

No. 30
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House of Representatives
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House Chamber, Lansing, Thursday, April 1, 2004.

10:00 a.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—present	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	Mortimer—present	Stakoe—present
Bradstreet—present	Hood—present	Murphy—present	Stallworth—present
Brandenburg—present	Hoogendyk—present	Newell—present	Steil—present
Brown—present	Hopgood—present	Nitz—present	Stewart—present
Byrum—present	Howell—present	Nofs—present	Tabor—present
Casperson—present	Huizenga—present	O’Neil—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	Jamnack—present	Pastor—present	Vander Veen—present
Condino—present	Johnson, Rick—present	Phillips—present	Voorhees—present
Daniels—present	Johnson, Ruth—present	Plakas—present	Walker—present
Dennis—present	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—excused

e/d/s = entered during session

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

“Eternal Father, our God, we come now to say thank You. Lord, we thank You for all that You have done, and we thank You for what You are going to do. We ask that You come into session today and help guide us. Deliver us from ourselves as we make decisions that affect the lives of those we represent. We also ask that You guide our nation and watch over the men and women in Iraq. In Jesus’ name, we pray. Amen.”

Second Reading of Bills

Senate Bill No. 109, entitled

A bill to amend 1975 PA 164, entitled “An act to create a commission on Spanish-speaking affairs, an office of Spanish-speaking affairs, and an interagency council on Spanish-speaking affairs; to prescribe their powers and duties; to provide for appropriations; and to abolish the advisory council for the Spanish-speaking,” by amending sections 2 and 4 (MCL 18.302 and 18.304).

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5318, entitled

A bill to amend 1951 PA 51, entitled “An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts,” by amending sections 10 and 11b (MCL 247.660 and 247.661b), section 10 as amended by 2003 PA 151 and section 11b as amended by 1992 PA 223.

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

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

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

The motion prevailed.

House Bill No. 5319, entitled

A bill to amend 1951 PA 51, entitled “An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration

of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 10 (MCL 247.660), as amended by 2003 PA 151.

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

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

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

The motion prevailed.

Senate Bill No. 759, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 80140 (MCL 324.80140), as added by 1995 PA 58.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5671, entitled

A bill to amend 1909 PA 279, entitled "The home rule city act," by amending section 9 (MCL 117.9), as amended by 1984 PA 352.

The bill was read a second time.

Rep. Hune moved to amend the bill as follows:

1. Amend page 2, line 25, after the second "to" by inserting "**property owners and**".
2. Amend page 3, line 1, after "to" by inserting "**property owners and**".
3. Amend page 3, line 2, after "**annexation**" by inserting "**by certified mail not less than 30 days before the date of the public hearing. Not less than 45 days before the date of the public hearing, the local unit of government in which the affected territory is located shall provide the state boundary commission with a list of the names and addresses of all persons the commission is required to provide notice to under this subsection**".

4. Amend page 7, following line 1, by inserting:

"(12) The state boundary commission shall mail a copy of any final order issued under this section to each person the commission is required to provide notice to under subsection (2)."

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

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

The motion prevailed.

House Bill No. 5432, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 411 (MCL 339.411), as amended by 2002 PA 611.

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

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

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

The motion prevailed.

House Bill No. 4322, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 101 (MCL 388.1701), as amended by 2002 PA 476.

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

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

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

The motion prevailed.

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Speaker laid before the House

House Resolution No. 218.

A resolution to call on the Governor to work with the Premier of Ontario to create a Michigan-Ontario commission on border-crossing streamlining and safety.

(For text of resolution, see House Journal No. 23, p. 428.)

(The resolution was reported by the Committee on Commerce on March 30, with substitute (H-1), consideration of which, under the rules, was postponed until March 31.)

(For substitute, see House Journal No. 28, p. 532.)

The question being on the adoption of the proposed substitute (H-1) recommended by the Committee,

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

The question being on the adoption of the resolution,

The resolution was adopted.

Messages from the Senate

The Senate requested the return of

House Bill No. 4472, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 9f (MCL 211.9f), as amended by 2000 PA 415.

(The bill was received from the Senate on December 3, 2003, with amendments, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until December 4, 2003, see House Journal No. 89 of 2003, p. 2253.)

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

Rep. Richardville moved that the request of the Senate be granted.

The motion prevailed.

Second Reading of Bills**Senate Bill No. 727, entitled**

A bill to amend 1970 PA 91, entitled "Child custody act of 1970," by amending sections 2 and 7b (MCL 722.22 and 722.27b), section 2 as amended by 2002 PA 9 and section 7b as amended by 1996 PA 19.

(The bill was read a second time, substitute (H-2) adopted, amended, amendments offered and bill postponed temporarily on March 31, see House Journal No. 29, p. 597.)

Rep. Condino moved to amend the bill as follows:

1. Amend page 6, line 2, after "by" by striking out "a preponderance of the" and inserting "clear and convincing".

2. Amend page 6, line 12, after "by" by striking out "a preponderance of the" and inserting "clear and convincing".

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

Rep. Condino demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 215**Yeas—51**

Accavitti	Drolet	Kolb	Sheen
Acciavatti	Elkins	LaSata	Shulman
Adamini	Farrah	McConico	Smith
Anderson	Garfield	Meisner	Stahl
Bradstreet	Gielegem	Milosch	Stallworth
Brown	Gillard	Minore	Tobocman
Byrum	Gleason	Murphy	Vagnozzi
Cheeks	Hardman	O'Neil	Waters
Clack	Hood	Palmer	Whitmer
Condino	Hoogendyk	Phillips	Williams
Daniels	Hummel	Plakas	Wojno
Dennis	Hunter	Reeves	Woodward
DeRoche	Jamnack	Sak	

Nays—52

Amos	Howell	Moolenaar	Spade
Bieda	Huizenga	Mortimer	Stakoe
Bisbee	Hune	Newell	Steil
Casperson	Johnson, Rick	Nitz	Stewart
Caswell	Johnson, Ruth	Nofs	Tabor
Caul	Julian	Palsrok	Taub
DeRossett	Koetje	Pappageorge	Van Regenmorter
Emmons	Kooiman	Pastor	Vander Veen
Farhat	LaJoy	Pumford	Voorhees
Gaffney	Law	Richardville	Walker
Hager	Lipsey	Robertson	Ward
Hart	Meyer	Shackleton	Wenke
Hopgood	Middaugh	Shaffer	Woronchak

In The Chair: Julian

Rep. Richardville 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.

Rep. Gillard moved that Rep. Sheltroun be excused temporarily from today's session.
The motion prevailed.

Rep. Nitz moved that Rep. Brandenburg be excused from the balance of today's session.
The motion prevailed.

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

Senate Bill No. 727, entitled

A bill to amend 1970 PA 91, entitled "Child custody act of 1970," by amending sections 2 and 7b (MCL 722.22 and 722.27b), section 2 as amended by 2002 PA 9 and section 7b as amended by 1996 PA 19.

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

Roll Call No. 216**Yeas—101**

Accavitti	Gillard	Meyer	Shaffer
Acciavatti	Gleason	Middaugh	Shulman

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

Nays—4

DeRoche	Drolet	Hoogendyk	Sheen
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In The Chair: Julian

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

“An act to declare the inherent rights of minor children; to establish rights and duties to their custody, support, and parenting time in disputed actions; to establish rights and duties to provide support for a child after the child reaches the age of majority under certain circumstances; to provide for certain procedure and appeals; and to repeal certain acts and parts of acts,”

The House agreed to the full title.

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

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

Rep. Waters moved that Rep. Murphy be excused temporarily from today's session.
The motion prevailed.

Rep. Richardville moved that **House Bill No. 5319** be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

House Bill No. 5319, entitled

A bill to amend 1951 PA 51, entitled “An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan

transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 10 (MCL 247.660), as amended by 2003 PA 151.

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

Roll Call No. 217**Yeas—104**

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

Nays—0

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

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

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending the title and section 10 (MCL 247.660), the title as amended by 1997 PA 79 and section 10 as amended by 2003 PA 151.

The motion prevailed.

The House agreed to the title as amended.

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

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

Rep. Richardville moved that **House Bill No. 4322** be placed on its immediate passage.

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

House Bill No. 4322, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 101 (MCL 388.1701), as amended by 2002 PA 476.

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

Roll Call No. 218

Yeas—106

Accavitti	Gielegem	Meyer	Sheen
Acciavatti	Gillard	Middaugh	Sheltrown
Adamini	Gleason	Milosch	Shulman
Amos	Hager	Minore	Smith
Anderson	Hardman	Moolenaar	Spade
Bieda	Hart	Mortimer	Stahl
Bisbee	Hood	Murphy	Stakoe
Bradstreet	Hoogendyk	Newell	Stallworth
Brown	Hopgood	Nitz	Steil
Byrum	Howell	Nofs	Stewart
Casperson	Huizenga	O'Neil	Tabor
Caswell	Hummel	Palmer	Taub
Caul	Hune	Palsrok	Tobocman

Cheeks	Hunter	Pappageorge	Vagnozzi
Clack	Jamnick	Pastor	Van Regenmorter
Condino	Johnson, Rick	Phillips	Vander Veen
Daniels	Johnson, Ruth	Plakas	Voorhees
Dennis	Julian	Pumford	Walker
DeRoche	Koetje	Reeves	Ward
DeRossett	Kolb	Richardville	Waters
Drolet	Kooiman	Rivet	Wenke
Elkins	LaJoy	Robertson	Whitmer
Emmons	LaSata	Rocca	Williams
Farhat	Law	Sak	Wojno
Farrah	Lipsey	Shackleton	Woodward
Gaffney	McConico	Shaffer	Woronchak
Garfield	Meisner		

Nays—0

In The Chair: Julian

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

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

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending section 101 (MCL 388.1701), as amended by 2003 PA 158.

The motion prevailed.

The House agreed to the title as amended.

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

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

Reps. McConico, Stewart, Woodward, Shulman, Minore, Jamnick, Richardville, Lipsey, Kooiman, Meyer, Newell, Caul, Hunter, Hood, Hopgood, Law, Bieda, Wojno, Clack, Vagnozzi, Taub, Accavitti, Garfield, Gleason, Nofs, Wenke, Sak, Stahl, Huizenga, Elkins and Gillard were named co-sponsors of the bill.

Rep. Gielegem moved that Rep. Woodward be excused temporarily from today’s session.

The motion prevailed.

Rep. Hood moved that Rep. Sheltroun be excused temporarily from today’s session.

The motion prevailed.

Rep. Richardville moved that **House Bill No. 5318** be placed on its immediate passage.

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

House Bill No. 5318, entitled

A bill to amend 1951 PA 51, entitled “An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds,

and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending sections 10 and 11b (MCL 247.660 and 247.661b), section 10 as amended by 2003 PA 151 and section 11b as amended by 1992 PA 223.

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

Roll Call No. 219**Yeas—105**

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

Nays—0

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

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

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending the title and section 11b (MCL 247.661b), the title as amended by 1997 PA 79 and section 11b as amended by 1992 PA 223.

The motion prevailed.

The House agreed to the title as amended.

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

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

Second Reading of Bills

House Bill No. 4468, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 136b (MCL 750.136b), as amended by 1999 PA 273.

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

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

The motion prevailed.

House Bill No. 5643, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 77 (MCL 208.77), as amended by 1999 PA 115.

The bill was read a second time.

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

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

Rep. LaJoy 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.

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

The motion prevailed.

House Bill No. 5349, entitled

A bill to amend 1956 PA 217, entitled "Electrical administrative act," by amending sections 1b and 3k (MCL 338.881b and 338.883k), as added by 1992 PA 130.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Regulatory Reform (for amendments, see House Journal No. 16, p. 262),

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

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

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

Rep. Dennis 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. 5349, entitled**

A bill to amend 1956 PA 217, entitled "Electrical administrative act," by amending sections 1b and 3k (MCL 338.881b and 338.883k), as added by 1992 PA 130.

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

Roll Call No. 220**Yeas—105**

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

Nays—1

Huizenga

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 moved that Reps. Stallworth, Plakas and Reeves be excused temporarily from today's session.
The motion prevailed.

Rep. Richardville moved that **Senate Bill No. 759** be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

Senate Bill No. 759, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 80140 (MCL 324.80140), as added by 1995 PA 58.

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

Roll Call No. 221

Yeas—102

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

Nays—0

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

“An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts.”

The House agreed to the full title.

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

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

Rep. Richardville moved that **House Bill No. 5671** be placed on its immediate passage.

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

House Bill No. 5671, entitled

A bill to amend 1909 PA 279, entitled “The home rule city act,” by amending section 9 (MCL 117.9), as amended by 1984 PA 352.

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

Roll Call No. 222

Yeas—103

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

Nays—0

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. Richardville moved that **House Bill No. 5432** be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

House Bill No. 5432, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 411 (MCL 339.411), as amended by 2002 PA 611.

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

Roll Call No. 223

Yeas—101

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

Nays—0

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. Richardville moved that **Senate Bill No. 109** be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

Senate Bill No. 109, entitled

A bill to amend 1975 PA 164, entitled "An act to create a commission on Spanish-speaking affairs, an office of Spanish-speaking affairs, and an interagency council on Spanish-speaking affairs; to prescribe their powers and duties; to provide for appropriations; and to abolish the advisory council for the Spanish-speaking," by amending sections 2 and 4 (MCL 18.302 and 18.304).

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

Roll Call No. 224**Yeas—99**

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

Nays—0

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. Richardville moved to reconsider the vote by which the House passed the bill.

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

The question being on the passage of the bill,

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

Roll Call No. 225**Yeas—106**

Accavitti	Garfield	Meisner	Shaffer
Acciavatti	Gielegem	Meyer	Sheen
Adamini	Gillard	Middaugh	Shulman
Amos	Gleason	Milosch	Smith
Anderson	Hager	Minore	Spade
Bieda	Hardman	Moolenaar	Stahl
Bisbee	Hart	Mortimer	Stakoe
Bradstreet	Hood	Murphy	Stallworth
Brown	Hoogendyk	Newell	Steil
Byrum	Hopgood	Nitz	Stewart
Casperson	Howell	Nofs	Tabor

Caswell	Huizenga	O'Neil	Taub
Caul	Hummel	Palmer	Tobocman
Cheeks	Hune	Palsrok	Vagnozzi
Clack	Hunter	Pappageorge	Van Regenmorter
Condino	Jamnick	Pastor	Vander Veen
Daniels	Johnson, Rick	Phillips	Voorhees
Dennis	Johnson, Ruth	Plakas	Walker
DeRoche	Julian	Pumford	Ward
DeRossett	Koetje	Reeves	Waters
Drolet	Kolb	Richardville	Wenke
Ehardt	Kooiman	Rivet	Whitmer
Elkins	LaJoy	Robertson	Williams
Emmons	LaSata	Rocca	Wojno
Farhat	Law	Sak	Woodward
Farrah	Lipsey	Shackleton	Woronchak
Gaffney	McConico		

Nays—0

In The Chair: Julian

Second Reading of Bills

House Bill No. 5517, entitled

A bill to make appropriations for the legislature, 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, 2005; 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.

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

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

Rep. Williams moved to amend the bill as follows:

1. Amend page 39, following line 8, by inserting:

“Sec. 216. Amounts appropriated in part 1 for information technology may be designated as work project appropriations and carried forward to support technology projects under the direction of the department of information technology. Funds designated in this manner are not available for expenditure until approved as work projects under section 451a of the management and budget act, 1984 PA 431, MCL 18.1451a.”.

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

Rep. Williams moved to amend the bill as follows:

1. Amend page 2, line 26, by striking all of section 102 and inserting:

“Sec. 102. DEPARTMENT OF ATTORNEY GENERAL

(1) APPROPRIATION SUMMARY

Full-time equated unclassified positions.....	6.0	
Full-time equated classified positions.....	556.0	
GROSS APPROPRIATION.....		\$ 62,315,100
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		11,244,300
ADJUSTED GROSS APPROPRIATION		\$ 51,070,800
Federal revenues:		
Total federal revenues		9,292,400

Special revenue funds:	
Total local revenues	0
Total private revenues	0
Total other state restricted revenues	11,070,000
State general fund/general purpose	\$ 30,708,400
(2) ATTORNEY GENERAL OPERATIONS	
Full-time equated unclassified positions	6.0
Full-time equated classified positions	556.0
Attorney general	\$ 124,900
Unclassified positions—5.0 FTE positions	476,300
Attorney general operations—516.0 FTE positions	56,818,800
Child support enforcement—25.0 FTE positions	2,192,800
Prosecuting attorneys coordinating council—15.0 FTE positions	1,512,100
PACC, training project	325,000
GROSS APPROPRIATION	\$ 61,449,900
Appropriated from:	
Interdepartmental grant revenues:	
IDG from FIA	2,777,300
IDG from MDLEG, financial and insurance services	127,900
IDG from MDLEG, health services	1,218,800
IDG from MDLEG, public utility assessments	1,748,100
IDG from MDMB, risk management revolving fund	1,231,900
IDG from MDOT, comprehensive transportation fund	137,000
IDG from MDOT, state aeronautics fund	127,100
IDG from MDOT, state trunkline fund	2,672,300
IDG from MDSP, Michigan justice training fund	325,000
IDG from Michigan gaming control board	878,900
Federal revenues:	
DAG, state administrative match grant/food stamps	993,800
DED-OPSE, student loans, federal lender allowance	300,600
DOL-ETA, unemployment insurance	1,429,700
DOL-OSHA, occupational safety and health	262,000
EPA, multiple grants	252,700
Federal funds	2,199,000
HHS, medical assistance, medigant	579,700
HHS-OS, state Medicaid fraud control units	3,274,900
Special revenue funds:	
Antitrust enforcement collections	581,400
Attorney general's operations fund	755,000
Auto repair facilities fees	203,100
Collections revenue	615,300
Corporate fees and security fees	132,900
Environmental response fund	685,000
Franchise fees	254,500
Game and fish protection fund	667,300
Liquor purchase revolving fund	893,300
Manufactured housing fees	198,100
Michigan state housing development authority fees	507,900
Oil and gas privilege fee revenue	151,000
Prisoner reimbursement	1,119,200
Prosecuting attorneys training fees	326,800
Retirement funds	646,800
Second injury fund	965,600
Self-insurers security fund	162,300
Silicosis and dust disease fund	483,500
State building authority revenue	85,400
State hospital authority	332,400
State lottery fund	215,800
Tobacco settlement trust fund	366,400

Utility consumers fund.....	496,300
Waterways fund	87,100
Worker’s compensation administrative revolving fund.....	137,600
State general fund/general purpose	\$ 29,843,200

(3) INFORMATION TECHNOLOGY

Information technology services and projects	\$ 865,200
GROSS APPROPRIATION.....	\$ 865,200

Appropriated from:

Special revenue funds:

State general fund/general purpose	\$ 865,200”
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and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 41, line 27, by striking all of Section 307 and inserting:

“Sec. 307. Any unobligated antitrust enforcement revenue, not to exceed \$250,000.00, may be carried forward and is available for appropriation in the succeeding fiscal year.”

3. Amend page 42, line 22, by striking all of Section 309 and inserting:

“Sec. 309. From the prisoner reimbursement funds appropriated in part 1 the department may spend up to \$400,000.00 on activities related to the state correctional facilities reimbursement act, 1935 PA 253, MCL 800.401 to 800.406. If the department collects in excess of \$1,231,000.00 in prisoner reimbursements, the excess, provided to the general fund up to a maximum of \$800,000.00, is appropriated and may be spent on defense of litigation against the state, its departments, or employees in civil actions filed by prisoners. With the approval of the state budget director, unexpended funds at the end of the fiscal year may be carried forward for expenditure in the following year, up to a maximum of \$800,000.00.”

4. Amend page 43, line 19, by striking all of Section 311.

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

Rep. Taub moved to amend the bill as follows:

1. Amend page 8, following line 26, by inserting:

“Interdepartmental grant revenues:

IDG, optimization charges	1,070,900”.
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2. Amend page 9, line 3, by striking all of line 3 and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. Taub moved to amend the bill as follows:

1. Amend page 83, line 24, after “a” by striking out the balance of the section and inserting “financial audit, a performance audit, and an independent efficiency evaluation of the Detroit water and sewerage department.”

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

Rep. Shulman moved to amend the bill as follows:

1. Amend page 83, line 15, by striking all of section 925.

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

Reps. Meisner and Bieda moved to amend the bill as follows:

1. Amend page 64, following line 1, by inserting:

“Sec. 716. The department of management and budget shall adopt policies and procedures necessary for compliance by the department, other state departments and agencies, and state vendors and subcontractors, with the requirement under subsection (1) of section 261 of the management and budget act, 1984 PA 431, MCL 181.261, to provide a purchasing preference for products manufactured or services offered by Michigan-based firms.

Sec. 717. In determining whether the purchase, contracting for, providing of supplies, materials, services, insurance, utilities, third party financing, equipment, printing, and other items needed by state departments or agencies is in the best interests of this state, and in making all discretionary decisions concerning the solicitation, award, amendment, cancellation, or appeal of state contracts, the department of management and budget shall consider all of the following:

(a) Whether a proposal by a vendor to provide services to this state using employees, contractors, subcontractors, or other individuals who are not citizens of the United States, legal resident aliens, or individuals with a valid visa would be detrimental to the state of Michigan, its residents, or the state’s economy.

(b) Whether a proposal by a vendor to provide services to this state from a location outside of this state or the United States would be detrimental to the state of Michigan, its residents, or the state’s economy.

(c) Whether a proposal by a vendor to provide goods to this state produced outside of this state or the United States would be detrimental to the state of Michigan, its residents, or the state’s economy.

(d) Whether the acquisition of goods or services from a vendor that is an expatriated business entity located in a tax haven country or an affiliate of an expatriated business entity located in a tax haven country would be detrimental to the state of Michigan, its residents, or the state's economy. As used in this section, "expatriated business entity" means a corporation or an affiliate of the corporation incorporated in a tax haven country after September 11, 2001, but with the United States as the principal market for the public trading of the corporation's stock, as determined by the director of the department of management and budget. "Tax haven country" means each of the following: Barbados, Bermuda, British Virgin Islands, Cayman Islands, Commonwealth of the Bahamas, Cyprus, Gibraltar, Isle of Man, the Principality of Liechtenstein, the Principality of Monaco, and the Republic of the Seychelles.

(e) Whether the provision of services to this state at a location outside of this state or the United States would be detrimental to the privacy interests of Michigan residents, or risk the disclosure of personal information of Michigan residents, such as social security, financial, or medical data.

(f) Whether a proposal by a vendor to provide services to this state from a location outside of this state or the United States would constitute undue risk under a risk management policy, practice, or procedure adopted by the department of management and budget under section 204 of the management and budget act, 1984 PA 431, MCL 18.1204.

(g) Whether a proposal by a vendor to provide goods to this state produced outside of this state or the United States would constitute undue risk under a risk management policy, practice, or procedure adopted by the department of management and budget under section 204 of the management and budget act, 1984 PA 431, MCL 18.1204.

Sec. 718. The department of management and budget shall collect from vendors information necessary to comply with the requirements of this act, as determined by the department. The department of management and budget may require vendors to provide any of the following:

(a) Information relating to the location of work performed under a state contract by the vendor and any subcontractors, employees, or other persons performing a state contract.

(b) Information regarding the corporate structure and location of corporate employees and activities of the vendor, its affiliates, or any subcontractors.

(c) Notice of the relocation of the vendor, employees of the vendor, subcontractors of the vendor, or other persons performing services under a state contract outside of the state of Michigan.

Sec. 719. The department of management and budget may require that any vendor or subcontractor providing call or contact center services to the state of Michigan disclose to inbound callers the location from which the call or contact center services are being provided."

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

Rep. Stallworth moved to amend the bill as follows:

1. Amend page 73, following line 12, by inserting:

"Sec. 820. The department shall establish criteria for implementation of a 36 month revenue generation pilot project to measure revenue potential from implementation of a credit card payment alternative at Michigan headquartered credit card processors servicing in excess of 20,000 Michigan retailers."

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

Rep. Stallworth demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 226

Yeas—43

Accavitti	Elkins	Kolb	Sak
Adamini	Farrah	Law	Smith
Anderson	Gaffney	Lipsey	Spade
Bieda	Gieleghem	McConico	Stallworth
Brown	Gillard	Meisner	Vagnozzi
Byrum	Gleason	Minore	Waters
Cheeks	Hardman	Murphy	Whitmer
Clack	Hood	O'Neil	Williams
Condino	Hopgood	Phillips	Wojno
Daniels	Hunter	Plakas	Woodward
Dennis	Jamnick	Reeves	

Nays—61

Acciavatti	Hoogendyk	Moolenaar	Sheen
Amos	Howell	Mortimer	Shulman
Bisbee	Huizenga	Newell	Stahl
Bradstreet	Hummel	Nitz	Stakoe
Casperson	Hune	Nofs	Steil
Caswell	Johnson, Rick	Palmer	Stewart
Caul	Johnson, Ruth	Palsrok	Tabor
DeRoche	Julian	Pappageorge	Taub
DeRossett	Koetje	Pastor	Van Regenmorter
Drolet	Kooiman	Pumford	Vander Veen
Ehardt	LaJoy	Richardville	Voorhees
Emmons	LaSata	Robertson	Walker
Farhat	Meyer	Rocca	Ward
Garfield	Middaugh	Shackleton	Wenke
Hager	Milosch	Shaffer	Woronchak
Hart			

In The Chair: Julian

Rep. Spade moved to amend the bill as follows:

1. Amend page 43, following line 23, by inserting:

“Sec. 312. (1) The department of attorney general shall create an annual report that lists each complaint received by the department during that year alleging that a person has failed to comply with the do-not-call list requirements of section 1a of 1971 PA 227, MCL 445.111a. Each report shall include the disposition or resolution of each complaint received.

(2) The department of attorney general shall submit each annual report created under subsection (1) to the senate and house of representatives standing committees on appropriations subcommittees on general government and the house of representatives standing committee on energy and technology.”.

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

Rep. Spade demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 227**Yeas—41**

Accavitti	Elkins	Law	Sak
Adamini	Farrah	Lipsey	Spade
Anderson	Gielegem	McConico	Stallworth
Bieda	Gillard	Meisner	Tobocman
Brown	Gleason	Murphy	Vagnozzi
Byrum	Hardman	O’Neil	Waters
Cheeks	Hopgood	Phillips	Whitmer
Clack	Hunter	Plakas	Williams
Condino	Jamnick	Reeves	Wojno
Daniels	Kolb	Rivet	Woodward
Dennis			

Nays—61

Acciavatti	Hoogendyk	Moolenaar	Sheen
Amos	Howell	Mortimer	Shulman

Bisbee	Huizenga	Newell	Stahl
Bradstreet	Hummel	Nitz	Stakoe
Casperson	Hune	Nofs	Steil
Caswell	Johnson, Rick	Palmer	Stewart
Caul	Johnson, Ruth	Palsrok	Tabor
DeRoche	Julian	Pappageorge	Taub
DeRossett	Koetje	Pastor	Van Regenmorter
Drolet	Kooiman	Pumford	Vander Veen
Emmons	LaJoy	Richardville	Voorhees
Farhat	LaSata	Robertson	Walker
Gaffney	Meyer	Rocca	Ward
Garfield	Middaugh	Shackleton	Wenke
Hager	Milosch	Shaffer	Woronchak
Hart			

In The Chair: Julian

Rep. Whitmer moved to amend the bill as follows:

1. Amend page 43, following line 23, by inserting:

“Sec. 312. (1) The department of attorney general shall create an annual report that lists the arrests, convictions, and arrearages owed and collected through enforcement of the Child Support and Enforcement System.

(2) The department of attorney general shall submit each annual report created under subsection (1) to the senate and house of representatives standing committees on appropriations subcommittees on general government and the house of representatives standing committee on children and family services and the senate standing committee on families and human services.”.

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

Rep. Williams moved to reconsider the vote by which the House did not adopt the amendment offered previously by Rep. Williams.

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

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

The amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Williams moved to reconsider the vote by which the House did not adopt the amendments offered previously by Rep. Williams.

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

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

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

Reps. Whitmer and Pumford moved to amend the bill as follows:

1. Amend page 30, following line 16, by inserting:

“Grants to local government for activity under MCL 211.22a..... \$ 7,000,000”
and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 83, following line 15, by inserting:

“Sec. 924a. From the funds appropriated in part 1 for grants to local government for activity under MCL 211.22a, the department of treasury shall provide grants to cities, townships, or counties for the sole purpose of paying a portion of the costs of the activity undertaken under section 22a of the general property tax act, 1893 PA 206, MCL 211.22a, under contracts approved by the department of treasury. The total grants provided under this section shall not exceed \$7,000,000.00 for the 2004-2005 fiscal year.”.

The question being on the adoption of the amendments offered by Reps. Whitmer and Pumford,

Rep. Milosch moved to amend the Whitmer and Pumford amendments as follows:

1. Amend Amendment No. 2, after “Sec. 924a.” by inserting “(1)”.

2. Amend Amendment No. 2, following “2004-2005 fiscal year.” by inserting:

“(2) The department of treasury shall require a vendor providing services under this section to use employees, contractors, subcontractors, or other individuals, a majority of whom are residents of the state of Michigan. A vendor providing services under this section shall do so from a location in this state.”.

The question being on the adoption of the amendments offered by Rep. Milosch,
Rep. Milosch demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 228**Yeas—104**

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

Nays—0

In The Chair: Julian

The question being on the adoption of the amendments offered previously by Reps. Whitmer and Pumford,
Rep. Whitmer demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered previously by Reps. Whitmer and Pumford,

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

Roll Call No. 229**Yeas—48**

Accavitti	Farrah	Law	Sak
Adamini	Gielegghem	Lipsey	Spade
Anderson	Gillard	McConico	Stallworth
Bieda	Gleason	Meisner	Stewart

Brown	Hardman	Minore	Tobocman
Byrum	Hart	Murphy	Vagnozzi
Cheeks	Hopgood	O'Neil	Waters
Clack	Hunter	Phillips	Whitmer
Condino	Jamnick	Plakas	Williams
Daniels	Julian	Pumford	Wojno
Dennis	Kolb	Reeves	Woodward
Elkins	LaSata	Rivet	Woronchak

Nays—56

Acciavatti	Garfield	Milosch	Shaffer
Amos	Hager	Moolenaar	Sheen
Bisbee	Hoogendyk	Mortimer	Shulman
Bradstreet	Howell	Newell	Stahl
Casperson	Huizenga	Nitz	Stakoe
Caswell	Hummel	Nofs	Steil
Caul	Hune	Palmer	Tabor
DeRoche	Johnson, Rick	Palsrok	Taub
DeRossett	Johnson, Ruth	Pappageorge	Van Regenmorter
Drolet	Koetje	Pastor	Vander Veen
Ehardt	Kooiman	Richardville	Voorhees
Emmons	LaJoy	Robertson	Walker
Farhat	Meyer	Rocca	Ward
Gaffney	Middaugh	Shackleton	Wenke

In The Chair: Julian

Rep. Cheeks moved to amend the bill as follows:

1. Amend page 26, line 12, by striking out “2,599,300” and inserting “2,099,300” and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 83, line 23, by striking all of section 926.

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

Rep. Cheeks demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 230**Yeas—44**

Adamini	Gaffney	Lipsey	Sak
Anderson	Gillard	McConico	Smith
Brown	Gleason	Meisner	Spade
Caul	Hardman	Middaugh	Stallworth
Cheeks	Hood	Minore	Tobocman
Clack	Hopgood	Murphy	Vagnozzi
Condino	Hunter	O'Neil	Ward
Daniels	Jamnick	Phillips	Waters
Dennis	Kolb	Plakas	Whitmer
Elkins	LaSata	Reeves	Williams
Farrah	Law	Rivet	Woodward

Nays—61

Accavitti	Hager	Moolenaar	Sheen
Acciavatti	Hart	Mortimer	Shulman
Amos	Hoogendyk	Newell	Stahl
Bieda	Howell	Nitz	Stakoe
Bisbee	Huizenga	Nofs	Steil
Bradstreet	Hummel	Palmer	Stewart
Casperson	Hune	Palsrok	Tabor
Caswell	Johnson, Rick	Pappageorge	Taub
DeRoche	Johnson, Ruth	Pastor	Van Regenmorter
DeRossett	Julian	Pumford	Vander Veen
Drolet	Koetje	Richardville	Voorhees
Ehardt	Kooiman	Robertson	Walker
Emmons	LaJoy	Rocca	Wenke
Farhat	Meyer	Shackleton	Wojno
Garfield	Milosch	Shaffer	Woronchak
Gielegthem			

In The Chair: Julian

Reps. Whitmer and Pumford moved to amend the bill as follows:

1. Amend page 30, following line 16, by inserting:

“Grants and other activity related to determinations under MCL 211.154 \$ 7,000,000”

and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 83, line 15, by striking all of Section 925 and inserting:

“Sec. 925. Amounts appropriated in part 1 for grants and other activity related to determinations under MCL 211.154 shall be used by the department for activities related to the discovery and determination of omitted or incorrectly reported personal property by the department or its agents, or through grants to cities, counties, and townships as determined by the state treasurer.”.

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

Rep. Shulman 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. 5517, entitled

A bill to make appropriations for the legislature, 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, 2005; 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.

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

Roll Call No. 231

Yeas—62

Acciavatti	Hart	Moolenaar	Sheen
Amos	Hoogendyk	Mortimer	Shulman

Bisbee	Howell	Newell	Stahl
Bradstreet	Huizenga	Nitz	Stakoe
Casperson	Hummel	Nofs	Steil
Caswell	Hune	Palmer	Stewart
Caul	Johnson, Rick	Palsrok	Tabor
DeRoche	Johnson, Ruth	Pappageorge	Taub
DeRossett	Julian	Pastor	Van Regenmorter
Drolet	Koetje	Pumford	Vander Veen
Ehardt	Kooiman	Richardville	Voorhees
Emmons	LaJoy	Robertson	Walker
Farhat	LaSata	Rocca	Ward
Gaffney	Meyer	Shackleton	Wenke
Garfield	Middaugh	Shaffer	Woronchak
Hager	Milosch		

Nays—43

Accavitti	Elkins	Law	Smith
Adamini	Farrah	Lipsey	Spade
Anderson	Gieleghem	McConico	Stallworth
Bieda	Gillard	Meisner	Tobocman
Brown	Gleason	Minore	Vagnozzi
Byrum	Hardman	Murphy	Waters
Cheeks	Hood	O'Neil	Whitmer
Clack	Hopgood	Phillips	Williams
Condino	Hunter	Plakas	Wojno
Daniels	Jamnack	Reeves	Woodward
Dennis	Kolb	Sak	

In The Chair: Julian

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

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

A bill to make, supplement, and adjust appropriations for the departments of attorney general, civil rights, civil service, information technology, management and budget, state, and treasury, the executive office, and the legislative branch for the fiscal year ending September 30, 2005; to provide for the expenditure of these appropriations; to provide for the funding of certain work projects; to provide for the imposition of certain fees; to establish or continue certain funds, programs, and categories; to transfer certain funds; to prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances; to prescribe the powers and duties of certain principal executive departments and state agencies, officials, and employees; and to provide for the disposition of fees and other income received by the various principal executive departments and state agencies.

The motion prevailed.

The House agreed to the title as amended.

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

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

Reps. Vagnozzi, Dennis, Gillard, Brown, Adamini, Waters and Hopgood, having reserved the right to explain their protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I voted no on House Bill 5517 for several reasons. First, despite the fact that the state is facing an enormous deficit and almost all state departments are subject to intense scrutiny over their spending, appropriations for the Attorney General were increased significantly, and absolutely no attention was given to potential savings within that budget.

In addition, HB 5517 adds an extra \$500,000 for the Department of Treasury to conduct a financial and performance audit of the Detroit Water and Sewerage Department. There is no precedent for the state to step in and audit a local utility system in this manner, and it is irresponsible to spend money from taxpayers across the state to audit a local system that already offers rates among the lowest in the state.

Finally, I oppose the fact that HB 5517 cuts ALL of the \$7.0 million for Treasury's personal property tax audit program. Eliminating the personal property tax audit program will do away with \$44 million in estimated revenue from the program that is already built in to the School Aid Fund budget for FY 2004. Personal property taxes not only support education funding, they support local government public services such as fire and police protection, libraries, parks and public transportation. Eliminating this audit program suggests that it is acceptable for businesses to continue understating their personal property tax liability, to the detriment of all others who pay their taxes honestly.

For all these reasons, I voted no on House Bill 5517."

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

"Mr. Speaker and members of the House:

I voted no on House Bill 5517 due to the fact that the state is facing an enormous deficit and almost all state departments are subject to intense scrutiny over their spending, appropriations for the Attorney General were increased significantly, and absolutely no attention was given to potential savings within that budget.

I also oppose the fact that HB 5517 cuts ALL of the \$7.0 million for Treasury's personal property tax audit program. Eliminating the personal property tax audit program will do away with \$44 million in estimated revenue from the program that is already built in to the School Aid Fund budget for FY 2004. Personal property taxes not only support education funding, they support local government public services such as fire and police protection, libraries, parks and public transportation. Eliminating this audit program suggests that it is acceptable for businesses to continue understating their personal property tax liability, to the detriment of all others who pay their taxes honestly.

For all these reasons, I voted no on House Bill 5517."

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

"Mr. Speaker and members of the House:

I voted no on House Bill 5517 for two reasons. First, despite the fact that the state is facing an enormous deficit and almost all state departments are subject to intense scrutiny over their spending, appropriations for the Attorney General were increased significantly, and absolutely no attention was given to potential savings within that budget.

Second, I oppose the fact that HB 5517 cuts ALL of the \$7.0 million for Treasury's personal property tax audit program. Eliminating the personal property tax audit program will do away with \$44 million in estimated revenue from the program that is already built in to the School Aid Fund budget for FY 2004. Personal property taxes not only support education funding, they support local government public services such as fire and police protection, libraries, parks and public transportation. Eliminating this audit program suggests that it is acceptable for businesses to continue understating their personal property tax liability, to the detriment of all others who pay their taxes honestly.

For both these reasons, I voted no on House Bill 5517."

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

"Mr. Speaker and members of the House:

I voted against this bill because it contains two provisions which are simply unsound fiscal policy.

The first is a complete waste of \$500,000 on a Department of Treasury financial and performance audit of the Detroit Water and Sewerage Department. There is no precedent for the state to step in and audit a local utility system in this manner, and it is irresponsible to spend money from taxpayers across the state to audit a local system that already offers rates among the lowest in the state. Pure and simple this represents a waste of taxpayer dollars on a political issue that has been studied, debated, discussed and used to divide our state and Southeastern Michigan. Another half million dollars on this issue will accomplish absolutely nothing. I am ashamed of my colleagues for supporting this.

Finally, I oppose the fact that the bill cuts all of the \$7.0 million for Treasury's personal property tax audit program. Eliminating the personal property tax audit program will do away with \$44 million in estimated revenue from the program that is already built in to the School Aid Fund budget for FY 2004. Personal property taxes not only support education funding, they support local government public services such as fire and police protection, libraries, parks and public transportation. Eliminating this audit program suggests that it is acceptable for businesses to continue understating their personal property tax liability, to the detriment of all others who pay their taxes honestly.

For all these reasons, I voted no on House Bill 5517."

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

“Mr. Speaker and members of the House:

I voted no on House Bill 5517 (H-1) for several reasons. First, despite the fact that the state is facing an enormous deficit and almost all state departments are subject to intense scrutiny over their spending, appropriations for the Attorney General were increased significantly, and absolutely no attention was given to potential savings within that budget.

In addition, HB 5517 adds an extra \$500,000 for the Department of Treasury to conduct a financial and performance audit of the Detroit Water and Sewerage Department. There is no precedent for the state to step in and audit a local utility system in this manner, and it is irresponsible to spend money from taxpayers across the state to audit a local system that already offers rates among the lowest in the state.

Finally, I oppose the fact that HB 5517 cuts ALL of the \$7.0 million for Treasury’s personal property tax audit program. Eliminating the personal property tax audit program will do away with \$44 million in estimated revenue from the program that is already built in to the School Aid Fund budget for FY 2004. Personal property taxes not only support education funding, they support local government public services such as fire and police protection, libraries, parks and public transportation. Eliminating this audit program suggests that it is acceptable for businesses to continue understating their personal property tax liability, to the detriment of all others who pay their taxes honestly.

For all these reasons, I voted no on House Bill 5517.”

The House returned to the consideration of
House Bill No. 5643, entitled

A bill to amend 1975 PA 228, entitled “Single business tax act,” by amending section 77 (MCL 208.77), as amended by 1999 PA 115.

(The bill was considered earlier today, see today’s Journal p. 623.)

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

Roll Call No. 232

Yeas—63

Acciavatti	Hart	Moolenaar	Sheen
Amos	Hoogendyk	Mortimer	Shulman
Bisbee	Howell	Newell	Stahl
Bradstreet	Huizenga	Nitz	Stakoe
Casperson	Hummel	Nofs	Steil
Caswell	Hune	Palmer	Stewart
Caul	Johnson, Rick	Palsrok	Tabor
DeRoche	Johnson, Ruth	Pappageorge	Taub
DeRossett	Julian	Pastor	Van Regenmorter
Drolet	Koetje	Pumford	Vander Veen
Ehardt	Kooiman	Richardville	Voorhees
Emmons	LaJoy	Rivet	Walker
Farhat	LaSata	Robertson	Ward
Gaffney	Meyer	Rocca	Wenke
Garfield	Middaugh	Shackleton	Woronchak
Hager	Milosch	Shaffer	

Nays—42

Accavitti	Elkins	Lipsey	Smith
Adamini	Farrah	McConico	Spade
Anderson	Gielegem	Meisner	Stallworth
Bieda	Gillard	Minore	Tobocman
Brown	Hardman	Murphy	Vagnozzi
Byrum	Hood	O’Neil	Waters
Cheeks	Hopgood	Phillips	Whitmer

Clack	Hunter	Plakas	Williams
Condino	Jamnack	Reeves	Wojno
Daniels	Kolb	Sak	Woodward
Dennis	Law		

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. Nitz moved that Rep. LaJoy be excused for the balance of today's session.
The motion prevailed.

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

House Bill No. 5200, entitled

A bill to designate October 28, 2003 as Willie Horton day in the state of Michigan.

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

The Senate has passed the bill as substituted (S-2), ordered that it be given immediate effect and amended the title to read as follows:

A bill to designate October 18 of each year as Willie Horton Day in the state of Michigan.

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

Rep. Richardville moved that Rule 45 be suspended.

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

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

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

Roll Call No. 233

Yeas—105

Accavitti	Garfield	Meisner	Shaffer
Acciavatti	Gielegem	Meyer	Sheen
Adamini	Gillard	Middaugh	Shulman
Amos	Gleason	Milosch	Smith
Anderson	Hager	Minore	Spade
Bieda	Hardman	Moolenaar	Stahl
Bisbee	Hart	Mortimer	Stakoe
Bradstreet	Hood	Murphy	Stallworth
Brown	Hoogendyk	Newell	Steil
Byrum	Hopgood	Nitz	Stewart
Casperson	Howell	Nofs	Tabor
Caswell	Huizenga	O'Neil	Taub
Caul	Hummel	Palmer	Tobocman
Cheeks	Hune	Palsrok	Vagnozzi
Clack	Hunter	Pappageorge	Van Regenmorter
Condino	Jamnack	Pastor	Vander Veen
Daniels	Johnson, Rick	Phillips	Voorhees
Dennis	Johnson, Ruth	Plakas	Walker
DeRoche	Julian	Pumford	Ward
DeRossett	Koetje	Reeves	Waters

Drolet	Kolb	Richardville	Wenke
Ehardt	Kooiman	Rivet	Whitmer
Elkins	LaSata	Robertson	Williams
Emmons	Law	Rocca	Wojno
Farhat	Lipsey	Sak	Woodward
Farrah	McConico	Shackleton	Woronchak
Gaffney			

Nays—0

In The Chair: Julian

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

House Bill No. 4929, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 3112a (MCL 324.3112a), as amended by 2000 PA 286.

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

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

Rep. Richardville moved that Rule 45 be suspended.

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

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

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 234**Yeas—104**

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

Farrah
Gaffney

Lipsey
McConico

Sak
Shackleton

Woodward
Woronchak

Nays—0

In The Chair: Julian

The House agreed to the full title of the bill.

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

House Bill No. 5641, entitled

A bill to amend 1851 PA 156, entitled “An act to define the powers and duties of the county boards of commissioners of the several counties, and to confer upon them certain local, administrative and legislative powers; and to prescribe penalties for the violation of the provisions of this act,” by amending section 17 (MCL 46.17); and to repeal acts and parts of acts.

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

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

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

Rep. Richardville moved that Rule 45 be suspended.

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

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

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 235

Yeas—105

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

Nays—0

In The Chair: Julian

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

House Bill No. 5087, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1179 (MCL 380.1179), as added by 2000 PA 10.

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

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

Rep. Richardville moved that Rule 45 be suspended.

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

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

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 236**Yeas—105**

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

Nays—0

In The Chair: Julian

The House agreed to the full title of the bill.

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

Senate Bill No. 637, entitled

A bill to amend 1998 PA 58, entitled “An act to create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state liquor stores; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; and to repeal acts and parts of acts,” by amending section 703 (MCL 436.1703), as amended by 1999 PA 53.

The Senate has amended the House substitute (H-2) as follows:

1. Amend page 4, line 3, after “**and**” by striking out the balance of the sentence and inserting “**the costs of probation as prescribed in section 3 of chapter XI of the code of criminal procedure, 1927 PA 175, MCL 771.3.**”.

The Senate has concurred in the House substitute (H-2) as amended, ordered that the bill be given immediate effect and agreed to the full title.

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

Rep. Richardville moved that Rule 45 be suspended.

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

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

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

Roll Call No. 237

Yeas—78

Accavitti	Garfield	Moolenaar	Shaffer
Acciavatti	Gleason	Mortimer	Sheen
Adamini	Hager	Murphy	Shulman
Amos	Hart	Newell	Spade
Anderson	Hoogendyk	Nitz	Stahl
Bieda	Hopgood	Nofs	Stakoe
Bisbee	Howell	O’Neil	Steil
Bradstreet	Huizenga	Palmer	Stewart
Brown	Hummel	Palsrok	Tabor
Byrum	Johnson, Rick	Pappageorge	Taub
Casperson	Johnson, Ruth	Pastor	Vagnozzi
Caswell	Julian	Plakas	Van Regenmorter
Caul	Koetje	Pumford	Vander Veen
Condino	Kooiman	Richardville	Voorhees
DeRossett	LaSata	Rivet	Walker
Drolet	Law	Robertson	Ward
Ehardt	Meisner	Rocca	Wenke
Emmons	Meyer	Sak	Wojno
Farhat	Middaugh	Shackleton	Woronchak
Gaffney	Milosch		

Nays—26

Cheeks	Gielegem	Lipsey	Stallworth
Clack	Gillard	McConico	Tobocman
Daniels	Hardman	Minore	Waters
Dennis	Hune	Phillips	Whitmer
DeRoche	Hunter	Reeves	Williams

Elkins
Farrah

Jamnick
Kolb

Smith

Woodward

In The Chair: Julian

Reps. Dennis and Waters, having reserved the right to explain their nay vote, made the following statement:

“Mr. Speaker and members of the House:

I voted ‘no’ on Senate Bill 637 because I question whether imposing jail sentences for minors is the appropriate response to the problems of minors accessing alcohol and alcohol abuse. I also note the potential fiscal impact that this bill, if enacted, would have on some local units of government that already experience overcrowded jails and related financial strains.”

Senate Concurrent Resolution No. 42.

A concurrent resolution prescribing the legislative schedule.

Resolved by the Senate (the House of Representatives concurring), That when the Legislature adjourns on Thursday, April 1, 2004, it stands adjourned until Tuesday, April 20, 2004, at 10:00 a.m. for the Senate and 1:00 p.m. for the House of Representatives.

The Senate has adopted the concurrent resolution.

Pending the reference of the concurrent resolution to a committee,

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

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

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

By unanimous consent the House returned to the order of

Reports of Select Committees

The Speaker laid before the House the second conference report relative to

Senate Bill No. 252, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 3111 and 3113 (MCL 324.3111 and 324.3113) and by adding sections 3120 and 3121.

(The second conference report was received from the Senate on March 30, consideration of which, under the rules, was postponed until March 31.)

(For second conference report, see House Journal No. 28, p. 578.)

The question being on the adoption of the second conference report,

The second conference report was adopted, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 238

Yeas—74

Accavitti
Acciavatti
Adamini
Amos
Anderson
Bieda
Brown
Byrum
Casperson
Cheeks
Clack

Gielegem
Gillard
Gleason
Hager
Hardman
Hart
Hood
Hopgood
Howell
Hunter
Jamnick

McConico
Meisner
Meyer
Minore
Moolenaar
Mortimer
Murphy
O’Neil
Palmer
Palsrok
Pappageorge

Sak
Shulman
Spade
Stallworth
Steil
Stewart
Tabor
Tobocman
Vagnozzi
Van Regenmorter
Walker

Condino	Johnson, Rick	Phillips	Ward
Daniels	Julian	Plakas	Waters
Dennis	Koetje	Pumford	Whitmer
Ehardt	Kolb	Reeves	Williams
Elkins	Kooiman	Richardville	Wojno
Farhat	LaSata	Rivet	Woodward
Farrah	Law	Rocca	Woronchak
Gaffney	Lipsey		

Nays—31

Bisbee	Garfield	Newell	Smith
Bradstreet	Hoogendyk	Nitz	Stahl
Caswell	Huizenga	Nofs	Stakoe
Caul	Hummel	Pastor	Taub
DeRoche	Hune	Robertson	Vander Veen
DeRossett	Johnson, Ruth	Shackleton	Voorhees
Drolet	Middaugh	Shaffer	Wenke
Emmons	Milosch	Sheen	

In The Chair: Julian

The Speaker laid before the House the conference report relative to

Senate Bill No. 560, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 3101 (MCL 324.3101), as amended by 2001 PA 114, and by adding sections 3122, 3123, and 3124.

(The conference report was received from the Senate on March 31, consideration of which, under the rules, was postponed until today.)

(For conference report, see House Journal No. 29, p. 603.)

The question being on the adoption of the conference report,

The conference report was adopted, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 239**Yeas—56**

Accavitti	Gleason	Law	Shulman
Adamini	Hardman	Lipsey	Smith
Anderson	Hart	McConico	Stallworth
Bieda	Hood	Meisner	Stewart
Brown	Hopgood	Minore	Tabor
Byrum	Howell	Moolenaar	Tobocman
Cheeks	Hune	Murphy	Walker
Clack	Hunter	O'Neil	Ward
Condino	Jamnack	Phillips	Waters
Daniels	Johnson, Rick	Plakas	Whitmer
Dennis	Julian	Reeves	Williams
Farrah	Koetje	Richardville	Wojno
Gaffney	Kolb	Rivet	Woodward
Gielegem	Kooiman	Sak	Woronchak

Nays—49

Acciavatti	Farhat	Mortimer	Shaffer
Amos	Garfield	Newell	Sheen

Bisbee	Gillard	Nitz	Spade
Bradstreet	Hager	Nofs	Stahl
Casperson	Hoogendyk	Palmer	Stakoe
Caswell	Huizenga	Palsrok	Steil
Caul	Hummel	Pappageorge	Taub
DeRoche	Johnson, Ruth	Pastor	Vagnozzi
DeRossett	LaSata	Pumford	Van Regenmorter
Drolet	Meyer	Robertson	Vander Veen
Ehardt	Middaugh	Rocca	Voorhees
Elkins	Milosch	Shackleton	Wenke
Emmons			

In The Chair: Julian

Messages from the Senate

The Speaker laid before the House

House Bill No. 5445, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 37c (MCL 208.37c), as amended by 2003 PA 251.

(The bill was received from the Senate on March 31, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 29, p. 609.)

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

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 240

Yeas—105

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

Nays—0

In The Chair: Julian

The House agreed to the full title of the bill.

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

Rep. Ehardt moved that Rep. Mortimer be excused temporarily from today's session.
The motion prevailed.

House Bill No. 4472, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 9f (MCL 211.9f), as amended by 2000 PA 415.

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

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

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

Rep. Richardville moved that Rule 45 be suspended.

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

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

The substitute (S-1), was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 241**Yeas—103**

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

Nays—1

Drolet

In The Chair: Julian

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

Senate Bill No. 824, entitled

A bill to amend 1995 PA 24, entitled “An act to promote economic growth and job creation within this state; to create and regulate the Michigan economic growth authority; to prescribe the powers and duties of the authority and of state and local officials; to assess and collect a fee; to approve certain plans and the use of certain funds; and to provide qualifications for and determine eligibility for tax credits and other incentives for authorized businesses and for qualified taxpayers,” by amending sections 3 and 8 (MCL 207.803 and 207.808), as amended by 2003 PA 248.

The Senate has substituted (S-10) the House substitute (H-5).

The Senate has concurred in the House substitute (H-5) as substituted (S-10), ordered that the bill be given immediate effect and agreed to the title as amended.

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

Rep. Richardville moved that Rule 45 be suspended.

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

The question being on concurring in the substitute (S-10) to the House substitute (H-5) made to the bill by the Senate,

The substitute (S-10) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 242**Yeas—105**

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

Nays—0

In The Chair: Julian

Third Reading of Bills

Pending the Third Reading of

Senate Bill No. 744, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 2505 (MCL 324.2505), as added by 1995 PA 60, and by adding section 2505a.

Rep. Richardville moved that the bill be re-referred to the Committee on Land Use and Environment.

The motion prevailed.

By unanimous consent the House returned to the order of

Messages from the Senate

The Speaker laid before the House

House Bill No. 4160, entitled

A bill to amend 1964 PA 154, entitled “Minimum wage law of 1964,” by amending the title and section 3 (MCL 408.383).

(The bill was received from the Senate on March 30, with substitute (S-2), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until March 31, see House Journal No. 28, p. 557.)

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

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

Roll Call No. 243**Yeas—58**

Acciavatti	Hager	Milosch	Shaffer
Amos	Hart	Moolenaar	Sheen
Bisbee	Hoogendyk	Mortimer	Stahl
Bradstreet	Howell	Newell	Stakoe
Casperson	Huizenga	Nitz	Steil
Caswell	Hummel	Nofs	Stewart
Caul	Hune	Palmer	Tabor
DeRoche	Johnson, Rick	Palsrok	Taub
DeRossett	Johnson, Ruth	Pappageorge	Van Regenmorter
Drolet	Julian	Pastor	Vander Veen
Ehardt	Koetje	Richardville	Voorhees
Emmons	Kooiman	Robertson	Walker
Farhat	LaSata	Rocca	Ward
Gaffney	Meyer	Shackleton	Wenke
Garfield	Middaugh		

Nays—47

Accavitti	Farrah	McConico	Smith
Adamini	Gielegem	Meisner	Spade
Anderson	Gillard	Minore	Stallworth
Bieda	Gleason	Murphy	Tobocman

Brown	Hardman	O'Neil	Vagnozzi
Byrum	Hood	Phillips	Waters
Cheeks	Hopgood	Plakas	Whitmer
Clack	Hunter	Pumford	Williams
Condino	Jamnack	Reeves	Wojno
Daniels	Kolb	Rivet	Woodward
Dennis	Law	Sak	Woronchak
Elkins	Lipsey	Shulman	

In The Chair: Julian

The House agreed to the full title of the bill.

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

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Shulman, Accavitti, Adamini, Anderson, Bieda, Brandenburg, Brown, Casperson, Caswell, Daniels, DeRoche, DeRossett, Elkins, Emmons, Farhat, Farrah, Garfield, Gielegem, Gillard, Gleason, Hager, Huizenga, Jamnick, Koetje, Kolb, Kooiman, Lipsey, Meisner, Meyer, Middaugh, Milosch, Minore, Phillips, Plakas, Richardville, Rivet, Robertson, Rocca, Sak, Shaffer, Spade, Stahl, Stallworth, Tabor, Taub, Tobocman, Vander Veen, Woronchak, Byrum, Dennis, Pappageorge and Voorhees offered the following resolution:

House Resolution No. 230.

A resolution recognizing April 24, 2004, as "Michigan's Day of Remembrance of the Armenian Genocide of 1915-1923."

Whereas, One and one-half million men, women, and children of Armenian descent were victims of the brutal genocide perpetrated by the Turkish Ottoman Empire from 1915-1923, and

Whereas, The Armenian Genocide and massacres of the Armenian people represented a deliberate attempt to eliminate all traces of a thriving noble civilization over 3,000 years old; and

Whereas, The Armenian people have not received reparations for their losses; and

Whereas, To this day revisionists still inexplicably deny the existence of these horrific events; and

Whereas, Modern Turkey continues to deny and distort the facts of the Armenian Genocide and honors the perpetrators of that crime against humanity as national heroes; and

Whereas, Prior to the invasion of Poland in 1939, Adolf Hitler, the German Nazi dictator, seeking to dispel fears among his military command regarding the world's response to his genocidal plans, asked "Who, after all, today speaks of the Armenians?" ; and

Whereas, Residents of Michigan are highly sensitive to the need for consistently remembering and openly condemning the crimes committed against any culture of people to prevent similar atrocities in the future; and

Whereas, Recognition of the 89th anniversary of this genocide is crucial to ensuring against the repetition of future genocides and educating people about the atrocities connected to this horrific event; and

Whereas, Armenia is now a free and independent republic, having embraced democracy following nearly 70 years of oppressive Soviet domination; and

Whereas, Armenian-Americans living in Michigan have greatly enriched our state through their leadership in business, agriculture, academia, government, and the arts; and

Whereas, We join Armenian-Americans and the Armenian community abroad to mourn the loss of so many innocent lives so that the lessons learned contribute to the development of international intervention principles and human rights awareness; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body recognize April 24, 2004, as "Michigan Day of Remembrance of the Armenian Genocide of 1915-1923"; and be it further

Resolved, That the Governor in her message commemorating the Armenian Genocide commend this observation to all Michigan residents; and be it further

Resolved, That we encourage Michigan public schools to develop programs similar to those already established in California, Connecticut, Massachusetts, New Jersey, and New York, that focus on human rights, with specific attention given to the Armenian Genocide; and be it further

Resolved, That copies of this resolution be forwarded to the Department of Legislative Services, the Honorable Governor, Jennifer Granholm, the Honorable Lieutenant Governor, John Cherry, the Honorable Senate Majority Leader, Ken Sikkema, and the Honorable Speaker of the House of Representatives, Rick Johnson.

Pending the reference of the resolution to a committee,
 Rep. Richardville moved that Rule 77 be suspended and the resolution be considered at this time.
 The motion prevailed, 3/5 of the members present voting therefor.
 The question being on the adoption of the resolution,
 The resolution was adopted.

Reps. Sak, Accavitti, Adamini, Anderson, Bieda, Brandenburg, Brown, Casperson, Caswell, Caul, Clack, Daniels, DeRoche, DeRossett, Elkins, Emmons, Farhat, Farrah, Garfield, Gielegem, Gillard, Gleason, Hager, Jamnick, Kolb, Kooiman, Lipsey, McConico, Meisner, Middaugh, Milosch, Minore, Phillips, Plakas, Richardville, Rivet, Rocca, Shaffer, Shulman, Spade, Stahl, Stallworth, Tabor, Taub, Tobocman, Vander Veen, Woronchak, Byrum, Dennis, Pappageorge and Voorhees offered the following resolution:

House Resolution No. 231.

A resolution recognizing April 2004 as Child Abuse Prevention Month in the state of Michigan.

Whereas, Child abuse and neglect is a serious and growing problem affecting millions of our nation's children; and

Whereas, Child maltreatment is associated with problems throughout adolescence and into adulthood, including increased risk of teen pregnancy, drug use, lower educational attainment, and the perpetuation of abusive behavior; and

Whereas, In Michigan, approximately 167,300 children lived in a family where an investigation of child abuse and neglect occurred in the fiscal year 2002, which is 65 out of every 1,000 children in the state of Michigan; and

Whereas, Physical neglect is by far the largest category to affect children, affecting almost two out of every five victims, followed by physical abuse involving one out of every five child victims; and

Whereas, The next largest categories, which are improper supervision and failure to protect, encompassed over a quarter of all child victims when combined. The Shaken Baby Syndrome (SBS) describes injuries that occur to young infants who sustain injuries to their brains and other systems after being violently shaken; and

Whereas, Over 1,000 infants are affected nationally each year. There have been 50 to 100 shaken babies cases annually in the state of Michigan. Over the past five years, five to ten infants per year have been hospitalized with concerns of Shaken Baby Syndrome or abusive head trauma with brain injury; and

Whereas, Child sexual abuse is a crime of epidemic proportion that touches and changes countless children's lives each year throughout the United States and Michigan; and

Whereas, It is estimated that one in three children will experience sexual abuse/assault before their 18th birthday. An estimated 89,000 cases of child sexual abuse were substantiated in the year of 2000 and most experts believe this grossly under represents the actual number of victims; and

Whereas, Such abuse has devastating and long-term results. Victims of sexual abuse often experience traumatic reactions including anxiety, fear, difficulty sleeping, nightmares, school-related problems, and psychosomatic symptoms such as headaches and stomachaches. Victims of sexual abuse are also at a higher risk of using tobacco and alcohol, teen pregnancy, obesity, and developing high blood pressure and diabetes; and

Whereas, Community collaboration is necessary in order to provide services to families at risk of child abuse and neglect and to ensure a safe and secure future for the children of our community; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body recognize April 2004 as Child Abuse Prevention Month in the state of Michigan; and be it further

Resolved, That we urge the people of Michigan to support the ongoing fight in helping families break free from the cycle of child abuse and neglect.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reports of Standing Committees

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

House Bill No. 5274, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 30312 (MCL 324.30312), as amended by 2003 PA 14.

With the recommendation that the bill be referred to the Committee on Land Use and Environment.

Favorable Roll Call

To Report Out:

Yeas: Reps. DeRossett, Casperson, Gaffney, Hune, LaJoy, Robertson, Anderson, Jamnick, Gleason, Tobocman, Adamini and Murphy

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Land Use and Environment.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, April 1, 2004

Present: Reps. DeRossett, Casperson, Gaffney, Hune, LaJoy, Robertson, Anderson, Jamnick, Gleason, Tobocman, Adamini and Murphy

Absent: Reps. Hummel, DeRoche, Huizenga, Ward and Elkins

Excused: Reps. Hummel, DeRoche, Huizenga, Ward and Elkins

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Drolet, Chair, of the Committee on Employment Relations, Training and Safety, was received and read:

Meeting held on: Wednesday, March 31, 2004

Present: Reps. Drolet, Middaugh, Pappageorge, Huizenga, LaJoy, Van Regenmorter, Minore, Dennis and Bieda

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following Senate bill had been received on Wednesday, March 31:

Senate Bill No. 977

The Clerk announced the enrollment printing and presentation to the Governor on Thursday, April 1, for her approval of the following bills:

Enrolled House Bill No. 4179 at 1:13 p.m.

Enrolled House Bill No. 4702 at 1:15 p.m.

Enrolled House Bill No. 5104 at 1:17 p.m.

Enrolled House Bill No. 5184 at 1:19 p.m.

Enrolled House Bill No. 5344 at 1:21 p.m.

The Clerk announced that the following bills had been printed and placed upon the files of the members on Thursday, April 1:

House Bill Nos. 5727 5728 5729 5730 5731 5732 5733 5734 5735 5736

The Clerk announced that the following Senate bill had been received on Thursday, April 1:

Senate Bill No. 1100

By unanimous consent the House returned to the order of

Messages from the Senate**House Bill No. 5120, entitled**

A bill to amend 1949 PA 300, entitled "An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of

specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date.” by amending sections 1d, 65, 310d, 319b, 320a, 321a, 625, 625b, 627, 727, 732, 733, and 907 (MCL 257.1d, 257.65, 257.310d, 257.319b, 257.320a, 257.321a, 257.625, 257.625b, 257.627, 257.727, 257.732, 257.733, and 257.907), section 1d as added and sections 310d and 625 as amended by 2003 PA 61, section 65 as amended by 1994 PA 449, sections 319b and 732 as amended by 2002 PA 534, sections 320a and 627 as amended by 2003 PA 315, section 321a as amended by 2002 PA 741, section 625b as amended by 1998 PA 357, section 727 as amended by 1998 PA 348, section 733 as amended by 1994 PA 50, and section 907 as amended by 2003 PA 73, and by adding section 79e; and to repeal acts and parts of acts.

The Senate has concurred in the House substitute (H-3) to the Senate substitute (S-3).

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

House Bill No. 5365, entitled

A bill to repeal 1905 LA 653, entitled “An act to provide the manner of voting by the members of the board of supervisors of Saginaw county.”.

The Senate has passed the bill and ordered that it be given immediate effect.

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

Senate Bill No. 977, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 3101 and 3115 (MCL 324.3101 and 324.3115), section 3101 as amended by 2001 PA 114, and by adding section 3111b.

The Senate has passed the bill.

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

Senate Bill No. 1100, entitled

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending section 101 (MCL 388.1701), as amended by 2003 PA 158.

The Senate has passed the bill.

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

Second Reading of Bills

House Bill No. 4234, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” (MCL 211.1 to 211.157) by adding section 9j.

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

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

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

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

Rep. Ward moved to amend the bill as follows:

1. Amend page 1, line 1, after “**Sec. 9j.**” by striking out the balance of the bill and inserting:

“(1) **For taxes levied after December 31, 2004, if the aggregate state equalized valuation of the personal property identified in the statement required under section 19 that is submitted by a business concern incorporated or doing business in this state is less than \$7,500.00, the personal property identified in the statement is exempt from the collection of taxes under this act.**

(2) **The statement required under section 19 shall be submitted whether or not the aggregate taxable value of the personal property identified in the statement is less than \$7,500.00.”.**

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

Rep. Woronchak moved to amend the bill as follows:

1. Amend page 2, following line 14, by inserting:

“(5) This state shall reimburse each local taxing unit that levies an ad valorem property tax in the local tax collecting unit in which the qualified small business is located for any tax revenue lost as a result of the exemption under this section.

(6) This state shall reimburse the school aid fund established in section 11 of article IX of the state constitution of 1963 for any tax revenue lost as a result of the exemption under this section. Reimbursement under this subsection shall be made from the general fund.” and renumbering the remaining subsection.

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

Rep. Woronchak moved that consideration of the bill be postponed for the day.

The motion prevailed.

Senate Bill No. 653, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 20129a (MCL 324.20129a), as amended by 1999 PA 30.

The bill was read a second time.

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

The motion prevailed.

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

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

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

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

Rep. Richardville 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

Senate Bill No. 653, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 20129a (MCL 324.20129a), as amended by 1999 PA 30.

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

Roll Call No. 244

Yeas—105

Accavitti	Garfield	Meisner	Shaffer
Acciavatti	Gielegem	Meyer	Sheen
Adamini	Gillard	Middaugh	Shulman
Amos	Gleason	Milosch	Smith
Anderson	Hager	Minore	Spade
Bieda	Hardman	Moolenaar	Stahl
Bisbee	Hart	Mortimer	Stakoe

Bradstreet	Hood	Murphy	Stallworth
Brown	Hoogendyk	Newell	Steil
Byrum	Hopgood	Nitz	Stewart
Casperson	Howell	Nofs	Tabor
Caswell	Huizenga	O'Neil	Taub
Caul	Hummel	Palmer	Tobocman
Cheeks	Hune	Palsrok	Vagnozzi
Clack	Hunter	Pappageorge	Van Regenmorter
Condino	Jamnack	Pastor	Vander Veen
Daniels	Johnson, Rick	Phillips	Voorhees
Dennis	Johnson, Ruth	Plakas	Walker
DeRoche	Julian	Pumford	Ward
DeRossett	Koetje	Reeves	Waters
Drolet	Kolb	Richardville	Wenke
Ehardt	Kooiman	Rivet	Whitmer
Elkins	LaSata	Robertson	Williams
Emmons	Law	Rocca	Wojno
Farhat	Lipsey	Sak	Woodward
Farrah	McConico	Shackleton	Woronchak
Gaffney			

Nays—0

In The Chair: Julian

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

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

A bill to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts," by amending section 20129a (MCL 324.20129a), as amended by 1999 PA 30, and by adding section 3122a.

The motion prevailed.

The House agreed to the title as amended.

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

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

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

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

Rep. Richardville moved that when the House adjourns today it stand adjourned until Tuesday, April 20, at 1:00 p.m.

The motion prevailed.

Messages from the Governor

Date: April 1, 2004
Time: 9:03 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5386 (Public Act No. 45, I.E.), being

An act to authorize the state administrative board to transfer certain parcels of property in Jackson county.

(Filed with the Secretary of State April 1, 2004, at 9:48 a.m.)

Date: April 1, 2004
Time: 9:05 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4178 (Public Act No. 46, I.E.), being

An act to provide compensation to dependents of public safety officers who are killed or who are permanently and totally disabled in the line of duty; to create the public safety officers benefit fund; to prescribe the duties and responsibilities of certain state officers; and to make an appropriation.

(Filed with the Secretary of State April 1, 2004, at 9:50 a.m.)

Date: April 1, 2004
Time: 9:07 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4706 (Public Act No. 47, I.E.), being

An act to provide for and to regulate access to and disclosure of medical records; to prescribe powers and duties of certain state agencies and departments; to establish fees; to prescribe administrative sanctions; and to provide remedies.

(Filed with the Secretary of State April 1, 2004, at 9:52 a.m.)

Date: April 1, 2004
Time: 9:09 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4755 (Public Act No. 48, I.E.), being

An act to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” by amending sections 16221 and 16226 (MCL 333.16221 and 333.16226), as amended by 2003 PA 234, and by adding section 20170.

(Filed with the Secretary of State April 1, 2004, at 9:54 a.m.)

Date: April 1, 2004
Time: 9:15 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4707 (Public Act No. 49, I.E.), being

An act to amend 1949 PA 300, entitled “An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,” by amending section 675d (MCL 257.675d), as amended by 2000 PA 268.

(Filed with the Secretary of State April 1, 2004, at 9:56 a.m.)

Date: April 1, 2004
Time: 9:17 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5279 (Public Act No. 50, I.E.), being

An act to amend 1986 PA 182, entitled “An act to provide for the Michigan department of state police retirement system; to create certain reserves and certain funds for this retirement system; to provide for the creation of a retirement board within the department of management and budget; to prescribe the powers and duties of the retirement board; to prescribe the powers and duties of the department of state police, the department of management and budget, and certain state officers; and to repeal certain acts and parts of acts,” by amending sections 3, 14, 14a, 42, and 43 (MCL 38.1603, 38.1614, 38.1614a, 38.1642, and 38.1643), sections 3 and 14 as amended by 2000 PA 374, section 14a as added by 1995 PA 192, section 42 as amended by 1989 PA 191, and section 43 as amended by 2002 PA 96.

(Filed with the Secretary of State April 1, 2004, at 9:58 a.m.)

Date: April 1, 2004
Time: 9:19 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5476 (Public Act No. 51, I.E.), being

An act to amend 1976 PA 451, entitled “An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts,” by amending sections 1535a and 1539b (MCL 380.1535a and 380.1539b), as amended by 1995 PA 289; and to repeal acts and parts of acts.

(Filed with the Secretary of State April 1, 2004, at 10:00 a.m.)

Date: April 1, 2004
Time: 9:21 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4308 (Public Act No. 52, I.E.), being

An act to amend 1949 PA 300, entitled “An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or

generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,” by amending sections 307, 328, 732, 732a, 810b, and 907 (MCL 257.307, 257.328, 257.732, 257.732a, 257.810b, and 257.907), section 307 as amended and section 810b as added by 2003 PA 152, section 328 as amended by 1995 PA 287, section 732 as amended by 2002 PA 534, section 732a as added by 2003 PA 165, and section 907 as amended by 2003 PA 73.

(Filed with the Secretary of State April 1, 2004, at 10:02 a.m.)

The following message from the Governor was received April 1, 2004 and read:

EXECUTIVE ORDER

No. 2004 - 1

MEDICAID LONG-TERM CARE TASK FORCE

DEPARTMENT OF COMMUNITY HEALTH

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the State of Michigan in the Governor;

WHEREAS, under Section 8 of Article V of the Michigan Constitution of 1963, the Governor is responsible to take care that the laws be faithfully executed;

WHEREAS, Section 1 of 1931 PA 195, MCL 10.51, authorizes and empowers the Governor, at such times and for such purposes as the Governor deems necessary or advisable, to create special advisory bodies consisting of as many members as the Governor deems appropriate;

WHEREAS, Michigan’s publicly-supported system of long-term care must focus on the provision of adequate care for consumers in an efficient, effective, and fiscally accountable manner;

WHEREAS, consumers and their families or advocates involved with and most affected by Medicaid long-term care services should be consulted in the decision-making process regarding the provision and funding of long-term care services;

WHEREAS, Michigan’s Medicaid long-term care system should seek to achieve timely access to care, foster quality and excellence in service delivery, and promote innovative and cost-effective strategies;

WHEREAS, under an Order and Stipulation for Settlement entered by the United States District Court for the Western District of Michigan in case number 5:02-CV-44, the State of Michigan must create a Medicaid long-term care task force to assist in the development of options for expanding the availability of home-based and community-based long-term care services, and for improving long-term care services;

NOW, THEREFORE, I, Jennifer M. Granholm, Governor of the State of Michigan, by virtue of the authority vested in the Governor under the Michigan Constitution of 1963 and Michigan law, order the following:

I. DEFINITIONS

As used in this Order:

A. “Department of Community Health” means the principal department of state government created as the Department of Mental Health under Section 400 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.500, and renamed the “Department of Community Health” under Executive Order 1996-1, MCL 330.3101.

B. “Task Force” means the Medicaid Long-Term Care Task Force established within the Department of Community Health under this Order.

II. ESTABLISHMENT OF MEDICAID LONG-TERM CARE TASK FORCE

A. The Medicaid Long-Term Care Task Force is created as an advisory body within the Department of Community Health.

B. The Task Force shall consist of twenty-one (21) members appointed by the Governor and shall include representatives of each of the following:

1. Seven (7) persons representing consumers of Medicaid long-term care services or their advocates.
2. Seven (7) persons representing providers of long-term care services.

3. Seven (7) persons representing governmental entities, including at least two (2) members representing state agencies and two (2) members representing legislative entities. A director of a principal department of state government appointed under this paragraph may select a designee from within that department to serve on the Task Force as a designated representative of the director.

C. Members of the Task Force shall serve as members at the pleasure of the Governor.

D. A vacancy on the Task Force shall be filled in the same manner as the original appointment.

III. CHARGE TO THE TASK FORCE

A. The Task Force is advisory in nature and shall:

1. Review existing reports and reviews of the efficiency and effectiveness of the current mechanisms and funding for the provision of Medicaid long-term care services in Michigan and identify consensus recommendations.

2. Examine and report on the current quality of Medicaid long-term care services in Michigan and make recommendations for improvement in the quality of Medicaid long-term care services and home-based and community-based long-term care services provided in Michigan.

3. Analyze and report on the relationship between state and federal Medicaid long-term care funding and its sustainability over the long term.

4. Identify and recommend benchmarks for measuring successes in this state's provision of Medicaid long-term care services and for expanding options for home-based and community-based long-term care services.

5. Identify and make recommendations to reduce barriers to the creation of and access to an efficient and effective system of a continuum of home-based, community-based, and institutional long-term care services in Michigan.

B. The Task Force shall provide other information, recommendations, or advice as directed by the Governor.

C. The Task Force shall complete its work and issue an interim report on its activities, including any preliminary recommendations by October 1, 2004 to:

1. The Governor.

2. The Chairperson and Minority Vice-Chairperson of the Senate Appropriations Subcommittee for the Department of Community Health.

3. The Chairperson and Minority Vice-Chairperson of the House Appropriations Subcommittee on Community Health.

4. The Chairperson and Minority Vice-Chairperson of the Senate Committee on Health Policy.

5. The Chairperson and Minority Vice-Chairperson of the House Committee on Health Policy.

D. The final report and recommendations of the Task Force, including any proposed legislation, shall be presented by April 1, 2005 to:

1. The Governor.

2. The Chairperson and Minority Vice-Chairperson of the Senate Appropriations Subcommittee for the Department of Community Health.

3. The Chairperson and Minority Vice-Chairperson of the House Appropriations Subcommittee on Community Health.

4. The Chairperson and Minority Vice-Chairperson of the Senate Committee on Health Policy.

5. The Chairperson and Minority Vice-Chairperson of the House Committee on Health Policy.

IV. OPERATIONS OF THE TASK FORCE

A. If deemed necessary, the Task Force may promulgate bylaws, not inconsistent with Michigan law and this Order, governing its organization, operation, and procedures. The Task Force may establish committees and subcommittees as it deems advisable.

B. The Governor shall designate one of the members of the Task Force as its Chairperson. The Task Force may select from among its members a Vice-Chairperson and shall select from among its members a Secretary. Task Force staff shall assist the Secretary with record-keeping responsibilities.

C. The Task Force shall meet at the call of the Chairperson and as may be provided in procedures adopted by the Task Force.

D. The Task Force may establish committees and request public participation on advisory panels as it deems necessary. The Task Force may adopt, reject, or modify recommendations made by committees, subcommittees, or advisory panels.

E. The Task Force shall act by majority vote of its serving and voting members. A majority of the members of the Task Force constitutes a quorum for the transaction of business.

F. The Task Force may, as appropriate, make inquiries, studies, investigations, hold hearings, and receive comments from the public. The Task Force may consult with outside experts, consumers, and their families in order to perform its duties.

G. Members of the Task Force shall serve without compensation. Members of the Task Force may receive reimbursement for necessary travel and expenses according to relevant statutes and the rules and procedures of the Department of Management and Budget and the Civil Service Commission, subject to available appropriations.

H. State Departments and agencies shall assist the Task Force as requested and directed by the Governor.

I. On behalf of the Task Force, the Department of Community Health may hire or retain contractors, sub-contractors, advisors, consultants, and agents, and may make and enter into contracts necessary or incidental to the exercise of the powers of the Task Force and the performance of its duties, as the Department of Community Health deems advisable and necessary in accordance with the relevant statutes, rules, and procedures of the Civil Service Commission and the Department of Management and Budget.

J. On behalf of the Task Force the Department of Community Health may accept donations of labor, services, or other things of value from any public or private agency or person.

K. Members of the Task Force shall refer all legal, legislative, and media contacts to the Department of Community Health.

V. MISCELLANEOUS

A. All departments, committees, commissioners, or officers of this state or of any political subdivision of this state shall give to the Task Force, or to any member or representative of the Task Force, any necessary assistance required by the Task Force, or any member or representative of the Task Force, in the performance of the duties of the Task Force so far as is compatible with its, his, or her duties. Free access shall also be given to any books, records, or documents in its, his, or her custody, relating to matters within the scope of inquiry, study, or investigation of the Task Force.

B. The invalidity of any portion of this Order shall not affect the validity of the remainder of the Order.

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 1st day of April in the year of our Lord two thousand and four.

Jennifer M. Granholm

Governor

By the Governor:

Terri L. Land

Secretary of State

The message was referred to the Clerk.

The following message from the Governor was received April 1, 2004 and read:

EXECUTIVE ORDER

No. 2004 - 2

DEPARTMENT OF NATURAL RESOURCES DEPARTMENT OF TREASURY

COLLECTION OF DELINQUENT TAXES AND DISPOSITION OF TAX-REVERTED PROPERTY

EXECUTIVE REORGANIZATION

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the State of Michigan in the Governor;

WHEREAS, Section 2 of Article V of the Michigan Constitution of 1963 empowers the Governor to make changes in the organization of the Executive Branch or in the assignment of functions among its units that the Governor considers necessary for efficient administration;

WHEREAS, there is a continuing need in the State of Michigan to strengthen and revitalize the economy of this state and its municipalities by encouraging the efficient and expeditious return to productive use of property returned for unpaid delinquent real property taxes;

WHEREAS, encouraging and promoting the productive use of tax-reverted property is an essential element in revitalizing Michigan's urban areas;

WHEREAS, Public Act 123 of 1999 ("PA 123") reformed out-dated and inefficient procedures for the collection of unpaid delinquent taxes to facilitate the productive use of tax-reverted property;

WHEREAS, implementation of PA 123 has demonstrated a need for enhanced state coordination of responsibilities for the collection of unpaid delinquent taxes and disposition of tax-reverted property and a need for expanded cooperation with local units of government and non-profit organizations;

WHEREAS, certain responsibilities and functions of the Department of Natural Resources related to the collection of delinquent taxes and the sale of tax-reverted property can be more efficiently performed if consolidated with responsibilities and functions of the Department of Treasury;

WHEREAS, it is necessary in the interests of efficient administration and effectiveness of government to effect changes in the organization of the Executive Branch of state government;

NOW, THEREFORE, I, Jennifer M. Granholm, Governor of the State of Michigan, by virtue of the authority vested in me by the Michigan Constitution of 1963 and Michigan law, order the following:

I. DEFINITIONS

A. As used in this Order:

1. "Department of Information Technology" means the principal department of state government created under Executive Order 2001-3, MCL 18.41.

2. "Department of Natural Resources" means the principal department of state government created under Section 501 of the Natural Resources and Environmental Protection Act, 1965 PA 380, as modified by Executive Order 1995-18, MCL 324.99903.

3. "Department of Treasury" means the principal department of state government created under Section 75 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.175.

4. "Type II Transfer" means that type of transfer as defined in Section 3(b) of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.103(b).

II. TRANSFER OF RESPONSIBILITIES AND FUNCTIONS RELATED TO COLLECTION OF DELINQUENT TAXES AND DISPOSITION OF TAX-REVERTED PROPERTY

A. Except as provided in Section II.B, all authority, powers, duties, functions, responsibilities, and rule-making authority of the Department of Natural Resources related to the collection of delinquent taxes and the forfeiture, foreclosure, and disposition of tax-delinquent or tax-reverted property under Sections 78 to 79a of The General Property Tax Act, 1893 PA 206, MCL 211.78 to 211.79a, are transferred by Type II Transfer to the Department of Treasury, or its authorized representative or authorized agent, including but not limited to any authority, powers, duties, functions, responsibilities, or rule-making authority under any of the following:

1. Section 78i of The General Property Tax Act, 1893 PA 206, MCL 211.78i.

2. Section 78m of The General Property Tax Act, 1893 PA 206, MCL 211.78m.

B. The Department of Natural Resources may continue to exercise on behalf of this state the right of first refusal of this state to purchase tax-reverted property at the greater of the minimum bid or its fair market value under Subsection (1) of Section 78m of The General Property Tax Act, 1893 PA 206, MCL 211.78m.

III. IMPLEMENTATION

A. The State Treasurer and the Director of the Michigan Department of Natural Resources shall immediately initiate coordination to facilitate the implementation of the transfers under this Order.

B. The State Treasurer shall provide executive direction and supervision for the implementation of all transfers to the Department of Treasury under this Order. The functions transferred to the Department of Treasury under this Order shall be administered under the direction and supervision of the State Treasurer, including but not limited to, any prescribed functions of rule-making, licensing, registration, and the prescription of rules, regulations, standards, and adjudications.

C. All records, personnel, property, and funds used, held, employed, or to be made available to the Department of Natural Resources for the activities transferred to the Department of Treasury under this Order are transferred to the Department of Treasury.

D. The State Treasurer and the Director of the Department of Natural Resources shall develop a memorandum of record identifying any pending settlements, issues of compliance with any applicable state or federal laws or regulations, or other obligations to be resolved by the Department of Natural Resources.

E. The State Treasurer and the Director of the Department of Natural Resources shall identify the program positions, administrative function positions, and personnel that will be transferred to the Department of Treasury in accordance with this Order. The State Treasurer and the Director of the Department of Natural Resources shall enter into a memorandum of understanding identifying the positions and personnel transferred.

F. The State Treasurer may request and the Department of Natural Resources shall provide the assistance necessary to implement this Order with respect to personnel, information systems, real property information and information management systems, and other management-related functions.

G. The Departments of Information Technology and Natural Resources shall provide the Department of Treasury with data or access to state land records necessary to enable the Department of Treasury to perform the functions transferred under this Order. The State Treasurer shall certify to the Governor compliance by the Departments of Information Technology and Natural Resources with this requirement.

H. The Department of Information Technology shall provide the Department of Treasury with management and information processing services related to the authority, powers, duties, functions, and responsibilities transferred under this Order, including, but not limited to, application and database development and maintenance; desktop computer support and management; mainframe computer support and management; server support and management; local area network support and management; and telecommunications services, infrastructure, and security. The Department of Natural Resources shall provide any assistance to the Department of Information Technology necessary for the Department of Information Technology to perform the functions assigned under this paragraph.

I. Any authority, duties, powers, functions, and responsibilities transferred in this Order, and not mandated otherwise statutorily, may in the future be reorganized to promote efficient administration by the State Treasurer.

J. The State Treasurer may perform a duty or exercise a power conferred by law or executive order upon the State Treasurer at the time and to the extent the duty or power is delegated to the State Treasurer by law or order.

K. The State Treasurer may by written instrument delegate a duty or power conferred by law or this Order and the person to whom the duty or power is delegated may perform the duty or exercise the power at the time and to the extent the duty or power is delegated by the State Treasurer.

L. The State Treasurer shall administer the assigned functions transferred under this Order in such ways as to promote efficient administration and shall make internal organizational changes as may be administratively necessary to complete the realignment of responsibilities prescribed by this Order.

IV. MISCELLANEOUS

A. The State Budget Director shall determine and authorize the most efficient manner possible for handling financial transactions and records in the state's financial management system necessary to implement this Order.

B. All rules, orders, contracts, and agreements relating to the assigned functions lawfully adopted prior to the effective date of this Order shall continue to be effective until revised, amended, or repealed.

C. Any suit, action, or other proceeding lawfully commenced by, against, or before any entity affected by this Order, shall not abate by reason of the taking effect of this Order. Any suit, action, or other proceeding may be maintained by, against, or before the appropriate successor of any entity affected by this Order.

D. This Order shall not suspend, delay, or otherwise invalidate the forfeiture, foreclosure, or disposition of any tax-delinquent or tax-reverted property under Sections 78 to 79a of The General Property Tax Act, MCL 211.78 to 211.79a.

E. The invalidity of any portion of this Order shall not affect the validity of the remainder of the Order, which may be given effect without any invalid portion. Any portion of this Order found invalid by a court or other entity with proper jurisdiction shall be severable from the remaining portions of this Order.

In fulfillment of the requirements under Section 2 of Article V of the Michigan Constitution of 1963, the provisions of this Executive Order are effective on the latter of the following dates: (1) 60 days after the issuance of this order; or (2) the date on which the State Treasurer makes the certification required under Section III.G of this Order.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 1st day of April in the year of our Lord two thousand and four.

Jennifer M. Granholm

Governor

By the Governor:

Terri L. Land

Secretary of State

The message was referred to the Clerk.

Introduction of Bills

Rep. Stewart introduced

House Bill No. 5737, entitled

A bill to amend 1974 PA 198, entitled "An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties," by amending section 9 (MCL 207.559), as amended by 1999 PA 140.

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

Rep. Woodward introduced

House Bill No. 5738, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 539e and 539h (MCL 750.539e and 750.539h).

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

Reps. Anderson, Plakas, Jammick, Vagnozzi, Tobocman, Condino, O'Neil, Hopgood, Accavitti, Sak, Minore, Phillips, Gielegem, Waters, Woodward, Gillard, Gleason, Lipsey, Adamini, Brown, Bieda, Sheltroun, Stallworth, Hardman, Reeves, Williams, Hood, Hart, Woronchak, Byrum, Meisner, Elkins, Wojno, Clack, Spade, Hunter, Dennis, McConico, Cheeks, Smith, Rivet, Kolb, Whitmer, Law, Farrah, Stewart, Pumford, Gaffney and Daniels introduced

House Bill No. 5739, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2229. The bill was read a first time by its title and referred to the Committee on Insurance.

Reps. Elkins, Nofs, Pumford, Pappageorge, Garfield, Casperson, Bradstreet, Milosch, Acciavatti, DeRossett, Gaffney, Shackleton, Woodward, Ruth Johnson, Sheltroun, Spade, Richardville, Rivet, Tobocman and Gillard introduced

House Bill No. 5740, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.1100) by adding section 87.

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

Rep. Ward introduced

House Bill No. 5741, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending sections 5, 15, 35, 43, and 54 (MCL 169.205, 169.215, 169.235, 169.243, and 169.254), section 5 as amended by 1999 PA 237, section 15 as amended by 2001 PA 250, section 35 as amended by 2000 PA 75, and section 54 as amended by 1995 PA 264, and by adding sections 48 and 48a.

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

Rep. Caul introduced

House Bill No. 5742, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding sections 20505, 20506, 20507, 20508, and 20509.

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

Rep. Wenke introduced

House Bill No. 5743, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding sections 20510, 20511, 20512, and 20513.

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

Rep. Palsrok introduced

House Bill No. 5744, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding sections 20514, 20515, and 20516.

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

Reps. Caswell, Acciavatti, Taub, Casperson, Amos, Pastor, Moolenaar, Nitz, Brandenburg, Milosch and Emmons introduced

House Bill No. 5745, entitled

A bill to amend 1985 PA 106, entitled "State convention facility development act," by amending section 10 (MCL 207.630).

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

Rep. Koetje introduced

House Bill No. 5746, entitled

A bill to enact the uniform securities act (2002) relating to the issuance, offer, sale, or purchase of securities; to prohibit fraudulent practices in relation to securities; to establish civil and criminal sanctions for violations of the act and civil sanctions for violation of the rules promulgated pursuant to the act; to require the registration of broker-dealers,

agents, investment advisers, and securities; to make uniform the law with reference to securities; and to repeal acts and parts of acts.

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

Rep. Koetje introduced

House Bill No. 5747, entitled

A bill to amend 1986 PA 316, entitled "Michigan education trust act," by amending section 19 (MCL 390.1439).

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

Rep. Koetje introduced

House Bill No. 5748, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 159g and 411j (MCL 750.159g and 750.411j), section 159g as amended by 2002 PA 124 and section 411j as amended by 2002 PA 136.

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

Rep. Koetje introduced

House Bill No. 5749, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 4701 (MCL 600.4701), as amended by 2002 PA 142.

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

Rep. Koetje introduced

House Bill No. 5750, entitled

A bill to amend 1980 PA 307, entitled "Savings and loan act of 1980," by amending section 515 (MCL 491.515), as added by 1987 PA 106.

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

Rep. Koetje introduced

House Bill No. 5751, entitled

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

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

Rep. Koetje introduced

House Bill No. 5752, entitled

A bill to amend 1962 PA 192, entitled "Professional service corporation act," by amending section 8 (MCL 450.228), as amended by 1998 PA 48.

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

Rep. Koetje introduced

House Bill No. 5753, entitled

A bill to amend 1986 PA 157, entitled "Michigan export development act," by amending section 10 (MCL 447.160), as amended by 2002 PA 302.

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

Rep. Koetje introduced

House Bill No. 5754, entitled

A bill to amend 1994 PA 160, entitled "Credit services protection act," by amending section 2 (MCL 445.1822).

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

Rep. Koetje introduced

House Bill No. 5755, entitled

A bill to amend 1987 PA 173, entitled "Mortgage brokers, lenders, and servicers licensing act," by amending sections 1a and 29 (MCL 445.1651a and 445.1679), section 1a as amended by 2002 PA 391 and section 29 as amended by 1996 PA 210.

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

Rep. Koetje introduced

House Bill No. 5756, entitled

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending section 20 (MCL 445.920).

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

Rep. Koetje introduced

House Bill No. 5757, entitled

A bill to amend 1971 PA 227, entitled "An act to prescribe the rights and duties of parties to home solicitation sales; to regulate certain telephone solicitation; to provide for the powers and duties of certain state officers and entities; and to prescribe penalties and remedies," by amending section 1 (MCL 445.111), as amended by 2002 PA 612.

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

Rep. Koetje introduced

House Bill No. 5758, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 21528 and 50510 (MCL 324.21528 and 324.50510), section 21528 as amended by 1996 PA 181 and section 50510 as amended by 2002 PA 387.

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

Rep. Koetje introduced

House Bill No. 5759, entitled

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," by amending section 23 (MCL 125.2023), as amended by 2002 PA 556.

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

Rep. Koetje introduced

House Bill No. 5760, entitled

A bill to amend 1965 PA 314, entitled "Public employee retirement system investment act," by amending section 13 (MCL 38.1133), as amended by 2000 PA 307.

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

Rep. Koetje introduced

House Bill No. 5761, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 14j of chapter XVII (MCL 777.14j), as added by 2002 PA 29.

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

Reps. Shackleton, Farhat, Stahl, Palsrok, Ehardt, Acciavatti, Richardville, Milosch, Sheen, Pappageorge, Steil, LaJoy, Hune, Walker, Moolenaar, Nofs, Nitz, Middaugh, Newell, Stewart, Huizenga, Brown, Emmons, Woronchak, DeRossett, Kooiman, Hummel, Hager, Pastor, Brandenburg, Drolet, Caul, Vander Veen, Voorhees, Hoogendyk, DeRoche, Wenke, Palmer, Robertson, Shaffer, Casperson, Amos, Sheltroun and Rivet introduced

House Bill No. 5762, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan

transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 1a (MCL 247.651a).

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

Reps. Lipsey, Bieda, Anderson, Kolb, Tobocman, Gleason, Adamini, Gillard, Whitmer, Gaffney, Howell and LaSata introduced

House Bill No. 5763, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 6023 and 6027 (MCL 600.6023 and 600.6027), section 6023 as amended by 1998 PA 61.

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

Reps. Howell, Lipsey, Bieda, Kolb, Tobocman, Gleason, Adamini, Gillard, Whitmer, LaSata and Gaffney introduced

House Bill No. 5764, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 2209 (MCL 500.2209).

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

Reps. Lipsey, Bieda, Anderson, Kolb, Tobocman, Gleason, Adamini, Gillard, Whitmer, Gaffney and LaSata introduced

House Bill No. 5765, entitled

A bill to amend 2000 PA 330, entitled "Structured settlement protection act," (MCL 691.1191 to 691.1197) by amending the title and by adding section 4a.

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

Reps. Lipsey, Bieda, Anderson, Kolb, Tobocman, Gleason, Adamini, Gillard, Whitmer, Gaffney and LaSata introduced

House Bill No. 5766, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 2207 (MCL 500.2207).

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

Reps. Sheen, Richardville, Stahl, Wenke, DeRoche, Palmer, Robertson, Vander Veen, Brandenburg, Garfield, Hummel, DeRossett, Milosch, Acciavatti, Ehardt and Hoogendyk introduced

House Bill No. 5767, 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 401k; and to repeal acts and parts of acts.

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

Reps. Sheen, Richardville, Stahl, Wenke, DeRoche, Palmer, Vander Veen, Brandenburg, Garfield, Hummel, DeRossett, Hune, LaJoy, Milosch, Acciavatti, Ehardt and Hoogendyk introduced

House Bill No. 5768, entitled

A bill to amend 1943 PA 240, entitled "State employees' retirement act," (MCL 38.1 to 38.69) by adding section 19j. The bill was read a first time by its title and referred to the Committee on Senior Health, Security and Retirement.

Reps. Sheen, Richardville, Stahl, Wenke, DeRoche, Palmer, Vander Veen, Brandenburg, Garfield, Hummel, DeRossett, Hune, LaJoy, Milosch, Acciavatti, Ehardt, Hoogendyk and Ruth Johnson introduced

House Bill No. 5769, entitled

A bill to amend 1943 PA 240, entitled "State employees' retirement act," (MCL 38.1 to 38.69) by adding section 19k. The bill was read a first time by its title and referred to the Committee on Senior Health, Security and Retirement.

Reps. Ruth Johnson, Drolet, Bradstreet, Hoogendyk, Palmer, Hummel, Stahl, Nofs, Wenke, Steil, Howell, Sheen and Stakoe introduced

House Bill No. 5770, entitled

A bill to amend 1986 PA 268, entitled "Legislative council act," (MCL 4.1101 to 4.1901) by adding sections 502 and 602.

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

Reps. Ruth Johnson, LaJoy, Farrah, Ward and Koetje introduced

House Bill No. 5771, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 11701, 11702, 11703, 11704, 11705, 11706, 11707, 11708, 11709, 11710, 11711, 11712, 11713, 11714, 11715, 11716, 11717, 11718, and 11719 (MCL 324.11701, 324.11702, 324.11703, 324.11704, 324.11705, 324.11706, 324.11707, 324.11708, 324.11709, 324.11710, 324.11711, 324.11712, 324.11713, 324.11714, 324.11715, 324.11716, 324.11717, 324.11718, and 324.11719) and by adding sections 11715b, 11715d, 11717b, and 11720.

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

Reps. Ruth Johnson, LaJoy, Farrah, Ward and Koetje introduced

House Bill No. 5772, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13c of chapter XVII (MCL 777.13c), as added by 2002 PA 30.

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

Rep. Caswell moved that the House adjourn.
The motion prevailed, the time being 5:35 p.m.

The Speaker Pro Tempore declared the House adjourned until Tuesday, April 20, at 1:00 p.m.

GARY L. RANDALL
Clerk of the House of Representatives

