

No. 66
STATE OF MICHIGAN
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OF THE
House of Representatives
93rd Legislature
REGULAR SESSION OF 2005

House Chamber, Lansing, Wednesday, July 27, 2005.

1:00 p.m.

The House was called to order by the Clerk.

The roll was called by the Clerk of the House of Representatives, who announced that a quorum was not present.

The Honorable Gary L. Randall, Clerk of the House, offered the following invocation:

“Heavenly Father, we come to You offering thanks for the beauty You have bestowed upon this great state. It is on summer days like today that we realize how richly You have blessed those of us lucky enough to call Michigan our home. Lord, as we gather in this chamber today we are mindful that in just a few days the men and women who work here will face great challenges and make decisions that will have a profound impact on the future of our state. We pray that You will shower them with the wisdom and insight needed to make the decisions that will allow Michigan to move forward and prosper. Amen.”

Reports of Standing Committees

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

House Bill No. 4436, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2005; and to provide for the expenditure of the appropriations.

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.

Favorable Roll Call

To Report Out:

Yeas: Reps. Hummel, Pastor, Acciavatti, Kooiman, Stewart, Amos, Brandenburg, Caswell, Farhat, Moolenaar, Shaffer, Steil, Taub, Booher, Caul, Hansen, Kahn, Whitmer, Kolb, Sak, Cushingberry, Williams, Alma Smith, Phillips and Gonzales

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, July 27, 2005

Present: Reps. Hummel, Pastor, Acciavatti, Kooiman, Stewart, Amos, Brandenburg, Caswell, Farhat, Moolenaar, Shaffer, Steil, Taub, Booher, Caul, Hansen, Kahn, Whitmer, Kolb, Sak, Cushingberry, Williams, Alma Smith, Phillips and Gonzales

Absent: Reps. Walker, Brown, Cheeks and Plakas
 Excused: Reps. Walker, Brown, Cheeks and Plakas

Notices

Waiver of Remaining Session Days

TO: Peter L. Plummer, Executive Director
 State Office of Administrative Hearings and Rules
 Secretary of the Senate
 Clerk of the House
 FROM: Representative Jim Marleau, Chair
 Senator Michael Bishop, Alternate Chair
 DATE: June 21, 2005

Pursuant to MCL 24.245a(1) the Joint Committee on Administrative Rules has by a concurrent majority vote, waived the remaining session days for the following rule set: Department of Labor and Economic Growth—Public Service Commission—Telecommunication Services (2005-006LG.)

According to MCL 24.245a(2), if the Committee waives the remaining session days, the State Office of Administrative Hearings and Rules may immediately file the rule.

Sincerely,

Representative Jim Marleau
 Chair

Joint Committee on Administrative Rules

Senator Michael Bishop
 Alternate Chair

Joint Committee on Administrative Rules

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, July 21:

House Bill Nos. 5060 5061 5062 5063 5064

Communications from State Officers

The following communication from the Secretary of State was received and read:

Notice of Filing Administrative Rules

June 24, 2005

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Michigan Department of Labor and Economic Growth, State Office of Administrative Hearings and Rules filed at 11:30 A.M this date, administrative rule (05-06-08) for the Department of Community Health, Director's Office, entitled "*Board of Social Work-General Rules*", effective immediately upon filing with the Secretary of State.

Sincerely,
 Terri Lynn Land
 Secretary of State
 Robin Houston, Office Supervisor
 Office of the Great Seal

The communication was referred to the Clerk.

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

July 19, 2005

Pursuant to Section 1002 of P.A. 344 of 2004, we are enclosing a copy of the following reports:

<u>Type of Report</u>	<u>Facility</u>	<u>Report #</u>	<u>License #</u>
Interim	Baraga County DHS		CP070200958
Interim	Charlevoix /Emmet County DHS		CP240201034
Interim	Marquette County DHS		CP520201281

This report was performed in compliance with the requirements of P.A. 116 of 1973 as amended, and the Administrative Rules for Child Caring Institutions. The report may also be viewed on our website, within 48 hours, under "News, Publications & Information" at the following address: <http://www.michigan.gov/fia/>.

If you have any questions regarding this information, please feel free to contact Miriam E.J. Bullock at 517-373-8383.

Sincerely,
Marianne Udow
Director

The communication was referred to the Clerk.

Introduction of Bills

Rep. Espinoza introduced

House Bill No. 5065, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 85. The bill was read a first time by its title and referred to the Committee on Judiciary.

Rep. Espinoza introduced

House Bill No. 5066, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16d of chapter XVII (MCL 777.16d), as amended by 2002 PA 269.

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

Reps. Jones, Pearce, Kahn, Marleau, LaJoy, Ball and Booher introduced

House Bill No. 5067, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending the title and section 105 (MCL 436.1105) and by adding section 914.

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

Reps. Kolb and Donigan introduced

House Bill No. 5068, entitled

A bill to create the Detroit area regional transportation authority; to transfer certain powers of authorities to the Detroit area regional transportation authority; to provide regional transportation; to prescribe certain powers and duties of the authorities and of certain state agencies and officials; to provide for the issuance of bonds and notes; to provide for the state to guarantee payment of certain claims against the authority; to provide for the pledge of taxes, revenues, assessments, tax levies, and other funds for bond and note payments; to authorize certain local entities to levy property taxes and make special assessments; and to repeal acts and parts of acts.

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

Reps. Kolb and Donigan introduced

House Bill No. 5069, entitled

A bill to amend 1982 PA 432, entitled "Motor bus transportation act," by amending section 4 (MCL 474.104), as amended by 1989 PA 233.

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

Reps. Kolb and Donigan introduced
House Bill No. 5070, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, local bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending sections 10c, 10h, 10l, and 10n (MCL 247.660c, 247.660h, 247.660l, and 247.660n), section 10c as amended by 2005 PA 45, section 10h as amended by 2002 PA 498, section 10l as amended by 1987 PA 234, and section 10n as amended by 2002 PA 329.

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

Reps. Donigan, Miller, Vagnozzi, Sak and Kathleen Law introduced
House Bill No. 5071, entitled

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending sections 2 and 3 (MCL 445.902 and 445.903), section 2 as amended by 1984 PA 91 and section 3 as amended by 2004 PA 462.

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

The Clerk declared the House adjourned until Wednesday, August 3, at 1:00 p.m.

GARY L. RANDALL
Clerk of the House of Representatives