

No. 21
STATE OF MICHIGAN
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House of Representatives
93rd Legislature
REGULAR SESSION OF 2005

House Chamber, Lansing, Tuesday, March 15, 2005.

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	Emmons—present	Leland—present	Robertson—present
Acciavatti—present	Espinoza—present	Lemmons, III—present	Rocca—present
Adamini—present	Farhat—present	Lemmons, Jr.—present	Sak—present
Amos—present	Farrah—present	Lipsey—present	Schuitmaker—present
Anderson—present	Gaffney—present	Marleau—present	Shaffer—present
Angerer—present	Garfield—present	Mayes—present	Sheen—present
Ball—present	Gillard—present	McConico—present	Sheltrown—present
Baxter—present	Gleason—present	McDowell—present	Smith, Alma—present
Bennett—present	Gonzales—present	Meisner—present	Smith, Virgil—present
Bieda—present	Gosselin—present	Meyer—present	Spade—present
Booher—present	Green—present	Miller—present	Stahl—present
Brandenburg—present	Hansen—present	Moolenaar—present	Stakoe—present
Brown—present	Hildenbrand—present	Moore—present	Steil—present
Byrnes—present	Hood—present	Mortimer—present	Stewart—present
Byrum—present	Hoogendyk—present	Murphy—present	Taub—present
Casperson—present	Hopgood—present	Newell—present	Tobocman—present
Caswell—present	Huizenga—present	Nitz—present	Vagnozzi—present
Caul—present	Hummel—present	Nofs—present	Van Regenmorter—present
Cheeks—present	Hune—present	Palmer—present	Vander Veen—present
Clack—present	Hunter—excused	Palsrok—present	Walker—present
Clemente—present	Jones—present	Pastor—present	Ward—present
Condino—present	Kahn—present	Pavlov—present	Waters—present
Cushingberry—present	Kehrl—present	Pearce—present	Wenke—excused
DeRoche—present	Kolb—present	Phillips—present	Whitmer—present
Dillon—present	Kooiman—present	Plakas—present	Williams—present
Donigan—present	LaJoy—present	Polidori—present	Wojno—present
Drolet—present	Law, David—present	Proos—present	Zelenko—present
Elsenheimer—present	Law, Kathleen—present		

e/d/s = entered during session

Rep. Tom Casperson, from the 108th District, offered the following invocation:

“Heavenly Father, we come together today Lord, we thank You for who You are. Lord, we thank You for this opportunity to come together in this Chamber, Lord, and to serve the people of Michigan. Lord, we ask that You would give us wisdom, Lord, and give us strength that what we do and say here would be pleasing in Your sight. Lord, we just ask that You have Your hand upon us today and everyday as we do Your work. We just praise You now, and we thank You in Jesus’ precious name, Amen.”

Rep. Sak moved that Rep. Hunter be excused from today’s session.
The motion prevailed.

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

Second Reading of Bills

Senate Bill No. 234, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 676a and 907 (MCL 257.676a and 257.907), section 676a as amended by 1999 PA 46 and section 907 as amended by 2004 PA 493.

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

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

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

The motion prevailed.

Rep. Ward 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. 234, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 676a and 907 (MCL 257.676a and 257.907), section 676a as amended by 1999 PA 46 and section 907 as amended by 2004 PA 493.

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

Roll Call No. 35

Yeas—108

Accavitti	Elsenheimer	Law, Kathleen	Proos
Acciavatti	Emmons	Leland	Robertson
Adamini	Espinoza	Lemmons, III	Rocca
Amos	Farhat	Lemmons, Jr.	Sak
Anderson	Farrah	Lipsey	Schuitmaker
Angerer	Gaffney	Marleau	Shaffer
Ball	Garfield	Mayer	Sheen
Baxter	Gillard	McConico	Sheltrown
Bennett	Gleason	McDowell	Smith, Alma
Bieda	Gonzales	Meisner	Smith, Virgil
Booher	Gosselin	Meyer	Spade
Brandenburg	Green	Miller	Stahl
Brown	Hansen	Moolenaar	Stakoe

Byrnes	Hildenbrand	Moore	Steil
Byrum	Hood	Mortimer	Stewart
Casperson	Hoogendyk	Murphy	Taub
Caswell	Hopgood	Newell	Tobocman
Caul	Huizenga	Nitz	Vagnozzi
Cheeks	Hummel	Nofs	Van Regenmorter
Clack	Hune	Palmer	Vander Veen
Clemente	Jones	Palsrok	Walker
Condino	Kahn	Pastor	Ward
Cushingberry	Kehrl	Pavlov	Waters
DeRoche	Kolb	Pearce	Whitmer
Dillon	Kooiman	Phillips	Williams
Donigan	LaJoy	Plakas	Wojno
Drolet	Law, David	Polidori	Zelenko

Nays—0

In The Chair: Kooiman

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. Ward 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. 4188, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 51 (MCL 211.51), as amended by 1992 PA 97.

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

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

Rep. Kehrl moved to amend the bill as follows:

1. Amend page 5, following line 8, by inserting:

“Enacting section 1. This amendatory act does not take effect unless House Bill No. 4463 of the 93rd Legislature is enacted into law.”.

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

Rep. Kehrl demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 36**Yeas—51**

Accavitti	Cushingberry	Leland	Sak
Adamini	Dillon	Lemmons, III	Sheltrown
Anderson	Donigan	Lemmons, Jr.	Smith, Alma
Angerer	Espinoza	Lipse	Smith, Virgil
Bennett	Farrah	Mayer	Spade
Bieda	Gillard	McConico	Tobocman
Brown	Gleason	McDowell	Vagnozzi
Byrnes	Gonzales	Meisner	Waters
Byrum	Hood	Miller	Whitmer
Cheeks	Hopgood	Murphy	Williams
Clack	Kehrl	Phillips	Wojno
Clemente	Kolb	Plakas	Zelenko
Condino	Law, Kathleen	Polidori	

Nays—57

Acciavatti	Garfield	Marleau	Robertson
Amos	Gosselin	Meyer	Rocca
Ball	Green	Moolenaar	Schuitmaker
Baxter	Hansen	Moore	Shaffer
Booher	Hildenbrand	Mortimer	Sheen
Brandenburg	Hoogendyk	Newell	Stahl
Casperson	Huizenga	Nitz	Stakoe
Caswell	Hummel	Nofs	Steil
Caul	Hune	Palmer	Stewart
DeRoche	Jones	Palsrok	Taub
Drolet	Kahn	Pastor	Van Regenmorter
Elsenheimer	Kooiman	Pavlov	Vander Veen
Emmons	LaJoy	Pearce	Walker
Farhat	Law, David	Proos	Ward
Gaffney			

In The Chair: Kooiman

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

House Bill No. 4025, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8507 (MCL 600.8507), as amended by 1994 PA 5.

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

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

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

The motion prevailed.

Rep. Ward 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. Wenke, Gosselin, Lipsey and Vagnozzi offered the following resolution:

House Resolution No. 35.

A resolution to memorialize the Congress of the United States to adopt and submit to the states for ratification a proposed amendment to the *Constitution of the United States* to require a federal balanced budget.

Whereas, The economic health of the nation is dependent on a wide range of complex factors, and one of the key components is the federal government's annual budget. Of all of the economic factors that impact our nation's well-being, the maintenance of a deficit or a surplus in that budget may be the most important because it is one of the few areas that can be controlled; and

Whereas, Our nation was founded on a platform of fiscal austerity. In addition to this tradition, there are many significant benefits to our country to be gained from a balanced budget and from a constitutional provision to require this at the federal level. Fewer of the nation's financial resources would have to be channeled to reduce the nation's debt. Ultimately, more of our tax dollars would be available for the many areas of public endeavor that reflect our national priorities such as education, the security of our nation, health care, and the creation of jobs. Indeed, fiscal discipline can be a powerful tool for strengthening our country in many ways; and

Whereas, Since there are strong parallels between the impact of unchecked debt on a government and on a family, the American people understand well the wisdom of policies that encourage governments to balance their budgets. The example of this requirement at the local and state government levels argues strongly for similar requirements at the federal level; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to adopt and submit to the states for ratification a proposed amendment to the *Constitution of the United States* to require a federal balanced budget; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

The resolution was referred to the Committee on Government Operations.

Reports of Standing Committees

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

House Bill No. 4082, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 310 (MCL 257.310), as amended by 2004 PA 495.

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. LaJoy, David Law, Gosselin, Meyer, Casperson, Nitz, Moore, Pavlov, Pearce, Anderson, Byrnes, Kathleen Law, Hood, Gleason and Leland

Nays: None

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

House Bill No. 4469, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 10104 (MCL 333.10104), as amended by 2003 PA 62.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. LaJoy, David Law, Gosselin, Meyer, Casperson, Nitz, Moore, Pavlov, Pearce, Anderson, Byrnes, Kathleen Law, Hood, Gleason and Leland

Nays: None

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

House Bill No. 4470, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 303, 307, and 812 (MCL 257.303, 257.307, and 257.812), sections 303 and 812 as amended by 2004 PA 362 and section 307 as amended by 2004 PA 502.

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.

Favorable Roll Call

To Report Out:

Yeas: Reps. LaJoy, David Law, Gosselin, Meyer, Casperson, Nitz, Moore, Pavlov, Pearce, Anderson, Byrnes, Murphy, Kathleen Law, Hood, Gleason and Leland

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, March 15, 2005

Present: Reps. LaJoy, David Law, Gosselin, Meyer, Casperson, Nitz, Moore, Pavlov, Pearce, Anderson, Byrnes, Murphy, Kathleen Law, Hood, Gleason and Leland

Absent: Rep. Wenke

Excused: Rep. Wenke

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

House Bill No. 4403, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16215 (MCL 333.16215), as amended by 1999 PA 60.

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. Gaffney, Newell, Robertson, Vander Veen, Hune, Ward, Nofs, Ball, Green, Kahn, Mortimer, Adamini, Wojno, McDowell and Gleason

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, March 15, 2005

Present: Reps. Gaffney, Newell, Robertson, Vander Veen, Hune, Ward, Nofs, Ball, Green, Kahn, Mortimer, Adamini, Wojno, McDowell, Murphy and Gleason

Absent: Rep. Angerer

Excused: Rep. Angerer

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Vander Veen, Chair, of the Committee on Senior Health, Security, and Retirement, was received and read:

Meeting held on: Tuesday, March 15, 2005

Present: Reps. Vander Veen, Green, Van Regenmorter, Stahl, Proos, Zelenko, Polidori, Clack and Vagnozzi

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, March 15, 2005

Present: Reps. Huizenga, Baxter, Emmons, Palsrok, Green, Hildenbrand, Jones, David Law, Pavlov, Schuitmaker, Meisner, Tobocman, Murphy, Dillon, Bennett, Accavitti and McConico

Absent: Reps. Wenke and Marleau

Excused: Reps. Wenke and Marleau

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, March 15, 2005

Present: Reps. Drolet, Hoogendyk, Gosselin, Garfield, Sheen, Tobocman, Lipsey and Lemmons, III

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 10:

Senate Bill Nos. 291 292 293 294 295 296

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

House Bill Nos. 4480 4481 4482

Senate Bill Nos. 297 298 299 300 301 302 303

The Clerk announced that the following Senate bills had been received on Tuesday, March 15:

Senate Bill Nos. 70 72 223

By unanimous consent the House returned to the order of

Messages from the Senate**Senate Bill No. 70, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 360.

The Senate has passed the bill.

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

Senate Bill No. 72, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1304.

The Senate has passed the bill.

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

Senate Bill No. 223, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 38e (MCL 208.38e), as amended by 2003 PA 273.

The Senate has passed the bill.

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

Notices

March 15, 2005

Mr. Gary L. Randall, Clerk
Michigan House of Representatives
State Capitol Building
Lansing, Michigan 48913

Dear Mr. Clerk:

I am writing to inform you of the following name change of the House Appropriation Subcommittee on the Family Independence Agency to the Department of Human Services Subcommittee on Appropriations. Pursuant to Executive Order No. 2004-38, this change is necessary due to the official renaming of the Department.

Sincerely,
Craig DeRoche, Speaker
Michigan House of Representatives

Messages from the Governor

The following message from the Governor was received March 14, 2005 and read:

**EXECUTIVE ORDER
No. 2005 - 6**

GOVERNOR'S OFFICE OF COMMUNITY AND FAITH-BASED INITIATIVES

WHEREAS, under Section 1 of Article V of the Michigan Constitution of 1963, the executive power is vested in the Governor;

WHEREAS, under Section 8 of Article V of the Michigan Constitution of 1963 each principal department of state government is under the supervision of the Governor unless otherwise provided by the Constitution;

WHEREAS, under Section 8 of Article V of the Michigan Constitution of 1963, the Governor is responsible to take care that the laws be faithfully executed;

WHEREAS, under Section 8 of Article V of the Michigan Constitution of 1963, the Governor shall transact all necessary business with the officers of state government and may require information in writing from all executive and administrative state officers, elective and appointive, upon any subject relating to the duties of their respective offices;

WHEREAS, the State of Michigan benefits from a rich diversity of community and faith-based organizations that provide crucial aid to many Michigan residents, including assistance for the needy, children, families, and neighborhoods;

WHEREAS, committed volunteers in community and faith-based organizations bring unique skills, services, and resources to bear in assisting Michigan residents;

WHEREAS, many community and faith-based organizations lack the organizational resources to effectively engage government agencies in collaborative projects to help meet the needs of Michigan residents;

WHEREAS, community and faith-based organizations can assist the State of Michigan in addressing unmet human services needs, and in enhancing the quality of life for Michigan residents;

WHEREAS, it is beneficial to encourage communication between governmental entities and community and faith-based organizations, recognizing the importance of sharing information about, and encouraging the best practices of, community and faith-based organizations;

WHEREAS, in light of current fiscal conditions, state government must ensure that its efforts to assist community and faith-based programs and organizations are as strong, coordinated, and effective as feasible;

WHEREAS, there are many opportunities for community and faith based organizations to partner with governmental entities;

WHEREAS it is in the State of Michigan's best interest to maximize financial support it receives from the federal government by working with the network of programs authorized under the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 related to services provided by charitable, religious, or private organizations;

WHEREAS, the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 authorizes state governments to contract with faith-based organizations and allows faith-based organizations to accept government assistance provided under the Act on the same basis as secular organizations;

WHEREAS, Michigan residents can benefit from a comprehensive and coordinated effort to improve and strengthen community and faith-based organizations in our state;

WHEREAS, the effort to support community and faith-based organizations in Michigan should be facilitated by having a prominent office with a direct relationship to the Governor;

NOW, THEREFORE, I, Jennifer M. Granholm, Governor of the State of Michigan, by virtue of the power and authority vested in me by the Michigan Constitution of 1963 and Michigan law, order:

I. DEFINITIONS

As used in this Order:

A. "Department of Human Services" or "Department" means the principal department of state government created as the Department of Social Services by Section 450 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.550, renamed the Family Independence Agency by 1995 PA 223, MCL 400.1, and renamed the Department of Human Services by Executive Order 2004-38.

B. "Office" means the Governor's Office of Community and Faith-Based Initiatives created within the Department under this Order.

II. CREATION OF GOVERNOR'S OFFICE OF COMMUNITY AND FAITH-BASED INITIATIVES

A. To facilitate communication and collaboration between community and faith-based organizations and government agencies in Michigan, the Governor's Office of Community and Faith-Based Initiatives is established within the Department of Human Services.

B. The Office shall be administered under the supervision of the Department but shall exercise its powers, duties, and functions independently of the Director of the Department. Any budgeting, procurement, and related management functions of the Office shall be performed under the direction and supervision of the Director of the Department.

C. The Office shall be managed by a Director who shall be selected by the Governor. The Director of the Office shall serve as a liaison between the Governor and community and faith-based organizations.

III. FUNCTIONS OF GOVERNOR'S OFFICE OF COMMUNITY AND FAITH-BASED INITIATIVES

A. The Office shall:

1. Advise the Governor on policies, priorities, and objectives for state government activities to enlist, equip, enable, empower, and expand the work of community and faith-based organizations to address social needs in Michigan, to enhance partnerships with governmental entities, and to replicate successful community and faith-based programs. The Office shall provide other information, recommendations, or advice as requested by the Governor.

2. Facilitate coordination of state government efforts relating to community and faith-based initiatives, expand opportunities for community and faith-based organizations to address social needs in Michigan, and identify obstacles to effective and efficient collaboration.

3. Provide a single point of contact for community and faith-based organizations to receive information, assistance, and referrals related to community and faith-based programs within state government.

4. Work closely with community and faith-based organizations to promote service activities and assist the organizations in identifying and applying for federal grants.

5. Identify, promote, and share innovative and model community and faith-based programs, initiatives, and best practices among community and faith-based organizations.

6. Seek financial support for the community and faith-based efforts of state government and for community and faith-based programs and services, including, but not limited to, application for funding to the Corporation for National and Community Service and other entities that administer federal grants to support the objectives established by the Office for community and faith-based programs.

7. Provide technical assistance, education, information, and other support to community and faith-based organizations.

8. Coordinate efforts with the Michigan Community Service Commission and other state departments and agencies as appropriate.

B. Subject to available funding, the Office may hire or retain contractors, sub-contractors, advisors, consultants, and agents, and may make and enter into contracts necessary or incidental to the exercise of the powers of the Office and the performance of its duties as the Director of the Office deems advisable and necessary, in accordance with this Order, and the relevant statutes, rules, and procedures of the Civil Service Commission and the Department of Management and Budget.

C. The Office may accept donations of labor, services, or other things of value from any public or private agency, person, or entity.

D. State departments and agencies shall assist the Office in the performance of its duties under this Order.

IV. LIMITATIONS ON ACTIVITIES AND USE OF FUNDS

A. The Office shall not engage in any activity prohibited by Section 4 of Article I of the Michigan Constitution of 1963.

B. The Office shall not engage in activity prohibited by Section 2 of Article VIII of the Michigan Constitution of 1963.

C. No funds provided directly to institutions or organizations to provide services and administer programs under Section 104(a)(1)(A) of the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 may be expended for sectarian worship, instruction, or proselytization.

V. MISCELLANEOUS

A. Nothing in this Order shall be construed to change the organization of the executive branch of state government or the assignment of functions among its units in a manner requiring the force of law.

B. Any suit, action, or other proceeding lawfully commenced by, against, or before any entity affected by this Order shall not abate by reason of the taking effect of this Order.

C. The invalidity of any portion of this Order shall not affect the validity of the remainder of the Order.

This Order is effective March 15, 2005.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 14th day of March, in the year of our Lord, two thousand and five.

Jennifer M. Granholm

Governor

By the Governor:

Terri L. Land

Secretary of State

The message was referred to the Clerk.

Introduction of Bills

Rep. Ward introduced

House Bill No. 4483, entitled

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending section 8d (MCL 125.2688d), as amended by 2004 PA 202.

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

Reps. Wenke, Schuitmaker and Gaffney introduced

House Bill No. 4484, entitled

A bill to amend 1987 PA 96, entitled "The mobile home commission act," by amending section 30i (MCL 125.2330i), as added by 2003 PA 44.

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

Reps. Wenke, Vagnozzi and Schuitmaker introduced

House Bill No. 4485, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8117 (MCL 600.8117), as amended by 1997 PA 161.

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

Reps. Baxter, Emmons, Acciavatti, Gosselin, Hildenbrand, David Law, Nitz, Brandenburg, Taub, Vander Veen, Nofs, Gaffney, Hune, Marleau, Huizenga, Proos, Elsenheimer, Hansen, Booher, Sheen and Stakoe introduced

House Bill No. 4486, entitled

A bill to repeal 1899 PA 188, entitled "Michigan estate tax act," (MCL 205.201 to 205.256).

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

Reps. Baxter, Acciavatti, Gosselin, Nitz, Brandenburg, Taub, Vander Veen, Nofs, Gaffney, Hune, Marleau, Huizenga, Elsenheimer, Moore, Booher, Sheen and Stakoe introduced

House Bill No. 4487, entitled

A bill to amend 1979 PA 72, entitled "An act to require the governor to report certain tax information with the annual budget message to the legislature," by repealing section 8 (MCL 21.278).

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

Reps. Baxter, Acciavatti, Nitz, Brandenburg, Taub, Vander Veen, Nofs, Gaffney, Hune, Marleau, Huizenga, Elsenheimer, Hansen, Moore, Booher, Sheen and Stakoe introduced

House Bill No. 4488, entitled

A bill to amend 1941 PA 122, entitled "An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of the state; to prescribe certain powers and duties of the state treasurer; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," by amending section 13 (MCL 205.13), as amended by 1996 PA 479.

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

Reps. Baxter, Acciavatti, Gosselin, Nitz, Brandenburg, Taub, Vander Veen, Nofs, Gaffney, Hune, Marleau, Huizenga, Elsenheimer, Hansen, Moore, Booher, Sheen and Stakoe introduced

House Bill No. 4489, entitled

A bill to amend 1973 PA 186, entitled "Tax tribunal act," by amending section 79 (MCL 205.779).

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

Reps. Baxter, Acciavatti, Gosselin, Nitz, Brandenburg, Taub, Vander Veen, Nofs, Gaffney, Hune, Marleau, Huizenga, Elsenheimer, Hansen, Moore, Booher, Sheen and Stakoe introduced

House Bill No. 4490, entitled

A bill to amend 1939 PA 330, entitled "An act to provide for access to, removal of contents from, surrender of, and discharge of liability of lessor of safe deposit boxes or compartments rented to 2 or more persons by either or any 1 of such persons or the survivor or survivors of them, unless otherwise provided in the safe deposit box or compartment rental agreement," by amending section 1 (MCL 487.721), as amended by 1994 PA 370.

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

Reps. Baxter, Acciavatti, Gosselin, Nitz, Brandenburg, Taub, Vander Veen, Nofs, Gaffney, Hune, Marleau, Huizenga, Elsenheimer, Hansen, Booher, Sheen and Stakoe introduced

House Bill No. 4491, entitled

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending sections 2517 and 3912 (MCL 700.2517 and 700.3912), section 2517 as amended by 2000 PA 177.

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

Reps. Hune, Hansen, Ward, Gaffney, LaJoy and Mortimer introduced

House Bill No. 4492, entitled

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

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

Rep. Hune introduced

House Bill No. 4493, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 40102, 40113a, and 42701 (MCL 324.40102, 324.40113a, and 324.42701), section 40102 as amended by 2000 PA 347, section 40113a as amended by 1997 PA 19, and section 42701 as added by 1995 PA 57.

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

Reps. Spade, Mortimer, Plakas, Sheltroun, Polidori, Miller, Byrnes, Wojno, Angerer, Clemente, Dillon, Mayes, Anderson, Leland, Alma Smith, McDowell, Espinoza, Condino, Gleason, Gillard, Caswell, Zelenko, Clack, Kathleen Law, Kolb, Kehrl, Brown, Shaffer, Hopgood, Farrah, Meisner, Bieda and Vagnozzi introduced

House Bill No. 4494, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 614 (MCL 380.614), as amended by 2004 PA 419.

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

Reps. Dillon, Stewart, Miller, Leland, Kehrl, Gleason, Polidori, Mayes, Meisner, Clemente and Waters introduced
House Bill No. 4495, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 20 (MCL 388.1620), as amended by 2004 PA 351.

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

Reps. Bieda and Condino introduced

House Bill No. 4496, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 17766 and 21413 (MCL 333.17766 and 333.21413), section 17766 as amended by 2004 PA 329 and section 21413 as amended by 1996 PA 267, and by adding section 17766e.

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

Rep. Green introduced

House Bill No. 4497, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 441.

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

Rep. Green introduced

House Bill No. 4498, entitled

A bill to create the fund for uninsured patients with grave illnesses; to provide for the investment and expenditure of money in the fund; to require the promulgation of rules; to provide for disbursement from the fund; to provide for appropriations; and to prescribe the powers and duties of certain state and local governmental officers and agencies.

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

Rep. Green introduced

House Bill No. 4499, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 2 (MCL 722.622), as amended by 2002 PA 693.

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

Reps. Pastor, Amos and Garfield introduced

House Bill No. 4500, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 252a (MCL 257.252a), as amended by 2004 PA 495, and by adding section 252n.

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

Reps. Amos, Nitz, David Law, Pastor, Garfield, Hummel, Booher, Brandenburg, Emmons, Mortimer, Drolet, Gosselin, Leland, Kathleen Law, Plakas and Polidori introduced

House Bill No. 4501, entitled

A bill to amend 1984 PA 44, entitled "Motor fuels quality act," by amending sections 4, 10a, and 10b (MCL 290.644, 290.650a, and 290.650b), section 4 as amended by 2003 PA 116 and sections 10a and 10b as amended by 2002 PA 13.

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

Reps. Amos, Nitz, David Law, Pastor, Garfield, Hummel, Booher, Brandenburg, Emmons, Mortimer, Drolet, Gosselin, Leland, Kathleen Law, Plakas and Polidori introduced

House Bill No. 4502, entitled

A bill to amend 1964 PA 283, entitled "Weights and measures act," by amending section 31a (MCL 290.631a), as added by 2002 PA 208.

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

Reps. Wenke, Kahn, Accavitti and Marleau introduced

House Bill No. 4503, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 324 (MCL 750.324).
The bill was read a first time by its title and referred to the Committee on Judiciary.

Rep. Sheltroun moved that the House adjourn.
The motion prevailed, the time being 2:50 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, March 16, at 1:00 p.m.

GARY L. RANDALL
Clerk of the House of Representatives

