

No. 39
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
92nd Legislature
REGULAR SESSION OF 2004

House Chamber, Lansing, Thursday, May 6, 2004.

10:00 a.m.

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

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

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

e/d/s = entered during session

Rep. John Garfield, from the 45th District, offered the following invocation:

“Most High God, I come to You in the name of Jesus, asking for divine protection for the people of this nation. I pray for the safety of every man, woman and child. Keep us from harms way and provide protection from plans of destruction that our enemies have plotted. Stop strategies of destruction that our enemies would try to evoke. Give wisdom, understanding and discernment to those who provide protection. Help us to be watchful and alert to signs of wrongdoing. Provide insight to national and local authorities on ways to guard, defend and insure the safety of all American citizens both at home and abroad. Help us to unite with government leaders and law enforcement personnel in making this country a safe place to live, work and play; allowing Americans to enjoy freedom without fear. In Jesus name, we pray. Amen.”

Rep. Waters moved that Rep. Smith be excused from today’s session.
The motion prevailed.

Second Reading of Bills

Senate Bill No. 1026, entitled

A bill to designate Michigan manufacturing day in the state of Michigan.

The bill was read a second time.

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

The motion prevailed.

Rep. Richardville moved that the bill be placed on its immediate passage.

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

Rep. Hoogendyk moved that Reps. DeRoche and Sheen be excused temporarily from today’s session.
The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 1026, entitled

A bill to designate Michigan manufacturing day in the state of Michigan.

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

Roll Call No. 302

Yeas—103

Accavitti	Gielegem	Meisner	Sheltrown
Acciavatti	Gillard	Meyer	Shulman
Adamini	Gleason	Middaugh	Spade
Amos	Hager	Milosch	Stahl
Anderson	Hardman	Minore	Stakoe
Bieda	Hart	Moolenaar	Stallworth
Bradstreet	Hood	Mortimer	Steil
Brandenburg	Hoogendyk	Murphy	Stewart
Brown	Hopgood	Newell	Tabor
Byrum	Howell	Nitz	Taub

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

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.
 Rep. Richardville moved that the bill be given immediate effect.
 The motion prevailed, 2/3 of the members serving voting therefor.

Rep. Phillips entered the House Chambers.

Rep. Woronchak moved that Rep. Wenke be excused temporarily from today's session.
 The motion prevailed.

House Bill No. 5665, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 261c.

(The bill was read a third time and postponed for the day on May 5, see House Journal No. 38, p. 851.)

The question being on the passage of the bill,

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

Roll Call No. 303

Yeas—104

Accavitti	Garfield	McConico	Shackleton
Acciavatti	Gielegem	Meisner	Shaffer
Adamini	Gillard	Meyer	Sheltrown
Amos	Gleason	Middaugh	Shulman
Anderson	Hager	Milosch	Spade
Bieda	Hardman	Minore	Stahl
Bisbee	Hart	Moolenaar	Stakoe
Bradstreet	Hood	Mortimer	Stallworth
Brandenburg	Hoogendyk	Murphy	Steil
Brown	Hopgood	Newell	Stewart

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

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
Messages from the Senate

The Speaker laid before the House
Senate Bill No. 653, entitled

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

(The bill was received from the Senate on April 22, with an amendment to the House substitute (H-1) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until April 27, see House Journal No. 33, p. 755.)

The question being on concurring in the amendment to the House substitute (H-1) 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. 304

Yeas—104

Accavitti	Garfield	McConico	Shaffer
Acciavatti	Gielegem	Meisner	Sheltrown
Adamini	Gillard	Meyer	Shulman
Amos	Gleason	Middaugh	Spade
Anderson	Hager	Milosch	Stahl
Bieda	Hardman	Minore	Stakoe
Bisbee	Hart	Moolenaar	Stallworth
Bradstreet	Hood	Mortimer	Steil
Brandenburg	Hoogendyk	Murphy	Stewart

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

Nays—0

In The Chair: Julian

Second Reading of Bills

House Bill No. 5701, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1294.

The bill was read a second time.

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

The motion prevailed.

Rep. Richardville moved that the bill be placed on its immediate passage.

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

Rep. Daniels entered the House Chambers.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5701, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1294.

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

Roll Call No. 305

Yeas—60

Acciavatti	Hager	Middaugh	Shackleton
Amos	Hart	Milosch	Shaffer
Bisbee	Hoogendyk	Moolenaar	Shulman
Bradstreet	Howell	Mortimer	Stahl
Brandenburg	Huizenga	Newell	Stakoe

Casperson	Hummel	Nitz	Steil
Caswell	Hune	Nofs	Stewart
Caul	Johnson, Rick	Palmer	Tabor
DeRossett	Johnson, Ruth	Palsrok	Taub
Drolet	Julian	Pappageorge	Van Regenmorter
Ehardt	Koetje	Pastor	Vander Veen
Emmons	Kooiman	Pumford	Voorhees
Farhat	LaJoy	Richardville	Walker
Gaffney	LaSata	Robertson	Ward
Garfield	Meyer	Rocca	Wenke

Nays—46

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

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. 5702, 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 9.

The bill was read a second time.

Rep. Emmons 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. 5702, 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 9.

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

Roll Call No. 306**Yeas—61**

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

Nays—45

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

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. 5586, entitled**

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

Was read a second time, and the question being on the adoption of the proposed substitute (H-6) previously recommended by the Committee on Great Lakes and Tourism,

The substitute (H-6) was adopted, a majority of the members serving voting therefor.

Rep. Brown moved to amend the bill as follows:

1. Amend page 7, following line 6, by inserting:

"Enacting section 2. Section 51107 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.51107, is repealed."

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

Rep. Acciavatti moved to amend the bill as follows:

1. Amend page 5, line 16, after “**with**” by striking out “**the**” and inserting “**both of the following:**

(a) **The**”.

2. Amend page 5, following line 18, by inserting:

“(b) **Any emergency management coordinator appointed for a city, village, or township located in that county.**”.

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

Rep. Acciavatti 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. 5586, entitled

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

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

Roll Call No. 307

Yeas—106

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

Nays—0

In The Chair: Julian

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

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

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 3101 (MCL 324.3101), as amended by 2004 PA 90, and by adding section 3111b; and to repeal acts and parts of acts.

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

Senate Bill No. 977, entitled

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

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

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

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

The motion prevailed.

Rep. Richardville moved that the bill be placed on its immediate passage.

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

Rep. Waters moved that Rep. Dennis be excused temporarily from today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 977, entitled

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

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

Roll Call No. 308

Yeas—105

Accavitti	Gielegghem	Meisner	Shaffer
Acciavatti	Gillard	Meyer	Sheltrown
Adamini	Gleason	Middaugh	Shulman
Amos	Hager	Milosch	Spade
Anderson	Hardman	Minore	Stahl
Bieda	Hart	Moolenaar	Stakoe
Bisbee	Hood	Mortimer	Stallworth
Bradstreet	Hoogendyk	Murphy	Steil
Brandenburg	Hopgood	Newell	Stewart
Brown	Howell	Nitz	Tabor
Byrum	Huizenga	Nofs	Taub
Casperson	Hummel	O'Neil	Tobocman
Caswell	Hune	Palmer	Vagnozzi
Caul	Hunter	Palsrok	Van Regenmorter
Cheeks	Jamnick	Pappageorge	Vander Veen

Clack	Johnson, Rick	Pastor	Voorhees
Condino	Johnson, Ruth	Phillips	Walker
Daniels	Julian	Plakas	Ward
DeRossett	Koetje	Pumford	Waters
Drolet	Kolb	Reeves	Wenke
Ehardt	Kooiman	Richardville	Whitmer
Elkins	LaJoy	Rivet	Williams
Emmons	LaSata	Robertson	Wojno
Farhat	Law	Rocca	Woodward
Farrah	Lipsey	Sak	Woronchak
Gaffney	McConico	Shackleton	Zelenko
Garfield			

Nays—0

In The Chair: Julian

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

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

A bill to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts,” by amending section 3115 (MCL 324.3115), as amended by 2004 PA 91.

The motion prevailed.

The House agreed to the title as amended.

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

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

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

The motion prevailed.

Rep. Sheen, under Rule 33, made the following statement:

“Mr. Speaker and members of the House:

I was absent from the Chamber when the vote was taken on Roll Call Nos. 302-308. Had I been present, I would have voted ‘yea’.”

Rep. DeRoche, under Rule 33, made the following statement:

“Mr. Speaker and members of the House:

I was absent from the Chamber when the vote was taken on Roll Call Nos. 302-308. Had I been present, I would have voted ‘yea’.”

By unanimous consent the House returned to the order of

Reports of Standing Committees

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

House Bill No. 4358, entitled

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

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 under the rules.

Favorable Roll Call

To Report Out:

Yeas: Reps. DeRossett, Casperson, Hummel, Gaffney, Hune, Huizenga, LaJoy, Robertson, Ward, Adamini and Elkins

Nays: Rep. Tobocman

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, May 6, 2004

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

Absent: Rep. DeRoche

Excused: Rep. DeRoche

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

Senate Bill No. 267, entitled

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

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, Whitmer, Brown, Kolb, Phillips, Plakas, Reeves, Williams, Cheeks, Hunter, Sak, Zelenko and O'Neil

Nays: None

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

House Concurrent Resolution No. 49.

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 Washtenaw Community College relative to the Washtenaw Community College Plumbers and Pipefitters Building.

(For text of concurrent resolution, see House Journal No. 28, p. 575.)

With the recommendation that the concurrent resolution be adopted.

The concurrent resolution was laid over one day under the rules.

Favorable Roll Call

To Report Out:

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

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: Thursday, May 6, 2004

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

Absent: Rep. Mortimer

Excused: Rep. Mortimer

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

House Bill No. 5467, entitled

A bill to amend 1887 PA 128, entitled "An act establishing the minimum ages for contracting marriages; to require a civil license in order to marry and its registration; to provide for the implementation of federal law; and to provide a penalty for the violation of this act," by amending the title and sections 2, 3, and 3a (MCL 551.102, 551.103, and 551.103a), the title and section 2 as amended by 1998 PA 333, section 3 as amended by 1984 PA 346, and section 3a as amended by 1989 PA 270, and by adding sections 2a and 2b.

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 under the rules.

Favorable Roll Call

To Report Out:

Yeas: Reps. Howell, LaSata, Van Regenmorter, Bradstreet, Koetje, Pappageorge, Voorhees, Garfield, Wenke, Lipsey, Adamini and Bieda

Nays: None

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

House Bill No. 5468, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 269.

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 under the rules.

Favorable Roll Call

To Report Out:

Yeas: Reps. Howell, LaSata, Van Regenmorter, Bradstreet, Koetje, Pappageorge, Voorhees, Gaffney, Garfield, Wenke and Lipsey

Nays: Rep. Bieda

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

House Bill No. 5469, entitled

A bill to amend 1887 PA 128, entitled "An act establishing the minimum ages for contracting marriages; to require a civil license in order to marry and its registration; to provide for the implementation of federal law; and to provide a penalty for the violation of this act," (MCL 551.101 to 551.111) by amending the title, as amended by 1998 PA 333, and by adding section 12.

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 under the rules.

Favorable Roll Call

To Report Out:

Yeas: Reps. Howell, LaSata, Van Regenmorter, Bradstreet, Koetje, Pappageorge, Voorhees, Gaffney, Garfield, Wenke and Lipsey

Nays: Rep. Bieda

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

House Bill No. 5470, entitled

A bill to amend 1846 RS 84, entitled "Of divorce," (MCL 552.1 to 552.45) by adding sections 5 and 5a.

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 under the rules.

Favorable Roll Call

To Report Out:

Yeas: Reps. Howell, LaSata, Van Regenmorter, Bradstreet, Pappageorge, Voorhees, Gaffney, Garfield, Wenke and Lipsey
Nays: Reps. Koetje, Adamini, Bieda and Condino

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

House Bill No. 5472, entitled

A bill to amend 1846 RS 84, entitled "Of divorce," by amending section 45 (MCL 552.45).

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 and laid over one day under the rules.

Favorable Roll Call

To Report Out:

Yeas: Reps. Howell, LaSata, Van Regenmorter, Bradstreet, Koetje, Pappageorge, Voorhees, Gaffney, Garfield, Wenke, Lipsey and Bieda
Nays: Rep. Condino

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

House Bill No. 5473, entitled

A bill to amend 1887 PA 128, entitled "An act establishing the minimum ages for contracting marriages; to require a civil license in order to marry and its registration; to provide for the implementation of federal law; and to provide a penalty for the violation of this act," by amending sections 3 and 4 (MCL 551.103 and 551.104), section 3 as amended by 1984 PA 346.

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 under the rules.

Favorable Roll Call

To Report Out:

Yeas: Reps. Howell, LaSata, Van Regenmorter, Bradstreet, Koetje, Pappageorge, Voorhees, Gaffney, Garfield, Wenke, Lipsey, Adamini, Bieda and Condino
Nays: None

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

House Bill No. 5474, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16901, 16903, and 16905 (MCL 333.16901, 333.16903, and 333.16905), as added by 1995 PA 126.

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 under the rules.

Favorable Roll Call

To Report Out:

Yeas: Reps. Howell, LaSata, Van Regenmorter, Bradstreet, Koetje, Pappageorge, Voorhees, Gaffney, Garfield, Wenke, Lipsey, Adamini, Bieda and Condino
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: Thursday, May 6, 2004

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

Absent: Rep. Smith

Excused: Rep. Smith

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Ruth Johnson, Chair, of the Committee on Land Use and Environment, was received and read:

Meeting held on: Wednesday, May 5, 2004

Present: Reps. Ruth Johnson, LaJoy, DeRossett, Milosch, Nitz, Ward, Farrah, Gielegem, Dennis and Law

Absent: Rep. Ehardt

Excused: Rep. Ehardt

Announcement by the Clerk of Printing and Enrollment

The Clerk announced the enrollment printing and presentation to the Governor on Thursday, May 6, for her approval of the following bills:

Enrolled House Bill No. 5026 at 12:11 p.m.

Enrolled House Bill No. 5182 at 12:13 p.m.

Enrolled House Bill No. 5197 at 12:15 p.m.

Enrolled House Bill No. 5427 at 12:17 p.m.

The Clerk announced that the following bills and joint resolution had been printed and placed upon the files of the members on Thursday, May 6:

House Bill Nos. 5853 5854 5855 5856 5857 5858

House Joint Resolution Y

The Clerk announced that the following Senate bills had been received on Thursday, May 6:

Senate Bill Nos. 320 927 1023 1024 1107 1167

By unanimous consent the House returned to the order of

Messages from the Senate

House Bill No. 4937, entitled

A bill to amend 1965 PA 290, entitled "Boiler act of 1965," by amending sections 2, 3, and 7a (MCL 408.752, 408.753, and 408.757a), sections 2 and 3 as amended by 1986 PA 277 and section 7a as amended by 1982 PA 176.

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. 5093, entitled

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending sections 17g, 23, 27, 33, and 67a (MCL 38.17g, 38.23, 38.27, 38.33, and 38.67a), sections 17g, 23, and 27 as amended by 1987 PA 241, section 33 as amended by 2002 PA 93, and section 67a as added by 1996 PA 487, and by adding section 27a.

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. 5545, entitled

A bill to amend 1993 PA 331, entitled "An act to provide for the levy and collection of a state education tax; to provide for the distribution of the tax; and to prescribe the duties of certain local officials and state officers," by amending section 5b (MCL 211.905b), as added by 2002 PA 244.

The Senate has concurred in the House amendment to the Senate substitute (S-1).

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

House Bill No. 5500, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 1113 (MCL 436.2113), as amended by 1998 PA 416, and by adding section 1114.

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. 5554, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending the heading to part 525 and section 52501 (MCL 324.52501), as added by 1995 PA 57, and by adding sections 52502, 52503, 52504, 52505, 52506, and 52507.

The Senate has substituted (S-3) the bill.

The Senate has passed the bill as substituted (S-3), 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.

Senate Bill No. 320, entitled

A bill to amend 1978 PA 90, entitled "Youth employment standards act," by amending section 11 (MCL 409.111), as amended by 2000 PA 418.

The Senate has passed the bill.

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

Senate Bill No. 927, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 43705 (MCL 324.43705), as added by 2001 PA 50.

The Senate has passed the bill.

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

Senate Bill No. 1023, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 52511; and to repeal acts and parts of acts.

The Senate has passed the bill.

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

Senate Bill No. 1024, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 50501, 50502, 50504, 50506, 50507, and 50508 (MCL 324.50501, 324.50502, 324.50504, 324.50506, 324.50507, and 324.50508), as added by 1995 PA 57.

The Senate has passed the bill.

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

Senate Bill No. 1107, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2005; and to provide for the expenditure of the appropriations.

The Senate has passed the bill.

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

Senate Bill No. 1167, entitled

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," by amending the title and sections 4, 4a, 5a, 7, and 9 (MCL 28.724, 28.724a, 28.725a, 28.727, and 28.729), section 4 as amended by 1999 PA 85 and section 4a as added and sections 5a, 7, and 9 as amended by 2002 PA 542, and by adding section 5b.

The Senate has passed the bill.

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

Notices

Public Hearing

Select Committee on the Detroit Water and Sewerage Department

Date: Monday, May 10, 2004

Time: 6:30 – 8:00 p.m.

Place: Macomb Community College
Center Campus
44575 Garfield Road
Clinton Twp. MI 48038

Rep. Chris Ward,
Chair

Agenda: Detroit Water and Sewer Board and any/or all business properly before this committee.

Communications from State Officers

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

April 29, 2004

The Historic Heritage Route Committee approved the proposal to nominate US-12, from New Buffalo to Detroit, as a Historic Heritage route. A nominating team, comprised of individuals, businesses, and governmental agencies, submitted a Heritage Route application that is a testimony to their dedication and commitment to establishing US-12 as a notable travel destination. We are proud of their efforts and invite your review.

Public Acts of 1993, Number 69, titled "Michigan Heritage Routes," requires that the House and Senate standing committees on transportation have the opportunity to review and comment on proposed Heritage Routes. The committees may hold hearings. If no hearings are scheduled or no action is taken by either committee within 30 days, the addition of US-12 to the Heritage Route system will be considered approved.

Simultaneous with the committees' review is an opportunity for public comment. A notice will be placed with the appropriate local news agencies, advertising the proposed addition of US-12 to the Historic Heritage Route system. After a 30 day public comment period, and if no negative comments are received, the Michigan Department of Transportation will designate US-12 as a Historic Heritage Route. At approximately 209 miles long, US-12 will be Michigan's longest Historic Route.

We look forward to working with you on this and other transportation related issues. If you have comments or questions, please contact me or Susan P. Mortel, Director, Bureau of Transportation Planning, at 517-373-0343.

Sincerely,
Gloria J. Jeff
Director

The communication was referred to the Clerk.

Introduction of Bills

Reps. Lipsey, Howell, Voorhees, Bieda, Gaffney and Koetje introduced

House Bill No. 5859, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 3204 and 3212 (MCL 600.3204 and 600.3212), as amended by 1994 PA 397.

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

Reps. Murphy, Williams, Tobocman, Hopgood, Kolb, Dennis, Phillips, Accavitti, Whitmer, Gleason, Byrum, Stallworth, Waters, Reeves, Elkins, Condino, Clack and Hardman introduced

House Bill No. 5860, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 57f (MCL 400.57f), as amended by 2001 PA 280.

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

Reps. Murphy, Williams, Tobocman, Hopgood, Kolb, Phillips, Dennis, Accavitti, Whitmer, Gleason, Byrum, Stallworth, Waters, Elkins, Condino, Clack and Hardman introduced

House Bill No. 5861, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 17a. The bill was read a first time by its title and referred to the Committee on Family and Children Services.

Rep. Drolet moved that the House adjourn.
The motion prevailed, the time being 2:45 p.m.

The Speaker Pro Tempore declared the House adjourned until Tuesday, May 11, at 1:00 p.m.

GARY L. RANDALL
Clerk of the House of Representatives

