

No. 50
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House of Representatives
92nd Legislature
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House Chamber, Lansing, Wednesday, June 11, 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—excused
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—excused	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. Andy Meisner, from the 27th District, offered the following invocation:

“Our God and God of our ancestors, we ask Your blessings and protection for our country, for its government, for its leader and advisors, for all who exercise just and rightful authority and for our soldiers on the battlefield. Teach them insights of Your Torah, that they may administer all affairs of state fairly, that peace and security, happiness and prosperity, justice and freedom may forever abide in our midst. Creator of all flesh, bless all the inhabitants of our country with Your spirit. May citizens of all races and creeds forge a common bond in true harmony to banish all hatred and bigotry, and to safeguard the ideals and free institutions which are the pride and glory of our country. May this land under Your Providence be an influence for good throughout the world, uniting all people in peace and freedom and helping them to fulfill the vision of Your prophet, ‘Nation shall not lift up sword against nation, neither shall they experience war any more.’ And let us say Amen.”

Rep. Palmer moved that Reps. DeRossett and Tabor be excused from today’s session.
The motion prevailed.

Reports of Standing Committees

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

House Bill No. 4524, entitled

A bill to amend 1984 PA 431, entitled “The management and budget act,” by amending section 361 (MCL 18.1361).

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. Wenke, Sheen, Koetje, Meyer, Drolet, Hummel, Milosch, Nofs, Stakoe, O’Neil, Minore, Farrah, Bieda, Zelenko and Condino

Nays: None

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

House Bill No. 4710, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 311 (MCL 206.311), as amended by 1987 PA 254.

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. Wenke, Sheen, Koetje, Meyer, Hummel, Milosch, Nofs, Stakoe, O’Neil, Farrah, Bieda, Zelenko and Condino

Nays: None

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

House Bill No. 4712, entitled

A bill to amend 1964 PA 284, entitled “City income tax act,” by amending section 32 of chapter 2 (MCL 141.632).

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. Wenke, Sheen, Koetje, Drolet, Hummel, Milosch, Nofs, Stakoe, O'Neil, Farrah and Bieda

Nays: None

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

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.

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

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, June 11, 2003, at 9:00 a.m.

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

Absent: Reps. Woronchak and Palmer

Excused: Reps. Woronchak and Palmer

The Committee on Criminal Justice, by Rep. Van Regenmorter, Chair, reported

House Bill No. 4715, entitled

A bill to amend 1966 PA 189, entitled "An act to provide procedures for making complaints for, obtaining, executing and returning search warrants; and to repeal certain acts and parts of acts," by amending section 1 (MCL 780.651), as amended by 2002 PA 506.

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

Nays: None

The Committee on Criminal Justice, by Rep. Van Regenmorter, Chair, reported

House Resolution No. 66.

A resolution to urge the Michigan Lottery Bureau to join the Amber Alert system.
(For text of resolution, see House Journal No. 42, p. 634.)

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. Van Regenmorter, Stakoe, Howell, Gaffney, Nofs, Meisner, Condino and Hood

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, June 11, 2003, at 10:30 a.m.

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

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

Senate Bill No. 281, entitled

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 2004; to provide for the expenditure of these appropriations; to place certain restrictions on the expenditure of these appropriations; to prescribe the powers and duties of certain officials and employees; to require certain reports; and to provide for the disposition of fees and other income received by the judicial branch.

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, 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. 286, entitled

A bill to make appropriations for the department of consumer and industry services and certain other state purposes for the fiscal year ending September 30, 2004; to provide for the expenditure of those appropriations; to provide for the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local 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, 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. 288, entitled

A bill to make appropriations for the department of agriculture 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 require reports, audits, and plans; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by certain state agencies.

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

House Resolution No. 33.

A resolution to memorialize the Congress of the United States to appropriate an additional \$5 billion for road and bridge improvement projects.

(For text of resolution, see House Journal No. 26, p. 325.)

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

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, June 11, 2003, at 11:00 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. Bradstreet, Chair of the Committee on Energy and Technology, was received and read:

Meeting held on: Wednesday, June 11, 2003, at 9:00 a.m.

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

Absent: Rep. LaSata

Excused: Rep. LaSata

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, June 11, 2003, at 10:30 a.m.

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

Announcement by the Clerk of Printing and Enrollment

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

Senate Bill Nos.	537	538	539	540	541	542	543	544	545	546	547	548	549	550
	551	552	553	555	556	557	558	559	560	561				

The Clerk announced the enrollment printing and presentation to the Governor on Wednesday, June 11, for her approval of the following bills:

Enrolled House Bill No. 4561 at 11:42 a.m.

Enrolled House Bill No. 4567 at 11:44 a.m.

Enrolled House Bill No. 4568 at 11:46 a.m.

Enrolled House Bill No. 4569 at 11:48 a.m.

The Clerk announced that the following bills had been printed and placed upon the files of the members on Wednesday, June 11:

House Bill Nos.	4812	4813	4814	4815	4816	4817	4818	4819	4820	4821	4822	4823	4824	4825
	4826	4827	4828											

The Clerk announced that the following Senate bills had been received on Wednesday, June 11:

Senate Bill Nos. 352 530

By unanimous consent the House returned to the order of

Messages from the Senate

House Bill No. 4330, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 803e (MCL 257.803e), as amended by 1998 PA 68.

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. 4556, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 110 (MCL 206.110), as amended by 1996 PA 484.

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. 4333, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 907 (MCL 257.907), as amended by 2002 PA 534.

The Senate has amended the bill as follows:

1. Amend page 6, following line 2, by inserting:

"Enacting section 1. This amendatory act takes effect October 1, 2003."

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. 352, entitled

A bill to designate March 31 of each year as Cesar E. Chavez day in the state of Michigan.

The Senate has passed the bill.

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

Senate Bill No. 530, entitled

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

The Senate has passed the bill.

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

Communications from State Officers

The following communication from the Department of Consumer and Industry Services was received and read:

May 30, 2003

Pursuant to Section 314 of P.A. 527 of 2002, we are enclosing a copy of the following reports:

<u>Type of Report</u>	<u>Facility</u>	<u>Report #</u>	<u>License #</u>
Interim Approval Report	Shawono Center		CS200201404
Special Inv. Report	Arbor Heights Community Justice Ctr.	2003C0212039	CS810200952

This report was performed in compliance with the requirements of P.A. 116 of 1973 as amended, and the Administrative Rules for Child Caring Institutions. The report may also be viewed on our website under "Inside CIS" at the following address: <http://www.michigan.gov/cis/>.

If you have any questions regarding this information, please feel free to contact me at 373-3892.

Sincerely,
Allan R. Pohl
Acting Director
Finance and Administrative Services

The communication was referred to the Clerk.

The following communications from the Auditor General were received and read:

June 5, 2003

Enclosed is a copy of the following audit report and/or report summary:
Performance Audit of the
Automated Information Systems
Department of Treasury
June 2003

June 6, 2003

Enclosed is a copy of the following audit report and/or report summary:
Performance Audit of the
Division of Chronic Disease and Injury Control
Community Public Health Agency
Department of Community Health
June 2003

June 9, 2003

Enclosed is a copy of the following audit report and/or report summary:
Financial Audit, Including the Provisions
of the Single Audit Act, of the
Department of Agriculture
October 1, 2000 through September 30, 2002

June 9, 2003

Enclosed is a copy of the following audit report and/or report summary:
Performance Audit of the
Federal Cash Management Improvement Act Program
Department of Treasury
June 2003

Sincerely,
Thomas H. McTavish, C.P.A.
Auditor General

The communications were referred to the Clerk and the accompanying reports referred to the Committee on Government Operations.

By unanimous consent the House returned to the order of
Reports of Standing Committees

The Speaker laid before the House

House Resolution No. 62.

A resolution to memorialize the Congress of the United States and the Federal Trade Commission to address the issue of unsolicited commercial email, otherwise known as spam, on a national basis.

(For text of resolution, see House Journal No. 42, p. 632.)

(The resolution was reported by the Committee on Energy and Technology on June 4, consideration of which, under the rules, was postponed until June 5.)

The question being on the adoption of the resolution,

The resolution was adopted.

The Speaker laid before the House

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.)

(The resolution was reported by the Committee on Local Government and Urban Policy on June 10, consideration of which, under the rules, was postponed until today.)

The question being on the adoption of the resolution,

The resolution was adopted.

Second Reading of Bills

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.

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

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

Rep. Cheeks moved to amend the bill as follows:

1. Amend page 21, following line 15, by inserting:

“Sec. 503. (1) Subject to subsection (2), in addition to the funds appropriated under part 1, \$1,500,000.00 is appropriated from the state general fund for local forensic laboratory grants. The appropriated funds shall be distributed to those municipalities receiving funds under the forensic laboratory funding act, 1994 PA 35, MCL 12.201 to 12.212, proportional to the number of criminal investigations reported by each municipality under section 7(2) of the forensic laboratory funding act, 1994 PA 35, MCL 12.207.

(2) The appropriation in subsection (1) shall be effective only if 1 or more driver’s license fees are increased under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, effective during the fiscal year ending September 30, 2004.”.

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

Rep. Reeves demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 200**Yeas—43**

Accavitti	Farrah	McConico	Sak
Adamini	Gaffney	Meisner	Smith
Amos	Gielegem	Minore	Stallworth
Anderson	Hardman	Murphy	Tobocman
Brown	Hood	Nofs	Vagnozzi
Byrum	Hopgood	O'Neil	Waters
Cheeks	Hunter	Paletko	Whitmer
Clack	Jamnick	Phillips	Williams
Condino	Kolb	Plakas	Woodward
Daniels	Law	Reeves	Zelenko
Dennis	Lipsey	Rivet	

Nays—65

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

In The Chair: Julian

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

Rep. Huizenga 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. 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.

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

Roll Call No. 201**Yeas—108**

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

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Speaker laid before the House

House Resolution No. 37.

A resolution to memorialize the Congress of the United States to enact legislation that would remove the unfair advantages that Federal Prison Industries has in competition for business.

(For text of resolution, see House Journal No. 29, p. 375.)

(The resolution was reported by the Committee on Government Operations on June 4, consideration of which, under the rules, was postponed until June 5.)

The question being on the adoption of the resolution,

The resolution was adopted.

Second Reading of Bills

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.

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

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

Rep. Williams moved to amend the bill as follows:

1. Amend page 4, line 11, by striking out “885,900” and inserting “886,000”.
2. Amend page 4, line 12, by striking out “732,300” and inserting “732,400”.
3. Amend page 4, line 13, by striking out “336,200” and inserting “336,300”.
4. Amend page 4, line 14, by striking out “464,700” and inserting “464,800”.
5. Amend page 4, line 15, by striking out “885,900” and inserting “886,000”.
6. Amend page 4, line 16, by striking out “165,600” and inserting “165,700”.
7. Amend page 4, line 17, by striking out “157,800” and inserting “157,900”.
8. Amend page 4, line 19, by striking out “41,100” and inserting “41,200”.
9. Amend page 4, line 20, by striking out “41,100” and inserting “41,200”.
10. Amend page 4, line 22, by striking out “159,400” and inserting “159,500”.
11. Amend page 4, line 23, by striking out “41,100” and inserting “41,200” and adjusting the subtotals, totals, and section 201 accordingly.

The question being on the adoption of the amendments offered by Rep. Williams,

Rep. Williams demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Rep. Williams,

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

Roll Call No. 202

Yeas—47

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

Nays—61

Acciavatti	Hart	Milosch	Shaffer
Amos	Hoogendyk	Moolenaar	Sheen
Bisbee	Howell	Mortimer	Shulman
Bradstreet	Huizenga	Newell	Stahl
Brandenburg	Hummel	Nitz	Stakoe

Casperson	Hune	Nofs	Steil
Caswell	Johnson, Rick	Palmer	Stewart
Caul	Johnson, Ruth	Palsrok	Taub
DeRoche	Julian	Pappageorge	Van Regenmorter
Drolet	Koetje	Pastor	Vander Veen
Ehardt	Kooiman	Pumford	Voorhees
Emmons	LaJoy	Richardville	Walker
Farhat	LaSata	Robertson	Ward
Gaffney	Meyer	Rocca	Wenke
Garfield	Middaugh	Shackleton	Woronchak
Hager			

In The Chair: Julian

Rep. Mortimer moved to amend the bill as follows:

1. Amend page 2, line 20, by increasing the amount by \$10,000.00 and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 13, following line 12, by inserting:

“Sec. 303. From the funds appropriated in section 102 for headquarters and armories, \$10,000.00 shall be expended by the department for distribution of prepaid phone cards by the state family program office to Army, Navy, Air Force, Marine Corps., and Coast Guard Reservists deployed overseas on active duty.”.

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

Reps. Nofs and Sheltroun moved to amend the bill as follows:

1. Amend page 2, line 20, by increasing the amount by \$10,000.00 and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 13, following line 12, by inserting:

“Sec. 303. From the funds appropriated in section 102 for headquarters and armories, \$10,000.00 shall be expended by the department for distribution of prepaid phone cards by the state family program office to national guard members deployed overseas on active duty.”.

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

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

The motion prevailed.

Rep. Huizenga 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. 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.

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

Roll Call No. 203

Yeas—107

Accavitti	Garfield	Meisner	Sheen
Acciavatti	Gielegem	Meyer	Sheltroun
Adamini	Gillard	Middaugh	Shulman
Amos	Gleason	Milosch	Smith
Anderson	Hager	Minore	Spade
Bieda	Hardman	Moolenaar	Stahl
Bisbee	Hart	Mortimer	Stakoe
Bradstreet	Hood	Murphy	Stallworth

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

Nays—1

Shackleton

In The Chair: Julian

The House agreed to the title of the bill.

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

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

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

“Mr. Speaker and members of the House:

In challenging economic times, the state must fund it's priorities. Helping care for our aged veterans should be one of our top priorities. I voted no on the final passage of the Military and Veterans Affairs budget because it reflects a decrease in the amount of state support to our two veterans homes.”

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

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Sheltroun, Tabor, Rivet, Brown, Elkins, Gillard, Lipsey, Adamini and DeRossett offered the following resolution:
House Resolution No. 82.

A resolution to memorialize the Congress of the United States not to enact any legislation that would ban bear baiting on federal lands.

Whereas, Michigan, along with other states throughout the country, has been very successful in its wildlife management strategies. While there is always more progress to be made, the increasing numbers of game animals and effective control of wildlife populations in Michigan and other states reflect the wisdom of local management of wildlife and hunting matters; and

Whereas, Congress is considering legislation, H. R. 1472, that would require the adoption and enforcement of regulations that would prohibit the intentional feeding of bears on federal lands in order to end what is known as “bear baiting”; and

Whereas, Of the states that allow bear hunting, Michigan is one of several that permit bear baiting. The experience in Michigan and the other states that permit bear baiting is that this technique is a valuable and highly effective wildlife management tool. The voters of Michigan overwhelmingly rejected a 1996 ballot proposal that included a ban of bear baiting. Bear baiting is part of an overall strategy that effectively controls the bear population and does so more humanely than hunting techniques that may result in higher rates of injuries for the animals. This mechanism has clearly allowed Michigan to keep the bear population at appropriate levels; and

Whereas, Michigan is a state that includes extensive federal lands. The citizens of our state have used these lands respectfully, and our state’s hunting and fishing management efforts have enhanced these lands over the years. Michigan’s proven effectiveness in dealing with wildlife management challenges should not be negated by federal control of the matter of bear hunting; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States not to enact any legislation that would ban bear baiting on federal lands; 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 Conservation and Outdoor Recreation.

Rep. Kooiman moved that the House adjourn.
The motion prevailed, the time being 4:55 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, June 12, at 10:00 a.m.

GARY L. RANDALL
Clerk of the House of Representatives