

MICHIGAN HOUSE OF REPRESENTATIVES

DAILY CALENDAR

THURSDAY, JUNE 16, 2005  
10:30 a.m.

MOTIONS AND RESOLUTIONS

1

**HB 4402** Rep. Hansen  
Education; employees; background check on special education personnel employed by public schools; require.  
Amends secs. 1230 & 1230a of 1976 PA 451 (MCL 380.1230 & 380.1230a).  
**(Notice of intent to discharge from the Committee on Education given by Rep. Hopgood May 4, 2005.)**  
**(Motion to discharge; passed for day May 5, 2005.)**

2

**HB 4758** Rep. Kathleen Law  
Environmental protection; landfills; solid waste; establish disposal charge.  
Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding secs. 11532a & 11532b.  
**(Notice of intent to discharge from the Committee on Natural Resources, Great Lakes, Land Use, and Environment given by Rep. Kathleen Law May 17, 2005.)**  
**(Motion to discharge; record roll call ordered; passed for day May 18, 2005.)**

3

**HB 4759** Rep. Espinoza  
Environmental protection; funding; earmarking of surcharge on solid waste entering landfills; provide for.  
Amends secs. 11502, 11503, 11504, 11505 & 11506 of 1994 PA 451 (MCL 324.11502 et seq.); adds secs. 11532c, 11532d, 11532e, 11532f, 11532g & 11532h & repeals sec. 11532h of 1994 PA 451 (MCL 324.11532h).  
**(Notice of intent to discharge from the Committee on Natural Resources, Great Lakes, Land Use, and Environment given by Rep. Espinoza May 17, 2005.)**  
**(Motion to discharge; record roll call ordered; passed for day May 18, 2005.)**

4

**HB 4760** Rep. Kehrl  
Environmental protection; landfills; moratorium on landfill new construction and expansion; provide for.  
Amends sec. 11511a of 1994 PA 451 (MCL 324.11511a) & repeals sec. 11511a of 1994 PA 451 (MCL 324.11511a) & enacting section 1 of 2004 PA 38.  
**(Notice of intent to discharge from the Committee on Natural Resources, Great Lakes, Land Use, and Environment given by Rep. Kehrl May 17, 2005.)**  
**(Motion to discharge; record roll call ordered; passed for day May 18, 2005.)**

MOTIONS AND RESOLUTIONS

5

**HB 4761** Rep. Miller  
Environmental protection; landfills; list of jurisdictions authorized to export waste to Michigan; require updating of and removal of jurisdictions whose waste contains prohibited materials.  
Amends sec. 11526b of 1994 PA 451 (MCL 324.11526b).  
**(Notice of intent to discharge from the Committee on Natural Resources, Great Lakes, Land Use, and Environment given by Rep. Miller May 17, 2005.)**  
**(Motion to discharge; record roll call ordered; passed for day May 18, 2005.)**

6

**HB 4762** Rep. McDowell  
Environmental protection; solid waste; civil infractions for solid waste violations; establish.  
Amends secs. 11546 & 11549 of 1994 PA 451 (MCL 324.11546 & 324.11549).  
**(Notice of intent to discharge from the Committee on Natural Resources, Great Lakes, Land Use, and Environment given by Rep. McDowell May 17, 2005.)**  
**(Motion to discharge; record roll call ordered; passed for day May 18, 2005.)**

REPORTS OF STANDING COMMITTEES

7

**HR 79** Rep. Anderson  
A resolution to memorialize the Congress of the United States and the United States Department of Agriculture (USDA) to provide assistance in the effort to mitigate the infestation of the Emerald Ash Borer.  
**(Reported by the Committee on Agriculture.)**  
**(For text of resolution, see House Journal No. 48, page 718 or Session Website; laid over 1 day June 8, 2005.)**

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**REPORTS OF STANDING COMMITTEES**


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8

**HCR 15** Rep. Stahl

A resolution to memorialize the Congress of the United States and the United States Department of Agriculture (USDA) to provide assistance in the effort to mitigate the infestation of the Emerald Ash Borer.

**(Reported by the Committee on Agriculture.)**

**(House substitute (H-1) offered; postponed temporarily June 14, 2005.)**

**(For proposed House substitute (H-1), see Session Website.)**

**(For text of proposed House substitute (H-1), see House Journal No. 54, page 854 or Session Website.)**

**(For text of resolution, see House Journal No. 46, page 700 or Session Website; laid over 1 day June 8, 2005.)**

9

**SCR 14** Sen. Johnson

A concurrent resolution to increase the total project cost of the Iron Ore Museum project for the Department of History, Arts, and Libraries to reflect the receipt of private gift and donation revenues for the purpose of the project.

**(Reported by the Committee on Appropriations.)**

**(For text of resolution, see House Journal No. 49, page 745 or Session Website; laid over 1 day June 15, 2005.)**

10

**SCR 20** Sen. Johnson

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 Kellogg Community College relative to the Kellogg Community College Roll Building Renovation project.

**(Reported by the Committee on Appropriations.)**

**(For text of resolution, see House Journal No. 49, page 746 or Session Website; laid over 1 day June 15, 2005.)**

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**MESSAGES FROM THE SENATE**


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11

**HB 4405** Rep. Whitmer

Health; pharmaceuticals; prohibition against mail-order pharmacies; eliminate.

Amends secs. 17708, 17751 & 17763 of 1978 PA 368 (MCL 333.17708 et seq.).

**(Returned from Senate with Senate substitute (S-1) and immediate effect; laid over 1 day May 17, 2005.)**

**(I.E. House April 21, 2005.)**

**(For House substitute (H-1), see Session Website.)**

**(For Senate substitute (S-1), see Session Website.)**

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**MESSAGES FROM THE SENATE**


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12

**HB 4702** Rep. Pavlov

Crimes; other; disseminating sexually explicit matter to minors; include video game in definition of sexually explicit matter.

Amends sec. 3 of 1978 PA 33 (MCL 722.673).

**(Returned from Senate with amendment and immediate effect; laid over 1 day June 1, 2005.)**

**(I.E. House May 10, 2005.)**

**(For House substitute (H-1), see Session Website.)**

**(For Senate amendment, see House Journal No. 49, page 744 or Session Website.)**

13

**HB 4703** Rep. Pearce

Trade; consumer goods and services; sign posted with video game rating system; require and require brochure to be available explaining rating system.

Amends title of 1931 PA 328 (MCL 750.1 - 750.568) & adds sec. 143a.

**(Returned from Senate with amendments and immediate effect; laid over 1 day June 1, 2005.)**

**(I.E. House May 10, 2005.)**

**(For House substitute (H-1), see Session Website.)**

**(For Senate amendments, see House Journal No. 49, page 744 or Session Website.)**

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**THIRD READING**


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14

**HJR C** Rep. Moolenaar

Education; other; constitutional amendment to provide for gubernatorial appointment of superintendent of public instruction; provide for.

Amends sec. 3, art. VIII of the state constitution.

**(Reported by the Committee on Education.)**

**(Not adopted; notice of intent to reconsider vote given by Rep. Ward May 3, 2005.)**

**(Vote reconsidered; passed for day May 4, 2005.)**

**(For House substitute (H-4), see Session Website.)**

15

**HB 4037** Rep. Condino

Health; pharmaceuticals; toll-free number for information regarding prescription drug programs; provide for.

Amends 1978 PA 368 (MCL 333.1101 - 333.25211) by adding sec. 9171.

**(Reported by the Committee on Health Policy.)**

**(For House substitute (H-1), see Session Website.)**

16

**SB 73** Sen. Birkholz

Environmental protection; air pollution; nonattainment area offsets; establish conditions for.

Amends sec. 5505 of 1994 PA 451 (MCL 324.5505).

**(Reported by the Committee on Natural Resources, Great Lakes, Land Use, and Environment.)**

**(For Senate substitute (S-2), see Session Website.)**

**THIRD READING**

17

**SB 2** Sen. Jelinek  
 Agriculture; animals; procedure used for composting of dead animals; revise.  
 Amends secs. 3, 4, 15, 19 & 21 of 1982 PA 239 (MCL 287.653 et seq.).  
**(Reported by the Committee on Agriculture.)**  
**(For House substitute (H-1), see Session Website.)**  
**(For Senate substitute (S-3), see Session Website.)**

18

**SB 512** Sen. Hammerstrom  
 Libraries; district; filing deadline for board member election; revise and revise certification process.  
 Amends secs. 2, 3, 4, 11, 12, 15, 19, 20, 21, 23 & 24 of 1989 PA 24 (MCL 397.172 et seq.) & adds sec. 3a.  
**(Reported by the Committee on House Oversight, Elections, and Ethics.)**  
**(For House substitute (H-1), see Session Website.)**  
**(For House amendments, see House Journal No. 55, page 863 or Session Website.)**  
**(For Senate substitute (S-1), see Session Website.)**

19

**SB 513** Sen. Hammerstrom  
 Elections; other; regular, school district, village, and recall elections; provide general amendments.  
 Amends secs. 301, 302, 312, 370, 381, 498, 641, 642a, 653a, 699 & 963 of 1954 PA 116 (MCL 168.301 et seq.).  
**(Reported by the Committee on House Oversight, Elections, and Ethics.)**  
**(For House substitute (H-1), see Session Website.)**  
**(For House amendments, see House Journal No. 55, page 864 or Session Website.)**  
**(For Senate substitute (S-1), see Session Website.)**

**SECOND READING**

20

**HB 4374** Rep. Marleau  
 Administrative procedure; rules; rescission of proposed credit scoring rules; provide for.  
 Amends 1956 PA 218 (MCL 500.100 - 500.8302) by adding sec. 2111a.  
**(Pursuant to Section 24.245a of the Michigan Compiled Laws, placed on calendar.)**

21

**HB 4403** Rep. Walker  
 Occupations; physicians; delegation of certain acts, tasks, or functions to a certified surgical technologist or certified surgical first assistant; allow under certain circumstances.  
 Amends sec. 16215 of 1978 PA 368 (MCL 333.16215).  
**(Reported by the Committee on Health Policy.)**  
**(For proposed House substitute (H-1), see Session Website.)**

**SECOND READING**

22

**SB 170** Sen. Patterson  
 Crimes; domestic violence; certain warrant and police policies for domestic violence involving individuals who have had a dating relationship; establish and revise other sentencing guideline provisions.  
 Amends sec. 1a, ch. IV, sec. 16a, ch. IX, sec. 22, ch. XVI & secs. 15g, 16m & 16s, ch. XVII of 1927 PA 175 (MCL 764.1a et seq.).  
**(Reported by the Committee on Judiciary.)**

23

**HB 4204** Rep. Gosselin  
 Sales tax; collections; sales tax collection on gasoline; provide for cap.  
 Amends sec. 4a of 1933 PA 167 (MCL 205.54a).  
**(Reported by the Committee on Tax Policy.)**  
**(For proposed House substitute (H-3), see Session Website.)**

24

**HB 4206** Rep. Stakoe  
 Construction; other; standards and administrative process regarding conflict of interest; provide for inspectors in buildings trades.  
 Amends sec. 10 of 1986 PA 54 (MCL 338.2310).  
**(Reported by the Committee on Local Government and Urban Policy.)**  
**(For proposed House substitute (H-3), see Session Website.)**

25

**HB 4207** Rep. Stakoe  
 Construction; other; licensee acting as inspector; clarify specific activities regarded as a conflict of interest.  
 Amends sec. 39 of 2002 PA 733 (MCL 338.3549).  
**(Reported by the Committee on Local Government and Urban Policy.)**

26

**HB 4208** Rep. Stakoe  
 Construction; other; licensee acting as inspector; clarify specific activities regarded as a conflict of interest.  
 Amends sec. 7a of 1956 PA 217 (MCL 338.887a).  
**(Reported by the Committee on Local Government and Urban Policy.)**

27

**HB 4209** Rep. Stakoe  
 Construction; other; licensee acting as inspector; clarify specific activities regarded as a conflict of interest.  
 Amends 1984 PA 192 (MCL 338.971 - 338.988) by adding sec. 13a.  
**(Reported by the Committee on Local Government and Urban Policy.)**

28

**HB 4257** Rep. Walker  
 Taxation; farmland and open space; agricultural security areas; provide for.  
 Amends heading of pt. 361 of 1994 PA 451 (MCL 324.101 - 324.90106) & adds pt. 363.  
**(Reported by the Committee on Natural Resources, Great Lakes, Land Use, and Environment.)**  
**(For proposed House substitute (H-1), see Session Website.)**

## SECOND READING

29

**HB 4360** Rep. Bieda  
Higher education; community colleges; removal of board members who miss board meetings without valid excuses; provide for.  
Amends sec. 157 of 1966 PA 331 (MCL 389.157).  
**(Reported by the Committee on Higher Education and Career Preparation.)**

30

**HB 4235** Rep. Nitz  
Transportation; other; requirement of 2% biodiesel to be included in fuel products; provide for.  
Amends secs. 2, 3 & 5 of 1984 PA 44 (MCL 290.642 et seq.).  
**(Reported by the Committee on Agriculture.)**

31

**SB 301** Sen. Gilbert  
State; identification cards; heart logo on personal identification cards; allow.  
Amends secs. 1 & 2 of 1972 PA 222 (MCL 28.291 & 28.292).  
**(Reported by the Committee on Transportation.)**  
**(For Senate substitute (S-1), see Session Website.)**

32

**HB 4133** Rep. Mortimer  
Civil procedure; service of process; prohibition of process service on Sunday and election day; repeal.  
Repeals sec. 1831 of 1961 PA 236 (MCL 600.1831).  
**(Reported by the Committee on Local Government and Urban Policy.)**  
**(For proposed House substitute (H-2), see Session Website.)**

33

**HB 4274** Rep. Vander Veen  
Insurance; third party administrators; disclosure of certain claims history to certain persons; provide for.  
Amends sec. 34 of 1984 PA 218 (MCL 550.934) & adds sec. 31.  
**(Reported by the Committee on Education.)**  
**(For proposed House substitute (H-1), see Session Website.)**

34

**SB 72** Sen. Birkholz  
Education; students; pledge of allegiance; require to be offered in public schools.  
Amends 1976 PA 451 (MCL 380.1 - 380.1852) by adding sec. 1304.  
**(Reported by the Committee on Education.)**  
**(For proposed House substitute (H-1), see Session Website.)**

## SECOND READING

35

**HB 4473** Rep. Ward  
Housing; inspection; scope of application to include certain townships and timing of inspections to be modified; provide for.  
Amends secs. 1 & 126 of 1917 PA 167 (MCL 125.401 & 125.526).  
**(Reported by the Committee on Local Government and Urban Policy.)**  
**(For proposed House substitute (H-2), see Session Website.)**

36

**HB 4740** Rep. Nitz  
Transportation; other; roadside memorial program; provide for.  
Amends 2001 PA 142 (MCL 250.1001 - 250.2080) by adding sec. 76.  
**(Reported by the Committee on Transportation.)**  
**(For proposed House substitute (H-3), see Session Website.)**

37

**HB 4588** Rep. Van Regenmorter  
Crime victims; rights; comprehensive changes to crime victim's rights act; enact.  
Amends secs. 2, 6, 13a, 16, 16a, 18, 18a, 19, 20, 21, 31, 44, 44a, 46, 47, 61, 65, 76, 76a, 78 & 81 of 1985 PA 87 (MCL 780.752 et seq.) & adds sec. 19a.  
**(Reported by the Committee on Judiciary.)**  
**(For proposed House substitute (H-2), see Session Website.)**

38

**SB 79** Sen. McManus  
Counties; other; voter approval for waste reduction program and funding amounts; provide for.  
Amends sec. 8a of 1967 (Ex Sess) PA 7 (MCL 124.508a).  
**(Reported by the Committee on Natural Resources, Great Lakes, Land Use, and Environment.)**  
**(Read a second time; amendment offered; passed for day June 15, 2005.)**  
**(For Senate substitute (S-3), see Session Website.)**

39

**HB 4852** Rep. Casperson  
Transportation; carriers; revisions to motor carrier safety act to comply with federal law; provide for.  
Amends title & secs. 1a, 2d, 3, 4, 5, 6, 7, 7a, 7b, 7c, 7d, 11 & 12 of 1963 PA 181 (MCL 480.11a et seq.); adds secs. 4a, 13, 14 & 15 & repeals acts and parts of acts.  
**(Reported by the Committee on Transportation.)**  
**(For proposed House substitute (H-3), see Session Website.)**

40

**HB 4857** Rep. LaJoy  
Transportation; other; revisions to motor bus transportation act to comply with federal law; provide for.  
Amends sec. 31 of 1982 PA 432 (MCL 474.131).  
**(Reported by the Committee on Transportation.)**

## SECOND READING

41

**HB 4858** Rep. Anderson  
Traffic control; other; certain requirements for commercial vehicle operators; revise to comply with federal law.  
Amends secs. 683, 723 & 724 of 1949 PA 300 (MCL 257.683 et seq.); adds sec. 312g & repeals secs. 714a & 714b of 1949 PA 300 (MCL 257.714a & 257.714b).  
**(Reported by the Committee on Transportation.)**  
**(For proposed House substitute (H-1), see Session Website.)**

42

**SB 302** Sen. Bernero  
State; purchasing; reporting requirements of certain departments for contracts with businesses owned by persons with disabilities; modify.  
Amends sec. 3 of 1988 PA 112 (MCL 450.793).  
**(Reported by the Committee on Veterans Affairs and Homeland Security.)**  
**(For Senate substitute (S-1), see Session Website.)**

43

**SB 303** Sen. Toy  
State; purchasing; state procurement program for small businesses owned by veterans with service-related disabilities; create.  
Amends sec. 261 of 1984 PA 431 (MCL 18.1261).  
**(Reported by the Committee on Veterans Affairs and Homeland Security.)**  
**(For proposed House substitute (H-1), see Session Website.)**  
**(For Senate substitute (S-1), see Session Website.)**

44

**HB 4217** Rep. Rocca  
Elections; petitions; ballot language printed on front of petition; require and establish that if circulator is being paid, it must be printed on front of petition.  
Amends secs. 482 & 488 of 1954 PA 116 (MCL 168.482 & 168.488).  
**(Reported by the Committee on House Oversight, Elections, and Ethics.)**  
**(For proposed House substitute (H-1), see Session Website.)**

45

**HB 4328** Rep. Drolet  
Elections; petitions; size of initiative and referendum petition form; revise.  
Amends sec. 482 of 1954 PA 116 (MCL 168.482).  
**(Reported by the Committee on House Oversight, Elections, and Ethics.)**  
**(For proposed House substitute (H-2), see Session Website.)**

46

**HB 4801** Rep. David Law  
Elections; recounts; recount deposit; increase to 100% of estimated cost of the recount.  
Amends secs. 867 & 881 of 1954 PA 116 (MCL 168.867 & 168.881).  
**(Reported by the Committee on House Oversight, Elections, and Ethics.)**  
**(For proposed House substitute (H-3), see Session Website.)**

## SECOND READING

47

**SB 167** Sen. McManus  
Occupations; individual licensing and regulation; requirement for continuing education; provide for on-line credit option.  
Creates new act.  
**(Reported by the Committee on Regulatory Reform.)**  
**(For Senate substitute (S-2), see Session Website.)**

48

**HB 4679** Rep. Ward  
Economic development; downtown development authorities; expansion into certain adjoining townships; provide for.  
Amends secs. 1, 3, 4 & 7 of 1975 PA 197 (MCL 125.1651 et seq.).  
**(Reported by the Committee on Commerce.)**

49

**HB 4733** Rep. Baxter  
Single business tax; credit; tax credits for projects of \$200,000.00 or less; provide for criteria.  
Amends 1975 PA 228 (MCL 208.1 - 208.145) by adding sec. 35c.  
**(Reported by the Committee on Commerce.)**

50

**HB 4734** Rep. Elsenheimer  
Single business tax; credit; qualification for projects of \$200,000.00 or less; provide for.  
Amends sec. 38g of 1975 PA 228 (MCL 208.38g).  
**(Reported by the Committee on Commerce.)**  
**(For proposed House substitute (H-2), see Session Website.)**

51

**HB 4915** Rep. Jones  
Economic development; plant rehabilitation; definition of industrial property; modify.  
Amends sec. 2 of 1974 PA 198 (MCL 207.552).  
**(Reported by the Committee on Commerce.)**

52

**SB 525** Sen. Bishop  
Economic development; other; early stage venture investment corporation; allow to have multiple fund managers and provide other amendments.  
Amends secs. 5, 15, 17 & 23 of 2003 PA 296 (MCL 125.2235 et seq.).  
**(Reported by the Committee on Commerce.)**  
**(For Senate substitute (S-1), see Session Website.)**

53

**HB 4148** Rep. LaJoy  
State agencies (existing); generally; consolidation of state agencies' human resources departments; provide for.  
Creates new act.  
**(Reported by the Committee on Employment Relations, Training, and Safety.)**

**SECOND READING**

54

**HB 4838** Rep. Wenke  
 Higher education; other; higher education institutional data inventory; establish.  
 Amends 1984 PA 431 (MCL 18.1101 - 18.1594) by adding sec. 1299.  
**(Reported by the Committee on Higher Education and Career Preparation.)**  
**(For proposed House substitute (H-1), see Session Website.)**

55

**SB 136** Sen. George  
 Higher education; other; issuance or use of false academic degrees or credentials; prohibit.  
 Creates new act.  
**(Reported by the Committee on Higher Education and Career Preparation.)**  
**(For Senate substitute (S-5), see Session Website.)**

56

**SB 551** Sen. Patterson  
 Communications; telecommunications; rule making and eliminate sunset of the Michigan telecommunications act; provide for.  
 Repeals enacting section 1 of 2004 PA 591.  
**(Reported by the Committee on Energy and Technology.)**

**SECOND READING**

57

**HB 4887** Rep. Moolenaar  
 Appropriations; zero budget; multisection school aid bill; provide for fiscal year 2005-2006.  
 Amends secs. 11 & 17b of 1979 PA 94 (MCL 388.1611 & 388.1617b).  
**(Reported by the Committee on Appropriations.)**  
**(For proposed House substitute (H-1), see Session Website.)**

58

**SB 412** Sen. Prusi  
 State; authorities; state building authority act; revise to include capital maintenance improvements.  
 Amends secs. 1, 1a, 3 & 7 of 1964 PA 183 (MCL 830.411 et seq.).  
**(Reported by the Committee on Appropriations.)**

**STANDING COMMITTEE MEETINGS**

(For an updated listing of committee meetings, go to <http://www.michiganlegislature.org> and click on Committee Meetings.)