

No. 47
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House Chamber, Lansing, Thursday, May 26, 2005.

10:30 a.m.

The House was called to order by Associate Speaker Pro Tempore Caswell.

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

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

e/d/s = entered during session

Rep. Chris Kolb, from the 53rd District, offered the following invocation:

“O Lord, whether we find You in the Torah, the Bible-old and new, the Koran, the teachings of Buddha and all the teachings and words that are spoken in our houses of worship across this great state, give us the strength to bridge our differences, to cross the aisle, to come together to address the great needs of the people of our state. Help us to educate our kids, to feed, clothe and shelter our people, to help us to rev up this state’s economic engines and to advance the discoveries of science to improve the lives of all our residents. This weekend, we as a nation begin the summer season, but we must not forget those that gave the greatest sacrifice of all so that our people, our nation and our belief in freedom will endure. During the years of World War II, President Franklin D. Roosevelt spoke these words, ‘We are faced with the preeminent fact that, if civilization is to survive, we must cultivate the science of human relationship, the ability of all people, of all kinds, to live together and to work together in the same world, at peace.’ Our generation must heed these words. In a world where freedom is still threatened by ancient hatreds and new threats, we must insure that our nation truly stands as a beacon of liberty and justice for all. For if not, the sacrifices of those who have given their lives for our nation and our freedom will be for naught. We must not let that happen. O Lord, give us the strength, for we are one nation under God, indivisible, with liberty and justice for all. Thank You.”

Rep. Waters moved that Reps. Lipsey and McConico be excused from today’s session.
The motion prevailed.

Second Reading of Bills

Senate Bill No. 226, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding part 23.

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

The substitute (H-4) was not adopted, a majority of the members serving not voting therefor.

Rep. Nitz moved to substitute (H-3) the bill.

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

Rep. Spade moved to amend the bill as follows:

1. Amend page 1, line 8, by striking out all of subdivision (**D**) and relettering the remaining subdivision.
2. Amend page 2, line 7, after “**AGRIBUSINESS,**” by striking out the balance of the subsection and inserting “**AND CITIES, VILLAGES, TOWNSHIPS, AND COUNTIES IN RURAL AREAS.**”
3. Amend page 2, line 16, after “**RURAL**” by striking out “**COUNTY**” and inserting “**AREA**”.
4. Amend page 2, line 18, by striking out “**COUNTY**” and inserting “**AREA**”.
5. Amend page 2, line 19, after “**RURAL**” by striking out “**COUNTY**” and inserting “**AREA**”.

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

Rep. Spade demanded the yeas and nays.

The demand was supported.

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

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

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 195, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 12411 and 12431 (MCL 333.12411 and 333.12431).

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

Roll Call No. 150**Yeas—104**

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

Nays—3

Drolet Garfield Gosselin

In The Chair: Caswell

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

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

The House agreed to the full title.

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

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

Senate Bill No. 225, entitled

A bill to create an agricultural tourism advisory commission; to provide for its powers and duties; 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. 151**Yeas—99**

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

Nays—8

Bennett	Garfield	Hoogendyk	Pastor
Drolet	Gosselin	Miller	Sheen

In The Chair: Caswell

The House agreed to the title of the bill.

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

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

Rep. Lemmons, III entered the House Chambers.

House Bill No. 4597, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 335a (MCL 750.335a), as amended by 2002 PA 672.

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

Roll Call No. 152**Yeas—108**

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

Nays—0

In The Chair: Caswell

The House agreed to the title of the bill.

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

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

House Bill No. 4598, entitled

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," by amending section 2 (MCL 28.722), as amended by 2004 PA 240.

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

Roll Call No. 153**Yeas—108**

Accavitti	Elsenheimer	Law, David	Robertson
Acciavatti	Emmons	Law, Kathleen	Rocca
Adamini	Espinoza	Leland	Sak
Amos	Farhat	Lemmons, III	Schuitmaker
Anderson	Farrah	Lemmons, Jr.	Shaffer
Angerer	Gaffney	Marleau	Sheen
Ball	Garfield	Mayer	Sheltrown

Baxter	Gillard	McDowell	Smith, Alma
Bennett	Gleason	Meisner	Smith, Virgil
Bieda	Gonzales	Meyer	Spade
Booher	Gosselin	Miller	Stahl
Brandenburg	Green	Moolenaar	Stakoe
Brown	Hansen	Moore	Steil
Byrnes	Hildenbrand	Mortimer	Stewart
Byrum	Hood	Murphy	Taub
Casperson	Hoogendyk	Newell	Tobocman
Caswell	Hopgood	Nitz	Vagnozzi
Caul	Huizenga	Nofs	Van Regenmorter
Cheeks	Hummel	Palmer	Vander Veen
Clack	Hune	Palsrok	Walker
Clemente	Hunter	Pastor	Ward
Condino	Jones	Pavlov	Waters
Cushingberry	Kahn	Pearce	Wenke
DeRoche	Kehrl	Phillips	Whitmer
Dillon	Kolb	Plakas	Williams
Donigan	Kooiman	Polidori	Wojno
Drolet	LaJoy	Proos	Zelenko

Nays—0

In The Chair: Caswell

The House agreed to the title of the bill.

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

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

Reps. Stewart, Kooiman, Newell, Hunter, Farrah, Pastor, Kathleen Law, Wojno, Clack, Taub, Hune, Gleason, Shaffer, Ward, Sak, Stahl, Dillon, Ball, Baxter, Booher, Byrnes, Elsenheimer, Espinoza, Gosselin, Hansen, Hildenbrand, Kahn, Lemmons, III, Lemmons, Jr., Marleau, Mayes, Moore, Mortimer, Pavlov, Pearce, Polidori, Proos, Rocca, Gonzales and Sheltroun were named co-sponsors of the bill.

House Bill No. 4599, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16q of chapter XVII (MCL 777.16q), as amended by 2002 PA 261.

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

Roll Call No. 154**Yeas—108**

Accavitti	Elsenheimer	Law, David	Robertson
Acciavatti	Emmons	Law, Kathleen	Rocca
Adamini	Espinoza	Leland	Sak
Amos	Farhat	Lemmons, III	Schuitmaker
Anderson	Farrah	Lemmons, Jr.	Shaffer
Angerer	Gaffney	Marleau	Sheen
Ball	Garfield	Mayes	Sheltroun
Baxter	Gillard	McDowell	Smith, Alma
Bennett	Gleason	Meisner	Smith, Virgil
Bieda	Gonzales	Meyer	Spade
Booher	Gosselin	Miller	Stahl
Brandenburg	Green	Moolenaar	Stakoe
Brown	Hansen	Moore	Steil

Byrnes	Hildenbrand	Mortimer	Stewart
Byrum	Hood	Murphy	Taub
Casperson	Hoogendyk	Newell	Tobocman
Caswell	Hopgood	Nitz	Vagnozzi
Caul	Huizenga	Nofs	Van Regenmorter
Cheeks	Hummel	Palmer	Vander Veen
Clack	Hune	Palsrok	Walker
Clemente	Hunter	Pastor	Ward
Condino	Jones	Pavlov	Waters
Cushingberry	Kahn	Pearce	Wenke
DeRoche	Kehrl	Phillips	Whitmer
Dillon	Kolb	Plakas	Williams
Donigan	Kooiman	Polidori	Wojno
Drolet	LaJoy	Proos	Zelenko

Nays—0

In The Chair: Caswell

The House agreed to the title of the bill.

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

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

Reps. Stewart, Kooiman, Newell, Vander Veen, Gaffney, Hunter, Farrah, Pastor, Kathleen Law, Brandenburg, Clack, Accavitti, Hune, Gleason, Shaffer, Ward, Sak, Stahl, Palsrok, Baxter, Booher, Byrnes, Espinoza, Gonzales, Gosselin, Hildenbrand, Lemmons, III, Lemmons, Jr., Marleau, Mayes, Polidori, Rocca and Sheltroun were named co-sponsors of the bill.

Second Reading of Bills

The House returned to the consideration of

Senate Bill No. 226, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding part 23.

(The bill was considered earlier today, see today’s Journal, p. 706.)

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

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

The motion prevailed.

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

The motion prevailed.

By unanimous consent the House returned to the order of

Motions and Resolutions

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

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

Reports of Standing Committees

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

House Bill No. 4398, entitled

A bill to regulate the development and use of land; to provide for the establishment in counties, townships, cities, and villages of zoning districts; to provide for the adoption of zoning ordinances; to provide for the assessment, levy, and collection of taxes and fees; to authorize the issuance of bonds and notes; to provide for special assessments; to prescribe penalties and provide remedies; and to repeal acts and parts of acts.

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

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Stakoe, Elsenheimer, Robertson, Nitz, Baxter, Schuitmaker, Tobocman, Accavitti, Donigan and Vagnozzi

Nays: None

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

House Bill No. 4473, entitled

A bill to amend 1917 PA 167, entitled "Housing law of Michigan," by amending sections 1 and 126 (MCL 125.401 and 125.526), section 126 as amended by 2000 PA 479.

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.

Favorable Roll Call

To Report Out:

Yeas: Reps. Stakoe, Elsenheimer, Robertson, Nitz, Baxter, Schuitmaker and Tobocman

Nays: Reps. Donigan and Vagnozzi

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, May 25, 2005

Present: Reps. Stakoe, Elsenheimer, Robertson, Nitz, Baxter, Schuitmaker, Tobocman, Accavitti, Donigan and Vagnozzi

Absent: Rep. Van Regenmorter

Excused: Rep. Van Regenmorter

The Committee on Conservation, Forestry, and Outdoor Recreation, by Rep. Casperson, Chair, reported

House Bill No. 4024, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 74103a.

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.

Favorable Roll Call

To Report Out:

Yeas: Reps. Casperson, Hildenbrand, Garfield, Nitz, Stakoe, Baxter, Rocca, McDowell, Sheltroun, Gillard and Espinoza

Nays: None

The Committee on Conservation, Forestry, and Outdoor Recreation, by Rep. Casperson, Chair, reported
House Bill No. 4071, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by amending the title, as amended by 1996 PA 434, and by adding sections 43540a and 43540c.

With the recommendation that the substitute (H-3) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Casperson, Hildenbrand, Garfield, Nitz, Stakoe, Baxter, Rocca, McDowell, Sheltroun, Gillard and Espinoza

Nays: None

The Committee on Conservation, Forestry, and Outdoor Recreation, by Rep. Casperson, Chair, reported

House Bill No. 4145, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by amending the title, as amended by 1996 PA 434, and by adding sections 43540a and 43540c.

With the recommendation that the substitute (H-3) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Casperson, Hildenbrand, Garfield, Nitz, Stakoe, Baxter, Rocca, McDowell, Sheltroun, Gillard and Espinoza

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Casperson, Chair, of the Committee on Conservation, Forestry, and Outdoor Recreation, was received and read:

Meeting held on: Thursday, May 26, 2005

Present: Reps. Casperson, Hildenbrand, Garfield, Nitz, Stakoe, Baxter, Rocca, McDowell, Sheltroun, Gillard and Espinoza

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills and joint resolution had been printed and placed upon the files of the members on Wednesday, May 25:

Senate Bill Nos. 526 527 528 529 530 531 532 533

Senate Joint Resolution C

The Clerk announced the enrollment printing and presentation to the Governor on Thursday, May 26, for her approval of the following bills:

Enrolled House Bill No. 4008 at 9:52 a.m.

Enrolled House Bill No. 4528 at 9:54 a.m.

The Clerk announced that the following bills had been printed and placed upon the files of the members on Thursday, May 26:

House Bill Nos. 4829 4830 4831 4832 4833

Messages from the Governor

The following message from the Governor was received May 25, 2005 and read:

EXECUTIVE ORDER No. 2005 – 11

OFFICE OF SERVICES TO THE AGING MICHIGAN TASK FORCE ON ELDER ABUSE

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

WHEREAS, Section 4 of Article V of the Michigan Constitution of 1963 authorizes the establishment of temporary commissions or agencies for special purposes;

WHEREAS, Section 17 of Article V of the Michigan Constitution of 1963 empowers the Governor to present to the Legislature information as to the affairs of the state and recommend measures that the Governor considers necessary or desirable;

WHEREAS, elder abuse is a complex health and social problem involving harm or threatened harm to a senior citizen, including neglect by a person responsible for the elder's health or welfare and exploitation involving misuse of the elder's funds or property;

WHEREAS, experiences in addressing child abuse and domestic violence suggest that the number of instances and severity of elder abuse can be reduced by developing coordinated and effective adult protective services, criminal justice, and social services programs, including prevention, training, investigation, and victim support;

WHEREAS, establishment of a task force examining issues relating to elder abuse will assist the state in identifying new resources, best practices, and necessary changes in law, policies, and practices to assist in the prevention of elder abuse;

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

I. DEFINITIONS

As used in this Order:

A. "Office" means the Office of Services to the Aging created within the Department of Management and Budget under Section 5 of the Older Michiganians Act, 1981 PA 180, MCL 400.585, and transferred to the Department of Community Health by Executive Order 1997-5, MCL 400.224.

B. "Task Force" means the Michigan Task Force on Elder Abuse created under this Order.

II. CREATION OF THE MICHIGAN TASK FORCE ON ELDER ABUSE

A. The Michigan Task Force on Elder Abuse is created as an advisory body within the Office.

B. The Task Force shall consist of 15 residents of this state appointed as members of the Task Force by the Governor.

C. In addition to the members appointed under Section II.B, the Director of the Office, the Director of the Department of Community Health, the Director of the Department of Human Services, the Director of the Department of State Police and the Commissioner of Financial and Insurance Services, or their designees, shall serve as non-voting, ex officio members of the Task Force.

D. Members of the Task Force appointed by the Governor under Section II.B shall serve at the pleasure of the Governor.

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

III. CHARGE TO THE TASK FORCE

A. The Task Force shall act in an advisory capacity and shall do all of the following:

1. Review existing state efforts regarding the prevention and prosecution of elder abuse including physical abuse, emotional abuse, neglect, sexual abuse, and financial abuse and exploitation.

2. Identify and prioritize pressing issues and significant challenges that must be addressed to protect Michigan's vulnerable adults from abuse, neglect, and financial exploitation.

3. Review laws, policies, and practices of other states and make recommendations for changes in Michigan to address elder abuse, neglect, and financial exploitation.

4. Recommend a process for the development of a widely accessible reference database of current information and research concerning elder abuse.

5. Provide recommendations to promote effective communications and coordination of efforts between the public and private sectors at both the state and local levels regarding the prevention and effective prosecution of elder abuse.

6. Review and provide advice regarding the potential effectiveness of a public-private communications network throughout Michigan related to elder abuse, including physical abuse, emotional abuse, neglect, sexual abuse, and financial abuse and exploitation.

7. Review other state practices and recommend approaches to develop dedicated local investigative teams that have the tools and legal authority necessary to effectively identify, investigate, and prosecute elder abuse, neglect, and financial exploitation.

8. Identify new opportunities to support and expand research studies that document the scope and depth of elder abuse, neglect, and financial exploitation in Michigan.

9. Provide recommendations for the development of training and technical assistance materials for investigation and enforcement professionals.

10. Provide recommendations for the development of a plan to generate public awareness of the scope of elder abuse, such as recommendations for public service announcements, editorials, community presentations and forums, website development, publications, and other materials to provide relevant information to the public.

11. Based on the foregoing, make recommendations to the Governor.

B. The Task Force shall provide other information, recommendations, or advice as requested by the Governor or the Director of the Office.

C. The Task Force shall complete its work and issue a final report and recommendations, including any proposed changes in law, to the Governor by May 31, 2006.

IV. OPERATIONS OF THE TASK FORCE

A. The Task Force shall be staffed and assisted by personnel from the Office as directed by the Governor, subject to available funding. Any budgeting, procurement, and related management functions of the Task Force shall be performed under the direction and supervision of the Director of the Office.

B. The Task Force shall adopt procedures consistent with Michigan law and this Order governing its organization and operations.

C. The Governor shall designate one of the members of the Task Force to serve as its Chairperson. The Task Force may select from among its members a Vice-Chairperson.

D. The Task Force shall select from among its members a Secretary. Task Force staff shall assist the Secretary with recordkeeping responsibilities.

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

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

G. The Task Force may establish committees and request public participation on workgroups as the Task Force deems necessary. The Task Force may also adopt, reject, or modify any recommendations proposed by a committee or a workgroup.

H. 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.

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

J. 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 Director of the Office deems advisable and necessary, in accordance with this Order, and the relevant statutes, rules, and procedures of the Civil Service Commission and the Department of Management and Budget.

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

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

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 of this Order.

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

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 24th day of May, in the year of our Lord, two thousand and five.

Jennifer M. Granholm
Governor
By the Governor:
Terri L. Land
Secretary of State

The message was referred to the Clerk.

Introduction of Bills

Reps. McConico, Hunter, Leland, Ward, Brown, Adamini, Mayes, Clemente, Dillon, Accavitti, Gillard, Farrah, Hune, Palsrok, Williams, Lipsey, Lemmons, Jr., Kolb, Condino, Wojno, Hildenbrand, Green, Cheeks and Lemmons, III introduced

House Bill No. 4834, entitled

A bill to regulate the business of providing deferred presentment service transactions; to require the licensing of providers of deferred presentment service transactions; to prescribe powers and duties of certain state agencies and officials; and to prescribe penalties and provide remedies.

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

Reps. Stakoe, Ward, Hune, Taub, Vander Veen, Stewart, Stahl, Green, Nofs, Gosselin, Casperson, Marleau, Schuitmaker, Hoogendyk, Mortimer, Huizenga, Elsenheimer, Garfield, Pastor, Nitz, Emmons, Baxter, Hansen, Booher, Steil, Wenke, Van Regenmorter, Newell, Sheen, Gaffney, Proos and David Law introduced

House Bill No. 4835, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," (MCL 388.1601 to 388.1772) by adding section 57a.

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

Reps. Ward, Huizenga, Farhat, Vander Veen, Gosselin, Drolet, Stakoe, Farrah, Meisner, Walker, Stahl, Pastor, Baxter, Acciavatti and Brandenburg introduced

House Bill No. 4836, entitled

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," (MCL 125.1401 to 125.1499c) by adding section 22d.

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

Reps. Huizenga, Ward, Farhat, Vander Veen, Gosselin, Drolet, Stakoe, Farrah, Meisner, Walker, Stahl, Pastor, Baxter, Acciavatti and Brandenburg introduced

House Bill No. 4837, entitled

A bill to require that local units of government prepare certain financial impact statements; to provide for notice regarding certain rules, regulations, and ordinances; and to prescribe the powers and duties of certain governmental officials and agencies.

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

Rep. Wenke introduced

House Bill No. 4838, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 1299.

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

Rep. McDowell moved that the House adjourn.
The motion prevailed, the time being 11:55 a.m.

Associate Speaker Pro Tempore Caswell declared the House adjourned until Tuesday, May 31, at 1:00 p.m.

GARY L. RANDALL
Clerk of the House of Representatives