

**No. 55**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**92nd Legislature**  
**REGULAR SESSION OF 2003**

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House Chamber, Lansing, Tuesday, June 24, 2003.

1:00 p.m.

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

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

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

e/d/s = entered during session

Rep. Michael C. Murphy, from the 68th District, offered the following invocation:

“Almighty God, You who sit high and look low, You who are God all by Yourself, we know that Your ways are not our ways and Your thoughts are not our thoughts; You are God all by Yourself. We know that precious is Your name in all the earth. So we come this day, acknowledging and praising Your name for Your goodness and Your mercy. We hear the words that we should love mercy, do justice and walk humbly. Lord, I pray that You would be with our great House of Representatives this day. Lord, we need Your direction; Lord, we need Your wisdom; Lord, we need You to guide us in the way we should go, because Your ways are not our ways, Your thoughts are not our thoughts. Lord, we confess that we need You to do the work of the people of this state. So I pray, Lord, that You would open unto us strength for our weakness, open unto us light for our darkness, open unto us joy for our sorrows, courage for our doubts, open unto us forgiveness of our sins. Lord, we’ll give You praise, glory and honor and we ask that You would bless us this day. Amen.”

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

Rep. Waters moved that Reps. Adamini, Daniels and Zelenko be excused from today’s session. The motion prevailed.

Rep. Casperson moved that Rep. Koetje be excused from today’s session. The motion prevailed.

### Second Reading of Bills

#### House Bill No. 4192, entitled

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

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. Stakoe 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. 4192, entitled

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

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

#### Roll Call No. 281

#### Yeas—104

Accavitti  
Acciavatti  
Amos

Gieleghem  
Gillard  
Gleason

Meyer  
Middaugh  
Milosch

Sheen  
Sheltrown  
Shulman

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

### 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.

### Second Reading of Bills

#### House Bill No. 4677, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 91 (MCL 38.1391), as amended by 1998 PA 85.

The bill was read a second time.

Rep. Garfield 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. 4677, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 91 (MCL 38.1391), as amended by 1998 PA 85.

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

**Roll Call No. 282****Yeas—106**

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

**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.

**Second Reading of Bills****House Bill No. 4052, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 490.

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

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

Rep. Amos 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. 4052, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 490.

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

**Roll Call No. 283**

**Yeas—106**

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

**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 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3408a.

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. 4644, 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 406a.

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

The substitute (H-1) 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.  
 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. 4644, 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 406a.

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

**Roll Call No. 284**

**Yeas—105**

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

**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.

### Second Reading of Bills

#### House Bill No. 4715, entitled

A bill to amend 1966 PA 189, entitled “An act to provide procedures for making complaints for, obtaining, executing and returning search warrants; and to repeal certain acts and parts of acts,” by amending section 1 (MCL 780.651), as amended by 2002 PA 506.

The bill was read a second time.

Rep. Nofs 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. 4715, entitled

A bill to amend 1966 PA 189, entitled “An act to provide procedures for making complaints for, obtaining, executing and returning search warrants; and to repeal certain acts and parts of acts,” by amending section 1 (MCL 780.651), as amended by 2002 PA 506.

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

#### Roll Call No. 285

#### Yeas—106

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

#### Nays—0

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.

### Second Reading of Bills

#### House Bill No. 4704, entitled

A bill to amend 1945 PA 327, entitled "Aeronautics code of the state of Michigan," by amending section 85 (MCL 259.85), as amended by 2002 PA 258; and to repeal acts and parts of acts.

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

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

Rep. Ehardt moved to amend the bill as follows:

1. Amend page 6, line 16, after "school." by inserting "For purposes of this subdivision, enrollment is considered a flight instructor endorsement to operate an aircraft at a time during which the student is the sole occupant of the aircraft."

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

Rep. Ehardt 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. 4704, entitled

A bill to amend 1945 PA 327, entitled "Aeronautics code of the state of Michigan," by amending section 85 (MCL 259.85), as amended by 2002 PA 258; and to repeal acts and parts of acts.

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

#### Roll Call No. 286

#### Yeas—106

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



Ehardt	LaJoy	Rivet	Wenke
Elkins	LaSata	Robertson	Whitmer
Emmons	Law	Rocca	Williams
Farhat	Lipsey	Sak	Wojno
Farrah	McConico	Shackleton	Woodward
Gaffney	Meisner	Shaffer	Woronchak
Garfield	Meyer		

### 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.

By unanimous consent the House returned to the order of

### Reports of Standing Committees

The Speaker laid before the House

#### House Resolution No. 63.

A resolution to memorialize the Congress of the United States to increase efforts to preserve and protect Lake St. Clair.

(For text of resolution, see House Journal No. 42, p. 633.)

(The resolution was reported by the Committee on Great Lakes and Tourism on June 19, consideration of which, under the rules, was postponed until today.)

The question being on the adoption of the resolution,

The resolution was adopted.

The Speaker laid before the House

#### House Resolution No. 53.

A resolution encouraging employers to protect reservists and National Guardsmen who are called to active duty from financial hardship by making up the difference between the reservists' military and civilian pay.

(For text of resolution, see House Journal No. 35, p. 478.)

(The resolution was reported by the Committee on Veterans Affairs and Homeland Security on May 20, consideration of which, under the rules, was postponed until May 21.)

The question being on the adoption of the resolution,

The resolution was adopted.

### Third Reading of Bills

#### House Bill No. 4710, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 311 (MCL 206.311), as amended by 1987 PA 254.

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

### Roll Call No. 287

### Yeas—105

Accavitti	Gieleghem	Meyer	Sheen
Acciavatti	Gillard	Middaugh	Sheltrown
Amos	Gleason	Milosch	Shulman
Anderson	Hager	Minore	Smith

Bieda	Hardman	Moolenaar	Spade
Bisbee	Hart	Mortimer	Stahl
Bradstreet	Hood	Murphy	Stakoe
Brandenburg	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
Dennis	Johnson, Ruth	Plakas	Voorhees
DeRoche	Julian	Pumford	Walker
DeRossett	Kolb	Reeves	Ward
Drolet	Kooiman	Richardville	Waters
Ehardt	LaJoy	Rivet	Wenke
Elkins	LaSata	Robertson	Whitmer
Emmons	Law	Rocca	Williams
Farhat	Lipsey	Sak	Wojno
Farrah	McConico	Shackleton	Woodward
Gaffney	Meisner	Shaffer	Woronchak
Garfield			

### 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.

Reps. Hardman, McConico, Anderson, Stewart, Gielegem, Richardville, Spade, Murphy, LaSata, Meyer, Julian, Brown, Gaffney, Farrah, Pastor, Bieda, Meisner, Wojno, Condino, Vagnozzi, DeRoche, Accavitti, Hune, Gleason, Emmons, Steil, Sak, Farhat, Palsrok, Gillard and Mortimer were named co-sponsors of the bill.

### Second Reading of Bills

#### House Bill No. 4712, entitled

A bill to amend 1964 PA 284, entitled "City income tax act," by amending section 32 of chapter 2 (MCL 141.632).

The bill was read a second time.

Rep. Robertson 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. 4712, entitled

A bill to amend 1964 PA 284, entitled "City income tax act," by amending section 32 of chapter 2 (MCL 141.632).

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

**Roll Call No. 288****Yeas—105**

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

**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.

Reps. Plakas, Anderson, Stewart, O'Neil, Gielegem, Drolet, Richardville, Spade, Murphy, LaSata, Meyer, Julian, Newell, Williams, Caul, Gaffney, Farrah, Pastor, Wojno, Vagnozzi, DeRoche, Accavitti, Hune, Gleason, Emmons, Steil, Sak, Farhat, Palsrok and Gillard were named co-sponsors of the bill.

**Second Reading of Bills****House Bill No. 4283, entitled**

A bill to amend 1991 PA 179, entitled "Michigan telecommunications act," (MCL 484.2101 to 484.2701) by adding section 314a.

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

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

Rep. Pappageorge 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. 4283, entitled**

A bill to amend 1991 PA 179, entitled "Michigan telecommunications act," (MCL 484.2101 to 484.2701) by adding section 314a.

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

**Roll Call No. 289**

**Yeas—106**

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

**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.

Reps. McConico, Woronchak, Plakas, Anderson, Stewart, Rocca, Gielegem, DeRossett, Richardville, Bisbee, Murphy, LaSata, Hager, Meyer, Julian, Dennis, Williams, Ruth Johnson, Sheltrown, Hunter, Farrah, Pastor, LaJoy, Wojno, Acciavatti, Clack, Condino, Vagnozzi, DeRoche, Taub, Accavitti, Hune, Gleason, Caswell, Hoogendyk, Nofs, Emmons, Steil, Van Regenmorter, Sak, Nitz, Stahl, Sheen, Palsrok, Gillard, Casperson and Mortimer were named co-sponsors of the bill.

### Second Reading of Bills

#### House Bill No. 4660, entitled

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts," (MCL 460.1 to 460.10cc) by adding section 9c.

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

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

Rep. Garfield 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. 4660, entitled

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts," (MCL 460.1 to 460.10cc) by adding section 9c.

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

#### Roll Call No. 290

#### Yeas—106

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

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

### 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.

Reps. Hardman, Anderson, O'Neil, DeRossett, Lipsey, Murphy, Kooiman, Voorhees, Hager, Meyer, Julian, Newell, Vander Veen, Howell, Brown, Farrah, Paletko, Bieda, Condino, Vagnozzi, DeRoche, Taub, Caswell, Hoogendyk, Wenke, Sak, Huizenga and Gillard were named co-sponsors of the bill.

By unanimous consent the House returned to the order of

### Messages from the Senate

The Speaker laid before the House

#### House Bill No. 4393, entitled

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2004; to provide for the expenditure of those appropriations; to create certain funds and accounts; to require certain reports; to prescribe the powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

(The bill was received from the Senate on June 19, with substitute (S-1), consideration of which, under the rules, was postponed until today, see House Journal No. 54, p. 970.)

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

The substitute (S-1) was not concurred in, a majority of the members serving not voting therefor, by yeas and nays, as follows:

### Roll Call No. 291

### Yeas—0

### Nays—105

Accavitti	Gielegem	Middaugh	Sheen
Acciavatti	Gillard	Milosch	Sheltrown
Amos	Gleason	Minore	Shulman
Anderson	Hager	Moolenaar	Smith
Bieda	Hardman	Mortimer	Spade

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

In The Chair: Julian

The Speaker appointed as conferees, on the part of the House of Representatives, Reps. Pastor, Newell and Brown.

The Speaker laid before the House  
**House Bill No. 4400, entitled**

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2004; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

(The bill was received from the Senate on June 19, with substitute (S-1) and title amendment, consideration of which, under the rules, was postponed until today, see House Journal No. 54, p. 970.)

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

The substitute (S-1) was not concurred in, a majority of the members serving not voting therefor, by yeas and nays, as follows:

**Roll Call No. 292**

**Yeas—5**

Bradstreet	Gillard	Rivet	Sheltrown
Elkins			

**Nays—101**

Accavitti	Gleason	Middaugh	Sheen
Acciavatti	Hager	Milosch	Shulman
Amos	Hardman	Minore	Smith
Anderson	Hart	Moolenaar	Spade
Bieda	Hood	Mortimer	Stahl
Bisbee	Hoogendyk	Murphy	Stakoe

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

In The Chair: Julian

The Speaker appointed as conferees, on the part of the House of Representatives, Reps. Pastor, Shaffer and Brown.

### Second Reading of Bills

#### House Bill No. 4478, entitled

A bill to amend 1990 PA 211, entitled "The parental rights restoration act," by amending sections 3 and 4 (MCL 722.903 and 722.904).

The bill was read a second time.

Rep. Elkins moved to amend the bill as follows:

1. Amend page 6, following line 22, by inserting:

**"(e) The degree to which the parent or legal guardian is involved in the minor's school and community activities."**

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

Rep. Elkins moved to amend the bill as follows:

1. Amend page 6, line 8, after **"has"** by striking out **"so materially"**.

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

Rep. Lipsey moved to amend the bill as follows:

1. Amend page 1, line 3, after "parents" by inserting **"or adult family member,"**.
2. Amend page 1, line 5, after "parent" by inserting **"or adult family member,"**.
3. Amend page 1, line 7, after "parent" by inserting **"or adult family member,"**.
4. Amend page 3, line 16, after **"parent"** by inserting **"or adult family member,"**.
5. Amend page 4, line 18, after "parents" by inserting **"or adult family member,"**.
6. Amend page 5, line 4, after **"parent"** by inserting **"or adult family member,"**.
7. Amend page 5, line 25, after **"parents"** by inserting **"or adult family member,"**.
8. Amend page 6, line 7, after **"parents"** by inserting **"or adult family members,"**.
9. Amend page 6, line 12, after **"parents"** by inserting **"or adult family members,"**.
10. Amend page 6, line 18, after **"parent"** by inserting **"or adult family members"**.
11. Amend page 6, line 20, after **"parents"** by inserting **"or adult family members"**.
12. Amend page 8, line 6, after "parent" by inserting **"or adult family member,"**.
13. Amend page 8, line 17, after "parent" by inserting **"or adult family member"**.



14. Amend page 8, line 26, after “section,” by inserting “**“adult family member” and “adult family members” means a grandparent, aunt, uncle, sister, or brother of the minor, who are 30 years of age or older,”**”.

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

The demand was supported.

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

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

**Roll Call No. 293****Yeas—31**

Accavitti	Farrah	Kolb	Stallworth
Anderson	Gielegem	Lipsey	Tobocman
Byrum	Gillard	Meisner	Vagnozzi
Cheeks	Hardman	Minore	Waters
Clack	Hood	Murphy	Whitmer
Condino	Hopgood	Phillips	Williams
Dennis	Hunter	Plakas	Woodward
Elkins	Jamnick	Smith	

**Nays—73**

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

In The Chair: Julian

Rep. Hardman moved to amend the bill as follows:

1. Amend page 4, line 14, after “(3)” by striking out “**The**” and inserting “**Subject to subsection (5), the**”.

2. Amend page 6, following line 22, by inserting:

**“(5) Subsections (3) and (4) do not apply in either of the following circumstances:**

**(a) An abortion performed pursuant to an emergency.**

**(b) A case in which a physician certifies in writing that there is reasonable cause to believe that 1 or more of the following will occur:**

**(i) The minor will commit suicide rather than approach her parent, legal guardian, or the court for consent or a waiver under this act.**

**(ii) The minor will resort to a self-induced abortion or an abortion performed by an unqualified person rather than approach her parent or the court for consent or a waiver under this act.**

**(iii) Continuation of the pregnancy will result in permanent physical impairment of the minor.**

**(iv) Continuation of the pregnancy will result in the infertility of the minor.”** and renumbering the remaining subsections.

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

Rep. Hardman demanded the yeas and nays.

The demand was supported.

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

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

### Roll Call No. 294

### Yeas—32

Accavitti	Farrah	Kolb	Smith
Anderson	Gielegem	Law	Stallworth
Byrum	Gillard	Lipsey	Tobocman
Cheeks	Hardman	McConico	Vagnozzi
Clack	Hood	Meisner	Waters
Condino	Hopgood	Minore	Whitmer
Dennis	Hunter	Murphy	Williams
Elkins	Jamnack	Phillips	Woodward

### Nays—73

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

In The Chair: Julian

Rep. Hardman moved to amend the bill as follows:

1. Amend page 6, following line 22, by inserting:

**“(5) Subsections (3) and (4) do not apply to an abortion of a pregnancy that is the result of rape or incest.”** and renumbering the remaining subsections.

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

Rep. Hardman demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 295****Yeas—32**

Accavitti	Gielegem	Law	Stallworth
Anderson	Gillard	Lipsey	Stewart
Byrum	Hardman	McConico	Tobocman
Clack	Hood	Meisner	Vagnozzi
Condino	Hopgood	Minore	Waters
Dennis	Hunter	Murphy	Whitmer
Elkins	Jamnick	Phillips	Williams
Farrah	Kolb	Smith	Woodward

**Nays—72**

Acciavatti	Gleason	Newell	Shaffer
Amos	Hager	Nitz	Sheen
Bieda	Hart	Nofs	Sheltrown
Bisbee	Hoogendyk	O'Neil	Shulman
Bradstreet	Howell	Paletko	Spade
Brandenburg	Huizenga	Palmer	Stahl
Brown	Hummel	Palsrok	Stakoe
Casperson	Hune	Pappageorge	Steil
Caswell	Johnson, Rick	Pastor	Tabor
Caul	Johnson, Ruth	Plakas	Taub
DeRoche	Julian	Pumford	Van Regenmorter
DeRossett	Kooiman	Reeves	Vander Veen
Drolet	LaJoy	Richardville	Voorhees
Ehardt	Meyer	Rivet	Walker
Emmons	Middaugh	Robertson	Ward
Farhat	Milosch	Rocca	Wenke
Gaffney	Moolenaar	Sak	Wojno
Garfield	Mortimer	Shackleton	Woronchak

In The Chair: Julian

Rep. Hardman moved to amend the bill as follows:

1. Amend page 6, following line 22, by inserting:

**“(5) Subsections (3) and (4) do not apply if the minor submits a declaration indicating the following:**

**(i) That she has received pregnancy counseling from a licensed psychologist, psychiatrist, nurse or social worker who is not employed by and does not receive financial consideration from a physician who performs abortions or an organization that provides abortions or abortion counseling and referral services and who does not serve as a board member or volunteer to an organization that provides abortions or abortion counseling and referral services, or from a physician who does not perform abortions.**

**(ii) That she is sufficiently mature and well-enough informed to make the decision regarding abortion independently of her parents or legal guardian.”** and renumbering the remaining subsections.

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

Rep. Hardman demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 296****Yeas—32**

Accavitti	Farrah	Kolb	Smith
Anderson	Gielegem	Law	Stallworth
Byrum	Gillard	Lipsey	Tobocman
Cheeks	Hardman	McConico	Vagnozzi
Clack	Hood	Meisner	Waters
Condino	Hopgood	Minore	Whitmer
Dennis	Hunter	Murphy	Williams
Elkins	Jamnick	Phillips	Woodward

**Nays—73**

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

In The Chair: Julian

Rep. Kolb moved to amend the bill as follows:

1. Amend page 5, line 11, by striking out all of subdivision (d) and relettering the renaming subdivisions.

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

Rep. Kolb demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 297****Yeas—31**

Accavitti	Farrah	Kolb	Smith
Anderson	Gielegem	Law	Tobocman
Byrum	Gillard	Lipsey	Vagnozzi
Cheeks	Hardman	McConico	Waters
Clack	Hood	Meisner	Whitmer
Condino	Hopgood	Minore	Williams

Dennis  
ElkinsHunter  
JamnickMurphy  
Phillips

Woodward

**Nays—73**Acciavatti  
Amos  
Bieda  
Bisbee  
Bradstreet  
Brandenburg  
Brown  
Casperson  
Caswell  
Caul  
DeRoche  
DeRossett  
Drolet  
Ehardt  
Emmons  
Farhat  
Gaffney  
Garfield  
GleasonHager  
Hart  
Hoogendyk  
Howell  
Huizenga  
Hummel  
Hune  
Johnson, Rick  
Johnson, Ruth  
Julian  
Kooiman  
LaJoy  
Meyer  
Middaugh  
Milosch  
Moolenaar  
Mortimer  
NewellNitz  
Nofs  
O'Neil  
Paletko  
Palmer  
Palsrok  
Pappageorge  
Pastor  
Plakas  
Pumford  
Reeves  
Richardville  
Rivet  
Robertson  
Rocca  
Sak  
Shackleton  
ShafferSheen  
Sheltrown  
Shulman  
Spade  
Stahl  
Stakoe  
Steil  
Stewart  
Tabor  
Taub  
Van Regenmorter  
Vander Veen  
Voorhees  
Walker  
Ward  
Wenke  
Wojno  
Woronchak

In The Chair: Julian

Rep. O'Neil 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. 4478, entitled**

A bill to amend 1990 PA 211, entitled "The parental rights restoration act," by amending sections 3 and 4 (MCL 722.903 and 722.904).

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

**Roll Call No. 298****Yeas—73**Acciavatti  
Amos  
Bieda  
Bisbee  
Bradstreet  
Brandenburg  
Brown  
Casperson  
Caswell  
CaulHager  
Hart  
Hoogendyk  
Howell  
Huizenga  
Hummel  
Hune  
Johnson, Rick  
Johnson, Ruth  
JulianNitz  
Nofs  
O'Neil  
Paletko  
Palmer  
Palsrok  
Pappageorge  
Pastor  
Plakas  
PumfordSheen  
Sheltrown  
Shulman  
Spade  
Stahl  
Stakoe  
Steil  
Stewart  
Tabor  
Taub

DeRoche	Kooiman	Reeves	Van Regenmorter
DeRossett	LaJoy	Richardville	Vander Veen
Drolet	Meyer	Rivet	Voorhees
Ehardt	Middaugh	Robertson	Walker
Emmons	Milosch	Rocca	Ward
Farhat	Moolenaar	Sak	Wenke
Gaffney	Mortimer	Shackleton	Wojno
Garfield	Newell	Shaffer	Woronchak
Gleason			

### Nays—32

Accavitti	Farrah	Kolb	Smith
Anderson	Gielegem	Law	Stallworth
Byrum	Gillard	Lipsey	Tobocman
Cheeks	Hardman	McConico	Vagnozzi
Clack	Hood	Meisner	Waters
Condino	Hopgood	Minore	Whitmer
Dennis	Hunter	Murphy	Williams
Elkins	Jamnick	Phillips	Woodward

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.

Reps. Rocca, Pappageorge, Rick Johnson, DeRossett, Richardville, Bisbee, Voorhees, Hager, Meyer, Julian, Howell, Ruth Johnson, Sheltroun, Bradstreet, Gaffney, Pastor, LaJoy, Acciavatti, DeRoche, Taub, Stakoe, Hune, Robertson, Shaffer, Nofs, Ward, Emmons, Steil, Van Regenmorter, Nitz, Stahl, Farhat, Moolenaar, Palsrok and Casperson were named co-sponsors of the bill.

Reps. Accavitti, Kolb, Dennis, Farrah, Hopgood, Anderson, Jamnick, Vagnozzi, Byrum, Law, Condino and Waters, 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 4478 because we already have a parental consent law in Michigan that works. This bill ties the hands of judges who under the current law can address individual circumstances on a case by case basis. This bill does not allow a judge to take into consideration the unique circumstances of why a minor is seeking a judicial bypass of the state’s parental consent law. This bill also puts a significant burden of proof on a minor by requiring the judge to automatically assume that the minor is not capable of making her own medical decisions.

This bill also puts a minor on trial by allowing the minor’s school activities, grades, and sexual activity to be discussed and even questioned by an attorney representing the interests of the absent parent. In addition, the bill takes away a minor’s ability to petition the court if the circumstances of her pregnancy change by only allowing the minor to appeal any decision to the Court of Appeals. When a minor seeks a waiver from parental consent in front of a judge, the judge should be allowed to evaluate that request based on the circumstances surrounding the minor’s situation and health and not through dictated political factors determined by the legislature.”

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 ‘no’ on House Bill 4478 because we already have a parental consent law in Michigan that works. This bill ties the hands of judges who under the current law can address individual circumstances on a case by case basis. This

bill does not allow a judge to take into consideration the unique circumstances of why a minor is seeking a judicial bypass of the state’s parental consent law. This bill also puts a significant burden of proof on a minor by requiring the judge to automatically assume that the minor is not capable of making her own medical decisions.

This bill also puts a minor on trial by allowing the minor’s school activities, grades, and sexual activity to be discussed and even questioned by an attorney representing the interests of the absent parent. In addition, the bill takes away a minor’s ability to petition the court if the circumstances of her pregnancy change by only allowing the minor to appeal any decision to the Court of Appeals. When a minor seeks a waiver from parental consent in front of a judge, the judge should be allowed to evaluate that request based on the circumstances surrounding the minor’s situation and health and not through dictated political factors determined by the legislature. The Supreme Court of the United States has declared that a person has a right to the medical procedure of an abortion prior to a fetus’ viability. I find this bill to be a thinly-veiled attempt to strip or inhibit that right based solely upon a person’s age.”

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

The Speaker laid before the House  
**House Bill No. 4511, entitled**

A bill to amend 1969 PA 306, entitled “Administrative procedures act of 1969,” by amending sections 45 and 45a (MCL 24.245 and 24.245a), section 45 as amended and section 45a as added by 1999 PA 262.

(The bill was received from the Senate on June 10, with an amendment, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 11, see House Journal No. 49, p. 755.)

The question being on concurring in the amendment 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. 299**

**Yeas—63**

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

**Nays—42**

Accavitti	Gielegem	McConico	Smith
Anderson	Gillard	Meisner	Spade
Bieda	Gleason	Minore	Stallworth
Brown	Hardman	Murphy	Tobocman
Byrum	Hood	O’Neil	Vagnozzi
Cheeks	Hopgood	Paletko	Waters
Clack	Hunter	Phillips	Whitmer

Condino	Jamnick	Plakas	Williams
Dennis	Kolb	Sak	Wojno
Elkins	Law	Sheltrown	Woodward
Farrah	Lipsey		

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.

The Speaker laid before the House

**House Bill No. 4557, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 4 (MCL 206.4).

(The bill was received from the Senate on June 10, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 11, see House Journal No. 49, p. 755.)

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

Rep. Farrah moved to amend the Senate substitute (S-1) as follows:

1. Amend page 2, following line 11, by inserting:

"Enacting section 1. This amendatory act is intended to clarify the definition and scope of business income as originally intended by the legislature."

The motion did not prevail, a majority of the members serving not 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. 300**

**Yeas—86**

Accavitti	Hardman	Moolenaar	Sheltrown
Acciavatti	Hart	Mortimer	Shulman
Anderson	Hood	Murphy	Smith
Bieda	Hopgood	Newell	Spade
Brown	Howell	Nitz	Stakoe
Byrum	Huizenga	Nofs	Stallworth
Caswell	Hummel	O'Neil	Stewart
Caul	Hunter	Paletko	Tabor
Cheeks	Jamnick	Pappageorge	Taub
Clack	Johnson, Rick	Pastor	Tobocman
Condino	Julian	Phillips	Vagnozzi
Dennis	Kolb	Plakas	Van Regenmorter
DeRossett	Kooiman	Pumford	Walker
Ehardt	LaJoy	Reeves	Ward
Elkins	LaSata	Richardville	Waters
Emmons	Law	Rivet	Wenke
Farrah	Lipsey	Robertson	Whitmer
Gaffney	McConico	Rocca	Williams
Gielegem	Meisner	Sak	Wojno
Gillard	Meyer	Shackleton	Woodward
Gleason	Middaugh	Shaffer	Woronchak
Hager	Minore		



**Nays—20**

Amos	DeRoche	Hune	Sheen
Bisbee	Drolet	Johnson, Ruth	Stahl
Bradstreet	Farhat	Milosch	Steil
Brandenburg	Garfield	Palmer	Vander Veen
Casperson	Hoogendyk	Palsrok	Voorhees

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.

The Speaker laid before the House

**House Bill No. 4558, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 22 (MCL 206.22), as amended by 1996 PA 484.

(The bill was received from the Senate on June 10, with an amendment, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 11, see House Journal No. 49, p. 756.)

The question being on concurring in the amendment 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. 301****Yeas—96**

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

**Nays—10**

Bisbee	Garfield	Robertson	Vander Veen
Bradstreet	Hoogendyk	Steil	Voorhees
Drolet	Pastor		

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.

The Speaker laid before the House

**House Bill No. 4559, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 26 (MCL 206.26).

(The bill was received from the Senate on June 10, with an amendment, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 11, see House Journal No. 49, p. 756.)

The question being on concurring in the amendment 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. 302****Yeas—97**

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

**Nays—7**

Bisbee	Drolet	Pastor	Voorhees
Bradstreet	Garfield	Vander Veen	

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.

The Speaker laid before the House

**House Bill No. 4560, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 315 (MCL 206.315).

(The bill was received from the Senate on June 10, with an amendment, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 11, see House Journal No. 49, p. 756.)

The question being on concurring in the amendment 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. 303**

**Yeas—106**

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

**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.

The Speaker laid before the House

**House Bill No. 4562, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 355 (MCL 206.355), as amended by 1991 PA 82.

(The bill was received from the Senate on June 10, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 11, see House Journal No. 49, p. 756.)

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. 304****Yeas—92**

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

**Nays—14**

Bisbee	Drolet	Palmer	Stahl
Bradstreet	Garfield	Pastor	Vander Veen
Brandenburg	Hoogendyk	Sheen	Voorhees
DeRoche	Johnson, Ruth		

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.

The Speaker laid before the House

**House Bill No. 4563, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 365 (MCL 206.365), as amended by 1996 PA 448.

(The bill was received from the Senate on June 10, with an amendment, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 11, see House Journal No. 49, p. 756.)

The question being on concurring in the amendment 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. 305****Yeas—93**

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

**Nays—13**

Bisbee	Hoogendyk	Palmer	Stahl
Bradstreet	Johnson, Ruth	Pastor	Vander Veen
Drolet	LaJoy	Sheen	Voorhees
Garfield			

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.

The Speaker laid before the House

**House Bill No. 4564, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 451 (MCL 206.451), as amended by 2002 PA 581.

(The bill was received from the Senate on June 10, with an amendment, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 11, see House Journal No. 49, p. 756.)

The question being on concurring in the amendment 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. 306****Yeas—86**

Accavitti	Gleason	Moolenaar	Shulman
Amos	Hager	Mortimer	Smith
Anderson	Hardman	Murphy	Spade
Bieda	Hart	Newell	Stakoe

Brown	Hood	Nitz	Stallworth
Byrum	Hopgood	Nofs	Steil
Casperson	Howell	O'Neil	Stewart
Caswell	Hummel	Paletko	Tabor
Caul	Hunter	Palsrok	Taub
Cheeks	Jamnick	Pappageorge	Tobocman
Clack	Johnson, Rick	Phillips	Vagnozzi
Condino	Johnson, Ruth	Plakas	Van Regenmorter
Dennis	Julian	Pumford	Walker
DeRossett	Kolb	Reeves	Ward
Ehardt	Kooiman	Richardville	Waters
Elkins	LaSata	Rivet	Wenke
Emmons	Law	Robertson	Whitmer
Farhat	McConico	Rocca	Williams
Farrah	Meisner	Sak	Wojno
Gaffney	Middaugh	Shaffer	Woodward
Gielegem	Milosch	Sheltrown	Woronchak
Gillard	Minore		

**Nays—19**

Acciavatti	Drolet	LaJoy	Sheen
Bisbee	Garfield	Meyer	Stahl
Bradstreet	Hoogendyk	Palmer	Vander Veen
Brandenburg	Huizenga	Pastor	Voorhees
DeRoche	Hune	Shackleton	

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.

The Speaker laid before the House

**House Bill No. 4565, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 12 (MCL 206.12), as amended by 1996 PA 484.

(The bill was received from the Senate on June 10, with amendments, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 11, see House Journal No. 49, p. 757.)

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

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

**Roll Call No. 307****Yeas—86**

Accavitti	Gleason	Minore	Sheltrown
Amos	Hager	Moolenaar	Shulman
Anderson	Hardman	Mortimer	Smith
Bieda	Hart	Murphy	Spade
Brown	Hood	Newell	Stakoe
Byrum	Hopgood	Nitz	Stallworth
Casperson	Howell	Nofs	Stewart
Caswell	Hummel	O'Neil	Tabor
Caul	Hunter	Paletko	Taub

Cheeks	Jamnick	Pappageorge	Tobocman
Clack	Johnson, Rick	Phillips	Vagnozzi
Condino	Julian	Plakas	Van Regenmorter
Dennis	Kolb	Pumford	Walker
DeRossett	Kooiman	Reeves	Ward
Ehardt	LaSata	Richardville	Waters
Elkins	Law	Rivet	Wenke
Emmons	Lipsey	Robertson	Whitmer
Farhat	McConico	Rocca	Williams
Farrah	Meisner	Sak	Wojno
Gaffney	Meyer	Shackleton	Woodward
Gielegem	Middaugh	Shaffer	Woronchak
Gillard	Milosch		

**Nays—20**

Acciavatti	Drolet	Johnson, Ruth	Sheen
Bisbee	Garfield	LaJoy	Stahl
Bradstreet	Hoogendyk	Palmer	Steil
Brandenburg	Huizenga	Palsrok	Vander Veen
DeRoche	Hune	Pastor	Voorhees

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

**Reports of Select Committees**

The Speaker laid before the House the conference report relative to

**Senate Bill No. 293, entitled**

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

(The conference report was received from the Senate on June 19, consideration of which, under the rules, was postponed until today.)

(For conference report, see House Journal No. 54, p. 971.)

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. 308****Yeas—58**

Acciavatti	Hager	Mortimer	Stahl
Amos	Hoogendyk	Nitz	Stakoe
Bisbee	Huizenga	Palmer	Steil
Bradstreet	Hummel	Palsrok	Stewart
Brandenburg	Hune	Pappageorge	Tabor
Casperson	Johnson, Rick	Pastor	Taub
Caswell	Johnson, Ruth	Pumford	Vagnozzi
Caul	Julian	Richardville	Van Regenmorter

DeRoche	Kooiman	Robertson	Vander Veen
DeRossett	LaJoy	Rocca	Voorhees
Drolet	LaSata	Shackleton	Walker
Ehardt	Meyer	Shaffer	Ward
Emmons	Middaugh	Sheen	Wenke
Gaffney	Milosch	Shulman	Woronchak
Garfield	Moolenaar		

**Nays—47**

Accavitti	Gielegem	Lipsey	Sak
Anderson	Gillard	McConico	Sheltrown
Bieda	Gleason	Meisner	Smith
Brown	Hardman	Minore	Spade
Byrum	Hart	Murphy	Stallworth
Cheeks	Hood	Newell	Tobocman
Clack	Hopgood	Nofs	Waters
Condino	Howell	O'Neil	Whitmer
Dennis	Hunter	Paletko	Williams
Elkins	Jamnick	Phillips	Wojno
Farhat	Kolb	Plakas	Woodward
Farrah	Law	Reeves	

In The Chair: Julian

Reps. Farrah, Anderson, Accavitti, Brown, Dennis and Law, having reserved the right to explain their nay vote, made the following statement:

“Mr. Speaker and members of the House:

Democratic members support local governmental agencies use of the MPSCS. However, I was unable to support Senate Bill 293 (Bishop) because I feel Governor Granholm’s Executive Directive 2003-12 sufficiently provides for local government’s use of the Michigan Public Safety Communications System (MPSCS).

Senate Bill 293 requires the director of the State Police to allow any local government public safety agency use of the MPSCS. The bill would allow these agencies to attach equipment to the towers. All costs associated with installing and maintaining equipment would be the responsibility of the local agency. This very same issue was visited in Rep. Pappageorge’s HB 4259. House Bill 4259 still failed to address some key issues. One issue involved whether or not use by the local government agencies would impair any existing bond or debt obligation the State has incurred through the State Building Authority. Additionally, there were concerns about interference and interoperability between the state system and local government equipment. Eventually the bill was reported out of committee to the full house where it passed 97-8.

In April, Governor Granholm issued an Executive Directive that allowed the State Police Director to allow local agencies to use MPSCS if all of the enumerated requirements are met. The Governor’s Executive Directive sufficiently addresses interoperability (the technology allowing different public safety agencies to communicate with each other) and the bond or debt obligation issue such that there would be no violation of state or federal laws and the current tax exempt federal bonds would be retained. Other specific guidelines have also been established by the Executive Directive. Thus, I chose to vote ‘no’ on this bill.”

Rep. Meisner, having reserved the right to explain his nay vote, made the following statement:

“Mr. Speaker and members of the House:

I voted no on SB 293 after thoughtful consideration and initially supporting the bill when it first passed the House. However, in the interim the governor’s directive requiring the Dept. of State Police to work with local units and their efforts to connect to the towers has addressed several of my concerns and reasons for previously supporting this legislation. These concerns involve interoperability or the ability for all systems to work together (which SB 293 does



not address) and the possible violation of state and federal law pertaining to the bonds sold to construct the towers. That question has yet to be answered by the attorney general who is due to report on this matter. I will continue to stay involved in this matter to ensure that the needs of local law enforcement are met.”

Rep. Bieda, having reserved the right to explain his nay vote, made the following statement:

“Mr. Speaker and members of the House:

While I support local governmental agencies use of the Michigan Public Safety Communications System, I was unable to support the Conference Report on SB 293 because of concerns about whether or not use by the local government agencies would impair any existing bond or debt obligation the State has incurred through the State Building Authority. It is my understanding that an opinion on this specific issue had been requested of the Attorney General several months ago, but that no opinion has been yet been issued. In addition, there are concerns about interference and interoperability between the state system and local government equipment.

I have also been assured that the administration is working on a resolution to this issue. In April, the Governor issued an Executive Directive that addresses many of the issues this legislation was intended to address. In the absence of any official opinion from the Attorney General’s Office, the administration offers a sensible approach that sufficiently provides for local government’s use of the Michigan Public Safety Communications System and that this approach that is preferable to the legislation before us today. Thus, I voted against the Conference Report for SB 293.

Thank you for you time.”

Rep. Condino, having reserved the right to explain his nay vote, made the following statement:

“Mr. Speaker and members of the House:

I was unable to concur with SB293 as the Attorney General has not issued a written opinion on the issue of whether this bill would impair any existing bond or debt obligation the State has already incurred through the State Building Authority in the construction of the Michigan Public Safety Communications System. The written opinion was promised when I supported this bill as it first passed the House. The opinion has not been forthcoming and in my mind the failure to have such a written opinion prior to voting is not legally prudent. I support local governmental agencies use of the MPSCS, but after legal research and an opinion from our Attorney General concerning the issues of bond and debt obligations as stated herein. Further, the Governor has already issued an Executive Order which I believe allows and mandates local governmental use of the MPSCS with important enumerated guidelines.”

By unanimous consent the House returned to the order of

### **Motions and Resolutions**

Reps. Taub, Rick Johnson, Richardville, Shulman, Julian, Palmer, Amos, LaJoy, Drolet, Vander Veen, Ehardt, Koetje, Gaffney, Emmons, Pastor, Ward, Farhat, Stahl, DeRoche, Wenke, Hunter, Waters, Hummel, Acciavatti, DeRossett, Stakoe, Nofs, Palsrok, Huizenga, Kooiman, Byrum, Jamnick, Phillips, McConico, Paletko, Wojno, Hopgood, Law, Bieda, Pappageorge, Voorhees, Accavitti, Anderson, Bisbee, Bradstreet, Brown, Caswell, Dennis, Farrah, Gielegem, Hager, Hoogendyk, Hune, Kolb, Lipsey, Meyer, Middaugh, Minore, Murphy, Newell, O’Neil, Reeves, Rivet, Rocca, Sak, Tabor, Tobocman, Woodward, Woronchak and Brandenburg offered the following resolution:

#### **House Resolution No. 90.**

A resolution to commemorate the 100<sup>th</sup> anniversary of the Detroit Regional Chamber of Commerce.

Whereas, It is a great pleasure to extend this expression of honor and congratulate the Detroit Regional Chamber of Commerce on its 100<sup>th</sup> anniversary; and

Whereas, On June 30, 1903, in the Turkish Room of the Cadillac Hotel, a new organization called the Detroit Board of Commerce was formally organized and incorporated under state law with 253 charter members paying \$100 each to join. Its slogan was “For the General Good of Detroit”; and

Whereas, The Detroit Regional Chamber of Commerce is now the largest chamber of commerce in the United States with nearly 20,000 members throughout 10 counties. Its slogan is “Powering the Economy of Southeast Michigan”; and

Whereas, The Detroit Regional Chamber of Commerce has supported the concept of regionalism in southeast Michigan, representing the concerns of business and the region as a whole; and

Whereas, The Detroit Regional Chamber of Commerce is daily achieving its mission of powering the economy of southeast Michigan; and

Whereas, The Detroit Regional Chamber of Commerce successfully advocates for sound public policy on behalf of its members at the local, regional, state and national levels; now, therefore, be it

Resolved by the House of Representatives, That members of this legislative body join together to honor and commend the Detroit Regional Chamber of Commerce upon its 100<sup>th</sup> anniversary; and be it further

Resolved, That a copy of this resolution be transmitted to the Detroit Regional Chamber as a token of our esteem.  
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. Richardville, Accavitti, Amos, Anderson, Bieda, Bisbee, Bradstreet, Brown, Byrum, Caswell, Clack, Dennis, DeRossett, Drolet, Ehardt, Elkins, Emmons, Farhat, Farrah, Gielegem, Gillard, Hager, Hoogendyk, Huizenga, Hune, Jamnick, Julian, Kolb, LaJoy, LaSata, Lipsey, Meyer, Middaugh, Minore, Mortimer, Murphy, Newell, O'Neil, Palsrok, Pappageorge, Pastor, Rivet, Rocca, Sak, Shaffer, Sheltroun, Shulman, Spade, Stahl, Stakoe, Tabor, Tobocman, Vagnozzi, Vander Veen, Voorhees, Ward, Waters, Woodward, Woronchak, Brandenburg, Hopgood, Law and Wojno offered the following resolution:

**House Resolution No. 91.**

A resolution to commemorate the 25<sup>th</sup> anniversary of the Deputy Sheriff's Association of Michigan.

Whereas, The people of Michigan are thankful for the brave men and women of law enforcement. We appreciate the work they do every hour of the day to protect our cities, communities, homes and families. We are equally thankful that they take the time to advance proper public policy. The Deputy Sheriff's Association of Michigan (DSAM) is an excellent organization that works hard to make sure this state is more safe and secure; and

Whereas, For 25 years, DSAM has been a strong supporter of, and advocator for, sound law enforcement legislation. Over this quarter-century, DSAM has promoted policy regarding county jails, protection for police officers, and punishment of criminals. In total, DSAM's work has assisted police officers in their duty and, therefore, has assisted the people of Michigan on their quest for security and peace of mind; and

Whereas, DSAM has also done a great deal of community service work. By educating members of the community about law enforcement and by running training seminars, DSAM helps preempt common mistakes regarding public safety. In addition, DSAM has supported and raised funds for charities, such as the Special Olympics. For such an outstanding record of improving public safety and gracious public service, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body commemorate the 25<sup>th</sup> anniversary of the Deputy Sheriff's Association of Michigan. We honor all the members of this fine organization; and be it further

Resolved, That a copy of this resolution be transmitted to the Deputy Sheriff's Association of Michigan as a sign of our deep appreciation.

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. Vander Veen, Hummel, Garfield, Robertson, Stakoe, Bradstreet, Milosch, Drolet, Farhat, Acciavatti, Pappageorge, Ehardt, Emmons, Brandenburg, Kooiman, Voorhees, Hart, Middaugh, Stahl, Bisbee, Taub, Richardville, Pastor, Wenke, DeRoche, Sheen, Howell, Steil, Palsrok, Palmer, Casperson, Caul, Amos, Hoogendyk, Hager, Ward, DeRossett, Meyer, Huizenga, Moolenaar, Caswell, Hune, Julian, LaJoy, Mortimer, Newell, Shaffer, Shulman and Tabor offered the following resolution:

**House Resolution No. 92.**

A resolution to urge Michigan's United States Senators to support and to memorialize the United States Senate to confirm the nomination of Miguel Estrada to the United States Court of Appeals.

Whereas, On May 9, 2001, President Bush nominated Miguel A. Estrada to fill a vacancy on the United States Court of Appeals for the District of Columbia Circuit; and

Whereas, Mr. Estrada's credentials go uncontested, beginning with his mastery of the English language and American culture since coming to the United States as an immigrant from Honduras, and his graduation magna cum laude from Columbia University and Harvard Law School; and

Whereas, Mr. Estrada has received support from liberal and conservative colleagues alike who attest that he is one of the most brilliant and effective appellate lawyers in the country; and

Whereas, Organizations that support Mr. Estrada include the League of United Latin American Citizens, the United States Hispanic Chamber of Commerce, the Hispanic National Bar Association, the Hispanic Business Roundtable, and the Latino Coalition; and

Whereas, Mr. Estrada would be the first Hispanic in the country to sit on the United States Court of Appeals District of Columbia Circuit—an important and prestigious position within the nation's judicial system; and

Whereas, The Senate Judiciary Committee has issued a favorable report to the United States Senate on the nomination, yet, because a minority of Senators are conducting a filibuster to prevent a Senate floor vote, more than a year and one-half has passed without a vote on the Senate floor; and

Whereas, Michigan, in contrast, has speedily confirmed the Governor's cabinet appointments and has worked in a spirit of cooperation; now, therefore, be it

Resolved by the House of Representatives, That we urge Michigan's United States Senators to support and the United States Senate to confirm the nomination of Miguel Estrada to the United States Court of Appeals; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate and to Michigan's United States Senators.

The resolution was referred to the Committee on Government Operations.

Reps. Byrum, Accavitti, Amos, Anderson, Bieda, Bisbee, Bradstreet, Brown, Caswell, Dennis, DeRossett, Ehardt, Elkins, Farhat, Farrah, Gielegem, Gillard, Gleason, Hoogendyk, Huizenga, Hune, Jamnick, Julian, Kolb, LaSata, Lipsey, McConico, Meyer, Minore, Mortimer, Murphy, O'Neil, Palsrok, Pappageorge, Plakas, Richardville, Rocca, Sheltroun, Shulman, Spade, Tabor, Tobocman, Vander Veen, Waters, Woodward, Woronchak, Brandenburg, Hopgood, Law and Wojno offered the following resolution:

**House Resolution No. 93.**

A resolution designating August 9, 2003, and each succeeding second Saturday in August as Michigan Marina Day.

Whereas, The citizens of Michigan place a high value on the recreational qualities of our natural resources, in particular our Great Lakes and inland waterways; and

Whereas, The word "marina" was first used in 1928 by the National Association of Engine & Boat Manufacturers to define a recreational boating facility; and

Whereas, Michigan is home to over 1,000 recreational boating and harbor facilities. They contribute substantially to their communities' lifestyles, recreation and tourism. They also provide a safe and reliable gateway to boating; and

Whereas, Michigan's marinas also serve as stewards of the environment, actively seeking to protect and preserve their surrounding waterways for future generations; and

Whereas, Michigan's marinas provide the most significant venue for its citizens and visitors to share the wonders of its shorelines and waterways for family and friends; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body designate August 9, 2003, as Michigan's first annual Marina Day in order to recognize Michigan's marinas for their contributions and service to the state of Michigan and its citizenry; and be it further

Resolved, That each succeeding second Saturday of August shall be recognized as Michigan Marina Day. Michigan will join together with other states in celebrating National Marina Day; and be it further

Resolved, That Michigan's marinas will continue to provide environmental-friendly access to our state's greatest natural resource.

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 Regulatory Reform, by Rep. Rocca, Chair, reported

**House Bill No. 4819, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 703 (MCL 436.1703), as amended by 1999 PA 53.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Rocca, Gaffney, Bisbee, Julian, DeRoche, Palsrok, Sheen, Wojno, Meisner, Hopgood and Gielegem

Nays: None

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

**Senate Bill No. 230, entitled**

A bill to amend 1917 PA 167, entitled "Housing law of Michigan," by amending section 134 (MCL 125.534).

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

1. Amend page 3, line 9, after "**cities**" by inserting "**or local units of government that are adjacent to or contiguous to an urban core city**".

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Rocca, Gaffney, Bisbee, Julian, Palsrok, Sheen, Wojno, Meisner, Hopgood and Gieleghem

Nays: None

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

**Senate Bill No. 314, entitled**

A bill to allow the state to amend certain deeds.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Rocca, Gaffney, Bisbee, Julian, DeRoche, Palsrok, Sheen, Wojno, Meisner, Hopgood and Gieleghem

Nays: None

#### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, June 24, 2003, at 9:00 a.m.

Present: Reps. Rocca, Gaffney, Bisbee, Julian, DeRoche, Palsrok, Sheen, Wojno, Meisner, Hopgood and Gieleghem

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

**Senate Bill No. 360, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 8317 (MCL 324.8317), as amended by 2002 PA 418.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Meyer, Nitz, Hager, Casperson, Sheltrown, Rivet, Spade and Law

Nays: Reps. Hune and Stahl

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

**Senate Bill No. 361, entitled**

A bill to amend 1969 PA 287, entitled "An act to regulate pet shops, animal control shelters, and animal protection shelters; to establish uniform procedures and minimum requirements for adoption of dogs, cats, and ferrets; and to prescribe penalties and civil fines and to provide remedies," by amending section 4 (MCL 287.334).

Without amendment and with the recommendation that the bill pass.

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

## Favorable Roll Call

## To Report Out:

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

Nays: Reps. Hune and Stahl

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

**Senate Bill No. 386, entitled**

A bill to amend 1937 PA 284, entitled "An act to prevent the spread of infectious and contagious diseases of livestock; to require persons, associations, partnerships and corporations engaged in the buying, receiving, selling, transporting, exchanging, negotiating, or soliciting sale, resale, exchange or transportation of livestock to be licensed and bonded by the department of agriculture; to keep a producers' proceeds account; to provide for the refusal, suspension or revocation of such licenses; to provide for weighmasters; to provide for the inspection and disinfection of yards, premises and vehicles; and to provide penalties for the violation of this act," by amending section 3 (MCL 287.123).

Without amendment and with the recommendation that the bill pass.

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

## Favorable Roll Call

## To Report Out:

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

Nays: Reps. Hune and Stahl

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

**Senate Bill No. 390, entitled**

A bill to amend 1974 PA 93, entitled "An act to license and regulate horse riding stables and sales barns; to prescribe the duties of the department of agriculture; and to provide a penalty," by amending section 3 (MCL 287.113).

Without amendment and with the recommendation that the bill pass.

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

## Favorable Roll Call

## To Report Out:

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

Nays: Rep. Hune

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

**Senate Bill No. 480, entitled**

A bill to amend 1931 PA 189, entitled "The insect pest and plant disease act," by amending section 9 (MCL 286.209), as amended by 1982 PA 157.

Without amendment and with the recommendation that the bill pass.

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

## Favorable Roll Call

## To Report Out:

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

Nays: Rep. Hune

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, June 24, 2003, at 10:30 a.m.

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

Absent: Rep. DeRossett

Excused: Rep. DeRossett

The Committee on Appropriations, by Rep. Shulman, Chair, reported

**Senate Bill No. 359, entitled**

A bill to amend 1993 PA 23, entitled "Michigan limited liability company act," by amending section 1101 (MCL 450.5101), as amended by 2002 PA 686.

Without amendment and with the recommendation that the bill pass.

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

## Favorable Roll Call

To Report Out:

Yeas: Reps. Shulman, Emmons, Caul, Pumford, Shackleton, Kooiman, Newell, Stewart, Caswell, Moolenaar, Pastor, Shaffer, Steil, Taub, Walker, Whitmer, Brown, Kolb, Phillips, Plakas, Reeves, Williams, Cheeks, Hunter, Paletko and Sak

Nays: Reps. Acciavatti, Amos, Farhat, Hoogendyk and Brandenburg

The Committee on Appropriations, by Rep. Shulman, Chair, reported

**Senate Bill No. 370, entitled**

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 10 (MCL 421.10), as amended by 2002 PA 192.

Without amendment and with the recommendation that the bill pass.

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

## Favorable Roll Call

To Report Out:

Yeas: Reps. Shulman, Emmons, Caul, Pumford, Shackleton, Kooiman, Newell, Stewart, Acciavatti, Amos, Caswell, Farhat, Hoogendyk, Moolenaar, Pastor, Shaffer, Steil, Taub, Walker, Brandenburg, Mortimer, Whitmer, Brown, Kolb, Phillips, Plakas, Reeves, Williams, Cheeks, Hunter, Paletko and Sak

Nays: None

The Committee on Appropriations, by Rep. Shulman, Chair, reported

**Senate Bill No. 391, entitled**

A bill to amend 1964 PA 265, entitled "Uniform securities act," by amending section 202 (MCL 451.602), as amended by 2000 PA 494.

Without amendment and with the recommendation that the bill pass.

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

## Favorable Roll Call

To Report Out:

Yeas: Reps. Shulman, Emmons, Caul, Pumford, Shackleton, Kooiman, Newell, Caswell, Moolenaar, Shaffer, Steil, Taub, Walker, Whitmer, Brown, Kolb, Phillips, Plakas, Reeves, Williams, Cheeks, Hunter, Paletko, Sak

Nays: Reps. Stewart, Acciavatti, Amos, Farhat, Hoogendyk, Pastor and Brandenburg

The Committee on Appropriations, by Rep. Shulman, Chair, reported

**Senate Bill No. 431, entitled**

A bill to amend 1979 PA 152, entitled "State license fee act," by amending sections 11, 13, 15, 17, 21, 23, 25, 27, 29, 31, 37, 38, 39, 43, 49, and 62 (MCL 338.2211, 338.2213, 338.2215, 338.2217, 338.2221, 338.2223, 338.2225, 338.2227, 338.2229, 338.2231, 338.2237, 338.2238, 338.2239, 338.2243, 338.2249, and 338.2262), sections 11, 13, 15, 17, 21, 23, 29, 31, 39, 43, 49, and 62 as amended by 1988 PA 461, section 25 as amended by 1997 PA 98, section 27 as amended by 1992 PA 252, section 37 as amended by 2002 PA 623, and section 38 as amended by 1999 PA 171.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Shulman, Emmons, Pumford, Shackleton, Kooiman, Newell, Moolenaar, Steil, Taub, Walker, Whitmer, Brown, Kolb, Phillips, Plakas, Reeves, Williams, Cheeks, Hunter, Paletko and Sak

Nays: Reps. Caul, Stewart, Acciavatti, Amos, Caswell, Farhat, Hoogendyk, Pastor, Shaffer and Brandenburg

The Committee on Appropriations, by Rep. Shulman, Chair, reported

**Senate Bill No. 537, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 74117 (MCL 324.74117), as added by 1995 PA 58; and to repeal acts and parts of acts.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Shulman, Emmons, Pumford, Kooiman, Newell, Caswell, Moolenaar, Pastor, Steil, Taub, Walker, Whitmer, Brown, Kolb, Phillips, Plakas, Reeves, Williams, Cheeks, Hunter, Paletko and Sak

Nays: Reps. Caul, Shackleton, Stewart, Acciavatti, Amos, Farhat, Hoogendyk, Shaffer, Brandenburg and Mortimer

The Committee on Appropriations, by Rep. Shulman, Chair, reported

**Senate Bill No. 570, entitled**

A bill to amend 1972 PA 284, entitled "Business corporation act," by amending section 1060 (MCL 450.2060), as amended by 2001 PA 57; and to repeal acts and parts of acts.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Shulman, Emmons, Caul, Pumford, Shackleton, Kooiman, Newell, Caswell, Moolenaar, Shaffer, Steil, Taub, Walker, Whitmer, Brown, Kolb, Phillips, Plakas, Reeves, Williams, Cheeks, Hunter, Paletko and Sak

Nays: Reps. Stewart, Acciavatti, Amos, Farhat, Hoogendyk, Pastor and Brandenburg

The Committee on Appropriations, by Rep. Shulman, Chair, reported

**Senate Bill No. 571, entitled**

A bill to amend 1982 PA 162, entitled "Nonprofit corporation act," by amending section 1060 (MCL 450.3060), as amended by 1984 PA 209; and to repeal acts and parts of acts.

Without amendment and with the recommendation that the bill pass.

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

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Shulman, Emmons, Caul, Pumford, Shackleton, Kooiman, Newell, Moolenaar, Shaffer, Steil, Taub, Walker, Brandenburg, Brown, Kolb, Phillips, Plakas, Reeves, Williams, Cheeks, Hunter, Paletko and Sak

Nays: Reps. Stewart, Acciavatti, Amos, Caswell, Farhat, Hoogendyk, Pastor, Brandenburg and Mortimer

The Committee on Appropriations, by Rep. Shulman, Chair, reported

**House Concurrent Resolution No. 17.**

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Kellogg Community College relative to the Kellogg Community College Career Development Center/Science Building Renovations.

(For text of concurrent resolution, see House Journal No. 52, p. 865.)

With the recommendation that the concurrent resolution be adopted.

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

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Shulman, Emmons, Caul, Pumford, Shackleton, Kooiman, Newell, Stewart, Acciavatti, Amos, Caswell, Farhat, Hoogendyk, Moolenaar, Pastor, Shaffer, Steil, Taub, Walker, Brandenburg, Mortimer, Whitmer, Brown, Kolb, Phillips, Plakas, Reeves, Williams, Cheeks, Hunter, Paletko and Sak

Nays: None

The Committee on Appropriations, by Rep. Shulman, Chair, reported

**House Concurrent Resolution No. 18.**

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Jackson Community College relative to the Jackson Community College Lenawee Extension Center.

(For text of concurrent resolution, see House Journal No. 52, p. 866.)

With the recommendation that the concurrent resolution be adopted.

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

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Shulman, Emmons, Caul, Pumford, Shackleton, Kooiman, Newell, Stewart, Acciavatti, Amos, Caswell, Farhat, Hoogendyk, Moolenaar, Pastor, Shaffer, Steil, Taub, Walker, Brandenburg, Mortimer, Whitmer, Brown, Kolb, Phillips, Plakas, Reeves, Williams, Cheeks, Hunter, Paletko and Sak

Nays: None

The Committee on Appropriations, by Rep. Shulman, Chair, reported

**House Concurrent Resolution No. 19.**

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Southwestern Michigan College relative to the Southwestern Michigan College Instructional Resource Center.

(For text of concurrent resolution, see House Journal No. 52, p. 866.)

With the recommendation that the concurrent resolution be adopted.

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

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Shulman, Emmons, Caul, Pumford, Shackleton, Kooiman, Newell, Stewart, Acciavatti, Amos, Caswell, Farhat, Hoogendyk, Moolenaar, Pastor, Shaffer, Steil, Taub, Walker, Brandenburg, Mortimer, Whitmer, Brown, Kolb, Phillips, Plakas, Reeves, Williams, Cheeks, Hunter, Paletko and Sak

Nays: None



The Committee on Appropriations, by Rep. Shulman, Chair, reported  
**House Concurrent Resolution No. 20.**

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Northwestern Michigan College relative to the Northwestern Michigan College West Bay Reconstruction Project.

(For text of concurrent resolution, see House Journal No. 52, p. 867.)

With the recommendation that the concurrent resolution be adopted.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Shulman, Emmons, Caul, Pumford, Shackleton, Kooiman, Newell, Stewart, Acciavatti, Amos, Caswell, Farhat, Hoogendyk, Moolenaar, Pastor, Shaffer, Steil, Taub, Walker, Brandenburg, Mortimer, Whitmer, Brown, Kolb, Phillips, Plakas, Reeves, Williams, Cheeks, Hunter, Paletko and Sak

Nays: None

The Committee on Appropriations, by Rep. Shulman, Chair, reported  
**House Concurrent Resolution No. 21.**

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Natural Resources State Fish Hatchery Renovations Platte Project.

(For text of concurrent resolution, see House Journal No. 54, p. 963.)

With the recommendation that the concurrent resolution be adopted.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Shulman, Emmons, Caul, Pumford, Shackleton, Kooiman, Newell, Stewart, Acciavatti, Amos, Caswell, Farhat, Hoogendyk, Moolenaar, Pastor, Shaffer, Steil, Taub, Walker, Brandenburg, Mortimer, Whitmer, Brown, Kolb, Phillips, Plakas, Reeves, Williams, Cheeks, Hunter, Paletko and Sak

Nays: None

The Committee on Appropriations, by Rep. Shulman, Chair, reported  
**House Concurrent Resolution No. 22.**

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Western Michigan University relative to the Western Michigan University Health and Human Services Building.

(For text of concurrent resolution, see House Journal No. 54, p. 964.)

With the recommendation that the concurrent resolution be adopted.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Shulman, Emmons, Caul, Pumford, Shackleton, Kooiman, Newell, Stewart, Acciavatti, Amos, Caswell, Farhat, Hoogendyk, Moolenaar, Pastor, Shaffer, Steil, Taub, Walker, Brandenburg, Mortimer, Whitmer, Brown, Kolb, Phillips, Plakas, Reeves, Williams, Cheeks, Hunter, Paletko and Sak

Nays: None

The Committee on Appropriations, by Rep. Shulman, Chair, reported  
**House Concurrent Resolution No. 23.**

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Lake Michigan College relative to the Lake Michigan College Van Buren Center.

(For text of concurrent resolution, see House Journal No. 54, p. 965.)

With the recommendation that the concurrent resolution be adopted.

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

#### Favorable Roll Call

#### To Report Out:

Yeas: Reps. Shulman, Emmons, Caul, Pumford, Shackleton, Kooiman, Newell, Stewart, Acciavatti, Amos, Caswell, Farhat, Hoogendyk, Moolenaar, Pastor, Shaffer, Steil, Taub, Walker, Brandenburg, Mortimer, Whitmer, Brown, Kolb, Phillips, Plakas, Reeves, Williams, Cheeks, Hunter, Paletko and Sak

Nays: None

#### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, June 24, 2003, at 10:30 a.m.

Present: Reps. Shulman, Emmons, Caul, Pumford, Shackleton, Kooiman, Newell, Stewart, Acciavatti, Amos, Caswell, Farhat, Hoogendyk, Moolenaar, Pastor, Shaffer, Steil, Taub, Walker, Brandenburg, Mortimer, Whitmer, Brown, Kolb, Phillips, Plakas, Reeves, Williams, Cheeks, Hunter, Paletko and Sak

Absent: Rep. Zelenko

Excused: Rep. Zelenko

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

#### **House Bill No. 4675, entitled**

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

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

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

#### Favorable Roll Call

#### To Report Out:

Yeas: Reps. Ehardt, Vander Veen, Ruth Johnson, Rocca, Woronchak, Van Regenmorter, Robertson, Gaffney, Hune, Ward, Wojno, Gillard and Clack

Nays: None

#### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, June 24, 2003, at 10:30 a.m.

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

Absent: Reps. Hart, Adamini, Hardman and O'Neil

Excused: Reps. Hart, Adamini, Hardman and O'Neil

The Committee on Judiciary, by Rep. Howell, Chair, reported

#### **House Bill No. 4792, entitled**

A bill to amend 1982 PA 295, entitled "Support and parenting time enforcement act," (MCL 552.601 to 552.650) by adding section 5e.

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

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

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Howell, LaSata, Van Regenmorter, Bradstreet, Pappageorge, Gaffney, Garfield, Wenke, Lipsey, Bieda, Condino and Smith

Nays: None

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, June 24, 2003, at 9:00 a.m.

Present: Reps. Howell, LaSata, Van Regenmorter, Bradstreet, Pappageorge, Voorhees, Gaffney, Garfield, Wenke, Lipsey, Bieda, Condino and Smith

Absent: Reps. Koetje and Adamini

Excused: Reps. Koetje and Adamini

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

**Senate Bill No. 157, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 375 (MCL 380.375), as added by 1999 PA 10.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

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

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Bisbee, DeRoche, Howell, Middaugh, Drolet, Palmer, Huizenga, Hune, Milosch, Palsrok, Wenke, Rivet, McConico, Lipsey, Murphy, Tobocman and Accavitti

Nays: None

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

**House Resolution No. 85.**

A resolution to urge the Michigan State Transportation Commission to amend the Governor's proposed Five Year Road & Bridge Program (2003-2007) to include certain projects.

(For text of resolution, see House Journal No. 54, p. 960.)

With the recommendation that the resolution be adopted.

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

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Bisbee, DeRoche, Howell, Middaugh, Drolet, Palmer, Huizenga, Hune, Palsrok, Wenke and Rivet

Nays: Reps. Milosch, Lipsey, Murphy, Tobocman and Accavitti

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, June 24, 2003, at 10:30 a.m.

Present: Reps. Bisbee, DeRoche, Howell, Middaugh, Drolet, Palmer, Huizenga, Hune, Milosch, Palsrok, Wenke, Rivet, McConico, Lipsey, Murphy, Tobocman and Accavitti

Absent: Reps. Koetje and O'Neil

Excused: Reps. Koetje and O'Neil

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, June 19, 2003, at 3:25 p.m.

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

Absent: Reps. Richardville, Woronchak and Sheltroun

Excused: Reps. Richardville, Woronchak and Sheltroun

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, June 24, 2003, at 9:00 a.m.

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

Absent: Rep. Hardman

Excused: Rep. Hardman

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

The Clerk announced that the following bills had been printed and placed upon the files of the members on Friday, June 20:

**House Bill Nos. 4861 4862 4863 4864 4865 4866 4867 4868 4869 4870 4871 4872**

The Clerk announced the enrollment printing and presentation to the Governor on Tuesday, June 24, for her approval of the following bills:

**Enrolled House Bill No. 4333 at 10:51 a.m.**

**Enrolled House Bill No. 4270 at 10:53 a.m.**

**Enrolled House Bill No. 4083 at 10:55 a.m.**

**Enrolled House Bill No. 4032 at 10:57 a.m.**

**Enrolled House Bill No. 4356 at 10:59 a.m.**

The Clerk announced that the following Senate bill had been received on Tuesday, June 24:

**Senate Bill No. 357**

**Notices**

The Speaker appointed as conferees, on the part of the House of Representatives for **House Bill No. 4388**, Reps. Caswell, Mortimer and Sak.

The Speaker appointed as conferees, on the part of the House of Representatives for **House Bill No. 4390**, Reps. Pumford, Brandenburg and Reeves.

The Speaker appointed as conferees, on the part of the House of Representatives for **House Bill No. 4391**, Reps. Moolenaar, Emmons and Plakas.

The Speaker appointed as conferees, on the part of the House of Representatives for **House Bill No. 4392**, Reps. Newell, Shulman and Whitmer.

The Speaker appointed as conferees, on the part of the House of Representatives for **House Bill No. 4396**, Reps. Caul, Steil and Brown.

The Speaker appointed as conferees, on the part of the House of Representatives for **House Bill No. 4401**, Reps. Moolenaar, Emmons and Plakas.

The Speaker appointed as conferees, on the part of the House of Representatives for **Senate Bill No. 266**, Reps. Caul, Farhat and Williams.

The Speaker appointed as conferees, on the part of the House of Representatives for **Senate Bill No. 270**, Reps. Taub, Emmons and Williams.

The Speaker appointed as conferees, on the part of the House of Representatives for **Senate Bill No. 277**, Reps. Caul, Farhat and Williams.

The Speaker appointed as conferees, on the part of the House of Representatives for **Senate Bill No. 279**, Reps. Amos, Moolenaar and Reeves.

The Speaker appointed as conferees, on the part of the House of Representatives for **Senate Bill No. 281**, Reps. Stewart, Steil and Hunter.

The Speaker appointed as conferees, on the part of the House of Representatives for **Senate Bill No. 283**, Reps. Kooiman, Hoogendyk and Kolb.

The Speaker appointed as conferees, on the part of the House of Representatives for **Senate Bill No. 285**, Reps. Shulman, Steil and Whitmer.

The Speaker appointed as conferees, on the part of the House of Representatives for **Senate Bill No. 286**, Reps. Shulman, Steil and Whitmer.

The Speaker appointed as conferees, on the part of the House of Representatives for **Senate Bill No. 288**, Reps. Pumford, Walker and Phillips.

By unanimous consent the House returned to the order of

#### **Messages from the Senate**

##### **House Bill No. 4077, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 1204 (MCL 339.1204), as amended by 1997 PA 97.

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

The House agreed to the full title.

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

##### **House Bill No. 4081, entitled**

A bill to amend 1917 PA 167, entitled "Housing law of Michigan," by amending sections 139, 141, and 142 (MCL 125.539, 125.541, and 125.542), as amended by 1992 PA 144.

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

The House agreed to the full title.

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

##### **House Bill No. 4145, entitled**

A bill to enter into the interstate compact for the supervision or return of certain juveniles, delinquents, and status offenders and for related purposes; and to repeal acts and parts of acts.

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.

##### **House Bill No. 4326, entitled**

A bill to amend 1969 PA 306, entitled "Administrative procedures act of 1969," by amending sections 55 and 59 (MCL 24.255 and 24.259), as amended by 1999 PA 262.

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

The House agreed to the full title.

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

**House Bill No. 4456, entitled**

A bill to amend 1965 PA 261, entitled "An act to authorize the creation and to prescribe the powers and duties of county and regional parks and recreation commissions; and to prescribe the powers and duties of county boards of commissioners with respect to county and regional parks and recreation commissions," by amending section 1 (MCL 46.351), as amended by 2000 PA 496.

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.

**House Bill No. 4408, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 82101 (MCL 324.82101), as amended by 1997 PA 102.

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.

**House Bill No. 4519, entitled**

A bill to require certain notices regarding the transmission of unsolicited commercial e-mail; to establish procedures for e-mail service providers; to allow recipients of e-mail to be excluded from receiving future unsolicited commercial e-mail; and to prescribe penalties and remedies.

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

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

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

**House Bill No. 4388, entitled**

A bill to make appropriations for community colleges and certain state purposes related to education for the fiscal year ending September 30, 2004; to provide for the expenditure of those appropriations; to establish or continue certain funds, programs, and categories; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

The Senate has appointed Senators Jelinek, Stamas and Switalski as conferees to join with Representatives Caswell, Mortimer and Sak.

The bill was referred to the Conference Committee.

**House Bill No. 4390, entitled**

A bill to make appropriations for the department of corrections and certain state purposes related to corrections for the fiscal year ending September 30, 2004; to provide for the expenditure of the appropriations; to provide for reports; to provide for the creation of certain advisory committees and boards; to prescribe certain powers and duties of the department of corrections, certain other state officers and agencies, and certain advisory committees and boards; to provide for the collection of certain funds; and to provide for the disposition of fees and other income received by certain state agencies.

The Senate has appointed Senators Cropsey, Goschka and Prusi as conferees to join with Representatives Pumford, Brandenburg and Reeves.

The bill was referred to the Conference Committee.

**House Bill No. 4391, entitled**

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 2004; to provide for the expenditure of the appropriations; to prescribe the powers and duties of certain state departments, school districts, and other governmental bodies; and to provide for the disposition of fees and other income received by certain legal entities and state agencies.

The Senate has appointed Senators Jelinek, Cropsey and Scott as conferees to join with Representatives Moolenaar, Emmons and Plakas.

The bill was referred to the Conference Committee.

**House Bill No. 4392, entitled**

A bill to make appropriations for the department of community health and certain state purposes related to mental health, public health, and medical services for the fiscal year ending September 30, 2004; to provide for the expenditure of those appropriations; to create funds; to require and provide for reports; to prescribe the powers and duties of certain local and state agencies and departments; and to provide for disposition of fees and other income received by the various state agencies.

The Senate has appointed Senators Stamas, Johnson and Cherry as conferees to join with Representatives Newell, Shulman and Whitmer.

The bill was referred to the Conference Committee.

**House Bill No. 4396, entitled**

A bill to make appropriations for the state institutions of higher education and certain state purposes related to education for the fiscal year ending September 30, 2004; to provide for the expenditures of those appropriations; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

The Senate has appointed Senators Goschka, Johnson and Cherry as conferees to join with Representatives Caul, Steil and Brown.

The bill was referred to the Conference Committee.

**House Bill No. 4401, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 3, 6, 8b, 11, 11f, 11g, 18, 19, 20, 22a, 22b, 24, 26a, 31a, 31d, 32c, 32d, 38, 39a, 41, 51a, 51c, 51d, 53a, 54, 56, 57, 61a, 62, 74, 81, 94a, 98, 99, 101, 105, 107, and 147 (MCL 388.1603, 388.1606, 388.1608b, 388.1611, 388.1611f, 388.1611g, 388.1618, 388.1619, 388.1620, 388.1622a, 388.1622b, 388.1624, 388.1626a, 388.1631a, 388.1631d, 388.1632c, 388.1632d, 388.1638, 388.1639a, 388.1641, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1656, 388.1657, 388.1661a, 388.1662, 388.1674, 388.1681, 388.1694a, 388.1698, 388.1699, 388.1701, 388.1705, 388.1707, and 388.1747), section 3 as amended by 2000 PA 297, sections 6, 11, 11f, 11g, 20, 22a, 22b, 24, 26a, 31a, 31d, 32c, 32d, 39a, 41, 51a, 51c, 51d, 53a, 54, 56, 57, 61a, 62, 74, 81, 94a, 98, 99, 107, and 147 as amended by 2002 PA 521, section 8b as added and sections 19, 38, and 105 as amended by 2002 PA 191, section 18 as amended by 1999 PA 119, and section 101 as amended by 2002 PA 476, and by adding sections 20k, 20l, 22d, 22e, 32j, and 98b; and to repeal acts and parts of acts.

The Senate has appointed Senators Jelinek, Cropsey and Switalski as conferees to join with Representatives Moolenaar, Emmons and Plakas.

The bill was referred to the Conference Committee.

**Senate Bill No. 357, entitled**

A bill to require certain restrictions on the transmission of unsolicited commercial e-mail; to allow recipients of e-mail to be excluded from receiving future e-mail; to prescribe the powers and duties of certain state agencies; and to provide penalties and remedies.

The Senate has passed the bill.

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

**Messages from the Governor**

Date: June 19, 2003

Time: 5:24 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4197 (Public Act No. 20, I.E.), being**

An act to amend 1986 PA 281, entitled "An act to encourage local development to prevent conditions of unemployment and promote economic growth; to provide for the establishment of local development finance

authorities and to prescribe their powers and duties; to provide for the creation of a board to govern an authority and to prescribe its powers and duties; to provide for the creation and implementation of development plans; to authorize the acquisition and disposal of interests in real and personal property; to permit the issuance of bonds and other evidences of indebtedness by an authority; to prescribe powers and duties of certain public entities and state officers and agencies; to reimburse authorities for certain losses of tax increment revenues; and to authorize and permit the use of tax increment financing,” by amending section 2 (MCL 125.2152), as amended by 2000 PA 248.

(Filed with the Secretary of State June 20, 2003, at 11:28 a.m.)

Date: June 24, 2003

Time: 10:07 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4556 (Public Act No. 21, I.E.), being**

An act to amend 1967 PA 281, entitled “An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts,” by amending section 110 (MCL 206.110), as amended by 1996 PA 484.

(Filed with the Secretary of State June 24, 2003, at 10:30 a.m.)

Date: June 24, 2003

Time: 10:09 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4561 (Public Act No. 22, I.E.), being**

An act to amend 1967 PA 281, entitled “An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts,” by amending section 351 (MCL 206.351), as amended by 1996 PA 264.

(Filed with the Secretary of State June 24, 2003, at 10:32 a.m.)

Date: June 24, 2003

Time: 10:11 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4567 (Public Act No. 23, I.E.), being**

An act to amend 1941 PA 122, entitled “An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of the state; to prescribe certain powers and duties of the state treasurer; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act,” by amending section 27a (MCL 205.27a), as amended by 2002 PA 657.

(Filed with the Secretary of State June 24, 2003, at 10:34 a.m.)



Date: June 24, 2003  
Time: 10:14 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4569 (Public Act No. 24, I.E.), being**

An act to amend 1937 PA 94, entitled “An act to provide for the levy, assessment and collection of a specific excise tax on the storage, use or consumption in this state of tangible personal property and certain services; to appropriate the proceeds thereof; and to prescribe penalties for violations of the provisions of this act,” by amending section 6 (MCL 205.96), as amended by 1998 PA 266.

(Filed with the Secretary of State June 24, 2003, at 10:36 a.m.)

Date: June 24, 2003  
Time: 10:20 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4568 (Public Act No. 25, I.E.), being**

An act to amend 1933 PA 167, entitled “An act to provide for the raising of additional public revenue by prescribing certain specific taxes, fees, and charges to be paid to the state for the privilege of engaging in certain business activities; to provide, incident to the enforcement thereof, for the issuance of licenses to engage in such occupations; to provide for the ascertainment, assessment and collection thereof; to appropriate the proceeds thereof; and to prescribe penalties for violations of the provisions of this act,” by amending section 15 (MCL 205.65), as amended by 2002 PA 579.

(Filed with the Secretary of State June 24, 2003, at 10:38 a.m.)

The following message from the Governor was received June 19, 2003 and read:

**EXECUTIVE ORDER  
No. 2003 - 7**

**DETROIT MEDICAL CENTER FISCAL STABILITY TASK FORCE**

**HOSPITAL ADVISORY COUNCIL**

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

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, the health and welfare of Michigan’s citizens are of paramount importance and assistance from the State of Michigan in meeting the health care needs of Michigan residents is essential;

WHEREAS, Michigan hospitals play an integral role in maintaining the health of individuals served within our complex and comprehensive health care system;

WHEREAS, the Detroit Medical Center (“DMC”) provides vital medical services to Michigan residents, and its Detroit Receiving Hospital is distinguished as the only level-one emergency trauma center in Wayne County and has been certified by the American College of Surgeons with the capability to handle victims of major bioterrorism incidents and serious burn victims;

WHEREAS, the fiscal crisis at the DMC threatens the delivery of vital medical services to Michigan residents;

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

**I. DETROIT MEDICAL CENTER FISCAL STABILITY TASK FORCE**

A. The Detroit Medical Center Fiscal Stability Task Force (“Task Force”) is created as an advisory body to the Governor within the Executive Office of the Governor.

B. The Task Force shall be composed of 9 members appointed by the Governor in the following manner:

1. Three members appointed by the Governor.
2. Three members appointed by the Governor based upon recommendation by the County Executive for the County of Wayne.
3. Three members appointed by the Governor based upon recommendations from the Mayor of the City of Detroit.

C. The Director of the Department of Community Health and the State Treasurer or their designees shall serve as ex-officio, non-voting members of the Task Force.

D. The Governor shall serve as Chairperson of the Task Force and may designate one member of the Task Force to serve as Vice-Chairperson, who shall serve at the pleasure of the Governor.

## **II. CHARGE TO THE TASK FORCE**

A. The Task Force shall act in an advisory capacity to the Governor to assist the State of Michigan in assuring continued access to critical hospital services. The Task Force shall assess fiscal operations, governing structures, and ethical compliance with the goal of establishing transparency, accountability and stability.

B. The Task Force shall advise the Governor on recent and on-going financial difficulties and governance matters of the DMC, its subsidiaries and affiliates, focusing on the following topics that have been identified as areas of concern:

1. Fiscal issues;
2. Operational and oversight issues; and
3. Ethical and legal concerns.

C. The Task Force shall also provide other information or advice regarding the delivery of health care services by the DMC and its subsidiaries and affiliates and may obtain input from the DMC, as requested by the Governor.

D. In addition, the Task Force shall issue reports that address these concerns and provide recommendations at times designated by the Governor.

E. The Task Force shall complete its work not later than December 31, 2003 or by an earlier date, as determined by the Governor.

## **III. OPERATIONS OF THE TASK FORCE**

A. The Task Force shall be staffed by personnel from and assisted by the Department of Community Health, Department of Treasury, the Department of Management and Budget, and the Executive Office of the Governor, as directed by the Governor.

B. The Task Force may adopt procedures, not inconsistent with Michigan law and this Order, governing its organization and operations and may establish committees and request public participation on advisory panels as it deems necessary. The Task Force may also adopt, reject, or modify any recommendations proposed by committees or advisory panels.

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

D. Except as otherwise provided in this subdivision the Task Force shall make recommendations to the Governor. Recommendations by the Task Force shall require the affirmative vote by at least one member appointed under Section I.B.1, one member appointed under Section I.B.2, and one member appointed under Section I.B.3.

E. In developing recommendations, the Task Force may, as appropriate, make inquiries, studies, investigations, hold hearings, and receive comments from the public. The Task Force may also consult with outside experts in order to perform its duties, including but not limited to experts in the private sector, organized labor, government agencies, and at institutions of higher education.

F. Members of the Task Force shall serve without compensation and 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.

G. The Task Force 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 Chairperson 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.

H. The Task Force may accept donations of labor, services, or other things of value from any public or private agency or person.

I. Members of the Task Force shall refer all legal, legislative, and media contacts to the Executive Office of the Governor.

## **IV. HOSPITAL ADVISORY COUNCIL**

A. The Hospital Advisory Commission created by Executive Order No. 2002-15 is abolished.

B. Executive Order No. 2002-15 is rescinded in its entirety.

## **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. 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 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.

C. The invalidity of any portion of this Order shall not affect the validity of the remainder the order.  
This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 19th day of June, 2003.

Jennifer M. Granholm  
Governor

By the Governor:  
Terri L. Land  
Secretary of State

The message was referred to the Clerk.

### Communications from State Officers

The following communication from the Department of Environmental Quality was received and read:

June 18, 2003

I am hereby transmitting to you for publication in the official record of the House the following designation of two pilot program areas as mandated by Public Act 14 of 2003, pertaining to beach maintenance activities.

Please do not hesitate to contact me if further information or assistance is needed.

Sincerely,  
Steven E. Chester  
Director  
517-373-7917

The communication was referred to the Clerk.

The following communications from the Auditor General were received and read:

June 18, 2003

Enclosed is a copy of the following audit report and/or report summary:

Financial Audit, Including the Provisions  
of the Single Audit Act, of the  
Department of State  
October 1, 2000 through September 30, 2002

June 18, 2003

Enclosed is a copy of the following audit report and/or report summary:

Performance Audit of the  
Bureau of Laboratories  
Community Public Health Agency,  
Department of Community Health  
June 2003

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

The communications were referred to the Clerk and the accompanying reports referred to the Committee on Government Operations.

### Introduction of Bills

Rep. Richardville introduced  
**House Bill No. 4873, entitled**

A bill to regulate persons engaged in the operation of cranes; to create a board of crane operators; to provide for the licensing of crane operators; to provide for powers and duties of certain state agencies; to provide for the establishment of certain standards; to prescribe fees; to provide for the promulgation of rules; and to prescribe remedies and penalties.

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

Rep. Richardville introduced

**House Bill No. 4874, entitled**

A bill to regulate persons engaged in carpentry; to create a board of carpentry; to provide for powers and duties of certain state agencies and departments; to establish standards; to provide for the licensing of carpenter contractors and journey carpenters; to prescribe fees; to provide for the promulgation of rules; and to prescribe remedies and penalties.

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

Rep. Richardville introduced

**House Bill No. 4875, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 40104 and 40114 (MCL 324.40104 and 324.40114), as added by 1995 PA 57, and by adding section 40115.

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

Rep. Richardville introduced

**House Bill No. 4876, entitled**

A bill to amend 1987 PA 96, entitled "The mobile home commission act," by amending the title and sections 30c and 30g (MCL 125.2330c and 125.2330g) and by adding section 30i.

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

Rep. Richardville introduced

**House Bill No. 4877, entitled**

A bill to amend 1987 PA 96, entitled "The mobile home commission act," (MCL 125.2301 to 125.2349) by adding section 7a.

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

Rep. Richardville introduced

**House Bill No. 4878, entitled**

A bill to amend 1987 PA 96, entitled "The mobile home commission act," by amending section 3 (MCL 125.2303).

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

Rep. Richardville introduced

**House Bill No. 4879, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 4cc.

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

Rep. Richardville introduced

**House Bill No. 4880, entitled**

A bill to provide for the exemption of certain manufactured housing property from certain taxes; to levy and collect a specific tax upon the owners of certain manufactured housing property; to provide for the disposition of the specific tax; to prescribe the powers and duties of certain local government officials; to provide penalties; 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. Richardville introduced

**House Bill No. 4881, entitled**

A bill to amend 1987 PA 96, entitled "The mobile home commission act," by amending section 45 (MCL 125.2345).

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

Rep. Richardville introduced

**House Bill No. 4882, entitled**

A bill to amend 1937 PA 94, entitled "Use tax act," by amending sections 3 and 4g (MCL 205.93 and 205.94g), section 3 as amended by 2002 PA 669 and section 4g as added by 1985 PA 66, and by adding section 4w.

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

Reps. Amos, Stakoe, Nofs, Pastor, Ward, Moolenaar, Shaffer, Casperson, Brandenburg, DeRossett, Kooiman, Stewart, Hune, Vander Veen, Taub, Garfield, Stahl, Voorhees, Steil, Ehardt, Caul, Farhat, Bieda, Robertson, Ruth Johnson and Palmer introduced

**House Bill No. 4883, entitled**

A bill to amend 1941 PA 205, entitled "An act to provide for the construction, establishment, opening, use, discontinuing, vacating, closing, altering, improvement, and maintenance of limited access highways and facilities ancillary to those highways; to permit the acquiring of property and property rights and the closing or other treatment of intersecting roads for these purposes; to provide for the borrowing of money and for the issuing of bonds or notes payable from special funds for the acquisition, construction or improvement of such highways; and to provide for the receipt and expenditure of funds generated from the facilities," by amending section 2 (MCL 252.52), as amended by 2002 PA 150.

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

Reps. Lipsey, Elkins, O'Neil, Plakas, Pappageorge, Hunter, Minore, Tobocman, McConico, Sak, Dennis and Gillard introduced

**House Bill No. 4884, entitled**

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 21a of chapter X and sections 2 and 7 of chapter XII (MCL 710.21a, 712.2, and 712.7), section 21a of chapter X as added by 1982 PA 72 and sections 2 and 7 of chapter XII as added by 2000 PA 232.

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

Reps. Nofs, Stahl, Gaffney, Steil, Moolenaar, Stakoe, DeRossett, Casperson, Pastor, Taub, Tabor, Van Regenmorter, Palsrok, Wenke, Garfield, Wojno, LaJoy, Condino, Hoogendyk, Sheen, Farhat, Newell, Woodward, Bieda, Mortimer, Emmons and Pumford introduced

**House Bill No. 4885, entitled**

A bill to amend 1935 PA 59, entitled "An act to provide for the public safety; to create the Michigan state police, and provide for the organization thereof; to transfer thereto the offices, duties and powers of the state fire marshal, the state oil inspector, the department of the Michigan state police as heretofore organized, and the department of public safety; to create the office of commissioner of the Michigan state police; to provide for an acting commissioner and for the appointment of the officers and members of said department; to prescribe their powers, duties, and immunities; to provide the manner of fixing their compensation; to provide for their removal from office; and to repeal Act No. 26 of the Public Acts of 1919, being sections 556 to 562, inclusive, of the Compiled Laws of 1929, and Act No. 123 of the Public Acts of 1921, as amended, being sections 545 to 555, inclusive, of the Compiled Laws of 1929," (MCL 28.1 to 28.16) by amending the title and by adding section 6f.

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

Reps. McConico and Hunter introduced

**House Bill No. 4886, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 13 to chapter X.

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

Reps. Pastor, Casperson, Hoogendyk, Wenke, Walker, Amos, LaJoy, Brandenburg, Newell, Farhat and Taub introduced

**House Bill No. 4887, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 2 (MCL 257.2), as amended by 1997 PA 8.

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

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Rep. Meisner moved that the House adjourn.  
The motion prevailed, the time being 5:25 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, June 25, at 1:00 p.m.

