

No. 31
STATE OF MICHIGAN
JOURNAL
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House of Representatives
92nd Legislature
REGULAR SESSION OF 2004

House Chamber, Lansing, Tuesday, April 20, 2004.

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	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—present
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—excused
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—excused	O’Neil—present	Taub—present
Caswell—present	Hummel—present	Palmer—present	Tobocman—present
Caul—present	Hune—present	Palsrok—present	Vagnozzi—present
Cheeks—excused	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—excused	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

e/d/s = entered during session

Rep. Julie Dennis, from the 92nd District, offered the following invocation:

“Lord, as the House convenes today, we ask for Your guidance and compassion, that our actions may be for the betterment of all citizens of Michigan. Where there is discord, help us to sow understanding. Where there is hatred and anger, help us to sow justice and peace. We remember our service men and women around the world, and ask that You keep them safe as they carry out their duties. Amen.”

Rep. Waters moved that Rep. Cheeks be excused from this week’s session.
The motion prevailed.

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

Rep. Palmer moved that Rep. Huizenga be excused from today’s session.
The motion prevailed.

Reports of Standing Committees

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

Senate Bill No. 1026, entitled

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

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 under the rules.

Favorable Roll Call

To Report Out:

Yeas: Reps. Bisbee, Koetje, Middaugh, Drolet, Milosch, Palsrok, Wenke, Rivet, McConico, Murphy and Accavitti

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, April 20, 2004

Present: Reps. Bisbee, Howell, Koetje, Middaugh, Drolet, Palmer, Milosch, Palsrok, Wenke, Rivet, O’Neil, McConico, Murphy, Tobocman and Accavitti

Absent: Reps. DeRoche, Huizenga, Hune and Lipsey

Excused: Reps. DeRoche, Huizenga, Hune and Lipsey

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

House Bill No. 5225, entitled

A bill to amend 1953 PA 181, entitled “An act relative to investigations in certain instances of the causes of death within this state due to violence, negligence or other act or omission of a criminal nature or to protect public health; to provide for the taking of statements from injured persons under certain circumstances; to abolish the office of coroner and to create the office of county medical examiner in certain counties; to prescribe the powers and duties of county medical examiners; to prescribe penalties for violations of the provisions of this act; and to prescribe a referendum thereon,” by amending section 5a (MCL 52.205a).

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. Ehardt, Vander Veen, Ruth Johnson, Rocca, Hart, Woronchak, Van Regenmorter, Robertson, Ward, Adamini, Wojno, Hardman, O'Neil, Gillard and Clack

Nays: None

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

House Bill No. 5232, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 20920 and 20921 (MCL 333.20920 and 333.20921), as amended by 2000 PA 375.

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. Ehardt, Vander Veen, Ruth Johnson, Rocca, Hart, Woronchak, Van Regenmorter, Robertson, Ward, Adamini, Wojno, Hardman, O'Neil, Gillard and Clack

Nays: None

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

Senate Bill No. 991, entitled

A bill to amend 1945 PA 47, entitled "An act to authorize 2 or more cities, townships, and villages, or any combination of cities, townships, and villages, to incorporate a hospital authority for planning, promoting, acquiring, constructing, improving, enlarging, extending, owning, maintaining, and operating 1 or more community hospitals and related buildings or structures and related facilities; to provide for the sale, lease, or other transfer of a hospital owned by a hospital authority to a nonprofit corporation established under the laws of this state for no or nominal monetary consideration; to define hospitals and community hospitals; to provide for changes in the membership therein; to authorize the cities, townships, and villages to levy taxes for community hospital purposes; to provide for the issuance of bonds; to provide for the pledge of assessments; to provide for borrowing money for operation and maintenance and issuing notes for operation and maintenance; to validate elections heretofore held and notes heretofore issued; to validate bonds heretofore issued; to authorize condemnation proceedings; to grant certain powers of a body corporate; to validate and ratify the organization, existence, and membership of entities acting as hospital authorities under the act and the actions taken by hospital authorities and by the members of the hospital authorities; and to prescribe penalties and provide remedies," by amending section 2 (MCL 331.2).

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 under the rules.

Favorable Roll Call

To Report Out:

Yeas: Reps. Ehardt, Vander Veen, Ruth Johnson, Rocca, Hart, Woronchak, Van Regenmorter, Robertson, Gaffney, Ward, Adamini, Wojno, O'Neil, Gillard and Clack

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, April 20, 2004

Present: Reps. Ehardt, Vander Veen, Ruth Johnson, Rocca, Hart, Woronchak, Van Regenmorter, Robertson, Gaffney, Ward, Adamini, Wojno, Hardman, O'Neil, Gillard and Clack

Absent: Rep. Hune

Excused: Rep. Hune

The Committee on Local Government and Urban Policy, by Rep. Ward, Chair, reported
House Bill No. 5664, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 18401, 18413, and 18421 (MCL 333.18401, 333.18413, and 333.18421), section 18421 as amended by 1993 PA 79.

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. Ward, Robertson, DeRossett, Hager, Stakoe, Jamnick, Tobocman and Accavitti

Nays: None

The Committee on Local Government and Urban Policy, by Rep. Ward, Chair, reported
Senate Bill No. 804, entitled

A bill to amend 1967 PA 288, entitled "Land division act," by amending section 183 (MCL 560.183).

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 under the rules.

Favorable Roll Call

To Report Out:

Yeas: Reps. Ward, Robertson, DeRossett, Stakoe, Jamnick, Tobocman and Accavitti

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, April 20, 2004

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

Absent: Reps. Wenke and Hardman

Excused: Reps. Wenke and Hardman

The Committee on Agriculture and Resource Management, by Rep. Meyer, Chair, reported
House Bill No. 5673, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 34c (MCL 211.34c), as amended by 2002 PA 620.

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. Meyer, Hager, Hune, Sheltroun, Rivet, Spade and Law

Nays: Reps. Nitz and Casperson

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, April 20, 2004

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

Absent: Rep. DeRossett

Excused: Rep. DeRossett

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, April 20, 2004

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

Absent: Reps. LaSata and Pappageorge

Excused: Reps. LaSata and Pappageorge

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 Wednesday, March 31:

Senate Bill Nos. 1129 1130 1131 1132 1133 1134 1135 1136

The Clerk announced that the following bills had been printed and placed upon the files of the members on Friday, April 2:

**House Bill Nos. 5737 5738 5739 5740 5741 5742 5743 5744 5745 5746 5747 5748 5749 5750
5751 5752 5753 5754 5755 5756 5757 5758 5759 5760 5761 5762 5763 5764
5765 5766 5767 5768 5769 5770 5771 5772**

The Clerk announced the enrollment printing and presentation to the Governor on Monday, April 5, for her approval of the following bill:

Enrolled House Bill No. 5120 at 11:49 a.m.

The Clerk announced the enrollment printing and presentation to the Governor on Wednesday, April 7, for her approval of the following bill:

Enrolled House Bill No. 5200 at 9:41 a.m.

The Clerk announced the enrollment printing and presentation to the Governor on Thursday, April 8, for her approval of the following bills:

Enrolled House Bill No. 4472 at 11:20 a.m.

Enrolled House Bill No. 4929 at 11:22 a.m.

Enrolled House Bill No. 5087 at 11:24 a.m.

Enrolled House Bill No. 5365 at 11:26 a.m.

Enrolled House Bill No. 5445 at 11:28 a.m.

Enrolled House Bill No. 5641 at 11:30 a.m.

Messages from the Governor

The following message from the Governor was received April 15, 2004 and read:

EXECUTIVE ORDER

No. 2004 - 3

**DEPARTMENT OF AGRICULTURE
DEPARTMENT OF NATURAL RESOURCES**

**REGULATION AND BIOSECURITY OF PRIVATELY-OWNED
CERVIDAE LIVESTOCK FACILITIES AND OPERATIONS
EXECUTIVE REORGANIZATION**

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

WHEREAS, Section 2 of Article V of the Michigan Constitution of 1963 empowers the Governor to make changes in the organization of the Executive Branch or in the assignment of functions among its units that the Governor considers necessary for efficient administration;

WHEREAS, facilities and operations for captive cervidae including deer, elk, moose, and reindeer, can have serious impacts on the state's wildlife population and the agricultural industry;

WHEREAS, unlike domestic livestock species, when deer and elk escape from privately-owned cervidae livestock facilities and operations, they are indistinguishable from free-ranging deer and elk, and also pose a potential risk to native animals, such as the transmission of parasites and disease;

WHEREAS, deer and other cervidae are migratory animals often moving substantial distances seasonally, magnifying potential impacts on Michigan's wildlife population;

WHEREAS, Chronic Wasting Disease is an incurable neurological disease of deer and elk that can be spread directly from animal to animal, or indirectly from soil or surface to animal;

WHEREAS, Chronic Wasting Disease was once considered to be a disease limited to small endemic areas of Western United States, but has recently been discovered in more than 15 states and in Canada.

WHEREAS, while the disease has the potential to devastate Michigan's deer and elk population, with state action, and the cooperation of private industry, Michigan can work to prevent Chronic Wasting Disease and other potential problems to maintain a healthy and safe future for Michigan wildlife;

WHEREAS, it is imperative that Michigan remain vigilant and act decisively in adopting measures to protect native deer and elk from Chronic Wasting Disease and reduce vulnerabilities to the spread of the disease;

WHEREAS, in light of the potential impact on Michigan's wildlife population, the Governor's Chronic Wasting Disease Task Force, chaired by Dr. Howard Tanner, has recommended that the licensing, application, registration, and inspection functions for privately-owned cervidae livestock facilities and operations be transferred to the Department of Natural Resources;

WHEREAS, the Governor's Chronic Wasting Disease Task Force has also recommended a complete audit of Michigan's privately-owned cervidae livestock facilities and operations, which under current budgetary conditions can most effectively be performed by the Department of Natural Resources;

WHEREAS, it is necessary in the interests of efficient administration and effectiveness of government to effect changes in the organization of the executive branch of state government;

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

I. DEFINITIONS

A. As used in this Order:

1. "Biosecurity" means measures, actions, or precautions taken to prevent the transmission of disease in, among, or between free-ranging and privately-owned cervidae species.

2. "Cervidae" means members of the cervidae family, including, but not limited to, deer, elk, moose, reindeer, and caribou.

3. "Cervidae Act" means the Privately Owned Cervidae Producers Marketing Act, 2000 PA 190, MCL 287.951 to 287.969.

4. "Cervidae livestock facility" means a privately-owned cervidae livestock operation on privately-controlled lands capable of holding cervidae.

5. "Cervidae livestock operation" means an operation that contains 1 or more privately-owned cervidae involving the producing, growing, propagation, using, harvesting, transporting, exporting, importing, or marketing of cervidae or cervidae products.

6. "Cervidae products" means any products, co-products, or by-products of cervidae, including antler, antler velvet, meat, or any part of the animal.

7. "Commission on Agriculture" means the commission created under Section 1 of 1921 PA 13, MCL 285.1 and designated as the head of the Department of Agriculture under Section 176 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.276.

8. "Department of Agriculture" means the principal department of state government created under Section 1 of 1921 PA 13, MCL 285.1, and Section 175 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.275.

9. "Department of Natural Resources" means the principal department of state government created under Section 250 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.350, and Section 501 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.501, as modified by Executive Order 1995-18, MCL 324.99903.

10. "Type II Transfer" means that type of transfer as defined in Section 3(b) of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.103(b).

II. TRANSFER OF RESPONSIBILITIES FOR REGULATUION AND BIOSECURITY OF CERVIDAE LIVESTOCK FACILITIES AND OPERATIONS

A. All of the following authority, powers, duties, functions, responsibilities, and rule-making authority of the Department of Agriculture under the Cervidae Act are transferred by Type II Transfer to the Department of Natural Resources:

1. The administration of the Cervidae Act as authorized under Subsection (1) of Section 3 of the Cervidae Act, MCL 287.953, consistent with the provisions of this Order.

2. Enforcement of Subsection (5) of Section 4 of the Cervidae Act, MCL 287.954, regarding the movement, importing, or exporting of cervidae or cervidae products.
 3. Processing of applications for registration, issuance of registrations, provision for registration classes, determination of standards, and charging fees for initial and renewal applications under the Cervidae Act.
 4. Receipt of applications for registration and adoption of standards under Subsection (1) of Section 6 of the Cervidae Act, MCL 287.956.
 5. Receipt of business plans and requests for additional information considered necessary by the department under Subsection (2) of Section 6 of the Cervidae Act, MCL 287.956.
 6. Transmission of notices to local units of government, receipt of responses, and determinations related to notices under Subsection (3) of Section 6 of the Cervidae Act, MCL 287.956.
 7. Provision of informal departmental reviews of applications under Subsection (5) of Section 6 of the Cervidae Act, MCL 287.956.
 8. Receipt of notices, extension of time periods, and verification of removals of wild cervidae under Subsection (1) of Section 7 of the Cervidae Act, MCL 287.957.
 9. Transmission of notices under Subsection (2) of Section 7 of the Cervidae Act, MCL 287.957.
 10. Provision of informal departmental reviews of applications under Subsection (4) of Section 7 of the Cervidae Act, MCL 287.957.
 11. Conduct of any hearings or administrative proceedings under the Administrative Procedures Act of 1969, 1969 PA 306, MCL 24.201 to 24.328, authorized by the Cervidae Act.
 12. Return of any registration fees under the Cervidae Act.
 13. Receipt of notices under Subsection (7) of Section 8 of the Cervidae Act, MCL 287.958.
 14. Inspections and determinations under Section 12 of the Cervidae Act, MCL 287.962.
 15. Denials, suspensions, revocations or limitations of or on registrations under Section 14 of the Cervidae Act, MCL 287.964.
 16. Receipt of notices under Subsection (2) of Section 17 of the Cervidae Act, MCL 287.967.
 17. Recovery of reasonable costs and attorney fees under Section 18 of the Cervidae Act, MCL 287.968.
- B. All of the authority, powers, duties, functions, responsibilities, and rule-making authority of the Commission of Agriculture under Section 6 of the Cervidae Act, MCL 287.956 are transferred by Type II Transfer to the Department of Natural Resources.
- C. All of the following authority, powers, duties, functions, responsibilities, and rule-making authority of the Director of the Department of Agriculture, or his or her designee, under the Cervidae Act are transferred by Type II Transfer to the Department of Natural Resources:
1. Demands for documentation under Subsection (2) of Section 5 of the Cervidae Act, MCL 287.955.
 2. Forwarding copies of applications to state departments under Subsection (3) of Section 6 of the Cervidae Act, MCL 287.956.
 3. Inspections, determinations regarding standards and requirements, issuance of registrations, and affirmation of denials under Subsections (4) and (5) of Section 6 of the Cervidae Act, MCL 287.956.
 4. Inspections, determinations regarding standards and requirements, issuance of registrations, and affirmation of denials under Subsection (1) of Section 7 of the Cervidae Act, MCL 287.957.
 5. Determinations and denials under Subsection (2) of Section 7 the Cervidae Act, MCL 287.957.
 6. Determinations regarding standards and requirements, issuance of registrations, and affirmation of denials under Subsection (4) of Section 7 of the Cervidae Act, MCL 287.957.
 7. Activities related to the memorandum of understanding under Section 10 of the Cervidae Act, MCL 287.960.
 8. Inspections under Section 12 of the Cervidae Act, MCL 287.962.
 9. Activities described under Section 13 of the Cervidae Act, MCL 287.963.
 10. Issuance of orders as authorized under Cervidae Act.
 11. Promulgation of rules necessary to implement and enforce the Cervidae Act.
 12. Actions relating to enforcement authorized under Section 18 of the Cervidae Act, MCL 287.968.
- D. All of the following authority, powers, duties, functions, responsibilities, and rule-making authority of the Department of Natural Resources under the Cervidae Act are transferred by Type II Transfer to the Department of Agriculture:
1. Consultation regarding the administration of the Cervidae Act as authorized under Subsection (1) of Section 3 of the Cervidae Act, MCL 287.953.
 2. Consultation regarding the amendment updating or supplementing of standards under Subsection (1) of Section 6 of the Cervidae Act, MCL 287.956.
 3. Receipt of copies of applications under Subsection (3) of Section 6 of the Cervidae Act, MCL 287.956.
 4. Participation in informal departmental reviews under Subsection (5) of Section 6 of the Cervidae Act, MCL 287.956, as applicable.
 5. Participation in informal departmental reviews under Subsection (4) of Section 7 of the Cervidae Act, MCL 287.957, as applicable.

6. Consultation with other state departments under Subsection (2) of Section 14 of the Cervidae Act, MCL 287.964.

III. IMPLEMENTATION

A. The Department of Agriculture shall assist the Department of Natural Resources in the exercise of authority, powers, duties, functions, and responsibilities transferred to the Department of Natural Resources under this Order. The Department of Agriculture shall share with the Department of Natural Resources information in the possession of the Department of Agriculture regarding privately-owned cervidae livestock facilities and operations, including information obtained under the Animal Industry Act, 1988 PA 466, MCL 287.701 to 287.745, and information necessary for the Department of Natural Resources to conduct an audit of the privately-owned cervidae livestock facilities and operations.

B. The Director of the Department of Agriculture and the Director of the Department of Natural Resources shall immediately initiate coordination to facilitate the implementation of the transfers under this Order.

C. The Director of the Department of Natural Resources shall provide executive direction and supervision for the implementation of all transfers to the Department of Natural Resources under this Order. The functions transferred to the Department of Natural Resources under this Order shall be administered under the direction and supervision of the Director of the Department of Natural Resources, including but not limited to, any prescribed functions of rule-making, licensing, registration, and the prescription of rules, regulations, standards, and adjudications.

D. The Director of the Department of Agriculture shall provide executive direction and supervision for the implementation of all transfers to the Department of Agriculture under this Order. The functions transferred to the Department of Agriculture under this Order shall be administered under the direction and supervision of the Director of the Department of Agriculture, including but not limited to, any prescribed functions of rule-making, licensing, registration, and the prescription of rules, regulations, standards, and adjudications.

E. All records, personnel, property, and funds used, held, employed, or to be made available to the Department of Agriculture for the activities transferred to the Department of Natural Resources under this Order are transferred to the Department of Natural Resources.

F. All records, personnel, property, and funds used, held, employed, or to be made available to the Department of Natural Resources for the activities transferred to the Department of Agriculture under this Order are transferred to the Department of Agriculture.

G. The Director of the Department of Agriculture and the Director of the Department of Natural Resources shall develop memoranda of record identifying any pending settlements, issues of compliance with any applicable state or federal laws or regulations, or other obligations to be resolved by the Department of Agriculture.

H. The Director of the Department of Natural Resources and the Director of the Department of Agriculture shall develop memoranda of record identifying any pending settlements, issues of compliance with any applicable state or federal laws or regulations, or other obligations to be resolved by the Department of Natural Resources.

I. Any authority, duties, powers, functions, and responsibilities transferred to the Department of Natural Resources in this Order and not mandated otherwise statutorily may in the future be reorganized to promote efficient administration by the Director of the Department of Natural Resources.

J. Any authority, duties, powers, functions, and responsibilities transferred to the Department of Agriculture in this Order and not mandated otherwise statutorily may in the future be reorganized to promote efficient administration by the Director of the Department of Agriculture.

K. The Director of the Department of Natural Resources may perform a duty or exercise a power conferred by law or executive order upon the Director of the Department of Natural Resources at the time and to the extent the duty or power is delegated to the Director of the Department of Natural Resources by law or order.

L. The Director of the Department of Agriculture may perform a duty or exercise a power conferred by law or executive order upon the Director of the Department of Agriculture at the time and to the extent the duty or power is delegated to the Director of the Department of Agriculture by law or order.

M. The Director of the Department of Natural Resources may by written instrument delegate a duty or power conferred by law or this Order and the person to whom the duty or power is delegated may perform the duty or exercise the power at the time and to the extent the duty or power is delegated by the Director of the Department of Natural Resources.

N. The Director of the Department of Agriculture may by written instrument delegate a duty or power conferred by law or this Order and the person to whom the duty or power is delegated may perform the duty or exercise the power at the time and to the extent the duty or power is delegated by the Director of the Department of Agriculture.

O. The Director of the Department of Natural Resources shall administer the assigned functions transferred under this Order in such ways as to promote efficient administration and shall make internal organizational changes as may be administratively necessary to complete the realignment of responsibilities prescribed by this Order.

P. The Director of the Department of Agriculture shall administer the assigned functions transferred under this Order in such ways as to promote efficient administration and shall make internal organizational changes as may be administratively necessary to complete the realignment of responsibilities prescribed by this Order.

IV. MISCELLANEOUS

A. The State Budget Director shall determine and authorize the most efficient manner possible for handling financial transactions and records in the state’s financial management system necessary to implement this Order.

B. All rules, orders, contracts, and agreements relating to the assigned functions lawfully adopted prior to the effective date of this Order shall continue to be effective until revised, amended, or repealed.

C. Any suit, action, or other proceeding lawfully commenced by, against, or before any entity affected by this Order, shall not abate by reason of the taking effect of this Order. Any suit, action, or other proceeding may be maintained by, against, or before the appropriate successor of any entity affected by this Order.

D. The invalidity of any portion of this Order shall not affect the validity of the remainder of the Order, which may be given effect without any invalid portion. Any portion of this Order found invalid by a court or other entity with proper jurisdiction shall be severable from the remaining portions of this Order.

In fulfillment of the requirements under Section 2 of Article V of the Michigan Constitution of 1963, the provisions of this Order are effective 60 days after its filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 15th day of April in the year of our Lord two thousand four.

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

The message was referred to the Clerk.

The following message from the Governor was received April 15, 2004 and read:

**EXECUTIVE ORDER
No. 2004 - 4**

MICHIGAN QUARTER COMMISSION

DEPARTMENT OF HISTORY, ARTS, AND LIBRARIES

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

WHEREAS, the Michigan Quarter Commission was created under Executive Order on August 13, 2001, was charged with review of quarter designs for the Michigan quarter under Public Law 105-124, and has completed the work for which it was created;

WHEREAS, it is necessary in the interests of efficient and effective government to abolish the Michigan Quarter Commission;

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

A. The Michigan Quarter Commission created as an advisory body within the Department of History, Arts, and Libraries under Executive Order 2001-4 is abolished.

B. Executive Order 2001-4 is rescinded in its entirety.

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 15th day of April in the year of our Lord two thousand four.

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

The message was referred to the Clerk.

The following message from the Governor was received April 15, 2004 and read:

EXECUTIVE ORDER
No. 2004 - 5

**COMMISSION TO COMMEMORATE THE SESQUICENTENNIAL OF
THE CITY OF LANSING AS THE MICHIGAN STATE CAPITOL**

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

WHEREAS, the Lansing Capitol Sesquicentennial Commission was created within the Department of State on August 8, 1996, was charged with issuing a final report to the Governor and the Mayor of the City of Lansing within three months, and has completed the work for which it was organized;

WHEREAS, it is necessary in the interests of efficient and effective government to abolish the Lansing Capitol Sesquicentennial Commission;

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

A. The Lansing Capitol Sesquicentennial Commission created within the Department of State under Executive Order 1996-8 is abolished.

B. Executive Order 1996-8 is rescinded in its entirety.

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 15th day of April in the year of our Lord two thousand four.

Jennifer M. Granholm
Governor

By the Governor:
Terri L. Land
Secretary of State

The message was referred to the Clerk.

The following message from the Governor was received April 15, 2004 and read:

EXECUTIVE ORDER
No. 2004 - 6

MICHIGAN CHRISTOPHER COLUMBUS QUINCENTENARY JUBILEE COMMISSION

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

WHEREAS, on October 10, 1988, the Michigan Christopher Columbus Quincentenary Jubilee Commission was created under Executive Order 1988-13 to celebrate the 500th Anniversary of the voyages of discovery of Christopher Columbus;

WHEREAS, on October 11, 1991, Executive Order 1988-13 was amended by Executive Order 1991-27 to provide an executive committee for the Michigan Christopher Columbus Quincentenary Jubilee Commission;

WHEREAS, the Christopher Columbus Quincentenary was celebrated in 1992;

WHEREAS, the Michigan Christopher Columbus Quincentenary Jubilee Commission has completed the work for which it was created;

WHEREAS, it is in the interests of efficient and effective government that the Michigan Christopher Columbus Quincentenary Jubilee Commission be abolished;

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

A. The Michigan Christopher Columbus Quincentenary Jubilee Commission created under Executive Order 1988-13 is abolished.

B. Executive Order 1988-13 is rescinded in its entirety.

C. Executive Order 1991-27 is rescinded in its entirety.

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 15th day of April in the year of our Lord two thousand four.

Jennifer M. Granholm

Governor

By the Governor:

Terri L. Land

Secretary of State

The message was referred to the Clerk.

The following message from the Governor was received April 15, 2004 and read:

EXECUTIVE ORDER

No. 2004 - 7

MICHIGAN INTERNATIONAL YEAR OF THE FAMILY COUNCIL

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

WHEREAS, the International Year of the Family Council was created within the Department of Public Health on January 28, 1994, in response to a Resolution of the United Nations General Assembly proclaiming 1994 as "International Year of the Family, and the Council has completed the work for which it was organized;

WHEREAS, it is necessary in the interests of efficient and effective government to abolish the Michigan International Year of the Family Council;

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

A. The Michigan International Year of the Family Council created within the Department of Public Health under Executive Order 1994-3 is abolished.

B. Executive Order 1994-3 is rescinded in its entirety.

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 15th day of April in the year of our Lord two thousand four.

Jennifer M. Granholm

Governor

By the Governor:

Terri L. Land

Secretary of State

The message was referred to the Clerk.

The following message from the Governor was received April 15, 2004 and read:

EXECUTIVE ORDER

No. 2004 - 8

GOVERNOR'S BLUE RIBBON COMMISSION ON MICHIGAN GAMING

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

WHEREAS, the Governor's Blue Ribbon Commission on Michigan Gaming was created under Executive Order 1994-24 on September 8, 1994, was charged with reporting to the Governor and the people of Michigan within 60 days of the beginning of the 1995 legislative session, and has completed the work for which it was organized;

WHEREAS, it is in the interests of efficient and effective government that the Governor's Blue Ribbon Commission on Michigan Gaming be abolished;

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

A. The Governor's Blue Ribbon Commission on Michigan Gaming created under Executive Order 1994-24 is abolished.

B. Executive Order 1994-24 is rescinded in its entirety.
This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 15th day of April in the year of our Lord two thousand four.

Jennifer M. Granholm

Governor

By the Governor:

Terri L. Land

Secretary of State

The message was referred to the Clerk.

The following message from the Governor was received April 15, 2004 and read:

**EXECUTIVE ORDER
No. 2004 - 9**

GOVERNOR'S TASK FORCE ON THE FUTURE OF TOURISM

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

WHEREAS, the Governor's Task Force on the Future of Tourism was created under Executive Order 1986-15 on September 18, 1986, was charged with reporting findings and recommendations to the Governor by December 31, 1986, and has completed the work for which it was organized;

WHEREAS, it is in the interests of efficient and effective government that the Governor's Task Force on the Future of Tourism be abolished;

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

A. The Governor's Task Force on the Future of Tourism created under Executive Order 1986-15 is abolished.

B. Executive Order 1986-15 is rescinded in its entirety.

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 15th day of April in the year of our Lord two thousand four.

Jennifer M. Granholm

Governor

By the Governor:

Terri L. Land

Secretary of State

The message was referred to the Clerk.

The following message from the Governor was received April 15, 2004 and read:

**EXECUTIVE ORDER
No. 2004 - 10**

HEADLEE AMENDMENT BLUE RIBBON COMMISSION

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

WHEREAS, the Headlee Amendment Blue Ribbon Commission was created under Executive Order 1993-1 on February 17, 1993, was charged with issuing a final report and recommendations within nine months, and has completed the work for which it was created;

WHEREAS, it is in the interests of efficient and effective government that the Headlee Amendment Blue Ribbon Commission be abolished;

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

- A. The Headlee Amendment Blue Ribbon Commission created under Executive Order 1993-1 is abolished.
- B. Executive Order 1993-1 is rescinded in its entirety.

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 15th day of April in the year of our Lord two thousand four.

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

The message was referred to the Clerk.

The following message from the Governor was received April 15, 2004 and read:

**EXECUTIVE ORDER
 No. 2004 - 11**

SECCHIA COMMISSION ON TOTAL QUALITY GOVERNMENT

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

WHEREAS, the Secchia Commission was created under Executive Order 1994-5 on February 15, 1994, was charged with reporting its recommendations to the Governor by December 31, 1994, and has completed the work for which it was created;

WHEREAS, it is necessary in the interests of reengineering government and making its services more efficient to abolish the Secchia Commission;

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

- A. The Secchia Commission created under Executive Order 1994-5 is abolished.
- B. Executive Order 1994-5 is rescinded in its entirety.

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 15th day of April in the year of our Lord two thousand four.

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

The message was referred to the Clerk.

The following message from the Governor was received April 15, 2004 and read:

**EXECUTIVE ORDER
 No. 2004 - 12**

LIEUTENANT GOVERNOR'S SPECIAL COMMISSION ON ADOPTION

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

WHEREAS, the Lieutenant Governor's Special Commission on Adoption was created by executive order within the Executive Office of the Governor on April 23, 1991, was charged with reporting its findings and recommendations to the Governor within one year, and has completed the work for which it was created;

WHEREAS, it is in the interests of efficient and effective government that the Lieutenant Governor's Special Commission on Adoption be abolished;

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

A. The Lieutenant Governor's Special Commission on Adoption created under Executive Order 1991-14 is abolished.

B. Executive Order 1991-14 is rescinded in its entirety.

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 15th day of April in the year of our Lord two thousand four.

Jennifer M. Granholm

Governor

By the Governor:

Terri L. Land

Secretary of State

The message was referred to the Clerk.

The following message from the Governor was received April 15, 2004 and read:

EXECUTIVE ORDER

No. 2004 - 13

LIEUTENANT GOVERNOR'S CHILDREN'S COMMISSION

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

WHEREAS, the Lieutenant Governor's Children's Commission was established within the Executive Office of the Governor on May 23, 1995, was charged reporting its findings and recommendations to the Governor by July 1, 1996, and has completed the work for which it was created;

WHEREAS, it is necessary in the interests of efficient and effective government to abolish the Lieutenant Governor's Children's Commission;

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

A. The Lieutenant Governor's Children's Commission created within the Executive Office of the Governor under Executive Order 1995-12 is abolished.

B. Executive Order 1995-12 is rescinded in its entirety.

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 15th day of April in the year of our Lord two thousand four.

Jennifer M. Granholm

Governor

By the Governor:

Terri L. Land

Secretary of State

The message was referred to the Clerk.

The following message from the Governor was received April 15, 2004 and read:

EXECUTIVE ORDER

No. 2004 - 14

NATURAL RESOURCES MANAGEMENT AND ENVIRONMENTAL CODE COMMISSION

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

WHEREAS, the Natural Resources Management and Environmental Code Commission ("Commission") was created on November 8, 1991 under Executive Order 1991-32;

WHEREAS, the Commission was charged with reviewing, analyzing, and recommending statutory language in the form of a draft bill or bills for a Michigan Natural Resources Management and Environmental Protection Code in the form of a single, comprehensive body of law designed to implement Michigan's entire natural resources management and environmental protection program;

WHEREAS the Commission was charged with making final recommendations on such a code to the Governor and the Michigan Legislature by January 1, 1993, unless extended by the Governor;

WHEREAS, the Commission was also charged with reviewing, analyzing, and recommending changes in the Michigan Department of Natural Resources, in order that such organization will closely correspond and correlate to the proposed Natural Resources Management and Environmental Code;

WHEREAS, the Natural Resources Management and Environmental Code Commission has completed the work for which it was created;

WHEREAS, the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.101 to 324.90106, was enacted effective March 30, 1995;

WHEREAS, it is in the interests of efficient and effective government that the Natural Resources Management and Environmental Code Commission be abolished;

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

A. The Natural Resources and Environmental Code Commission created under Executive Order 1991-32 is abolished.

B. Executive Order 1991-32 is rescinded in its entirety.

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 15th day of April in the year of our Lord two thousand four.

Jennifer M. Granholm
Governor

By the Governor:
Terri L. Land
Secretary of State

The message was referred to the Clerk.

The following message from the Governor was received April 15, 2004 and read:

**EXECUTIVE ORDER
No. 2004 - 15**

MICHIGAN NEWSPRINT RECYCLING TASK FORCE

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

WHEREAS, the Michigan Newsprint Recycling Task Force was created under Executive Order 1990-1 on January 26, 1990, and has completed the work for which it was created;

WHEREAS, it is in the interests of efficient and effective government that the Michigan Newsprint Recycling Task Force be abolished;

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

A. The Michigan Newsprint Recycling Task Force created under Executive Order 1990-1 is abolished.

B. Executive Order 1990-1 is rescinded in its entirety.

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 15th day of April in the year of our Lord two thousand four.

Jennifer M. Granholm
Governor

By the Governor:
Terri L. Land
Secretary of State

The message was referred to the Clerk.

The following message from the Governor was received April 15, 2004 and read:

EXECUTIVE ORDER
No. 2004 - 16

OLD MICHIGAN SNOWMOBILE ADVISORY COMMITTEE

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

WHEREAS, the old Michigan Snowmobile Advisory Committee was created on April 29, 1994, and on October 1, 1996, the Director of the Department of Natural Resources was required to advise the Governor on the continuing need for the existence of the Committee;

WHEREAS, a new Michigan Snowmobile Advisory Committee was created within the Department of Natural Resources under Section 82102a of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.82102a;

WHEREAS, it is necessary in the interests of efficient and effective government to abolish the old Michigan Snowmobile Advisory Committee;

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

A. The old Michigan Snowmobile Advisory Committee created under Executive Order 1994-11 is abolished

B. Executive Order 1994-11 is rescinded in its entirety.

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 15th day of April in the year of our Lord two thousand four.

Jennifer M. Granholm
Governor

By the Governor:
Terri L. Land
Secretary of State

The message was referred to the Clerk.

The following message from the Governor was received April 15, 2004 and read:

EXECUTIVE ORDER
No. 2004 - 17

MICHIGAN PUBLIC-PRIVATE PARTNERSHIP COMMISSION

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

WHEREAS, the Michigan Public-Private Partnership Commission was created on July 30, 1992 under Executive Order 1992-17 to review a draft report on public-private partnerships in Michigan and make recommendations to the Governor regarding that report;

WHEREAS, Executive Order 1992-17 was amended by Executive Order 1992-22;

WHEREAS, Executive Order 1992-17 was amended a second time by Executive Order 1992-24;

WHEREAS, the Michigan Public-Private Partnership Commission was charged with reporting and issuing final recommendations to the Governor by July 30, 1993;

WHEREAS, the Michigan Public-Private Partnership Commission has completed the work for which it was created;

WHEREAS, it is in the interests of efficient and effective government that the Michigan Public-Private Partnership be abolished;

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

A. The Michigan Public-Private Partnership Commission created under Executive Order 1992-17 is abolished.

B. Executive Order 1992-17 is rescinded in its entirety.

C. Executive Order 1992-22 is rescinded in its entirety.

D. Executive Order 1992-24 is rescinded in its entirety.
This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State
of Michigan this 15th day of April in the year of our
Lord two thousand four.

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

The message was referred to the Clerk.

The following message from the Governor was received April 15, 2004 and read:

EXECUTIVE ORDER
No. 2004 - 18

MICHIGAN TASK FORCE ON DRUG-EXPOSED INFANTS

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

WHEREAS, on September 25, 1991, the Michigan Task Force on Drug-Exposed Infants was created under Executive Order 1991-24, was charged with issuing recommendations to the Governor by August 15, 1992, and has completed the work for which it was created;

WHEREAS, it is in the interests of efficient and effective government that the Michigan Task Force on Drug-Exposed Infants be abolished;

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

A. The Michigan Task Force on Drug-Exposed Infants created under Executive Order 1991-24 is abolished.

B. Executive Order 1991- 24 is rescinded in its entirety.

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State
of Michigan this 15th day of April in the year of our
Lord two thousand four.

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

The message was referred to the Clerk.

The following message from the Governor was received April 15, 2004 and read:

EXECUTIVE ORDER
No. 2004 - 19

MICHIGAN COMMISSION ON PUBLIC PENSION AND RETIREE HEALTH BENEFITS

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

WHEREAS, the Michigan Commission on Public Pension and Retiree Health Benefits was first created under Executive Order 1999-8 on July 29, 1999, and was charged with completing its work within one year;

WHEREAS, the Michigan Commission on Public Pension and Retiree Health Benefits was recreated under Executive Order 1999-13 on November 16, 1999, and was charged with completing its work within one year;

WHEREAS, it is necessary in the interests of efficient and effective government to abolish the first and second Michigan Commission on Public Pension and Retiree Health Benefits;

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

A. The first Michigan Commission on Public Pension and Retiree Health Benefits created under Executive Order 1999-8 is abolished.

B. Executive Order 1999-8 is rescinded in its entirety.

C. The second Michigan Commission on Public Pension and Retiree Health Benefits created under Executive Order 1999-13 is abolished.

D. Executive Order 1999-13 is rescinded in its entirety.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 15th day of April in the year of our Lord two thousand four.

Jennifer M. Granholm

Governor

By the Governor:

Terri L. Land

Secretary of State

The message was referred to the Clerk.

The following message from the Governor was received April 15, 2004 and read:

EXECUTIVE ORDER

No. 2004 - 20

MICHIGAN BUREAU OF STATE LOTTERY ADVISORY BOARD

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

WHEREAS, the Bureau of State Lottery Advisory Board was created under Executive Order on March 4, 1988 under Executive Order 1988-5, was charged with implementing the recommendations of a Citizens' Task Force to Review the Lottery, and has completed the work for which it was created;

WHEREAS, it is in the interests of efficient and effective government that the Bureau of State Lottery Advisory Board be abolished;

NOW, THEREFORE, I, Jennifer M. Granholm, Governor of the State of Michigan, by virtue of the power and authority vested in me by the Michigan Constitution of 1963 and Michigan law, order that the Bureau of State Lottery Advisory Board created under Executive Order 1988-5, as amended by Executive Order 1988-5A, is abolished and that Executive Orders 1988-5 and 1988-5A are rescinded in their entirety.

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 15th day of April in the year of our Lord two thousand four.

Jennifer M. Granholm

Governor

By the Governor:

Terri L. Land

Secretary of State

The message was referred to the Clerk.

The following message from the Governor was received April 15, 2004 and read:

EXECUTIVE ORDER

No. 2004 - 21

LONG-TERM CARE PLANNING COMMITTEE

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

WHEREAS, the Long-Term Care Planning Committee was created by executive order on August 16, 1990, was charged with preparing an action plan for implementing a state-wide long-term care continuum of complementary home and community based services, and has completed the work for which it was created;

WHEREAS, it is in the interests of efficient and effective government that the Long-Term Care Planning Committee be abolished;

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

- A. The Long-Term Care Planning Committee created under Executive Order 1990-13 is abolished
- B. Executive Order 1990-13 is rescinded in its entirety.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 15th day of April in the year of our Lord two thousand four.

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

The message was referred to the Clerk.

The following message from the Governor was received April 15, 2004 and read:

**EXECUTIVE ORDER
No. 2004 - 22**

TEMPORARY MICHIGAN BIOLOGIC PRODUCTS COMMISSION

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

WHEREAS, the temporary Michigan Biologic Products Commission was created under Executive Order 1995-25 as a temporary agency pursuant to Section 4 of Article V of the Michigan Constitution of 1963, with a life of no more than two years;

WHEREAS, a new Michigan Biologic Products Commission was created within the Department of Community Health under the Michigan Biologic Products Institute Transfer Act, 1996 PA 522, MCL 333.26331 to 333.26340;

WHEREAS, it is necessary in the interests of efficient and effective government to abolish formally the temporary Michigan Biologic Products Commission;

NOW, THEREFORE, I, Jennifer M. Granholm, Governor of the State of Michigan, by virtue of the power and authority vested in me by the Michigan Constitution of 1963 and Michigan law, order that the temporary Michigan Biologic Products Commission created under Executive Order 1995-25 is abolished.

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 15th day of April in the year of our Lord two thousand four.

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

The message was referred to the Clerk.

The following message from the Governor was received April 15, 2004 and read:

**EXECUTIVE ORDER
No. 2004 - 23**

MICHIGAN SOLID WASTE IMPORTATION TASK FORCE

DEPARTMENT OF ENVIRONMENTAL QUALITY

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

WHEREAS, the first Michigan Solid Waste Importation Task Force was created under Executive Order 1999-3 on May 28, 1999, and was charged with issuing a final report and recommendations by December 1, 1999;

WHEREAS, the Michigan Solid Waste Importation Task Force was recreated under Executive Order 1999-14 on November 24, 1999, and was charged with issuing a final report and recommendations by December 1, 2000;

WHEREAS, it is necessary in the interests of efficient and effective government to abolish the Michigan Solid Waste Importation Task Force;

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

A. The first Michigan Solid Waste Importation Task Force created within the Department of Environmental Quality under Executive Order 1999-3 is abolished.

B. Executive Order 1999-3 is rescinded in its entirety.

C. The second Michigan Solid Waste Importation Task Force created within the Department of Environmental Quality under Executive Order 1999-14 is abolished.

D. Executive Order 1999-14 is rescinded in its entirety.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 15th day of April in the year of our Lord two thousand four.

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

The message was referred to the Clerk.

The following message from the Governor was received April 15, 2004 and read:

EXECUTIVE ORDER
No. 2004 - 24

MICHIGAN COMMISSISON ON GENETIC PRIVACY AND PROGRESS

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

WHEREAS, the Michigan Commission on Genetic Privacy and Progress was created within the Department of Community Health on September 26, 1997, and was charged with issuing a final report to the Governor and the Legislature by November 15, 1998;

WHEREAS, it is necessary in the interests of efficient and effective government to abolish the Michigan Commission on Genetic Privacy and Progress;

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

A. The Reading Plan for Michigan Commission on Genetic Privacy and Progress created within the Department of Community Health under Executive Order 1997-14 is abolished.

B. Executive Order 1997-14 is rescinded in its entirety.

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 15th day of April in the year of our Lord two thousand four.

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

The message was referred to the Clerk.

The following message from the Governor was received April 15, 2004 and read:

EXECUTIVE ORDER
No. 2004 - 25

MICHIGAN COMMISSION ON END OF LIFE CARE

DEPARTMENT OF COMMUNITY HEALTH

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

WHEREAS, the Michigan Commission on End of Life Care was created under Executive Order 1999-4, as amended by Executive Order 2000-2, was charged with issuing a final report to the Governor and the Legislature by February 1, 2001, and has completed the work for which it was created;

WHEREAS, it is necessary in the interests of efficient and effective government to abolish the Michigan Commission on End of Life Care;

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

A. The Michigan Commission on End of Life Care created within the Department of Community Health under Executive Order 1999-4, as amended by Executive Order 2000-2, is abolished.

B. Executive Orders 1999-4 and 2000-2 are rescinded in their entirety.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 15th day of April in the year of our Lord two thousand four.

Jennifer M. Granholm

Governor

By the Governor:

Terri L. Land

Secretary of State

The message was referred to the Clerk.

The following message from the Governor was received April 15, 2004 and read:

EXECUTIVE ORDER

No. 2004 - 26

**TASK FORCE ON REVITALIZATION OF AGRICULTURE
THROUGH RESEARCH AND EDUCATION**

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

WHEREAS, the Task Force on Revitalization of Agriculture through Research and Education was created under Executive Order 1986-16 on October 10, 1986, was charged with making recommendations to the Governor, and has completed the work for which it was organized;

WHEREAS, it is in the interests of efficient and effective government that the Task Force on Revitalization of Agriculture through Research and Education be abolished;

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

A. The Task Force on Revitalization of Agriculture through Research and Education created under Executive Order 1986-16 is abolished.

B. Executive Order 1986-16 is rescinded in its entirety.

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 15th day of February in the year of our Lord two thousand four.

Jennifer M. Granholm

Governor

By the Governor:

Terri L. Land

Secretary of State

The message was referred to the Clerk.

The following message from the Governor was received April 15, 2004 and read:

EXECUTIVE ORDER

No. 2004 - 27

MICHIGAN SPORTS COMMISSION

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

WHEREAS, the Michigan Sports Commission was created under Executive Order 1990-11 on June 21, 1990, and has completed the work for which it was created;

WHEREAS, it is in the interests of efficient and effective government that the Michigan Sports Commission be abolished;

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

A. The Michigan Sports Commission created under Executive Order 1990-11 is abolished.

B. Executive Order 1990-11 is rescinded in its entirety.

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 15th day of April in the year of our Lord two thousand four.

Jennifer M. Granholm

Governor

By the Governor:

Terri L. Land

Secretary of State

The message was referred to the Clerk.

The following message from the Governor was received April 15, 2004 and read:

EXECUTIVE ORDER

No. 2004 - 28

GREAT LAKES SPORTS COMMISSION

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

WHEREAS, the Great Lakes Sports Commission was created under Executive Order 1987-4 on March 20, 1987, was responsible for the establishment, operation, and promotion of a Great Lakes Sports Training Center at Northern Michigan University, and has completed the work for which it was organized;

WHEREAS, it is in the interests of efficient and effective government that the Great Lakes Sports Commission be abolished;

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

A. The Great Lakes Sports Commission created under Executive Order 1987-4 is abolished.

B. Executive Order 1987-4 is rescinded in its entirety.

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 15th day of April in the year of our Lord two thousand four.

Jennifer M. Granholm

Governor

By the Governor:

Terri L. Land

Secretary of State

The message was referred to the Clerk.

The following message from the Governor was received April 15, 2004 and read:

EXECUTIVE ORDER

No. 2004 - 29

MICHIGAN HOUSING COORDINATING COUNCIL

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

WHEREAS, the Michigan Housing Coordinating Council was created under Executive Order 1990-2 on February 22, 1990;

WHEREAS, on May 2, 1991, Executive Order 1990-2 was amended by Executive Order 1990-15;

WHEREAS, Executive Order 1991-15 limited the mission of the Michigan Housing Coordinating Council, altered its membership, and required the Council to complete its work by December 31, 1991;

WHEREAS, the Michigan Housing Coordinating Council has completed the work for which it was created;

WHEREAS, it is in the interests of efficient and effective government that the Michigan Housing Coordinating Council be abolished;

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

A. The Michigan Housing Coordinating Council created under Executive Order 1990-2, as amended by Executive Order 1991-15 is abolished.

B. Executive Order 1990-2 is rescinded in its entirety.

C. Executive Order 1991-15 is rescinded in its entirety.

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 15th day of April in the year of our Lord two thousand four.

Jennifer M. Granholm

Governor

By the Governor:

Terri L. Land

Secretary of State

The message was referred to the Clerk.

Date: April 7, 2004

Time: 3:25 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5200 (Public Act No. 53, I.E.), being

An act to designate October 18 of each year as Willie Horton Day in the state of Michigan.

(Filed with the Secretary of State April 8, 2004, at 8:38 a.m.)

Date: April 12, 2004

Time: 10:45 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5117 (Public Act No. 54, I.E.), being

An act to amend 1978 PA 368, entitled "An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates," (MCL 333.1101 to 333.25211) by adding section 20531.

(Filed with the Secretary of State April 12, 2004, at 2:05 p.m.)

Date: April 12, 2004
Time: 10:47 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5119 (Public Act No. 55, I.E.), being

An act to amend 1939 PA 280, entitled “An act to protect the welfare of the people of this state; to provide general assistance, hospitalization, infirmary and medical care to poor or unfortunate persons; to provide for compliance by this state with the social security act; to provide protection, welfare and services to aged persons, dependent children, the blind, and the permanently and totally disabled; to administer programs and services for the prevention and treatment of delinquency, dependency and neglect of children; to create a state department of social services; to prescribe the powers and duties of the department; to provide for the interstate and intercounty transfer of dependents; to create county and district departments of social services; to create within certain county departments, bureaus of social aid and certain divisions and offices thereunder; to prescribe the powers and duties of the departments, bureaus and officers; to provide for appeals in certain cases; to prescribe the powers and duties of the state department with respect to county and district departments; to prescribe certain duties of certain other state departments, officers, and agencies; to make an appropriation; to prescribe penalties for the violation of the provisions of this act; and to repeal certain parts of this act on specific dates,” (MCL 400.1 to 400.119b) by adding section 111k.

(Filed with the Secretary of State April 12, 2004, at 2:07 p.m.)

Date: April 12, 2004
Time: 10:49 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5280 (Public Act No. 56, I.E.), being

An act to amend 1976 PA 451, entitled “An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts,” (MCL 380.1 to 380.1852) by adding section 1305.

(Filed with the Secretary of State April 12, 2004, at 2:09 p.m.)

Date: April 12, 2004
Time: 10:51 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4179 (Public Act No. 57, I.E.), being

An act to amend 2000 PA 499, entitled “An act to create certain prescription programs relating to the elderly; to enhance access to prescription drugs to certain elderly residents of the state; to prescribe the powers and duties of certain state departments and agencies; and to repeal acts and parts of acts,” by amending section 3 (MCL 550.2003).

(Filed with the Secretary of State April 12, 2004, at 2:11 p.m.)

Date: April 12, 2004
Time: 10:53 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5104 (Public Act No. 58, I.E.), being

An act to amend 1931 PA 328, entitled “An act to revise, consolidate, codify and add to the statutes relating to crimes; to define crimes and prescribe the penalties therefor; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending section 316 (MCL 750.316), as amended by 1999 PA 189.

(Filed with the Secretary of State April 12, 2004, at 2:13 p.m.)

Date: April 12, 2004
Time: 10:55 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5184 (Public Act No. 59, I.E.), being

An act to amend 1979 PA 218, entitled “An act to provide for the licensing and regulation of adult foster care facilities; to provide for the establishment of standards of care for adult foster care facilities; to prescribe powers and duties of the department of social services and other departments; to prescribe certain fees; to prescribe penalties; and to repeal certain acts and parts of acts,” by amending sections 13, 22, and 36 (MCL 400.713, 400.722, and 400.736), sections 13 and 22 as amended by 1994 PA 150 and section 36 as added by 1984 PA 140, and by adding section 34a.

(Filed with the Secretary of State April 12, 2004, at 2:15 p.m.)

Date: April 12, 2004
Time: 10:57 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5344 (Public Act No. 60, I.E.), being

An act to amend 1992 PA 147, entitled “An act to provide for the development and rehabilitation of residential housing; to provide for the creation of neighborhood enterprise zones; to provide for obtaining neighborhood enterprise zone certificates for a period of time and to prescribe the contents of the certificates; to provide for the exemption of certain taxes; to provide for the levy and collection of a specific tax on the owner of certain facilities; and to prescribe the powers and duties of certain officers of the state and local governmental units,” by amending section 4 (MCL 207.774), as amended by 2003 PA 199.

(Filed with the Secretary of State April 12, 2004, at 2:17 p.m.)

Date: April 12, 2004
Time: 11:06 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5120 (Public Act No. 62, I.E.), being

An act to amend 1949 PA 300, entitled “An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,” by amending sections 1d, 65, 310d, 319b, 320a, 321a, 625, 625b, 627, 727, 732, 733, and 907 (MCL 257.1d, 257.65, 257.310d, 257.319b, 257.320a, 257.321a, 257.625, 257.625b, 257.627, 257.727, 257.732, 257.733, and 257.907), 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, sections 320a and 627 as amended by 2003 PA 315, section 321a as amended by 2002 PA 741, section 625b as amended by 1998 PA 357, section 727 as amended by 1998 PA 348, section 733 as amended by 1994 PA 50, and section 907 as amended by 2003 PA 73, and by adding section 79e; and to repeal acts and parts of acts.

(Filed with the Secretary of State April 13, 2004, at 9:30 a.m.)

Communications from State Officers

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

March 23, 2004

I am pleased to announce that the Annual Reports for the Michigan Public School Employees' Retirement System, the State Employees' Retirement System, the State Police Retirement System and the Judges' Retirement System for

the fiscal year ending September 30, 2003 are available online at www.michigan.gov/ors. The reports in a printable format are listed separately in the "What's New" section under each retirement system.

Please share this information as appropriate and if I can provide further information, please let me know.

Sincerely,
Chris DeRose
Director
Office of Retirement Services

The communication was referred to the Clerk.

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

March 30, 2004

Enclosed is the Appropriation/Fiscal Analysis Report for the Department of Civil Service for fiscal year 2002-03. This report is provided in accordance with Article XI, Section 5 of the Constitution of the State of Michigan.

Sincerely,
Janet McClelland
Acting State Personnel Director

The communication was referred to the Clerk.

The following communication from the Office of the State Budget was received and read:

March 31, 2004

Transmitted under this cover is a schedule entitled "Statement of Revenue Subject to Constitutional Limitation – Legal Basis." The statement is submitted pursuant to Sections 18.1350(a) through 18.1350(e) of the Michigan Compiled Laws for the purpose of demonstrating compliance with Article 9, Section 26 of the Michigan Constitution for the fiscal year 2002-2003.

The statement has been reviewed by the Office of the Auditor General and a copy of the independent accountant's review is enclosed.

If you have questions regarding this report, please contact Mr. Michael J. Moody, Director, Office of Financial Management, at 373-1010.

Sincerely,
Mary A. Lannoye
State Budget Director

The communication was referred to the Clerk.

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

April 1, 2004

Enclosed is a copy of the FY03 Annual Report and Evaluation for the Secondary Road Patrol and Traffic Accident Prevention Program.

This report satisfies the reporting requirements contained in Public Act 416 of 1978, as amended. Copies of this report are transmitted to the Governor's Office, Clerk of the House, Secretary of the Senate, Chair of the House Appropriations Committee, Chair of the Senate Appropriations Committee, each county sheriff, the Michigan Sheriff's Association, and the Deputy Sheriff's Association of Michigan.

Should you have any questions about this report, please contact Kim Kelly at (517) 333-5303.

Sincerely,
Michael L. Prince
Division Director
Office of Highway Safety Planning

The communication was referred to the Clerk.

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

April 6, 2004

Section 16908(6) of Part 169, Scrap Tires, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, requires the Department of Environmental Quality (DEQ) to report annually to the Legislature on the utilization of revenues of the Scrap Tire Regulatory Fund (Fund).

The enclosed table represents the status of the Fund. If you have any questions or require further information, please contact Mr. George Bruchmann, Chief, Waste and Hazardous Materials Division, at 517-373-9523, or you may contact me.

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

The communication was referred to the Clerk.

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

April 6, 2004

Enclosed is a copy of the following audit report and/or report summary:
Performance Audit of the Michigan Youth Challenge Program,
Department of Military and Veterans Affairs
April 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. Woodward, Gielegem, Vagnozzi, Minore, Bieda, Gleason and Lipsey introduced

House Bill No. 5773, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 307 (MCL 257.307), as amended by 2003 PA 152, and by adding section 520a.

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

Reps. Woodward, Gielegem, Vagnozzi, Minore, Bieda, Gleason and Lipsey introduced

House Bill No. 5774, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3101a (MCL 500.3101a), as amended by 1996 PA 456.

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

Reps. Sak, DeRossett, Anderson, Casperson, Jamnick, Adamini, Tobocman, Gleason, Bieda, Murphy, Hune, Dennis, Elkins, Plakas, Farrah and O'Neil introduced

House Bill No. 5775, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," by amending section 17 (MCL 250.1017) and by adding section 69.

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

Rep. Stewart introduced

House Bill No. 5776, entitled

A bill to amend 1964 PA 154, entitled "Minimum wage law of 1964," by amending section 4a (MCL 408.384a), as amended by 1997 PA 2.

The bill was read a first time by its title and referred to the Committee on Employment Relations, Training and Safety.

Announcements by the Clerk

April 5, 2004

Received from Wayne County Airport Authority the 2003 Audited Financial Statements per the requirements of Public Act 90 of 2002.

Gary L. Randall
Clerk of the House

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

House Bill No. 5198, entitled

A bill to amend 1976 PA 267, entitled "Open meetings act," by amending section 9 (MCL 15.269), as amended by 1982 PA 130.

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

The substitute (H-3) 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. 5198, entitled

A bill to amend 1976 PA 267, entitled "Open meetings act," by amending section 9 (MCL 15.269), as amended by 1982 PA 130.

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

Roll Call No. 245

Yeas—104

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

Second Reading of Bills

House Bill No. 5113, entitled

A bill to amend 1966 PA 293, entitled “An act to provide for the establishment of charter counties; to provide for the election of charter commissioners; to prescribe their powers and duties; to prohibit certain acts of a county board of commissioners after the approval of the election of a charter commission; to prescribe the mandatory and permissive provisions of a charter; to provide for the exercise by a charter county of certain powers whether or not authorized by its charter; and to prescribe penalties and provide remedies,” by amending section 4 (MCL 45.504), as amended by 1980 PA 7.

The bill was read a second time.

Rep. Kooiman 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. DeRoche 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. 5113, entitled

A bill to amend 1966 PA 293, entitled “An act to provide for the establishment of charter counties; to provide for the election of charter commissioners; to prescribe their powers and duties; to prohibit certain acts of a county board of commissioners after the approval of the election of a charter commission; to prescribe the mandatory and permissive provisions of a charter; to provide for the exercise by a charter county of certain powers whether or not authorized by its charter; and to prescribe penalties and provide remedies,” by amending section 4 (MCL 45.504), as amended by 1980 PA 7.

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

Roll Call No. 246

Yeas—103

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

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

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Second Reading of Bills

House Bill No. 5114, entitled

A bill to amend 1966 PA 261, entitled “An act to provide for the apportionment of county boards of commissioners; to prescribe the size of the board; to provide for appeals; to prescribe the manner of election of the members of the county board of commissioners; to provide for compensation of members; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” by amending section 2 (MCL 46.402).

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

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

Rep. Steil moved to amend the bill as follows:

1. Amend page 1, line 8, after “**1,000,000**” by striking out “**19 to**” and inserting “**Not more than**”.

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

Rep. Sak 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. 5114, entitled

A bill to amend 1966 PA 261, entitled “An act to provide for the apportionment of county boards of commissioners; to prescribe the size of the board; to provide for appeals; to prescribe the manner of election of the members of the county board of commissioners; to provide for compensation of members; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” by amending section 2 (MCL 46.402).

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

Roll Call No. 247

Yeas—104

Accavitti	Garfield	Meisner	Sheen
Acciavatti	Gielegem	Meyer	Sheltrown

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

Second Reading of Bills

House Bill No. 5692, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 539d (MCL 750.539d).

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

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

Rep. Van Regenmorter moved to amend the bill as follows:

1. Amend page 2, line 23, by striking out all of enacting section 1.

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

Rep. Woodward moved to amend the bill as follows:

1. Amend page 2, following line 24, by inserting:

"Enacting section 1. This amendatory act does not take effect unless House Bill No. 5738 of the 92nd Legislature is enacted into law."

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

Rep. Woodward demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 248**Yeas—42**

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

Nays—62

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

In The Chair: Julian

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills**House Bill No. 5692, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 539d (MCL 750.539d).

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

Roll Call No. 249**Yeas—94**

Accavitti	Gillard	Milosch	Sheltrown
Acciavatti	Gleason	Minore	Shulman

Amos	Hager	Moolenaar	Spade
Anderson	Hardman	Mortimer	Stahl
Bieda	Hart	Murphy	Stakoe
Bisbee	Hood	Newell	Stewart
Bradstreet	Hopgood	Nitz	Tabor
Brandenburg	Howell	Nofs	Taub
Brown	Hummel	O'Neil	Tobocman
Byrum	Hune	Palsrok	Vagnozzi
Casperson	Hunter	Pappageorge	Van Regenmorter
Caul	Jamnack	Pastor	Vander Veen
Clack	Johnson, Rick	Plakas	Voorhees
Condino	Johnson, Ruth	Pumford	Walker
Dennis	Julian	Reeves	Ward
DeRoche	Kolb	Richardville	Waters
DeRossett	Kooiman	Rivet	Wenke
Ehardt	LaJoy	Robertson	Whitmer
Elkins	LaSata	Rocca	Williams
Emmons	Law	Sak	Wojno
Farhat	McConico	Shackleton	Woodward
Farrah	Meisner	Shaffer	Woronchak
Gaffney	Meyer	Sheen	Zelenko
Gielegem	Middaugh		

Nays—10

Adamini	Garfield	Lipsev	Smith
Caswell	Hoogendyk	Palmer	Steil
Drolet	Koetje		

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Reps. Hardman, McConico, Reeves, Stewart, O'Neil, Rocca, Minore, Jamnick, Richardville, Spade, Julian, Bradstreet, Law, Bieda, Wojno, Taub, Accavitti, Stakoe, Gleason, Nofs, Emmons, Sak and Stahl were named co-sponsors of the bill.

Notices

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Regulatory Reform from further consideration of **House Bill No. 4865**.

Rep. Richardville

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Tax Policy from further consideration of **House Bill No. 5708**.

Rep. Richardville

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Van Regenmorter, DeRossett, Vander Veen, Huizenga, Steil, Pumford, Stakoe, Middaugh, Nitz, Nofs, Caswell, Walker, Pappageorge, Sheen, Milosch, Acciavatti, Ehardt, Hoogendyk, Stahl, Palsrok, Shackleton, Stewart, Richardville, Wenke, DeRoche, Palmer, Taub, Casperson, Shaffer, Koetje, Emmons, Pastor, Brandenburg, Farhat,

Drolet, Caul, Garfield, Kooiman, Hummel, Hager, Bradstreet, Gaffney, Howell, Accavitti, Adamini, Bieda, Brown, Gillard, Law, Robertson, Spade, Anderson, Gleason, Hopgood, Hunter, Jamnick, LaJoy, Meyer, Murphy, Shulman, Tobocman, Voorhees and Wojno offered the following resolution:

House Resolution No. 232.

A resolution to call upon the Michigan Department of Transportation to review the current status of alternatives to road salt based on information from existing studies, trials, and tests and to make recommendations for advancing the use of alternatives at the state and local level.

Whereas, Numerous studies and environmental assessments indicate that road salt is a factor in the corrosion of vehicles, roads, and bridges, and that road salt also is harmful to the environment and causes crop damage; and

Whereas, Road salt is accumulating in the Great Lakes in detectable levels; and

Whereas, In recent years, a number of new salt alternatives have been developed and are currently being tested by the Michigan Department of Transportation and many local road commissions; and

Whereas, Michigan has a compelling interest in preserving our environment, our agricultural base, and our infrastructure. Studies and trials have independently yielded a great deal of information on alternatives available to road salt; and

Whereas, We recognize that cost is a factor for the state and local road authorities in choosing a method to keep roads free of snow and ice; now, therefore, be it

Resolved by the House of Representatives, That we call upon the Michigan Department of Transportation to review information gained from studies and trials and assess a number of factors that can advance the use of alternatives to road salt. The review should assess the feasibility of using alternative materials on a broad scale throughout the state, alone or in combination with road salt, with specific focus on the long-term cost effectiveness of alternatives with factors such as erosion, crop damage, and environmental damage taken into account; and be it further

Resolved, That we call upon the department to investigate road salt application strategies that result in a reduction of the amount of road salt used without compromising public safety; and be it further

Resolved, That we call upon the department to make recommendations on the practical usage of salt alternatives and reduction strategies by the state and by local road commissions in a manner that is both safe and effective and cost effective over the long-term; and be it further

Resolved, That copies of this resolution be transmitted to the Michigan Department of Transportation.

The resolution was referred to the Committee on Transportation.

Reps. Bisbee, DeRossett, Huizenga, Kooiman, Vander Veen, Voorhees, Drolet, Wenke, Hummel, Palmer, Caswell, Nitz, Milosch, Garfield, Acciavatti, Ward, Emmons, Bradstreet, LaJoy, Pastor, Nofs, Mortimer, Hune, Gaffney, Palsrok, Newell, Caul, DeRoche, Hoogendyk, Pumford, Hart, Howell, Koetje, Middaugh, Steil, Brandenburg, Ehardt, Meyer, Pappageorge, Shulman, Stewart and Taub offered the following resolution:

House Resolution No. 233.

A resolution to urge the Governor to direct the Michigan Occupational Safety and Health Administration not to promulgate ergonomics standards for Michigan.

Whereas, In November of 2000, the federal Occupational Safety and Health Administration (OSHA) published a rule to establish national standards for ergonomics. In March 2001, Congress and the President, citing serious concerns over workplace costs, repealed the rule and published voluntary guidelines to deal with this issue; and

Whereas, Since the federal government left implementation of ergonomics standards to the states, only one state, California, has adopted state ergonomics rules. The central concerns with state regulations setting ergonomics standards include the hundreds of hours of training, planning, and record-keeping compliance would require. Other major worries generated by the since-overturned OSHA rules were provisions pertaining to compensation arising from repetitive-motion injuries; and

Whereas, Since the 1980s, the Michigan Occupational Safety and Health Administration (MIOSHA) has worked with employers all across the state to address ergonomics issues. These cooperative initiatives, which include grants, education, and training, have had significant positive impacts for Michigan workers, without imposing prohibitive cost burdens on workers. Injuries have been reduced notably; and

Whereas, In spite of the progress made in Michigan without government-mandated standards, and in spite of the fact that virtually every other state has not promulgated ergonomics rules, an advisory committee of MIOSHA has been working to develop a state ergonomics standard. While assessing the overall financial impact of state ergonomics standards would depend on the specifics, there is little doubt that these types of regulations would increase costs substantially. One study of the potential impact of the earlier federal standards estimated costs to state and local governments of between \$53 and \$101 million; and

Whereas, Promulgating state ergonomics standards is clearly not an approach that would be helpful to economic development and job creation in our state; now, therefore, be it

Resolved by the House of Representatives, That we urge the Governor to direct the Michigan Occupational Safety and Health Administration not to promulgate ergonomics standards for Michigan; and be it further

Resolved, That copies of this resolution be transmitted to the Office of the Governor and the Michigan Occupational Safety and Health Administration.

The resolution was referred to the Committee on Commerce.

Reps. Van Regenmorter, Acciavatti, Adamini, Bieda, Brown, DeRossett, Gillard, Hager, Howell, Koetje, Law, Lipsey, Middaugh, Palsrok, Richardville, Robertson, Shaffer, Spade, Vander Veen, Accavitti, Anderson, Brandenburg, Byrum, Caswell, Caul, Clack, Condino, Ehardt, Emmons, Farhat, Gleason, Hopgood, Hunter, Jamnick, LaJoy, McConico, Meyer, Minore, Murphy, Pappageorge, Pastor, Plakas, Sak, Shulman, Stahl, Stewart, Tabor, Taub, Tobocman, Voorhees, Wojno, Gieleghem, Nitz, Zelenko and Kooiman offered the following resolution:

House Resolution No. 234.

A resolution recognizing April 18-24, 2004, as National Crime Victim's Rights Week.

Whereas, The results of ongoing government and community efforts to decrease the crime rates, with the goal of assuring peace of mind to the citizenry of our state and nation, are at last becoming visible, as evidenced by the numerous reports demonstrating a continuing drop in the crime rate in cities across the nation. While continuing to monitor and promote the enforcement and creation of laws to better protect society, there must also be an emphasized focus on strengthening the network of victim resources that can assist victims of crime to heal; and

Whereas, Since the implementation of The Crime Victim's Rights Act in 1985 and the passage of the constitutional amendment in 1988, the net for crime victims has been widened and strengthened. The groups that have evolved across the state and nation have clearly demonstrated the thoughtfulness of human nature to assist his and her fellow citizens. The demonstration of this level of care makes one realize that victims of crime have indeed formed a community, one that cares for their fellow man and woman and is willing to go the extra mile to provide assistance. The support groups that have arisen are many and varied, ranging from volunteers coordinated by county sheriff offices that work in teams of two to assist victims of crime at the very moment a crime has occurred, to the motivated and concerned individuals in each county prosecutor's office that assist a victim of crime throughout the court process, to the many support groups that have arisen across the state; and

Whereas, The existence of these groups and the visibility of victims in the criminal justice process can be largely attributed to the Crime Victim Constitutional Amendment which was overwhelmingly approved by the voters of Michigan in 1988. The amendment has had a great impact on the rights of crime victims. They are now afforded a multitude of rights throughout the process, most important of which is that the victim be treated with fairness and respect for their dignity and privacy throughout the entire process. The rights granted to victims have provided an awareness throughout our state, making the important statement that the system created to address the wrong done to a victim does in fact include the victim, a facet of the process that was sadly missing prior to the passage of the Crime Victim's Rights Act and the constitutional amendment nearly two decades ago; and

Whereas, The exchange of information and level of public awareness are the focus of National Crime Victim's Rights Week and continues to serve as a driving force for changes in attitude and law in not only Michigan, but the entire country; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body recognize April 18-24, 2004, as National Crime Victim's Rights Week; and be it further

Resolved, That we salute the support groups and participants in the candlelight vigil on Wednesday April 21, 2004, at the State Capitol; and be it further

Resolved, That copies of this resolution be transmitted to the coordinators of this event as evidence of our respect and best wishes.

Pending the reference of the resolution to a committee,

Rep. Richardville moved that Rule 77 be suspended and the resolution be considered at this time.

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

The question being on the adoption of the resolution,

The resolution was adopted.

Second Reading of Bills

House Bill No. 5693, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16z of chapter XVII (MCL 777.16z), as amended by 2004 PA 2.

The bill was read a second time.

Rep. Caul 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. 5693, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16z of chapter XVII (MCL 777.16z), as amended by 2004 PA 2.

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

Roll Call No. 250

Yeas—98

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

Nays—6

Caswell	Garfield	Palmer	Smith
Drolet	Hoogendyk		

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

Senate Bill No. 783, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 411t.

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. Woodward moved to amend the bill as follows:

1. Amend page 4, following line 4, by inserting:

“(8) The board of each educational institution shall adopt a written policy proscribing hazing.” and renumbering the remaining subsection.

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

Rep. Spade moved to amend the bill as follows:

1. Amend page 2, line 21, after “is” by inserting “an elementary school.”

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

Rep. Kolb moved to amend the bill as follows:

1. Amend page 2, following line 15, by inserting:

“(6) An employee or agent of a health facility who knows or has reason to know that an individual who is being treated at the health facility for a physical injury was injured as a result of hazing shall notify the local law enforcement agency, other than a law enforcement agency employed or operated by a college or university, while the individual is on the premises of the health facility. As used in this subsection, “health facility” means that term as defined in section 20106 of the public health code, 1978 PA 368, MCL 333.20106.” and renumbering the remaining subsections.

The motion prevailed and the amendment 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. Nitz moved that Rep. Ehardt 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. 783, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 411t. Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 251

Yeas—98

Accavitti	Gleason	Milosch	Shulman
Acciavatti	Hager	Minore	Smith
Adamini	Hardman	Moolenaar	Spade
Amos	Hart	Mortimer	Stahl
Anderson	Hood	Murphy	Stakoe
Bieda	Hopgood	Newell	Steil
Bisbee	Howell	Nitz	Stewart
Bradstreet	Hummel	Nofs	Tabor
Brandenburg	Hune	O’Neil	Taub
Brown	Hunter	Palmer	Tobocman
Byrum	Jamnick	Palsrok	Vagnozzi
Casperson	Johnson, Rick	Pappageorge	Van Regenmorter
Caul	Johnson, Ruth	Pastor	Vander Veen
Clack	Julian	Plakas	Voorhees

Condino	Koetje	Pumford	Walker
Dennis	Kolb	Reeves	Ward
DeRoche	Kooiman	Richardville	Waters
DeRossett	LaJoy	Rivet	Wenke
Elkins	LaSata	Robertson	Whitmer
Emmons	Law	Rocca	Williams
Farhat	Lipsey	Sak	Wojno
Farrah	McConico	Shackleton	Woodward
Gaffney	Meisner	Shaffer	Woronchak
Gielegthem	Meyer	Sheltrown	Zelenko
Gillard	Middaugh		

Nays—5

Caswell	Garfield	Hoogendyk	Sheen
Drolet			

In The Chair: Julian

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

“An act to revise, consolidate, codify and add to the statutes relating to crimes; to define crimes and prescribe the penalties therefor; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act,”

The House agreed to the full title.

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. 784, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16t of chapter XVII (MCL 777.16t), as amended by 2000 PA 371.

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. 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. Phillips entered the House Chambers.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 784, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16t of chapter XVII (MCL 777.16t), as amended by 2000 PA 371.

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

Roll Call No. 252**Yeas—98**

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

Nays—6

Bradstreet	Drolet	Hoogendyk	Sheen
Caswell	Garfield		

In The Chair: Julian

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

“An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act,”

The House agreed to the full title.

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

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

Messages from the Governor

The following veto messages from the Governor were received and read:

Executive Office, Lansing, April 7, 2004

Michigan House of Representatives
State Capitol
Lansing, Michigan 48909-7514

Ladies and Gentlemen:

Today I return to you without my signature **Enrolled House Bill 4720** and its tie-barred companion, **Enrolled House Bill 4722**, as provided under Section 33 of Article IV of the Michigan Constitution of 1963. I veto House Bill 4720 for technical reasons.

House Bill 4720 would codify some existing state efforts to engage in bulk purchasing of goods and supplies with schools throughout the State of Michigan. This administration is a strong supporter of such cooperative efforts as part of our continuing mission to ensure that Michigan taxpayers get more for their hard-earned tax dollars. In fact, the Department of Management and Budget (DMB) has recently launched MiDEAL, an enhanced joint purchasing program that allows state agencies, local governments, schools, non-profit hospitals, colleges, and universities to achieve significant savings on the purchase of goods and services.

The intent of this legislation is laudable and I also support the proposed extension of cooperative purchasing of goods and supplies to non-public schools. However, House Bill 4720 inadvertently would delete the requirement under existing Michigan law that requires the DMB to assist school districts and intermediate school districts in purchasing services. Eliminating cooperative purchasing of services will increase, not decrease, costs for schools and the state.

Accordingly, while I return Enrolled House Bills 4720 and 4722 without signature, I look forward to signing corrective legislation. I am pleased that the Legislature seeks to join our effort to encourage cooperative purchasing. This administration, including the DMB, looks forward to working with you in rapidly adopting revised legislation that extends the benefits of cooperative purchasing to goods, supplies, and services. When we and our partners in local government work together, Michigan taxpayers win.

Respectfully,
Jennifer M. Granholm
Governor

The question being on the passage of the bills the objections of the Governor to the contrary notwithstanding, Rep. Richardville moved that consideration of the bills be postponed for the day.

The motion prevailed.

The following veto message from the Governor was received and read:

Executive Office, Lansing, April 7, 2004

Michigan House of Representatives
State Capitol
Lansing, Michigan 48909-7514

Ladies and Gentlemen:

Today I am returning Enrolled **House Bill 5190** without my signature, as provided under Section 33 of Article IV of the Michigan Constitution of 1963. I am doing so because my administration is already well under way in implementing a plan to consolidate human resource functions in state government.

Respectfully,
Jennifer M. Granholm
Governor

The question being on the passage of the bill, the objections of the Governor to the contrary notwithstanding, Rep. Richardville moved that consideration of the bill be postponed for the day.

The motion prevailed.

The following veto message from the Governor was received and read:

Executive Office, Lansing, April 7, 2004

Michigan House of Representatives
State Capitol
Lansing, Michigan 48909-7514

Ladies and Gentlemen:

Today I have vetoed and return to you **Enrolled House Bill 5479**, as provided under Section 33 of Article IV of the Michigan Constitution of 1963. This bill would authorize, with local approval, the creation effective January 1, 2005 of an additional district court judgeship in the 77th Judicial District, which includes Mecosta and Osceola Counties.

While the creation of this new judgeship was recommended by the State Court Administrative Office last fall in its biennial review of judicial resources, the Legislature has not yet acted to alleviate insufficient judicial resources in other areas of the state. The creation of this additional judgeship would also negatively impact the Fiscal Year 2004-2005 budget. Given the importance of this issue, I do not intend to support House Bill 5479 unless legislation addressing the need for additional judicial resources in all areas of this state is on my desk at the same time.

Accordingly, I return Enrolled House Bill 5479 without signature.

Respectfully,
Jennifer M. Granholm
Governor

The question being on the passage of the bill, the objections of the Governor to the contrary notwithstanding, Rep. Richardville moved that consideration of the bill be postponed for the day.
The motion prevailed.

The following veto message from the Governor was received and read:

Executive Office, Lansing, April 7, 2004

Michigan House of Representatives
State Capitol
Lansing, Michigan 48909-7514

Ladies and Gentlemen:

Today I have vetoed and return to you **Enrolled House Bill 5480**, as provided under Section 33 of Article IV of the Michigan Constitution of 1963. This bill would authorize, with local approval, the creation effective January 1, 2005 of an additional circuit court judgeship in the 55th Judicial Circuit, which includes Clare and Gladwin Counties.

While the creation of this new judgeship was recommended by the State Court Administrative Office last fall in its biennial review of judicial resources, the Legislature has not yet acted to alleviate insufficient judicial resources in other areas of the state. The creation of this additional judgeship would also negatively impact the Fiscal Year 2004-2005 budget. Given the importance of this issue, I do not intend to support House Bill 5480 unless legislation addressing the need for additional judicial resources in all areas of this state is on my desk at the same time.

Accordingly, I return Enrolled House Bill 5480 without signature.

Respectfully,
Jennifer M. Granholm
Governor

The question being on the passage of the bill, the objections of the Governor to the contrary notwithstanding, Rep. Richardville moved that consideration of the bill be postponed for the day.
The motion prevailed.

The following veto message from the Governor was received and read:

Executive Office, Lansing, April 15, 2004

Michigan House of Representatives
State Capitol
Lansing, Michigan 48909-7514

Ladies and Gentlemen:

Today I have vetoed and return to you with my objections **Enrolled House Bill 4702**, as provided under Section 33 of Article IV of the Michigan Constitution of 1963.

House Bill 4702 is well intended. However, while I support efforts to encourage the preservation of farmland, this bill fails to account for the harmful effects that may result from its provisions. Changing assessment practices for agricultural property without also ensuring that the benefits are limited to those committed to the preservation of farmland is not consistent with Michigan's interest in preserving our state's valuable farmland.

This legislation, while promising new protection for farmers and farmland, instead could undermine existing preservation incentives. Although amendments added by the Senate mitigate somewhat the bill's potentially harmful effects, it is not certain that the changes entirely eliminate those effects.

By failing to provide a penalty for withdrawing farmland from agricultural use, House Bill 4702 fails to reflect the explicit recommendations of the Michigan Land Use Leadership Council, which couple preservation incentives with "meaningful recapture provisions upon withdrawal." In fact, because of this shortcoming, the two Co-Chairpersons of the Council, former Governor William G. Milliken and former Attorney General Frank J. Kelley, have voiced their opposition to this legislation.

For the reasons stated above, I return Enrolled House Bill 4702 without signature.

Respectfully,
Jennifer M. Granholm
Governor

The question being on the passage of the bill, the objections of the Governor to the contrary notwithstanding, Rep. Richardville moved that consideration of the bill be postponed for the day.

The motion prevailed.

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

Rep. Caul moved that the House adjourn.
The motion prevailed, the time being 3:35 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, April 21, at 1:00 p.m.

GARY L. RANDALL
Clerk of the House of Representatives