

No. 26
STATE OF MICHIGAN
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House of Representatives
92nd Legislature
REGULAR SESSION OF 2004

House Chamber, Lansing, Wednesday, March 24, 2004.

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	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—present	Spade—present
Bieda—present	Hardman—present	Moolenaar—present	Stahl—present
Bisbee—present	Hart—present	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—excused
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—e/d/s	Hunter—present	Pappageorge—present	Van Regenmorter—present
Clack—present	Jamnack—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—e/d/s	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—excused
Gaffney—present			

e/d/s = entered during session

Rep. Mickey Mortimer, from the 65th District, offered the following invocation:

“Dear Lord, please help us to understand and to appreciate the laws of her ruling nations that You have given us in the Book of Deuteronomy and the power that it has put on us and the responsibilities as well. ‘For you spoke to appoint judges and officials for each of your tribes in every town that Lord, your God, has given you and they shall judge the people fairly. Do not pervert justice or show partiality. Do not accept a bribe.’ Lord, You knew how important these words were when You gave them to all of us to act in a faithful and godly way, because as the people of Israel found when they did not appoint good judges and faithful administrators, rebellion and injustice plagued their communities. So be it for us if we do not accept Your word and do not accept the responsibilities we have to treat one another in a godly way, and to put You before all things that we do. In that sense, we pray to You to give us Your power and Your abiding love as we move forward today and every day. In Your name, we pray. Amen.”

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

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

Second Reading of Bills

Senate Bill No. 788, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 518 (MCL 600.518), as amended by 2001 PA 256.

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 788, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 518 (MCL 600.518), as amended by 2001 PA 256.

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

Roll Call No. 164

Yeas—84

Accavitti	Gaffney	Law	Rocca
Acciavatti	Gielegghem	Lipsey	Sak
Adamini	Gillard	McConico	Shackleton
Anderson	Gleason	Meisner	Shaffer
Bieda	Hager	Meyer	Sheltrown
Bisbee	Hardman	Middaugh	Spade
Brandenburg	Hart	Minore	Stallworth
Brown	Hood	Moolenaar	Steil
Byrum	Hopgood	Murphy	Stewart

Caul	Howell	Newell	Tobocman
Clack	Huizenga	O'Neil	Vagnozzi
Condino	Hummel	Palmer	Van Regenmorter
Daniels	Hunter	Palsrok	Vander Veen
Dennis	Jamnack	Pappageorge	Voorhees
DeRossett	Johnson, Rick	Pastor	Waters
Drolet	Julian	Phillips	Wenke
Ehardt	Koetje	Plakas	Whitmer
Elkins	Kolb	Pumford	Williams
Emmons	Kooiman	Richardville	Wojno
Farhat	LaJoy	Rivet	Woodward
Farrah	LaSata	Robertson	Woronchak

Nays—21

Amos	Hoogendyk	Nitz	Stahl
Bradstreet	Hune	Nofs	Stakoe
Casperson	Johnson, Ruth	Sheen	Taub
Caswell	Milosch	Shulman	Walker
DeRoche	Mortimer	Smith	Ward
Garfield			

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 revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts,”

The House agreed to the full title.

Rep. Huizenga 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. 5431, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 44b (MCL 211.44b), as added by 1994 PA 297.

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

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

Rep. Ward moved to amend the bill as follows:

1. Amend page 2, following line 4, by inserting:

“Enacting section 1. This amendatory act takes effect on January 1, 2005.”.

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

Rep. Nitz 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.

Rep. Cheeks entered the House Chambers.

By unanimous consent the House returned to the order of
Third Reading of Bills

House Bill No. 5431, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 44b (MCL 211.44b), as added by 1994 PA 297.

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

Roll Call No. 165

Yeas—100

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

Nays—6

Garfield	LaJoy	Rivet	Sheltrown
Kolb	LaSata		

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.

Second Reading of Bills

House Bill No. 5670, entitled

A bill to amend 1969 PA 306, entitled "Administrative procedures act of 1969," by amending sections 24, 41, 42, 45, 45a, 51, and 52 (MCL 24.224, 24.241, 24.242, 24.245, 24.245a, 24.251, and 24.252), sections 24, 41, 42, 45, 45a, and 52 as amended by 2004 PA 23.

The bill was read a second time.

Rep. Pappageorge 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. 5670, entitled

A bill to amend 1969 PA 306, entitled “Administrative procedures act of 1969,” by amending sections 24, 41, 42, 45, 45a, 51, and 52 (MCL 24.224, 24.241, 24.242, 24.245, 24.245a, 24.251, and 24.252), sections 24, 41, 42, 45, 45a, and 52 as amended by 2004 PA 23.

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

Roll Call No. 166

Yeas—105

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

Nays—1

Caswell

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.

Second Reading of Bills

Senate Bill No. 702, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 23d of chapter X (MCL 710.23d), as amended by 1996 PA 409.

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

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 702, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 23d of chapter X (MCL 710.23d), as amended by 1996 PA 409.

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

Roll Call No. 167

Yeas—106

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

Nays—0

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

“An act to revise and consolidate the statutes relating to certain aspects of the family division of circuit court, to the jurisdiction, powers, and duties of the family division of circuit court and its judges and other officers, to the change of name of adults and children, and to the adoption of adults and children; to prescribe certain jurisdiction, powers, and duties of the family division of circuit court and its judges and other officers; to prescribe the manner and time within which certain actions and proceedings may be brought in the family division of the circuit court; to prescribe pleading, evidence, practice, and procedure in certain actions and proceedings in the family division of circuit court; to provide for appeals from certain actions in the family division of circuit court; to prescribe the powers and duties of certain state departments, agencies, and officers; to provide for certain immunity from liability; and to provide remedies and penalties,”

The House agreed to the full title.

Rep. Huizenga 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. 635, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 21311 (MCL 333.21311), as amended by 1984 PA 311.

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

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 635, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 21311 (MCL 333.21311), as amended by 1984 PA 311.

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

Roll Call No. 168

Yeas—106

Accavitti	Gaffney	McConico	Shaffer
Acciavatti	Garfield	Meisner	Sheen
Adamini	Gielegem	Meyer	Sheltrown
Amos	Gillard	Middaugh	Shulman
Anderson	Gleason	Milosch	Smith
Bieda	Hager	Minore	Spade
Bisbee	Hardman	Moolenaar	Stahl
Bradstreet	Hart	Mortimer	Stakoe
Brandenburg	Hood	Murphy	Stallworth
Brown	Hoogendyk	Newell	Steil
Byrum	Hopgood	Nitz	Stewart
Casperson	Howell	Nofs	Taub
Caswell	Huizenga	O’Neil	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	Richardville	Wenke
Drolet	Kolb	Rivet	Whitmer
Ehardt	Kooiman	Robertson	Williams
Elkins	LaJoy	Rocca	Wojno
Emmons	LaSata	Sak	Woodward
Farhat	Law	Shackleton	Woronchak
Farrah	Lipsey		

Nays—0

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 protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,”

The House agreed to the full title.

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

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

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

Rep. Reeves entered the House Chambers.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Tabor, Adamini, Anderson, Bieda, Brandenburg, Brown, Caswell, Clack, Daniels, Dennis, DeRossett, Elkins, Emmons, Farrah, Garfield, Gleason, Hoogendyk, Hopgood, Huizenga, Hune, Jamnick, Koetje, Meyer, Milosch, Minore, Murphy, Pappageorge, Pastor, Phillips, Richardville, Robertson, Sak, Shaffer, Sheltroun, Shulman, Spade, Stallworth, Taub, Vander Veen, Voorhees, Wojno and Rocca offered the following resolution:

House Resolution No. 223.

A resolution recognizing May 2004 as Motorcycle Safety Awareness Month in the state of Michigan.

Whereas, It is most appropriate to join with motorcyclists throughout the state of Michigan in commemorating May 2004 as Motorcycle Safety Awareness Month. This worthwhile observance provides all Michigan motorists with an opportunity to rededicate themselves to the highest standards of highway safety; and

Whereas, The coming of spring marks the return of motorcycle enthusiasts to our state's highways. Statewide, motorcyclists have been at the forefront of efforts to promote the wise and sensible use of this most enjoyable mode of travel. Indeed, the disproportionate number of motorcycle fatalities makes it vitally important to encourage motorcyclists to understand and practice the highest degree of safety as well as to remind other drivers that highway safety is a two-way street; and

Whereas, Motorcycle Safety Awareness Month encourages motorcycle operators to wear the proper protective riding apparel, to keep their motorcycles in good operating condition, to adhere to the laws of the road, and to adopt the driving techniques which provide an extra measure of safety; and

Whereas, Car and truck drivers need to be made aware of the seasonal return of motorcyclists and are urged to be particularly alert and careful when approaching or overtaking a motorcycle on the highway. All of Michigan's citizens are urged to recognize the different type and size of vehicles on our highways and develop a caring attitude toward sharing the road, thus making the roads of our Great Lakes State safer for us all. It is truly a pleasure to take this opportunity to once again remind all of those who share our highways that safety is every driver's responsibility; now therefore, be it

Resolved by the House of Representatives, That the members of this legislative body recognize May 2004 as Motorcycle Safety Awareness 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.

Reps. Gaffney, Accavitti, Adamini, Anderson, Bieda, Brandenburg, Brown, Clack, Condino, Daniels, Dennis, DeRossett, Ehardt, Elkins, Emmons, Farhat, Farrah, Garfield, Gleason, Hopgood, Huizenga, Hune, Jamnick, Koetje, Law, Lipsey, Meyer, Minore, Murphy, Pappageorge, Phillips, Plakas, Robertson, Sak, Shaffer, Shulman, Spade, Stallworth, Taub, Vander Veen, Voorhees, Wojno and Rocca offered the following resolution:

House Resolution No. 224.

A resolution commemorating the 20th anniversary of the Royal College of Physicians and Surgeons for their valuable contributions to medical research and education in the state of Michigan.

Whereas, We are proud to join with the members, officers, and friends of the Royal College of Physicians and Surgeons as they gather to mark its 20th anniversary. This milestone is a reflection of disciplined work and a commitment to the common good that is most commendable. While the members of this distinguished organization celebrate 20 years of service, we offer our thanks for the important gifts they have shared within Michigan and throughout the United States; and

Whereas, The Royal College of Physicians and Surgeons can trace its origins back to 1984. In the years that have followed, this organization has adapted to changes in society, membership, and expectations. This ability to grow and change has demonstrated the belief that members have maintained in their mission of advancing medical training and expanding skill levels; and

Whereas, With ceremonies to celebrate its history, the members and officers of the Royal College of Physicians and Surgeons will remember the vision of many people and the hours and years of dedication that have brought the group to this point. Fittingly, as they look to the past, they will also be casting an eye to the future and to the many areas in which the Royal College of Physicians and Surgeons will continue to reach out in our state; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body commemorate the 20th anniversary of the Royal College of Physicians and Surgeons and to express appreciation for their valuable contributions in the state of Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to the Royal College of Physicians and Surgeons as evidence of our esteem.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

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 Thursday, March 18:

Senate Bill Nos. 1100 1101 1102

The Clerk announced that the following bills had been printed and placed upon the files of the members on Monday, March 22:

**Senate Bill Nos. 1103 1104 1105 1106 1107 1108 1109 1110 1111 1112 1113 1114 1115 1116
1117 1118 1119**

The Clerk announced that the following bills had been printed and placed upon the files of the members on Wednesday, March 24:

**House Bill Nos. 5671 5672 5673 5674 5675 5676 5677 5678 5679 5680 5681 5682 5683 5684
5685 5686 5687 5688 5689 5690 5691 5692 5693 5694**

The Clerk announced that the following Senate bill had been received on Wednesday, March 24:

Senate Bill No. 1032

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Committee on Education, by Rep. Palmer, Chair, reported

House Bill No. 5477, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1169 and 1507 (MCL 380.1169 and 380.1507), as amended by 1993 PA 335, and by adding section 1507b.

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. Palmer, Hummel, Meyer, Bradstreet, Hager, Hart, Ruth Johnson, Voorhees, Vander Veen and Stahl

Nays: Reps. Vagnozzi, Spade and Clack

The Committee on Education, by Rep. Palmer, Chair, reported

House Bill No. 5478, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 166a (MCL 388.1766a), as amended by 2003 PA 158.

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. Palmer, Hummel, Meyer, Bradstreet, Hager, Hart, Ruth Johnson, Voorhees, Vander Veen and Stahl

Nays: Reps. Vagnozzi, Spade and Clack

The Committee on Education, by Rep. Palmer, Chair, reported

House Bill No. 5666, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 101 (MCL 388.1701), as amended by 2003 PA 158.

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. Palmer, Hummel, Meyer, Bradstreet, Hager, Hart, Voorhees, Vander Veen, Nofs, Stahl, Gielegem, Vagnozzi, Spade, Smith, Hopgood, Meisner and Clack

Nays: None

The Committee on Education, by Rep. Palmer, Chair, reported

Senate Bill No. 307, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1294. 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. Palmer, Hummel, Meyer, Bradstreet, Hager, Hart, Voorhees, Vander Veen, Nofs, Stahl, Vagnozzi, Spade, Hopgood, Meisner and Clack

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, March 23, 2004

Present: Reps. Palmer, Hummel, Meyer, Bradstreet, Hager, Hart, Ruth Johnson, Voorhees, Vander Veen, Nofs, Stahl, Gielegem, Vagnozzi, Spade, Smith, Hopgood, Meisner and Clack

Absent: Rep. Tabor

Excused: Rep. Tabor

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

House Bill No. 5692, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 539d (MCL 750.539d).

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 under the rules.

Favorable Roll Call

To Report Out:

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

Nays: None

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

House Bill No. 5693, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16z of chapter XVII (MCL 777.16z), as amended by 2004 PA 2.

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

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, March 24, 2004

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, March 24, 2004

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

Absent: Rep. Zelenko

Excused: Rep. Zelenko

Messages from the Senate**House Bill No. 5280, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1305.

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. 4179, entitled

A bill to amend 2000 PA 499, entitled "Elder prescription insurance coverage act," by amending section 3 (MCL 550.2003).

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 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. 5104, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 316 (MCL 750.316), as amended by 1999 PA 189.

The Senate has amended the bill as follows:

1. Amend page 2, line 2, after "**abuse**" by inserting "**in the first and second degree**".

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. 5184, entitled

A bill to amend 1979 PA 218, entitled "Adult foster care facility licensing act," by amending sections 13, 22, and 36 (MCL 400.713, 400.722, and 400.736), sections 13 and 22 as amended by 1994 PA 150 and section 36 as added by 1984 PA 140, and by adding section 34a.

The Senate has amended the bill as follows:

1. Amend page 3, line 8, after "department" by striking out the balance of the line through "**services**" on line 9.

2. Amend page 17, following line 7, by inserting:

"Enacting section 1. This amendatory act takes effect August 1, 2004."

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

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

Senate Bill No. 1032, entitled

A bill to amend 1994 PA 55, entitled "Confidential research information act," by amending the title and sections 1 and 2 (MCL 390.1551 and 390.1552) and by adding section 4a.

The Senate has passed the bill.

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

Introduction of Bills

Reps. Meyer, Palsrok and Vander Veen introduced

House Bill No. 5695, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 41305, 45902, and 48702 (MCL 324.41305, 324.45902, and 324.48702), section 41305 as added by 2003 PA 270 and sections 45902 and 48702 as amended by 1996 PA 200.

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

Reps. Pumford, Moolenaar and Palmer introduced

House Bill No. 5696, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 69f (MCL 38.1369f), as added by 1989 PA 194.

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

Reps. Pappageorge, Ruth Johnson, Rocca, Stewart, Shulman, Palmer, Drolet, LaJoy, Stakoe, Ward, Garfield, Brandenburg, Koetje, Steil, DeRoche, Stahl, Taub, Casperson, Hoogendyk, Woodward, Smith, Farhat, Amos, Gaffney, Vagnozzi, Accavitti, Plakas, O'Neil, Pastor, Woronchak, Wojno, Meisner, Gleason, Law, Hopgood, Condino, Waters, Anderson, Bieda, Gielegem, Hunter, McConico, Farrah, Cheeks, Reeves, Hood, Stallworth and Hardman introduced

House Bill No. 5697, entitled

A bill to amend 1985 PA 106, entitled "State convention facility development act," by amending section 10 (MCL 207.630).

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

Rep. Rocca introduced

House Bill No. 5698, entitled

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

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

Reps. Kolb, Tobocman, Dennis, Jamnick, Sak and Rivet introduced

House Bill No. 5699, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 31101, 31102, 31105, 31106, 31107, 31108, 31109, 31110, 31111, and 31114 (MCL 324.31101, 324.31102, 324.31105, 324.31106, 324.31107, 324.31108, 324.31109, 324.31110, 324.31111, and 324.31114), as added by 1995 PA 59, and by adding sections 31106a, 31106b, 31108a, and 31109a.

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

Reps. Condino, Gleason, Bieda, Law, Tobocman, Dennis, Hood, Wojno, Zelenko, Clack, Stallworth, Phillips, Spade, Kolb, Cheeks, Jamnick, Minore, Accavitti, Anderson, Ehardt, Hunter, Nofs and Gaffney introduced

House Bill No. 5700, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1180.

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

Reps. Palmer, Palsrok, Ehardt, Pappageorge, Robertson, Milosch, Sheen, Wenke, Huizenga, Hummel, Moolenaar, Acciavatti, Nitz, Stahl, Stakoe, Meyer, Hoogendyk, Middaugh, Caul, Hager, Garfield, Drolet, Kooiman, Steil, Amos, Farhat, Pastor, Koetje and Casperson introduced

House Bill No. 5701, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1294.

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

Reps. Emmons, Palsrok, Ehardt, Sheen, Pappageorge, Robertson, Milosch, Wenke, Huizenga, Hummel, Moolenaar, Acciavatti, Nitz, Stahl, Stakoe, Meyer, Hoogendyk, Middaugh, Caul, Hager, Garfield, Drolet, Kooiman, Steil, Amos, Farhat, Pastor, Koetje and Casperson introduced

House Bill No. 5702, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," (MCL 388.1601 to 388.1772) by adding section 9.

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

Rep. Ruth Johnson introduced

House Bill No. 5703, entitled

A bill to amend 1943 PA 184, entitled "Township zoning act," by amending section 40 (MCL 125.310), as amended by 2001 PA 177, and by adding section 16i.

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

Reps. Pastor, Vander Veen, Brandenburg, Taub and Farhat introduced

House Bill No. 5704, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 252h.

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

Reps. Pastor, Vander Veen, Brandenburg and Taub introduced

House Bill No. 5705, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 12905 (MCL 333.12905), as amended by 1993 PA 242.

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

Rep. Brandenburg moved that the House adjourn.

The motion prevailed, the time being 2:25 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, March 25, at 10:00 a.m.

GARY L. RANDALL
Clerk of the House of Representatives