

No. 54
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House of Representatives
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House Chamber, Lansing, Thursday, June 19, 2003.

10:00 a.m.

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

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

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

e/d/s = entered during session

Rep. John Moolenaar, from the 98th District, offered the following invocation:

“Dear Lord, thank You for the opportunity to serve the people of Michigan. We invite Your presence during this session and pray for wisdom as we make decisions. We pray for our leadership in this House of Representatives, the Senate and our Governor, and ask that You guide them with the vision necessary for all of us to accomplish Your purposes. I also ask that You forgive us for the times we fall short. We especially ask for Your intervention to bring reconciliation to the people of Benton Harbor and thank You for the peaceful evening last night. I pray in the name of Jesus. Amen.”

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

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

Rep. Hummel moved that Rep. Meyer be excused from today’s session. The motion prevailed.

Rep. Waters moved that Rep. Murphy be excused from the balance of today’s session. The motion prevailed.

Rep. Adamini moved that Rep. Brown be excused temporarily from today’s session. The motion prevailed.

Rep. Condino moved that Rep. Gleason be excused temporarily from today’s session. The motion prevailed.

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

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

Rep. Bieda moved that Rep. Lipsey be excused temporarily from today’s session. The motion prevailed.

Messages from the Senate

The Speaker laid before the House
House Bill No. 4388, entitled

A bill to make appropriations for community colleges and certain state purposes related to education for the fiscal year ending September 30, 2004; to provide for the expenditure of those appropriations; to establish or continue certain funds, programs, and categories; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

(The bill was received from the Senate on June 17, with substitute (S-1), consideration of which, under the rules, was postponed until June 18, see House Journal No. 52, p. 874.)

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

The substitute (S-1) was not concurred in, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 257

Yeas—0

Nays—101

Accavitti
Acciavatti

Garfield
Gillard

Middaugh
Milosch

Sheltrown
Shulman

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

In The Chair: Julian

The Speaker laid before the House

House Bill No. 4390, entitled

A bill to make appropriations for the department of corrections and certain state purposes related to corrections for the fiscal year ending September 30, 2004; to provide for the expenditure of the appropriations; to provide for reports; to provide for the creation of certain advisory committees and boards; to prescribe certain powers and duties of the department of corrections, certain other state officers and agencies, and certain advisory committees and boards; to provide for the collection of certain funds; and to provide for the disposition of fees and other income received by certain state agencies.

(The bill was received from the Senate on June 17, with substitute (S-1), consideration of which, under the rules, was postponed until June 18, see House Journal No. 52, p. 874.)

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

The substitute (S-1) was not concurred in, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 258

Yeas—0

Nays—103

Accavitti	Gaffney	Meisner	Sheltrown
Acciavatti	Garfield	Middaugh	Shulman
Adamini	Gillard	Milosch	Smith
Amos	Hager	Minore	Spade
Anderson	Hardman	Moolenaar	Stahl
Bieda	Hart	Mortimer	Stakoe
Bisbee	Hood	Newell	Stallworth
Bradstreet	Hoogendyk	Nitz	Steil
Brandenburg	Hopgood	Nofs	Stewart

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

In The Chair: Julian

The Speaker laid before the House

House Bill No. 4392, entitled

A bill to make appropriations for the department of community health and certain state purposes related to mental health, public health, and medical services for the fiscal year ending September 30, 2004; to provide for the expenditure of those appropriations; to create funds; to require and provide for reports; to prescribe the powers and duties of certain local and state agencies and departments; and to provide for disposition of fees and other income received by the various state agencies.

(The bill was received from the Senate on June 17, with substitute (S-1), consideration of which, under the rules, was postponed until June 18, see House Journal No. 52, p. 874.)

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

The substitute (S-1) was not concurred in, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 259

Yeas—1

Sheltrown

Nays—101

Accavitti	Gaffney	Lipsey	Shaffer
Acciavatti	Garfield	McConico	Sheen
Adamini	Gillard	Meisner	Shulman
Amos	Gleason	Middaugh	Smith
Anderson	Hager	Milosch	Spade
Bieda	Hardman	Minore	Stahl
Bisbee	Hart	Moolenaar	Stakoe
Bradstreet	Hood	Mortimer	Stallworth
Brandenburg	Hoogendyk	Newell	Steil
Brown	Hopgood	Nitz	Stewart
Byrum	Howell	Nofs	Tabor
Casperson	Huizenga	O'Neil	Taub
Caswell	Hummel	Paletko	Vagnozzi
Caul	Hune	Palmer	Van Regenmorter

Cheeks	Hunter	Palsrok	Vander Veen
Clack	Jamnick	Pappageorge	Voorhees
Condino	Johnson, Rick	Pastor	Walker
Daniels	Johnson, Ruth	Phillips	Ward
DeRoche	Julian	Plakas	Waters
DeRossett	Koetje	Pumford	Wenke
Drolet	Kolb	Richardville	Williams
Ehardt	Kooiman	Robertson	Wojno
Elkins	LaJoy	Rocca	Woodward
Emmons	LaSata	Sak	Woronchak
Farhat	Law	Shackleton	Zelenko
Farrah			

In The Chair: Julian

The Speaker laid before the House

House Bill No. 4396, entitled

A bill to make appropriations for the state institutions of higher education and certain state purposes related to education for the fiscal year ending September 30, 2004; to provide for the expenditures of those appropriations; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

(The bill was received from the Senate on June 17, with substitute (S-1) and title amendment, consideration of which, under the rules, was postponed until June 18, see House Journal No. 52, p. 875.)

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

The substitute (S-1) was not concurred in, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 260

Yeas—2

Howell

Rivet

Nays—102

Accavitti	Gaffney	Middaugh	Shulman
Acciavatti	Garfield	Milosch	Smith
Adamini	Gillard	Minore	Spade
Amos	Gleason	Moolenaar	Stahl
Anderson	Hager	Mortimer	Stakoe
Bieda	Hardman	Newell	Stallworth
Bisbee	Hart	Nitz	Steil
Bradstreet	Hood	Nofs	Stewart
Brandenburg	Hoogendyk	O'Neil	Tabor
Brown	Hopgood	Paletko	Taub
Byrum	Huizenga	Palmer	Tobocman
Casperson	Hummel	Palsrok	Vagnozzi
Caswell	Hune	Pappageorge	Van Regenmorter
Caul	Hunter	Pastor	Vander Veen
Cheeks	Jamnick	Phillips	Voorhees
Clack	Johnson, Rick	Plakas	Walker
Condino	Johnson, Ruth	Pumford	Ward
Daniels	Julian	Richardville	Waters
DeRoche	Koetje	Robertson	Wenke
DeRossett	Kooiman	Rocca	Whitmer

Drolet	LaJoy	Sak	Williams
Ehardt	LaSata	Shackleton	Wojno
Elkins	Law	Shaffer	Woodward
Emmons	Lipsey	Sheen	Woronchak
Farhat	McConico	Sheltrown	Zelenko
Farrah	Meisner		

In The Chair: Julian

The Speaker laid before the House

House Bill No. 4391, entitled

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 2004; to provide for the expenditure of the appropriations; to prescribe the powers and duties of certain state departments, school districts, and other governmental bodies; and to provide for the disposition of fees and other income received by certain legal entities and state agencies.

(The bill was received from the Senate on June 18, with substitute (S-1), consideration of which, under the rules, was postponed until today, see House Journal No. 53, p. 906.)

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

The substitute (S-1) was not concurred in, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 261

Yeas—0

Nays—104

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

In The Chair: Julian

The Speaker laid before the House

House Bill No. 4401, entitled

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending sections 3, 6, 8b, 11, 11f, 11g, 18, 19, 20, 22a, 22b, 24, 26a, 31a, 31d, 32c, 32d, 38, 39a, 41, 51a, 51c, 51d, 53a, 54, 56, 57, 61a, 62, 74, 81, 94a, 98, 99, 101, 105, 107, and 147 (MCL 388.1603, 388.1606, 388.1608b, 388.1611, 388.1611f, 388.1611g, 388.1618, 388.1619, 388.1620, 388.1622a, 388.1622b, 388.1624, 388.1626a, 388.1631a, 388.1631d, 388.1632c, 388.1632d, 388.1638, 388.1639a, 388.1641, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1656, 388.1657, 388.1661a, 388.1662, 388.1674, 388.1681, 388.1694a, 388.1698, 388.1699, 388.1701, 388.1705, 388.1707, and 388.1747), section 3 as amended by 2000 PA 297, sections 6, 11, 11f, 11g, 20, 22a, 22b, 24, 26a, 31a, 31d, 32c, 32d, 39a, 41, 51a, 51c, 51d, 53a, 54, 56, 57, 61a, 62, 74, 81, 94a, 98, 99, 107, and 147 as amended by 2002 PA 521, section 8b as added and sections 19, 38, and 105 as amended by 2002 PA 191, section 18 as amended by 1999 PA 119, and section 101 as amended by 2002 PA 476, and by adding sections 20k, 20l, 22d, 22e, 32j, and 98b; and to repeal acts and parts of acts.

(The bill was received from the Senate on June 18, with substitute (S-1) and title amendment, consideration of which, under the rules, was postponed until today, see House Journal No. 53, p. 907.)

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

The substitute (S-1) was not concurred in, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 262

Yeas—1

Middaugh

Nays—103

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

In The Chair: Julian

Second Reading of Bills

House Bill No. 4804, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending sections 353c, 353e, and 358 (MCL 18.1353c, 18.1353e, and 18.1358), sections 353c and 358 as amended by 2002 PA 504 and section 353e as amended by 1999 PA 8.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Appropriations (for amendment, see House Journal No. 53, p. 901),

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

Rep. Shulman 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. 4804, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending sections 353c, 353e, and 358 (MCL 18.1353c, 18.1353e, and 18.1358), sections 353c and 358 as amended by 2002 PA 504 and section 353e as amended by 1999 PA 8.

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

Roll Call No. 263

Yeas—60

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

Nays—46

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

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 1984 PA 431, entitled "The management and budget act," by amending sections 353e and 358 (MCL 18.1353e and 18.1358), section 358 as amended by 2002 PA 504 and section 353e as amended by 1999 PA 8.

The motion prevailed.

The House agreed to the title as amended.

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

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

Reps. Accavitti, Condino, Waters, Farrah, Adamini, Elkins, Law, Hopgood, Gillard and Zelenko, having reserved the right to explain their protest against the passage of the bill, made the following statement:

"Mr. Speaker and members of the House:

Today I have chosen to vote no on House Bill 4804 because it is time for the Michigan Legislature to stand up and do the right thing. It is fiscally irresponsible to even be thinking about a tax cut for big business when we still haven't settled how to fund the budgets for the next fiscal year, nor addressed the fact that we are currently anticipating a \$60 million shortfall in the current fiscal year's School Aid Fund."

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

"Mr. Speaker and members of the House:

At a time when crucial programming is being cut due to a near \$2 billion state budget deficit, which we face in large part due to irresponsible tax cuts of the past, contemplating a tax cut for big business is fiscal suicide. I can not in good conscience support such an effort, and that is why I voted against HB 4804. At the time of this vote, the state has just learned that May revenues were down 11%. This should serve as a wake up call to all in state government. We need fiscal discipline that has been sorely lacking for too long."

Rep. Kolb, 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:

Today I have chosen to vote no on House Bill 4804 because it is time for the Michigan Legislature to stand up and do the right thing. By passing this legislation the state is not living up to its obligation under the Durant settlement with our school districts and our commitment to the Build Michigan III transportation program. This bill's sole aim is to see that the pause in the Single Business Tax rollback is lifted. If this pause is lifted, it will cost the state \$110 million annually at a time when the state is in a fiscal crisis. It is fiscally irresponsible to even be thinking about a tax cut for big business when we still haven't settled how to fund the budgets for the next fiscal year, nor addressed the fact that we are currently anticipating a \$60 million shortfall in the current fiscal year's School Aid Fund."

Rep. Anderson, 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:

Today I have chosen to vote no on House Bill 4804 because it is time for the Michigan Legislature to stand up and do the right thing. This bill will exacerbate the current and future budget shortfalls by triggering additional tax cuts. It is fiscally irresponsible to even be thinking about a tax cut for big business when we still haven't settled how to fund the budgets for the next fiscal year, nor addressed the fact that we are currently anticipating a \$60 million shortfall in the current fiscal year's School Aid Fund."

Rep. Tobocman, 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:

Today I have chosen to vote no on House Bill 4804 because it is time for the Michigan Legislature to stand up and do the right thing. It is fiscally irresponsible to even be thinking about how to spend surplus funding when we still have not settled how to fund the budgets for the next fiscal year, nor addressed the fact that we are currently anticipating a \$60 million shortfall in the current fiscal year's School Aid Fund. These decisions should be left to an environment where the needs and priorities of the State can be considered in a more sober light."

Second Reading of Bills

House Joint Resolution I, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 5 of article II, to permit county and township officers to be elected at other than the November general election.

The joint resolution was read a second time.

Rep. Pappageorge moved that the joint resolution be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Richardville moved that the joint resolution 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 Joint Resolution I, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 5 of article II, to permit county and township officers to be elected at other than the November general election.

The joint resolution was read a third time.

The question being on the adoption of the joint resolution,

Rep. Pappageorge moved that consideration of the joint resolution be postponed for the day.

The motion prevailed.

Second Reading of Bills

House Bill No. 4820, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 4, 5, 6, 11a, 14, 503, 613, 614, 616, 617, 629, 661, 681, 682, 687, 690, 701, 702, 703, 705, 856, 857, 858, 859, 860, 861, 931, 932, 945, 1212, 1216, 1351, 1361, 1451, 1722, and 1724 (MCL 380.4, 380.5, 380.6, 380.11a, 380.14, 380.503, 380.613, 380.614, 380.616, 380.617, 380.629, 380.661, 380.681, 380.682, 380.687, 380.690, 380.701, 380.702, 380.703, 380.705, 380.856, 380.857, 380.858, 380.859, 380.860, 380.861, 380.931, 380.932, 380.945, 380.1212, 380.1216, 380.1351, 380.1361, 380.1451, 380.1722, and 380.1724), sections 5 and 14 as amended by 1999 PA 23, sections 6, 503, and 690 as amended and section 11a as added by 1995 PA 289, sections 614 and 617 as amended by 2002 PA 157, section 629 as amended by 2002 PA 61, sections 681, 682, 705, 1451, and 1724 as amended by 1994 PA 258, section 687 as amended by 2002 PA 62, section 703 as amended by 1981 PA 87, sections 857 and 858 as amended by 1992 PA 263, section 859 as amended by 2002 PA 509, section 945 as added by 1984 PA 154, section 1212 as amended by 1993 PA 312, section 1216 as amended by 2002 PA 64, and section 1351 as amended by 2002 PA 67, and by adding section 1206; and to repeal acts and parts of acts.

The bill was read a second time.

Rep. Pappageorge moved to amend the bill as follows:

1. Amend page 2, line 1, after "(1)" by inserting "'Education election date' means the date established in section 641 of the Michigan election law, MCL 168.641. (2)'" and renumbering the remaining subsections.

2. Amend page 2, line 14, after "the" by striking out the balance of the subsection and inserting "education election date.".

3. Amend page 4, line 16, after the third "the" by striking out the balance of the subsection and inserting "education election date as determined under section 641 of the Michigan election law, MCL 168.641.".

4. Amend page 6, line 11, after "to" by striking out "fill a vacancy on the school board or".

5. Amend page 16, line 3, after "of" by striking out the balance of the line through "of" on line 5.

6. Amend page 48, line 14, after "until" by striking out the balance of the line through "until" on line 16.

The motion did not prevail and the amendments were not adopted, a majority of the members serving not voting therefor.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4820, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 4, 5, 6, 11a, 14, 503, 613, 614, 616, 617, 629, 661, 681, 682, 687, 690, 701, 702, 703, 705, 856, 857, 858, 859, 860, 861, 931, 932, 945, 1212, 1216, 1351, 1361, 1451, 1722, and 1724 (MCL 380.4, 380.5, 380.6, 380.11a, 380.14, 380.503, 380.613, 380.614, 380.616, 380.617, 380.629, 380.661, 380.681, 380.682, 380.687, 380.690, 380.701, 380.702, 380.703, 380.705, 380.856, 380.857, 380.858, 380.859, 380.860, 380.861, 380.931, 380.932, 380.945, 380.1212, 380.1216, 380.1351, 380.1361, 380.1451, 380.1722, and 380.1724), sections 5 and 14 as amended by 1999 PA 23, sections 6, 503, and 690 as amended and section 11a as added by 1995 PA 289, sections 614 and 617 as amended by 2002 PA 157, section 629 as amended by 2002 PA 61, sections 681, 682, 705, 1451, and 1724 as amended by 1994 PA 258, section 687 as amended by 2002 PA 62, section 703 as amended by 1981 PA 87, sections 857 and 858 as amended by 1992 PA 263, section 859 as amended by 2002 PA 509, section 945 as added by 1984 PA 154, section 1212 as amended by 1993 PA 312, section 1216 as amended by 2002 PA 64, and section 1351 as amended by 2002 PA 67, and by adding section 1206; and to repeal acts and parts of acts.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

Second Reading of Bills

House Bill No. 4823, entitled

A bill to amend 1989 PA 292, entitled "Metropolitan councils act," by amending section 27 (MCL 124.677), as amended by 1998 PA 373.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 4825, entitled

A bill to amend 1909 PA 279, entitled "The home rule city act," by amending sections 3, 8, 11, 21, 25, 26, and 29 (MCL 117.3, 117.8, 117.11, 117.21, 117.25, 117.26, and 117.29), section 3 as amended by 2002 PA 201, section 25 as amended by 1982 PA 200, and section 29 as amended by 1994 PA 17.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 4826, entitled

A bill to amend 1909 PA 278, entitled "The home rule village act," by amending sections 4, 7, 21, and 23 (MCL 78.4, 78.7, 78.21, and 78.23), section 23 as amended by 1999 PA 258.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 4821, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 641 (MCL 168.641).

The bill was read a second time.

Rep. Pappageorge moved to amend the bill as follows:

1. Amend page 1, line 10, after "**The**" by striking out "**May regular**" and inserting "**education**".

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Palmer moved to amend the bill as follows:

1. Amend page 2, line 17, after “**date.**” by inserting “**For a school district to call a special election to submit a ballot question to borrow money, increase a millage, or establish a bond, the school district shall file with the county clerk a petition signed by a number of qualified and registered electors of the district equal to not less than 10% of the electors voting in the last gubernatorial election in that district. The petition shall be filed with the county clerk by 4 p.m. of the tenth Tuesday before the proposed date of the special election. If the special election called by the school district is not scheduled to be held on a regular election date as provided in subsection (1), the special election shall be held on a Tuesday. A special election called by a school district under this subsection shall not be held within 30 days before or after a regular election date as provided in subsection (1). A school district may only call 1 special election in each calendar year.**”.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Farhat moved to amend the bill as follows:

1. Amend page 1, line 5, after “**642**” by striking out the comma through “**642b**” and inserting “**and 642a**”.

2. Amend page 2, line 17, after “**date.**” by inserting “**For a school district to call a special election to submit a ballot question to borrow money, increase a millage, or establish a bond, the school district shall file with the county clerk a petition signed by a number of qualified and registered electors of the district equal to not less than 10% of the electors voting in the last gubernatorial election in that district or 3,000 signatures, whichever number is lesser. The petition shall be filed with the county clerk by 4 p.m. of the tenth Tuesday before the proposed date of the special election. The school district shall obtain the petition signatures within 60 days before the filing of the petition. Any signatures obtained more than 60 days before the filing of the petition are not valid. If the special election called by the school district is not scheduled to be held on a regular election date as provided in subsection (1), the special election shall be held on a Tuesday. A special election called by a school district under this subsection shall not be held within 30 days before or after a regular election date as provided in subsection (1). A school district may only call 1 special election in each calendar year.**”.

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

Rep. Palmer moved to amend the bill as follows:

1. Amend page 2, following line 17, by inserting:

“(4) **For a school district located in a county with a population of 500,000 or more to call a special election to submit a ballot question to borrow money, increase a millage, or establish a bond, the intermediate school district shall file with the county clerk a petition signed by a number of qualified and registered electors of the district equal to not less than 10% of the electors voting in the last gubernatorial election in that district or 10,000 signatures, whichever is lesser. The petition shall be filed with the county clerk by 4 p.m. of the tenth Tuesday before the proposed date of the special election. If the special election called by the intermediate school district is not scheduled to be held on a regular election date as provided in subsection (1), the special election shall be held on a Tuesday. A special election called by an intermediate school district under this subsection shall not be held within 30 days before or after a regular election date as provided in subsection (1). An intermediate school district may only call 1 special election in each calendar year.**” and renumbering the remaining subsection.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. DeRoche 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. Woronchak moved that Rep. LaSata be excused from the balance of today’s session.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4821, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending section 641 (MCL 168.641).

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

Roll Call No. 264**Yeas—77**

Accavitti	Gaffney	Milosch	Stahl
Acciavatti	Garfield	Moolenaar	Stakoe
Amos	Hager	Mortimer	Stallworth
Bisbee	Hood	Newell	Steil
Bradstreet	Hoogendyk	Nitz	Stewart
Brandenburg	Howell	Nofs	Tabor
Brown	Huizenga	Paletko	Taub
Byrum	Hummel	Palmer	Tobocman
Casperson	Hune	Palsrok	Van Regenmorter
Caswell	Hunter	Pappageorge	Vander Veen
Caul	Jamnick	Pastor	Voorhees
Cheeks	Johnson, Rick	Richardville	Walker
Condino	Johnson, Ruth	Robertson	Ward
Daniels	Julian	Rocca	Wenke
DeRoche	Koetje	Sak	Whitmer
DeRossett	Kooiman	Shackleton	Williams
Drolet	LaJoy	Sheen	Woodward
Ehardt	Lipsey	Shulman	Woronchak
Emmons	Middaugh	Smith	Zelenko
Farhat			

Nays—27

Adamini	Gleason	Minore	Shaffer
Anderson	Hardman	O'Neil	Sheltrown
Bieda	Hart	Phillips	Spade
Clack	Hopgood	Plakas	Vagnozzi
Elkins	Law	Pumford	Waters
Farrah	McConico	Reeves	Wojno
Gillard	Meisner	Rivet	

In The Chair: Julian

The House agreed to the title of the bill.

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

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

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

“Mr. Speaker and members of the House:

I voted no on HB 4820-23, HB 4824 (H-1), HB 4825-8 for the following reasons:

1. This package removes local control from school boards and transfers it to other local units of government. Once there is absence of local control, things can go out of control.

2. There are numerous school districts where the boundaries are not coterminous with the corresponding township, city or village. Thereby, this package would force these local clerks to divide precincts into correct school districts. Even with the Qualified Voter File, this mandate would be very laborious for local clerks.

3. Those who support this package pull out the worse case scenarios where the turnout rate is low and there is little to none publicity about school elections. To the contrary, there are many school districts that publicize their elections and have active participation. For example, the Jackson ISD had an election in the same month where voters where

choosing the replacement for their state representative in a special election. The turn out was greater for the ISD election than the other one. This proves with proper notice that all school boards do not run stealth elections.

4. If it is the goal of the sponsors to increase voter turnout, other mechanisms such as same day voter registration and no excuse absentee ballot would be more effective.

5. There is no language that the counties will be properly reimbursed for the cost of the additional burden conducting school elections.”

Reps. Gleason, Waters, Anderson, Gillard and Adamini, having reserved the right to explain their protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I voted no on HB 4820-23, HB 4824 (H-1), HB 4825-8 for the following reasons:

1. This package removes local control from school boards and transfers it to other local units of government. Once there is absence of local control, things can go out of control.

2. There are numerous school districts where the boundaries are not coterminous with the corresponding township, city or village. Thereby, this package would force these local clerks to divide precincts into correct school districts. Even with the Qualified Voter File, this mandate would be very laborious for local clerks.

3. Those who support this package pull out the worse case scenarios where the turnout rate is low and there is little to none publicity about school elections. To the contrary, there are many school districts that publicize their elections and have active participation. For example, the Jackson ISD had an election in the same month where voters were choosing the replacement for their state representative in a special election. The turn out was greater for the ISD election than the other one. This proves with proper notice that all school boards do not run stealth elections.

4. If it is the goal of the sponsors to increase voter turnout, other mechanisms such as same day voter registration and no excuse absentee ballot would be more effective.”

The House returned to the consideration of

House Bill No. 4820, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending sections 4, 5, 6, 11a, 14, 503, 613, 614, 616, 617, 629, 661, 681, 682, 687, 690, 701, 702, 703, 705, 856, 857, 858, 859, 860, 861, 931, 932, 945, 1212, 1216, 1351, 1361, 1451, 1722, and 1724 (MCL 380.4, 380.5, 380.6, 380.11a, 380.14, 380.503, 380.613, 380.614, 380.616, 380.617, 380.629, 380.661, 380.681, 380.682, 380.687, 380.690, 380.701, 380.702, 380.703, 380.705, 380.856, 380.857, 380.858, 380.859, 380.860, 380.861, 380.931, 380.932, 380.945, 380.1212, 380.1216, 380.1351, 380.1361, 380.1451, 380.1722, and 380.1724), sections 5 and 14 as amended by 1999 PA 23, sections 6, 503, and 690 as amended and section 11a as added by 1995 PA 289, sections 614 and 617 as amended by 2002 PA 157, section 629 as amended by 2002 PA 61, sections 681, 682, 705, 1451, and 1724 as amended by 1994 PA 258, section 687 as amended by 2002 PA 62, section 703 as amended by 1981 PA 87, sections 857 and 858 as amended by 1992 PA 263, section 859 as amended by 2002 PA 509, section 945 as added by 1984 PA 154, section 1212 as amended by 1993 PA 312, section 1216 as amended by 2002 PA 64, and section 1351 as amended by 2002 PA 67, and by adding section 1206; and to repeal acts and parts of acts.

(The bill was considered earlier today, see today’s Journal p. 926.)

The question being on the passage of the bill,

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

Roll Call No. 265

Yeas—71

Accavitti	Garfield	Middaugh	Shulman
Acciavatti	Gleason	Milosch	Stahl
Amos	Hager	Moolenaar	Stakoe
Bisbee	Hoogendyk	Mortimer	Steil
Bradstreet	Howell	Newell	Stewart
Brandenburg	Huizenga	Nitz	Tabor
Brown	Hummel	Nofs	Taub
Byrum	Hune	Paletko	Tobocman
Casperson	Hunter	Palmer	Van Regenmorter
Caswell	Jamnack	Palsrok	Vander Veen
Caul	Johnson, Rick	Pappageorge	Voorhees
Condino	Johnson, Ruth	Pastor	Walker
DeRoche	Julian	Richardville	Ward

DeRossett	Koetje	Robertson	Wenke
Drolet	Kolb	Rocca	Woodward
Ehardt	Kooiman	Sak	Woronchak
Farhat	LaJoy	Shackleton	Zelenko
Gaffney	Lipsey	Sheen	

Nays—31

Adamini	Gillard	O'Neil	Smith
Anderson	Hardman	Phillips	Spade
Bieda	Hart	Plakas	Stallworth
Clack	Hopgood	Pumford	Vagnozzi
Daniels	Law	Reeves	Waters
Elkins	McConico	Rivet	Whitmer
Emmons	Meisner	Shaffer	Wojno
Farrah	Minore	Sheltrown	

In The Chair: Julian

The House agreed to the title of the bill.

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

“Mr. Speaker and members of the House:

I voted against this package masquerading as election reform because I believe that it is actually an attempt to impose ideologically extreme views on our public education system. In addition to adding to the cost of elections for local school districts, in my view this scheme would create an insurmountable barrier to informed voting. This bill package coming out of Lansing also flies in the face of local control, a topic about which we hear much but see little.”

Reps. Hopgood and Anderson, having reserved the right to explain their protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I voted no on HB 4820-23, HB 4824 (H-1), HB 4825-8 for the following reasons

1. This package removes local control from school boards and transfers it to other local units of government. Once there is absence of local control, things can go out of control.

2. There are numerous school districts where the boundaries are not coterminous with the corresponding township, city or village. Thereby, this package would force these local clerks to divide precincts into correct school districts. Even with the Qualified Voter File, this mandate would be very laborious for local clerks.

3. Those who support this package pull out the worse case scenarios where the turnout rate is low and there is little to none publicity about school elections. To the contrary, there are many school districts that publicize their elections and have active participation. For example, the Jackson ISD had an election in the same month where voters were choosing the replacement for their state representative in a special election. The turn out was greater for the ISD election than the other one. This proves with proper notice that all school boards do not run stealth elections.

4. If it is the goal of the sponsors to increase voter turnout, other mechanisms such as same day voter registration and no excuse absentee ballot would be more effective.”

Rep. Bieda, 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 against HB 4820-23, HB 4824 (H-1), HB 4825-8 because this package removes local control from school boards and transfers it to other units of government. While I agree and find much merit with the stated goal of the sponsors, and I commend their work on this package, I have some fundamental concerns with the legislation as passed by the House today. Aside from the issue of the loss of local control, I am concerned that this package will cause local governments and taxpayers additional costs — especially in the short term. The bills do not adequately address the issue of who will pay for the increased costs of dealing with setting up what will essentially be new voting districts.

By way of example, in my district I have several school districts. One school district encompasses three different cities and two different counties. There are numerous school districts across this state where the boundaries are not coterminous with the corresponding local unit of government. This package of bills would force these local clerks to divide existing precincts into the correct school districts. Even with the Qualified Voter File, this mandate would be very time consuming and laborious for local clerks. Those who support this bill package have expressed concern about low voter turnout. I also share this concern. But there are many reasons why people vote — and don't vote. If it is truly the goal of the sponsors to increase voter turnout, other mechanisms such as same day voter registration and eliminating the provision requiring an affidavit for exercising the right to cast an absentee ballot would be effective and desirable changes to Michigan's election law."

Rep. Dennis entered the House Chambers.

Rep. Williams moved to reconsider the vote by which the House passed the bill.

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

The question being on the passage of the bill,

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

Roll Call No. 266

Yeas—73

Accavitti	Gaffney	Lipsey	Sheen
Acciavatti	Garfield	Middaugh	Shulman
Amos	Hager	Milosch	Stahl
Bisbee	Hood	Moolenaar	Stakoe
Bradstreet	Hoogendyk	Mortimer	Steil
Brandenburg	Howell	Newell	Stewart
Brown	Huizenga	Nitz	Tabor
Byrum	Hummel	Nofs	Taub
Casperson	Hune	Paletko	Tobocman
Caswell	Hunter	Palmer	Van Regenmorter
Caul	Jamnack	Palsrok	Vander Veen
Condino	Johnson, Rick	Pappageorge	Voorhees
Dennis	Johnson, Ruth	Pastor	Walker
DeRoche	Julian	Richardville	Ward
DeRossett	Koetje	Robertson	Wenke
Drolet	Kolb	Rocca	Whitmer
Ehardt	Kooiman	Sak	Woodward
Emmons	LaJoy	Shackleton	Woronchak
Farhat			

Nays—33

Adamini	Gleason	O'Neil	Smith
Anderson	Hardman	Phillips	Spade
Bieda	Hart	Plakas	Stallworth
Cheeks	Hopgood	Pumford	Vagnozzi
Clack	Law	Reeves	Waters
Daniels	McConico	Rivet	Williams
Elkins	Meisner	Shaffer	Wojno
Farrah	Minore	Sheltrown	Zelenko
Gillard			

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. Anderson, Law and Hopgood, having reserved the right to explain their protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I voted no on HB 4820-23, HB 4824 (H-1), HB 4825-8 for the following reasons

1. This package removes local control from school boards and transfers it to other local units of government. Once there is absence of local control, things can go out of control.

2. There are numerous school districts where the boundaries are not coterminous with the corresponding township, city or village. Thereby, this package would force these local clerks to divide precincts into correct school districts. Even with the Qualified Voter File, this mandate would be very laborious for local clerks.

3. Those who support this package pull out the worse case scenarios where the turnout rate is low and there is little to none publicity about school elections. To the contrary, there are many school districts that publicize their elections and have active participation. For example, the Jackson ISD had an election in the same month where voters were choosing the replacement for their state representative in a special election. The turn out was greater for the ISD election than the other one. This proves with proper notice that all school boards do not run stealth elections.

4. If it is the goal of the sponsors to increase voter turnout, other mechanisms such as same day voter registration and no excuse absentee ballot would be more effective.”

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

“Mr. Speaker and members of the House:

In regards to HB 4820-4828, the school election consolidation package, I believe that the concept of election consolidation is good and I support the theory. I voted against this package of bills because of the fiscal implications to local governments. At a time when it is obvious that state revenues have decreased and the probability of shared revenues to the local governments being cut again, I can not, in good conscious, support this mandate without some indication of where the funding will come from.”

Rep. Bieda, 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 against HB 4820-23, HB 4824 (H-1), HB 4825-8 because this package removes local control from school boards and transfers it to other units of government. While I agree and find much merit with the stated goal of the sponsors, and I commend their work on this package, I have some fundamental concerns with the legislation as passed by the House today. Aside from the issue of the loss of local control, I am concerned that this package will cause local governments and taxpayers additional costs—especially in the short term. The bills do not adequately address the issue of who will pay for the increased costs of dealing with setting up what will essentially be new voting districts. By way of example, in my district I have several school districts. One school district encompasses three different cities and two different counties. There are numerous school districts across this state where the boundaries are not coterminous with the corresponding local unit of government. This package of bills would force these local clerks to divide existing precincts into the correct school districts. Even with the Qualified Voter File, this mandate would be very time consuming and laborious for local clerks. Those who support this bill package have expressed concern about low voter turnout. I also share this concern. But there are many reasons why people vote—and don’t vote. If it is truly the goal of the sponsors to increase voter turnout, other mechanisms such as same day voter registration and eliminating the provision requiring an affidavit for exercising the right to cast an absentee ballot would be effective and desirable changes to Michigan’s election law.”

Rep. Richardville moved that **House Bill No. 4823** be placed on its immediate passage.

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

House Bill No. 4823, entitled

A bill to amend 1989 PA 292, entitled “Metropolitan councils act,” by amending section 27 (MCL 124.677), as amended by 1998 PA 373.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

Second Reading of Bills

House Bill No. 4822, entitled

A bill to amend 1947 PA 359, entitled "The charter township act," by amending section 34 (MCL 42.34), as amended by 1984 PA 353.

The bill was read a second time.

Rep. Jamnick 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. 4822, entitled

A bill to amend 1947 PA 359, entitled "The charter township act," by amending section 34 (MCL 42.34), as amended by 1984 PA 353.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

Second Reading of Bills

House Bill No. 4827, entitled

A bill to amend 1895 PA 3, entitled "The general law village act," by amending sections 1, 3, 4, 5, 6, and 13 of chapter II, sections 1, 2, 3, and 7 of chapter III, section 3 of chapter V, section 23 of chapter IX, section 3 of chapter XII, and sections 18a and 23g of chapter XIV (MCL 62.1, 62.3, 62.4, 62.5, 62.6, 62.13, 63.1, 63.2, 63.3, 63.7, 65.3, 69.23, 72.3, 74.18a, and 74.23g), sections 1, 4, 5, 6, and 13 of chapter II, sections 2 and 7 of chapter III, and section 3 of chapter V as amended and section 3 of chapter III as added by 1998 PA 255 and section 3 of chapter XII and section 18a of chapter XIV as amended and section 23g of chapter XIV as added by 1998 PA 254.

The bill was read a second time.

Rep. Brown 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. 4827, entitled

A bill to amend 1895 PA 3, entitled "The general law village act," by amending sections 1, 3, 4, 5, 6, and 13 of chapter II, sections 1, 2, 3, and 7 of chapter III, section 3 of chapter V, section 23 of chapter IX, section 3 of chapter XII, and sections 18a and 23g of chapter XIV (MCL 62.1, 62.3, 62.4, 62.5, 62.6, 62.13, 63.1, 63.2, 63.3, 63.7, 65.3, 69.23, 72.3, 74.18a, and 74.23g), sections 1, 4, 5, 6, and 13 of chapter II, sections 2 and 7 of chapter III, and section 3 of chapter V as amended and section 3 of chapter III as added by 1998 PA 255 and section 3 of chapter XII and section 18a of chapter XIV as amended and section 23g of chapter XIV as added by 1998 PA 254.

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

Roll Call No. 267

Yeas—76

Accavitti
Acciavatti
Adamini

Farhat
Gaffney
Garfield

Lipsey
Middaugh
Milosch

Shulman
Smith
Stahl

Amos	Hager	Moolenaar	Stakoe
Bisbee	Hood	Mortimer	Steil
Bradstreet	Hoogendyk	Newell	Stewart
Brandenburg	Howell	Nitz	Tabor
Brown	Huizenga	Nofs	Taub
Byrum	Hummel	Paletko	Tobocman
Casperson	Hune	Palmer	Van Regenmorter
Caswell	Hunter	Palsrok	Vander Veen
Caul	Jamnick	Pappageorge	Voorhees
Condino	Johnson, Rick	Pastor	Walker
Dennis	Johnson, Ruth	Richardville	Ward
DeRoche	Julian	Robertson	Wenke
DeRossett	Koetje	Rocca	Whitmer
Drolet	Kolb	Sak	Williams
Ehardt	Kooiman	Shackleton	Woodward
Emmons	LaJoy	Sheen	Woronchak

Nays—29

Anderson	Gleason	Minore	Sheltrown
Bieda	Hardman	O'Neil	Spade
Cheeks	Hart	Phillips	Stallworth
Clack	Hopgood	Plakas	Vagnozzi
Daniels	Law	Pumford	Waters
Elkins	McConico	Rivet	Wojno
Farrah	Meisner	Shaffer	Zelenko
Gillard			

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. Adamini and Anderson, having reserved the right to explain their protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I voted no on HB 4820-23, HB 4824 (H-1), HB 4825-8 for the following reasons:

1. This package removes local control from school boards and transfers it to other local units of government. Once there is absence of local control, things can go out of control.

2. There are numerous school districts where the boundaries are not coterminous with the corresponding township, city or village. Thereby, this package would force these local clerks to divide precincts into correct school districts. Even with the Qualified Voter File, this mandate would be very laborious for local clerks.

3. Those who support this package pull out the worse case scenarios where the turnout rate is low and there is little to none publicity about school elections. To the contrary, there are many school districts that publicize their elections and have active participation. For example, the Jackson ISD had an election in the same month where voters were choosing the replacement for their state representative in a special election. The turn out was greater for the ISD election than the other one. This proves with proper notice that all school boards do not run stealth elections.

4. If it is the goal of the sponsors to increase voter turnout, other mechanisms such as same day voter registration and no excuse absentee ballot would be more effective.”

The House returned to the consideration of
House Bill No. 4823, entitled

A bill to amend 1989 PA 292, entitled "Metropolitan councils act," by amending section 27 (MCL 124.677), as amended by 1998 PA 373.

(The bill was considered earlier today, see today's Journal p. 927.)

The question being on the passage of the bill,

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

Roll Call No. 268

Yeas—75

Accavitti	Gaffney	Middaugh	Smith
Acciavatti	Garfield	Milosch	Stahl
Amos	Hager	Moolenaar	Stakoe
Bisbee	Hood	Mortimer	Steil
Bradstreet	Hoogendyk	Newell	Stewart
Brandenburg	Howell	Nitz	Tabor
Brown	Huizenga	Nofs	Taub
Byrum	Hummel	Paletko	Tobocman
Casperson	Hune	Palmer	Van Regenmorter
Caswell	Hunter	Palsrok	Vander Veen
Caul	Jamnack	Pappageorge	Voorhees
Condino	Johnson, Rick	Pastor	Walker
Dennis	Johnson, Ruth	Richardville	Ward
DeRoche	Julian	Robertson	Wenke
DeRossett	Koetje	Rocca	Whitmer
Drolet	Kolb	Sak	Williams
Ehardt	Kooiman	Shackleton	Woodward
Emmons	LaJoy	Sheen	Woronchak
Farhat	Lipsey	Shulman	

Nays—30

Adamini	Gillard	Minore	Sheltrown
Anderson	Gleason	O'Neil	Spade
Bieda	Hardman	Plakas	Stallworth
Cheeks	Hart	Pumford	Vagnozzi
Clack	Hopgood	Reeves	Waters
Daniels	Law	Rivet	Wojno
Elkins	McConico	Shaffer	Zelenko
Farrah	Meisner		

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. Adamini and Anderson, having reserved the right to explain their protest against the passage of the bill, made the following statement:

"Mr. Speaker and members of the House:

I voted no on HB 4820-23, HB 4824 (H-1), HB 4825-8 for the following reasons

1. This package removes local control from school boards and transfers it to other local units of government. Once there is absence of local control, things can go out of control.

2. There are numerous school districts where the boundaries are not coterminous with the corresponding township, city or village. Thereby, this package would force these local clerks to divide precincts into correct school districts. Even with the Qualified Voter File, this mandate would be very laborious for local clerks.

3. Those who support this package pull out the worse case scenarios where the turnout rate is low and there is little to none publicity about school elections. To the contrary, there are many school districts that publicize their elections and have active participation. For example, the Jackson ISD had an election in the same month where voters were choosing the replacement for their state representative in a special election. The turn out was greater for the ISD election than the other one. This proves with proper notice that all school boards do not run stealth elections.

4. If it is the goal of the sponsors to increase voter turnout, other mechanisms such as same day voter registration and no excuse absentee ballot would be more effective.”

The House returned to the consideration of

House Bill No. 4822, entitled

A bill to amend 1947 PA 359, entitled “The charter township act,” by amending section 34 (MCL 42.34), as amended by 1984 PA 353.

(The bill was considered earlier today, see today’s Journal p. 934.)

The question being on the passage of the bill,

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

Roll Call No. 269

Yeas—75

Accavitti	Gaffney	Middaugh	Smith
Acciavatti	Garfield	Milosch	Stahl
Amos	Hager	Moolenaar	Stakoe
Bisbee	Hood	Mortimer	Steil
Bradstreet	Hoogendyk	Newell	Stewart
Brandenburg	Howell	Nitz	Tabor
Brown	Huizenga	Nofs	Taub
Byrum	Hummel	Paletko	Tobocman
Casperson	Hune	Palmer	Van Regenmorter
Caswell	Hunter	Palsrok	Vander Veen
Caul	Jamnack	Pappageorge	Voorhees
Condino	Johnson, Rick	Pastor	Walker
Dennis	Johnson, Ruth	Richardville	Ward
DeRoche	Julian	Robertson	Wenke
DeRossett	Koetje	Rocca	Whitmer
Drolet	Kolb	Sak	Williams
Ehardt	Kooiman	Shackleton	Woodward
Emmons	LaJoy	Sheen	Woronchak
Farhat	Lipsey	Shulman	

Nays—31

Adamini	Gillard	Minore	Sheltrown
Anderson	Gleason	O’Neil	Spade
Bieda	Hardman	Phillips	Stallworth
Cheeks	Hart	Plakas	Vagnozzi
Clack	Hopgood	Pumford	Waters
Daniels	Law	Reeves	Wojno
Elkins	McConico	Rivet	Zelenko
Farrah	Meisner	Shaffer	

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. Adamini, Anderson, Law and Hopgood, having reserved the right to explain their protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I voted no on HB 4820-23, HB 4824 (H-1), HB 4825-8 for the following reasons:

1. This package removes local control from school boards and transfers it to other local units of government. Once there is absence of local control, things can go out of control.

2. There are numerous school districts where the boundaries are not coterminous with the corresponding township, city or village. Thereby, this package would force these local clerks to divide precincts into correct school districts. Even with the Qualified Voter File, this mandate would be very laborious for local clerks.

3. Those who support this package pull out the worse case scenarios where the turnout rate is low and there is little to none publicity about school elections. To the contrary, there are many school districts that publicize their elections and have active participation. For example, the Jackson ISD had an election in the same month where voters were choosing the replacement for their state representative in a special election. The turn out was greater for the ISD election than the other one. This proves with proper notice that all school boards do not run stealth elections.

4. If it is the goal of the sponsors to increase voter turnout, other mechanisms such as same day voter registration and no excuse absentee ballot would be more effective.”

Rep. Richardville moved that **House Bill No. 4826** be placed on its immediate passage.
 The motion prevailed, a majority of the members serving voting therefor.

House Bill No. 4826, entitled

A bill to amend 1909 PA 278, entitled “The home rule village act,” by amending sections 4, 7, 21, and 23 (MCL 78.4, 78.7, 78.21, and 78.23), section 23 as amended by 1999 PA 258.

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

Roll Call No. 270

Yeas—75

Accavitti	Gaffney	Middaugh	Smith
Acciavatti	Garfield	Milosch	Stahl
Amos	Hager	Moolenaar	Stakoe
Bisbee	Hood	Mortimer	Steil
Bradstreet	Hoogendyk	Newell	Stewart
Brandenburg	Howell	Nitz	Tabor
Brown	Huizenga	Nofs	Taub
Byrum	Hummel	Paletko	Tobocman
Casperson	Hune	Palmer	Van Regenmorter
Caswell	Hunter	Palsrok	Vander Veen
Caul	Jamnick	Pappageorge	Voorhees
Condino	Johnson, Rick	Pastor	Walker
Dennis	Johnson, Ruth	Richardville	Ward
DeRoche	Julian	Robertson	Wenke
DeRossett	Koetje	Rocca	Whitmer
Drolet	Kolb	Sak	Williams
Ehardt	Kooiman	Shackleton	Woodward
Emmons	LaJoy	Sheen	Woronchak
Farhat	Lipsev	Shulman	

Nays—30

Adamini	Gillard	O’Neil	Sheltrown
Anderson	Gleason	Phillips	Spade

Bieda	Hart	Plakas	Stallworth
Cheeks	Hopgood	Pumford	Vagnozzi
Clack	Law	Reeves	Waters
Daniels	McConico	Rivet	Wojno
Elkins	Meisner	Shaffer	Zelenko
Farrah	Minore		

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. Adamini and Anderson, having reserved the right to explain their protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I voted no on HB 4820-23, HB 4824 (H-1), HB 4825-8 for the following reasons:

1. This package removes local control from school boards and transfers it to other local units of government. Once there is absence of local control, things can go out of control.

2. There are numerous school districts where the boundaries are not coterminous with the corresponding township, city or village. Thereby, this package would force these local clerks to divide precincts into correct school districts. Even with the Qualified Voter File, this mandate would be very laborious for local clerks.

3. Those who support this package pull out the worse case scenarios where the turnout rate is low and there is little to none publicity about school elections. To the contrary, there are many school districts that publicize their elections and have active participation. For example, the Jackson ISD had an election in the same month where voters were choosing the replacement for their state representative in a special election. The turn out was greater for the ISD election than the other one. This proves with proper notice that all school boards do not run stealth elections.

4. If it is the goal of the sponsors to increase voter turnout, other mechanisms such as same day voter registration and no excuse absentee ballot would be more effective.”

Rep. Richardville moved that **House Bill No. 4825** be placed on its immediate passage.

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

House Bill No. 4825, entitled

A bill to amend 1909 PA 279, entitled “The home rule city act,” by amending sections 3, 8, 11, 21, 25, 26, and 29 (MCL 117.3, 117.8, 117.11, 117.21, 117.25, 117.26, and 117.29), section 3 as amended by 2002 PA 201, section 25 as amended by 1982 PA 200, and section 29 as amended by 1994 PA 17.

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

Roll Call No. 271

Yeas—75

Accavitti	Gaffney	Middaugh	Smith
Acciavatti	Garfield	Milosch	Stahl
Amos	Hager	Moolenaar	Stakoe
Bisbee	Hardman	Mortimer	Steil
Bradstreet	Hood	Newell	Stewart
Brandenburg	Hoogendyk	Nitz	Tabor
Brown	Howell	Nofs	Taub
Byrum	Huizenga	Paletko	Tobocman
Casperson	Hummel	Palmer	Van Regenmorter

Caswell	Hune	Palsrok	Vander Veen
Caul	Hunter	Pappageorge	Voorhees
Condino	Jamnick	Pastor	Walker
Dennis	Johnson, Rick	Richardville	Ward
DeRoche	Johnson, Ruth	Robertson	Wenke
DeRossett	Julian	Rocca	Whitmer
Drolet	Koetje	Sak	Williams
Ehardt	Kooiman	Shackleton	Woodward
Emmons	LaJoy	Sheen	Woronchak
Farhat	Lipsey	Shulman	

Nays—31

Adamini	Gillard	Minore	Sheltrown
Anderson	Gleason	O'Neil	Spade
Bieda	Hart	Phillips	Stallworth
Cheeks	Hopgood	Plakas	Vagnozzi
Clack	Kolb	Pumford	Waters
Daniels	Law	Reeves	Wojno
Elkins	McConico	Rivet	Zelenko
Farrah	Meisner	Shaffer	

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. Adamini and Anderson, having reserved the right to explain their protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I voted no on HB 4820-23, HB 4824 (H-1), HB 4825-8 for the following reasons:

1. This package removes local control from school boards and transfers it to other local units of government. Once there is absence of local control, things can go out of control.

2. There are numerous school districts where the boundaries are not coterminous with the corresponding township, city or village. Thereby, this package would force these local clerks to divide precincts into correct school districts. Even with the Qualified Voter File, this mandate would be very laborious for local clerks.

3. Those who support this package pull out the worse case scenarios where the turnout rate is low and there is little to none publicity about school elections. To the contrary, there are many school districts that publicize their elections and have active participation. For example, the Jackson ISD had an election in the same month where voters were choosing the replacement for their state representative in a special election. The turn out was greater for the ISD election than the other one. This proves with proper notice that all school boards do not run stealth elections.

4. If it is the goal of the sponsors to increase voter turnout, other mechanisms such as same day voter registration and no excuse absentee ballot would be more effective.”

Second Reading of Bills

House Bill No. 4828, entitled

A bill to amend 1966 PA 331, entitled “Community college act of 1966,” by amending sections 2, 12, 16, 17, 21, 32, 34, 34a, 36, 37, 38, 39, 42, 51, 52, 54, 55, 56, 57, 58, 59, 62, 83, 84, 86, 105, 107, 122, 144, and 152 (MCL 389.2, 389.12, 389.16, 389.17, 389.21, 389.32, 389.34, 389.34a, 389.36, 389.37, 389.38, 389.39, 389.42, 389.51, 389.52, 389.54, 389.55, 389.56, 389.57, 389.58, 389.59, 389.62, 389.83, 389.84, 389.86, 389.105, 389.107, 389.122, 389.144,

and 389.152), section 2 as added by 1998 PA 153, sections 17, 21, 34, 37, 42, 54, 57, and 62 as amended and section 86 as added by 2000 PA 488, section 34a as amended by 1982 PA 381, section 83 as amended by 1992 PA 20, section 122 as amended by 2002 PA 72, section 144 as amended by 2002 PA 73, and section 152 as amended by 1990 PA 11; and to repeal acts and parts of acts.

The bill was read a second time.

Rep. Drolet 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. 4828, entitled

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending sections 2, 12, 16, 17, 21, 32, 34, 34a, 36, 37, 38, 39, 42, 51, 52, 54, 55, 56, 57, 58, 59, 62, 83, 84, 86, 105, 107, 122, 144, and 152 (MCL 389.2, 389.12, 389.16, 389.17, 389.21, 389.32, 389.34, 389.34a, 389.36, 389.37, 389.38, 389.39, 389.42, 389.51, 389.52, 389.54, 389.55, 389.56, 389.57, 389.58, 389.59, 389.62, 389.83, 389.84, 389.86, 389.105, 389.107, 389.122, 389.144, and 389.152), section 2 as added by 1998 PA 153, sections 17, 21, 34, 37, 42, 54, 57, and 62 as amended and section 86 as added by 2000 PA 488, section 34a as amended by 1982 PA 381, section 83 as amended by 1992 PA 20, section 122 as amended by 2002 PA 72, section 144 as amended by 2002 PA 73, and section 152 as amended by 1990 PA 11; and to repeal acts and parts of acts.

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

Roll Call No. 272

Yeas—74

Accavitti	Garfield	Milosch	Smith
Acciavatti	Hager	Moolenaar	Stahl
Amos	Hood	Mortimer	Stakoe
Bisbee	Hoogendyk	Newell	Steil
Bradstreet	Howell	Nitz	Stewart
Brandenburg	Huizenga	Nofs	Tabor
Brown	Hummel	Paletko	Taub
Byrum	Hune	Palmer	Tobocman
Casperson	Hunter	Palsrok	Van Regenmorter
Caswell	Jamnick	Pappageorge	Vander Veen
Caul	Johnson, Rick	Pastor	Voorhees
Condino	Johnson, Ruth	Richardville	Walker
Dennis	Julian	Robertson	Ward
DeRoche	Koetje	Rocca	Wenke
DeRossett	Kolb	Sak	Whitmer
Drolet	Kooiman	Shackleton	Williams
Ehardt	LaJoy	Sheen	Woodward
Farhat	Lipsey	Shulman	Woronchak
Gaffney	Middaugh		

Nays—32

Adamini	Farrah	Meisner	Shaffer
Anderson	Gillard	Minore	Sheltrown
Bieda	Gleason	O'Neil	Spade
Cheeks	Hardman	Phillips	Stallworth
Clack	Hart	Plakas	Vagnozzi

Daniels
Elkins
Emmons

Hopgood
Law
McConico

Pumford
Reeves
Rivet

Waters
Wojno
Zelenko

In The Chair: Julian

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

Rep. Bieda, 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 against HB 4820-23, HB 4824 (H-1), HB 4825-8 because this package removes local control from school boards and transfers it to other units of government. While I agree and find much merit with the stated goal of the sponsors, and I commend their work on this package, I have some fundamental concerns with the legislation as passed by the House today. Aside from the issue of the loss of local control, I am concerned that this package will cause local governments and taxpayers additional costs — especially in the short term. The bills do not adequately address the issue of who will pay for the increased costs of dealing with setting up what will essentially be new voting districts. By way of example, in my district I have several school districts. One school district encompasses three different cities and two different counties. There are numerous school districts across this state where the boundaries are not coterminous with the corresponding local unit of government. This package of bills would force these local clerks to divide existing precincts into the correct school districts. Even with the Qualified Voter File, this mandate would be very time consuming and laborious for local clerks. And who would pay for these increased costs?

Those who support this bill package point out to worse case scenarios where the voter turnout rate is low and there is little publicity about school elections. To the contrary, a review of the school districts in my district at least show the same amount of publicity given by the school district in its election (school district newsletter, polling place sign locations) as the publicity given in city elections by local municipal government. But voters do show up when an issue is before them that they care deeply about — and they make their collective voices heard.

As I stated previously, I am concerned about low voter turnout. But there are many reasons why people vote — and don't vote. If it is truly the goal of the sponsors to increase voter turnout, other mechanisms such as same day voter registration and eliminating the “excuse” provision for exercising the right to cast an absentee ballot would be a more effective change to Michigan's election law.”

Reps. Adamini and Anderson, having reserved the right to explain their protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I voted no on HB 4820-23, HB 4824 (H-1), HB 4825-8 for the following reasons:

1. This package removes local control from school boards and transfers it to other local units of government. Once there is absence of local control, things can go out of control.

2. There are numerous school districts where the boundaries are not coterminous with the corresponding township, city or village. Thereby, this package would force these local clerks to divide precincts into correct school districts. Even with the Qualified Voter File, this mandate would be very laborious for local clerks.

3. Those who support this package pull out the worse case scenarios where the turnout rate is low and there is little to none publicity about school elections. To the contrary, there are many school districts that publicize their elections and have active participation. For example, the Jackson ISD had an election in the same month where voters were choosing the replacement for their state representative in a special election. The turn out was greater for the ISD election than the other one. This proves with proper notice that all school boards do not run stealth elections.

4. If it is the goal of the sponsors to increase voter turnout, other mechanisms such as same day voter registration and no excuse absentee ballot would be more effective.”

Second Reading of Bills

House Bill No. 4824, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending sections 2, 3, 4, 30a, 321, 322, 358a, 370, 381, 382, 500f, 500g, 501a, 505, 509n, 509r, 509gg, 538, 635, 643, 644e, 644g, 644k, 646a, 690, 821, 862, 863, 954, 963, 971, and 972 (MCL 168.2, 168.3, 168.4, 168.30a, 168.321, 168.322, 168.358a, 168.370, 168.381, 168.382,

168.500f, 168.500g, 168.501a, 168.505, 168.509n, 168.509r, 168.509gg, 168.538, 168.635, 168.643, 168.644e, 168.644g, 168.644k, 168.646a, 168.690, 168.821, 168.862, 168.863, 168.954, 168.963, 168.971, and 168.972), sections 2 and 971 as amended by 2002 PA 163, section 321 as amended by 1994 PA 277, section 322 as amended by 1999 PA 218, section 358a as amended by 1990 PA 235, section 370 as amended by 1990 PA 83, section 381 as amended by 1991 PA 16, section 501a as amended by 1995 PA 87, section 509n as amended by 1999 PA 216, sections 509r and 509gg as added by 1994 PA 441, section 643 as amended by 1998 PA 364, section 646a as amended by 2002 PA 431, section 821 as amended by 1988 PA 275, section 963 as amended by 1999 PA 220, and section 972 as amended by 1989 PA 26, and by adding chapter XIV and sections 642, 642a, and 659; and to repeal acts and parts of acts.

The bill was read a second time.

Rep. Pappageorge moved to amend the bill as follows:

1. Amend page 2, following line 7, by inserting:
“(e) “Education election date” means the date established in section 641.” and relettering the remaining subdivisions.
2. Amend page 8, line 18, after **“on”** by striking out the balance of the line through **“date,”** on line 23.
3. Amend page 29, line 12, after the first **“council”** by striking out the balance of the line through **“board”** on line 13 and inserting **“or village council”**.
4. Amend page 29, line 14, after **“city’s”** by striking out the balance of the line through **“district’s”** on line 15 and inserting **“or village’s”**.
5. Amend page 29, line 17, after **“city”** by striking out the balance of the line and inserting **“or village”**.
6. Amend page 29, line 25, by striking out all of subdivision (c).
7. Amend page 30, line 1, after **“council”** by striking out the comma and **“village council, or school board”** and inserting **“or village council”**.
8. Amend page 30, line 9, after **“council”** by striking out the balance of the line through **“board”** on line 10.
9. Amend page 30, line 11, after **“council”** by striking out **“or school board”**.
10. Amend page 31, line 9, by striking out all of subparagraphs (v) and (vi).
11. Amend page 31, line 22, after **“council”** by striking out **“or school board”**.
12. Amend page 31, line 25, after **“council’s”** by striking out **“or school board’s”**.
13. Amend page 31, line 27, after **“council”** by striking out **“or school board”**.
14. Amend page 33, line 18, by striking out all of subsections (5), (6), and (7) and renumbering the remaining subsections.
15. Amend page 35, line 14, by striking out all of lines 14 through 18 and relettering the remaining subdivisions.
16. Amend page 36, following line 1, by inserting:
“Sec. 644. At the education election day, the following officers shall be elected as required by law:
 - (a) **Two members of the state board of education.**
 - (b) **Two regents of the University of Michigan.**
 - (c) **Two trustees of Michigan State University.**
 - (d) **Two governors of Wayne State University.**
 - (e) **Other officers as required by this act or another law of this state.”.**

The motion did not prevail and the amendments were not adopted, a majority of the members serving not voting therefor.

Rep. Ward moved to substitute (H-1) the bill.

The motion prevailed and 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 18, following line 3, by inserting:
“Sec. 316. (1) Subject to subsections (2) and (3), an intermediate school district shall be under the supervision and control of an intermediate school board composed of 5 members elected under this part, except that in an intermediate school district which adopts sections 320 to 320b for popular election of its members, or in an intermediate school district reorganized under section 320c, the number of intermediate school board members shall be 7. Subject to subsections (2) and (3), in an intermediate school district whose boundaries are enlarged by a disorganization under section 320d, the number of intermediate school board members, at the option of the intermediate school board, may be 7.
 - (2) **Beginning with the June 2006 annual school election, all intermediate school districts shall be under the supervision and control of an intermediate school board consisting of 7 members popularly elected as provided under section 320b.**
 - (3) **If as of the effective date of the amendatory act that added this subsection an intermediate school district does not have a popularly elected intermediate school board, a first popularly elected intermediate school board shall be elected in that intermediate school district at the June 2006 annual school election as provided under**

section 320b. On July 1, 2006, this popularly elected intermediate school board shall take over the supervision and control of the intermediate school district and the intermediate school board that had been elected under section 319 shall cease to exist.

Sec. 317. (1) Subject to subsection (2), a school elector of a constituent district is eligible to election or appointment to membership on the intermediate school board.

(2) Until July 1, 2006, a member of a board of a constituent district is eligible to election or appointment to membership on the intermediate school board. Beginning with the June 2006 school election, a member of a board of a constituent district is not eligible to election or appointment to membership on the intermediate school board while serving as a member of the board of the constituent district.

(3) Beginning July 1, 2006, a member of an intermediate school board shall not hold any other elective public office including, but not limited to, office as a member of the board of a constituent district. If a member of an intermediate school board violates this subsection, the member forfeits his or her office as a member of the intermediate school board.

(4) A member of an intermediate school board who is a member of a constituent district board shall not participate in proceedings conducted pursuant to part 11 to detach territory from or attach territory to the constituent district of which he or she is a board member.

Sec. 318. (1) The intermediate school board shall meet annually on or before the fourth Monday of July and shall organize by electing a president, a vice-president, a secretary, and a treasurer.

(2) Until July 1, 2006, the president and vice-president shall be members of the intermediate school board, but the secretary and treasurer need not be. Beginning July 1, 2006, all officers shall be members of the intermediate school board.

(3) The officers shall perform duties provided by law and prescribed by the policies and regulations of the intermediate school board not inconsistent with this part or other laws of the state.

(4) The treasurer shall post with the secretary a bond in an amount approved by the intermediate school board, conditioned upon the faithful performance of the treasurer's duties.

Sec. 319. (1) This section applies only until election of a popularly elected intermediate school board as described in section 316(2) and (3).

(2) Except as provided in section 320, the members of the intermediate school board shall be elected biennially on the first Monday in June by a body composed of 1 member of the board of each constituent district, who shall be designated by the board of which that person is a member. The secretary shall send a notice by certified mail of the hour and place of meeting to the secretary of the board of each constituent district at least 10 days before the meeting. The president and secretary of the intermediate school board shall act as chairperson and secretary.

(3) Except as provided in section 320d, the term of office of each member elected to the intermediate school board shall be for 6 years and shall begin on July 1 following election. Not more than 2 members of the intermediate school board shall be from the same school district unless there are fewer districts than there are positions to be filled.

(4) A vacancy shall be filled by the remaining members of the intermediate school board until the next biennial election at which time the vacancy shall be filled for the balance of the unexpired term. Notice of the vacancy shall be filed with the state board within 5 days after the vacancy occurs. If the vacancy is not filled within 30 days after it occurs, the vacancy shall be filled by the state board.

(5) A candidate for election to the intermediate school board shall be nominated by petitions that are signed by not less than 50 registered school electors of the combined constituent districts of the intermediate school district. A registered school elector may sign as many petitions as there are vacancies to fill. Nominating petitions and an affidavit as provided in section 558 shall be filed with the secretary of the intermediate school board not later than 30 days before the date of the biennial election. The secretary shall determine the sufficiency of the petitions and the eligibility of the candidates nominated. The secretary shall provide ballots for the biennial election, listing on the ballots the names of all candidates properly nominated. The chairperson of the biennial election may accept nominations for a vacancy from the floor only if no nominating petitions have been filed for the vacancy. Section 544c applies to the form and manner of circulation of nominating petitions for a candidate for membership on the intermediate school board.

(6) The president shall appoint 2 persons not members of the intermediate board or candidates for election as a board of canvassers and they shall canvass the vote following balloting. This becomes the official canvass.

Sec. 320a. (1) This section applies only until election of a popularly elected intermediate school board as described in section 316(2) and (3).

(2) An intermediate school board may submit to the school electors of the constituent districts comprising the intermediate school district the question of adoption of sections 320 to 320b. The question shall be in substantially the following form:

“Shall sections 320 to 320b of the Michigan election law, providing for the popular election of members of the intermediate school board be effective within the constituent districts of _____ (name of intermediate school district)?

Yes ()
No ()”.

(3) The intermediate school board shall submit the question upon receipt of resolutions adopted by a majority of the boards of constituent districts and representing more than 1/2 of the combined memberships of the constituent districts of the intermediate school district as of the latest pupil membership count day. The resolutions of the constituent district boards shall be adopted between December 1 and the next succeeding March 1. The question shall be presented to the school electors of the constituent districts at the next annual election after resolutions of constituent district boards meeting the requirements of this section have been filed with the secretary of the intermediate school board.

(4) If a majority of the school electors votes in favor of popular election, members of the intermediate school board shall be elected at the next annual election and biennially thereafter at the annual school elections of the constituent districts. If a constituent district holds its annual election on a date other than the second Monday in June, an election for the purpose of choosing members of the intermediate school board shall be held in that district on the second Monday in June.

(5) An intermediate school district which adopts sections 320 to 320b may in the same manner terminate the popular election of members of the intermediate school board.

Sec. 320b. (1) In an intermediate school district in which sections 320 to 320b are effective, and in all intermediate school districts beginning with the 2006 school election, a candidate for the office of member of the intermediate school board shall be nominated by filing nominating petitions and an affidavit provided in section 558 with the secretary of the intermediate school board before 4 p.m. of the ninth Monday before the election.

(2) The nominating petitions shall be in the form provided in section 544c. Nominating petitions shall contain signatures of school electors who are registered to vote in the city or township in which they reside equal in number to not less than 1.5% of the combined pupil memberships of the constituent districts on the latest pupil membership count day. A candidate is not required to file signatures of more than 5,000 voters. Each sheet of the petition shall be circulated in 1 city or township only.

(3) Within 14 days after the last date for filing, the secretary of the intermediate school board shall certify the names and addresses of those candidates whose petitions are found to be sufficient to the secretaries of the boards of the constituent districts. The secretary of the intermediate school board shall certify the number to be elected. The secretary of the intermediate school board shall notify the county clerk of the names and addresses of the candidates not later than 3 days after the last day for candidate withdrawal. However, if the third day is a Saturday, Sunday, or legal holiday, the notice may be sent on the next day that is not a Saturday, Sunday, or legal holiday.

(4) The intermediate school board shall provide ballots for the election of members of the intermediate school board and distribute the ballots to the secretaries of each of the constituent districts not less than 20 days before the annual school elections.

(5) Members of the intermediate school board shall be elected at the annual school elections of the constituent districts. If a constituent district holds its annual election on a date other than the second Monday in June, an election for the purpose of choosing members of the intermediate school board shall be held in that district on the second Monday in June.

(6) At the first election, 3 members of an intermediate school board shall be elected for a term of 6 years, 2 for a term of 4 years, and 2 for a term of 2 years. After the first election, their successors shall be elected biennially for terms of 6 years. The term of office shall begin on July 1 following election.

(7) The intermediate school board of an intermediate school district adopting sections 320 to 320b, and each intermediate school board beginning July 1, 2006, shall fill a vacancy in the board's membership by appointing a member to serve until the next biennial election, at which time a member shall be elected for the balance of the unexpired term.

Sec. 320d. (1) An intermediate school district comprised of less than 5 constituent districts and having no bonded indebtedness may be disorganized and its constituent districts attached to contiguous intermediate school districts under this section.

(2) The board of each constituent district may request the intermediate school board to prescribe a plan for disorganization of the intermediate school district. Each request shall designate another intermediate school district to which the constituent district desires to be attached. The intermediate school board shall prescribe, by resolution, a plan under which each of the constituent districts will be attached in whole to contiguous intermediate school districts designated in the requests. If the designated intermediate school district is not contiguous, the intermediate school board's plan may prescribe attachment to a contiguous intermediate school district.

(3) The intermediate superintendent of the intermediate school district that is to be disorganized shall give 30 days' notice of the time and place of the meeting of the intermediate school board and of the proposed plan for disorganization by publication of the notice in a newspaper of general circulation in the intermediate school

district. The intermediate school board shall present the adopted plan for disorganization to the board of each of its constituent districts and to the intermediate school board of each intermediate school district whose boundaries would be enlarged by the proposal.

(4) The intermediate superintendent of each intermediate school district whose boundaries would be enlarged by the disorganization shall give 30 days' notice of the time and place of the meeting of the intermediate school board and of the recommended plan for enlargement of the intermediate school district by publication of the notice in a newspaper of general circulation in the intermediate school district.

(5) If the intermediate school board of each affected intermediate school district approves the plan for disorganization, the intermediate school board of the intermediate school district to be disorganized shall refer the matter to the state board for approval. The action of the state board declaring the intermediate school district disorganized shall be final. Disorganization of the intermediate school district and attachment of its constituent districts to contiguous intermediate school districts shall be effective on July 1 after the date of the approval of the state board.

(6) The intermediate school boards of the intermediate school districts to which territory is attached by disorganization shall meet jointly, sitting as a single board, and make an equitable distribution of the money, property, and other assets belonging to the disorganized district among the intermediate school districts affected. The territory of constituent districts transferred to other intermediate school districts by disorganization shall be subject to all taxes levied for purposes of the intermediate school district to which transferred, including taxes for the retirement of bonded indebtedness, special education programs, and area vocational-technical education programs.

(7) Except as otherwise provided in this subsection, within 30 days after a district attaches to a contiguous intermediate school district under this section, the board of the intermediate school district whose boundaries have been enlarged by the disorganization may appoint 2 school electors of constituent districts, 1 of whom shall be an elector of the attached district, to membership on the intermediate school board. Intermediate school board members appointed pursuant to this subsection shall serve until July 1 after the next biennial election. The intermediate school board may determine 1 initial term of less than 6 years for 1 of the additional members to be elected at the biennial election. Notification of an appointment shall be filed with the state board. This subsection applies only until July 1, 2006."

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. 273

Yeas—14

Accavitti	Farrah	O'Neil	Voorhees
Bradstreet	Garfield	Phillips	Wojno
Drolet	Lipsey	Robertson	Woodward
Ehardt	Meisner		

Nays—81

Acciavatti	Hager	Milosch	Sheltrown
Amos	Hardman	Minore	Shulman
Anderson	Hood	Moolenaar	Smith
Bieda	Hoogendyk	Newell	Spade
Bisbee	Hopgood	Nitz	Stahl
Brandenburg	Howell	Nofs	Stakoe
Byrum	Huizenga	Paletko	Stallworth
Casperson	Hummel	Palmer	Steil
Caswell	Hune	Palsrok	Stewart
Caul	Hunter	Pappageorge	Tabor
Cheeks	Jamnick	Pastor	Taub

Clack	Johnson, Rick	Plakas	Tobocman
Condino	Johnson, Ruth	Reeves	Vagnozzi
DeRoche	Julian	Richardville	Van Regenmorter
DeRossett	Koetje	Rivet	Vander Veen
Elkins	Kooiman	Rocca	Walker
Emmons	LaJoy	Sak	Ward
Farhat	Law	Shackleton	Wenke
Gaffney	McConico	Shaffer	Woronchak
Gillard	Middaugh	Sheen	Zelenko
Gleason			

In The Chair: Julian

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

“Mr. Speaker and members of the House:

I respect what the good representative from Oakland County is attempting to accomplish with this amendment, however I voted against it because creating additional elective offices by amendment to the consolidation of election bill package is not the appropriate legislative vehicle, particularly when the issue was not addressed in committee. The issue, frankly, should be the subject of its own ‘stand alone’ bill, rather than a house floor amendment.”

Rep. Stakoe 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. Richardville moved that Rep. Huizenga be excused temporarily from today’s session.

The motion prevailed.

Rep. Woodward moved that Rep. Daniels be excused temporarily from today’s session.

The motion prevailed.

Rep. Rivet moved that Rep. McConico 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. 4824, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending sections 2, 3, 4, 30a, 321, 322, 358a, 370, 381, 382, 500f, 500g, 501a, 505, 509n, 509r, 509gg, 538, 635, 643, 644e, 644g, 644k, 646a, 690, 821, 862, 863, 954, 963, 971, and 972 (MCL 168.2, 168.3, 168.4, 168.30a, 168.321, 168.322, 168.358a, 168.370, 168.381, 168.382, 168.500f, 168.500g, 168.501a, 168.505, 168.509n, 168.509r, 168.509gg, 168.538, 168.635, 168.643, 168.644e, 168.644g, 168.644k, 168.646a, 168.690, 168.821, 168.862, 168.863, 168.954, 168.963, 168.971, and 168.972), sections 2 and 971 as amended by 2002 PA 163, section 321 as amended by 1994 PA 277, section 322 as amended by 1999 PA 218, section 358a as amended by 1990 PA 235, section 370 as amended by 1990 PA 83, section 381 as amended by 1991 PA 16, section 501a as amended by 1995 PA 87, section 509n as amended by 1999 PA 216, sections 509r and 509gg as added by 1994 PA 441, section 643 as amended by 1998 PA 364, section 646a as amended by 2002 PA 431, section 821 as amended by 1988 PA 275, section 963 as amended by 1999 PA 220, and section 972 as amended by 1989 PA 26, and by adding chapter XIV and sections 642, 642a, and 659; and to repeal acts and parts of acts.

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

Roll Call No. 274**Yeas—76**

Accavitti	Farhat	Middaugh	Smith
Acciavatti	Gaffney	Milosch	Stahl
Amos	Garfield	Moolenaar	Stakoe
Bisbee	Hager	Mortimer	Stallworth
Bradstreet	Hood	Newell	Steil
Brandenburg	Hoogendyk	Nitz	Stewart
Brown	Howell	Nofs	Tabor
Byrum	Hummel	Paletko	Taub
Casperson	Hune	Palmer	Tobocman
Caswell	Hunter	Palsrok	Van Regenmorter
Caul	Jamnack	Pappageorge	Vander Veen
Cheeks	Johnson, Rick	Pastor	Voorhees
Condino	Johnson, Ruth	Richardville	Walker
Dennis	Julian	Robertson	Ward
DeRoche	Koetje	Rocca	Wenke
DeRossett	Kolb	Sak	Whitmer
Drolet	Kooiman	Shackleton	Williams
Ehardt	LaJoy	Sheen	Woodward
Emmons	Lipsey	Shulman	Woronchak

Nays—27

Adamini	Gleason	O'Neil	Sheltrown
Anderson	Hardman	Phillips	Spade
Bieda	Hart	Plakas	Vagnozzi
Clack	Hopgood	Pumford	Waters
Elkins	Law	Reeves	Wojno
Farrah	Meisner	Rivet	Zelenko
Gillard	Minore	Shaffer	

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Rep. Bieda, 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 respect what the good representative from Oakland County is attempting to accomplish with this amendment, however I voted against it because creating additional elective offices by amendment to the consolidation of election bill package is not the appropriate legislative vehicle, particularly when the issue was not addressed in committee. The issue, frankly, should be the subject of its own ‘stand alone’ bill, rather than a house floor amendment.”

Reps. Adamini and Anderson, having reserved the right to explain their protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I voted no on HB 4820-23, HB 4824 (H-1), HB 4825-8 for the following reasons:

1. This package removes local control from school boards and transfers it to other local units of government. Once there is absence of local control, things can go out of control.

2. There are numerous school districts where the boundaries are not coterminous with the corresponding township,

city or village. Thereby, this package would force these local clerks to divide precincts into correct school districts. Even with the Qualified Voter File, this mandate would be very laborious for local clerks.

3. Those who support this package pull out the worse case scenarios where the turnout rate is low and there is little to none publicity about school elections. To the contrary, there are many school districts that publicize their elections and have active participation. For example, the Jackson ISD had an election in the same month where voters were choosing the replacement for their state representative in a special election. The turn out was greater for the ISD election than the other one. This proves with proper notice that all school boards do not run stealth elections.

4. If it is the goal of the sponsors to increase voter turnout, other mechanisms such as same day voter registration and no excuse absentee ballot would be more effective.”

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

Rep. Brown moved that Rep. Adamini be excused temporarily from today’s session.
The motion prevailed.

Rep. Gaffney moved that Rep. Stahl be excused temporarily from today’s session.
The motion prevailed.

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

Rep. Sheltroun moved that Rep. Rivet be excused temporarily from today’s session.
The motion prevailed.

Second Reading of Bills

Senate Bill No. 23, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 512 (MCL 206.512), as amended by 1996 PA 484.

The bill was read a second time.

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

Rep. Richardville moved that the bill be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 23, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 512 (MCL 206.512), as amended by 1996 PA 484.

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

Roll Call No. 275

Yeas—101

Accavitti	Garfield	Meisner	Sheen
Acciavatti	Gillard	Middaugh	Sheltroun
Amos	Gleason	Milosch	Shulman
Anderson	Hager	Minore	Smith
Bieda	Hardman	Moolenaar	Spade
Bisbee	Hart	Mortimer	Stakoe
Bradstreet	Hood	Newell	Steil
Brandenburg	Hoogendyk	Nitz	Stewart

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

Nays—0

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 meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts,”

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.

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Speaker laid before the House

House Resolution No. 79.

A resolution to memorialize the Congress of the United States to allocate federal funds to ensure the continued operation of Detroit Receiving Hospital.

(For text of resolution, see House Journal No. 49, p. 772.)

(The resolution was discharged from the Committee on Appropriations on June 18, consideration of which, under the rules, was postponed until today.)

The question being on the adoption of the resolution,

The resolution was adopted.

By unanimous consent the House returned to the order of

Motions and Resolutions

By unanimous consent the House considered **House Resolution No. 89** out of numerical order.

Reps. Bradstreet, Woodward, Middaugh and McConico offered the following resolution:

House Resolution No. 89.

A resolution to urge the Department of State Police to consider certain criteria when administering the provisions of 1999 PA 78 and to express legislative intent.

Whereas, On June 28, 1999, Enrolled House Bill No. 4658, which was enacted by the Michigan Legislature to amend the Emergency Telephone Service Enabling Act (1986 PA 32), was signed into law by the Governor as 1999 PA 78; and

Whereas, 1999 PA 78 added section 409 (MCL § 484.1409) to the Michigan Telephone Service Enabling Act. Subsection (1)(e) of this section provides that three cents of each monthly service charge collected in the two years following enactment are to be used by the Department of State Police to fund priority issues of 9-1-1 coverage. Specifically, this money is to address funding inequities and imbalances in services relative to wireless 9-1-1 coverage in rural areas throughout Michigan; and

Whereas, Money has been collected pursuant to this act, and the Department of State Police has taken steps to administer these funds. In doing so, the State Police contracted a study to identify the most effective means of extending emergency 9-1-1 services throughout Michigan. The study identified several projects; and

Whereas, One of the recommendations made by the study conducted for the Department of State Police and presented in November 2002 called for the creation of a new statewide E-9-1-1 coordinator position. This proposal is not consistent with the intent of 1999 PA 78, which is to spend this limited, one-time funding for the expansion of cellular coverage to those areas not currently covered under wireless 9-1-1 service. Establishing a new position, authority, association, or office is clearly not provided for in the statute; now, therefore, be it

Resolved by the House of Representatives, That we urge the Department of State Police, in its administration of funds provided for through 1999 PA 78 to extend 9-1-1 emergency services for cell phone users, to concentrate its proposals on specific projects rather than calling for the creation of a new office in state government; and be it further

Resolved, That it is our intent, and in keeping with the original intent of this fund, that all projects receiving funding through 1999 PA 78 must address funding inequities and cellular coverage in lesser populated areas of the state; and be it further

Resolved, That a copy of this resolution be transmitted to the Department of State Police.

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. 4706, entitled

A bill to provide for and to regulate access to and disclosure of medical records; to prescribe powers and duties of certain state agencies and departments; to establish fees; to prescribe administrative sanctions; and to provide remedies.

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

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

Rep. Vander Veen moved to substitute (H-2) the bill.

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

Rep. Vander Veen 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. 4706, entitled

A bill to provide for and to regulate access to and disclosure of medical records; to prescribe powers and duties of certain state agencies and departments; to establish fees; to prescribe administrative sanctions; and to provide remedies.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Vander Veen moved to amend the bill as follows:

1. Amend page 3, line 18, after "means" by striking out the balance of the line and inserting "a minor patient's parent or a person to whom a patient, a minor patient's parent,".

2. Amend page 3, line 23, by striking out "minor's".

The motion was seconded and the amendments were adopted, a majority of the members serving voting therefor.
The question being on the passage of the bill,

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

Roll Call No. 276**Yeas—103**

Accavitti	Farrah	Meisner	Sheltrown
Acciavatti	Gaffney	Middaugh	Shulman
Adamini	Garfield	Milosch	Smith
Amos	Gillard	Minore	Spade
Anderson	Gleason	Moolenaar	Stahl
Bieda	Hager	Mortimer	Stakoe
Bisbee	Hardman	Newell	Steil
Bradstreet	Hart	Nitz	Stewart
Brandenburg	Hood	Nofs	Tabor
Brown	Hoogendyk	O'Neil	Taub
Byrum	Hopgood	Paletko	Tobocman
Casperson	Howell	Palmer	Vagnozzi
Caswell	Huizenga	Palsrok	Van Regenmorter
Caul	Hummel	Pappageorge	Vander Veen
Cheeks	Hune	Pastor	Voorhees
Clack	Hunter	Phillips	Walker
Condino	Jamnick	Plakas	Ward
Daniels	Johnson, Rick	Pumford	Waters
Dennis	Johnson, Ruth	Reeves	Wenke
DeRoche	Julian	Richardville	Whitmer
DeRossett	Koetje	Robertson	Williams
Drolet	Kolb	Rocca	Wojno
Ehardt	Kooiman	Sak	Woodward
Elkins	LaJoy	Shackleton	Woronchak
Emmons	Law	Shaffer	Zelenko
Farhat	Lipsey	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. 4755, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16221 and 16226 (MCL 333.16221 and 333.16226), section 16221 as amended by 2002 PA 402 and section 16226 as amended by 2002 PA 643, and by adding section 20170.

The bill was read a second time.

Rep. Vander Veen 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. 4755, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 16221 and 16226 (MCL 333.16221 and 333.16226), section 16221 as amended by 2002 PA 402 and section 16226 as amended by 2002 PA 643, and by adding section 20170.

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

Roll Call No. 277

Yeas—104

Accavitti	Farrah	Meisner	Sheen
Acciavatti	Gaffney	Middaugh	Sheltrown
Adamini	Garfield	Milosch	Shulman
Amos	Gillard	Minore	Smith
Anderson	Gleason	Moolenaar	Spade
Bieda	Hager	Mortimer	Stahl
Bisbee	Hardman	Newell	Stakoe
Bradstreet	Hart	Nitz	Steil
Brandenburg	Hood	Nofs	Stewart
Brown	Hoogendyk	O’Neil	Tabor
Byrum	Hopgood	Paletko	Taub
Casperson	Howell	Palmer	Tobocman
Caswell	Huizenga	Palsrok	Vagnozzi
Caul	Hummel	Pappageorge	Van Regenmorter
Cheeks	Hune	Pastor	Vander Veen
Clack	Hunter	Phillips	Voorhees
Condino	Jamnack	Plakas	Walker
Daniels	Johnson, Rick	Pumford	Ward
Dennis	Johnson, Ruth	Reeves	Waters
DeRoche	Julian	Richardville	Wenke
DeRossett	Koetje	Rivet	Whitmer
Drolet	Kolb	Robertson	Williams
Ehardt	Kooiman	Rocca	Wojno
Elkins	LaJoy	Sak	Woodward
Emmons	Law	Shackleton	Woronchak
Farhat	Lipsey	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. 4693, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” (MCL 380.1 to 380.1852) by adding section 1294.
 Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Education,

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

Reps. Ruth Johnson and Hummel moved to amend the bill as follows:

1. Amend page 4, following line 13, by inserting:

“(c) That the district has exhibited financial responsibility during the preceding 3 fiscal years, as determined by the superintendent of public instruction. This does not preclude the approval of an educational flexibility and empowerment contract for a school district in current financial hardship, so long as the hardship is not due to financial irresponsibility as determined by the superintendent of public instruction.”.

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

Rep. Palmer moved to amend the bill as follows:

1. Amend page 7, following line 5, by inserting:

“(d) “School district” means either a school district or a public school academy, and “board” means either a school board or the board of directors of a public school academy.”.

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4693, entitled

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

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

Roll Call No. 278

Yeas—56

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

Nays—49

Accavitti	Farrah	McConico	Sheltrown
Adamini	Gillard	Meisner	Smith
Anderson	Gleason	Minore	Spade
Bieda	Hardman	Nofs	Tobocman
Brown	Hood	O’Neil	Vagnozzi
Byrum	Hopgood	Paletko	Waters
Cheeks	Hunter	Phillips	Whitmer
Clack	Jamnick	Plakas	Williams
Condino	Julian	Reeves	Wojno
Daniels	Kolb	Richardville	Woodward

Dennis
DeRossett
Elkins

Law
Lipsey

Rivet
Sak

Woronchak
Zelenko

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. Law, Gleason, Byrum, Hopgood, Anderson and Dennis, having reserved the right to explain their protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I voted no on House Bills 4693 and 4724 because I believe this legislation is overly broad and delegates the Legislatures Constitutional authority to the Superintendent of Public Instruction.

These bills allow any rule or provision, except those addressing health or safety, parts of the laws specific to charter schools, and nonpublic schools, within the State School Aid Act or Revised School Code to be waived, if the school can link the waivers to pupil achievement. Why is the legislature trying to ‘give up’ its power? This allows the Superintendent to waive state law. The Constitution gives the power to legislate and create, change or repeal laws to the Legislature.

The waivers could include any or all of the following, for example:

- Teacher certification requirements,
- School Board election rules,
- School District annexation requirements,
- Requirements on school year length,
- Pupil accounting procedures,
- Testing requirements,
- Competitive bidding requirements,
- School expulsion requirements, and
- Compulsory attendance requirements, etc.

Additionally, the requirement that the Superintendent may not waive any health and safety requirement is vague as ‘health and safety requirements’ is not defined. Further, once a rule is waived for one school, can other schools then demand the same? It is also unclear the effect this will have on collective bargaining agreements.

For these reasons, I voted no on House Bills 4693 and 4724.”

Reps. Brown, Whitmer, Adamini, Farrah, Accavitti and Gillard, having reserved the right to explain their protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I voted no on House Bills 4693 and 4724 because I believe this legislation is overly broad and delegates the Legislatures Constitutional authority to the Superintendent of Public Instruction.

These bills allow any rule or provision, except those addressing health or safety, parts of the laws specific to charter schools, and nonpublic schools, within the State School Aid Act or Revised School Code to be waived, if the school can link the waivers to pupil achievement. Why is the legislature trying to ‘give up’ its power? This allows the Superintendent to waive state law. The Constitution gives the power to legislate and create, change or repeal laws to the Legislature.

The waivers could include any or all of the following, for example:

- Teacher certification requirements,
- School Board election rules,
- School District annexation requirements,
- Requirements on school year length,
- Pupil accounting procedures,
- Testing requirements,
- Competitive bidding requirements,
- School expulsion requirements, and
- Compulsory attendance requirements, etc.

Additionally, the requirement that the Superintendent may not waive any health and safety requirement is vague as 'health and safety requirements' is not defined. Further, once a rule is waived for one school, can other schools then demand the same? It is also unclear the effect this will have on collective bargaining agreements.

For these reasons, I voted no on House Bill 4693."

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

"Mr. Speaker and members of the House:

I voted no on House Bills 4693 and 4724 because I believe this legislation is overly broad and delegates the Legislatures Constitutional authority to the Superintendent of Public Instruction.

These bills allow any rule or provision, except those addressing health or safety, parts of the laws specific to charter schools, and nonpublic schools, within the State School Aid Act or Revised School Code to be waived, if the school can link the waivers to pupil achievement. Why is the legislature trying to 'give up' its power? This allows the Superintendent to waive state law. The Constitution gives the power to legislate and create, change or repeal laws to the Legislature.

The waivers could include any or all of the following, for example:

- Teacher certification requirements,
- School Board election rules,
- School District annexation requirements,
- Requirements on school year length,
- Pupil accounting procedures,
- Testing requirements,
- Competitive bidding requirements,
- School expulsion requirements, and
- Compulsory attendance requirements, etc.

Additionally, the requirement that the Superintendent may not waive any health and safety requirement is vague as 'health and safety requirements' is not defined. Further, once a rule is waived for one school, can other schools then demand the same? It is also unclear the effect this will have on collective bargaining agreements."

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

"Mr. Speaker and members of the House:

I was absent from the Chamber when the vote was taken on Roll Call No. 275. Had I been present, I would have voted 'yea'."

Second Reading of Bills

House Bill No. 4724, entitled

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

The bill was read a second time.

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

The motion prevailed.

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

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

Rep. Middaugh moved that Rep. Caul be excused from the balance of today's session.

The motion prevailed.

Rep. Waters moved that Rep. Daniels be excused from the balance of today's session.

The motion prevailed.

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

House Bill No. 4724, entitled

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

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

Roll Call No. 279

Yeas—58

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

Nays—42

Accavitti	Farrar	Meisner	Smith
Adamini	Gillard	Minore	Spade
Anderson	Gleason	O’Neil	Tobocman
Bieda	Hood	Paletko	Vagnozzi
Brown	Hopgood	Phillips	Waters
Byrum	Hunter	Plakas	Williams
Cheeks	Jamnick	Richardville	Wojno
Clack	Julian	Rivet	Woodward
Condino	Kolb	Sak	Woronchak
Dennis	Law	Sheltrown	Zelenko
Elkins	Lipsey		

In The Chair: Julian

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

Reps. Law, Gleason, Adamini, Hopgood, Anderson and Dennis, having reserved the right to explain their protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I voted no on House Bills 4693 and 4724 because I believe this legislation is overly broad and delegates the Legislatures Constitutional authority to the Superintendent of Public Instruction.

These bills allow any rule or provision, except those addressing health or safety, parts of the laws specific to charter schools, and nonpublic schools, within the State School Aid Act or Revised School Code to be waived, if the school can link the waivers to pupil achievement. Why is the legislature trying to 'give up' its power? This allows the Superintendent to waive state law. The Constitution gives the power to legislate and create, change or repeal laws to the Legislature.

The waivers could include any or all of the following, for example:

- Teacher certification requirements,
- School Board election rules,
- School District annexation requirements,
- Requirements on school year length,
- Pupil accounting procedures,
- Testing requirements,
- Competitive bidding requirements,
- School expulsion requirements, and
- Compulsory attendance requirements, etc.

Additionally, the requirement that the Superintendent may not waive any health and safety requirement is vague as 'health and safety requirements' is not defined. Further, once a rule is waived for one school, can other schools then demand the same? It is also unclear the effect this will have on collective bargaining agreements.

For these reasons, I voted no on House Bills 4693 and 4724."

Rep. Gillard, 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 House Bills 4693 and 4724 because I believe this legislation is overly broad and delegates the Legislature's Constitutional authority to the Superintendent of Public Instruction.

These bills allow any rule or provision, except those addressing health or safety, parts of the laws specific to charter schools, and nonpublic schools, within the State School Aid Act or Revised School Code to be waived, if the school can link the waivers to pupil achievement. Why is the legislature trying to 'give up' its power? This allows the Superintendent to waive state law. The Constitution gives the power to legislate and create, change or repeal laws to the Legislature.

The waivers could include any or all of the following, for example:

- Teacher certification requirements,
- School Board election rules,
- School District annexation requirements,
- Requirements on school year length,
- Pupil accounting procedures,
- Testing requirements,
- Competitive bidding requirements,
- School expulsion requirements, and
- Compulsory attendance requirements, etc.

Additionally, the requirement that the Superintendent may not waive any health and safety requirement is vague as 'health and safety requirements' is not defined. Further, once a rule is waived for one school, can other schools then demand the same? It is also unclear the effect this will have on collective bargaining agreements.

For these reasons, I voted no on House Bill 4724."

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

"Mr. Speaker and members of the House:

I voted no on House Bills 4693 and 4724 because I believe this legislation is overly broad and delegates the Legislature's Constitutional authority to the Superintendent of Public Instruction.

These bills allow any rule or provision, except those addressing health or safety, parts of the laws specific to charter schools, and nonpublic schools, within the State School Aid Act or Revised School Code to be waived, if the school can link the waivers to pupil achievement. Why is the legislature trying to 'give up' its power? This allows the Superintendent to waive state law. The Constitution gives the power to legislate and create, change or repeal laws to the Legislature.

The waivers could include any or all of the following, for example:

- Teacher certification requirements,
- School Board election rules,
- School District annexation requirements,

- Requirements on school year length,
- Pupil accounting procedures,
- Testing requirements,
- Competitive bidding requirements,
- School expulsion requirements, and
- Compulsory attendance requirements, etc.

Additionally, the requirement that the Superintendent may not waive any health and safety requirement is vague as ‘health and safety requirements’ is not defined. Further, once a rule is waived for one school, can other schools then demand the same? It is also unclear the effect this will have on collective bargaining agreements.”

Rep. Bieda, 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 against passage of HB 4724 as well as HB 4693 because the legislation is too broad and delegates the State Legislature’s Constitutional authority to the Superintendent of Public Instruction. These two bills would allow any rule or provision, with a few important exceptions, within the State School Aid Act or Revised School Code to be waived, if the school can link the waivers to pupil achievement. Why is the legislature trying to abrogate its constitutional authority? These two bills allow the Superintendent to waive state law — laws that were voted on by the Legislature and signed by the Governor.

When I took office this last January, I took an oath to uphold the Constitution. The Constitution grants the power to legislate and create, change or repeal laws to the Legislature — as legislators we should not be giving away this important power.

Moreover, these are important issues being delegated. Specifically, these waivers could include a number of important issues, including teacher certification requirements, testing requirements, pupil accounting procedures, compulsory attendance requirements, competitive bidding requirements, school expulsion requirements, School District annexation requirements and School Board election rules.

Additionally, the requirement that the Superintendent may not waive any health or safety requirement is vague as ‘health and safety requirements’ is not defined. Moreover, it is unclear what effect these bills would have on collective bargaining agreements.

Thus, for these reasons I voted no on House Bills 4693 and HB 4724.”

Second Reading of Bills

House Bill No. 4244, entitled

A bill to amend 1980 PA 300, entitled “The public school employees retirement act of 1979,” by amending section 91 (MCL 38.1391), as amended by 1998 PA 85.

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

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

Rep. Minore 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. 4244, entitled

A bill to amend 1980 PA 300, entitled “The public school employees retirement act of 1979,” by amending section 91 (MCL 38.1391), as amended by 1998 PA 85.

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

Roll Call No. 280

Yeas—103

Accavitti	Garfield	Middaugh	Sheltrown
Acciavatti	Gillard	Milosch	Shulman
Adamini	Gleason	Minore	Smith

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

Rep. Richardville moved that Rule 44 be suspended.

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

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Kooiman, Hoogendyk, Koetje, Brandenburg, Hummel, Garfield, Meyer, Ward, Ehardt, Van Regenmorter, Stahl, Nitz, Rocca, Stakoe, Ruth Johnson, Moolenaar, Huizenga, Pastor, Acciavatti, Nofs, Steil, Howell, Palmer, Voorhees, Taub, Caswell, Caul, DeRossett, Farhat, Hune, Hunter, Newell, Sak, Shaffer, Sheen, Shulman, Vander Veen, Pappageorge, Shackleton and Amos offered the following resolution:

House Resolution No. 85.

A resolution to urge the Michigan State Transportation Commission to amend the Governor's proposed Five Year Road & Bridge Program (2003-2007) to include certain projects.

Whereas, A dynamic and growing state like Michigan relies upon an infrastructure that is planned with vision and responsive to change. Policy actions regarding transportation should reflect the importance of dealing with growth and congestion decisively; and

Whereas, The Governor's plans to redirect more than \$180 million in transportation projects from new construction projects ignores the needs of locales in our state that are experiencing significant growth. In many instances, the projects under threat are located in places that hold great promise in the challenges we face with the economy and job creation; and

Whereas, The economic benefits of the threatened road projects must not be obscured by a realignment of priorities. Even as the state faces difficult spending decisions, long-term goals cannot be sacrificed; now, therefore, be it

Resolved by the House of Representatives, That we urge the Michigan State Transportation Commission to amend the Governor's proposed Five Year Road & Bridge Program (2003-2007) to include all or almost all of the following projects:

M-24, from the south Lapeer County line to south of I-69, Lapeer County
 M-84, from south of Kochville road to south junction of M-13, Saginaw and Bay Counties
 US-127, north of St. Johns to Ithaca, Clinton and Gratiot Counties
 I-196/Chicago drive, interchange modification (Baldwin road connector), Kent and Ottawa Counties
 I-96/36th street interchange (I-96 airport area access), Kent County
 I-96, east of the Thornapple River, Kent County
 US-31, Holland to Grand Haven, Ottawa County
 I-96/Beck road, Novi, Oakland County
 I-96/Wixom road, Novi, Oakland County
 I-375/east Detroit riverfront access, Detroit, Wayne County
 I-94, from west of I-96 to east of Conner road, Detroit, Wayne County
 I-75/ I-96/Ambassador Bridge gateway, Detroit, Wayne County
 M-59/Crooks road, Rochester Hills, Oakland County
 M-59, from Crooks road to Ryan road, Oakland and Macomb Counties
 I-75/M-59 interchange reconstruction, Auburn Hills, Oakland County
 M-53, 12 Mile road to 14 Mile road, Warren, Macomb County
 I-696/Franklin road, Southfield, Oakland County
 I-75, 8 Mile road to M-59, Oakland County
 I-75/Crooks road, Troy, Oakland County
 I-75, south of Chrysler drive to M-24, Auburn Hills, Oakland County
 M-59/Adams road, Auburn Hills and Rochester Hills, Oakland County
 M-53 interchange at Van Dyke road and 18 _ Mile road, Sterling Heights, Macomb County
 US-24, Brownstown Township, Wayne County
 M-42, from existing US-131 to new US-131, Wexford County
 M-72, US-31 northeast of Traverse City to Kalkaska County line, Grand Traverse County
 US-131, from 6 _ Mile road to the Manistee River Bridge, Wexford County
 US-131, Manton bypass landscaping, Wexford County
 I-94 business loop, Battle Creek, Calhoun County
 US-131, state line to N Township line, Lockport Township, St. Joseph County
 US-31, Napier avenue to I-94, Berrien County
 US-2, Iron Mountain, Washington street to Michigan avenue, Dickinson County
 I-94/Baker road, Washtenaw County
 M-59, from I-96 to old US-23, Livingston County
 US-23, M-14 to I-96, Washtenaw and Livingston Counties
 ; and be it further

Resolved, That copies of this resolution be transmitted to the Michigan State Transportation Commission.
 The resolution was referred to the Committee on Commerce.

Reps. Sak, Plakas, Farrah, O'Neil, Accavitti, Acciavatti, Adamini, Anderson, Bieda, Brandenburg, Brown, Caswell, Caul, Dennis, DeRossett, Farhat, Garfield, Gleason, Hummel, Hune, Hunter, Jamnick, Koetje, Kooiman, Lipsey, Milosch, Newell, Paletko, Pastor, Rocca, Shaffer, Sheen, Sheltrown, Shulman, Spade, Stahl, Stakoe, Stallworth, Vagnozzi, Van Regenmorter, Vander Veen, Voorhees, Wojno, Woodward, Zelenko, Richardville, Byrum, Condino, Gillard, McConico, Meisner, Minore, Pappageorge, Shackleton, Steil, Tobocman, Waters, Amos and Palsrok offered the following resolution:

House Resolution No. 86.

A resolution offered as a memorial for Michigan residents who have given their lives in Operation Enduring Freedom and Operation Iraqi Freedom.

Whereas, With great respect for the unselfishness that marked their entire lives, we offer this expression of tribute to honor the memory of these servicemen and pay tribute to their bravery, dedication and patriotism; and

Whereas, SFC Mark W. Jackson, of Glennie, Michigan, died in an explosion on October 2, 2002, at age 40; and

Whereas, Senior Airman Jason T. Plite, of Delta Township, Michigan, died in a helicopter crash on March 23, 2003, at age 21; and

Whereas, Marine Maj. Kevin G. Nave, of White Lake Township, Michigan, died in a vehicle accident on March 26, 2003, at age 36; and

Whereas, Army Sgt. Michael Pedersen, of Flint, Michigan, died in a helicopter crash on April 2, 2003, at age 26; and

Whereas, Army Sgt. Todd J. Robbins, of Pentwater, Michigan, died in combat on April 3, 2003, at age 33; and

Whereas, Air Force Staff Sgt. Scott D. Sather, of Clio, Michigan, died in combat on April 8, 2003 at age 29; and

Whereas, Army Pfc. Jason Meyer, of Swartz Creek, Michigan, died in combat on April 8, 2003, at age 23; and

Whereas, Marine Pfc. Juan Guadalupe Garza, of Temperance, Michigan, was killed in action on April 8, 2003, at age 20; and

Whereas, Army Spc. Richard A. Goward, of Midland, Michigan, was killed on April 14, 2003, when his truck entered a dust cloud and collided with another truck; and

Whereas, Sgt. Sean C. Reynolds, of East Lansing, Michigan, died of a gunshot wound on May 3, 2003, at age 25 in Kirkuk, Iraq; and

Whereas, Master Sgt. William L. Payne, of Otsego, Michigan, died on May 16, 2003, at the age of 46, when an ordnance exploded as he examined it; and

Whereas, Military Police Sgt. Brett Petriken, of Flint, Michigan, died on May 26, 2003, at the age of 30 in Samawah, Iraq; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body offer our highest tribute to honor the memory of these servicemen who gave their lives for our nation.

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. Minore, Pumford, Gielegem, Hart, Accavitti, Adamini, Anderson, Bieda, Brandenburg, Brown, Caul, Clack, Dennis, DeRossett, Farhat, Farrah, Hunter, Jamnick, Kooiman, Lipsey, Newell, O'Neil, Paletko, Rocca, Sak, Sheltroun, Spade, Stakoe, Stallworth, Vagnozzi, Wojno, Woodward, Zelenko, Richardville, Byrum, Condino, Gillard, McConico, Meisner, Phillips, Tobocman, Waters and Amos offered the following resolution:

House Resolution No. 87.

A resolution declaring September 2003 as College Savings Month in Michigan.

Whereas, As the state of Michigan prepares to compete in the global economy of the 21st century, it is imperative that the children of our state have access to the education and skills that will ensure them success in the future; and

Whereas, Through the hard work and dedication of the families and loved ones of the youth of Michigan, students will have the opportunity to pursue higher education and a chance for educational advancement; and

Whereas, It is extremely important that our state maintain access to post-secondary education, and to encourage parents, family members, friends and neighbors to save for our young people's education; and

Whereas, Federal and state government must continue to encourage savings for the future and provide parents, grandparents, friends and businesses additional opportunities to support the educational needs and goals of our children; and

Whereas, It is in the interest of the state to ensure that the people of Michigan have the opportunity to obtain a post-secondary education and to encourage parents to save for their children's education; and

Whereas, The Michigan Education Trust, a prepaid college tuition plan, was provided by the state of Michigan as a Section 529 Qualified Tuition Plan (QTP), which was passed by our state's legislature through duly enacted laws; and

Whereas, Under the leadership of our current administration, Michigan continues to help families save for college expenses by supporting the Michigan Education Savings Program, which has been named one of the top college savings programs in the nation with nearly 56,000 accounts totaling over \$183 million; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body do hereby declare September 2003 as College Savings 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. Moolenaar, Amos, Pastor, Ward, Mortimer, Middaugh, Julian, Emmons, Hager, Bisbee, Kooiman, Stewart, Caul, Ruth Johnson, Garfield, Brandenburg, Acciavatti, Hune, LaJoy, Steil, Wenke, Nofs, Hoogendyk, Newell, Ehardt, Kolb, Anderson, DeRossett, Farrah, Sheltroun and Stakoe offered the following resolution:

House Resolution No. 88.

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

Whereas, In an effort to foster the development of alternate energy sources for the future, a production tax credit for wind power energy development was established in 1992. In the years since that time, significant progress has been made in the challenging work of developing clean sources of power for our country; and

Whereas, The long-term strategy behind the production tax credit for wind energy development has been impeded by the fact that this federal program faces sunset provisions every two years. Sunset provisions clearly are a productive tool to ensure sound spending policies. However, in an extended effort like developing viable wind energy technology, which has enormous capital expenses, the requirement for renewal every two years has proven to be counterproductive. Over most two-year cycles, the amount of power added through wind technology investment drops considerably in the second year, as developers worry about whether the tax credit incentive will be revived after it expires; and

Whereas, The production tax credit, like other incentives that the government has provided throughout history to encourage various development initiatives, would be far more effective if it could be extended beyond the two-year period. This emerging industry, which may one day be a key part of America's overall energy needs, will make much more significant advances with a consistent, multiple-year approach; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to enact legislation to extend the production tax credit for wind power energy development beyond the two-year cycle under which it now operates; 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 Tax Policy.

THIS RESOLUTION IS OFFERED TO COMPLY WITH MCL §§ 830.415 and 830.417 AND REQUIRES A RECORD ROLL CALL VOTE

Rep. Shackleton offered the following concurrent resolution:

House Concurrent Resolution No. 21.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Natural Resources State Fish Hatchery Renovations Platte Project.

Whereas, 2001 PA 81 established the Department of Natural Resources State Fish Hatchery Renovations Project at a total authorized project cost of \$23,300,000 (the State Building Authority (the "Authority") share is \$20,000,000 and the State General Fund/General Purpose share is \$3,300,000). The Authority's share of the project is composed of two components, the renovations of the existing Oden Fish Hatchery (the "Oden Facility") and the renovations of the existing Platte River Fish Hatchery (the "Platte Facility"); and

Whereas, The estimated project cost for the Oden Facility and the Platte Facility are \$11,801,000 and \$8,199,000, respectively, which in the aggregate is equal to the Authority's share of \$20,000,000 for the Department of Natural Resources State Fish Hatchery Renovations; and

Whereas, The portions of the Oden Facility and the Platte Facility to be financed by the Authority shall be \$11,801,000 and \$8,199,000, respectively, which in the aggregate is equal to the share of the total authorized cost to be financed by the Authority; and

Whereas, The remaining \$3,300,000 of the authorized State General Fund/General Purpose share will be used on various other state fish hatchery renovations around the State of Michigan; and

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the State Administrative Board, the Attorney General, and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before land owned by the State of Michigan (the "State") may be conveyed to the Authority; and

Whereas, The site for the Platte Facility located in Benzie County is currently owned by the State; and

Whereas, Section 7 of 1964 PA 183, as amended, being MCL § 830.417, requires the approval of the State Administrative Board and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before the State may enter into a lease with the Authority upon a showing of a public purpose; and

Whereas, Providing additional space to be used by the State pursuant to the lease for the Platte Facility is a recognized public purpose; and

Whereas, A lease between the Authority and the State has been prepared providing for the leasing of the Platte Facility by the Authority to the State (the "Lease"); and

Whereas, The Executive Director of the Authority has furnished the Joint Capital Outlay Subcommittee of the Legislature with information and documents relative to the Lease; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Total Facility Cost for the Platte Facility shall not exceed \$8,199,000 (the Authority share is \$8,199,000 and the State General Fund/General Purpose share is \$0), plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Platte

Facility, if any, of which not more than \$8,199,000, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

Resolved, That the Legislature hereby approves the necessary conveyances of property to the Authority as more particularly described in the Lease and attachments thereto; and be it further

Resolved, That the Legislature hereby approves the Authority acquiring the Platte Facility and leasing it to the State and hereby determines that the leasing of the Platte Facility from the Authority is for a public purpose as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the annual amounts of "True Rental" for the Platte Facility shall be within or below the range of \$620,000 and \$800,000, as shall reflect variations that may occur in the components upon which the appraisal of True Rental was based, which amounts shall be certified by the appraiser and thereafter approved by the State Administrative Board and the Authority as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the Lease is hereby approved by this concurrent resolution, and the Governor and the Secretary of State are authorized and directed to execute the Lease for and on behalf of the State; and be it further

Resolved, That, by hereby approving the Lease between the State and the Authority, the Legislature agrees to appropriate annually sufficient amounts to pay the rent as obligated pursuant to the Lease; and be it further

Resolved, That a copy of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, and the State Budget Director.

The concurrent resolution was referred to the Committee on Appropriations.

THIS RESOLUTION IS OFFERED TO COMPLY WITH MCL §§ 830.415 AND 830.417 AND REQUIRES A RECORD ROLL CALL VOTE.

Rep. Shackleton offered the following concurrent resolution:

House Concurrent Resolution No. 22.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Western Michigan University relative to the Western Michigan University Health and Human Services Building.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the Board of Trustees of Western Michigan University (the "Educational Institution"), the State Administrative Board, and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before land owned by the Educational Institution may be conveyed to the State Building Authority (the "Authority"); and

Whereas, The site for the Health and Human Services Building (the "Facility") is currently owned by the Educational Institution; and

Whereas, Section 7 of 1964 PA 183, as amended, being MCL § 830.417, requires the approval of the State Administrative Board and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before the State of Michigan (the "State") may enter into a lease with the Authority upon a showing of a public purpose; and

Whereas, Providing additional space to be used by the Educational Institution pursuant to the lease for the Facility is a recognized public purpose; and

Whereas, A lease among the Authority, the State, and the Educational Institution has been prepared providing for the leasing of the Facility by the Authority to the State and the Educational Institution (the "Lease"); and

Whereas, The Executive Director of the Authority has furnished the Joint Capital Outlay Subcommittee of the Legislature with information and documents relative to the Lease; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Total Facility Cost for the Western Michigan University Health and Human Services Building shall not exceed \$48,170,800 (the Authority share is \$36,127,900, the State General Fund/General Purpose share is \$200, and the Educational Institution share is \$12,042,700), plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$36,127,900, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

Resolved, That the Legislature hereby approves the necessary conveyances of property to the Authority as more particularly described in the Lease and attachments thereto; and be it further

Resolved, That the Legislature hereby approves the Authority acquiring the Facility and leasing it to the State and the Educational Institution and hereby determines that the leasing of the Facility from the Authority is for a public purpose as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the annual amounts of "True Rental" for the Facility shall be within or below the range of \$2,740,000 and \$3,510,000, as shall reflect variations that may occur in the components upon which the appraisal of True Rental was

based, which amounts shall be certified by the appraiser and thereafter approved by the State Administrative Board and the Authority as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the Lease is hereby approved by this concurrent resolution, and the Governor and the Secretary of State are authorized and directed to execute the Lease for and on behalf of the State; and be it further

Resolved, That, by hereby approving the Lease among the State, the Educational Institution, and the Authority, the Legislature agrees to appropriate annually sufficient amounts to pay the rent as obligated pursuant to the Lease; and be it further

Resolved, That copies of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, the Board of Trustees of Western Michigan University, and the State Budget Director.

The concurrent resolution was referred to the Committee on Appropriations.

THIS RESOLUTION IS OFFERED TO COMPLY WITH MCL §§ 830.415 AND 830.417 AND REQUIRES A RECORD ROLL CALL VOTE.

Rep. Shackleton offered the following concurrent resolution:

House Concurrent Resolution No. 23.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Lake Michigan College relative to the Lake Michigan College Van Buren Center.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the Board of Trustees of Lake Michigan College (the "Educational Institution"), the State Administrative Board, and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before land owned by the Educational Institution may be conveyed to the State Building Authority (the "Authority"); and

Whereas, The site for the Van Buren Center (the "Facility") is currently owned by the Educational Institution; and

Whereas, Section 7 of 1964 PA 183, as amended, being MCL § 830.417, requires the approval of the State Administrative Board and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before the State of Michigan (the "State") may enter into a lease with the Authority upon a showing of a public purpose; and

Whereas, Providing additional space to be used by the Educational Institution pursuant to the lease for the Facility is a recognized public purpose; and

Whereas, A lease among the Authority, the State, and the Educational Institution has been prepared providing for the leasing of the Facility by the Authority to the State and the Educational Institution (the "Lease"); and

Whereas, The Executive Director of the Authority has furnished the Joint Capital Outlay Subcommittee of the Legislature with information and documents relative to the Lease; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Total Facility Cost for the Lake Michigan College Van Buren Center shall not exceed \$7,800,000 (the Authority share is \$3,899,800, the State General Fund/General Purpose share is \$200, and the Educational Institution share is \$3,900,000), plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$3,899,800, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

Resolved, That the Legislature hereby approves the necessary conveyances of property to the Authority as more particularly described in the Lease and attachments thereto; and be it further

Resolved, That the Legislature hereby approves the Authority acquiring the Facility and leasing it to the State and the Educational Institution and hereby determines that the leasing of the Facility from the Authority is for a public purpose as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the annual amounts of "True Rental" for the Facility shall be within or below the range of \$295,000 and \$380,000, as shall reflect variations that may occur in the components upon which the appraisal of True Rental was based, which amounts shall be certified by the appraiser and thereafter approved by the State Administrative Board and the Authority as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the Lease is hereby approved by this concurrent resolution, and the Governor and the Secretary of State are authorized and directed to execute the Lease for and on behalf of the State; and be it further

Resolved, That, by hereby approving the Lease among the State, the Educational Institution, and the Authority, the Legislature agrees to appropriate annually sufficient amounts to pay the rent as obligated pursuant to the Lease; and be it further

Resolved, That copies of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, the Board of Trustees of Lake Michigan College and the State Budget Director.

The concurrent resolution was referred to the Committee on Appropriations.

Reports of Standing Committees

The Committee on Land Use and Environment, by Rep. Ruth Johnson, Chair, reported

Senate Bill No. 289, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 32701, 32705, 32707, 32708, and 32714 (MCL 324.32701, 324.32705, 324.32707, 324.32708, and 324.32714), sections 32701, 32707, and 32708 as amended and section 32714 as added by 1996 PA 434 and section 32705 as added by 1995 PA 59, and by adding part 328.

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.

Favorable Roll Call

To Report Out:

Yeas: Reps. Ruth Johnson, LaJoy, Ehardt, DeRossett, Milosch, Nitz and Ward

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, June 18, 2003, at 5:00 p.m.

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

The Committee on Great Lakes and Tourism, by Rep. Palsrok, Chair, reported

House Resolution No. 63.

A resolution to memorialize the Congress of the United States to increase efforts to preserve and protect Lake St. Clair. (For text of resolution, see House Journal No. 42, p. 633.)

With the recommendation that the resolution be adopted.

The Speaker announced that under Rule 77 the resolution would lie over one day.

Favorable Roll Call

To Report Out:

Yeas: Reps. Palsrok, Brandenburg, Tabor, Law, Gleason and Stallworth

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Palsrok, Chair of the Committee on Great Lakes and Tourism, was received and read:

Meeting held on: Thursday, June 19, 2003, at 9:00 a.m.

Present: Reps. Palsrok, Brandenburg, Tabor, Law, Gleason and Stallworth

Absent: Rep. Meyer

Excused: Rep. Meyer

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

House Bill No. 4753, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 57b (MCL 257.57b).

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills and laid over one day.

Favorable Roll Call

To Report Out:

Yeas: Reps. DeRossett, Casperson, Hummel, DeRoche, Hune, Huizenga, LaJoy, Robertson, Ward, Anderson, Jannick, Gleason, Tobocman and Elkins

Nays: None

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

Senate Bill No. 462, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 312b, 312c, 811a, and 811b (MCL 257.312b, 257.312c, 257.811a, and 257.811b), section 312b as amended by 2000 PA 456, section 312c as amended by 1996 PA 345, section 811a as amended by 1992 PA 59, and section 811b as added by 1987 PA 85.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills and laid over one day.

Favorable Roll Call

To Report Out:

Yeas: Reps. DeRossett, Casperson, Hummel, DeRoche, Hune, Huizenga, LaJoy, Robertson, Ward, Anderson, Jannick, Gleason, Tobocman and Elkins

Nays: None

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

Senate Bill No. 530, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.1100) by adding section 86.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills and laid over one day.

Favorable Roll Call

To Report Out:

Yeas: Reps. DeRossett, Casperson, Hummel, Gaffney, Hune, LaJoy, Robertson, Ward, Anderson, Jannick, Gleason and Elkins

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, June 19, 2003, at 9:00 a.m.

Present: Reps. DeRossett, Casperson, Hummel, DeRoche, Gaffney, Hune, Huizenga, LaJoy, Robertson, Ward, Anderson, Jannick, Gleason, Tobocman and Elkins

Absent: Reps. Adamini and Murphy

Excused: Reps. Adamini and Murphy

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

House Bill No. 4769, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 115b, 115f, 115g, and 117e (MCL 400.115b, 400.115f, 400.115g, and 400.117e), section 115b as amended by 1998 PA 516, sections 115f and 115g as amended by 2002 PA 648, and section 117e as amended by 1983 PA 222.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills and laid over one day.

Favorable Roll Call

To Report Out:

Yeas: Reps. Howell, Bradstreet, Koetje, Pappageorge, Voorhees, Gaffney, Garfield, Wenke, Lipsey, Adamini, Bieda, Condino and Smith

Nays: None

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

House Bill No. 4770, entitled

A bill to amend 1971 PA 174, entitled "Office of child support act," by amending section 3 (MCL 400.233), as amended by 2002 PA 564, and by adding section 6a.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills and laid over one day.

Favorable Roll Call

To Report Out:

Yeas: Reps. Howell, Bradstreet, Koetje, Pappageorge, Voorhees, Gaffney, Garfield, Wenke, Lipsey, Adamini, Bieda, Condino and Smith

Nays: None

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

House Bill No. 4771, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2529 (MCL 600.2529), as amended by 2002 PA 605.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills and laid over one day.

Favorable Roll Call

To Report Out:

Yeas: Reps. Howell, Bradstreet, Koetje, Pappageorge, Voorhees, Gaffney, Garfield, Wenke, Lipsey, Adamini, Bieda, Condino and Smith

Nays: None

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

House Bill No. 4772, entitled

A bill to amend 1982 PA 295, entitled "Support and parenting time enforcement act," by amending sections 7, 13, 27, and 35 (MCL 552.607, 552.613, 552.627, and 552.635), section 7 as amended by 2002 PA 572, section 13 as amended by 1998 PA 334, section 27 as amended by 2001 PA 106, and section 35 as amended by 2002 PA 567.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills and laid over one day.

Favorable Roll Call

To Report Out:

Yeas: Reps. Howell, Bradstreet, Koetje, Pappageorge, Voorhees, Gaffney, Garfield, Wenke, Lipsey, Adamini, Bieda, Condino and Smith

Nays: None

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

House Bill No. 4773, entitled

A bill to amend 1982 PA 294, entitled "Friend of the court act," by amending sections 17, 17b, and 19 (MCL 552.517, 552.517b, and 552.519), sections 17 and 17b as amended by 2002 PA 571 and section 19 as amended by 2002 PA 569.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills and laid over one day.

Favorable Roll Call

To Report Out:

Yeas: Reps. Howell, Bradstreet, Koetje, Pappageorge, Voorhees, Gaffney, Garfield, Wenke, Lipsey, Adamini, Bieda, Condino and Smith

Nays: None

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

House Bill No. 4774, entitled

A bill to amend 1982 PA 295, entitled "Support and parenting time enforcement act," by amending sections 2 and 3a (MCL 552.602 and 552.603a), as amended by 2002 PA 572, and by adding section 3d.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills and laid over one day.

Favorable Roll Call

To Report Out:

Yeas: Reps. Howell, Bradstreet, Koetje, Pappageorge, Voorhees, Gaffney, Garfield, Wenke, Lipsey, Adamini, Bieda, Condino and Smith

Nays: None

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

House Bill No. 4775, entitled

A bill to amend 1956 PA 205, entitled "The paternity act," by amending section 7 (MCL 722.717), as amended by 2001 PA 109.

With the recommendation that the following amendment be adopted and that the bill then pass.

1. Amend page 3, line 15, after "confinement" by inserting "or pregnancy".

The bill and amendment were referred to the order of Second Reading of Bills and laid over one day.

Favorable Roll Call

To Report Out:

Yeas: Reps. Howell, Bradstreet, Koetje, Pappageorge, Voorhees, Gaffney, Garfield, Wenke, Lipsey, Adamini, Bieda, Condino and Smith

Nays: None

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

House Bill No. 4776, entitled

A bill to amend 1982 PA 294, entitled "Friend of the court act," by amending sections 2, 7, and 19 (MCL 552.502, 552.507, and 552.519), section 2 as amended by 2002 PA 571, section 7 as amended by 1996 PA 144, and section 19 as amended by 2002 PA 569, and by adding section 7a.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills and laid over one day.

Favorable Roll Call

To Report Out:

Yeas: Reps. Howell, Bradstreet, Koetje, Pappageorge, Voorhees, Gaffney, Garfield, Wenke, Lipsey, Adamini, Bieda, Condino and Smith

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, June 19, 2003, at 9:00 a.m.

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

Absent: Reps. LaSata and Van Regenmorter

Excused: Reps. LaSata and Van Regenmorter

Notices

June 19, 2003

Mr. Gary Randall, Clerk of the House
Ground Floor, Capitol
Lansing, Michigan 48910

Dear Mr. Randall,

I am temporarily removing Representative Jim Koetje from the House Standing Committee on Government Operations. During his absence, Representative Leon Drolet will act as Chair of the committee. I am also temporarily adding Representative David Palsrok as a member of the House Standing Committee on Government Operations.

If you have any questions, please feel free to contact my office.

Sincerely,
Rick Johnson
Speaker of the House

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills and joint resolution had been printed and placed upon the files of the members on Thursday, June 19:

House Bill Nos. 4854 4855 4856 4857 4858 4859 4860

House Joint Resolution J

The Clerk announced that the following Senate bills had been received on Thursday, June 19:

Senate Bill Nos. 393 512 513 574 575 578 589

By unanimous consent the House returned to the order of

Reports of Select Committees

Senate Bill No. 293, entitled

A bill to amend 1929 PA 152, entitled "An act to provide for the state-owned and operated Michigan public safety communications system for police and public safety purposes; to provide for acquisition, construction, implementation, operation, and maintenance of the property and equipment necessary to operate the system; and to prescribe the powers and duties of certain state agencies and officials," by amending section 3 (MCL 28.283), as amended by 1996 PA 538.

The Senate has adopted the report of the Committee of Conference.

The Conference Report was read as follows:

First Conference Report

The Committee of Conference on the matters of difference between the two Houses concerning

Senate Bill No. 293, entitled

A bill to amend 1929 PA 152, entitled "An act to provide for the state-owned and operated Michigan public safety communications system for police and public safety purposes; to provide for acquisition, construction, implementation, operation, and maintenance of the property and equipment necessary to operate the system; and to prescribe the powers and duties of certain state agencies and officials," by amending section 3 (MCL 28.283), as amended by 1996 PA 538.

Recommends:

First: That the Senate and House agree to the Substitute of the House as passed by the House, amended to read as follows:

A bill to amend 1929 PA 152, entitled "An act to provide for the state-owned and operated Michigan public safety communications system for police and public safety purposes; to provide for acquisition, construction, implementation, operation, and maintenance of the property and equipment necessary to operate the system; and to prescribe the powers and duties of certain state agencies and officials," by amending section 3 (MCL 28.283), as amended by 1996 PA 538.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Sec. 3. (1) The department of state police shall broadcast all police dispatches and reports which have a reasonable relation to or connection with the apprehension of criminals, the prevention of crime, or the maintenance of peace, order, and public safety in this state.

(2) ~~The Subject to subsections (5) and (7), the~~ director of the department of state police ~~may authorize~~ shall allow any local governmental public safety agency to utilize the Michigan public safety communications system **including attaching public safety communications equipment to towers constructed under this act.** ~~The director of the department of state police may authorize any other governmental public safety agency to utilize the Michigan public safety communications system including attaching public safety communications equipment to towers constructed under this act.~~

(3) All costs associated with installing and maintaining local governmental public safety agency equipment are the responsibility of the local governmental public safety agency requesting permission. Any damage from natural causes to the equipment installed by a local governmental public safety agency is the responsibility of that public safety agency.

(4) The director shall furnish to the local governmental public safety agency requesting permission to attach equipment to a tower documentation necessary to perform structural, wind load, and radio frequency analysis of the tower. The local governmental public safety agency shall at its expense conduct a structural analysis and wind load analysis of the tower that includes any existing and proposed loads of antennas, cabling, and appurtenances, and shall perform a radio frequency interference analysis of the local governmental public safety agency's proposed equipment with all other equipment on the tower on the date of the request for permission.

(5) The director may deny permission to install or attach local governmental public safety equipment to a tower constructed under this act only if the structural, wind load, or radio frequency interference analysis determines that the installation or attachment will structurally impair the tower or harmfully interfere with the operation of the Michigan public safety communications system.

(6) For purposes of this section, local governmental public safety agency includes a Michigan Indian tribal police force that is part of an Indian tribe that has a valid gaming compact with the state of Michigan and is paying the state of Michigan 8% of its gross gaming proceeds.

(7) The director may rescind the permission to install or attach equipment to a tower if the equipment of a local governmental public safety agency impedes funded upgrades to the Michigan public safety communications system. The determination regarding impediments to future funded upgrades shall be limited to structural, wind load, and radio frequency analysis only. Should the determination indicate that local governmental public safety equipment that has been placed on a tower under this act requires removal or relocation, the department shall notify the local governmental public safety agency in writing and provide a copy of the determination to that local governmental public safety agency. The department shall allow the local governmental public safety agency sufficient time, not to exceed 1 calendar year from the date of written notification, to relocate or remove the equipment.

Second: That the Senate and House agree to the title of the bill to read as follows:

A bill to amend 1929 PA 152, entitled "An act to provide for the state-owned and operated Michigan public safety communications system for police and public safety purposes; to provide for acquisition, construction, implementation, operation, and maintenance of the property and equipment necessary to operate the system; and to prescribe the powers and duties of certain state agencies and officials," by amending section 3 (MCL 28.283), as amended by 1996 PA 538.

Alan L. Cropsey
Michael Bishop
Conferees for the Senate

Chris Ward
John Pappageorge
Conferees for the House

The Speaker announced that under Joint Rule 9 the conference report would lie over one day.

Messages from the Senate

House Bill No. 4393, entitled

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2004; to provide for the expenditure of those appropriations; to create certain funds and accounts; to require certain

reports; to prescribe the powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1).

The Speaker announced that pursuant to Rule 45, the bill was laid over one day.

House Bill No. 4400, entitled

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2004; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1) and amended the title to read as follows:

A bill to make appropriations for the department of natural resources for the fiscal years ending September 30, 2003 and September 30, 2004; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

The Speaker announced that pursuant to Rule 45, the bill was laid over one day.

Senate Bill No. 393, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending the title and sections 5, 501, 502, 503, 504, 504a, 506, and 507 (MCL 380.5, 380.501, 380.502, 380.503, 380.504, 380.504a, 380.506, and 380.507), the title and sections 501, 502, 503, 504a, and 507 as amended by 1995 PA 289, section 5 as amended by 1999 PA 23, section 504 as amended by 1994 PA 416, and section 506 as added by 1993 PA 362, and by adding sections 503b and 1320 and part 6c.

The Senate has passed the bill.

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

Senate Bill No. 512, entitled

A bill to amend 1986 PA 255, entitled "Prepaid funeral contract funding act," by amending the title and sections 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 18, 19, 20, 21, 22, 23, and 24 (MCL 328.211, 328.213, 328.214, 328.215, 328.216, 328.217, 328.218, 328.219, 328.220, 328.221, 328.222, 328.223, 328.224, 328.225, 328.226, 328.228, 328.229, 328.230, 328.231, 328.232, 328.233, and 328.234), and section 19 as amended by 2002 PA 325.

The Senate has passed the bill.

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

Senate Bill No. 513, entitled

A bill to amend 1968 PA 251, entitled "Cemetery regulation act," by amending the title and sections 2, 8, 9, 10, 12, 12a, 13, 15, 16, 18, 19, and 21 (MCL 456.522, 456.528, 456.529, 456.530, 456.532, 456.532a, 456.533, 456.535, 456.536, 456.538, 456.539, and 456.541), the title and sections 2, 8, 12, 12a, 13, 15, 16, 18, 19, and 21 as amended by 1982 PA 132, section 9 as amended by 2002 PA 550, section 10 as amended by 1982 PA 289, and by adding section 16a.

The Senate has passed the bill.

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

Senate Bill No. 574, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 81101, 81115, 81116, 81117, 81118, 81125, 81129, and 81130 (MCL 324.81101, 324.81115, 324.81116, 324.81117, 324.81118, 324.81125, 324.81129, and 324.81130), section 81101 as amended by 1998 PA 86, sections 81115, 81117, 81118, 81125, 81129, and 81130 as added by 1995 PA 58, and section 81116 as amended by 1995 PA 99.

The Senate has passed the bill.

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

Senate Bill No. 575, entitled

A bill to amend 1971 PA 140, entitled "Glenn Steil state revenue sharing act of 1971," by amending sections 11 and 13 (MCL 141.911 and 141.913), as amended by 2002 PA 679.

The Senate has passed the bill.

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

Senate Bill No. 578, entitled

A bill to establish American heroes week in the state of Michigan.

The Senate has passed the bill.

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

Senate Bill No. 589, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20161 (MCL 333.20161), as amended by 2002 PA 562.

The Senate has passed the bill.

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

Introduction of Bills

Reps. Brown, Adamini and Gillard introduced

House Bill No. 4861, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 43553 (MCL 324.43553), as amended by 1996 PA 585, and by adding part 413.

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

Reps. Ehardt, Woronchak, Milosch, Acciavatti, Gaffney, Pappageorge, Howell, Stahl, Shaffer, Casperson, Robertson, Palmer, Hune, LaJoy, Steil, Wenke, Nofs, Middaugh, Hoogendyk, Walker, Pastor, DeRossett, Vander Veen, Hummel, Farhat, Hart, Newell, Stakoe, Bradstreet, Nitz, Bisbee, Caswell, Ward, Moolenaar, Mortimer, Julian, Emmons, Kooiman, Stewart, Caul, Ruth Johnson, Hager, Rocca, Sheen, Brandenburg, Voorhees, Meyer, Murphy, Richardville, Amos and Wojno introduced

House Bill No. 4862, entitled

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

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

Reps. Palmer, Bradstreet, Drolet, Milosch, Hummel, Gielegghem, Brandenburg, Acciavatti, Rocca, Bieda, Wojno and Hoogendyk introduced

House Bill No. 4863, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4o (MCL 205.54o), as added by 1994 PA 156.

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

Reps. Minore, Jamnick, Law, Julian, Stewart, Nofs and Hart introduced

House Bill No. 4864, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 320a (MCL 257.320a), as amended by 2002 PA 149, and by adding section 615a; and to repeal acts and parts of acts.

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

Reps. Whitmer and Kolb introduced

House Bill No. 4865, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending sections 221 and 233 (MCL 436.1221 and 436.1233).

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

Reps. Nofs, Shulman, Gaffney, Walker, Taub, Emmons, Pastor, Moolenaar, Shackleton, Steil, Kooiman and Shaffer introduced

House Bill No. 4866, entitled

A bill to amend 1961 PA 112, entitled "An act to authorize and provide for the issuance, sale, and refunding of bonds, notes, or commercial paper of the state; to provide funds for making loans to school districts for payment of principal and interest on certain school bonds; to provide for use of moneys repaid to the state by school districts; and to make an appropriation," by amending section 3 (MCL 388.983), as amended by 1991 PA 64.

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

Reps. Koetje, Tabor, Sheltroun, Hummel, Robertson, Stakoe, Brown, Newell, Ehardt, Hoogendyk, Middaugh, Meyer, Rocca, Acciavatti, Emmons, Mortimer and Palsrok introduced

House Bill No. 4867, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 504, 43510, and 43516 (MCL 324.504, 324.43510, and 324.43516), section 504 as amended by 1996 PA 171, section 43510 as amended by 1996 PA 585, and section 43516 as added by 1995 PA 57.

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

Rep. Jamnack introduced

House Bill No. 4868, entitled

A bill to establish and protect the rights of manufactured home park tenants; to prescribe the powers and duties of certain agencies and departments; and to provide remedies and penalties.

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

Rep. Jamnack introduced

House Bill No. 4869, entitled

A bill to allow and protect the rights of manufactured home park tenants to organize a manufactured home owners association.

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

Rep. Jamnack introduced

House Bill No. 4870, entitled

A bill to amend 2001 PA 181, entitled "An act to authorize the board of a school district to award high school diplomas to World War II veterans under certain circumstances; and to prescribe duties and responsibilities of certain state officers and officials," by amending the title and section 1 (MCL 35.341).

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

Rep. Jamnack introduced

House Bill No. 4871, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 5759 (MCL 600.5759).

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

Reps. Tobocman, Farrah, Plakas, Hunter, O'Neil, Huizenga, Stewart, DeRoche, Hune, Gaffney, Stahl, Cheeks, Paletko, Waters, Rivet, Gleason, Accavitti, Condino, Vagnozzi and Kooiman introduced

House Bill No. 4872, entitled

A bill to amend 1992 PA 147, entitled "Neighborhood enterprise zone act," by amending section 4 (MCL 207.774), as amended by 2002 PA 608.

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

Rep. McConico moved that the House adjourn.

The motion prevailed, the time being 5:00 p.m.

The Speaker Pro Tempore declared the House adjourned until Tuesday, June 24, at 1:00 p.m.

GARY L. RANDALL
Clerk of the House of Representatives