

No. 66
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House of Representatives
92nd Legislature
REGULAR SESSION OF 2004

House Chamber, Lansing, Wednesday, July 21, 2004.

10:00 a.m.

The House was called to order by the Clerk.

The roll was called by the Clerk of the House of Representatives, who announced that a quorum was not present.

Mr. William Rinckey, Chief Sergeant at Arms, offered the following invocation:

“Lord in whom we live and breathe and have our being, we give You thanks. Thank You for this beautiful day. We give You thanks for the opportunity to serve the people of the state of Michigan. Be with us today as we do our work and bless us all. In Jesus’ name, we pray. Amen.”

Announcement by the Clerk of Printing and Enrollment

The Clerk announced the enrollment printing and presentation to the Governor on Thursday, July 15, for her approval of the following bills:

Enrolled House Bill No. 5879 at 10:16 a.m.
Enrolled House Bill No. 5882 at 10:18 a.m.
Enrolled House Bill No. 5887 at 10:20 a.m.
Enrolled House Bill No. 5889 at 10:22 a.m.
Enrolled House Bill No. 5890 at 10:24 a.m.
Enrolled House Bill No. 5893 at 10:26 a.m.
Enrolled House Bill No. 5894 at 10:28 a.m.
Enrolled House Bill No. 5896 at 10:30 a.m.
Enrolled House Bill No. 5897 at 10:32 a.m.
Enrolled House Bill No. 5899 at 10:34 a.m.
Enrolled House Bill No. 6025 at 10:36 a.m.
Enrolled House Bill No. 6026 at 10:38 a.m.

The Clerk announced that the following bills had been printed and placed upon the files of the members on Thursday, June 15:

House Bill Nos. 6079 6080 6081 6082

The Clerk announced the enrollment printing and presentation to the Governor on Friday, July 16, for her approval of the following bills:

Enrolled House Bill No. 4260 at 2:43 p.m.
Enrolled House Bill No. 4729 at 2:45 p.m.

Enrolled House Bill No. 4730 at 2:47 p.m.
Enrolled House Bill No. 5463 at 2:49 p.m.
Enrolled House Bill No. 5598 at 2:51 p.m.
Enrolled House Bill No. 5653 at 2:53 p.m.
Enrolled House Bill No. 5665 at 2:55 p.m.
Enrolled House Bill No. 5698 at 2:57 p.m.
Enrolled House Bill No. 5823 at 2:59 p.m.
Enrolled House Bill No. 5824 at 3:01 p.m.
Enrolled House Bill No. 5878 at 3:03 p.m.
Enrolled House Bill No. 5884 at 3:05 p.m.
Enrolled House Bill No. 5888 at 3:07 p.m.
Enrolled House Bill No. 5895 at 3:09 p.m.
Enrolled House Bill No. 5900 at 3:11 p.m.
Enrolled House Bill No. 5482 at 3:13 p.m.
Enrolled House Bill No. 5990 at 3:15 p.m.
Enrolled House Bill No. 5991 at 3:17 p.m.
Enrolled House Bill No. 5992 at 3:19 p.m.
Enrolled House Bill No. 5993 at 3:21 p.m.
Enrolled House Bill No. 5994 at 3:23 p.m.
Enrolled House Bill No. 5995 at 3:25 p.m.
Enrolled House Bill No. 5996 at 3:27 p.m.
Enrolled House Bill No. 5997 at 3:29 p.m.
Enrolled House Bill No. 5998 at 3:31 p.m.
Enrolled House Bill No. 5999 at 3:33 p.m.
Enrolled House Bill No. 6000 at 3:35 p.m.
Enrolled House Bill No. 6001 at 3:37 p.m.
Enrolled House Bill No. 6002 at 3:39 p.m.
Enrolled House Bill No. 6003 at 3:41 p.m.
Enrolled House Bill No. 6004 at 3:43 p.m.
Enrolled House Bill No. 6005 at 3:45 p.m.

Communications from State Officers

The following communication from the Auditor General was received and read:

July 13, 2004

Enclosed is a copy of the following audit report and/or report summary:
Performance Audit of the University House Project,
Eastern Michigan University
July 2004

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

The communication was referred to the Clerk and the accompanying report referred to the Committee on Government Operations.

Introduction of Bills

Reps. Shaffer, Nitz, Adamini, Sheltroun and Emmons introduced
House Bill No. 6083, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 205 (MCL 257.205), as amended by 1980 PA 398.

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

Reps. Wojno, Law, Spade, Condino, Gaffney, Bieda, Tobocman, Lipsey, Vagnozzi and Gleason introduced
House Bill No. 6084, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 261 (MCL 18.1261), as amended by 1993 PA 46.

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

Rep. Newell introduced

House Bill No. 6085, entitled

A bill to amend 1982 PA 415, entitled "Correctional officers' training act of 1982," by amending section 12 (MCL 791.512), as amended by 1989 PA 4.

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

Reps. Ruth Johnson, LaJoy and Voorhees introduced

House Bill No. 6086, entitled

A bill to provide for occupational regulatory agencies to allow the use of on-line or other electronic continuing education or continuing competency programs under certain circumstances; to provide for certain powers and duties for certain state regulatory agencies; and to provide for the promulgation of rules.

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

Rep. Ruth Johnson introduced

House Bill No. 6087, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 689.

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

Reps. Adamini, Ward and Gaffney introduced

House Bill No. 6088, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 5131 and 20201 (MCL 333.5131 and 333.20201), section 5131 as amended by 1997 PA 57 and section 20201 as amended by 2001 PA 240.

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

Reps. Stakoe, Meyer, Wenke, Condino, Zelenko, Milosch, Hummel, Nofs, Sheen, Koetje, Taub, LaJoy, Acciavatti, Ward, DeRoche and Pastor introduced

House Bill No. 6089, entitled

A bill 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 3 (MCL 205.3), as amended by 2003 PA 92.

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

Reps. Wenke, Stakoe, Meyer, Condino, Zelenko, Milosch, Hummel, Nofs, Sheen, Koetje, Taub, LaJoy, Acciavatti, Ward, DeRoche and Pastor introduced

House Bill No. 6090, entitled

A bill 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," (MCL 205.1 to 205.31) by adding section 6.

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

Reps. Meyer, Stakoe, Wenke, Condino, Zelenko, Milosch, Hummel, Nofs, Sheen, Koetje, Taub, LaJoy, Acciavatti, Ward, DeRoche and Pastor introduced

House Bill No. 6091, entitled

A bill 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," (MCL 205.1 to 205.31) by adding section 21a.

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

Reps. Wenke, Stakoe, Meyer, Condino, Zelenko, Milosch, Nofs, Sheen, Koetje, LaJoy, Taub, Acciavatti, Ward, DeRoche and Pastor introduced

House Bill No. 6092, entitled

A bill 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 21 (MCL 205.21), as amended by 2002 PA 657.

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

Reps. Wenke, Stakoe, Meyer, Condino, Zelenko, Milosch, Nofs, Sheen, Koetje, LaJoy, Taub, Acciavatti, Ward, DeRoche and Pastor introduced

House Bill No. 6093, entitled

A bill 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 21 (MCL 205.21), as amended by 2002 PA 657.

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

Reps. Zelenko, Stakoe, Meyer, Wenke, Condino, Milosch, Nofs, Sheen, Koetje, LaJoy, Taub, Acciavatti, Ward, DeRoche and Pastor introduced

House Bill No. 6094, entitled

A bill 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 21 (MCL 205.21), as amended by 2002 PA 657.

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

Reps. Condino, Stakoe, Meyer, Wenke, Zelenko, Milosch, Hummel, Nofs, Sheen, Minore, Koetje, LaJoy, Taub, Acciavatti, Ward, DeRoche and Pastor introduced

House Bill No. 6095, entitled

A bill 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 21 (MCL 205.21), as amended by 2002 PA 657.

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

Reps. Hummel, Stakoe, Meyer, Wenke, Condino, Zelenko, Milosch, Nofs, Sheen, Minore, Koetje, LaJoy, Taub, Acciavatti, Ward, DeRoche and Pastor introduced

House Bill No. 6096, entitled

A bill 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,” (MCL 205.1 to 205.31) by adding section 21a.

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

Reps. Drolet, Stakoe, Meyer, Wenke, Condino, Zelenko, Milosch, Hummel, Nofs, Sheen, Koetje, LaJoy, Taub, Acciavatti, Ward, DeRoche and Pastor introduced

House Bill No. 6097, entitled

A bill 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,” (MCL 205.1 to 205.31) by adding section 6.

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

Reps. Milosch, Stakoe, Meyer, Wenke, Condino, Zelenko, Drolet, Hummel, Nofs, Sheen, Koetje, LaJoy, Taub, Acciavatti, Ward, DeRoche and Pastor introduced

House Bill No. 6098, entitled

A bill 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 30c (MCL 205.30c), as amended by 2002 PA 616.

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

The Clerk declared the House adjourned until Thursday, July 22, at 10:00 a.m.

GARY L. RANDALL
Clerk of the House of Representatives