

No. 38
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
92nd Legislature
REGULAR SESSION OF 2004

House Chamber, Lansing, Wednesday, May 5, 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—present
Brandenburg—present	Hoogendyk—present	Newell—present	Steil—present
Brown—present	Hopgood—present	Nitz—present	Stewart—present
Byrum—present	Howell—present	Nofs—present	Tabor—present
Casperson—present	Huizenga—excused	O’Neil—present	Taub—present
Caswell—present	Hummel—present	Palmer—present	Tobocman—present
Caul—present	Hune—present	Palsrok—present	Vagnozzi—present
Cheeks—present	Hunter—present	Pappageorge—present	Van Regenmorter—present
Clack—present	Jamnick—present	Pastor—present	Vander Veen—excused
Condino—present	Johnson, Rick—present	Phillips—present	Voorhees—present
Daniels—present	Johnson, Ruth—present	Plakas—present	Walker—present
Dennis—present	Julian—present	Pumford—present	Ward—present
DeRoche—present	Koetje—present	Reeves—present	Waters—present
DeRossett—present	Kolb—present	Richardville—present	Wenke—present
Drolet—present	Kooiman—present	Rivet—present	Whitmer—present
Ehardt—present	LaJoy—present	Robertson—present	Williams—present
Elkins—present	LaSata—present	Rocca—present	Wojno—present
Emmons—present	Law—present	Sak—present	Woodward—present
Farhat—present	Lipsey—present	Shackleton—present	Woronchak—present
Farrah—present	McConico—present	Shaffer—present	Zelenko—present
Gaffney—present			

e/d/s = entered during session

Rep. Edward J. Gaffney, from the 1st District, offered the following invocation:

“Dear Lord, thank You for this day. Like every other day, it is a great day. Thank You for the company we share today, and thank You for a beautiful day! Also, thank You for health and happiness. Please give me and my fellow state representatives here today the insight and the wisdom to do what is just. Help us make the right decisions to benefit the people of the state of Michigan, so that the world may be a better place to live and share Your bountiful blessings. In Your name we all say, Amen.”

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

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

Reports of Standing Committees

The Speaker laid before the House

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.

(For text of resolution, see House Journal No. 31, p. 704.)

(The resolution was reported by the Committee on Commerce on May 4, consideration of which, under the rules, was postponed until today.)

The question being on the adoption of the resolution,

Rep. Bisbee demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the resolution,

The resolution was adopted, a majority of the members present voting therefor, by yeas and nays, as follows:

Roll Call No. 300

Yeas—60

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

Nays—46

Accavitti	Elkins	McConico	Smith
Adamini	Farrah	Meisner	Spade

Anderson	Gielegem	Minore	Stallworth
Bieda	Gillard	Murphy	Tobocman
Brown	Gleason	O'Neil	Vagnozzi
Byrum	Hood	Phillips	Waters
Caul	Hopgood	Plakas	Whitmer
Cheeks	Hunter	Reeves	Williams
Clack	Jamnick	Rivet	Wojno
Condino	Kolb	Sak	Woodward
Daniels	Law	Sheltrown	Zelenko
Dennis	Lipsey		

In The Chair: Julian

Rep. Hopgood, having reserved the right to explain his nay vote, made the following statement:

“Mr. Speaker and members of the House:

I voted no on House Resolution 233 because Ergonomic-related disorders take their toll on Michigan’s workers and their costs are significant, collectively and for individual employers. Voluntary standards are not enough; some employers feel it is cheaper to pay workers compensation than to prevent injuries from occurring.”

Second Reading of Bills

House Bill No. 5665, entitled

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

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

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

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

The motion prevailed.

Rep. Kooiman 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. 5665, entitled

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

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

Second Reading of Bills

Senate Bill No. 647, entitled

A bill to amend 1974 PA 154, entitled “Michigan occupational safety and health act,” by amending sections 6 and 29 (MCL 408.1006 and 408.1029) and by adding section 32.

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

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

Rep. Drolet moved to amend the bill as follows:

1. Amend page 2, line 4, after “**growth**” by striking out “or director of **the department of community health**”.

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

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

The motion prevailed.

Rep. Kooiman 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

Senate Bill No. 647, entitled

A bill to amend 1974 PA 154, entitled “Michigan occupational safety and health act,” by amending sections 6 and 29 (MCL 408.1006 and 408.1029) and by adding section 32.

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

Roll Call No. 301

Yeas—59

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

Nays—48

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

In The Chair: Julian

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

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

A bill to amend 1974 PA 154, entitled “An act to prescribe and regulate working conditions; to prescribe the duties of employers and employees as to places and conditions of employment; to create certain boards, commissions,

committees, and divisions relative to occupational and construction health and safety; to prescribe their powers and duties and powers and duties of the department of labor and department of public health; to prescribe certain powers and duties of the directors of the departments of labor, public health, and agriculture; to impose an annual levy to provide revenue for the safety education and training division; to provide remedies and penalties; to repeal certain acts and parts of acts; and to repeal certain acts and parts of act on specific dates,” by amending sections 6 and 29 (MCL 408.1006 and 408.1029) and by adding sections 17 and 32.

The motion prevailed.

The House agreed to the title as amended.

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

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

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

“Mr. Speaker and members of the House:

I voted no on Senate Bill 647 (H-1) because current law already defines a willful violation.

The bill would make it more difficult for MIOSHA to collect information through employee interviews. By giving employees the right to decline interviews, the bill would make it easier for employers to intimidate employees. It is not difficult to imagine a scenario in which an employer could pressure an employee with damaging information to decline to meet with MIOSHA investigators. Although investigators still would have the opportunity to compel the employee through an investigatory subpoena, seeking one for each interview would add unnecessarily to the time and expense of an investigation and guarantee that fewer violations would be investigated.”

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

The motion prevailed.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Bieda, Gielegem, Wojno, Accavitti, Drolet, Pappageorge, Rocca, Gillard, Adamini, Anderson, Byrum, Condino, Daniels, Dennis, DeRossett, Ehardt, Elkins, Farrah, Garfield, Gleason, Hager, Kolb, Kooiman, LaSata, Lipsey, McConico, Meyer, Middaugh, Phillips, Plakas, Richardville, Sak, Sheltroun, Shulman, Spade, Stallworth, Tabor, Tobocman, Vagnozzi, Waters, Woronchak, Zelenko, Hardman, Jamnick, Minore and Murphy offered the following resolution:

House Resolution No. 244.

A resolution recognizing May 12, 2004, as Fibromyalgia Awareness Day in the state of Michigan.

Whereas, An estimated 10 million people in the United States, 6-8% of the population of our country and millions of people worldwide, have been diagnosed with fibromyalgia. This is a disease for which there is no known cause or cure; and

Whereas, Fibromyalgia (FM) is a chronic illness which is increasing at epidemic rates and causes fatigue and debilitating pain in women, men, and children of all ages and races; and

Whereas, Patients with this illness often have to learn to live with widespread pain throughout their bodies, extreme fatigue, sleep disorders, stiffness, weakness, migraine headaches, numbness, tingling, and impairment of memory and concentration; and

Whereas, It often takes an average of five years to receive a diagnosis of fibromyalgia, and medical professionals frequently are inadequately educated on FM diagnosis and treatment; and

Whereas, It is necessary that we recognize the medical research demonstrating biochemical abnormalities in people with fibromyalgia; and

Whereas, Fibromyalgia in children and young adults presents unique challenges for this population who suffer not only from the symptoms of this illness, but also from the lack of understanding and social acceptance; and

Whereas, People with fibromyalgia face discrimination from employers, friends, family, and the judicial system while dealing with the ongoing stress of living with an unpredictable disease and an uncertain future; and

Whereas, Employers could support their employees with fibromyalgia by making adaptations to the work environment, so that people with FM could continue to function at work and not be forced to file for disability; and

Whereas, The National Fibromyalgia Association and other fibromyalgia support organizations around our country have joined together to promote FM awareness and support including improved education, diagnosis, research, and treatment; and

Whereas, Understanding this illness will help guarantee hope for a better future for people with fibromyalgia; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body proclaims May 12, 2004, as Fibromyalgia Awareness Day in the state of Michigan and recognizes the needs of these chronically ill people. We urge all of our citizens to support the search for a cure and assist those individuals and families who deal with this devastating disease on a daily basis.

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.

Reps. Gleason, Nofs, Spade, Farrah, Wojno, Sak, Van Regenmorter, Hoogendyk, Vander Veen, Ruth Johnson, Gaffney, Moolenaar, Bieda, Zelenko, Minore, Williams, Robertson, Murphy, Condino, Clack, Brown, Gillard, Hardman, Accavitti, Adamini, Anderson, Byrum, Daniels, Dennis, DeRossett, Ehardt, Elkins, Garfield, Gielegem, Hager, Hood, Kolb, Kooiman, LaSata, Lipsey, McConico, Meyer, Middaugh, Pappageorge, Phillips, Plakas, Richardville, Shaffer, Sheltrown, Shulman, Stallworth, Tabor, Tobocman, Vagnozzi, Waters, Woronchak, Jammick, Rocca and Voorhees offered the following resolution:

House Resolution No. 245.

A resolution recognizing May 2004 as Disability Awareness Month in the state of Michigan.

Whereas, Over 1.7 million people, almost one in five of Michigan's citizens over the age of five have disabilities based on physical or mental impairments or a combination of the two; and

Whereas, Disabilities cut across the lines of racial, ethnic, educational, social, and economic backgrounds. They can occur in any family. We and our friends and neighbors all benefit from a society where citizens with disabilities are valued and where they can participate fully in, and contribute to, the life of their community; and

Whereas, All citizens need to recognize the worth and skills of people with disabilities and assist in removing the barriers that prevent them from reaching their fullest potential. Through increased awareness, the needs of people with disabilities are becoming better understood for education, employment, housing, and recreational opportunities; and

Whereas, We encourage others to open doors of opportunities for people with disabilities and their families by participating in, and contributing to, their communities through integration and inclusion in the economic, political, social, cultural, and educational mainstreams; and

Whereas, Some people with disabilities often have functional limitations to being able to take care of themselves or to being economically self-sufficient. These limitations on major life activities are generally life-long and require a wide array of high-quality services and support systems; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body recognize May 2004 as Disability Awareness Month in Michigan and call upon the residents, individuals, family members, community groups, organizations, and governmental entities of Michigan to observe the month by learning about people with disabilities, their strengths and abilities, and the programs which serve their needs.

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.

Reps. Sak, O'Neil, Farrah, Adamini, McConico, Gleason, Bieda, Plakas, Accavitti, Anderson, Byrum, Condino, Daniels, Dennis, DeRossett, Ehardt, Elkins, Garfield, Gielegem, Gillard, Kolb, Kooiman, Lipsey, Meyer, Middaugh, Pappageorge, Phillips, Richardville, Sheltrown, Shulman, Spade, Stallworth, Tobocman, Vagnozzi, Waters, Wojno, Woronchak, Zelenko, Hardman, Jammick, Minore and Murphy offered the following resolution:

House Resolution No. 246.

A resolution recognizing May 5, 2004, as ACES With-a-Friend at the Capitol Day.

Whereas, The President's Council on Physical Fitness and Sports has designated the month of May 2004 as National Physical Fitness and Sports Month; and

Whereas, National Physical Fitness and Sports Month is our country's observance of fitness and sports. Many agencies have initiated programs designed to improve our quality of life; and

Whereas, ACES With-a-Friend stands for All Children Exercising Simultaneously and encourages schools to invite parents and others to join the fun; and

Whereas, ACES With-a-Friend was founded in 1989. All 50 states and more than 50 countries are active participants in the program; and

Whereas, ACES With-a-Friend is endorsed by the President's Council on Physical Fitness and Sports and the Michigan Governor's Council on Physical Fitness and Sports; and

Whereas, In 2002, the state of Michigan set the record for the most participants in an individual state; and

Whereas, Regular physical activity can have a significant impact on lifelong health and ACES With-a-Friend encourages students to be more physically active; and

Whereas, On Wednesday, May 5, 2004, students from across Michigan will be participating in ACES With-a-Friend at the State Capitol; now, therefore be it

Resolved by the House of Representatives, That the members of this legislative body hereby recognize May 5, 2004, as ACES With-a-Friend at the Capitol Day.

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.

Reps. Sak, O'Neil, Farrah, Adamini, McConico, Gleason, Bieda, Plakas, Kooiman, Accavitti, Anderson, Byrum, Condino, Daniels, Dennis, DeRossett, Ehardt, Elkins, Garfield, Gielegem, Gillard, Hager, Kolb, LaSata, Lipsey, Meyer, Middaugh, Pappageorge, Phillips, Richardville, Shaffer, Sheltrown, Shulman, Spade, Stallworth, Tobocman, Vagnozzi, Waters, Wojno, Woronchak, Zelenko, Cheeks, Hardman, Jamnick, Minore, Murphy and Voorhees offered the following resolution:

House Resolution No. 247.

A resolution recognizing May 2004 as National Physical Fitness and Sports Month in the state of Michigan.

Whereas, The President's Council on Physical Fitness and Sports has designated the month of May 2004 as National Physical Fitness and Sports Month and created the Presidential Fitness Partners in May; and

Whereas, National Physical Fitness and Sports Month is our country's observance of fitness and sports; and

Whereas, Many agencies have initiated programs designed to improve our quality of life; and

Whereas, As partners, we can better help one another to communicate the common message of improved health through physical activity more effectively; and

Whereas, National Physical Fitness and Sports Month is a time when we can do something special to direct deserved national attention to the benefits of physical activity; and

Whereas, National Physical Fitness and Sports Month is a national celebration of healthy lifestyles through physical activity; and

Whereas, We are committed to making Michigan's children, and America's children, healthy and physically fit; now, therefore, be it

Resolved by the House Of Representatives, That the members of this legislative body recognize May 2004 as National Physical Fitness and Sports Month in Michigan.

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.

Reps. Hardman, Waters, Gleason, Cheeks, Stallworth, Hopgood, Smith, Accavitti, Adamini, Anderson, Bieda, Byrum, Condino, Daniels, Dennis, DeRossett, Ehardt, Elkins, Farrah, Garfield, Gielegem, Gillard, Hood, Kolb, Kooiman, LaSata, Lipsey, McConico, Pappageorge, Phillips, Plakas, Sak, Spade, Tobocman, Vagnozzi, Wojno, Zelenko, Jamnick, Minore, Murphy and Voorhees offered the following resolution:

House Resolution No. 248.

A resolution to memorialize the Congress of the United States to reauthorize the Temporary Assistance to Needy Families block grant program.

Whereas, The Temporary Assistance to Needy Families (TANF) block grant program was established in 1996 as a key component of the Personal Responsibility and Work Opportunity Reconciliation Act. The TANF program is

committed to the goal of helping people make the transition to self-sufficiency through employment. While this challenge is always a difficult one, TANF has helped many people gain new lives for themselves and their families; and

Whereas, The authorization and funding for the TANF block grant program formally expired on September 30, 2002, but the program has been extended by Congress six times since then. The most recent extension, on March 31, 2004, provided for the program until June 30, 2004. The importance of this program to our country makes it essential that it be reauthorized. Continued extensions do not have the same impact on the program and do not reflect the necessary level of long-term commitment; and

Whereas, As Congress considers the TANF program, it also important that reauthorization include sufficient funding to carry out fully the work of helping families in need develop the skills essential to maintaining independence in an economy that is very challenging. Clearly, the work carried out through the TANF program is vitally important, not only to the individuals and families in need, but also to the long-term strength of our communities, states, and country. This is an investment that should be a priority item; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to reauthorize the Temporary Assistance to Needy Families block grant program; and be it further

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

The resolution was referred to the Committee on Family and Children Services.

Reps. Sak, O'Neil, Farrah, Adamini, McConico, Gleason, Bieda, Zelenko, Hopgood, Minore, Spade, Vagnozzi, Tobocman, Accavitti, Wojno, Woodward, Condino, Whitmer, Stallworth, Plakas, Sheltroun, Kooiman, Anderson and Waters offered the following resolution:

House Resolution No. 249.

A resolution recognizing May 4, 2004, as National Teacher Appreciation Day in Michigan.

Whereas, A society has no greater responsibility than the education of its youth; and

Whereas, Teachers are committed to the educational development of our youth. They fill many roles which include serving as listeners, explorers, role models, motivators, and mentors to their students; and

Whereas, Teachers are entrusted to help students develop to their full potential and to open their minds to ideas, knowledge, and dreams; and

Whereas, The seeds that teachers plant bear fruit for a lifetime and beyond; and

Whereas, Teachers have worked quiet miracles in the lives of all of us because of their continued dedication to educational development; and

Whereas, Past, present, and future public school teachers shall be honored for the lasting contributions they make to the lives of all citizens and family members of the state of Michigan; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body hereby recognize May 4, 2004, as National Teacher Appreciation Day in Michigan.

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.

Reps. Sak, Dennis, O'Neil, Farrah, Adamini, McConico, Gleason, Bieda, Zelenko, Hopgood, Minore, Spade, Vagnozzi, Tobocman, Accavitti, Wojno, Woodward, Condino, Whitmer, Stallworth, Plakas, Sheltroun, Kooiman, Anderson and Waters offered the following resolution:

House Resolution No. 250.

A resolution recognizing May 2-8, 2004, as Teacher Appreciation Week in the state of Michigan.

Whereas, A strong, effective system of free public school education for all children and youth is essential to our democratic system of government; and

Whereas, The United States has made considerable progress in the social, technological, and scientific fields due to our system of free and universal public education; and

Whereas, Much of this progress can be attributed to the qualified and dedicated teachers entrusted with the educational development of our children; and

Whereas, Teachers should be accorded high public esteem, reflecting the value our community places on public education; and

Whereas, The importance and impact of teachers on children is known nationwide; and

Whereas, It is appropriate that teachers be recognized for their dedication and commitment to educating their students; now, therefore be it further

Resolved by the House of Representatives, That the members of this legislative body hereby recognize May 2-8, 2004, as Teacher Appreciation Week in the state of Michigan.

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.

Reps. Richardville, Accavitti, Adamini, Anderson, Bieda, Byrum, Casperson, Caswell, Condino, Daniels, Dennis, DeRossett, Ehardt, Elkins, Farrah, Gaffney, Garfield, Gielegem, Gillard, Gleason, Hager, Kolb, Kooiman, LaSata, Lipsey, McConico, Meyer, Pappageorge, Phillips, Plakas, Robertson, Sak, Shaffer, Sheltroun, Shulman, Spade, Stallworth, Tabor, Tobocman, Vagnozzi, Waters, Wojno, Woronchak, Zelenko, Hardman, Jamnick, Ruth Johnson, Koetje, Minore, Murphy, Rocca and Voorhees offered the following resolution:

House Resolution No. 251.

A resolution recognizing May 5, 2004, as Nurse Practitioners' Day in Michigan.

Whereas, Nurse practitioners provide quality health care services spanning the entire age spectrum from birth until end of life care throughout our great state; and

Whereas, The demand for the services of nurse practitioners will continue to increase as Michigan's population grows and more citizens enjoy longer life spans; and

Whereas, Nurse practitioners play a vital role in the health and well-being of our citizens; and

Whereas, Their often thankless service to our community goes unheralded where it should be trumpeted every day; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body recognize May 5, 2004, as Nurse Practitioners' Day in Michigan and ask that all residents to join in honoring Michigan's nurse practitioners who work for the continued health and betterment of all Michigan citizens; and be it further

Resolved, That residents of Michigan celebrate the valuable service provided by nurse practitioners and show our appreciation not just on this day but at every opportunity throughout the year.

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.

Reports of Standing Committees

The Committee on Education, by Rep. Palmer, Chair, reported

House Bill No. 5701, entitled

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

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. Palmer, Hummel, Bradstreet, Hager, Hart, Ruth Johnson, Tabor, Voorhees, Vander Veen, Nofs and Stahl

Nays: Reps. Gielegem, Vagnozzi, Spade, Smith, Hopgood, Meisner and Clack

The Committee on Education, by Rep. Palmer, Chair, reported

House Bill No. 5702, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," (MCL 388.1601 to 388.1772) by adding section 9.

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. Palmer, Hummel, Meyer, Bradstreet, Hager, Hart, Ruth Johnson, Tabor, Voorhees, Vander Veen, Nofs and Stahl

Nays: Reps. Gielegem, Vagnozzi, Spade, Smith, Hopgood, Meisner and Clack

The Committee on Education, by Rep. Palmer, Chair, reported

Senate Bill No. 1073, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1246 (MCL 380.1246), as amended by 1995 PA 289.

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

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, May 4, 2004

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

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

House Bill No. 5323, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 36 (MCL 208.36), as amended by 1995 PA 284.

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. Wenke, Woronchak, Meyer, Stakoe, O'Neil, Minore, Farrah, Bieda and Zelenko

Nays: Reps. Sheen, Koetje, Drolet, Hummel, Palmer, Milosch, Nofs and Condino

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, May 5, 2004

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

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

House Bill No. 5698, entitled

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain

circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending section 5j (MCL 28.425j), as amended by 2002 PA 719.

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. Tabor, Milosch, Bradstreet, Richardville, Rocca, Nitz, Gillard, Farrah, Sheltroun and Accavitti

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, May 5, 2004

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, May 5, 2004

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

Absent: Reps. Huizenga, LaSata, McConico and Murphy

Excused: Reps. Huizenga and McConico

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, May 5, 2004

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, May 5, 2004

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

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members on Thursday, April 29:

Senate Bill Nos. 1172 1173 1174 1175 1176

The Clerk announced that the following bills had been printed and placed upon the files of the members on Friday, April 30:

Senate Bill Nos. 1177 1178 1179 1180

The Clerk announced that the following bills had been printed and placed upon the files of the members on Wednesday, May 5:

House Bill Nos. 5846 5847 5848 5849 5850 5851 5852

Introduction of Bills

Reps. Meyer and Wenke introduced

House Bill No. 5853, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 737a (MCL 168.737a), as added by 1996 PA 461.

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

Reps. Sheen, Ward, Brandenburg, Drolet, Garfield, Hummel, DeRoche, Huizenga, Acciavatti, Ehardt and Pastor introduced

House Bill No. 5854, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3406l; and to repeal acts and parts of acts.

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

Rep. Bieda introduced

House Bill No. 5855, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 452.

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

Rep. Bieda introduced

House Bill No. 5856, entitled

A bill to amend 1966 PA 291, entitled "Fire fighters training council act of 1966," by amending sections 2, 3, 9, 12, and 13 (MCL 29.362, 29.363, 29.369, 29.372, and 29.373), sections 2 and 3 as amended by 1987 PA 196 and section 9 as amended by 1988 PA 458.

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

Rep. Bieda introduced

House Bill No. 5857, 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. Steil, Pumford, Shackleton, Emmons, Kooiman, Wenke and Mortimer introduced

House Bill No. 5858, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 11 (MCL 388.1611), as amended by 2003 PA 236.

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

Reps. Taub, Brandenburg, Stakoe, Rocca, Nitz, Garfield and Amos introduced

House Joint Resolution Y, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 10 of article IX, to require that a percentage of state revenues be distributed to counties on a per capita basis.

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

Rep. DeRossett moved that the House adjourn.
The motion prevailed, the time being 2:20 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, May 6, at 10:00 a.m.

GARY L. RANDALL
Clerk of the House of Representatives

