

No. 12
STATE OF MICHIGAN
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House Chamber, Lansing, Thursday, February 12, 2004.

10:00 a.m.

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

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

Accavitti—present	Garfield—excused	Meisner—present	Sheen—present
Acciavatti—present	Gieleghem—present	Meyer—present	Sheltrown—present
Adamini—present	Gillard—present	Middaugh—present	Shulman—present
Amos—present	Gleason—present	Milosch—present	Smith—present
Anderson—present	Hager—present	Minore—e/d/s	Spade—present
Bieda—present	Hardman—present	Moolenaar—present	Stahl—present
Bisbee—present	Hart—excused	Mortimer—present	Stakoe—present
Bradstreet—present	Hood—present	Murphy—present	Stallworth—present
Brandenburg—present	Hoogendyk—present	Newell—present	Steil—present
Brown—present	Hopgood—present	Nitz—present	Stewart—present
Byrum—present	Howell—present	Nofs—present	Tabor—present
Casperson—present	Huizenga—present	O’Neil—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—e/d/s	Voorhees—present
Daniels—present	Johnson, Ruth—present	Plakas—present	Walker—present
Dennis—excused	Julian—present	Pumford—present	Ward—present
DeRoche—present	Koetje—present	Reeves—present	Waters—present
DeRossett—present	Kolb—present	Richardville—present	Wenke—e/d/s
Drolet—present	Kooiman—present	Rivet—present	Whitmer—present
Ehardt—excused	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—e/d/s
Farrah—present	McConico—present	Shaffer—present	Zelenko—present
Gaffney—present			

e/d/s = entered during session

Rep. Lauren M. Hager, from the 81st District, offered the following invocation:

“Our Father in heaven, what a great privilege it is to be used of You in this way here in the state legislature in the great state of Michigan. Father, as we deliberate today, help us to keep mindful of the needs of others. Help us be mindful of the great commission that You have given to each and every one of us. Bless us now that we may do the work of the state that would in the final analysis, honor You. For it’s in Jesus’ name, we pray. Amen.”

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

Rep. Palmer moved that Reps. Ehardt, Garfield and Hart be excused from today’s session.
The motion prevailed.

Second Reading of Bills

Senate Bill No. 512, entitled

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

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

The substitute (H-2) was not adopted, a majority of the members serving not voting therefor.

Rep. Accavitti moved to substitute (H-3) the bill.

The motion prevailed and the substitute (H-3) was adopted, a majority of the members serving voting therefor.

Reps. Palsrok and Accavitti moved to amend the bill as follows:

1. Amend page 3, line 12, after “(f)” by striking out “**Cemetary**” and inserting “**Cemetery**”.
2. Amend page 16, line 2, after “**April 1**” by striking out “**of each year**” and inserting a comma and “**2006 and each year thereafter**”.
3. Amend page 25, line 9, after “**income**” by inserting “**generated solely by the investment of funds received for the cemetery merchandise**”.
4. Amend page 30, line 8, after “**where**” by striking out “**there is**” and inserting “**a prepaid contract was not utilized due to**”.

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 512, entitled

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

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

Roll Call No. 43

Yeas—99

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

Nays—2

Drolet	Hoogendyk
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In The Chair: Julian

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

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

A bill to amend 1986 PA 255, entitled “An act to regulate the sale and providing of certain funeral goods or funeral services; to regulate the use of funds received by sellers and providers of funeral goods or services; to prescribe powers and duties of the departments of licensing and regulation, mental health, and social services and certain other state and local officers; to provide for the promulgation of rules and establishment of fees; and to provide certain penalties and remedies,” by amending the title and sections 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16, 18, 19, 20, 21, 22, 23, and 24 (MCL 328.211, 328.213, 328.214, 328.215, 328.216, 328.217, 328.218, 328.219, 328.220, 328.221, 328.222, 328.223, 328.225, 328.226, 328.228, 328.229, 328.230, 328.231, 328.232, 328.233, and 328.234), section 19 as amended by 2002 PA 325.

The motion prevailed.

The House agreed to the title as amended.

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

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

Reps. Woronchak and Wenke entered the House Chambers.

Second Reading of Bills

Senate Bill No. 513, entitled

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

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

The substitute (H-1) was not adopted, a majority of the members serving not voting therefor.

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

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 513, entitled

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

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

Roll Call No. 44

Yeas—101

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

Nays—2

Drolet

Hoogendyk

In The Chair: Julian

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

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

A bill to amend 1968 PA 251, entitled "An act to regulate the creation and management of cemeteries; to regulate the sale of cemetery services and merchandise; to provide for a cemetery commissioner, and to prescribe the powers and duties of the commissioner; to require the registration and audit of cemeteries; to regulate persons selling burial, entombment, or columbarium rights, cemetery services, or cemetery merchandise; and to prescribe penalties," by amending the title and sections 2, 8, 9, 10, 12, 12a, 13, 15, 16, 18, 19, and 21 (MCL 456.522, 456.528, 456.529, 456.530, 456.532, 456.532a, 456.533, 456.535, 456.536, 456.538, 456.539, and 456.541), the title and sections 2, 8, 12, 12a, 13, 15, 18, 19, and 21 as amended by 1982 PA 132, section 9 as amended by 2003 PA 289, section 10 as amended by 1982 PA 289, and section 16 as amended by 2003 PA 89, and by adding section 16a.

The motion prevailed.

The House agreed to the title as amended.

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

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

Second Reading of Bills**Senate Bill No. 785, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 217d, 801, 811d, 811e, 811f, 811g, 811h, 811i, 811j, 811k, 811l, and 811n (MCL 257.217d, 257.801, 257.811d, 257.811e, 257.811f, 257.811g, 257.811h, 257.811i, 257.811j, 257.811k, 257.811l, and 257.811n), sections 217d, 801, and 811h as amended by 2003 PA 152, sections 811d, 811f, and 811g as added by 2000 PA 77, section 811e as amended by 2001 PA 124, section 811i as added by 2000 PA 74, section 811j as added by 2000 PA 71, section 811k as added by 2000 PA 73, section 811l as added by 2000 PA 70, and section 811n as added by 2000 PA 79, and by adding sections 811m, 811o, and 811p; and to repeal acts and parts of acts.

Was read a second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Transportation,

The substitute (H-3) was not adopted, a majority of the members serving not voting therefor.

Rep. Hunter moved to substitute (H-4) the bill.

The motion did not prevail and the substitute (H-4) was not adopted, a majority of the members serving not voting therefor.

Rep. DeRossett moved to substitute (H-6) the bill.

The motion prevailed and the substitute (H-6) was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

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

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

Reps. Minore and Phillips entered the House Chambers.

Rep. Hood moved that Rep. Smith be excused temporarily from today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 785, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 217d, 801, 811d, 811e, 811f, 811g, 811h, 811i, 811j, 811k, 811l, and 811n (MCL 257.217d, 257.801, 257.811d, 257.811e, 257.811f, 257.811g, 257.811h, 257.811i, 257.811j, 257.811k, 257.811l, and 257.811n), sections 217d, 801, and 811h as amended by 2003 PA 152, sections 811d, 811f, and 811g as added by 2000 PA 77, section 811e as amended by 2001 PA 124, section 811i as added by 2000 PA 74, section 811j as added by 2000 PA 71, section 811k as added by 2000 PA 73, section 811l as added by 2000 PA 70, and section 811n as added by 2000 PA 79, and by adding sections 811m, 811o, and 811p; and to repeal acts and parts of acts.

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

Roll Call No. 45

Yeas—67

Acciavatti	Gaffney	Milosch	Sheen
Amos	Gleason	Moolenaar	Shulman
Anderson	Hager	Newell	Spade
Bisbee	Hoogendyk	Nitz	Stahl
Bradstreet	Howell	Nofs	Stakoe
Brandenburg	Huizenga	O'Neil	Steil
Brown	Hummel	Palmer	Stewart
Casperson	Johnson, Rick	Palsrok	Tabor
Caswell	Johnson, Ruth	Pappageorge	Taub
Caul	Julian	Pastor	Van Regenmorter
DeRoche	Koetje	Pumford	Vander Veen
DeRossett	Kooiman	Richardville	Voorhees
Drolet	LaJoy	Robertson	Walker
Elkins	LaSata	Rocca	Ward
Emmons	Law	Sak	Wenke
Farhat	Meyer	Shackleton	Woronchak
Farrah	Middaugh	Shaffer	

Nays—36

Accavitti	Gillard	Meisner	Stallworth
Adamini	Hardman	Minore	Tobocman
Bieda	Hood	Mortimer	Vagnozzi
Byrum	Hopgood	Murphy	Waters
Cheeks	Hune	Phillips	Whitmer
Clack	Jamnick	Plakas	Williams
Condino	Kolb	Reeves	Wojno
Daniels	Lipsey	Rivet	Woodward
Gielegem	McConico	Sheltrown	Zelenko

In The Chair: Julian

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

"An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and

operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date.”

The House agreed to the full title.

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

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

Second Reading of Bills

House Bill No. 5479, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 8142 (MCL 600.8142).

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5479, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 8142 (MCL 600.8142).

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

Roll Call No. 46

Yeas—104

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

Farhat
Farrah
Gaffney

Lipsey
McConico
Meisner

Sak
Shackleton
Shaffer

Woodward
Woronchak
Zelenko

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Reps. Stewart, Rick Johnson, DeRossett, Richardville, Bisbee, Accavitti, Sak, Elkins and Moolenaar were named co-sponsors of the bill.

Second Reading of Bills

House Bill No. 5480, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 549g (MCL 600.549g), as added by 1981 PA 182.

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5480, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 549g (MCL 600.549g), as added by 1981 PA 182.

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

Roll Call No. 47

Yeas—104

Accavitti
Acciavatti
Adamini
Amos
Anderson
Bieda
Bisbee
Bradstreet
Brandenburg
Brown
Byrum
Casperson
Caswell
Caul
Cheeks
Clack
Condino
Daniels
DeRoche
DeRossett

Gielegem
Gillard
Gleason
Hager
Hardman
Hood
Hoogendyk
Hopgood
Howell
Huizenga
Hummel
Hune
Hunter
Jamnick
Johnson, Rick
Johnson, Ruth
Julian
Koetje
Kolb
Kooiman

Meyer
Middaugh
Milosch
Minore
Moolenaar
Mortimer
Murphy
Newell
Nitz
Nofs
O'Neil
Palmer
Palsrok
Pappageorge
Pastor
Phillips
Plakas
Pumford
Reeves
Richardville

Sheen
Sheltrown
Shulman
Spade
Stahl
Stakoe
Stallworth
Steil
Stewart
Tabor
Taub
Tobocman
Vagnozzi
Van Regenmorter
Vander Veen
Voorhees
Walker
Ward
Waters
Wenke

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

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Reps. Jamnick, Richardville, Bisbee, Accavitti, Elkins and Moolenaar were named co-sponsors of the bill.

Second Reading of Bills**House Bill No. 5105, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 529, 529a, and 530 (MCL 750.529, 750.529a, and 750.530), section 529a as added by 1994 PA 191.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Criminal Justice (for amendment, see House Journal No. 8, p. 87),

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills**House Bill No. 5105, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 529, 529a, and 530 (MCL 750.529, 750.529a, and 750.530), section 529a as added by 1994 PA 191.

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

Roll Call No. 48**Yeas—104**

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

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

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Second Reading of Bills

Senate Bill No. 637, entitled

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

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

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

Rep. Van Regenmorter moved to substitute (H-2) the bill.

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

Rep. Stakoe moved to amend the bill as follows:

1. Amend page 2, line 13, after “**probation**” by inserting a comma and “**failed to successfully complete any treatment, screening, or community service ordered by the court, or failed to pay any fine**”.

2. Amend page 3, line 1, after “**probation**” by inserting a comma and “**failed to successfully complete any treatment, screening, or community service ordered by the court, or failed to pay any fine**”.

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 637, entitled

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

The bill was read a third time.

The question being on the passage of the bill,

Rep. Richardville moved that consideration of the bill be postponed for the day.

The motion prevailed.

Second Reading of Bills

House Bill No. 4317, entitled

A bill to amend 1846 RS 2, entitled "Of the legislature," by amending section 4 (MCL 4.84).

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

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4317, entitled

A bill to amend 1846 RS 2, entitled "Of the legislature," by amending section 4 (MCL 4.84).

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

Roll Call No. 49

Yeas—104

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

Nays—1

Mortimer

In The Chair: Julian

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

Second Reading of Bills

House Bill No. 4434, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 3 of chapter XI (MCL 771.3), as amended by 1998 PA 520.

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4434, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 3 of chapter XI (MCL 771.3), as amended by 1998 PA 520.

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

Roll Call No. 50

Yeas—105

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

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Reps. Hardman, Waters, Daniels, McConico, Reeves, Plakas, Anderson, Stewart, O'Neil, Rocca, Gielegem, Phillips, Zelenko, Jamnick, DeRossett, Richardville, Spade, Lipsey, Bisbee, Koetje, Voorhees, Julian, Brown, Stallworth, Hunter, Hood, Farrah, Bieda, Meisner, Clack, Condino, Vagnozzi, Taub, Accavitti, Stakoe, Gleason, Steil, Sak, Stahl, Farhat, Elkins and Gillard were named co-sponsors of the bill.

Second Reading of Bills

Senate Bill No. 800, entitled

A bill to amend 1969 PA 306, entitled "Administrative procedures act of 1969," by amending sections 5, 8, 24, 28, 39, 41, 41a, 42, 44, 45, 45a, 49, 50, 52, and 53 (MCL 24.205, 24.208, 24.224, 24.228, 24.239, 24.241, 24.241a, 24.242, 24.244, 24.245, 24.245a, 24.249, 24.250, 24.252, and 24.253), sections 5, 8, 24, 41a, 42, 44, 45, 52, and 53 as amended and sections 28, 39, and 45a as added by 1999 PA 262 and section 41 as amended by 1993 PA 141.

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

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 800, entitled

A bill to amend 1969 PA 306, entitled "Administrative procedures act of 1969," by amending sections 5, 8, 24, 28, 39, 41, 41a, 42, 44, 45, 45a, 49, 50, 52, and 53 (MCL 24.205, 24.208, 24.224, 24.228, 24.239, 24.241, 24.241a, 24.242, 24.244, 24.245, 24.245a, 24.249, 24.250, 24.252, and 24.253), sections 5, 8, 24, 41a, 42, 44, 45, 52, and 53 as amended and sections 28, 39, and 45a as added by 1999 PA 262 and section 41 as amended by 1993 PA 141.

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

Roll Call No. 51

Yeas—102

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

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

Nays—1

Sheltrown

In The Chair: Julian

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to provide for the effect, processing, promulgation, publication, and inspection of state agency rules, determinations, and other matters; to provide for the printing, publishing, and distribution of certain publications; to provide for state agency administrative procedures and contested cases and appeals from contested cases in licensing and other matters; to create and establish certain committees and offices; to provide for declaratory judgments as to rules; to repeal certain acts and parts of acts; and to repeal certain parts of this act on a specific date,”

The House agreed to the full title.

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

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

Second Reading of Bills

Senate Bill No. 801, entitled

A bill to amend 1899 PA 44, entitled “An act to provide for the publication and distribution of publications, laws, and documents, reports of the several officers, boards of officers and public institutions of this state now or hereafter to be published; to provide for the replacing of publications lost by fire or otherwise; to provide for the publication and distribution of the Michigan manual; to provide for duties of certain state and local government departments and agencies; to establish certain funds; and to provide for certain penalties and remedies,” by amending section 2 (MCL 24.2), as amended by 1995 PA 179.

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 801, entitled

A bill to amend 1899 PA 44, entitled “An act to provide for the publication and distribution of publications, laws, and documents, reports of the several officers, boards of officers and public institutions of this state now or hereafter to be published; to provide for the replacing of publications lost by fire or otherwise; to provide for the publication and distribution of the Michigan manual; to provide for duties of certain state and local government departments and agencies; to establish certain funds; and to provide for certain penalties and remedies,” by amending section 2 (MCL 24.2), as amended by 1995 PA 179.

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

Roll Call No. 52**Yeas—103**

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

Nays—1

Sheltrown

In The Chair: Julian

The House agreed to the title of the bill.

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

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

By unanimous consent the House returned to the order of

Messages from the Senate**House Bill No. 5244, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending sections 9b and 27 (MCL 211.9b and 211.27), section 9b as amended by 1994 PA 189 and section 27 as amended by 2002 PA 744.

The Senate has substituted (S-2) the bill.

The Senate has passed the bill as substituted (S-2), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1893 PA 206, entitled "An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture

and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts," by amending section 9b (MCL 211.9b), as amended by 2003 PA 274.

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

Rep. Richardville moved that Rule 45 be suspended.

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

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

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

Roll Call No. 53

Yeas—79

Accavitti	Gillard	Middaugh	Shaffer
Acciavatti	Gleason	Milosch	Sheen
Adamini	Hager	Minore	Shulman
Amos	Hoogendyk	Moolenaar	Spade
Bieda	Howell	Mortimer	Stahl
Bisbee	Huizenga	Murphy	Stakoe
Bradstreet	Hummel	Newell	Steil
Brandenburg	Hune	Nitz	Stewart
Brown	Hunter	Nofs	Tabor
Byrum	Jamnick	Palmer	Taub
Casperson	Johnson, Rick	Palsrok	Tobocman
Caswell	Johnson, Ruth	Pappageorge	Van Regenmorter
Caul	Julian	Pastor	Vander Veen
DeRoche	Koetje	Plakas	Voorhees
DeRossett	Kolb	Pumford	Walker
Drolet	Kooiman	Richardville	Ward
Emmons	LaJoy	Robertson	Wenke
Farhat	LaSata	Rocca	Woronchak
Farrah	McConico	Sak	Zelenko
Gaffney	Meyer	Shackleton	

Nays—25

Anderson	Hardman	Phillips	Vagnozzi
Cheeks	Hopgood	Reeves	Waters
Clack	Law	Rivet	Whitmer
Condino	Lipsey	Sheltrown	Williams
Daniels	Meisner	Smith	Wojno
Elkins	O'Neil	Stallworth	Woodward
Gielegem			

In The Chair: Julian

The House agreed to the title as amended.

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

Rep. Law, having reserved the right to explain her nay vote, made the following statement:

“Mr. Speaker and members of the House:

I voted no on final passage of House Bill 5244 because this bill could potentially take significant revenue from local communities at the same time our local communities are already facing drastic cuts in revenue sharing and other funding sources. Although I support manufacturing in Michigan, I believe the Legislature should not continue to undermine local sources of revenue, which jeopardizes important local services such as police and fire protection, public works, and local road improvements.”

Rep. Richardville 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. Voorhees, Adamini, Brandenburg, Caswell, Caul, DeRossett, Farhat, Hummel, Meyer, Nofs, Richardville, Shaffer, Spade, Stahl, Taub, Vander Veen, Acciavatti, Gillard, Gleason, Hager, Hoogendyk, Howell, Huizenga, Ruth Johnson, Koetje, Kooiman, Middaugh, Murphy, Newell, Palmer, Pappageorge, Rocca, Sak, Sheen, Shulman and Stewart offered the following resolution:

House Resolution No. 199.

A resolution recognizing February 7-14 as Marriage Week USA.

Whereas, Marriage, one of our most fundamental institutions, strengthens our society when two people enter into a mutual lifelong agreement to support each other in sickness, difficult financial times, and old age; and

Whereas, Marriage enriches the couple, their children, and the community around them by providing opportunities to extend love, support, and the understanding of a mutual cooperation; and

Whereas, Couples and children blessed with healthy marriages tend to engage in less risky behavior, enjoy better physical and mental health, be more financially secure, and attain higher levels of education and employment; and

Whereas, President George W. Bush has announced a Healthy Marriage Initiative to highlight programs teaching marriage skills and education, to promote marriage mentoring and enrichment programs, to reduce disincentives to marriage, and to promote the value of marriage to our culture; and

Whereas, Because the President launched the Healthy Marriage Initiative, the Michigan House of Representatives and the Michigan Senate appropriated \$750,000 to fund a marriage initiative in Michigan; and

Whereas, Marriage is both a personal and private relationship and a public commitment licensed by the state of Michigan; and

Whereas, Many of the expenditures by the state are closely tied to people harmed by failed or never formed marriages and any long-term strategy for reducing dependency on state social services and ensuring economic growth must include a strategy for encouraging healthy marriages; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body recognize February 7-14 as Marriage Week USA; and be it further

Resolved, To call upon elected officials at every level and citizens of all walks of life to determine during Marriage Week USA, and particularly on Valentine’s Day, to consider ways that they can strengthen their own marriages and support the marriages of others throughout the state of Michigan and across the country.

Pending the reference of the resolution to a committee,

Rep. Richardville moved that Rule 77 be suspended and the resolution be considered at this time.

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Steil, Pappageorge, Moolenaar, Casperson, Amos, Shaffer, Robertson, Kooiman, Palmer, Hoogendyk, Vander Veen, Shackleton, Milosch, Sheen, Stahl, Wenke, Hummel, Newell, Emmons, Middaugh, DeRoche, LaJoy, Caswell, Van Regenmorter, Stakoe, Hager, Pumford, Stewart, Bradstreet, Huizenga, Caul, Rocca, Meyer, Nofs, Daniels, Brandenburg, DeRossett, Pastor, Taub, Voorhees, Acciavatti, Gleason, Ruth Johnson, Koetje, Murphy, Sak, Sheltrown and Stallworth offered the following resolution:

House Resolution No. 200.

A resolution to urge the Federal Communications Commission to develop and enforce stronger measures to restrict indecency in radio and television broadcasting.

Whereas, Over the past few years, the number and nature of incidents of radio and television broadcasts that seem far beyond any acceptable standard of decency has increased significantly. Recently, an incident during the 2003 Golden Globes awards program on television has served to focus attention on this problem. The issue, however, involves much more than any isolated event or use of a single word; and

Whereas, During recent hearings in the Congress of the United States and actions taken by the Federal Communications Commission (FCC), Washington policymakers cited a long list of very offensive situations broadcast over television or radio. Some of the individual occurrences, many of which have resulted in fines, are remarkable in the level of crudity and offensiveness. They are, however, very believable to anyone who has channel surfed with a young child nearby or anyone who knows of the "shock jock" mentality that seems pervasive on some radio stations; and

Whereas, Whatever the reason, whether cable programming or other factors, the amount of sexual and violent content broadcast over the airwaves has caused many people to call for action. It is also becoming clear to many observers that identifying what is indecent cannot be achieved solely through banning specific words or phrases. Often, it seems that some radio personalities and television shows seem to do all they can to go as far as they can with material that is presented only for its shock value. Intent and innuendo, in language and visual images, must be considered as well; now, therefore, be it

Resolved by the House of Representatives, That we urge the Federal Communications Commission to develop and enforce stronger measures to restrict indecency in radio and television broadcasting; and be it further

Resolved, That copies of this resolution be transmitted to the Federal Communications Commission.

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

Reps. Pappageorge, Adamini, Brandenburg, Caul, Clack, DeRossett, Farhat, Meyer, Nofs, Plakas, Richardville, Shaffer, Spade, Stahl, Taub, Vander Veen, Voorhees, Gillard, Gleason, Hager, Howell, Huizenga, Jamnick, Ruth Johnson, Koetje, Kooiman, Middaugh, Murphy, Newell, Palmer, Rocca, Sak, Sheltroun, Shulman, Stallworth, Stewart and Zelenko offered the following resolution:

House Resolution No. 201.

A resolution commemorating March 2004 as Ethnic and Cultural Heritage Month in the state of Michigan.

Whereas, The culture of the people of the State of Michigan has continually been renewed and enriched by the many different people who have chosen to come to Michigan, become citizens and call this state their home for many decades; and

Whereas, Each individual brings with them a part of his or her own heritage and over time each heritage becomes part of our common heritage, leading us to become more united people; and

Whereas, Michigan is fortunate to count among its population a large numbers of citizens of numerous descents who, together, make important contributions to our economy and society through their commitment to numerous professions, commerce, family and the arts; and

Whereas, We must foster an interest in the heritage, culture and history of all peoples and pass that understanding and knowledge on to the next generation, awakening an awareness in every American community of the quality of contributions that all types of ethnicities can bring to our modern American lifestyle as we realize that we are all Americans together; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body commemorate March 2004 as Ethnic and Cultural Heritage Month in the state of Michigan.

Pending the reference of the resolution to a committee,

Rep. Richardville moved that Rule 77 be suspended and the resolution be considered at this time.

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reports of Standing Committees

The Committee on Government Operations, by Rep. Koetje, Chair, reported

House Bill No. 5390, entitled

A bill to amend 1982 PA 540, entitled "Library of Michigan act," by amending section 9 (MCL 397.19), as amended by 1983 PA 114.

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 under the rules.

Favorable Roll Call

To Report Out:

Yeas: Reps. Koetje, Drolet, Howell and Tobocman

Nays: None

The Committee on Government Operations, by Rep. Koetje, Chair, reported

Senate Bill No. 106, entitled

A bill to designate an official state symbol for clean water in this state.

Without recommendation as to the passage of the bill.

The bill shall lie on the table under the rules.

Favorable Roll Call

To Report Out:

Yeas: Reps. Koetje, Howell, Tobocman and Lipsey

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Koetje, Chair, of the Committee on Government Operations, was received and read:

Meeting held on: Thursday, February 12, 2004

Present: Reps. Koetje, Drolet, Howell, Tobocman and Lipsey

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

Senate Bill No. 842, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 616a.

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 under the rules.

Favorable Roll Call

To Report Out:

Yeas: Reps. DeRossett, Casperson, Hummel, DeRoche, Gaffney, Hune, LaJoy, Robertson, Ward, Anderson, Jammick, Gleason, Adamini, Murphy and Elkins

Nays: None

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

Senate Bill No. 843, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 12e of chapter XVII (MCL 777.12e), as added by 2002 PA 34.

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 under the rules.

Favorable Roll Call

To Report Out:

Yeas: Reps. DeRossett, Casperson, Hummel, DeRoche, Gaffney, Hune, LaJoy, Robertson, Ward, Anderson, Jammick, Gleason, Adamini, Murphy and Elkins

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. DeRossett, Chair, of the Committee on Transportation, was received and read:
Meeting held on: Thursday, February 12, 2004

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

Absent: Reps. Huizenga and Tobocman

Excused: Reps. Huizenga and Tobocman

Messages from the Senate**House Bill No. 4276, entitled**

A bill to establish Holocaust remembrance week in the state of Michigan.

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

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

House Bill No. 5009, entitled

A bill to amend 1953 PA 192, entitled "An act to create a county department of veterans' affairs in certain counties, and to prescribe its powers and duties; and to transfer the powers and duties of the soldiers' relief commission in such counties," by amending section 1 (MCL 35.621), as amended by 1996 PA 108.

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

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

House Bill No. 5179, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 662 (MCL 168.662), as amended by 1999 PA 216.

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. 4463, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 811q.

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

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

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

House Bill No. 4720, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 263 (MCL 18.1263).

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

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

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

House Bill No. 4722, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 623a and 1274 (MCL 380.623a and 380.1274), section 623a as amended by 1990 PA 159 and section 1274 as amended by 1994 PA 416.

The Senate has amended the bill as follows:

1. Amend page 1, line 7, by striking out "\$12,500.00" and inserting "\$17,932.00".

2. Amend page 2, line 20, by striking out "\$12,500.00" and inserting "\$17,932.00".

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

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

House Bill No. 5183, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 18e.

The Senate has amended the bill as follows:

1. Amend page 1, line 6, after "**developing**" by striking out the balance of the line through "**within**" on line 7 and inserting "**and annually reviewing**".

2. Amend page 2, line 1, after "**care,**" by striking out "**and**".

3. Amend page 2, line 2, after "**care**" by inserting a comma and "**and adults previously in foster care or independent living programs**".

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.

Notices

Pursuant to Rule 44, the Speaker has made the following reassignments:

Senate Bill No. 862 referred to the Committee on Tax Policy.

Senate Bill No. 863 referred to the Committee on Tax Policy.

Senate Bill No. 864 referred to the Committee on Tax Policy.

Senate Bill No. 865 referred to the Committee on Tax Policy.

Senate Bill No. 866 referred to the Committee on Tax Policy.

Senate Bill No. 867 referred to the Committee on Tax Policy.

Senate Bill No. 868 referred to the Committee on Tax Policy.

Senate Bill No. 870 referred to the Committee on Tax Policy.

Senate Bill No. 871 referred to the Committee on Tax Policy.

Senate Bill No. 872 referred to the Committee on Tax Policy.

Senate Bill No. 875 referred to the Committee on Tax Policy.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bill had been printed and placed upon the files of the members on Tuesday, February 10:

Senate Bill No. 962

The Clerk announced that the following bills had been printed and placed upon the files of the members on Thursday, February 12:

**House Bill Nos. 5509 5510 5511 5512 5513 5514 5515 5516 5517 5518 5519 5520 5521 5522
5523 5524 5525 5526 5527 5528 5529 5530 5531 5532 5533**

Introduction of Bills

Rep. DeRossett introduced

House Bill No. 5534, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 2002 PA 615.

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

Rep. DeRossett introduced

House Bill No. 5535, entitled

A bill to amend 1967 PA 156, entitled "Optional retirement act of 1967," by amending section 3 (MCL 38.383).

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

Reps. Hunter, Hood, Farrah, Stallworth, Condino, Tobocman, Phillips, Elkins, Minore and Daniels introduced
House Bill No. 5536, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 2111 (MCL 500.2111), as amended by 2002 PA 492, and by adding section 2110b.

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

Reps. Woronchak and Vagnozzi introduced

House Bill No. 5537, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21735.

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

Reps. Hune, DeRossett, Hoogendyk, Sheen, Stakoe, Ward, Wenke, LaJoy, Milosch, Drolet, Stahl, Palsrok, DeRoche, Robertson, Acciavatti, Brandenburg, Caul, Woronchak, Farhat, Pastor, Mortimer and Shaffer introduced

House Bill No. 5538, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 27a (MCL 211.27a), as amended by 2000 PA 260, and by adding section 7gg.

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

Reps. Phillips, Hart, Sheltroun, Meyer, Voorhees, Rivet, Richardville, Plakas, Hunter, Hune, Gaffney, Whitmer, Minore, Stallworth, Drolet, Palsrok, Zelenko, Bieda, Kolb, Farrah, Clack, Vagnozzi, Cheeks, Williams, Waters, Hood and Daniels introduced

House Bill No. 5539, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 61 (MCL 38.1361), as amended by 2001 PA 30.

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

Reps. Phillips, Garfield, Milosch, Drolet, Bradstreet, Ruth Johnson, Pappageorge, LaSata, Wenke, Paletko, Murphy, Hopgood, Williams, Brown, Adamini, Gielegem, Bieda, Sheltroun, Meyer, Voorhees, Rivet, Richardville, Pumford, Plakas, Hunter, Gaffney, Hune, Whitmer, Minore, Stallworth, Zelenko, Farrah, Clack, Vagnozzi, Cheeks and Daniels introduced

House Bill No. 5540, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 25b (MCL 388.1625b), as amended by 2001 PA 121; and to repeal acts and parts of acts.

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

Reps. Ruth Johnson, Kooiman, Rocca, Vander Veen and Stakoe introduced

House Bill No. 5541, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 635.

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

Reps. Ruth Johnson, Kooiman, Rocca and Stakoe introduced

House Bill No. 5542, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 635.

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

Rep. Whitmer moved that the House adjourn.
The motion prevailed, the time being 1:05 p.m.

The Speaker Pro Tempore declared the House adjourned until Tuesday, February 17, at 1:00 p.m.