

**No. 68**  
**STATE OF MICHIGAN**  
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**OF THE**  
**House of Representatives**  
**92nd Legislature**  
**REGULAR SESSION OF 2003**

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House Chamber, Lansing, Tuesday, September 30, 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	Jannick—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		

Rep. Clarence E. Phillips, from the 29th District, offered the following invocation:

“Gracious and Eternal God, our Heavenly Father. Thou Who art our source of being. Father, Who art our strength in time of weakness and our help in time of trouble. You who know all about us and have strengthened us, keep us safe thus far. Lord, because of how good You have been to us and how far You have brought us, we realize that You did not bring us this far to leave us and that You will continue to be the source of our strength. Bless every heart and every home of the families of our servicemen and women in Iraq and Afghanistan and other places representing this country. Also, our best and our brightest, our young men and women in uniform who are out there putting their lives on the line every day for what this country stands for. We thank You for Your goodness and mercy, Lord. We thank You, Lord God, for the strength and courage to do what is right, just and fair for all the people of the State of Michigan. Lord, we have been entrusted with an awesome responsibility. Please continue to give us the strength to follow our convictions and guide us in Your holy wisdom and truth. Help us to judge not lest we be judged. Help us to always keep into focus that we are truly our brother’s and sister’s keeper. Help us to know and appreciate our differences as well as our similarities. Help us to understand that he who rocks the boat cannot row the boat. Help us to seek Your righteousness and truth in understanding that you cannot truly judge one unless you walked a mile in his or her shoes. Finally, Father, let us never forget that our strength will be in how we collaborate, coordinate and cooperate. As life tolerates nothing but the real, lead us to the light of truth and justice for all. Inspire us to do good works for the families of Michigan. Inspire us to bring Michigan together and not pull it apart. God is good and God is great in all things. We will continue to magnify and glorify Your name in all things and in all ways. In the glow of Your love, peace and goodness, we pray. Amen.”

### Motions and Resolutions

By unanimous consent the House considered **House Resolution No. 130** out of numerical order.

Reps. Nofs, Accavitti, Acciavatti, Amos, Bieda, Bisbee, Brandenburg, Byrum, Casperson, Caswell, Caul, DeRossett, Ehardt, Farhat, Garfield, Gielegem, Hager, Hoogendyk, Hunter, Ruth Johnson, Kooiman, Meyer, Middaugh, Murphy, O’Neil, Pappageorge, Pastor, Rocca, Sak, Shaffer, Shulman, Spade, Stahl, Stakoe, Stewart, Tabor, Tobocman, Vagnozzi, Vander Veen, Voorhees, Waters, Wojno, Woronchak and Richardville offered the following resolution:

#### **House Resolution No. 130.**

A resolution to memorialize the Congress of the United States to maintain the current imminent danger pay and family separation allowances for members of the military in combat zones.

Whereas, At this moment, our troops serving in harm’s way are facing some of the most trying situations; and

Whereas, With the end of the fiscal year on September 30, supplemental pay increases approved for serving in combat zones expire without action by Congress to extend this as part of defense appropriations. Rates of imminent danger pay and family separation allowances had been raised by \$75 and \$150 respectively, effective October 2002. Rates for imminent danger pay and family separation allowances are scheduled to return to the prior levels on October 1, 2003; and

Whereas, The effects of a pay reduction on the brave men and women representing us in the war on terror and their families could be demoralizing. Forcing added sacrifices, especially on the families at home, is inappropriate; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to maintain the current imminent danger pay and family separation allowances for members of the military in combat zones; 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.

### Reports of Standing Committees

The Speaker laid before the House

#### **House Resolution No. 108.**

A resolution to memorialize the United States Senate and Michigan’s United States Senators to act to begin the confirmation hearings on the Michigan nominees to the United States 6th Circuit Court of Appeals.

(For text of resolution, see House Journal No. 62, p. 1552.)

(The resolution was reported by the Committee on Judiciary on September 23, consideration of which, under the rules, was postponed until September 24.)

The question being on the adoption of the resolution,

Rep. Condino moved to substitute (H-1) the resolution as follows:

**Substitute for House Resolution No. 108.**

A resolution to memorialize President George W. Bush, the United States Senate, and Michigan’s United States Senators to establish a bipartisan commission to recommend to the President nominees to fill Michigan vacancies on the federal courts.

Whereas, Two nominees from Michigan to the United States Court of Appeals for the Sixth Circuit nominated by President William Jefferson Clinton were denied confirmation hearings and votes by the Judiciary Committee of the United States Senate for more than four years and one and a half years, respectively; and

Whereas, President George W. Bush’s White House Counsel has said that he and the President believed that the treatment of some nominees during President Clinton’s administration was “inexcusable”; and

Whereas, The number of Michigan vacancies on the federal courts provides an opportunity to rectify the mistreatment of the Michigan nominees during President Clinton’s administration; and

Whereas, The two United States Senators from Michigan have proposed as a fair and reasonable compromise that a bipartisan commission be established to recommend to the President nominees for Michigan vacancies on the federal courts. The commission would reserve for the President the decision whether to nominate a particular individual; and

Whereas, Bipartisan commissions have worked in other states such as California, Vermont, Wisconsin, and Washington; and

Whereas, The Chairman of the United States House of Representatives Judiciary Committee, Representative James Sensenbrenner, joined Wisconsin’s two Senators, Senators Herb Kohl and Russell Feingold, in reactivating a bipartisan commission to recommend to the President nominees for Wisconsin vacancies on the Seventh Circuit Court of Appeals; now, therefore, be it

Resolved by the House of Representatives, That we memorialize President George W. Bush, the United States Senate, and Michigan’s United States Senators to establish a bipartisan commission to recommend to the President nominees to fill Michigan vacancies on the federal courts; and be it further

Resolved, That copies of this resolution be transmitted to the Office of the President of the United States, the president of the United States Senate, and Michigan’s United States Senators.

The question being on the adoption of the substitute (H-1) offered by Rep. Condino,

Rep. Condino demanded the yeas and nays,

The demand was supported.

The question being on the adoption of the substitute (H-1) offered by Rep. Condino,

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

**Roll Call No. 509**

**Yeas—44**

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	Reeves	Williams
Condino	Kolb	Rivet	Wojno
Daniels	Law	Sak	Woodward
Elkins	Lipsey	Sheltrown	Zelenko

**Nays—62**

Acciavatti	Hager	Milosch	Sheen
Amos	Hart	Moolenaar	Shulman
Bisbee	Hoogendyk	Mortimer	Stahl
Bradstreet	Howell	Newell	Stakoe
Brandenburg	Huizenga	Nitz	Steil
Casperson	Hummel	Nofs	Stewart

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

In The Chair: Julian

The question being on the adoption of the resolution,

Rep. DeRoche demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the resolution,

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

**Roll Call No. 510**

**Yeas—63**

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

**Nays—47**

Accavitti	Farrar	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	Jamnack	Reeves	Wojno
Daniels	Kolb	Rivet	Woodward
Dennis	Law	Sak	Zelenko
Elkins	Lipsey	Sheltrown	

In The Chair: Julian

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

“Mr. Speaker and members of the House:

I voted no on HR 108 because it is a purely partisan effort to place the blame Michigan’s two Democratic Senators for a situation that was caused by the partisan behavior of the Republican Senate during Bill Clinton’s presidency. While the resolution argues that the Senators are blocking the process, it fails to mention that the so-called judicial crisis stems from the behavior of the republican’s who controlled the Senate while Bill Clinton was president. In fact, Helene White, a state appeals court judge in Michigan who was appointed to the sixth circuit in January of 1997 waited more than four years, only to have her nomination wither away by intentional neglect in the Republican-controlled Senate. Judge White was not the only Clinton nominee to languish in committee due to the objection of a republican senator. As a result of the serious delays during the years that the Republican Senate majority controlled the process, the total number of federal court vacancies increased from 65 in 1995 to 111 in July 2001, an increase of more than 70 percent. Between July 2001, when Senate Democrats resumed control, and November 21, 2002, the number of vacancies decreased from 111 to 60. Now, with the shoe planted firmly on the other foot, many Republicans claim to have seen the error of their ways and disparage the practices that brought about this deadlock. However, they are unwilling to make any compromise that could resolve this issue fairly. Our Senators are right to continue to block any nominee to the sixth circuit until Bill Clinton’s nominees are given a hearing.”

### Second Reading of Bills

#### House Bill No. 4641, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 30502a.

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

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

Rep. Palsrok moved to amend the bill as follows:

1. Amend page 1, line 4, after “(a)” by striking out “**Two**” and inserting “**Four**”.

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

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

The motion prevailed.

Rep. 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

#### House Bill No. 4641, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 30502a.

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

#### Roll Call No. 511

#### Yeas—66

Acciavatti	Garfield	Moolenaar	Sheltrown
Adamini	Hager	Mortimer	Shulman
Amos	Hart	Newell	Spade
Bisbee	Hoogendyk	Nitz	Stahl
Bradstreet	Howell	Nofs	Stakoe
Brandenburg	Huizenga	Palmer	Steil
Brown	Hummel	Palsrok	Stewart
Casperson	Hune	Pappageorge	Tabor
Caswell	Johnson, Rick	Pastor	Taub
Caul	Johnson, Ruth	Pumford	Van Regenmorter
DeRoche	Julian	Richardville	Vander Veen

DeRossett	Koetje	Robertson	Voorhees
Drolet	Kooiman	Rocca	Walker
Ehardt	LaJoy	Shackleton	Ward
Emmons	Meyer	Shaffer	Wenke
Farhat	Middaugh	Sheen	Woronchak
Gaffney	Milosch		

**Nays—44**

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

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.

Reps. Rick Johnson, DeRossett, Richardville, Voorhees, Ehardt, Julian, Newell, Howell, Palmer, DeRoche, Taub, Garfield, Robertson, Shaffer, Hoogendyk, Wenke, Nitz, Sheen and Farhat were named co-sponsors of the bill.

Rep. Gillard moved that his name be removed as co-sponsor of the bill.

The motion prevailed.

Reps. Dennis, Murphy, Law, Byrum, Condino and Accavitti, 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 against HB 4641 because it is imperative that we protect and preserve Michigan’s scenic and pristine rivers from increasing development pressures and environmental damage. These rivers and streams belong to all of the people of the State of Michigan not just the riparian property owners, and the legislature has a moral and constitutional obligation to safeguard these natural resources. The natural rivers program provides a comprehensive plan for each river that is individually tailored to meet the needs of that particular watercourse. It establishes a set of consistent guidelines that is necessary because these rivers and streams traverse numerous county and township boundaries. The natural rivers program does not prevent development, it controls development in a way that protects and preserves this unique natural resource for future generations. Communities in these areas are allowed to enforce their own zoning or allow another unit of government to perform this duty. In every county and township, property owners are allowed to seek variances that provide flexibility to any restrictions. The arguments that have been presented in support of this legislation are simply exaggerations. The natural rivers program respects property ownership, and invites local government to participate in the program. For these reasons, I voted no on HB 4641.”

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

“Mr. Speaker and members of the House:

I voted no on HB 4641 because it is imperative that we protect and preserve Michigan’s scenic and pristine rivers from increasing development pressures and environmental damage. These rivers and streams belong to all of the people

of the State of Michigan not just the riparian property owners and the legislature has a moral and constitutional obligation to safeguard these natural resources. The natural rivers program provides a plan for each river that is individually tailored to meet the needs of that particular watercourse. It establishes a set of consistent guidelines that is necessary because these rivers and streams traverse numerous county and township boundaries. The natural rivers program does not prevent development, it controls development in a way that protects and preserves this unique natural resource for future generations. Communities in natural river areas are allowed to enforce their own zoning or allow another unit of government to perform this duty. In every county and township, property owners are allowed to seek variances that provide flexibility to any restrictions. The current natural rivers designation and enforcement mechanism is far from perfect, but this bill goes too far. I have attempted to work with the sponsor of this legislation in order to correct its deficiencies while at the same time trying to provide counties, townships and local government a greater role in natural rivers designation process. I remain willing and ready to work on crafting a better bill. Until then we need a mechanism to protect our state's unique natural resources before it is too late."

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

"Mr. Speaker and members of the House:

I voted against HB 4641 out of a desire to protect and preserve Michigan's scenic and pristine rivers. These rivers and streams belong to us and must be preserved for all current and future generations to enjoy. The natural rivers program provides a comprehensive plan for each river that is individually tailored to meet the needs of that particular watercourse. It establishes a set of consistent guidelines that is necessary because these rivers and streams traverse numerous county and township boundaries. The natural rivers program does not prevent development, it controls development in a way that protects and preserves this unique natural resource for future generations. Communities in these areas are allowed to enforce their own zoning or allow another unit of government to perform this duty. In every county and township, property owners are allowed to seek variances that provide flexibility to any restrictions. The arguments that have been presented in support of this legislation are simply exaggerations. The natural rivers program respects property ownership, and invites local government to participate in the program. For these reasons, I voted no on HB 4641."

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

"Mr. Speaker and members of the House:

I voted against HB 4641 because it eliminates the natural rivers program that is currently in place. I feel that it is imperative that we protect and preserve Michigan's scenic and pristine rivers from increasing development pressures and environmental damage. These rivers and streams belong to all of the people of the State of Michigan not just the riparian property owners, and the legislature has a moral and constitutional obligation to safeguard these natural resources. The natural rivers program provides a comprehensive plan for each river that is individually tailored to meet the needs of that particular watercourse. It establishes a set of consistent guidelines that is necessary because these rivers and streams traverse numerous county and township boundaries. The natural rivers program does not prevent development, it controls development in a way that protects and preserves this unique natural resource for future generations. Communities in these areas are already allowed to enforce their own zoning or allow another unit of government to perform this duty. In every county and township, property owners are already allowed to seek variances that provide flexibility to any restrictions. The arguments that have been presented in support of this legislation are simply exaggerations. The natural rivers program respects property ownership and invites local government to participate in the program. HB 4641 will eliminate these protections and give unprecedented powers to certain communities over the rivers that run through other communities and risks the preservation of these rivers for all the residents of Michigan."

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

"Mr. Speaker and members of the House:

I voted against HB 4641 because it is imperative that we protect and preserve Michigan's scenic and pristine rivers from increasing development pressures and environmental damage. These rivers and streams belong to all of the people of the State of Michigan not just the riparian property owners, and the legislature has a moral and constitutional obligation to safeguard these natural resources. The natural rivers program provides a comprehensive plan for each river that is individually tailored to meet the needs of that particular watercourse. It establishes a set of consistent guidelines that is necessary because these rivers and streams traverse numerous county and township boundaries. The natural rivers program does not prevent development, it controls development in a way that protects and preserves this unique natural resource for future generations. Communities in these areas are allowed to enforce their own zoning or allow another unit of government to perform this duty. In every county and township, property owners are allowed to

seek variances that provide flexibility to any restrictions. The arguments that have been presented in support of this legislation are simply exaggerations. The natural rivers program respects property ownership, and invites local government to participate in the program. For these reasons, I voted no on HB 4641.”

### Second Reading of Bills

#### House Bill No. 4642, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 30501, 30502, and 30506 (MCL 324.30501, 324.30502, and 324.30506), as added by 1995 PA 59.

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

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

Rep. Walker 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

#### House Bill No. 4642, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 30501, 30502, and 30506 (MCL 324.30501, 324.30502, and 324.30506), as added by 1995 PA 59.

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

#### Roll Call No. 512

#### Yeas—108

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

Reps. Stewart, Pappageorge, Rick Johnson, Richardville, Bisbee, Voorhees, Julian, Hummel, Howell, Palmer, Taub, Stakoe, Garfield, Hune, Robertson, Milosch, Shaffer, Hoogendyk, Farhat and Moolenaar were named co-sponsors of the bill.

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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. Sak, Adamini, McConico, Bieda, Plakas, Dennis, Byrum, Meisner, Accavitti, Amos, Brandenburg, Clack, DeRossett, Hunter, Murphy, O'Neil, Vagnozzi, Waters and Wojno offered the following resolution:

**House Resolution No. 127.**

A resolution to memorialize the President and the Congress of the United States to enact legislation to require that all money being spent in Iraq be considered a loan that must be paid back to the American people.

Whereas, The war in Iraq and the ensuing nation-building activities represent a massive drain on the resources of the American people. The recent announcement of the need for another \$87 billion for Iraq—on top of almost that amount of money spent to date on this troubling enterprise—is focusing attention on the impact that this expenditure is having on virtually all aspects of our national economy; and

Whereas, At a time when unemployment is rising, the fabric of our social network is eroding, and state and local governments are forced to make drastic cuts across the board, our actions in spending billions of dollars per month in Iraq need to be examined critically. There needs to be a major change in our approach to this war and all costs associated with the rebuilding of Iraq. Without the reassurance that these costs will be repaid, future generations of Americans will be burdened with this debt at the expense of spending for schools, health, public safety, infrastructure needs, economic opportunity, and homeland security; and

Whereas, The enormity of the commitment in Iraq, especially with the additional spending proposed, can only be carried out by shifting resources and commitment from other areas of public spending. Critical domestic matters cannot possibly be addressed adequately as billions of dollars flow to Iraq. Recognizing this fact in legislation that assures that these billions of dollars constitute a loan that will have to be returned fully to the American people is eminently fair and overdue; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the President and the Congress of the United States to enact legislation to require that all money being spent in Iraq be considered a loan that must be paid back to the American people; and be it further

Resolved, That copies of this resolution be transmitted to the Office of the President of the United States, 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 Government Operations.

Reps. Acciavatti, Palmer, Brandenburg, Drolet, Taub, Hager, Adamini, Rocca, Gielegem, Bieda, Farhat, Accavitti, Amos, DeRossett, Ehardt, Gaffney, Kooiman, Meyer, Murphy, Pappageorge, Pastor, Shaffer, Stahl, Tobocman, Vagnozzi, Waters and Wojno offered the following resolution:

**House Resolution No. 128.**

A resolution to memorialize the Congress of the United States to enact the Great Lakes Controlled Data Collection and Monitoring Act.

Whereas, The Great Lakes constitute a critically important resource for our nation. The long-term health of this vast and complicated freshwater network is fundamental to the quality of life through its impact on public health, commerce, transportation, and recreation; and

Whereas, The ongoing challenge of protecting the Great Lakes is complicated by the many threats the lakes face, the number of units of government within its basin, and inconsistencies in how data on the water is gathered, assessed, and acted upon; and

Whereas, In spite of the efforts of many public entities committed to protecting the Great Lakes, there is insufficient and inconsistent data on the impact that restoration efforts are having on water quality. The lack of data was confirmed by the General Accounting Office in a May 2003 report. Without reliable information, it is impossible to determine to what extent the Great Lakes Water Quality Agreement between our nation and Canada is progressing or whether federal and state water quality standards and programs are effective; and

Whereas, Legislation is pending in Congress that would directly address the issue of how data on the Great Lakes is collected and assessed. The Great Lakes Controlled Data Collection and Monitoring Act, H.R. 2668, would direct the Great Lakes National Program Office of the Environmental Protection Agency to develop, implement, monitor, and report on indicators of water quality and related environmental factors in the Great Lakes. The legislation also authorizes appropriations to carry out this much-needed work; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to enact the Great Lakes Controlled Data Collection and Monitoring Act; 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 Great Lakes and Tourism.

Reps. Acciavatti, Hager, Gielegem, Brandenburg, Palmer, Bieda, Farhat, Accavitti, Amos, DeRossett, Ehardt, Gaffney, Garfield, Hunter, Kooiman, Meyer, Murphy, Pappageorge, Pastor, Rocca, Sak, Shaffer, Stahl, Stakoe, Tobocman, Vagnozzi, Waters, Wojno and Woronchak offered the following resolution:

**House Resolution No. 129.**

A resolution calling for environmental officials of Canada, the United States, Michigan, and Ontario to develop stronger safeguards for notifications when spills of toxic materials occur.

Whereas, Over the years, Michigan and Ontario have developed procedures to provide notification when spills of harmful material take place that could impact people living across the border. Recent events along the St. Clair River have called into serious question the effectiveness of those procedures; and

Whereas, During the August 14<sup>th</sup> electricity power failure, hundreds of pounds of vinyl chloride were accidentally released into the river by an Ontario plastics company. This highly dangerous substance, which causes liver and other cancers, was released over a three-day period. By the day after the power failure, August 15<sup>th</sup>, people in Michigan living along the river were already exhibiting significant symptoms of illness, apparently from drinking water contaminated by the vinyl chloride; and

Whereas, In spite of the notification procedures that were established to prevent such problems, notification to citizens in the affected area was not made until August 19<sup>th</sup>. Clearly, the system in place failed; and

Whereas, Concerns over how to deal with toxic spills have been articulated before. The Great Lakes Conservation Task Force specifically took note of inconsistencies within the Great Lakes basin and called for binational efforts to better coordinate approaches to contamination through the use of uniform thresholds, better detection technology, and a stronger partnership; and

Whereas, It is incumbent upon Michigan and Ontario environmental officials to reexamine policies that have proven to be ineffective and to modify procedures to ensure a better response to a spill of harmful materials; now, therefore, be it

Resolved by the House of Representatives, That we urge the Canadian Minister of the Environment, the United States Environmental Protection Agency Administrator, the U.S. Coast Guard, and Michigan and Ontario environmental officials to develop stronger safeguards for notifications when spills of toxic materials occur; and be it further

Resolved, That copies of this resolution be transmitted to the Canadian Minister of the Environment, Administrator of the United States Environmental Protection Agency, U.S. Coast Guard, Michigan State Police Emergency Management Division, Office of the Great Lakes, Michigan Department of Environmental Quality, and Ontario Ministry of the Environment.

The resolution was referred to the Committee on Great Lakes and Tourism.

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

Rep. Shackleton offered the following concurrent resolution:

**House Concurrent Resolution No. 28.**

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Lake Superior State University relative to the Lake Superior State University Arts Classroom Building.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the Board of Trustees of Lake Superior State University (the "Educational Institution"), the State Administrative Board, and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house,

with the votes and names of the members voting thereon entered in the journal, before land owned by the Educational Institution may be conveyed to the State Building Authority (the "Authority"); and

Whereas, The site for the Arts Classroom Building (the "Facility") is currently owned by the Educational Institution; and

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

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

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

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

Resolved by the House of Representatives (the Senate concurring), That the Total Facility Cost for the Lake Superior State University Arts Classroom Building shall not exceed \$15,300,000 (the Authority share is \$11,474,800, the State General Fund/General Purpose share is \$200, and the Educational Institution share is \$3,825,000), plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$11,474,800, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

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

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

Resolved, That the annual amounts of "True Rental" for the Facility shall be within or below the range of \$875,000 and \$1,150,000, as shall reflect variations that may occur in the components upon which the appraisal of True Rental was based, which amounts shall be certified by the appraiser and thereafter approved by the State Administrative Board and the Authority as authorized by 1964 PA 183, as amended; and be it further

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

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

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

The concurrent resolution was referred to the Committee on Appropriations.

### Reports of Standing Committees

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

#### House Bill No. 4655, entitled

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

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, Ruth Johnson, Rocca, Hart, Woronchak, Robertson, Gaffney, Hune, Ward, Adamini, Wojno, O'Neil, Gillard and Clack

Nays: None

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

**House Bill No. 4656, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 430 (MCL 750.430), as amended by 2002 PA 672.

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. Ehardt, Vander Veen, Ruth Johnson, Rocca, Hart, Woronchak, Van Regenmorter, 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, September 30, 2003, at 10:30 a.m.

Present: Reps. Ehardt, Vander Veen, Ruth Johnson, Rocca, Hart, Woronchak, Van Regenmorter, Robertson, Gaffney, Hune, Ward, Adamini, Wojno, Hardman, O'Neil, Gillard and Clack

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

**House Bill No. 4045, entitled**

A bill to amend 1959 PA 243, entitled "An act to define, license and regulate trailer coach parks; to prescribe the powers and duties of the state health commissioner and other state and local officers; to provide for the levy and collection of specific taxes on occupied trailers in trailer coach parks and the disposition of the revenues therefrom; to provide remedies and penalties for the violation of this act; and to repeal certain acts and parts of acts," by amending sections 41 and 42 (MCL 125.1041 and 125.1042), section 42 as amended by 1994 PA 365.

The committee recommended that the bill be referred to the Committee on Local Government and Urban Policy.

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

The recommendation was concurred in and the bill was referred to the Committee on Local Government and Urban Policy.

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

**House Bill No. 4046, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 25 (MCL 205.75), as amended by 1993 PA 325.

The committee recommended that the bill be referred to the Committee on Local Government and Urban Policy.

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

The recommendation was concurred in and the bill was referred to the Committee on Local Government and Urban Policy.

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

**House Bill No. 4106, entitled**

A bill to amend 1987 PA 96, entitled "The mobile home commission act," by amending the title and sections 30c and 30g (MCL 125.2330c and 125.2330g) and by adding section 30i.

The committee recommended that the bill be referred to the Committee on Local Government and Urban Policy.

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

The recommendation was concurred in and the bill was referred to the Committee on Local Government and Urban Policy.

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

**House Bill No. 4107, entitled**

A bill to provide for the exemption of certain manufactured housing property from certain taxes; to levy and collect a specific tax upon the owners of certain manufactured housing property; to provide for the disposition of the specific tax; to prescribe the powers and duties of certain local government officials; to provide penalties; and to repeal acts and parts of acts.

The committee recommended that the bill be referred to the Committee on Local Government and Urban Policy.

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

The recommendation was concurred in and the bill was referred to the Committee on Local Government and Urban Policy.

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

**House Bill No. 4108, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 4bb.

The committee recommended that the bill be referred to the Committee on Local Government and Urban Policy.

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

The recommendation was concurred in and the bill was referred to the Committee on Local Government and Urban Policy.

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

**House Bill No. 4109, entitled**

A bill to amend 1987 PA 96, entitled "The mobile home commission act," by amending section 45 (MCL 125.2345).

The committee recommended that the bill be referred to the Committee on Local Government and Urban Policy.

## 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

The recommendation was concurred in and the bill was referred to the Committee on Local Government and Urban Policy.

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

**House Bill No. 4110, entitled**

A bill to amend 1987 PA 96, entitled "The mobile home commission act," (MCL 125.2301 to 125.2349) by adding section 7a.

The committee recommended that the bill be referred to the Committee on Local Government and Urban Policy.

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Bisbee, DeRoche, Howell, Koetje, Middaugh, Drolet, Palmer, Huizenga, Hune, Milosch, Palsrok, Wenke, Rivet, Lipsey, Tobocman and Accavitti

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Local Government and Urban Policy.

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

**House Bill No. 4111, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 2a (MCL 211.2a), as amended by 1982 PA 539.

The committee recommended that the bill be referred to the Committee on Local Government and Urban Policy.

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Bisbee, DeRoche, Howell, Koetje, Middaugh, Drolet, Palmer, Huizenga, Hune, Milosch, Palsrok, Wenke, Rivet, Lipsey, Tobocman and Accavitti

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Local Government and Urban Policy.

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

**House Bill No. 4112, entitled**

A bill to amend 1987 PA 96, entitled "The mobile home commission act," by amending section 3 (MCL 125.2303).

The committee recommended that the bill be referred to the Committee on Local Government and Urban Policy.

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Bisbee, DeRoche, Howell, Koetje, Middaugh, Drolet, Palmer, Huizenga, Hune, Milosch, Palsrok, Wenke, Rivet, Lipsey, Tobocman and Accavitti

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Local Government and Urban Policy.

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

**House Bill No. 4113, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 4704, 5714, 5771, 5773, 5775, 5777, 5779, 5781, 5783, and 5785 (MCL 600.4704, 600.5714, 600.5771, 600.5773, 600.5775, 600.5777, 600.5779, 600.5781, 600.5783, and 600.5785), section 4704 as added by 1988 PA 104, section 5714 as amended by 1990 PA 310, and sections 5771, 5773, 5775, 5777, 5779, 5781, 5783, and 5785 as added by 1988 PA 336.

The committee recommended that the bill be referred to the Committee on Local Government and Urban Policy.

Favorable Roll Call

To Report Out:

Yeas: Reps. Bisbee, DeRoche, Howell, Koetje, Middaugh, Drolet, Palmer, Huizenga, Hune, Milosch, Palsrok, Wenke, Rivet, Lipsey, Tobocman and Accavitti

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Local Government and Urban Policy.

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

**House Bill No. 4121, entitled**

A bill to amend 1987 PA 96, entitled "The mobile home commission act," by amending the title and sections 1, 2, 3, 4, 5, 6, 7, 11, 12, 13, 14, 16, 16a, 17, 18, 21, 22, 23, 24, 25, 27, 28, 28a, 28b, 28c, 29, 30, 30a, 30b, 30c, 30d, 30e, 30f, 30g, 30h, 31, 38, 43, and 45 (MCL 125.2301, 125.2302, 125.2303, 125.2304, 125.2305, 125.2306, 125.2307, 125.2311, 125.2312, 125.2313, 125.2314, 125.2316, 125.2316a, 125.2317, 125.2318, 125.2321, 125.2322, 125.2323, 125.2324, 125.2325, 125.2327, 125.2328, 125.2328a, 125.2328b, 125.2328c, 125.2329, 125.2330, 125.2330a, 125.2330b, 125.2330c, 125.2330d, 125.2330e, 125.2330f, 125.2330g, 125.2330h, 125.2331, 125.2338, 125.2343, and 125.2345), section 28 as amended by 1993 PA 241 and sections 28a, 28b, 28c, and 43 as added and section 38 as amended by 1988 PA 337; and to repeal acts and parts of acts.

The committee recommended that the bill be referred to the Committee on Local Government and Urban Policy.

Favorable Roll Call

To Report Out:

Yeas: Reps. Bisbee, DeRoche, Howell, Koetje, Middaugh, Drolet, Palmer, Huizenga, Hune, Milosch, Palsrok, Wenke, Rivet, Lipsey, Tobocman and Accavitti

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Local Government and Urban Policy.

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

**House Bill No. 4205, entitled**

A bill to amend 1937 PA 94, entitled "Use tax act," by amending sections 3 and 4g (MCL 205.93 and 205.94g), section 3 as amended by 2002 PA 669 and section 4g as added by 1985 PA 66, and by adding section 4w.

The committee recommended that the bill be referred to the Committee on Local Government and Urban Policy.

Favorable Roll Call

To Report Out:

Yeas: Reps. Bisbee, DeRoche, Howell, Koetje, Middaugh, Drolet, Palmer, Huizenga, Hune, Milosch, Palsrok, Wenke, Rivet, Lipsey, Tobocman and Accavitti

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Local Government and Urban Policy.

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

**House Bill No. 4639, entitled**

A bill to amend 1987 PA 96, entitled "The mobile home commission act," (MCL 125.2301 to 125.2349) by adding section 30i.

The committee recommended that the bill be referred to the Committee on Local Government and Urban Policy.

Favorable Roll Call

To Report Out:

Yeas: Reps. Bisbee, DeRoche, Howell, Koetje, Middaugh, Drolet, Palmer, Huizenga, Hune, Milosch, Palsrok, Wenke, Rivet, Lipsey, Tobocman and Accavitti

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Local Government and Urban Policy.

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

**House Bill No. 4647, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending sections 2a and 34c (MCL 211.2a and 211.34c), section 2a as amended by 1982 PA 539 and section 34c as amended by 2000 PA 415.

The committee recommended that the bill be referred to the Committee on Local Government and Urban Policy.

Favorable Roll Call

To Report Out:

Yeas: Reps. Bisbee, DeRoche, Howell, Koetje, Middaugh, Drolet, Palmer, Huizenga, Hune, Milosch, Palsrok, Wenke, Rivet, Lipsey, Tobocman and Accavitti

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Local Government and Urban Policy.

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

**House Bill No. 4648, entitled**

A bill to amend 1959 PA 243, entitled "An act to define, license and regulate trailer coach parks; to prescribe the powers and duties of the state health commissioner and other state and local officers; to provide for the levy and collection of specific taxes on occupied trailers in trailer coach parks and the disposition of the revenues therefrom; to provide remedies and penalties for the violation of this act; and to repeal certain acts and parts of acts," by amending the title and section 41 (MCL 125.1041).

The committee recommended that the bill be referred to the Committee on Local Government and Urban Policy.

Favorable Roll Call

To Report Out:

Yeas: Reps. Bisbee, DeRoche, Howell, Koetje, Middaugh, Drolet, Palmer, Huizenga, Hune, Milosch, Palsrok, Wenke, Rivet, Lipsey, Tobocman and Accavitti

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Local Government and Urban Policy.

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

**House Bill No. 4868, entitled**

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

The committee recommended that the bill be referred to the Committee on Local Government and Urban Policy.



## 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

The recommendation was concurred in and the bill was referred to the Committee on Local Government and Urban Policy.

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

**House Bill No. 4869, entitled**

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

The committee recommended that the bill be referred to the Committee on Local Government and Urban Policy.

## 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

The recommendation was concurred in and the bill was referred to the Committee on Local Government and Urban Policy.

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

**House Bill No. 4877, entitled**

A bill to amend 1987 PA 96, entitled "The mobile home commission act," (MCL 125.2301 to 125.2349) by adding section 7a.

The committee recommended that the bill be referred to the Committee on Local Government and Urban Policy.

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Bisbee, DeRoche, Howell, Koetje, Middaugh, Drolet, Palmer, Huizenga, Hune, Milosch, Palsrok, Wenke, Rivet, Lipsey, Tobocman and Accavitti

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Local Government and Urban Policy.

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

**House Bill No. 4878, entitled**

A bill to amend 1987 PA 96, entitled "The mobile home commission act," by amending section 3 (MCL 125.2303).

The committee recommended that the bill be referred to the Committee on Local Government and Urban Policy.

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Bisbee, DeRoche, Howell, Koetje, Middaugh, Drolet, Palmer, Huizenga, Hune, Milosch, Palsrok, Wenke, Rivet, Lipsey, Tobocman and Accavitti

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Local Government and Urban Policy.

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

**House Bill No. 4880, entitled**

A bill to provide for the exemption of certain manufactured housing property from certain taxes; to levy and collect a specific tax upon the owners of certain manufactured housing property; to provide for the disposition of the specific tax; to prescribe the powers and duties of certain local government officials; to provide penalties; and to repeal acts and parts of acts.

The committee recommended that the bill be referred to the Committee on Local Government and Urban Policy.

Favorable Roll Call

To Report Out:

Yeas: Reps. Bisbee, DeRoche, Howell, Koetje, Middaugh, Drolet, Palmer, Huizenga, Hune, Milosch, Palsrok, Wenke, Rivet, Lipsey, Tobocman and Accavitti

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Local Government and Urban Policy.

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

**House Bill No. 4881, entitled**

A bill to amend 1987 PA 96, entitled "The mobile home commission act," by amending section 45 (MCL 125.2345).

The committee recommended that the bill be referred to the Committee on Local Government and Urban Policy.

Favorable Roll Call

To Report Out:

Yeas: Reps. Bisbee, DeRoche, Howell, Koetje, Middaugh, Drolet, Palmer, Huizenga, Hune, Milosch, Palsrok, Wenke, Rivet, Lipsey, Tobocman and Accavitti

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Local Government and Urban Policy.

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

**House Bill No. 4882, entitled**

A bill to amend 1937 PA 94, entitled "Use tax act," by amending sections 3 and 4g (MCL 205.93 and 205.94g), section 3 as amended by 2002 PA 669 and section 4g as added by 1985 PA 66, and by adding section 4w.

The committee recommended that the bill be referred to the Committee on Local Government and Urban Policy.

Favorable Roll Call

To Report Out:

Yeas: Reps. Bisbee, DeRoche, Howell, Koetje, Middaugh, Drolet, Palmer, Huizenga, Hune, Milosch, Palsrok, Wenke, Rivet, Lipsey, Tobocman and Accavitti

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Local Government and Urban Policy.

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

**House Bill No. 5038, entitled**

A bill to amend 1980 PA 450, entitled "The tax increment finance authority act," by amending section 1 (MCL 125.1801), as amended by 1998 PA 499.

The committee recommended that the bill be referred to the Committee on Local Government and Urban Policy.

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Bisbee, DeRoche, Howell, Koetje, Middaugh, Drolet, Palmer, Huizenga, Hune, Milosch, Palsrok, Wenke, Rivet, Lipsey, Tobocman and Accavitti

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Local Government and Urban Policy.

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

**Senate Concurrent Resolution No. 33.**

A concurrent resolution to disapprove Executive Reorganization Order 2003-14 pertaining to the creation of the Department of Labor and Economic Growth, the renaming of the Department of Consumer and Industry Services, the abolishment of the Department of Career Development, and the transfer of various powers, duties, functions, and responsibilities between the Department of Consumer and Industry Services and the Department of Community Health, the Department of Environmental Quality, the Department of Management and Budget, the Department of State Police, the Department of Transportation, the Department of Treasury, and the Family Independence Agency.

(For text of concurrent resolution, see House Journal No. 66, p. 1743.)

With the recommendation that the concurrent resolution be adopted.

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

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Bisbee, DeRoche, Howell, Koetje, Middaugh, Drolet, Palmer, Huizenga, Hune, Milosch, Palsrok and Wenke

Nays: Reps. Rivet, O'Neil, McConico, Lipsey, Murphy, Tobocman and Accavitti

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, September 30, 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 Local Government and Urban Policy, by Rep. Ward, Chair, reported

**House Bill No. 4950, entitled**

A bill to amend 1947 PA 359, entitled "The charter township act," by amending section 10 (MCL 42.10).

With the recommendation that the substitute (H-3) 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, Drolet, Stakoe, Wenke, Jamnick and Tobocman

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, September 30, 2003, at 9:00 a.m.

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

Absent: Rep. Hardman

Excused: Rep. Hardman

### 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: Tuesday, September 30, 2003, at 9:00 a.m.

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

Absent: Rep. Pappageorge

Excused: Rep. Pappageorge

### 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, September 30, 2003, at 10:30 a.m.

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

### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, September 30, 2003, at 10:30 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, Reeves, Williams, Cheeks, Hunter, Paletko, Sak and Zelenko

Absent: Rep. Plakas

Excused: Rep. Plakas

### 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 Wednesday, September 24:

**Senate Bill Nos. 713 714 715 716 717 718 719 720 721 722 723 724 725**

The Clerk announced that the following bills and joint resolution had been printed and placed upon the files of the members on Friday, September 26:

**House Bill Nos. 5067 5068 5069 5070 5071 5072 5073 5074 5075 5076 5077 5078 5079 5080  
5081 5082 5083 5084 5085 5086 5087**

**House Joint Resolution M**

### Communications from State Officers

The following communication from the Auditor General was received and read:

September 25, 2003

Enclosed is a copy of the following audit report and/or report summary:

Performance Audit of the  
Office of Audit, Internal Affairs, and Litigation  
Department of Corrections  
September 2003

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

The communication was referred to the Clerk and the accompanying report referred to the Committee on Government Operations.

**Introduction of Bills**

Reps. Hoogendyk, Sheen, Voorhees, Pastor, Hager, Steil, Drolet, Stahl, Huizenga, Brandenburg, Middaugh, Acciavatti and Milosch introduced

**House Bill No. 5088, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 270.

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

Reps. Acciavatti, Hoogendyk, Spade, Pastor, LaJoy, Stahl, Brandenburg, Gaffney, Palmer, Milosch, DeRossett, Shulman, Kooiman, Emmons, Tabor, Casperson, Bradstreet, Hune, Hummel, Drolet, Meyer, Farhat, Newell, Stakoe, Mortimer, Caswell, Nitz, Bisbee, Nofs, Walker, Wenke, Vander Veen, Sheen, Ehardt, Ward, Palsrok, Huizenga, Amos, Howell, Garfield, Pumford, Daniels, Brown, Rivet, Sak, Farrah, Clack, Vagnozzi, Bieda, Gleason, Hager, Plakas, Accavitti, Anderson, Gielegem, Adamini, Woodward, Rocca, Wojno and Julian introduced

**House Bill No. 5089, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 627 (MCL 257.627), as amended by 1990 PA 165, and by adding section 79d.

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

Reps. Farrah, Dennis, McConico, Bieda, Woodward, Plakas, Gleason, Anderson, Stallworth, Vagnozzi, Meisner, Condino, Paletko, Clack, Law, Minore, Byrum, O'Neil, Tobocman, Lipsey, Jamnick and Elkins introduced

**House Bill No. 5090, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 14513 (MCL 324.14513), as added by 1998 PA 289.

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

Reps. Dennis, Farrah, Murphy, Woodward, Sak, Gleason, Zelenko, Bieda, Vagnozzi, Meisner, Paletko, Condino, Clack, Law, Minore, Byrum, O'Neil, Plakas, Tobocman, Lipsey, Jamnick and Elkins introduced

**House Bill No. 5091, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 14501 (MCL 324.14501), as amended by 1998 PA 289, and by adding section 14514.

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

Reps. LaSata, Middaugh, Ruth Johnson and Spade introduced

**House Bill No. 5092, entitled**

A bill to amend 1977 PA 89, entitled "State aid to public libraries act," by amending section 13 (MCL 397.563).

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

Reps. Condino, Law, Spade, Rivet, Byrum, Meisner, Hood, Bieda, Anderson, Plakas, Wojno, Sak, Farrah, Stewart, Clack and Accavitti introduced

**House Bill No. 5093, entitled**

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending section 33 (MCL 38.33), as amended by 2002 PA 93.

The bill was read a first time by its title and referred to the Committee on Senior Health, Security and Retirement.

Reps. Murphy, Williams, Minore, Accavitti, Rivet, Brown, Lipsey, Whitmer, Tobocman, Meisner, Dennis, Hopgood, Stallworth, Sheen, Tabor, Paletko, Wojno, Plakas, Byrum, Kolb, Ehardt, Sak and Hardman introduced

**House Bill No. 5094, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 613a (MCL 257.613a).

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

Rep. Tobocman introduced

**House Bill No. 5095, entitled**

A bill to require that state universities classify certain aliens as residents of this state for purposes of charging tuition.

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

Rep. Tobocman introduced

**House Bill No. 5096, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1153 and 1155 (MCL 380.1153 and 380.1155), as amended by 1995 PA 289, and by adding sections 1154, 1156, and 1158.

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

Rep. Tobocman introduced

**House Bill No. 5097, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 8701 and 8801 (MCL 600.8701 and 600.8801), section 8701 as added by 1994 PA 12 and section 8801 as amended by 2000 PA 80.

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

Reps. Milosch, Stahl, Tabor, Robertson, Pastor and LaJoy introduced

**House Bill No. 5098, entitled**

A bill to amend 1959 PA 243, entitled "An act to define, license and regulate trailer coach parks; to prescribe the powers and duties of the state health commissioner and other state and local officers; to provide for the levy and collection of specific taxes on occupied trailers in trailer coach parks and the disposition of the revenues therefrom; to provide remedies and penalties for the violation of this act; and to repeal certain acts and parts of acts," by amending the title and sections 35 and 41 (MCL 125.1035 and 125.1041); 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. Milosch, Stahl, Tabor, Pastor, LaJoy and Ward introduced

**House Bill No. 5099, entitled**

A bill to amend 1987 PA 96, entitled "The mobile home commission act," by amending the title and sections 30c and 30g (MCL 125.2330c and 125.2330g) and by adding section 30j.

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

Reps. Milosch, Stahl, Tabor, Pastor, LaJoy and Ward introduced

**House Bill No. 5100, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending sections 2a and 34c (MCL 211.2a and 211.34c), section 2a as amended by 1982 PA 539 and section 34c as amended by 2002 PA 620; 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. Amos, Pastor, Rocca, Ward, Stakoe, Nofs, Voorhees, Vander Veen and Taub introduced

**House Bill No. 5101, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 320a (MCL 257.320a), as amended by 2003 PA 61.

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

Reps. Pastor, Hoogendyk, Nitz, Stahl, LaJoy, Casperson, Taub, Amos, Pappageorge, Acciavatti, Palmer, Drolet, Kooiman, Vander Veen and Farhat introduced

**House Bill No. 5102, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 1606a.

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

Reps. Pastor, Hoogendyk, Stahl, LaJoy, Casperson, Taub, Amos, Pappageorge, Palmer, Drolet, Milosch, Nitz, Acciavatti, Vander Veen and Farhat introduced

**House Bill No. 5103, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 11511, 11516, and 30307 (MCL 324.11511, 324.11516, and 324.30307), section 11511 as amended by 1996 PA 358, section 11516 as amended by 2003 PA 153, and section 30307 as amended by 1998 PA 228, and by adding sections 1301 and 1311.

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

Reps. Stallworth, Hardman, Ehardt, Richardville, Woodward, Woronchak, Gaffney, Waters, Jamnick, Paletko, Plakas, Phillips, Tobocman, Farrah and McConico introduced

**House Joint Resolution N, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 54 of article IV, to modify term limits for certain elected state offices.

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

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Rep. Paletko moved that the House adjourn.  
The motion prevailed, the time being 3:30 p.m.

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

GARY L. RANDALL  
Clerk of the House of Representatives

