

No. 20
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House of Representatives
92nd Legislature
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House Chamber, Lansing, Tuesday, March 18, 2003.

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	Garfield—present	Meisner—present	Sheen—present
Acciavatti—present	Gieleghem—present	Meyer—present	Sheltrown—present
Adamini—excused	Gillard—present	Middaugh—present	Shulman—present
Amos—present	Gleason—present	Milosch—present	Smith—present
Anderson—present	Hager—present	Minore—present	Spade—present
Bieda—present	Hardman—present	Moolenaar—present	Stahl—present
Bisbee—present	Hart—present	Murphy—present	Stakoe—present
Bradstreet—present	Hood—present	Newell—present	Stallworth—excused
Brandenburg—present	Hoogendyk—present	Nitz—present	Steil—present
Brown—present	Hopgood—present	Nofs—present	Stewart—present
Byrum—present	Howell—present	O’Neil—present	Tabor—present
Casperson—present	Huizenga—present	Paletko—present	Taub—present
Caswell—present	Hummel—present	Palmer—present	Tobocman—present
Caul—present	Hune—present	Palsrok—present	Vagnozzi—present
Cheeks—present	Hunter—present	Pappageorge—present	Van Regenmorter—present
Clack—present	Jamnick—present	Pastor—present	Vander Veen—present
Condino—present	Johnson, Rick—present	Phillips—excused	Voorhees—present
Daniels—present	Johnson, Ruth—present	Plakas—present	Walker—present
Dennis—excused	Julian—present	Pumford—present	Ward—present
DeRoche—present	Koetje—present	Reeves—present	Waters—present
DeRossett—present	Kolb—present	Richardville—present	Wenke—present
Drolet—present	Kooiman—present	Rivet—present	Whitmer—present
Ehardt—present	LaJoy—present	Robertson—present	Williams—present
Elkins—present	LaSata—present	Rocca—present	Wojno—present
Emmons—present	Law—present	Sak—present	Woodward—present
Farhat—present	Lipsey—present	Shackleton—present	Woronchak—present
Farrah—present	McConico—present	Shaffer—present	Zelenko—present
Gaffney—present			

e/d/s = entered during session

Rep. Ken Daniels, from the 2nd District, offered the following invocation:

“Eternal Father, our God, today in such a world of uncertainty and inconsistency, we thank You for being the one true constant. We ask You to come into session as we let Your hands guide us as we make decisions that will shape this great state. Father, we also ask that You guide our nation in this time of need, for we know that You are still in control and can pull a victory out of the jaws of defeat. We thank You in the name of Jesus, we pray. Amen.”

Rep. Waters moved that Reps. Dennis, Phillips and Stallworth be excused from today’s session.
The motion prevailed.

Rep. Waters moved that Rep. Adamini be excused from this week’s session.
The motion prevailed.

Second Reading of Bills

House Bill No. 4140, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 44520a.

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

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

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

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

Rep. Palsrok moved to amend the bill as follows:

1. Amend page 2, line 27, after “**maximum**” by inserting “**weight or**”.

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

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

The motion prevailed.

Rep. Richardville 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. 4140, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 44520a.

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

Roll Call No. 27

Yeas—68

Acciavatti	Gillard	Meyer	Shaffer
Amos	Gleason	Middaugh	Sheen
Bisbee	Hager	Moolenaar	Sheltrown
Bradstreet	Hart	Murphy	Shulman
Brandenburg	Hoogendyk	Newell	Spade
Brown	Howell	Nitz	Stahl
Casperson	Huizenga	Nofs	Stakoe
Caswell	Hummel	Palmer	Steil
Caul	Hune	Palsrok	Stewart
DeRoche	Johnson, Rick	Pappageorge	Tabor
DeRossett	Johnson, Ruth	Pastor	Taub

Ehardt	Julian	Pumford	Vander Veen
Elkins	Koetje	Richardville	Voorhees
Emmons	Kolb	Rivet	Walker
Farhat	Kooiman	Robertson	Ward
Gaffney	LaJoy	Rocca	Wenke
Garfield	LaSata	Shackleton	Woronchak

Nays—36

Accavitti	Farrah	McConico	Smith
Anderson	Gielegem	Meisner	Tobocman
Bieda	Hardman	Milosch	Vagnozzi
Byrum	Hood	Minore	Waters
Cheeks	Hopgood	O'Neil	Whitmer
Clack	Hunter	Paletko	Williams
Condino	Jamnick	Plakas	Wojno
Daniels	Law	Reeves	Woodward
Drolet	Lipsey	Sak	Zelenko

In The Chair: Julian

The House agreed to the title of the bill.

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

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

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

“Mr. Speaker and members of the House:

I voted no on passage of HB 4140 due in part to the following concerns, as also expressed by my fellow caucus members. Even though I have been assured by the bill sponsor and Representative Gillard that the intention of paragraph 2(b)(vii) in this bill is that the language of that provision will prevent giving livery owners immunity in the case that they rent a boat to a visibly intoxicated person or minor, I still voted NO because this language could have been made clearer, and it was not sufficiently clarified to my satisfaction at the time of the vote.”

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

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Hart, Jamnick, Ehardt, Gillard, DeRossett, Lipsey, Kooiman, Shaffer and Murphy offered the following resolution:

House Resolution No. 28.

A resolution to urge the Governor to create a commission on student backpack safety.

Whereas, The United States Consumer Product Safety Commission cites that in 1999, more than 3,400 pupils between the ages of 5 and 14 sought treatment in hospital emergency rooms for injuries related to backpacks and book bags. Overall, 7,000 people sought treatment in hospital emergency rooms for backpack-related injuries; and

Whereas, The American Chiropractic Association states that a child's backpack should weigh no more than 10 percent of his or her body weight. The average weight of a child's backpack is 20 pounds, which is much higher than 10 percent of the average weight of a 14-year-old child, which is approximately 123 pounds, according to the Centers for Disease Control and Prevention; and

Whereas, The New Jersey State Bar Foundation cites the organization Backpack Safety America in saying that over the course of a 180-day school year, a student could carry as much as 21,600 pounds, which is equivalent to carrying six full-sized automobiles; and

Whereas, A 1999 survey conducted by the American Academy of Orthopedic Surgeons found that more than 70 percent of orthopedic surgeons indicated that backpacks can become a clinical problem in school-age children if not enough attention is given to keeping the weight of the backpacks within reasonable levels. The same study revealed that 58 percent of the orthopedists polled reported seeing kids with back or shoulder pain related to backpacks; now, therefore, be it

Resolved by the House of Representatives, That we urge the Governor to appoint a commission on backpack safety for the purpose of studying the effects of heavy backpacks on the children of Michigan, and how to best address any present or imminent problems presented by excessive backpack weight; and be it further

Resolved, That copies of this resolution be transmitted to the Office of the Governor.

The resolution was referred to the Committee on Family and Children Services.

Reps. Sak, Accavitti, Anderson, Bieda, Caul, Ehardt, Farrah, Paletko, Plakas, Sheltroun, Spade, Stakoe, Waters, Clack, DeRossett, Elkins, Farhat, Garfield, Gielegem, Hopgood, Lipsey, Vander Veen, Woodward, Jamnick, Kolb, Kooiman, LaJoy, McConico, Shaffer, Wojno, Rivet, Brandenburg, Caswell, Gleason, Murphy and Reeves offered the following resolution:

House Resolution No. 29.

A resolution to memorialize the Congress of the United States to enact legislation to create a national Amber Alert system.

Whereas, The recent case of the Utah girl returned to her family after months of anguish and fear has illustrated once again the need for a more coordinated approach to dealing with child abduction. The case has generated an outpouring of renewed support for the passage of federal legislation to create a national Amber Alert system; and

Whereas, The Amber Alert strategy, which is used in many states, including Michigan, incorporates law enforcement personnel and resources with broadcast media. When activated, the Amber Alert system results in the dissemination of information across radio and television stations, which heightens public vigilance. While this system cannot save every abducted child whose life is threatened, the system has helped many families, especially in the crucial first hours of an abduction; and

Whereas, The overall impact of the Amber Alert efforts to date is not nearly as effective as it could be. A national approach would greatly increase its effectiveness across state lines. Legislation currently before Congress would create a national Amber Alert network. It includes funding for communications and assistance to law enforcement agencies and communities. This legislation, which has been languishing, needs to be enacted without further delay; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to enact legislation to create a national Amber Alert system; and be it further

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

The resolution was referred to the Committee on Family and Children Services.

Reports of Standing Committees

The Committee on Transportation, by Rep. DeRossett, Chair, reported

House Bill No. 4133, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 628 (MCL 257.628), as amended by 2000 PA 167.

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

The bill and substitute were referred to the order of Second Reading of Bills and laid over one day.

Favorable Roll Call

To Report Out:

Yeas: Reps. DeRossett, Casperson, Hummel, DeRoche, Gaffney, Hune, Huizenga, LaJoy, Robertson, Ward, Anderson, Jammick, Gleason, Tobocman, Adamini and Elkins

Nays: None

The Committee on Transportation, by Rep. DeRossett, Chair, reported

House Bill No. 4154, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 719 and 720 (MCL 257.719 and 257.720), section 719 as amended by 2002 PA 453 and section 720 as amended by 2002 PA 535.

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

1. Amend page 9, line 26, after "**subsection**" by striking out "**(12)**" and inserting "**(11)**".

The bill and amendment were referred to the order of Second Reading of Bills and laid over one day.

Favorable Roll Call

To Report Out:

Yeas: Reps. DeRossett, Casperson, Hummel, DeRoche, Gaffney, Hune, Huizenga, LaJoy, Robertson, Ward, Anderson, Jammick, Gleason, Tobocman, Adamini and Elkins

Nays: None

The Committee on Transportation, by Rep. DeRossett, Chair, reported

House Bill No. 4224, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 628 (MCL 257.628), as amended by 2000 PA 167.

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

The bill and substitute were referred to the order of Second Reading of Bills and laid over one day.

Favorable Roll Call

To Report Out:

Yeas: Reps. DeRossett, Casperson, Hummel, DeRoche, Gaffney, Hune, Huizenga, LaJoy, Robertson, Ward, Anderson, Jammick, Gleason, Tobocman, Adamini and Elkins

Nays: None

The Committee on Transportation, by Rep. DeRossett, Chair, reported

House Resolution No. 23.

A resolution to memorialize Congress to enact legislation to support research, development, and construction of the Interstate Traveler Project through the reauthorization of the Transportation Equity Act of the 21st Century (TEA-21) and/or other related federal programs.

(For text of resolution, see House Journal No. 16, p. 192.)

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

Substitute for House Resolution No. 23.

A resolution to memorialize Congress to enact legislation to support research, development, and construction of the Interstate Traveler Project through the reauthorization of the Transportation Equity Act of the 21st Century (TEA-21) and/or other related federal programs.

Whereas, The Interstate Traveler Project is an elevated maglev (magnetic levitation) rail mass transit system that is based upon a conduit cluster concept powered by hydrogen and solar power. The project promises to provide travelers with a clean, quiet, safe, reliable mode of transportation. The intent of the project is to create the world's first switchable maglev rail network that will provide inter-urban/inter-city pedestrian, automobile, and light freight transit services. The project will simultaneously produce, store, and distribute hydrogen, which will not only serve as an alternative energy resource, but also will give Michigan's automakers the incentive to produce hydrogen internal combustion engines, fuel cell cars, and the manufacturing opportunity to build maglev rail cars; and

Whereas, By fully integrating with the interstate highway system, existing transportation infrastructure, and mass transit systems, the Interstate Traveler Project seeks to reduce traffic congestion and air pollution while improving traffic safety and efficiency. The Interstate Traveler Project substations will utilize the existing interstate highway system's entrances and exits, providing a seamless link of private automobiles, pedestrian traffic, existing municipal bus routes, and taxi services. These substations will also support the hydrogen distribution system, as well as fiber optics, water, electricity, and other utilities. Although the Interstate Traveler Project is ideally suited for the interstate highway system, it may also be integrated with existing and abandoned railroad right-of-ways or along other appropriate lands; and

Whereas, The Interstate Traveler Project is consistent with the 2003 State-of-the-Union address which called on Congress to appropriate \$1.2 billion for hydrogen fuel cell technology; now, therefore, be it

Resolved by the House of Representatives, That we memorialize Congress to enact legislation to support research, development, and construction of the Interstate Traveler Project through the reauthorization of the Transportation Equity Act of the 21st Century (TEA-21) and/or other related federal programs; and be it further

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

The Speaker announced that under Rule 77 the resolution would lie over one day.

Favorable Roll Call

To Report Out:

Yeas: Reps. DeRossett, Casperson, Hummel, DeRoche, Gaffney, Hune, Huizenga, LaJoy, Robertson, Ward, Anderson, Jammick, Gleason, Tobocman, Adamini and Elkins

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, March 13, 2003, at 9:00 a.m.

Present: Reps. DeRossett, Casperson, Hummel, DeRoche, Gaffney, Hune, Huizenga, LaJoy, Robertson, Ward, Anderson, Jammick, Gleason, Tobocman, Adamini and Elkins

Absent: Rep. Murphy

Excused: Rep. Murphy

The Committee on Agriculture and Resource Management, by Rep. Meyer, Chair, reported

House Bill No. 4083, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 36103 (MCL 324.36103), as amended by 1996 PA 233.

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

The bill and substitute were referred to the order of Second Reading of Bills and laid over one day.

Favorable Roll Call

To Report Out:

Yeas: Reps. Meyer, Nitz, DeRossett, Hager, Casperson, Hune, Stahl, Sheltroun, Rivet, Spade and Law

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, March 18, 2003, at 10:30 a.m.

Present: Reps. Meyer, Nitz, DeRossett, Hager, Casperson, Hune, Stahl, Sheltroun, Rivet, Spade and Law

The Committee on Local Government and Urban Policy, by Rep. Ward, Chair, reported

House Bill No. 4197, entitled

A bill to amend 1986 PA 281, entitled "The local development financing act," by amending section 2 (MCL 125.2152), as amended by 2000 PA 248.

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

The bill and substitute were referred to the order of Second Reading of Bills and laid over one day.

Favorable Roll Call

To Report Out:

Yeas: Reps. Ward, Robertson, DeRossett, Hager, Drolet, Stakoe, Wenke, Jamnick and Accavitti

Nays: None

The Committee on Local Government and Urban Policy, by Rep. Ward, Chair, reported

House Bill No. 4259, entitled

A bill to amend 1929 PA 152, entitled "An act to provide for the state-owned and operated Michigan public safety communications system for police and public safety purposes; to provide for acquisition, construction, implementation, operation, and maintenance of the property and equipment necessary to operate the system; and to prescribe the powers and duties of certain state agencies and officials," by amending section 3 (MCL 28.283), as amended by 1996 PA 538.

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 and laid over one day.

Favorable Roll Call

To Report Out:

Yeas: Reps. Ward, Robertson, DeRossett, Hager, Drolet, Stakoe, Wenke, Jamnick, Tobocman and Accavitti

Nays: None

The Committee on Local Government and Urban Policy, by Rep. Ward, Chair, reported

House Bill No. 4290, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," (MCL 169.201 to 169.282) by adding section 65a.

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

The bill and substitute were referred to the order of Second Reading of Bills and laid over one day.

Favorable Roll Call

To Report Out:

Yeas: Reps. Ward, Robertson, DeRossett, Hager, Drolet, Stakoe and Wenke

Nays: Rep. Jamnick

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, March 18, 2003, at 9:00 a.m.

Present: Reps. Ward, Robertson, DeRossett, Hager, Drolet, Stakoe, Wenke, Jamnick, Hardman, Tobocman and Accavitti

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

House Bill No. 4125, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 10102 and 10104 (MCL 333.10102 and 333.10104).

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 and laid over one day.

Favorable Roll Call

To Report Out:

Yeas: Reps. Ehardt, Vander Veen, Ruth Johnson, Rocca, Hart, Woronchak, Van Regenmorter, Robertson, Gaffney, Ward, Wojno, Hardman, O'Neil, Gillard and Clack

Nays: None

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

House Bill No. 4126, entitled

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending sections 1106, 5506, 5507, and 5510 (MCL 700.1106, 700.5506, 700.5507, and 700.5510), section 1106 as amended by 2000 PA 463.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills and laid over one day.

Favorable Roll Call

To Report Out:

Yeas: Reps. Ehardt, Vander Veen, Ruth Johnson, Rocca, Hart, Woronchak, Van Regenmorter, Robertson, Gaffney, Ward, Wojno, Hardman, O'Neil, Gillard and Clack

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Ehardt, Chair of the Committee on Health Policy, was received and read:
Meeting held on: Tuesday, March 18, 2003, at 10:30 a.m.

Present: Reps. Ehardt, Vander Veen, Ruth Johnson, Rocca, Hart, Woronchak, Van Regenmorter, Robertson, Gaffney, Hune, Ward, Wojno, Hardman, O'Neil, Gillard and Clack

Absent: Rep. Adamini

Excused: Rep. Adamini

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Nofs, Chair of the Committee on Veterans Affairs and Homeland Security, was received and read:

Meeting held on: Thursday, March 13, 2003, at 11:03 a.m.

Present: Reps. Nofs, Garfield, Richardville, Pappageorge, Ruth Johnson, Woronchak, Casperson, Woodward, Sheltroun, Spade and Elkins

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members, Wednesday, March 12:

Senate Bill Nos. 290 291 292

The Clerk announced that the following Senate bills had been received on Thursday, March 13:

Senate Bill Nos. 129 130 131 132 133 134 135 136

The Clerk announced that the following bills had been printed and placed upon the files of the members, Friday, March 14:

House Bill Nos. 4340 4341 4342 4343 4344 4345 4346 4347 4348

The Clerk announced that the following Senate bill had been received on Tuesday, March 18:

Senate Bill No. 6

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

Senate Bill No. 6, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17757 (MCL 333.17757), as amended by 1986 PA 304.

The Senate has passed the bill.

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

Senate Bill No. 129, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1211 and 1211e (MCL 380.1211 and 380.1211e), section 1211 as amended and section 1211e as added by 1994 PA 258; and to repeal acts and parts of acts.

The Senate has passed the bill.

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

Senate Bill No. 130, entitled

A bill to amend 1992 PA 147, entitled "Neighborhood enterprise zone act," by amending section 9 (MCL 207.779), as amended by 2001 PA 217.

The Senate has passed the bill.

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

Senate Bill No. 131, entitled

A bill to amend 1993 PA 330, entitled "State real estate transfer tax act," by amending section 6 (MCL 207.526), as amended by 2000 PA 203.

The Senate has passed the bill.

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

Senate Bill No. 132, entitled

A bill to amend 2002 PA 27, entitled "An act to establish procedures for municipalities to designate individual lots or structures as blighting; to purchase or condemn blighting property; to transfer blighting property for development; and to repeal acts and parts of acts," by amending section 2 (MCL 125.2802).

The Senate has passed the bill.

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

Senate Bill No. 133, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending sections 7u, 7cc, 7dd, 24c, 27d, and 120 (MCL 211.7u, 211.7cc, 211.7dd, 211.24c, 211.27d, and 211.120), sections 7u and 24c as amended by 2002 PA 620, section 7cc as amended by 2002 PA 624, section 7dd as amended and section 27d as added by 1996 PA 476, and section 120 as added by 1995 PA 74.

The Senate has passed the bill.

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

Senate Bill No. 134, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 20 (MCL 388.1620), as amended by 2002 PA 521.

The Senate has passed the bill.

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

Senate Bill No. 135, entitled

A bill to amend 1993 PA 92, entitled "Seller disclosure act," by amending section 7 (MCL 565.957), as amended by 2000 PA 13.

The Senate has passed the bill.

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

Senate Bill No. 136, entitled

A bill to amend 1973 PA 186, entitled "Tax tribunal act," by amending sections 35, 37, 43, and 62a (MCL 205.735, 205.737, 205.743, and 205.762a), section 35 as amended by 2000 PA 165, section 37 as amended by 1996 PA 505, and section 43 as amended and section 62a as added by 1994 PA 254.

The Senate has passed the bill.

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

Notices

March 17, 2003

Mr. Gary Randall, Clerk of the House
Ground Floor, Capitol Building
Lansing, Michigan 48909

Dear Mr. Randall,

Please make note in your records that Representative Mary Waters, Minority Vice-Chair of the Standing Committee on Government Operations, is hereby removed and is replaced by Representative Steve Tobocman, who will serve as Minority Vice-Chair of Government Operations.

Thank you for your attention to this matter.

Sincerely,
Rick Johnson
Speaker of the House

Introduction of Bills

Reps. Sak, Plakas, Anderson, Voorhees, Kooiman, Murphy, Vander Veen, Dennis, Bieda, Clack, O'Neil and Gleason introduced

House Bill No. 4349, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 2b to chapter XI.

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

Reps. Sak, Plakas, Anderson, Voorhees, Kooiman, Murphy, Vander Veen, Dennis, Bieda, Clack, O'Neil and Gleason introduced

House Bill No. 4350, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 42 (MCL 791.242) and by adding section 36b.

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

Reps. Shackleton, Sheltroun, Walker, Brown, Kooiman, LaJoy, Palsrok, Bieda and Pastor introduced

House Bill No. 4351, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 360.

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

Reps. Shackleton, Sheltroun, Brown, Kooiman, Bieda and Pastor introduced

House Bill No. 4352, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 82131 (MCL 324.82131), as added by 1995 PA 58.

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

Reps. Shackleton, Sheltroun, Julian, Brown, Bieda and Pastor introduced

House Bill No. 4353, entitled

A bill to amend 1953 PA 181, entitled "An act relative to investigations in certain instances of the causes of death within this state due to violence, negligence or other act or omission of a criminal nature or to protect public health; to provide for the taking of statements from injured persons under certain circumstances; to abolish the office of coroner and to create the office of county medical examiner in certain counties; to prescribe the powers and duties of county medical examiners; to prescribe penalties for violations of the provisions of this act; and to prescribe a referendum thereon," by amending section 2 (MCL 52.202), as amended by 2001 PA 26.

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

Reps. Anderson, Hopgood, Condino, Kolb, Jamnick, Vagnozzi, Minore, Williams, Brown and Woodward introduced

House Bill No. 4354, entitled

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending section 357 (MCL 418.357), as amended by 1982 PA 32.

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

Reps. Anderson, Hopgood, Condino, Kolb, Jamnick, Vagnozzi, Minore, Williams, Brown and Woodward introduced

House Bill No. 4355, entitled

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending section 852 (MCL 418.852), as added by 1985 PA 103.

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

Reps. Vander Veen, Drolet, LaJoy, Voorhees, Shaffer, Ruth Johnson, Pappageorge, Ehardt, Palmer, Sheen, Gaffney, Huizenga, Stewart and Caswell introduced

House Bill No. 4356, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16611 (MCL 333.16611), as amended by 2002 PA 423.

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

Reps. Gaffney, Woronchak, Ward, Huizenga, LaJoy, Gleason, Hune, Casperson, DeRossett, Anderson, DeRoche, Tobocman, Nofs, Richardville, Meisner, Vagnozzi, Stewart, Caswell, Nitz, Acciavatti, Emmons, Bisbee, Vander Veen, LaSata, Plakas, Condino, Rocca, Sheen, Walker, Pastor, Amos, Taub, Palmer, Robertson, Milosch, Steil, Pappageorge, Hart, Hager, Wenke, Wojno, Bieda, Caul, Ehardt, Farhat, Palsrok, Stallworth, Stakoe, Farrah, Voorhees and Phillips introduced

House Bill No. 4357, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 270.

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

Reps. DeRossett, Casperson, Hummel, Shackleton and Bradstreet introduced

House Bill No. 4358, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 719 (MCL 257.719), as amended by 2002 PA 453.

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

Reps. Steil, Meyer, Stakoe, Caswell, Drolet, Brandenburg, Ward, Voorhees, LaJoy, Huizenga, Wojno and Hart introduced

House Bill No. 4359, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 56a (MCL 211.56a), as amended by 1998 PA 435.

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

Reps. Reeves, Adamini, Cheeks, Vagnozzi, Dennis, Bieda, Voorhees, Vander Veen, Hager, Pappageorge and Daniels introduced

House Bill No. 4360, entitled

A bill to amend 1978 PA 33, entitled "An act to prohibit the dissemination, exhibiting, or displaying of certain sexually explicit matter to minors; to prohibit certain misrepresentations facilitating the dissemination of sexually explicit matter to minors; to provide penalties; to provide for declaratory judgments and injunctive relief in certain instances; to impose certain duties upon prosecuting attorneys and the circuit court; to preempt local units of government from proscribing certain conduct; and to repeal certain acts and parts of acts," by amending sections 1 and 7 (MCL 722.671 and 722.677), section 7 as amended by 1999 PA 33.

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

Reps. Reeves, Gielegem, Ehardt, Hardman, Cheeks, Dennis, Vagnozzi, Tabor, Vander Veen, Woodward, Zelenko and Smith introduced

House Bill No. 4361, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding section 416d.

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

Reps. Reeves, Ehardt, Hardman, Cheeks, Dennis, Vagnozzi, Tabor, Vander Veen, Gielegem, Woodward, Zelenko and Smith introduced

House Bill No. 4362, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3406l.

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

Rep. Shulman introduced

House Bill No. 4363, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2003; and to provide for the expenditure of the appropriations.

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

Rep. Shulman introduced

House Bill No. 4364, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11 and 17b (MCL 388.1611 and 388.1617b), section 11 as amended by 2002 PA 521 and section 17b as amended by 2000 PA 297.

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

Rep. Shulman introduced

House Bill No. 4365, entitled

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2004; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the various state agencies.

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

Rep. Shulman introduced

House Bill No. 4366, entitled

A bill to make appropriations for the department of agriculture for the fiscal year ending September 30, 2004; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by various agencies.

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

Rep. Shulman introduced

House Bill No. 4367, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2004; and to provide for the expenditure of the appropriations.

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

Rep. Shulman introduced

House Bill No. 4368, entitled

A bill to make appropriations for the department of consumer and industry services and certain other state purposes for the fiscal year ending September 30, 2004; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agencies.

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

Rep. Shulman introduced

House Bill No. 4369, entitled

A bill to make appropriations for the department of career development and the Michigan strategic fund and certain other state purposes for the fiscal year ending September 30, 2004; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agencies.

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

Rep. Shulman introduced

House Bill No. 4370, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 11 (MCL 388.1611), as amended by 2002 PA 521.

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

Rep. Shulman introduced

House Bill No. 4371, entitled

A bill to make appropriations for community and junior colleges for the fiscal year ending September 30, 2004; and to provide for the expenditure of the appropriations.

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

Rep. Shulman introduced

House Bill No. 4372, entitled

A bill to provide for a capital outlay program; to set forth the provisions for its implementation within the budgetary process; to make appropriations for planning and construction at state institutions and the acquisition of land; to provide for the elimination of fire hazards at the institutions; to provide for certain special maintenance, remodeling, alteration, renovation, or demolition of and additions to projects at state institutions; to provide for elimination of occupational safety and health hazards at state agencies and institutions; to provide for the award of contracts; and to provide for the expenditure thereof under the supervision of the director of the department of management and budget and the state administrative board.

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

Rep. Shulman introduced

House Bill No. 4373, entitled

A bill to make appropriations for the department of community health for the fiscal year ending September 30, 2004; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agency.

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

Rep. Shulman introduced

House Bill No. 4374, entitled

A bill to make appropriations for the department of corrections and certain state purposes related to adult corrections for the fiscal year ending September 30, 2004; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by state agencies.

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

Rep. Shulman introduced

House Bill No. 4375, entitled

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 2004; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agency.

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

Rep. Shulman introduced

House Bill No. 4376, entitled

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2004; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the various state agencies.

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

Rep. Shulman introduced

House Bill No. 4377, entitled

A bill to make appropriations for the family independence agency and certain state purposes related to public welfare services for the fiscal year ending September 30, 2004; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agency.

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

Rep. Shulman introduced

House Bill No. 4378, entitled

A bill to make appropriations for the legislature, the judiciary, the executive, the department of attorney general, the department of state, the department of treasury, the department of management and budget, the department of civil service, the department of civil rights, and certain state purposes related thereto for the fiscal year ending September 30, 2004; to provide for the expenditure of the appropriations; to provide for the disposition of fees and other income received by the state agencies; and to declare the effect of this act.

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

Rep. Shulman introduced

House Bill No. 4379, entitled

A bill to make appropriations for the state institutions of higher education for the fiscal year ending September 30, 2004; and to provide for the expenditures of the appropriations.

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

Rep. Shulman introduced

House Bill No. 4380, entitled

A bill to make appropriations for the department of history, arts, and libraries and certain other state purposes for the fiscal year ending September 30, 2004; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agencies.

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

Rep. Shulman introduced

House Bill No. 4381, entitled

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 2004; to provide for the expenditure of these appropriations; to place certain restrictions on the expenditure of these appropriations; to

prescribe the powers and duties of certain officials and employees; to require certain reports; and to provide for the disposition of fees and other income received by the judicial branch.

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

Rep. Shulman introduced

House Bill No. 4382, entitled

A bill to make appropriations for the department of military affairs and certain other state purposes for the fiscal year ending September 30, 2004; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the various state agencies.

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

Rep. Shulman introduced

House Bill No. 4383, entitled

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2004; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the various state agencies.

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

Rep. Shulman introduced

House Bill No. 4384, entitled

A bill to make appropriations for the state transportation department and certain state purposes from the funds designated in this act for the fiscal year ending September 30, 2004; and to provide for the expenditure of the appropriations.

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

Rep. Shulman introduced

House Bill No. 4385, entitled

A bill to make appropriations for the department of agriculture for the fiscal year ending September 30, 2004; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by various agencies.

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

Rep. Shulman introduced

House Bill No. 4386, entitled

A bill to provide for a capital outlay program; to set forth the provisions for its implementation within the budgetary process; to make appropriations for planning and construction at state institutions and the acquisition of land; to provide for the elimination of fire hazards at the institutions; to provide for certain special maintenance, remodeling, alteration, renovation, or demolition of and additions to projects at state institutions; to provide for elimination of occupational safety and health hazards at state agencies and institutions; to provide for the award of contracts; and to provide for the expenditure thereof under the supervision of the director of the department of management and budget and the state administrative board.

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

Rep. Shulman introduced

House Bill No. 4387, entitled

A bill to make appropriations for the department of career development and the Michigan strategic fund and certain other state purposes for the fiscal year ending September 30, 2004; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agencies.

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

Rep. Shulman introduced

House Bill No. 4388, entitled

A bill to make appropriations for community and junior colleges for the fiscal year ending September 30, 2004; and to provide for the expenditure of the appropriations.

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

Rep. Shulman introduced

House Bill No. 4389, entitled

A bill to make appropriations for the department of consumer and industry services and certain other state purposes for the fiscal year ending September 30, 2004; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agencies.

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

Rep. Shulman introduced

House Bill No. 4390, entitled

A bill to make appropriations for the department of corrections and certain state purposes related to adult corrections for the fiscal year ending September 30, 2004; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by state agencies.

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

Rep. Shulman introduced

House Bill No. 4391, entitled

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 2004; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agency.

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

Rep. Shulman introduced

House Bill No. 4392, entitled

A bill to make appropriations for the department of community health for the fiscal year ending September 30, 2004; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agency.

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

Rep. Shulman introduced

House Bill No. 4393, entitled

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2004; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the various state agencies.

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

Rep. Shulman introduced

House Bill No. 4394, entitled

A bill to make appropriations for the family independence agency and certain state purposes related to public welfare services for the fiscal year ending September 30, 2004; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agency.

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

Rep. Shulman introduced

House Bill No. 4395, entitled

A bill to make appropriations for the legislature, the judiciary, the executive, the department of attorney general, the department of state, the department of treasury, the department of management and budget, the department of civil service, the department of civil rights, and certain state purposes related thereto for the fiscal year ending September 30, 2004; to provide for the expenditure of the appropriations; to provide for the disposition of fees and other income received by the state agencies; and to declare the effect of this act.

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

Rep. Shulman introduced

House Bill No. 4396, entitled

A bill to make appropriations for the state institutions of higher education for the fiscal year ending September 30, 2004; and to provide for the expenditures of the appropriations.

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

Rep. Shulman introduced

House Bill No. 4397, entitled

A bill to make appropriations for the department of history, arts, and libraries and certain other state purposes for the fiscal year ending September 30, 2004; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agencies.

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

Rep. Shulman introduced

House Bill No. 4398, entitled

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 2004; to provide for the expenditure of these appropriations; to place certain restrictions on the expenditure of these appropriations; to prescribe the powers and duties of certain officials and employees; to require certain reports; and to provide for the disposition of fees and other income received by the judicial branch.

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

Rep. Shulman introduced

House Bill No. 4399, entitled

A bill to make appropriations for the department of military affairs and certain other state purposes for the fiscal year ending September 30, 2004; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the various state agencies.

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

Rep. Shulman introduced

House Bill No. 4400, entitled

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2004; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the various state agencies.

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

Rep. Shulman introduced

House Bill No. 4401, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11 and 17b (MCL 388.1611 and 388.1617b), section 11 as amended by 2002 PA 521 and section 17b as amended by 2000 PA 297.

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

Rep. Shulman introduced

House Bill No. 4402, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 11 (MCL 388.1611), as amended by 2002 PA 521.

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

Rep. Shulman introduced

House Bill No. 4403, entitled

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2004; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the various state agencies.

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

Rep. Shulman introduced

House Bill No. 4404, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2004; and to provide for the expenditure of the appropriations.

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

Rep. Shulman introduced

House Bill No. 4405, entitled

A bill to make appropriations for the state transportation department and certain state purposes from the funds designated in this act for the fiscal year ending September 30, 2004; and to provide for the expenditure of the appropriations.

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

Rep. Accavitti moved that the House adjourn.

The motion prevailed, the time being 3:25 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, March 19, at 1:00 p.m.

GARY L. RANDALL
Clerk of the House of Representatives