

**No. 49**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**92nd Legislature**  
**REGULAR SESSION OF 2003**

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House Chamber, Lansing, Tuesday, June 10, 2003.

1:00 p.m.

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

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

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

e/d/s = entered during session

Rep. Philip J. LaJoy, from the 21st District, offered the following invocation:

“Good and gracious God, we lift up our praises to You and thank You for bringing us together today. We give You thanks for the warm weather, the sun, the rain, and the wind; as all these good things come from Your loving hands. O God, our Heavenly Father, whose love sets no boundaries and whose strength is in service, grant to the leaders of our nation and state wisdom, courage and insight as we work towards Your will. Give to all who exercise authority, determination to defend the principles of freedom, love and tolerance; strength to protect and safeguard the innocent; and clarity of vision to guide the world into the paths of justice and peace. Bless each of us with Your never-ending love and grace. Through Your son, Jesus Christ, our Lord. Amen.”

### **Announcement by the Clerk of Printing and Enrollment**

The Clerk announced that the following bills had been printed and placed upon the files of the members, Wednesday, June 4:

**Senate Bill Nos. 532 533 534 535 536 554**

The Clerk announced that the following bills had been printed and placed upon the files of the members on Friday, June 6:

**House Bill Nos. 4807 4808 4809 4810 4811**

The Clerk announced the enrollment printing and presentation to the Governor on Monday, June 9, for her approval of the following bill:

**Enrolled House Bill No. 4197 at 11:31 a.m.**

The Clerk announced that the following Senate bills had been received on Tuesday, June 10:

**Senate Bill Nos. 230 362**

By unanimous consent the House returned to the order of

### **Messages from the Senate**

#### **House Bill No. 4310, entitled**

A bill to amend 1939 PA 141, entitled “Grain dealers act,” by amending section 25 (MCL 285.85), as added by 2002 PA 80.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

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

#### **House Bill No. 4561, entitled**

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 351 (MCL 206.351), as amended by 1996 PA 264.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

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

#### **House Bill No. 4567, entitled**

A bill to amend 1941 PA 122, entitled “An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of the state; to prescribe certain powers and duties of the state treasurer; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce

the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act,” by amending section 27a (MCL 205.27a), as amended by 2002 PA 657.

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

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

**House Bill No. 4568, entitled**

A bill to amend 1933 PA 167, entitled “General sales tax act,” by amending section 15 (MCL 205.65), as amended by 2002 PA 579.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

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

**House Bill No. 4569, entitled**

A bill to amend 1937 PA 94, entitled “Use tax act,” by amending section 6 (MCL 205.96), as amended by 1998 PA 266.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

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

**House Bill No. 4083, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 36103 (MCL 324.36103), as amended by 1996 PA 233.

The Senate has amended the bill as follows:

1. Amend page 2, line 17, by striking out “**36111(2)**” and inserting “**36111(2)(a)**”.

The Senate has passed the bill as amended, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

**House Bill No. 4087, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding part 317.

The Senate has substituted (S-4) the bill.

The Senate has passed the bill as substituted (S-4) and pursuant to Joint Rule 20, inserted the full title.

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

**House Bill No. 4511, entitled**

A bill to amend 1969 PA 306, entitled “Administrative procedures act of 1969,” by amending sections 45 and 45a (MCL 24.245 and 24.245a), section 45 as amended and section 45a as added by 1999 PA 262.

The Senate has amended the bill as follows:

1. Amend page 9, following line 26, by inserting:

“(9) As used in this section, “**session day**” means each day in which a quorum of both the house of representatives and the senate, following a call to order, officially convenes in Lansing to conduct legislative business.”.

The Senate has passed the bill as amended, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

**House Bill No. 4557, entitled**

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 4 (MCL 206.4).

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

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

**House Bill No. 4558, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 22 (MCL 206.22), as amended by 1996 PA 484.

The Senate has amended the bill as follows:

1. Amend page 2, line 2, by striking out all of enacting section 2 and inserting:

"Enacting section 2. This amendatory act does not take effect unless House Bill No. 4561 of the 92nd Legislature is enacted into law."

The Senate has passed the bill as amended, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

**House Bill No. 4559, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 26 (MCL 206.26).

The Senate has amended the bill as follows:

1. Amend page 1, line 8, by striking out all of enacting section 2 and inserting:

"Enacting section 2. This amendatory act does not take effect unless House Bill No. 4561 of the 92nd Legislature is enacted into law."

The Senate has passed the bill as amended, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

**House Bill No. 4560, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 315 (MCL 206.315).

The Senate has amended the bill as follows:

1. Amend page 3, line 6, by striking out all of enacting section 2 and inserting:

"Enacting section 2. This amendatory act does not take effect unless House Bill No. 4561 of the 92nd Legislature is enacted into law."

The Senate has passed the bill as amended, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

**House Bill No. 4562, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 355 (MCL 206.355), as amended by 1991 PA 82.

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

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

**House Bill No. 4563, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 365 (MCL 206.365), as amended by 1996 PA 448.

The Senate has amended the bill as follows:

1. Amend page 5, line 6, by striking out all of enacting section 2 and inserting:

"Enacting section 2. This amendatory act does not take effect unless House Bill No. 4561 of the 92nd Legislature is enacted into law."

The Senate has passed the bill as amended, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

**House Bill No. 4564, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 451 (MCL 206.451), as amended by 2002 PA 581.

The Senate has amended the bill as follows:

1. Amend page 2, line 9, by striking out all of enacting section 2 and inserting:

"Enacting section 2. This amendatory act does not take effect unless House Bill No. 4561 of the 92nd Legislature is enacted into law."

The Senate has passed the bill as amended, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

**House Bill No. 4565, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 12 (MCL 206.12), as amended by 1996 PA 484.

The Senate has amended the bill as follows:

1. Amend page 2, line 10, after "a" by striking out the balance of the subdivision and inserting "**nonresident member**."

2. Amend page 2, line 14, by striking out all of enacting section 2 and inserting:

"Enacting section 2. This amendatory act does not take effect unless House Bill No. 4561 of the 92nd Legislature is enacted into law."

The Senate has passed the bill as amended, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

**Senate Bill No. 230, entitled**

A bill to amend 1917 PA 167, entitled "Housing law of Michigan," by amending section 134 (MCL 125.534).

The Senate has passed the bill.

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

**Senate Bill No. 362, entitled**

A bill to amend 1979 PA 72, entitled "An act to require the governor to report certain tax expenditure items with the annual budget message to the legislature," by amending the title and sections 1, 2, and 3 (MCL 21.271, 21.272, and 21.273), section 2 as amended by 1996 PA 32 and section 3 as amended by 1983 PA 7.

The Senate has passed the bill.

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

**Senate Bill No. 379, entitled**

A bill to amend 1909 PA 279, entitled "The home rule city act," by amending sections 9 and 9b (MCL 117.9 and 117.9b), section 9 as amended by 1984 PA 352 and section 9b as added by 1982 PA 465, and by adding sections 9c, 9d, and 9e.

The Senate has passed the bill.

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

**Senate Bill No. 380, entitled**

A bill to amend 1909 PA 278, entitled "The home rule village act," by amending sections 4 and 5 (MCL 78.4 and 78.5) and by adding section 5b.

The Senate has passed the bill.

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

**Senate Bill No. 381, entitled**

A bill to amend 1968 PA 191, entitled "An act to create a state boundary commission; to prescribe its powers and duties; to provide for municipal incorporation, consolidation, and annexation; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending section 11b (MCL 123.1011b), as added by 1982 PA 192.

The Senate has passed the bill.

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

**Senate Bill No. 382, entitled**

A bill to amend 1846 RS 16, entitled "Of the powers and duties of townships, the election and duties of township officers, and the division of townships," (MCL 41.1a to 41.110c) by adding section 104a.

The Senate has passed the bill.

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

**Senate Bill No. 383, entitled**

A bill to amend 1895 PA 3, entitled "The general law village act," by amending section 6 of chapter XIV (MCL 74.6) and by adding sections 6b, 6c, and 6d to chapter XIV.

The Senate has passed the bill.

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

**Senate Bill No. 384, 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 Senate has passed the bill.

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

**Senate Bill No. 472, entitled**

A bill to amend 1909 PA 283, entitled "An act to revise, consolidate, and add to the laws relating to the establishment, opening, discontinuing, vacating, closing, altering, improvement, maintenance, and use of the public highways and private roads; the condemnation of property and gravel therefor; the building, repairing and preservation of bridges; maintaining public access to waterways under certain conditions; setting and protecting shade trees, drainage, and cutting weeds and brush within this state; providing for the election or appointment and defining the powers, duties, and compensation of state, county, township, and district highway officials; and to prescribe penalties and provide remedies," by amending section 18 (MCL 224.18), as amended by 2000 PA 342.

The Senate has passed the bill.

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

**Senate Concurrent Resolution No. 24**

A concurrent resolution to memorialize the Congress of the United States to enact legislation to regulate spam, unsolicited bulk commercial email.

Whereas, An increasing problem to individuals and businesses using email is the growing volume of unsolicited bulk commercial email messages. What started as an annoyance has become a major problem for many, with estimates of several billion unsolicited bulk messages sent every week. The cost of this mail, both in lost worker time and adding computer equipment to process or block the spam, is an increasing burden for those receiving spam, while the costs to senders are negligible; and

Whereas, Along with the problems created by the accelerating volume of spam, other components of this issue include the number of deceptive and offensive messages and the use of this technology to operate a variety of scams; and

Whereas, Many states, including Michigan, have discussed ways to cope with the onslaught of unsolicited bulk commercial messages. Congress has also faced this issue. Numerous approaches have been mentioned. These range from requiring truthfulness in return addresses to efforts to increase vigilance against fraud to the creation of "do-not-spam" lists. While the appropriate form of federal response may take one of these or other strategies, it is increasingly clear that federal action is essential and holds far more promise of dealing with the problem effectively than state actions alone; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we memorialize the Congress of the United States to enact legislation to regulate spam, unsolicited bulk commercial email; 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 Senate has adopted the concurrent resolution.

The concurrent resolution was referred to the Committee on Energy and Technology.

By unanimous consent the House returned to the order of

**Reports of Standing Committees**

The Committee on Veterans Affairs and Homeland Security, by Rep. Nofs, Chair, reported

**House Bill No. 4704, entitled**

A bill to amend 1945 PA 327, entitled "Aeronautics code of the state of Michigan," by amending section 85 (MCL 259.85), as amended by 2002 PA 258; and to repeal acts and parts of acts.

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. Nofs, Garfield, Richardville, Pappageorge, Woronchak, Casperson, Woodward, Spade and Elkins  
Nays: None

The Committee on Veterans Affairs and Homeland Security, by Rep. Nofs, Chair, reported

**House Joint Resolution G, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 5 of article XI, to establish a hiring preference for veterans in the classified state civil service.

With the recommendation that the substitute (H-1) be adopted and that the joint resolution then be adopted.

The joint resolution 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. Nofs, Garfield, Richardville, Ruth Johnson, Woronchak, Casperson, Woodward and Spade  
Nays: None

The Committee on Veterans Affairs and Homeland Security, by Rep. Nofs, Chair, reported

**House Resolution No. 67.**

A resolution to memorialize the Congress of the United States to enact H.R. 369, a bill to waive time limitations for the consideration of the Congressional Medal of Honor in a certain case.

(For text of resolution, see House Journal No. 43, p. 659.)

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. Nofs, Garfield, Richardville, Ruth Johnson, Woronchak, Casperson, Woodward, Spade and Elkins  
Nays: None

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Nofs, Chair of the Committee on Veterans Affairs and Homeland Security, was received and read:

Meeting held on: Thursday, June 5, 2003, at 3:35 p.m.

Present: Reps. Nofs, Garfield, Richardville, Pappageorge, Ruth Johnson, Woronchak, Casperson, Woodward, Spade and Elkins

Absent: Rep. Sheltroun

Excused: Rep. Sheltroun

The Committee on Local Government and Urban Policy, by Rep. Ward, Chair, reported

**House Bill No. 4601, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 552 (MCL 168.552), as amended by 1999 PA 220.

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. Ward, Robertson, DeRossett, Hager, Stakoe, Wenke, Jamnick, Tobocman and Accavitti  
Nays: None

The Committee on Local Government and Urban Policy, by Rep. Ward, Chair, reported  
**House Bill No. 4678, entitled**

A bill to amend 1846 RS 14, entitled "Of county officers," by amending section 107 (MCL 55.107), as amended by 2000 PA 116.

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

Nays: None

#### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, June 10, 2003, at 9:00 a.m.

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

Absent: Reps. Drolet and Hardman

Excused: Reps. Drolet and Hardman

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

**Senate Bill No. 22, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 106 (MCL 400.106), as amended by 1990 PA 145, and by adding section 106a.

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. Ehardt, Vander Veen, Robertson, Gaffney, Hune, Ward, Adamini, Wojno, O'Neil, Gillard and Clack

Nays: None

#### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, June 10, 2003, at 10:30 a.m.

Present: Reps. Ehardt, Vander Veen, Robertson, Gaffney, Hune, Ward, Adamini, Wojno, O'Neil, Gillard and Clack

Absent: Reps. Ruth Johnson, Rocca, Hart, Woronchak, Van Regenmorter and Hardman

Excused: Reps. Ruth Johnson, Rocca, Hart, Woronchak, Van Regenmorter and Hardman

The Committee on Agriculture and Resource Management, by Rep. Meyer, Chair, reported

**House Bill No. 4790, entitled**

A bill to amend 1964 PA 283, entitled "Weights and measures act," by amending section 28c (MCL 290.628c), as added by 2002 PA 208.

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. Meyer, Nitz, DeRossett, Hager, Casperson, Hune, Stahl, Sheltroun, Rivet, Spade and Law

Nays: None

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, June 10, 2003, at 10:30 a.m.

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

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

**House Bill No. 4344, entitled**

A bill to amend 1975 PA 197, entitled "An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials," by amending section 1 (MCL 125.1651), as amended by 1997 PA 202.

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. Bisbee, DeRoche, Howell, Koetje, Middaugh, Drolet, Palmer, Huizenga, Hune, Milosch, Palsrok, Wenke, Rivet, O'Neil, McConico, Lipsey, Murphy, Tobocman and Accavitti

Nays: None

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

**Senate Bill No. 246, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 11 (MCL 257.11), as amended by 2002 PA 652.

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. Bisbee, DeRoche, Howell, Koetje, Middaugh, Drolet, Palmer, Huizenga, Hune, Milosch, Palsrok, Wenke, Rivet, McConico, Lipsey, Murphy, Tobocman and Accavitti

Nays: None

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, June 10, 2003, at 10:30 a.m.

Present: Reps. Bisbee, DeRoche, Howell, Koetje, Middaugh, Drolet, Palmer, Huizenga, Hune, Milosch, Palsrok, Wenke, Rivet, O'Neil, McConico, Lipsey, Murphy, Tobocman and Accavitti

The Committee on Appropriations, by Rep. Shulman, Chair, reported

**Senate Bill No. 266, entitled**

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 2004; to provide for the expenditure of the appropriations; to provide for certain powers and duties of the department of military and veterans affairs, other state agencies, and local units of government related to the appropriations; and to provide for the preparation of certain reports related to the appropriations.

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. Shulman, Emmons, Caul, Pumford, Shackleton, Kooiman, Newell, Stewart, Acciavatti, Amos, Caswell, Farhat, Hoogendyk, Moolenaar, Pastor, Shaffer, Steil, Taub, Walker, Brandenburg, Mortimer, Whitmer, Brown, Kolb, Phillips, Plakas, Reeves, Williams, Cheeks, Hunter, Paletko, Sak and Zelenko

Nays: None

The Committee on Appropriations, by Rep. Shulman, Chair, reported

**Senate Bill No. 277, entitled**

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2004; to provide for the expenditure of those appropriations; to provide for certain reports and the consideration of those reports; to provide for the disposition of other income received by the various state agencies; to provide for the testing of certain persons; to provide for certain emergency powers; and to provide for the powers and duties of certain committees, certain state agencies, and certain employees.

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. Shulman, Emmons, Caul, Pumford, Shackleton, Kooiman, Newell, Stewart, Acciavatti, Amos, Caswell, Farhat, Moolenaar, Pastor, Shaffer, Steil, Taub, Walker, Mortimer, Whitmer, Brown, Kolb, Phillips, Plakas, Williams, Paletko, Sak and Zelenko

Nays: Reps. Hoogendyk and Brandenburg

The Committee on Appropriations, by Rep. Shulman, Chair, reported

**Senate Bill No. 279, entitled**

A bill to make appropriations for the department of history, arts, and libraries for the fiscal year ending September 30, 2004; to provide for the expenditure of those appropriations; to provide for the disposition of fees and other income received by the state agencies; to provide for the disbursement of certain grants; to provide for reports; to prescribe powers and duties of certain state departments and certain state and local agencies and officers; and to repeal acts and parts of acts.

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

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

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Shulman, Emmons, Caul, Pumford, Shackleton, Kooiman, Newell, Stewart, Acciavatti, Amos, Caswell, Farhat, Hoogendyk, Moolenaar, Pastor, Shaffer, Steil, Taub, Walker, Brandenburg, Mortimer, Whitmer, Brown, Kolb, Phillips, Plakas, Reeves, Williams, Cheeks, Hunter, Paletko, Sak and Zelenko

Nays: None

The Committee on Appropriations, by Rep. Shulman, Chair, reported

**Senate Bill No. 283, entitled**

A bill to make appropriations for the family independence agency and certain state purposes related to public welfare services for the fiscal year ending September 30, 2004; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to provide for reports; to provide for the disposition of fees and other income received by the state agency; and to provide for the powers and duties of certain individuals, local governments, and state departments, agencies, and officers.

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. Shulman, Emmons, Caul, Pumford, Shackleton, Kooiman, Newell, Stewart, Acciavatti, Amos, Caswell, Farhat, Hoogendyk, Moolenaar, Pastor, Shaffer, Steil, Taub, Walker, Brandenburg, Mortimer, Whitmer, Brown, Kolb, Phillips, Plakas, Reeves, Williams, Cheeks, Hunter, Paletko, Sak and Zelenko

Nays: None

The Committee on Appropriations, by Rep. Shulman, Chair, reported

**Senate Bill No. 509, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 732a. The committee recommended that the bill be referred to the Committee on Transportation.

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Shulman, Emmons, Pumford, Shackleton, Kooiman, Newell, Stewart, Acciavatti, Amos, Caswell, Farhat, Hoogendyk, Moolenaar, Pastor, Shaffer, Steil, Taub, Walker, Brandenburg, Mortimer, Whitmer, Brown, Kolb, Phillips, Plakas, Reeves, Williams, Cheeks, Hunter, Paletko, Sak and Zelenko

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Transportation.

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, June 10, 2003, at 9:00 a.m.

Present: Reps. Shulman, Emmons, Caul, Pumford, Shackleton, Kooiman, Newell, Stewart, Acciavatti, Amos, Caswell, Farhat, Hoogendyk, Moolenaar, Pastor, Shaffer, Steil, Taub, Walker, Brandenburg, Mortimer, Whitmer, Brown, Kolb, Phillips, Plakas, Reeves, Williams, Cheeks, Hunter, Paletko, Sak and Zelenko

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, June 10, 2003, at 9:00 a.m.

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

Absent: Rep. Van Regenmorter

Excused: Rep. Van Regenmorter

**Messages from the Governor**

Date: June 10, 2003

Time: 9:27 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4285 (Public Act No. 17, I.E.), being**

An act to amend 1980 PA 300, entitled "An act to provide a retirement system for the public school employees of this state; to create certain funds for this retirement system; to provide for the creation of a retirement board within the department of management and budget; to prescribe the powers and duties of the retirement board; to prescribe the powers and duties of certain state departments, agencies, officials, and employees; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending section 4 (MCL 38.1304), as amended by 2002 PA 94, and by adding section 92.

(Filed with the Secretary of State June 10, 2003, at 9:59 a.m.)

Date: June 10, 2003  
Time: 11:59 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4038 (Public Act No. 18, I.E.), being**

An act to amend 1976 PA 451, entitled “An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, and intermediate school districts; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, and intermediate school districts; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts,” (MCL 380.1 to 380.1852) by adding section 1531d.

(Filed with the Secretary of State June 10, 2003, at 1:23 p.m.)

### Introduction of Bills

Reps. Farrah, Plakas, Sak, Hopgood, Anderson, O’Neil, Gillard, Garfield, Hunter, Law, Condino, Gielegem, Vagnozzi, Rivet, Spade, Sheltroun, Lipsey, Farhat, Meyer, Nofs, Elkins, Ruth Johnson, Pappageorge, Clack, Wojno, Woodward, Reeves, Dennis, Minore, Murphy, Paletko, Gleason, Hood and Accavitti introduced

**House Bill No. 4812, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 7524 (MCL 333.7524), as amended by 1994 PA 8.

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

Reps. Daniels, Tobocman, Hood, Byrum, Zelenko, McConico, Smith, Accavitti and Waters introduced

**House Bill No. 4813, entitled**

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 2111 (MCL 500.2111), as amended by 2002 PA 492.

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

Reps. Daniels, Tobocman, Hood, Byrum, Zelenko, McConico, Smith, Accavitti and Waters introduced

**House Bill No. 4814, entitled**

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” (MCL 500.100 to 500.8302) by adding section 2110b.

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

Reps. Daniels, Phillips, Hunter, Stallworth, Vagnozzi, Accavitti, Wojno, Farrah, Garfield, DeRoche, Brandenburg and McConico introduced

**House Bill No. 4815, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 227b (MCL 750.227b), as amended by 1990 PA 321.

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

Reps. Hoogendyk and Stahl introduced

**House Bill No. 4816, entitled**

A bill to amend 1999 PA 94, entitled “Michigan merit award scholarship act,” by amending sections 7 and 8 (MCL 390.1457 and 390.1458), as amended by 2002 PA 736.

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

Reps. Farhat, Stahl, Brandenburg, Ward, Sheltroun, Gillard, Elkins, Emmons, Pastor, Casperson, Gaffney, Nofs, Newell, Garfield, Milosch, DeRoche and Wenke introduced

**House Bill No. 4817, entitled**

A bill to amend 1846 RS 65, entitled "Of alienation by deed, and the proof and recording of conveyances, and the canceling of mortgages," by amending sections 41 and 44 (MCL 565.41 and 565.44).

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

Rep. Hummel introduced

**House Bill No. 4818, entitled**

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending section 5b (MCL 28.425b), as amended by 2002 PA 719.

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

Reps. Adamini, Brown, Bieda, Minore, Anderson, Casperson, Law and Plakas introduced

**House Bill No. 4819, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 703 (MCL 436.1703), as amended by 1999 PA 53.

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

Reps. Ward, Hummel, Farhat, Brandenburg, Garfield, Drolet, Hoogendyk, Amos, Casperson, Emmons, Wenke, Tabor, Palsrok, Sheen, Stahl, Vander Veen, Acciavatti, LaJoy, Steil, Walker, Pastor, Van Regenmorter, Stakoe, Huizenga, Meyer, Voorhees, Taub, Ruth Johnson, Rocca, Kooiman, Robertson, Moolenaar and Richardville introduced

**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 first time by its title and referred to the Committee on Local Government and Urban Policy.

Reps. DeRoche, Hummel, Farhat, Garfield, Drolet, Hoogendyk, Amos, Casperson, Emmons, Wenke, Tabor, Palsrok, Sheen, Stahl, Vander Veen, Acciavatti, LaJoy, Steil, Walker, Pastor, Stakoe, Voorhees, Taub, Ward, Ruth Johnson, Rocca, Kooiman, Robertson, Moolenaar and Richardville introduced

**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 first time by its title and referred to the Committee on Local Government and Urban Policy.

Reps. Jamnick, Hummel, Farhat, Brandenburg, Garfield, Drolet, Hoogendyk, Amos, Casperson, Emmons, Wenke, Tabor, Palsrok, Sheen, Stahl, Vander Veen, Acciavatti, LaJoy, Steil, Walker, Pastor, Stakoe, Meyer, Voorhees, Taub, Ward, Ruth Johnson, Rocca, Kooiman, Robertson, Moolenaar and Richardville introduced

**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 first time by its title and referred to the Committee on Local Government and Urban Policy.

Reps. Brandenburg, Hummel, Farhat, Garfield, Drolet, Hoogendyk, Amos, Casperson, Emmons, Wenke, Tabor, Palsrok, Vander Veen, Acciavatti, LaJoy, Steil, Walker, Pastor, Stakoe, Meyer, Voorhees, Taub, Ward, Ruth Johnson, Rocca, Kooiman, Robertson, Moolenaar and Richardville introduced

**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 first time by its title and referred to the Committee on Local Government and Urban Policy.

Reps. Stakoe, Hummel, Farhat, Brandenburg, Garfield, Drolet, Hoogendyk, Amos, Casperson, Emmons, Wenke, Tabor, Palsrok, Sheen, Stahl, Vander Veen, Acciavatti, LaJoy, Steil, Walker, Pastor, Meyer, Voorhees, Taub, Ward, Ruth Johnson, Rocca, Kooiman, Robertson, Moolenaar and Richardville introduced

**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 first time by its title and referred to the Committee on Local Government and Urban Policy.

Reps. Steil, Hummel, Farhat, Brandenburg, Garfield, Drolet, Hoogendyk, Amos, Casperson, Emmons, Wenke, Tabor, Palsrok, Sheen, Stahl, Vander Veen, Acciavatti, LaJoy, Walker, Pastor, Stakoe, Meyer, Voorhees, Taub, Ward, Ruth Johnson, Rocca, Kooiman, Robertson, Moolenaar and Richardville introduced

**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 first time by its title and referred to the Committee on Local Government and Urban Policy.

Reps. Garfield, Hummel, Farhat, Brandenburg, Drolet, Hoogendyk, Amos, Casperson, Emmons, Wenke, Tabor, Palsrok, Sheen, Stahl, Vander Veen, Acciavatti, LaJoy, Steil, Walker, Pastor, Stakoe, Meyer, Voorhees, Taub, Ward, Ruth Johnson, Rocca, Kooiman, Robertson, Moolenaar and Richardville introduced

**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 first time by its title and referred to the Committee on Local Government and Urban Policy.

Reps. Brown, Hummel, Farhat, Brandenburg, Garfield, Drolet, Hoogendyk, Amos, Casperson, Emmons, Wenke, Tabor, Palsrok, Sheen, Stahl, Vander Veen, Acciavatti, LaJoy, Steil, Walker, Pastor, Stakoe, Meyer, Voorhees, Taub, Ward, Ruth Johnson, Rocca, Kooiman, Robertson, Moolenaar and Richardville introduced

**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 first time by its title and referred to the Committee on Local Government and Urban Policy.

Reps. Drolet, Hummel, Farhat, Brandenburg, Garfield, Hoogendyk, Amos, Casperson, Emmons, Wenke, Tabor, Palsrok, Sheen, Stahl, Vander Veen, Acciavatti, LaJoy, Steil, Walker, Pastor, Stakoe, Meyer, Voorhees, Taub, Ward, Ruth Johnson, Rocca, Kooiman, Robertson, Moolenaar and Richardville introduced

**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 first time by its title and referred to the Committee on Local Government and Urban Policy.

By unanimous consent the House returned to the order of

**Reports of Standing Committees**

The Speaker laid before the House

**House Resolution No. 28.**

A resolution to urge the Governor to create a commission on student backpack safety.

(For text of resolution, see House Journal No. 20, p. 235.)

(The resolution was reported by the Committee on Family and Children Services on June 5, with substitute (H-1), consideration of which, under the rules, was postponed until today.)

(For substitute, see House Journal No. 48, p. 739.)

The question being on the adoption of the proposed substitute (H-1) recommended by the Committee,

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

The question being on the adoption of the resolution,

The resolution was adopted.

**Messages from the Senate**

The Speaker laid before the House

**House Bill No. 4008, entitled**

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” (MCL 206.1 to 206.532) by adding section 512a.

(The bill was received from the Senate on June 4, with substitute (S-2), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 5, see House Journal No. 47, p. 728.)

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

The substitute (S-2) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 196**

**Yeas—110**

Accavitti	Garfield	Meyer	Sheen
Acciavatti	Gielegem	Middaugh	Sheltrown
Adamini	Gillard	Milosch	Shulman
Amos	Gleason	Minore	Smith
Anderson	Hager	Moolenaar	Spade
Bieda	Hardman	Mortimer	Stahl
Bisbee	Hart	Murphy	Stakoe
Bradstreet	Hood	Newell	Stallworth
Brandenburg	Hoogendyk	Nitz	Steil
Brown	Hopgood	Nofs	Stewart
Byrum	Howell	O’Neil	Tabor
Casperson	Huizenga	Paletko	Taub
Caswell	Hummel	Palmer	Tobocman
Caul	Hune	Palsrok	Vagnozzi

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

### Nays—0

In The Chair: Julian

The House agreed to the title as amended.

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

The Speaker laid before the House

#### **House Bill No. 4219, entitled**

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 3 (MCL 205.93), as amended by 2002 PA 669.

(The bill was received from the Senate on June 4, with substitute (S-1) and full title inserted, consideration of which, under the rules, was postponed until June 5, see House Journal No. 47, p. 728.)

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

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

### Roll Call No. 197

### Yeas—110

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

Drolet	Kooiman	Rivet	Whitmer
Ehardt	LaJoy	Robertson	Williams
Elkins	LaSata	Rocca	Wojno
Emmons	Law	Sak	Woodward
Farhat	Lipsey	Shackleton	Woronchak
Farrah	McConico	Shaffer	Zelenko
Gaffney	Meisner		

**Nays—0**

In The Chair: Julian

The House agreed to the full title of the bill.

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

**Second Reading of Bills****House Bill No. 4586, entitled**

A bill to amend 1975 PA 238, entitled "Child protection law," by amending sections 5, 7, and 8 (MCL 722.625, 722.627, and 722.628), section 5 as amended by 1998 PA 428, section 7 as amended by 2002 PA 661, and section 8 as amended by 2002 PA 690.

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

The substitute (H-1) 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. 4586, entitled**

A bill to amend 1975 PA 238, entitled "Child protection law," by amending sections 5, 7, and 8 (MCL 722.625, 722.627, and 722.628), section 5 as amended by 1998 PA 428, section 7 as amended by 2002 PA 661, and section 8 as amended by 2002 PA 690.

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

**Roll Call No. 198****Yeas—110**

Accavitti	Garfield	Meyer	Sheen
Acciavatti	Gielegem	Middaugh	Sheltrown
Adamini	Gillard	Milosch	Shulman
Amos	Gleason	Minore	Smith
Anderson	Hager	Moolenaar	Spade
Bieda	Hardman	Mortimer	Stahl
Bisbee	Hart	Murphy	Stakoe
Bradstreet	Hood	Newell	Stallworth
Brandenburg	Hoogendyk	Nitz	Steil

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

### Nays—0

In The Chair: Julian

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

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

A bill to amend 1975 PA 238, entitled "Child protection law," by amending sections 2, 7, 7c, and 7j (MCL 722.622, 722.627, 722.627c, and 722.627j), section 2 as amended by 2002 PA 693, section 7 as amended by 2002 PA 661, section 7c as added by 1998 PA 428, and section 7j as added by 2002 PA 716.

The motion prevailed.

The House agreed to the title as amended.

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

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

### Second Reading of Bills

#### Senate Bill No. 364, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 101 (MCL 388.1701), as amended by 2002 PA 476.

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

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

Rep. Ruth Johnson moved to amend the bill as follows:

1. Amend page 8, line 23, after "**week.**" by inserting "**If the governing board decides to make the change, the governing board shall adopt a resolution that includes all of the following:**

(a) **A statement in writing pledging that the costs savings from the change will be allocated to classroom instruction and will not be used for pay increases.**

(b) **A statement in writing indicating that the change is being made because the governing board has determined that it will result in budget savings and stabilize or enhance pupil performance in the district.**"

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

**Third Reading of Bills**

**Senate Bill No. 364, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 101 (MCL 388.1701), as amended by 2002 PA 476.

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

**Roll Call No. 199**

**Yeas—61**

Acciavatti	Garfield	Middaugh	Shackleton
Adamini	Gielegem	Milosch	Shaffer
Amos	Gillard	Moolenaar	Sheen
Bisbee	Hager	Mortimer	Shulman
Bradstreet	Hart	Newell	Spade
Brandenburg	Hoogendyk	Nofs	Stakoe
Brown	Huizenga	O'Neil	Steil
Casperson	Hummel	Palmer	Tabor
Caul	Hune	Palsrok	Taub
DeRoche	Johnson, Rick	Pappageorge	Van Regenmorter
DeRossett	Johnson, Ruth	Pastor	Vander Veen
Drolet	Koetje	Pumford	Voorhees
Ehardt	Kooiman	Rivet	Walker
Emmons	LaSata	Robertson	Ward
Farhat	Meyer	Rocca	Woronchak
Gaffney			

**Nays—49**

Accavitti	Hardman	Meisner	Stahl
Anderson	Hood	Minore	Stallworth
Bieda	Hopgood	Murphy	Stewart
Byrum	Howell	Nitz	Tobocman
Caswell	Hunter	Paletko	Vagnozzi
Cheeks	Jamnick	Phillips	Waters
Clack	Julian	Plakas	Wenke
Condino	Kolb	Reeves	Whitmer
Daniels	LaJoy	Richardville	Williams
Dennis	Law	Sak	Wojno
Elkins	Lipsey	Sheltrown	Woodward
Farrah	McConico	Smith	Zelenko
Gleason			

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 make appropriations to aid in the support of the public schools and the intermediate school districts of the state; to make appropriations for certain other purposes relating to education; to provide for the disbursement of the appropriations; to supplement the school aid fund by the levy and collection of certain taxes; to authorize the issuance of certain bonds and provide for the security of those bonds; to prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to prescribe penalties; and to repeal 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.

Reps. Zelenko, Waters and Murphy, 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 Senate Bill 364 (H-2) as amended because I have strong concerns about unintended consequences of this bill. First, if a school district switches to a 4-day school week, many parents will need to find day care for their children for that extra day. Some parents cannot afford this; will their children be left to roam the streets or at home alone and unsupervised. Having longer school days may prove to be too much for students. Some argue that students can handle only so much information each day, and once they reach that saturation point, additional instruction is not effective. In the past, the goal was increasing the school year. Now, we are allowing schools to have fewer days with longer hours. In some ways this seems inconsistent. Additionally, at a time when unemployment is high and our economy is weak, will this bill mean a 20 percent pay-cut for school bus drivers, lunch workers, etc.? For these reasons, I voted no on Senate Bill 364 (H-2) as amended.”

By unanimous consent the House returned to the order of

### **Motions and Resolutions**

By unanimous consent the House considered **House Resolution No. 80** out of numerical order.

Reps. Stahl, Accavitti, Bradstreet, Brandenburg, Brown, Caswell, DeRossett, Ehardt, Farhat, Garfield, Hager, Huizenga, Jamnick, Julian, LaJoy, Meyer, Mortimer, Pappageorge, Pastor, Richardville, Rocca, Sak, Shaffer, Sheltroun, Shulman, Spade, Stakoe, Stallworth, Vander Veen and Voorhees offered the following resolution:

#### **House Resolution No. 80.**

A resolution to memorialize the Congress of the United States to adopt and submit to the states for ratification an amendment to the United States Constitution to prohibit the desecration of the American flag.

Whereas, Throughout our history, the American flag has held a unique place of respect and affection among our people. This symbol of our shared ideals and aspirations has taken on even greater meaning in the wake of the September 11, 2001, attacks and through our growing appreciation of the suffering of the men and women who have made immeasurable sacrifices to preserve our liberties; and

Whereas, In recent years, there has been considerable debate over the idea of extending constitutional protection to the flag. The people of our country strongly support establishing special protections for our national symbol. Extending this status to our most cherished symbol would only accord due recognition to a unique component of our national identity; and

Whereas, Debate on the issue of creating a constitutional amendment to prohibit desecration of our flag often centers on what constitutes freedom of expression and free speech. In this discussion, it is important to realize that a prohibition on flag desecration would not eliminate or restrict other avenues of expression or protest. Thoughtful citizens do not equate providing protection for the flag with the removal of freedom of speech any more than laws generally provide acceptable limits of behavior for the common good; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to adopt and submit to the states for ratification an amendment to the United States Constitution to prohibit the desecration of the American flag; 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.

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.

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

Reps. Hunter, Accavitti, Adamini, Anderson, Brown, Clack, Dennis, DeRossett, Elkins, Gleason, Hager, Lipsey, Meyer, Minore, Mortimer, Plakas, Reeves, Richardville, Rivet, Sheltroun, Shulman, Spade, Stallworth, Tobocman, Waters, Woodward and Zelenko offered the following resolution:

#### **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.

Whereas, Among the many health care facilities across our state and nation facing grave financial difficulties, Detroit's Receiving Hospital stands out in its significance through the number of patients it serves, the variety of unique roles it plays, and the depth of its funding problems. The hospital, which treats 85,000 emergency room patients each year, provides millions of dollars of uncompensated care each month. This fact, along with the same factors impacting many aspects of health care, has brought Detroit Receiving Hospital to the brink of closure; and

Whereas, A key component of the Detroit Medical Center, Detroit Receiving Hospital is the city's only Level 1 adult trauma center and is unique in its capacity to provide a state of the art response to bioterrorism and chemical attacks. This facility is a leading teaching hospital in many areas of health care. Detroit Receiving Hospital, with its day-to-day experience in trauma care, is precisely the type of large-scale institution that is at the heart of our national response to the threats of terrorism facing our country; and

Whereas, The Congress of the United States recently enacted a measure that provides significant funding for hospital services in Los Angeles. This action was an appropriate acknowledgement of the importance of urban facilities to our nation at a time when providing health care to struggling people is clearly far beyond the capacity of our traditional approaches; and

Whereas, The care provided by large urban trauma centers and the medical education they offer are critical to the health of not only our cities, but our entire country; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to allocate federal funds to ensure the continued operation of Detroit Receiving Hospital; 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 Appropriations.

Reps. Sak, Accavitti, Adamini, Anderson, Bradstreet, Brown, Caswell, Condino, Dennis, DeRossett, Drolet, Ehardt, Elkins, Farhat, Garfield, Gillard, Gleason, Hager, Huizenga, Jamnick, Julian, Koetje, Kooiman, LaJoy, LaSata, Lipsey, Meyer, Minore, Mortimer, Pappageorge, Pastor, Plakas, Reeves, Richardville, Rivet, Rocca, Shaffer, Sheltroun, Shulman, Spade, Stakoe, Stallworth, Tobocman, Voorhees, Waters, Woodward and Zelenko offered the following resolution:

**House Resolution No. 81.**

A resolution honoring the 2003 Grand Rapids Community College Raiders Baseball Team on winning the National Junior College Athletic Association Division II World Series title.

Whereas, It is a great privilege and honor to salute the Grand Rapids Community College Baseball Team on winning the National Junior College Athletic Association Division II World Series title. Grand Rapids Community College was the first team in the 11-year history of the NJCAA II World Series to come back and win six straight games and the national championship after losing their opening game; and

Whereas, The Raiders finished with 93 hits and 69 runs in 60 innings and took a .338 team average into the finals against Iowa Central (39-18). The Raiders outscored Iowa Central 23-8 in the final two championship games; and

Whereas, Five Raiders players were named to the all-tournament team: MVP Justin McKenzie, a freshman second baseman from Wyoming Park, Tim Brown at shortstop, Ryan Lyster at third base, Neall French as catcher and Kurt Lauscher, a pitcher whose ERA was just over one run per game in three starts; and

Whereas, The Grand Rapids Community College Raiders Baseball Team's players are Dennis Avery, Andrew Bishop, Travis Doyle, Chris Gillies, Ken Hunter, Marty Jackimowicz, Matt Johnson, Kurt Lauscher, Clint Rix, Keith Sankey, Joe Welsh, Greg Witkowski, Josh Zyskowski, Adam Doyle, Steve Elenbaas, Neall French, Lane May, Tim Brown, Ryan Lyster, Justin McKenzie, Chad Rohacs, Arik Schoenborn, Kyle Snoeyink, Kurtis Wells, Zach Boswell, Nick Caudle, Luke Jeltema, Ryan Kane, Vance Nardin, Tim Stoeffler and Cody Youngblood; and

Whereas, Head Coach Doug Wabeke, along with Coaches Mike Cupples, Tom Vos, Greg Morris and Bill Peterson and Trainer Mike Roche are to be honored as well; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body honor Coach Doug Wabeke and the 2003 Raiders Baseball Team; and be it further

Resolved, That copies of this resolution be transmitted to Coach Wabeke, the Grand Rapids Community College Raiders Baseball Team, Grand Rapids Community College President Juan Olivarez and the Grand Rapids Community College Board of Trustees as evidence of our admiration and esteem.

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.

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

The Speaker Pro Tempore declared the House adjourned until Wednesday, June 11, at 1:00 p.m.

GARY L. RANDALL  
Clerk of the House of Representatives