

Current legislation that could affect farm workers or immigrants in Michigan

FINAL STATUS for term ending December 2006

Summary by Farmworker Legal Services, 2/04/2007

STATE BILLS – 2005-2006 LEGISLATIVE SESSION

To view these bills:

- (1) Go to www.legislature.mi.gov, click on bills, select 2005-2006 as the Legislative Session, and then type the bill number (without the "HB" or "SB") in the appropriate space under "Bill Search", OR
- (2) Follow the link underneath each bill number below

Bill summaries are grouped into the following categories:

- Health
- Driver's Licenses and State ID Cards
- Education
- Immigration and State Programs Generally

HEALTH

HB 4498

<http://www.legislature.mi.gov/mileg.asp?page=getObject&objName=2005-HB-4498>

Bill Summary:

The bill would create within the state treasury a fund for uninsured patients with grave illnesses. To be eligible to receive money from the fund, an individual would have to be a resident of Michigan, have a household income of less than 300% of the federal poverty guidelines, have a grave illness, and have no insurance coverage for the medical services necessary to treat the grave illness and not be eligible for reimbursement through private insurance or government medical assistance programs.

In addition, the individual would have to be a United States citizen or "a legally resident alien." The bill does not specify whether "legally resident alien" means a legal permanent resident, an alien lawfully present in the United States, or a different classification.

This bill would not take effect unless HB 4497 is also enacted into law. HB 4497 provides for a state income tax return "check-off" so that a taxpayer can choose to contribute to the fund.

Sponsor: Kevin Green (Republican - City of Wyoming, Byron Township in Kent County)

Bill Status:

3/15/2005: Introduced in Michigan House

3/15/2005: Referred to Committee on Tax Policy

HB 5184

<http://www.legislature.mi.gov/mileg.asp?page=getObject&objName=2005-HB-5184>

Bill Summary:

This bill would amend the Social Welfare Act. It would add a requirement that in order to be eligible for "family independence assistance" the individual must "provide proof of identification and proof of United States citizenship." Since federal law says that many legal immigrants are eligible for assistance, it is unclear from this bill whether eligible immigrants have to prove U.S. citizenship, since the provision as written doesn't limit itself to citizens.

The bill would also add a provision that says: "In order for an individual to be eligible for medical assistance benefits under this act, the individual must provide proof of identification and proof of United States citizenship." Again, federal law says that many legal immigrants are eligible for medical assistance, so it is unclear from this bill whether eligible immigrants are required to prove US citizenship, since the provision as written does not say that only US citizens have to prove US citizenship.

Current Department of Human Services policy requires that an individual affirm whether he is a US citizen, and the department may require verification of citizenship if the applicant's statements are questionable. Under current department policy, all non-citizen applicants are required to present proof of status. Due to federal policy, emergency medical assistance does not currently have a citizenship or immigration requirement, so the state department does not currently require proof of citizenship.

Primary Sponsor: Rick Baxter (Republican – Jackson County)

Bill Status:

9/15/2005: Introduced in Michigan House

9/15/2005: Referred to Committee on Family and Children’s Services

SB 195

<http://www.legislature.mi.gov/mileg.asp?page=getObject&objName=2005-SB-0195>

Bill Summary:

This law permits the Michigan Department of Agriculture to issue fines to migrant labor camp operators who operate camps without the camp being licensed. The fine can be up to \$1,000 per day, up to \$10,000. Previously, the Department had no authority to issue fines. Fines that are collected will be placed into the migrant labor camp construction fund, which issues funds to agricultural employers to off-set the cost of up to 50% of the cost of migrant labor housing.

Primary Sponsor: Valde Garcia (Republican - Livingston and Shiawassee Counties)

Bill Status:

This bill was passed by both the House and Senate and was presented to the Governor for her signature on 6/2/2005. Governor Granholm signed it into law on 6/16/2005. It is Public Act 43 of 2005.

DRIVER’S LICENSES AND STATE ID CARDS

HB 4769

<http://www.legislature.mi.gov/mileg.asp?page=getObject&objName=2005-HB-4769>

Bill Summary:

The bill would change Michigan law to add driver’s license restrictions that are in the federal REAL ID Act. Among other things, the bill would require U.S. citizens to provide documents to the Secretary of State to prove their citizenship in order to qualify for a driver’s license. In addition, immigrants would have to provide documents to the Secretary of State in order to prove that they fall into certain eligible immigrant categories in order to qualify for a driver’s license.

It doesn't include an option that is possible under REAL ID that permits states to create a distinct-looking, "no-federal-purpose" license for immigrants who don't qualify.

This bill would grant an individual with an approved application for asylum a temporary driver’s license, while the REAL ID Act specifies that the person can get a regular license.

The bill does not change the requirements for state ID cards.

This bill is virtually the same as HB 4869 (introduced June 7, 2005).

Sponsor: Daniel Acciavatti (Republican - Macomb and St. Clair Counties)

Bill Status:

5/11/2005: Introduced in Michigan House

5/11/2005: Referred to Committee on Transportation

HB 4822

<http://www.legislature.mi.gov/mileg.asp?page=getObject&objName=2005-HB-4822>

Bill Summary:

Prohibits issuance of a drivers license to a person not lawfully in the U.S. It amends MCL 257.303 to add: “(m) A person who is in the United States unlawfully.”

Primary Sponsor: Joe Hune (Republican - Livingston County)

Bill Status:

5/24/2005: Introduced in Michigan House

5/24/2005: Referred to Committee on Transportation

HB 4869

<http://www.legislature.mi.gov/mileg.asp?page=getObject&objName=2005-HB-4869>

Bill Summary:

This bill would change Michigan law to add driver's license restrictions that are in the federal REAL ID Act. Among other things, the bill would require U.S. citizens to provide documents to the Secretary of State to prove their citizenship in order to qualify for a driver's license. In addition, immigrants would have to provide documents to the Secretary of State in order to prove that they fall into certain eligible immigrant categories in order to qualify for a driver's license.

It doesn't include an option that is possible under REAL ID that permits states to create a distinct-looking, "no-federal-purpose" license for immigrants who don't qualify.

This bill would grant an individual with an approved application for asylum a temporary driver's license, while the REAL ID Act specifies that the person can get a regular license.

The bill does not change the requirements for state ID cards.

The bill is virtually the same as HB 4769 (introduced May 11, 2005).

Primary Sponsor: Rick Baxter (Republican - Jackson County)

Other sponsors:

Shelley Taub	(R-Bloomfield Hills)
Robert Gosselin	(R-Troy)
Joel Sheltrown	(D-Counties of Missaukee, Roscommon, Ogemaw, and Iosco)
Jacob Hoogendyk	(R-City of Portage, part of Kalamazoo County),
Michael C. Murphy	(D-Lansing)
Jim Marleau	(R-part of Oakland County)
Tonya Schuitmaker	(R-Van Buren County, City of Otsego, Otsego Township)
Steve Bieda	(D-City of Warren)
Neal Nitz	(R-parts of Berrien & Cass Counties)

Bill Status:

6/7/2005: Introduced in Michigan House

6/7/2005: Referred to Committee on Transportation

HB 6085

<http://www.legislature.mi.gov/mileg.asp?page=getObject&objName=2006-HB-6085>

Bill Summary:

As introduced and passed by Committee, the bill would require that U.S. citizen applicants for a driver's license disclose on the application that they are U.S. citizens. In addition, the driver's licenses of U.S. citizens would have to contain a statement that the person is a U.S. citizen.

As passed by the House, the bill would also require that immigrants prove that they have a certain immigration status in order to qualify for a license. The bill would also require that licenses expire on the date that an immigrant's visa expires.

Primary Sponsor: Chris Ward (Republican – Parts of Livingston and Oakland Counties)

Bill Status:

5/18/2006: Introduced in Michigan House

5/18/2006: Referred to House Committee on House Oversight, Elections, and Ethics (Chair is Rep. Ward)

5/24/2006: House Committee on House Oversight, Elections, and Ethics passed bill 3-2

5/30/2006: As amended, Passed the House of Representatives, 76-27

5/31/2006: Referred to Senate Committee on Government Operations

SB 843

<http://www.legislature.mi.gov/mileg.asp?page=getObject&objName=2005-SB-0843>

Bill Summary:

The bill would change Michigan's law regarding eligibility for a state I.D. card. Specifically the bill would add a requirement that an applicant present documents that are sufficient to show that the applicant is a U.S. citizen or "resident alien lawfully admitted to the United States."

The bill would also add a requirement that a state I.D. card issued to a non-citizen would expire on the date that his or her presence in the U.S. becomes unlawful.

Primary Sponsor: Judson Gilbert (Republican – Lapeer and St. Clair Counties)

Bill Status:

10/25/2005: Introduced in Michigan Senate

10/25/2005: Referred to Committee on Transportation

SB 844

<http://www.legislature.mi.gov/mileg.asp?page=getObject&objName=2005-SB-0844>

Bill Summary:

The bill would change Michigan's law regarding eligibility for driver's licenses. Specifically, the bill would add a requirement that an applicant present documents that are sufficient to show that the applicant is a U.S. citizen or "resident alien lawfully admitted to the United States."

The bill would also add a requirement that the Secretary of State confirm with the Social Security Administration a social security number presented by an applicant.

The bill would also add a requirement that a license issued to a non-citizen would expire on the date that his or her presence in the U.S. becomes unlawful.

Primary Sponsor: Alan Sanborn (Republican – Macomb County: part)

Bill Status:

10/25/2005: Introduced in Michigan Senate

10/25/2005: Referred to Committee on Transportation

EDUCATION

HB 5222

<http://www.legislature.mi.gov/mileg.asp?page=getObject&objName=2005-HB-5222>

Bill Summary:

This bill would reinstate mandatory bilingual instruction programs for school districts that have at least 20 limited English-speaking ability (LEP) students in grades K-12. Bilingual education is currently optional for those districts.

The bill would also require that intermediate school districts determine whether the number of LEP students in those districts that do not operate bilingual education programs warrants the establishment of an intermediate bilingual instruction-support program.

Under the bill, parents would still have the option of declining to have their children enrolled in the bilingual program.

Under the bill, a child enrolled in a bilingual program shall be enrolled for 3 years or until the child achieves a level of proficiency in English sufficient to receive equal educational opportunity in the regular school program, whichever occurs first.

Primary Sponsor: Steve Tobocman (Democrat – Detroit)

Other Sponsor: Paul Condino (D – Southfield, Lathrup Village, Royal Oak Township, part of Oak Park)

Bill Status:

9/27/2005: Introduced in Michigan House

9/27/2005: Referred to Committee on Education

HB 5301

<http://www.legislature.mi.gov/mileg.asp?page=getObject&objName=2005-HB-5301>

Bill Summary:

The bill as introduced would change an eligibility requirement for recipients of scholarships under the Michigan Nursing Scholarship Act: the recipient would have to be a U.S. citizen or Lawful Permanent Resident.

The bill as passed by the House would require that a recipient be a U.S. citizen or be eligible for assistance under the federal Higher Education Act.

The statute currently requires that the individual be "a United States citizen or permanent resident of the United States."

Primary Sponsor: Barb Vander Veen (Republican – Ottawa County: part, including city of Grand Haven)

Bill Status:

10/18/2005: Introduced in Michigan House of Representatives

10/18/2005: Referred to Committee on Higher Education and Career Preparation

10/20/2005: Reassigned to Committee on Government Operations

3/7/2006: Gov't Operations Committee referred to Committee on Veterans Affairs and Homeland Security

3/29/06: Committee Hearing Held. Substitute Bill H-1 passed by Committee.

4/25/06: Substitute Bill H-1 passed House of Representatives, 99 to 7

4/26/06: Referred to Senate Appropriations Committee
12/5/06: Re-assigned to the Senate Committee on Education
12/13/2006: Passed out of Senate Committee on Education, 3-0
12/13/2006: Passed by full Senate with amendment, 29-9
12/14/2006: Passed by full House, 84-22
1/03/2007: Pocket veto by Governor

HB 5302

<http://www.legislature.mi.gov/mileg.asp?page=getObject&objName=2005-HB-5302>

Bill Summary:

The bill as introduced would change an eligibility requirement for recipients of grants under the part-time independent student grant program: the recipient would have to be a U.S. citizen or Lawful Permanent Resident.

The bill as passed by the House would require that a recipient be a U.S. citizen or be a student described as eligible for assistance under the federal Higher Education Act.

The statute currently requires that the individual be “a United States citizen or permanent resident.”

Primary Sponsor: Jacob Hoogendyk (Republican – Kalamazoo County: part, including city of Portage)

Bill Status:

10/18/2005: Introduced in Michigan House of Representatives
10/18/2005: Referred to Committee on Higher Education and Career Preparation
10/20/2005: Reassigned to Committee on Government Operations
3/7/2006: Gov’t Operations Committee referred to Committee on Veterans Affairs and Homeland Security
3/29/06: Committee Hearing Held. Substitute Bill H-1 passed by Committee.
4/25/06: Substitute Bill H-1 passed House of Representatives, 99 to 7
4/26/06: Referred to Senate Appropriations Committee
12/5/06: Re-assigned to the Senate Committee on Education
12/13/2006: Passed out of Senate Committee on Education, 3-1
12/13/2006: Passed by full Senate with amendment, 28-10
12/14/2006: Passed by full House, 82-23
1/03/2007: Pocket veto by Governor

HB 5303

<http://www.legislature.mi.gov/mileg.asp?page=getObject&objName=2005-HB-5303>

Bill Summary:

The bill as introduced would add an eligibility requirement for recipients of state competitive scholarships: the recipient would have to be a U.S. citizen or Lawful Permanent Resident.

The bill as passed by the House would require that a recipient be a U.S. citizen or be a student described as eligible for assistance under the federal Higher Education Act.

Primary Sponsor: John Pastor (Republican – Wayne County: part of city of Livonia)

Bill Status:

10/18/2005: Introduced in Michigan House of Representatives
10/18/2005: Referred to Committee on Higher Education and Career Preparation
10/20/2005: Reassigned to Committee on Government Operations
3/7/2006: Gov’t Operations Committee referred to Committee on Veterans Affairs and Homeland Security
3/29/06: Committee Hearing Held. Substitute Bill H-1 passed by Committee.
4/25/06: Substitute Bill H-1 passed House of Representatives, 99 to 7
4/26/06: Referred to Senate Appropriations Committee
12/5/06: Re-assigned to the Senate Committee on Education
12/13/2006: Passed out of Senate Committee on Education, 3-1
12/13/2006: Passed by full Senate with amendment, 29-9
12/14/2006: Passed by full House, 80-24
1/03/2007: Pocket veto by Governor

HB 5304

<http://www.legislature.mi.gov/mileg.asp?page=getObject&objName=2005-HB-5304>

Bill Summary:

The bill as introduced would change an eligibility requirement for participants in Michigan's graduate work study program: the participant would have to be a U.S. citizen or Lawful Permanent Resident.

The bill as passed by the House would require that a recipient be a U.S. citizen or be a student described as eligible for assistance under the federal Higher Education Act.

The statute currently requires that the individual be "a United States citizen or permanent resident of this country."

Primary Sponsor: Robert Gosselin (Republican – Oakland County: cities of Troy, Clawson)

Bill Status:

10/18/2005: Introduced in Michigan House of Representatives
10/18/2005: Referred to Committee on Higher Education and Career Preparation
10/20/2005: Reassigned to Committee on Government Operations
3/7/2006: Gov't Operations Committee referred to Committee on Veterans Affairs and Homeland Security
3/29/06: Committee Hearing Held. Substitute Bill H-1 passed by Committee.
4/25/06: Substitute Bill H-1 passed House of Representatives, 99 to 7
4/26/06: Referred to Senate Appropriations Committee
12/5/06: Re-assigned to the Senate Committee on Education
12/13/2006: Passed out of Senate Committee on Education, 3-1
12/13/2006: Passed by full Senate with amendment, 28-10
12/14/2006: Passed by full House, 79-25
1/03/2007: Pocket veto by Governor

HB 5305

<http://www.legislature.mi.gov/mileg.asp?page=getObject&objName=2005-HB-5305>

Bill Summary:

The bill as introduced would change an eligibility requirement for participants in Michigan's undergraduate work study program: the participant would have to be a U.S. citizen or Lawful Permanent Resident.

The bill as passed by the House would require that a recipient be a U.S. citizen or be a student described as eligible for assistance under the federal Higher Education Act.

The statute currently requires that the individual be "a United States citizen or permanent resident."

Primary Sponsor: Jim Marleau (Republican – Oakland County: part)

Bill Status:

10/18/2005: Introduced in Michigan House of Representatives
10/18/2005: Referred to Committee on Higher Education and Career Preparation
10/20/2005: Reassigned to Committee on Government Operations
3/7/2006: Gov't Operations Committee referred to Committee on Veterans Affairs and Homeland Security
3/29/06: Committee Hearing Held. Substitute Bill H-1 passed by Committee.
4/25/06: Substitute Bill H-1 passed House of Representatives, 99 to 7
4/26/06: Referred to Senate Appropriations Committee
12/5/06: Re-assigned to the Senate Committee on Education
12/13/2006: Passed out of Senate Committee on Education, 3-2
12/13/2006: Passed by full Senate with amendment, 29-9
12/14/2006: Passed by full House, 80-24
1/03/2007: Pocket veto by Governor

HB 5306

<http://www.legislature.mi.gov/mileg.asp?page=getObject&objName=2005-HB-5306>

Bill Summary:

The bill as introduced would change an eligibility requirement for recipients of grants under the Michigan educational opportunity grant program: the participant would have to be a U.S. citizen or Lawful Permanent Resident.

The bill as passed by the House would require that a recipient be a U.S. citizen or be a student described as eligible for assistance under the federal Higher Education Act.

The statute currently requires that the individual be "a United States citizen or permanent resident."

Primary Sponsor: Philip LaJoy (Republican – Wayne County: part, including city of Belleville)

Bill Status:

10/18/2005: Introduced in Michigan House of Representatives

10/18/2005: Referred to Committee on Higher Education and Career Preparation
10/20/2005: Reassigned to Committee on Government Operations
3/7/2006: Gov't Operations Committee referred to Committee on Veterans Affairs and Homeland Security
3/29/06: Committee Hearing Held. Substitute Bill H-1 passed by Committee.
4/25/06: Substitute Bill H-1 passed House of Representatives, 98 to 8
4/26/06: Referred to Senate Appropriations Committee
12/5/06: Re-assigned to the Senate Committee on Education
12/13/2006: Passed out of Senate Committee on Education, 3-2
12/13/2006: Passed by full Senate with amendment, 29-8
12/14/2006: Passed by full House, 82-22
1/03/2007: Pocket veto by Governor

HB 5307

<http://www.legislature.mi.gov/mileg.asp?page=getObject&objName=2005-HB-5307>

Bill Summary:

The bill as introduced would add an eligibility requirement for recipients of tuition grants to attend independent colleges: the recipient would have to be a U.S. citizen or Lawful Permanent Resident.

The bill as passed by the House would require that a recipient be a U.S. citizen or be a student described as eligible for assistance under the federal Higher Education Act.

Primary Sponsor: John Stahl (Republican – Lapeer County)

Bill Status:

10/18/2005: Introduced in Michigan House of Representatives
10/18/2005: Referred to Committee on Higher Education and Career Preparation
10/20/2005: Reassigned to Committee on Government Operations
3/7/2006: Gov't Operations Committee referred to Committee on Veterans Affairs and Homeland Security
3/29/06: Committee Hearing Held. Substitute Bill H-1 passed by Committee.
4/25/06: Substitute Bill H-1 passed House of Representatives, 98 to 8
4/26/06: Referred to Senate Appropriations Committee
12/5/06: Re-assigned to the Senate Committee on Education
12/13/2006: Passed out of Senate Committee on Education, 3-2
12/13/2006: Passed by full Senate with amendment, 29-9
12/14/2006: Passed by full House, 83-21
1/03/2007: Pocket veto by Governor

HB 5308

<http://www.legislature.mi.gov/mileg.asp?page=getObject&objName=2005-HB-5308>

Bill Summary:

The bill as introduced would add an eligibility requirement for recipients of tuition differential grants to attend independent colleges: the recipient would have to be a U.S. citizen or Lawful Permanent Resident.

The bill as passed by the House would require that a recipient be a U.S. citizen or be a student described as eligible for assistance under the federal Higher Education Act.

Primary Sponsor: John Stahl (Republican – Lapeer County)

Bill Status:

10/18/2005: Introduced in Michigan House of Representatives
10/18/2005: Referred to Committee on Higher Education and Career Preparation
10/20/2005: Reassigned to Committee on Government Operations
3/7/2006: Gov't Operations Committee referred to Committee on Veterans Affairs and Homeland Security
3/29/06: Committee Hearing Held. Substitute Bill H-1 passed by Committee.
4/25/06: Substitute Bill H-1 passed House of Representatives, 99 to 7
4/26/06: Referred to Senate Appropriations Committee
12/5/06: Re-assigned to the Senate Committee on Education
12/13/2006: Passed out of Senate Committee on Education, 3-2
12/13/2006: Passed by full Senate with amendment, 29-9
12/14/2006: Passed by full House, 81-23
1/03/2007: Pocket veto by Governor

HB 5309

<http://www.legislature.mi.gov/mileg.asp?page=getObject&objName=2005-HB-5309>

Bill Summary:

The bill as introduced would add an eligibility requirement for recipients of scholarships under the legislative merit award program: the recipient would have to be a U.S. citizen or Lawful Permanent Resident.

The bill as passed by the House would require that a recipient be a U.S. citizen or be a student described as eligible for assistance under the federal Higher Education Act.

Primary Sponsor: Kevin Green (Republican – Kent County: city of Wyoming, Byron Township)

Bill Status:

10/18/2005: Introduced in Michigan House of Representatives

10/18/2005: Referred to Committee on Higher Education and Career Preparation

10/20/2005: Reassigned to Committee on Government Operations

3/7/2006: Gov't Operations Committee referred to Committee on Veterans Affairs and Homeland Security

3/29/06: Committee Hearing Held. Substitute Bill H-1 passed by Committee.

4/25/06: Substitute Bill H-1 passed House of Representatives, 95 to 11

4/26/06: Referred to Senate Appropriations Committee

12/5/06: Re-assigned to the Senate Committee on Education

12/13/2006: Passed out of Senate Committee on Education, 3-2

12/13/2006: Passed by full Senate with amendment, 29-9

12/14/2006: Passed by full House, 81-23

1/03/2007: Pocket veto by Governor

HB 5310

<http://www.legislature.mi.gov/mileg.asp?page=getObject&objName=2005-HB-5310>

Bill Summary:

The bill as introduced would add an eligibility requirement for recipients of scholarships under the Michigan merit award scholarship program: the recipient would have to be a U.S. citizen or Lawful Permanent Resident.

The bill as passed by the House would require that a recipient be a U.S. citizen or be a student described as eligible for assistance under the federal Higher Education Act.

Primary Sponsor: Rick Baxter (Republican – Jackson County: part, including city of Jackson)

Bill Status:

10/18/2005: Introduced in Michigan House of Representatives

10/18/2005: Referred to Committee on Higher Education and Career Preparation

10/20/2005: Reassigned to Committee on Government Operations

3/7/2006: Gov't Operations Committee referred to Committee on Veterans Affairs and Homeland Security

3/29/06: Committee Hearing Held. Substitute Bill H-1 passed by Committee.

4/25/06: Substitute Bill H-1 passed House of Representatives, 93 to 13

4/26/06: Referred to Senate Appropriations Committee

12/5/06: Re-assigned to the Senate Committee on Education

12/13/06: Passed out of Senate Committee on Education, 3-2

SB 228

<http://www.legislature.mi.gov/mileg.asp?page=getObject&objName=2005-SB-0228>

Bill Summary:

This bill would establish a student loan repayment program for certain agricultural employees. Funds would be limited to a maximum of ten years for the applicant, and could annually repay up to 2.5 percent of the eligible debt, or \$750, whichever is less.

Migrant farm workers would likely not be eligible due to two requirements. First, one requirement is that the employment be “full-time.” The bill does not address whether “full-time” means that a certain number of days per year would have to be worked.

Second, the definition of “agricultural facility” and “agricultural processing” does not explicitly include hand harvesting of crops.

Primary Sponsor: Gerald Van Woerkom (Republican - Muskegon, Newaygo, Oceana, & Mason Counties)

Bill Status:

2/17/05: Introduced in Michigan Senate
2/17/05: Referred to Committee on Agriculture, Forestry, and Tourism
3/22/05: Reported favorably out of committee with Substitute S-3 version
4/13/05: Passed Senate with Substitute S-4 version
4/13/05: Referred to House Committee on Agriculture

SB 554

<http://www.legislature.mi.gov/mileg.asp?page=getObject&objName=2005-SB-0554>

Bill Summary:

This bill would "require that state universities classify certain aliens as residents of this state for purposes of charging tuition." Certain conditions would have to be met:

- The individual resided with his or her parent or legal guardian while attending a public or private high school in this state.
- The individual graduated from a public or private high school or received the equivalent of a high school diploma in this state.
- The individual had resided in this state for at least 3 years on the date the individual graduated from high school or received the equivalent of a high school diploma.
- The individual was not enrolled as an entering student at the state university before the 2004 fall semester.
- The individual provides to the state university an affidavit stating that the individual will file an application to become a permanent resident of the United States at the earliest opportunity the individual is eligible to do so.

Primary Sponsor: Buzz Thomas (Democrat - Detroit)

Bill Status:

6/2/05: Introduced in Michigan Senate
6/2/05: Referred to Committee on Education

SB 556

<http://www.legislature.mi.gov/mileg.asp?page=getObject&objName=2005-SB-0556>

Bill Summary:

This bill would reinstate mandatory bilingual education programs for school districts that have at least 20 limited English-speaking ability (LEP) students. Bilingual education is currently optional for those districts.

Primary Sponsor: Buzz Thomas (Democrat - Detroit)

Bill Status:

6/2/05: Introduced in Michigan Senate
6/2/05: Referred to Committee on Education

IMMIGRATION; STATE PROGRAMS GENERALLY

HB 4565

<http://www.legislature.mi.gov/mileg.asp?page=getObject&objName=2005-HB-4565>

Bill Summary:

The bill would amend the Management and Budget Act to provide that the Department of Management and Budget and all state agencies "shall not enter into a contract for the purchase of services unless that contract provides that only citizens of the United States, legal resident aliens, and individuals with a valid visa shall perform the services under that contract or any subcontract under that contract."

The bill does not specify how the language would comport with the federal I-9 requirements under the Immigration Reform and Control Act of 1986, which do not specify that an immigrant must have a "valid visa" in order to accept employment, but rather that an immigrant be granted employment authorization by the Department of Homeland Security.

Primary Sponsor: Steve Bieda (Democrat - City of Warren)

Bill Status:

3/24/2005: Introduced in Michigan House

3/24/2005: Referred to Committee on Government Operations

HB 5185

<http://www.legislature.mi.gov/mileg.asp?page=getObject&objName=2005-HB-5185>

Bill Summary:

This bill would require that all persons in Michigan who submit a voter registration application must provide proof of U.S. citizenship. Currently, applicants must sign a statement under penalty of perjury that they are a U.S. citizen.

The bill states that the person processing voter registration applications (for example, at the Secretary of State office, a voter registration agency, or the clerk of a county, city, township, or village) will decide if satisfactory evidence of citizenship is presented. "Satisfactory evidence" includes:

- (1) a driver's license or state ID number from Michigan or another state, if that state indicates on the license or card that the person has provided satisfactory evidence of US citizenship
- (2) photocopy of the applicant's birth certificate that "verifies United States citizenship to the satisfaction of the person processing the voter registration application"
- (3) photocopy of the pertinent pages of the applicant's U.S. passport
- (4) the applicant's naturalization documents. If only the number of the certificate of naturalization is provided, then the applicant shall not be added to the registered voter rolls "until the person processing the application verifies the number of the certificate of naturalization with the United States Immigration and Naturalization Service."
- (5) other documents or proof that are used to establish US citizenship pursuant to the federal Immigration Reform and Control Act of 1986
- (6) the applicant's Bureau of Indian Affairs card number, tribal treaty card number, or tribal enrollment number

According to the bill, persons already registered to vote in Michigan would not have to present proof of citizenship unless they move their residence to another city, township or village.

According to the bill, the city, township, or village clerk must keep the documents that were submitted to prove citizenship for at least 2 years, after which time the documents may be destroyed.

Primary Sponsor: Rick Baxter (Republican – Jackson County)

Bill Status:

9/15/2005: Introduced in Michigan House

9/15/2005: Referred to Committee on House Oversight, Elections, and Ethics

HB 5300

<http://www.legislature.mi.gov/mileg.asp?page=getObject&objName=2005-HB-5300>

Bill Summary:

The bill would add an eligibility requirement for recipients of loans under the State Housing Development Authority Act: the recipient would have to be a U.S. citizen or Lawful Permanent Resident.

Primary Sponsor: Robert Gosselin (Republican – Oakland County: cities of Troy, Clawson)

Bill Status:

10/18/2005: Introduced in Michigan House of Representatives

10/18/2005: Referred to Committee on Higher Education and Career Preparation

10/20/2005: Reassigned to Committee on Government Operations

3/7/2006: Gov't Operations Committee referred to Committee on Veterans Affairs and Homeland Security

3/29/06: Committee Hearing Held. Substitute Bill H-1 passed by Committee.

4/25/06: Substitute Bill H-1 passed House of Representatives, 93 to 13

4/26/06: Referred to Senate Appropriations Committee

12/5/06: Re-assigned to the Senate Committee on Education

12/13/2006: Passed out of Senate Committee on Education, 3-0

12/13/2006: Passed by full Senate with amendment, 29-9

12/14/2006: Passed by full House, 79-27

12/29/2006: Vetoed by Governor

HB 5633

<http://www.legislature.mi.gov/mileg.aspx?page=BillStatus&objectname=2006-HB-5633>

Bill Summary:

As introduced, the bill would designate English as the official state language, and it did not indicate what effect, if any, this designation would have had on state programs, departments, or interactions with the citizens of Michigan.

As passed by the House Committee on Government Operations, the bill provided that state agencies would not be required to provide material in any other language, and that state agencies were not prohibited from providing materials in other languages.

As passed by the full House, the language was removed that provided that state agencies were not prohibited from providing materials in other languages. It retained the language providing that state agencies would not be required to provide material in other languages (except as otherwise provided by law).

Primary Sponsor: Jacob Hoogendyk (Republican -City of Portage, part of Kalamazoo County)

Other Sponsors: Robert Gosselin, Brian Palmer, Shelley Taub, Jim Marleau, John Garfield, Rick Baxter, David Robertson, Chris Ward

Bill Status:

2/2/2006: Introduced in Michigan House of Representatives

2/2/2006: Referred to Committee on Government Operations

5/8/2006: House Committee on Government Operations passed bill 8-0 (amended as stated above)

5/16/2006: Full House of Representatives passed bill 73-32 (amended as stated above)

5/17/2006: Referred to Senate Committee on Local, Urban, and State Affairs

9/7/2006: Senate Committee on Local, Urban, and State Affairs passed bill 3-1

9/12/2006: Referred to full Senate

HB 6529

<http://www.legislature.mi.gov/mileg.aspx?page=getObject&objectName=2006-HB-6529>

Bill Summary:

The bill would prohibit vendors of procurement contracts with local units of government from employing persons not authorized to work in the United States. Before being awarded a procurement contract, the vendor must submit a verified statement affirming that:

- within the past 5 years the vendor or an officer of the vendor has not been found to have violated a state or federal law respecting the employment of persons not authorized to work in the U.S.
- the vendor will not directly or indirectly employ a person who is unauthorized to work in the U.S.
- the vendor will take reasonable steps to ascertain that each person employed to perform services directly or indirectly under the contract is authorized to work in the U.S.
- if the vendor learns that an unauthorized worker is performing services on the contract, the vendor will immediately replace that person with an authorized worker

If the local unit of government determines that the vendor submitted false information or knowingly violated the affirmation, the local unit of government may cancel the contract, require forfeiture to the local unit of government of up to 20% of the payment due under the contract, or debar the vendor or subcontractor from bidding on, or being awarded, procurement contracts for up to 5 years.

Primary Sponsor: Alexander Lipsey (Democrat-City of Kalamazoo, part of Kalamazoo County)

Bill Status:

9/14/06: Introduced in Michigan House of Representatives

9/14/06: Referred to Committee on Government Operations

HB 6530

<http://www.legislature.mi.gov/mileg.aspx?page=getObject&objectName=2006-HB-6530>

Bill Summary:

The bill is substantively similar to HB 6529, except that this bill applies to procurement contracts awarded by state departments or agencies.

Primary Sponsor: Glenn S. Anderson (Democrat-City of Westland in Wayne County)

Bill Status:

9/14/06: Introduced in Michigan House of Representatives

9/14/06: Referred to Committee on Government Operations

SB 1429

<http://www.legislature.mi.gov/mileg.aspx?page=getObject&objectName=2006-SB-1429>

Bill Summary:

The bill is substantively identical to HB 6529.

Primary Sponsor: Mark Schauer (Democrat-Calhoun County; part of Jackson County, including the city of Jackson)

Bill Status:

9/13/06: Introduced in Michigan Senate

9/13/06: Referred to Committee on Government Operations

SB 1451

<http://www.legislature.mi.gov/mileg.aspx?page=getObject&objectName=2006-SB-1451>

Bill Summary:

The bill is substantively identical to HB 6530.

Primary Sponsor: Mark Schauer (Democrat-Calhoun County; part of Jackson County, including the city of Jackson)

Bill Status:

9/19/06: Introduced in Michigan Senate

9/19/06: Referred to Committee on Government Operations

HR 97

<http://www.legislature.mi.gov/mileg.aspx?page=getObject&objectName=2005-HR-0097>

Resolution Summary:

This resolution would “memorialize the Congress of the United States to adopt and present to the states for ratification an amendment to the United States Constitution that would provide that only citizens may be counted for purposes of determining congressional representation among the states.”

Primary Sponsor: Jacob Hoogendyk (Republican -City of Portage, part of Kalamazoo County)

Resolution Status:

6/22/2005: Introduced in Michigan House

6/22/2005: Referred to Committee on Government Operations

9/5/2006: House Committee on Government Operations passed the resolution 6-1

9/6/2006: House adopted the resolution 75-24

HR 121

<http://www.legislature.mi.gov/mileg.asp?page=getObject&objName=2005-HR-0121>

Resolution Summary:

This resolution would “memorialize the United States Congress to adopt and present to the states for ratification an amendment to the United States Constitution to prohibit the counting of illegal immigrants in the tabulations of population for purposes of apportioning members of Congress among the states.”

Primary Sponsor: Glenn Steil Jr. (R-Kent County: Kentwood, Townships of Cascade, Gaines, and Caledonia)

Resolution Status:

9/6/2005: Introduced in Michigan House

9/6/2005: Referred to Committee on Government Operations

HJR X

<http://www.legislature.mi.gov/mileg.aspx?page=getObject&objectName=2006-HJR-X>

Resolution Summary:

This resolution would amend the Michigan Constitution to base legislative apportionment and districting (for the Michigan legislature) on the number of U.S. citizens in the state.

Primary Sponsor: Chris Ward (Republican – Parts of Livingston and Oakland Counties)

Resolution Status:

5/23/2006: Introduced in Michigan House

5/23/2006: Referred to Committee on House Oversight, Elections, and Ethics

HJR AA

<http://www.legislature.mi.gov/mileg.aspx?page=getObject&objectName=2006-HJR-AA>

Resolution Summary:

This resolution would petition Congress to call a constitutional convention to amend the U.S. Constitution to base legislative apportionment on the number of U.S. citizens in the state.

Primary Sponsor: Chris Ward (Republican – Parts of Livingston and Oakland Counties)

Resolution Status:

8/16/2006: Introduced in Michigan House

8/16/2006: Referred to Committee on House Oversight, Elections, and Ethics