood	Lemmons, Jr.	Murphy
Clack	Hunter	Lipsey	Smith, Alma
Condino	Kolb	McConico	Tobocman
Cushingberry	Leland	Meisner	Waters

In The Chair: Kooiman

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 1927 PA 175, entitled “The code of criminal procedure,” (MCL 760.1 to 777.69) by adding section 27 to chapter VII.

The motion prevailed.

The House agreed to the title as amended.



Rep. Cushingberry, 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:

What is the problem we are trying to cure? Are we advocating killing? Is this another piece of electioneering at the danger of the general public? What if someone honestly accidentally strikes or touches someone can you use deadly force?

‘Vengeance is mine sayeth the Lord.’ ‘Ye have heard that it has been said an eye for an eye but I say unto you resist not evil. . . .’ This package of bills hb’s 5142, 5143, 5153, and 5488 are designed to bring out the worst in our fraught with danger for the whole community. What if someone’s aim is off and innocent bystanders are near by and get killed? Should they die to make a point?

As an outdoorsman who respects weapons I have serious and grave suspicions about this package. My experience as a member of the bar tells me most shootings are between friends, families, acquaintances, and people otherwise known to one another. The murder rate will probably go up and the spiral of violence will continue – fear, weapons, anger, vengeance, cops, jails and prisons. Where will it end!

Despair and hopelessness will then increase and those bent on wrong-doing will be more apt to use ultimate force in the first place.

How about more mental health treatment available and more mental health facilities so volatile individuals can get more help.

How about anger management being a part of school curriculums as well as ethics? Why not more human sexuality and respect for the opposite sex becoming hot media topics to encourage greater respect?

Finally will we ever embrace our diversity or is this our generations lynching justified by self defense?

Too many unanswered questions for this solution in search of a problem.”

The House returned to the consideration of

**House Bill No. 5548, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” (MCL 600.101 to 600.9947) by adding section 2922b.

(The bill was considered earlier today, see today’s Journal p. 860.)

The question being on the passage of the bill,

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

**Roll Call No. 374**

**Yeas—90**

Accavitti	Elsenheimer	Law, David	Rocca
Acciavatti	Emmons	Law, Kathleen	Sak

Adamini	Espinoza	Marleau	Schuitmaker
Amos	Farhat	Mayes	Shaffer
Anderson	Farrar	McDowell	Sheen
Angerer	Gaffney	Meyer	Sheltrown
Ball	Garfield	Miller	Smith, Virgil
Baxter	Gillard	Moolenaar	Spade
Bennett	Gleason	Moore	Stahl
Bieda	Gonzales	Mortimer	Stakoe
Booher	Gosselin	Newell	Steil
Brandenburg	Green	Nitz	Stewart
Brown	Hansen	Nofs	Taub
Byrnes	Hildenbrand	Palmer	Vagnozzi
Byrum	Hoogendyk	Palsrok	Van Regenmorter
Casperson	Hopgood	Pastor	Vander Veen
Caswell	Huizenga	Pavlov	Walker
Caul	Hummel	Pearce	Ward
Clemente	Hune	Plakas	Wenke
DeRoche	Jones	Polidori	Williams
Dillon	Kahn	Proos	Wojno
Donigan	Kooiman	Robertson	Zelenko
Drolet	LaJoy		

#### Nays—16

Cheeks	Hood	Lemmons, Jr.	Murphy
Clack	Hunter	Lipsey	Smith, Alma
Condino	Kolb	McConico	Tobocman
Cushingberry	Leland	Meisner	Waters

In The Chair: Kooiman

The House agreed to the title of the bill.

Rep. Cushingberry, 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:

What is the problem we are trying to cure? Are we advocating killing? Is this another piece of electioneering at the danger of the general public? What if someone honestly accidentally strikes or touches someone can you use deadly force?

‘Vengeance is mine sayeth the Lord.’ ‘Ye have heard that it has been said an eye for an eye but I say unto you resist not evil. . . .’ This package of bills hb’s 5142, 5143, 5153, and 5488 are designed to bring out the worst in our fraught with danger for the whole community. What if someone’s aim is off and innocent bystanders are near by and get killed? Should they die to make a point?

As an outdoorsman who respects weapons I have serious and grave suspicions about this package. My experience as a member of the bar tells me most shootings are between friends, families, acquaintances, and people otherwise known to one another. The murder rate will probably go up and the spiral of violence will continue – fear, weapons, anger, vengeance, cops, jails and prisons. Where will it end!

Despair and hopelessness will then increase and those bent on wrong-doing will be more apt to use ultimate force in the first place.

How about more mental health treatment available and more mental health facilities so volatile individuals can get more help.



How about anger management being a part of school curriculums as well as ethics? Why not more human sexuality and respect for the opposite sex becoming hot media topics to encourage greater respect?  
 Finally will we ever embrace our diversity or is this our generations lynching justified by self defense?  
 Too many unanswered questions for this solution in search of a problem.”

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

**House Bill No. 4502, entitled**

A bill to amend 1964 PA 283, entitled “Weights and measures act,” by amending section 31 (MCL 290.631), as amended by 2002 PA 208.

The Senate has amended the bill as follows:

1. Amend page 5, line 11, after “**ACT,**” by inserting “**THE DEPARTMENT MAY ASSESS THE CIVIL FINES DESCRIBED IN THIS SUBSECTION.**”.
2. Amend page 5, line 15, after the first “**THE**” by striking out “**OFFENSE IS A FIRST OFFENSE**” and inserting “**VIOLATION IS A FIRST VIOLATION**”.
3. Amend page 5, line 17, after the first “**THE**” by striking out “**OFFENSE IS A SECOND OFFENSE**” and inserting “**VIOLATION IS A SECOND VIOLATION**”.
4. Amend page 5, line 19, after “**THE**” by striking out the balance of the line through “**OFFENSE**” on line 20 and inserting “**VIOLATION IS A THIRD VIOLATION OR A VIOLATION SUBSEQUENT TO THE THIRD VIOLATION**”.

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.

Rep. Hildenbrand moved that Rule 45 be suspended.

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

The question being on concurring in the amendments made to the bill by the Senate,

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

**Roll Call No. 375**

**Yeas—106**

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

Donigan  
Drolet

LaJoy  
Law, David

Proos

Zelenko

### Nays—0

In The Chair: Kooiman

The House agreed to the full title of the bill.

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

By unanimous consent the House returned to the order of

### Reports of Standing Committees

The Speaker laid before the House

#### House Resolution No. 188.

A resolution to memorialize the President and the Congress of the United States to oppose implementation of the proposed rules under the Western Hemisphere Travel Initiative requiring all citizens of any age of the United States, Canada, Mexico, and Bermuda to have a passport to enter or re-enter the United States.

(For text of resolution, see House Journal No. 6, p. 82.)

(The resolution was reported by the Committee on Transportation on April 25, with substitute (H-1), consideration of which, under the rules, was postponed until April 26.)

(For substitute, see today's Journal, p. 872.)

Rep. Hildenbrand 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 proposed substitute (H-1) recommended by the Committee,

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

The question being on the adoption of the resolution,

The resolution was adopted.

By unanimous consent the House returned to the order of

### Motions and Resolutions

Rep. Hildenbrand moved to suspend that portion of Rule 44 requiring bills to be handed to the Clerk three hours prior to calling the House to order.

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

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

The motion prevailed.

### Introduction of Bills

Reps. Gonzales, Alma Smith, Clack, Kathleen Law, Miller, Anderson, Farrah, Hopgood, Polidori, Accavitti and Waters introduced

#### House Bill No. 5978, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 17751 and 17763 (MCL 333.17751 and 333.17763), as amended by 2005 PA 85.

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

Rep. LaJoy introduced

**House Bill No. 5979, entitled**

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

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

Reps. Bieda, Tobocman, Kolb, Lipsey, Hopgood, Alma Smith, Byrnes, Anderson, Angerer, Donigan, Cushingberry, Vagnozzi, Polidori, Gonzales and Wojno introduced

**House Bill No. 5980, entitled**

A bill to establish standards of ethical conduct for employees and officials in the executive branch of state government; to impose certain conditions on employees and officials in the executive branch of state government and enhance accountability; to require public disclosure by employees and officials in the executive branch of state government of certain transactions and to require the filing of a transactional disclosure statement; to create a board of ethics; to provide for enforcement; to prescribe penalties and provide remedies; and to repeal acts and parts of acts.

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

Reps. Tobocman, Alma Smith, Kolb, Hopgood, Byrnes, Lipsey, Anderson, Angerer, Donigan, Cushingberry, Vagnozzi, Polidori, Gonzales, Wojno and Bieda introduced

**House Bill No. 5981, entitled**

A bill to regulate political activity; to regulate certain candidates and state officials; to require certain financial statements and reports; to prescribe the powers and duties of certain state and local governmental officers and agencies; to impose fees; to prescribe penalties and civil sanctions; and to provide remedies.

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

Reps. Kolb, Tobocman, Lipsey, Anderson, Hopgood, Alma Smith, Byrnes, Angerer, Donigan, Cushingberry, Vagnozzi, Polidori, Gonzales, Wojno and Bieda introduced

**House Bill No. 5982, entitled**

A bill to establish standards of ethical conduct for members of the state legislature; to impose certain conditions on members of the state legislature, former members of the state legislature, and associated businesses to enhance accountability; to require public disclosure by members of the state legislature of certain transactions and to require the filing of a transactional disclosure statement; to establish a legislative ethics committee and prescribe its powers and duties; and to prescribe sanctions and provide remedies.

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

Reps. Donigan, Tobocman, Hopgood, Alma Smith, Kolb, Lipsey, Byrnes, Anderson, Angerer, Cushingberry, Vagnozzi, Polidori, Gonzales, Wojno and Bieda introduced

**House Bill No. 5983, entitled**

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," (MCL 169.201 to 169.282) by adding section 57a.

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

Reps. Meisner, Tobocman, Alma Smith, Hopgood, Kolb, Lipsey, Byrnes, Anderson, Angerer, Donigan, Cushingberry, Vagnozzi, Polidori, Gonzales, Wojno and Bieda introduced

**House Bill No. 5984, entitled**

A bill to amend 1978 PA 472, entitled "An act to regulate political activity; to regulate lobbyists, lobbyist agents, and lobbying activities; to require registration of lobbyists and lobbyist agents; to require the filing of reports; to prescribe the powers and duties of the department of state; to prescribe penalties; and to repeal certain acts and parts of acts," (MCL 4.411 to 4.431) by adding section 11a.

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

Reps. Sheltroun, Tobocman, Alma Smith, Kolb, Lipsey, Byrnes, Anderson, Clemente and Polidori introduced

**House Bill No. 5985, entitled**

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending section 50 (MCL 169.250), as added by 1994 PA 385.

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

Reps. Byrnes, Tobocman, Alma Smith, Hopgood, Kolb, Lipsey, Anderson, Angerer, Donigan, Vagnozzi, Wojno and Bieda introduced

**House Bill No. 5986, entitled**

A bill to amend 1978 PA 472, entitled "An act to regulate political activity; to regulate lobbyists, lobbyist agents, and lobbying activities; to require registration of lobbyists and lobbyist agents; to require the filing of reports; to prescribe the powers and duties of the department of state; to prescribe penalties; and to repeal certain acts and parts of acts," (MCL 4.411 to 4.431) by adding section 21b.

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

Reps. Lipsey, Tobocman, Alma Smith, Hopgood, Kolb, Byrnes, Anderson, Angerer, Donigan, Cushingberry, Vagnozzi, Polidori, Gonzales, Wojno and Bieda introduced

**House Bill No. 5987, entitled**

A bill to amend 1968 PA 317, entitled "An act relating to the conduct of public servants in respect to governmental decisions and contracts with public entities; to provide penalties for the violation of this act; to repeal certain acts and parts of acts; and to validate certain contracts," by amending sections 1, 3a, and 8 (MCL 15.321, 15.323a, and 15.328), section 3a as amended by 1996 PA 203 and section 8 as amended by 1997 PA 145.

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

Rep. Huizenga introduced

**House Bill No. 5988, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 9f (MCL 211.9f), as amended by 2004 PA 79.

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

Rep. Farhat introduced

**House Bill No. 5989, entitled**

A bill to amend 2000 PA 146, entitled "Obsolete property rehabilitation act," by amending sections 2, 3, 4, 5, 6, 7, 8, 9, 12, 13, 14, 15, and 17 (MCL 125.2782, 125.2783, 125.2784, 125.2785, 125.2786, 125.2787, 125.2788, 125.2789, 125.2792, 125.2793, 125.2794, 125.2795, and 125.2797), section 2 as amended by 2006 PA 70.

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

Rep. Hildenbrand introduced

**House Bill No. 5990, entitled**

A bill to amend 1996 PA 381, entitled "Brownfield redevelopment financing act," by amending section 2 (MCL 125.2652), as amended by 2006 PA 32.

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

Rep. Pavlov introduced

**House Bill No. 5991, entitled**

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 38g (MCL 208.38g), as amended by 2006 PA 112.

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

Rep. Mortimer introduced

**House Bill No. 5992, entitled**

A bill to amend 1992 PA 147, entitled "Neighborhood enterprise zone act," by amending section 2 (MCL 207.772), as amended by 2004 PA 396.

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

Reps. Vander Veen, Vagnozzi, Polidori, Green and Ball introduced

**House Bill No. 5993, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21737.

The bill was read a first time by its title and referred to the Committee on Senior Health, Security, and Retirement.

Reps. Vander Veen, Vagnozzi, Ball and Sheltroun introduced

**House Bill No. 5994, entitled**

A bill to amend 1964 PA 170, entitled "An act to make uniform the liability of municipal corporations, political subdivisions, and the state, its agencies and departments, officers, employees, and volunteers thereof, and members of certain boards, councils, and task forces when engaged in the exercise or discharge of a governmental function, for injuries to property and persons; to define and limit this liability; to define and limit the liability of the state when engaged in a proprietary function; to authorize the purchase of liability insurance to protect against loss arising out of this liability; to provide for defending certain claims made against public officers, employees, and volunteers and for paying damages sought or awarded against them; to provide for the legal defense of public officers, employees, and volunteers; to provide for reimbursement of public officers and employees for certain legal expenses; and to repeal acts and parts of acts," by amending section 2 (MCL 691.1402), as amended by 1999 PA 205.

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

Reps. McDowell, Accavitti, Donigan, Alma Smith, Espinoza, Leland, Kathleen Law, Hopgood, Spade, Miller, Polidori, Angerer, Byrnes, Zelenko, Vagnozzi, Kolb, Lipsey, Gonzales, Anderson, Lemmons, Jr., Cushingberry, Waters, Bieda, Gleason, Sak, Meisner and Byrum introduced

**House Bill No. 5995, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 32701, 32703, 32703a, and 32704 (MCL 324.32701, 324.32703, 324.32703a, and 324.32704), sections 32701 and 32703 as amended and section 32703a as added by 2006 PA 33 and section 32704 as added by 1995 PA 59.

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

Reps. Donigan, Byrnes, Accavitti, Vagnozzi, Hopgood, Kathleen Law, McDowell, Alma Smith, Espinoza, Condino, Tobocman, Lipsey, Angerer, Spade, Byrum, Anderson, Waters, Miller, Polidori, Zelenko, Kolb, Gonzales, Lemmons, Jr., Cushingberry, Bieda, Gleason and Meisner introduced

**House Bill No. 5996, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 32713 (MCL 324.32713), as amended by 2006 PA 33.

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

Reps. Baxter, Stahl, Palmer, Nitz, Marleau, Caul, Robertson, Emmons, Garfield, Vander Veen, Jones, Moore, Elsenheimer, Hummel, Brandenburg, Stakoe, Gosselin, Mortimer, Casperson, Drolet, Wenke, Pastor, LaJoy, Green, Huizenga, Hildenbrand, Hoogendyk, Ward, Caswell, Taub and David Law introduced

**House Bill No. 5997, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17015 (MCL 333.17015), as amended by 2002 PA 685.

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

Reps. Byrnes, Donigan, Accavitti, Gleason, Condino, Espinoza, Bieda, McDowell, Kathleen Law, Hopgood, Tobocman, Lipsey, Vagnozzi, Zelenko, Byrum, Cushingberry, Lemmons, Jr., Miller, Spade, Polidori, Gonzales, Angerer, Alma Smith, Kolb, Anderson, Waters, Sak and Meisner introduced

**House Joint Resolution W, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by adding section 55 to article IV, to prohibit the diversion of the waters of the state out of the Great Lakes basin unless specifically authorized by the legislature.

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

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Rep. Proos moved that the House adjourn.  
The motion prevailed, the time being 4:40 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, April 26, at 1:00 p.m.

GARY L. RANDALL  
Clerk of the House of Representatives