

No. 81
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
92nd Legislature
REGULAR SESSION OF 2003

House Chamber, Lansing, Wednesday, October 29, 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—present | 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—present | Johnson, Ruth—present | Plakas—present | Walker—present |
| Dennis—present | Julian—present | Pumford—present | Ward—present |
| DeRoche—present | Koetje—present | Reeves—present | Waters—present |
| DeRossett—present | Kolb—present | Richardville—present | Wenke—present |
| Drolet—present | Kooiman—present | Rivet—present | Whitmer—present |
| Ehardt—present | LaJoy—present | Robertson—present | Williams—present |
| Elkins—present | LaSata—present | Rocca—present | Wojno—present |
| Emmons—present | Law—present | Sak—present | Woodward—present |
| Farhat—present | Lipsey—present | Shackleton—present | Woronchak—present |
| Farrah—present | McConico—present | Shaffer—present | Zelenko—present |
| Gaffney—present | Meisner—present | | |

e/d/s = entered during session

Rep. Marc Shulman, from the 39th District, offered the following invocation:

“Lord, we thank You for Your blessings and guidance in helping us actively participate in managing the affairs of this great state. We will move forward in Your spirit to meet the challenges that await us with our shared concerns and mutual respect. In Your spirit we are committed to helping the poor, elderly and vulnerable people. In keeping with Your kindness, we commit ourselves never to forget and do what we can to aid those that suffer. Lord, give us the courage to look forward and to be hopeful. Keep us faithful to our heritage of freedom and justice for all. Amen.”

Reports of Standing Committees

The Committee on Tax Policy, by Rep. Wenke, Chair, reported

Senate Bill No. 770, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” (MCL 206.1 to 206.532) by adding section 355a. 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. Wenke, Koetje, Woronchak, Meyer, Hummel, Milosch, Nofs, Stakoe, O’Neil, Minore, Farrah, Bieda, Zelenko and Condino

Nays: Rep. Sheen

The Committee on Tax Policy, by Rep. Wenke, Chair, reported

House Resolution No. 88.

A resolution to memorialize the Congress of the United States to enact legislation to extend the production tax credit for wind power energy development.

(For text of resolution, see House Journal No. 54, p. 962.)

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. Wenke, Sheen, Koetje, Meyer, Drolet, Hummel, Palmer, Milosch, Nofs, Stakoe, Minore, Farrah, Bieda, Zelenko and Condino

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, October 29, 2003, at 9:00 a.m.

Present: Reps. Wenke, Sheen, Koetje, Woronchak, Meyer, Drolet, Hummel, Palmer, Milosch, Nofs, Stakoe, O’Neil, Minore, Farrah, Bieda, Zelenko and Condino

The Committee on Insurance, by Rep. Julian, Chair, reported

House Bill No. 5045, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 3102 (MCL 500.3102), as amended by 1990 PA 79.

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. Julian, Bisbee, Ehardt, Middaugh, Mortimer, Hummel, Garfield, Robertson, Sheen, Anderson and Condino
Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, October 29, 2003, at 10:30 a.m.

Present: Reps. Julian, Hune, Bisbee, Ehardt, Middaugh, Mortimer, Hummel, Garfield, Robertson, Sheen, Daniels, Woodward, Anderson, Wojno, Hood, Gillard and Condino

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

House Bill No. 5029, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40103 (MCL 324.40103), as amended by 2000 PA 191; 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.

Favorable Roll Call

To Report Out:

Yeas: Reps. Tabor, Milosch, Bradstreet, Ehardt, Richardville, Rocca, Nitz, Gillard, Farrah and Sheltroun
Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, October 29, 2003, at 10:30 a.m.

Present: Reps. Tabor, Milosch, Bradstreet, Ehardt, Richardville, Rocca, Nitz, Gillard, Farrah, Sheltroun and Accavitti

The Committee on Energy and Technology, by Rep. Bradstreet, Chair, reported

House Bill No. 4439, entitled

A bill to amend 1986 PA 32, entitled "Emergency telephone service enabling act," by amending sections 408 and 717 (MCL 484.1408 and 484.1717), section 408 as added by 1999 PA 78 and section 717 as added by 1999 PA 79; 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.

Favorable Roll Call

To Report Out:

Yeas: Reps. Bradstreet, Huizenga, Middaugh, Bisbee, LaSata, Casperson, DeRoche, Garfield, LaJoy, Nitz, Palsrok, Stahl, McConico, Rivet, Daniels, Woodward, Hopgood, Murphy and Stallworth
Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Bradstreet, Chair of the Committee on Energy and Technology, was received and read:

Meeting held on: Wednesday, October 29, 2003, at 9:00 a.m.

Present: Reps. Bradstreet, Huizenga, Middaugh, Bisbee, LaSata, Casperson, DeRoche, Garfield, LaJoy, Nitz, Palsrok, Stahl, McConico, Rivet, Daniels, Woodward, Hopgood, Murphy and Stallworth

The Committee on Criminal Justice, by Rep. Van Regenmorter, Chair, reported

House Bill No. 5074, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 224a (MCL 750.224a), as amended by 2002 PA 709.

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. Van Regenmorter, Stakoe, Howell, LaSata, Gaffney, Nofs, Meisner and Hood

Nays: None

The Committee on Criminal Justice, by Rep. Van Regenmorter, Chair, reported

House Bill No. 5104, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 316 (MCL 750.316), as amended by 1999 PA 189.

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. Van Regenmorter, Stakoe, Howell, LaSata, Gaffney, Nofs, Meisner, Condino and Hood

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Van Regenmorter, Chair of the Committee on Criminal Justice, was received and read:

Meeting held on: Wednesday, October 29, 2003, at 10:30 a.m.

Present: Reps. Van Regenmorter, Stakoe, Howell, LaSata, Gaffney, Nofs, Meisner, Condino and Hood

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, October 28, 2003, at 2:50 p.m.

Present: Reps. Palmer, Hummel, Meyer, Bradstreet, Hager, Hart, Ruth Johnson, Tabor, Voorhees, Vander Veen, Nofs, Stahl, Gielegem, Vagnozzi, Spade, Smith, Hopgood, Meisner and Clack

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 Thursday, October 23:

Senate Bill Nos. 786 787

The Clerk announced that the following bills had been printed and placed upon the files of the members on Friday, October 24:

Senate Bill Nos. 788 789 790 791 792 793 794 795 796 797 798

The Clerk announced that the following bills and joint resolution had been printed and placed upon the files of the members on Wednesday, October 29:

House Bill Nos. 5206 5207 5208 5209 5210 5211

House Joint Resolution P

The Clerk announced that the following Senate bills had been received on Wednesday, October 29:

Senate Bill Nos. 214 215 226 227 228 229

By unanimous consent the House returned to the order of

Messages from the Senate

House Bill No. 5050, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 4072 (MCL 500.4072), as amended by 2002 PA 635.

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. 5133, 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 24 (MCL 205.24), as amended by 2002 PA 657.

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

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

Senate Bill No. 214, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 413.

The Senate has passed the bill.

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

Senate Bill No. 215, entitled

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

The Senate has passed the bill.

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

Senate Bill No. 226, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 45901, 45906, 45908, 48701, 48735, and 48738 (MCL 324.45901, 324.45906, 324.45908, 324.48701, 324.48735, and 324.48738), sections 45901, 45906, 45908, 48735, and 48738 as added by 1995 PA 57 and section 48701 as amended by 2002 PA 434, and by adding part 413.

The Senate has passed the bill.

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

Senate Bill No. 227, entitled

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

The Senate has passed the bill.

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

Senate Bill No. 228, entitled

A bill to amend 1988 PA 466, entitled "Animal industry act," by amending sections 4, 6, 12, and 31 (MCL 287.704, 287.706, 287.712, and 287.731), sections 4, 6, and 12 as amended by 2002 PA 458 and section 31 as amended by 2000 PA 323.

The Senate has passed the bill.

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

Senate Bill No. 229, entitled

A bill to amend 1996 PA 199, entitled "Michigan aquaculture development act," by amending sections 2 and 4 (MCL 286.872 and 286.874).

The Senate has passed the bill.

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

Notices

Public Hearing

Committee on Local Government and Urban Policy

Date: Monday, November 3, 2003

Time: 6:30 p.m.

Place: Bedford Junior High School Cafeteria
8405 Jackman Road
Temperance, MI 48182

Rep. Chris Ward,
Chair

Agenda: Manufactured Housing; Comment by interest groups and general public and any/or all business properly before this committee.

Public Hearing

Committee on Local Government and Urban Policy

Date: Monday, November 10, 2003

Time: 7:00 p.m.

Place: Dublin Community Senior Center
685 Union Lake Road
White Lake, MI 48386

Rep. Chris Ward,
Chair

Agenda: Manufactured Housing; Comment by interest groups and general public and any/or all business properly before this committee.

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Land Use and Environment from further consideration of **House Bill No. 4098**.

Rep. Gielegem

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Land Use and Environment from further consideration of **House Bill No. 4099**.

Rep. Gielegem

The Speaker appointed as conferees, on the part of the House of Representatives for **Senate Bill No. 252**, Reps. Koetje, Howell and Tobocman.

The Speaker appointed as conferees, on the part of the House of Representatives for **Senate Bill No. 560**, Reps. Koetje, Howell and Tobocman.

Communications from State Officers

The following communication from the Department of Consumer and Industry Services was received and read:

October 21, 2003

Pursuant to Section 311 of P.A. 167 of 2003, we are enclosing a copy of the following reports:

| <u>Type of Report</u> | <u>Facility</u> | <u>Report #</u> | <u>License #</u> |
|-----------------------|-----------------|-----------------|------------------|
| Special Inv. Report | Sequoyah Center | 2003C0207006 | CS470201401 |

This report was performed in compliance with the requirements of P.A. 116 of 1973 as amended, and the Administrative Rules for Child Caring Institutions. The report may also be viewed on our website under "Inside CIS" at the following address: <http://www.michigan.gov/cis/>.

If you have any questions regarding this information, please feel free to contact me at 373-3892.

Sincerely,
Allan R. Pohl
Acting Director
Finance and Administrative Services

The communication was referred to the Clerk.

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

October 23, 2003

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

Performance Audit of
Selected Probate Court Conservatorship Cases,
released October 23, 2003.

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.

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

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

House Bill No. 4292, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 2002 PA 615.

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. O'Neil moved to amend the bill as follows:

1. Amend page 13, line 17, after "31," by striking out "**2004**" inserting "**2005**".

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

Rep. Ward 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. Nitz moved that Rep. Garfield be excused temporarily from today's session.
The motion prevailed.

Rep. Woodward moved that Rep. Gielegem be excused temporarily from today's session.
The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4292, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 2002 PA 615.

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

Roll Call No. 583

Yeas—102

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

Nays—4

| | | | |
|------|--------|--------|---------|
| Hart | Koetje | LaSata | Pumford |
|------|--------|--------|---------|

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. Garfield, 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 No. 583. Had I been present, I would have voted ‘yea’.”

Rep. Nitz moved that Rep. Ehardt be excused temporarily from today’s session.

Second Reading of Bills

House Bill No. 4458, entitled

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1958,” by amending section 122 (MCL 436.1233).

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

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

Rep. Rocca moved to amend the bill as follows:

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

“(3) As used in this section, “minimum retail selling price” means retail selling price plus the specific taxes imposed in sections 1201, 1203, 1205, and 1207.”.

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

Rep. Whitmer moved to substitute (H-5) the bill.

The question being on the adoption of the substitute (H-5) offered by Rep. Whitmer,

Rep. Whitmer demanded the yeas and nays,

The demand was supported.

The question being on the adoption of the substitute (H-5) offered by Rep. Whitmer,

Point of Order

Rep. Richardville requested a ruling from the Chair regarding the germaneness of the substitute (H-5) offered by Rep. Whitmer.

The Chair ruled that the substitute (H-5) is not germane pursuant to House Rule 64.

Rep. Whitmer appealed the decision of the Chair.

The question being, “Shall the judgment of the Chair stand as the judgment of the House?”

The judgment of the Chair stood as the judgment of the House, a majority of the members present voting, therefor, by yeas and nays, as follows:

Roll Call No. 584

Yeas—61

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

Gaffney
Hager
Hart

Middaugh
Milosch

Shackleton
Shaffer

Wenke
Woronchak

Nays—46

Accavitti
Adamini
Anderson
Bieda
Brown
Byrum
Cheeks
Clack
Condino
Daniels
Dennis
Elkins

Farrah
Gielegem
Gillard
Gleason
Hardman
Hood
Hopgood
Hunter
Jamnack
Kolb
Law
Lipsey

McConico
Meisner
Minore
Murphy
O'Neil
Paletko
Phillips
Plakas
Reeves
Rivet
Sak

Sheltrown
Smith
Spade
Tobocman
Vagnozzi
Waters
Whitmer
Williams
Wojno
Woodward
Zelenko

In The Chair: Julian

Rep. Whitmer moved to amend the bill as follows:

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

“Enacting section 1. This amendatory act does not take effect unless House Bill No. 4865 of the 92nd Legislature is enacted into law.”.

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

Rep. Whitmer demanded the yeas and nays.

The demand was supported.

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

After debate,

Rep. Huizenga demanded the previous question.

The demand was supported.

The question being, “Shall the main question now be put?”

The previous question was ordered.

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

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

Roll Call No. 585

Yeas—51

Accavitti
Adamini
Amos
Anderson
Bieda
Brown
Byrum
Caul
Cheeks
Clack
Daniels
Dennis
Elkins

Farrah
Garfield
Gielegem
Gillard
Gleason
Hardman
Hart
Hood
Hopgood
Hunter
Jamnack
Kolb
Law

Lipsey
McConico
Meisner
Minore
Murphy
O'Neil
Paletko
Phillips
Plakas
Pumford
Reeves
Rivet
Sak

Sheltrown
Smith
Spade
Stewart
Tobocman
Vagnozzi
Waters
Whitmer
Williams
Wojno
Woodward
Zelenko

Nays—57

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

In The Chair: Julian

Rep. Rocca 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. 4458, entitled**

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1958,” by amending section 122 (MCL 436.1233).

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

Roll Call No. 586**Yeas—66**

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

Nays—41

| | | | |
|-----------|----------|----------|-----------|
| Accavitti | Elkins | Meisner | Sak |
| Adamini | Farrah | Minore | Sheltrown |
| Anderson | Gillard | Mortimer | Smith |
| Bieda | Gleason | Murphy | Tobocman |
| Brown | Hardman | O'Neil | Waters |
| Byrum | Jamnack | Paletko | Whitmer |
| Cheeks | Kolb | Phillips | Williams |
| Clack | Law | Plakas | Wojno |
| Daniels | Lipsey | Reeves | Woodward |
| Dennis | McConico | Rivet | Zelenko |
| DeRossett | | | |

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 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 229 (MCL 436.1229).

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. Meisner, 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:

In spite of the fact that I supported this legislation in committee, I am now opposing this bill based on the failure of an amendment, which, in my view, would have so significantly improved the legislation that I can no longer in good faith support the bill as is."

Reps. Law, Zelenko, Whitmer, Kolb and Brown, 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 against House Bill 4458 as passed by the House of Representatives for the following reasons:

This bill would remove the cap that liquor stores can charge on a bottle of alcohol. This would be detrimental to neighborhood small businesses throughout this state. I firmly believe that in these uncertain economic times, we as state elected officials should do all we can to help the private sector.

I also voted against this bill because I believe when the state guarantees dollars to local units of government, it should fulfill its promise. Under Public Act 289 of 1979, the state must reimburse local units of government for fire protection services provided to state buildings within their borders. The House had an opportunity today to do the right thing.

Communities such as Pittsfield Township, Big Rapids, Mt Pleasant, East Lansing and Escanaba depend on fire protection grants to protect state buildings, universities and places of historical grandeur such as the State Capital. There was an attempt for the Legislature to honor its word by providing moneys to local units of government that have state properties.

Had this attempt been successful, 66 cities, townships and villages throughout the state would have been reimbursed for the amount defined under law."

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

"Mr. Speaker and members of the House:

I voted against House Bill 4458 as passed by the House of Representatives for the following reasons:

This bill would remove the cap that liquor stores can charge on a bottle of alcohol. This would be detrimental to neighborhood small businesses throughout this state. I firmly believe that in these uncertain economic times, we as state elected officials should do all we can to help the private sector.

I also voted against this bill because I believe when the state guarantees dollars to local units of government, it should fulfill its promise. Under Public Act 289 of 1979, the state must reimburse local units of government for fire protection services provided to state buildings within their borders. The House had an opportunity today to do the right thing by amending this bill to address this situation, but failed to do so.

Communities such as Pittsfield Township, Big Rapids, Mt Pleasant, East Lansing and Escanaba depend on fire protection grants to protect state buildings, universities and places of historical grandeur such as the State Capitol. There was an attempt for the Legislature to honor its obligation today with a substitute version of this bill that would have provided this fire protection funding. Had this attempt been successful, 66 cities, townships and villages throughout the state would have been reimbursed for these amounts as defined under law. Without that facet, this legislation is sorely deficient.”

Second Reading of Bills

House Bill No. 5168, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending sections 7cc, 7ee, and 24c (MCL 211.7cc, 211.7ee, and 211.24c), sections 7cc and 24c as amended by 2003 PA 140 and section 7ee as amended by 2003 PA 105.

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

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

Rep. Adamini moved to amend the bill as follows:

1. Amend page 1, line 6, after “2,” by inserting “for taxes levied before January 1, ~~2004~~ 2005,”.
2. Amend page 1, line 9, after “(2).” by inserting “For taxes levied after December 31, ~~2003~~ 2004, the status of property as a principal residence shall be determined on the tax day provided in section 2.”.
3. Amend page 2, line 5, after “1” by inserting “for taxes levied before January 1, ~~2004~~ 2005 and the tax day as provided in section 2 for taxes levied after December 31, ~~2003~~ 2004”.
4. Amend page 18, line 22, after “1” by inserting “for taxes levied before January 1, ~~2004~~ 2005, and the tax day as provided in section 2 for taxes levied after December 31, ~~2003~~ 2004”.
5. Amend page 22, line 18 after “May” by striking out “1:” and inserting “1 for taxes levied on or before January 1, ~~2004~~ 2005, and the tax day as provided in section 2 for taxes levied after December 31, ~~2003~~ 2004:”.
6. Amend page 24, line 3, after “May” by striking out “1.” and inserting “1 for taxes levied before January 1, ~~2004~~ 2005 and the tax day as provided in section 2 for taxes levied after December 31, ~~2003~~ 2004.”.
7. Amend page 25, line 5, after “1” by inserting “for taxes levied before January 1, ~~2004~~ 2005, and the tax day as provided in section 2 for taxes levied after December 31, ~~2003~~ 2004”.
8. Amend page 25, line 11, after “1” by inserting “for taxes levied before January 1, ~~2004~~ 2005, and the tax day as provided in section 2 for taxes levied after December 31, ~~2003~~ 2004”.
9. Amend page 28, line 21, after “(7)” by striking out “The” and inserting “Beginning in 1995 through ~~2003~~ 2004, the”.
10. Amend page 29, following line 2, by inserting “(8) Beginning in ~~2004~~ 2005, the assessment notice under subsection (1) shall include the following statement:

“If you purchased your principal residence after December 31 last year, to claim the principal residence exemption for next year, if you have not already done so, you are required to file an affidavit on or before December 31 this year.” and renumbering the remaining subsections.

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

Rep. Adamini demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 587

Yeas—44

Accavitti
Adamini
Bieda

Farrah
Gaffney
Gielegghem

Law
Lipsey
McConico

Sak
Shackleton
Smith

| | | | |
|---------|---------|--------------|-----------------|
| Brown | Gillard | Meisner | Tobocman |
| Byrum | Gleason | Murphy | Vagnozzi |
| Caswell | Hardman | O'Neil | Van Regenmorter |
| Cheeks | Hopgood | Paletko | Waters |
| Clack | Hunter | Phillips | Williams |
| Condino | Jamnack | Plakas | Wojno |
| Dennis | Kolb | Reeves | Woodward |
| Elkins | LaSata | Richardville | Zelenko |

Nays—58

| | | | |
|-------------|---------------|-------------|-------------|
| Acciavatti | Hoogendyk | Mortimer | Shulman |
| Amos | Howell | Newell | Spade |
| Anderson | Huizenga | Nitz | Stahl |
| Bisbee | Hummel | Nofs | Stakoe |
| Bradstreet | Hune | Palmer | Steil |
| Brandenburg | Johnson, Rick | Palsrok | Stewart |
| Casperson | Johnson, Ruth | Pappageorge | Taub |
| Caul | Julian | Pastor | Vander Veen |
| DeRossett | Koetje | Pumford | Voorhees |
| Drolet | Kooiman | Robertson | Walker |
| Emmons | LaJoy | Rocca | Ward |
| Farhat | Meyer | Shaffer | Wenke |
| Garfield | Middaugh | Sheen | Whitmer |
| Hager | Milosch | Sheltrown | Woronchak |
| Hart | Moolenaar | | |

In The Chair: Julian

Rep. Ward 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. 5168, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending sections 7cc, 7ee, and 24c (MCL 211.7cc, 211.7ee, and 211.24c), sections 7cc and 24c as amended by 2003 PA 140 and section 7ee as amended by 2003 PA 105.

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

Roll Call No. 588**Yeas—107**

| | | | |
|------------|----------|-----------|-----------|
| Accavitti | Gielegem | Meyer | Sheen |
| Acciavatti | Gillard | Middaugh | Sheltrown |
| Adamini | Gleason | Milosch | Shulman |
| Amos | Hager | Minore | Smith |
| Anderson | Hardman | Moolenaar | Spade |
| Bieda | Hart | Mortimer | Stahl |

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

Nays—1

Caswell

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.

The Speaker Pro Tempore called Associate Speaker Pro Tempore Vander Veen to the Chair.

Second Reading of Bills

House Bill No. 4899, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 2555 and 2559 (MCL 600.2555 and 600.2559), section 2559 as amended by 1994 PA 133.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Criminal Justice (for amendment, see House Journal No. 78, p. 1973),

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

Rep. LaSata moved to amend the bill as follows:

1. Amend page 4, line 11, by striking out all of subsection (2) and inserting:

"(2) Each of the fees prescribed in subsection (1), ~~except the fee prescribed in subsection (1)(c),~~ shall increase by \$1.00 on October 1, ~~1995~~ **2004**, \$1.00 on October 1, ~~1996~~ **2005**, and \$1.00 on October 1, ~~1997~~ **2006**."

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

Rep. Julian 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. 4899, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 2555 and 2559 (MCL 600.2555 and 600.2559), section 2559 as amended by 1994 PA 133.

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

Roll Call No. 589

Yeas—107

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

Nays—1

Caul

In The Chair: Vander Veen

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.

The Speaker Pro Tempore resumed the Chair.

Second Reading of Bills

House Bill No. 5120, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 310d, 319b, 321a, 625, 625b, 727, and 732 (MCL 257.310d, 257.319b, 257.321a, 257.625, 257.625b, 257.727, and 257.732), sections 310d and 625 as amended by 2003 PA 61, sections 319b and 732 as amended by 2002 PA 534, section 321a as amended by 2002 PA 741, section 625b as amended by 1998 PA 357, and section 727 as amended by 1998 PA 348.

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

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

Rep. Van Regenmorter moved to substitute (H-2) the bill.

The motion prevailed and the substitute (H-2) was adopted, a majority of the members serving voting therefor.

Rep. Van Regenmorter 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. 5120, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 310d, 319b, 321a, 625, 625b, 727, and 732 (MCL 257.310d, 257.319b, 257.321a, 257.625, 257.625b, 257.727, and 257.732), sections 310d and 625 as amended by 2003 PA 61, sections 319b and 732 as amended by 2002 PA 534, section 321a as amended by 2002 PA 741, section 625b as amended by 1998 PA 357, and section 727 as amended by 1998 PA 348.

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

Roll Call No. 590

Yeas—108

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

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 1949 PA 300, entitled "Michigan vehicle code," by amending sections 1d, 65, 310d, 319b, 321a, 625, 625b, 727, and 732 (MCL 257.1d, 257.65, 257.310d, 257.319b, 257.321a, 257.625, 257.625b, 257.727, and 257.732), section 1d as added and sections 310d and 625 as amended by 2003 PA 61, section 65 as amended by 1994 PA 449, sections 319b and 732 as amended by 2002 PA 534, section 321a as amended by 2002 PA 741, section 625b as amended by 1998 PA 357, and section 727 as amended by 1998 PA 348.

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. 5130, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 81134 and 81136 (MCL 324.81134 and 324.81136), section 81134 as amended by 2001 PA 12 and section 81136 as amended by 1996 PA 175.

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

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

Rep. Meisner 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. 5130, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 81134 and 81136 (MCL 324.81134 and 324.81136), section 81134 as amended by 2001 PA 12 and section 81136 as amended by 1996 PA 175.

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

Roll Call No. 591**Yeas—108**

| | | | |
|-------------|------------|-----------|-----------------|
| Accavitti | Garfield | Meisner | Shaffer |
| Acciavatti | Gielegghem | Meyer | Sheen |
| Adamini | 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 | Steil |
| Brown | Hopgood | Nitz | Stewart |
| Byrum | Howell | Nofs | Tabor |
| Casperson | Huizenga | O'Neil | Taub |
| Caswell | Hummel | Paletko | Tobocman |
| Caul | Hune | Palmer | Vagnozzi |
| Cheeks | Hunter | Palsrok | Van Regenmorter |

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

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 sections 81101, 81134, 81135, 81136, 81137, 81140, 81141, and 81144 (MCL 324.81101, 324.81134, 324.81135, 324.81136, 324.81137, 324.81140, 324.81141, and 324.81144), section 81101 as amended by 2003 PA 111, section 81134 as amended by 2001 PA 12, section 81135 as amended by 1999 PA 22, sections 81136 and 81141 as amended by 1996 PA 175, and sections 81137, 81140, and 81144 as added by 1995 PA 58, and by adding section 81140b.

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. 5131, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 80171, 80176, 80183, 80184, and 80187 (MCL 324.80171, 324.80176, 324.80183, 324.80184, and 324.80187), section 80171 as added by 1995 PA 58, section 80176 as amended by 2001 PA 12, and sections 80183, 80184, and 80187 as amended by 1996 PA 174.

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

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

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. 5131, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 80171, 80176, 80183, 80184, and 80187 (MCL 324.80171, 324.80176, 324.80183, 324.80184, and 324.80187), section 80171 as added by 1995 PA 58, section 80176 as amended by 2001 PA 12, and sections 80183, 80184, and 80187 as amended by 1996 PA 174.

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

Roll Call No. 592**Yeas—108**

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

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 sections 80101, 80171, 80176, 80180, 80183, 80184, 80187, and 80190 (MCL 324.80101, 324.80171, 324.80176, 324.80180, 324.80183, 324.80184, 324.80187, and 324.80190), sections 80101, 80171, and 80190 as added by 1995 PA 58, section 80176 as amended by 2001 PA 12, and sections 80180, 80183, 80184, and 80187 as amended by 1996 PA 174.

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. 5132, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 82127, 82128, 82140, and 82143 (MCL 324.82127, 324.82128, 324.82140, and 324.82143), section 82127 as amended by 2001 PA 12, section 82128 as amended by 1999 PA 22, and sections 82140 and 82143 as amended by 1996 PA 183.

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

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

Rep. Condino 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. 5132, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 82127, 82128, 82140, and 82143 (MCL 324.82127, 324.82128, 324.82140, and 324.82143), section 82127 as amended by 2001 PA 12, section 82128 as amended by 1999 PA 22, and sections 82140 and 82143 as amended by 1996 PA 183.

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

Roll Call No. 593

Yeas—108

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

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 sections 82101, 82127, 82136, 82139, 82140, and 82143 (MCL 324.82101, 324.82127, 324.82136, 324.82139, 324.82140, and 324.82143), section 82101 as amended by 2003 PA 43, section 82127 as amended by 2001 PA 12, section 82136 as added by 1995 PA 58, and sections 82139, 82140, and 82143 as amended by 1996 PA 183.

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.

By unanimous consent the House returned to the order of
Motions and Resolutions

Reps. Hunter, Adamini, Anderson, Bieda, Brandenburg, Condino, Dennis, Elkins, Gaffney, Gielegem, Gillard, Gleason, Hopgood, Lipsey, Reeves, Shaffer, Sheltroun, Spade, Tobocman, Vagnozzi, Waters, Zelenko, Accavitti, Brown, Byrum, Clack, Hood, Jamnick, Kolb, McConico, Murphy, Phillips, Rivet, Stallworth and Minore offered the following resolution:
House Resolution No. 160.

A resolution to memorialize Congress to revamp health insurance to address the needs of the uninsured, to safeguard Medicare and add prescription drug coverage, and to increase insurance program access for children.

Whereas, Our nation, the most powerful on earth, is hampered by the inadequacies of our current system of dealing with the health care needs of our people. With 43.6 million uninsured people, including those with full-time employment, a substantial and growing portion of our population is at risk; and

Whereas, The current system, which relies heavily on employers offering coverage, has not been effective in curtailing the steadily climbing costs. Pharmaceuticals alone are increasing in cost by approximately three times the rate of inflation, and Michigan's spending on prescription drugs is far above the national average. The rising costs are hampering the operations of many businesses and exhausting governmental resources. The many factors contributing to the cost of drugs include patent loopholes, impediments to the development of generic medicines, and unnecessary restrictions on the importation of FDA-approved medications; and

Whereas, As we debate the challenge of health care costs in state capitals and in Washington, it is appropriate to take note of initiatives that have proven successful. Community health centers have compiled an impressive record of helping uninsured Americans receive necessary care. Another key fact to bear in mind is the degree to which Medicare has proven to be an effective safety net for millions of seniors. While there is a clear need for prescription drug coverage, the overall integrity and stability of Medicare cannot be jeopardized by moves to incorporate a drug program. Moreover, retirees with these benefits through their former employers should not be adversely affected by any new prescription drug program; and

Whereas, Few issues touch more American lives than the multifaceted components of health insurance. With the resources and ingenuity among us, solving these challenges is clearly possible and in the best long-term interest of our country; now, therefore, be it

Resolved by the House of Representatives, That we memorialize Congress to revamp health insurance to address the needs of the uninsured, to safeguard Medicare and add prescription drug coverage, and to increase insurance program access for children. We call on Congress to help employers provide quality, affordable health insurance, to provide seniors with a prescription drug benefit within a strengthened Medicare system, to prevent Medicaid from becoming solely a block grant program, to encourage employers to maintain benefits for their retirees, to continue the work of community health centers, to expand access to children's insurance programs, and to address the health needs of the uninsured generally, including prescription drug programs; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

The resolution was referred to the Committee on Health Policy.

Reps. Hunter, Adamini, Anderson, Bieda, Brandenburg, Condino, Dennis, Elkins, Gaffney, Gielegem, Gillard, Gleason, Hopgood, Lipsey, Reeves, Shaffer, Sheltroun, Spade, Tobocman, Vagnozzi, Waters, Zelenko, Accavitti, Brown, Byrum, Clack, Hood, Jamnick, Kolb, McConico, Murphy, Phillips, Rivet, Stallworth and Minore offered the following concurrent resolution:

House Concurrent Resolution No. 35.

A concurrent resolution to memorialize Congress to revamp health insurance to address the needs of the uninsured, to safeguard Medicare and add prescription drug coverage, and to increase insurance program access for children.

Whereas, Our nation, the most powerful on earth, is hampered by the inadequacies of our current system of dealing with the health care needs of our people. With 43.6 million uninsured people, including those with full-time employment, a substantial and growing portion of our population is at risk; and

Whereas, The current system, which relies heavily on employers offering coverage, has not been effective in curtailing the steadily climbing costs. Pharmaceuticals alone are increasing in cost by approximately three times the rate of inflation, and Michigan's spending on prescription drugs is far above the national average. The rising costs are hampering the operations of many businesses and exhausting governmental resources. The many factors contributing to the cost of drugs include patent loopholes, impediments to the development of generic medicines, and unnecessary restrictions on the importation of FDA-approved medications; and

Whereas, As we debate the challenge of health care costs in state capitals and in Washington, it is appropriate to take note of initiatives that have proven successful. Community health centers have compiled an impressive record of helping uninsured Americans receive necessary care. Another key fact to bear in mind is the degree to which Medicare has proven to be an effective safety net for millions of seniors. While there is a clear need for prescription drug coverage, the overall integrity and stability of Medicare cannot be jeopardized by moves to incorporate a drug program. Moreover, retirees with these benefits through their former employers should not be adversely affected by any new prescription drug program; and

Whereas, Few issues touch more American lives than the multifaceted components of health insurance. With the resources and ingenuity among us, solving these challenges is clearly possible and in the best long-term interest of our country; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize Congress to revamp health insurance to address the needs of the uninsured, to safeguard Medicare and add prescription drug coverage, and to increase insurance program access for children. We call on Congress to help employers provide quality, affordable health insurance, to provide seniors with a prescription drug benefit within a strengthened Medicare system, to prevent Medicaid from becoming solely a block grant program, to encourage employers to maintain benefits for their retirees, to continue the work of community health centers, to expand access to children's insurance programs, and to address the health needs of the uninsured generally, including prescription drug programs; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

The concurrent resolution was referred to the Committee on Health Policy.

Rep. Sak moved that the House adjourn.
The motion prevailed, the time being 4:15 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, October 30, at 10:00 a.m.

GARY L. RANDALL
Clerk of the House of Representatives

2024