

No. 15
STATE OF MICHIGAN
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House of Representatives
92nd Legislature
REGULAR SESSION OF 2004

House Chamber, Lansing, Thursday, February 19, 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—e/d/s	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—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—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—present	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—present	Waters—present
DeRossett—present	Kolb—present	Richardville—present	Wenke—present
Drolet—present	Kooiman—present	Rivet—present	Whitmer—present
Ehardt—present	LaJoy—present	Robertson—present	Williams—present
Elkins—present	LaSata—present	Rocca—present	Wojno—present
Emmons—present	Law—present	Sak—present	Woodward—present
Farhat—present	Lipsey—present	Shackleton—present	Woronchak—present
Farrah—present	McConico—present	Shaffer—present	Zelenko—present
Gaffney—present			

e/d/s = entered during session

Rep. Clark E. Bisbee, from the 64th District, offered the following invocation:

“I am thankful for the mess to clean up after a party because it means I have been surrounded by friends. I am thankful for the taxes I pay because it means that I am employed. I am thankful for the clothes that fit a little too snug because it means I have enough to eat. I am thankful for the spot I find at the far end of the parking lot because it means I am capable of walking. I am thankful for all the complaining I hear about government because it means we have freedom of speech. I am thankful for the lady behind me in church who sings off key because it means that I can hear. I am thankful for the piles of laundry and ironing because it means my loved ones are nearby. I am thankful for the lawn that needs mowing, windows that need cleaning and gutters that need fixing because it means I have a home. I am thankful for my huge heating bill because it means that I am warm. I am thankful for weariness and aching muscles at the end of the day because it means I have been productive. I am thankful for the alarm that goes off in the early morning hours because it means I am alive. I am thankful for this opportunity to praise God in prayer for so many things that look like difficult situations because it means I am beginning to see with the eyes of faith. Amen.”

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

Second Reading of Bills

House Bill No. 4260, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 174a (MCL 750.174a), as added by 2000 PA 222.

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 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.

Rep. Caswell moved that Rep. DeRoche be excused temporarily from today’s session.
The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4260, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 174a (MCL 750.174a), as added by 2000 PA 222.

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

Roll Call No. 64

Yeas—104

Accavitti
Acciavatti
Adamini

Gaffney
Gielegem
Gleason

Meyer
Middaugh
Milosch

Sheen
Sheltrown
Shulman

Amos	Hager	Minore	Smith
Anderson	Hardman	Moolenaar	Spade
Bieda	Hood	Mortimer	Stahl
Bisbee	Hoogendyk	Murphy	Stakoe
Bradstreet	Hopgood	Newell	Stallworth
Brandenburg	Howell	Nitz	Steil
Brown	Huizenga	Nofs	Stewart
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
Dennis	Kolb	Reeves	Waters
DeRossett	Kooiman	Richardville	Wenke
Drolet	LaJoy	Rivet	Whitmer
Ehardt	LaSata	Robertson	Williams
Elkins	Law	Rocca	Wojno
Emmons	Lipsey	Sak	Woodward
Farhat	McConico	Shackleton	Woronchak
Farrah	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

House Bill No. 5418, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 8d (MCL 722.628d), as amended by 2002 PA 661.

The bill was read a second time.

Rep. Hager moved to amend the bill as follows:

1. Amend page 5, line 1, by striking out all of subdivision (b) and inserting:

"(b) The number of cases in category III closed during the time period covered by the report categorized as follows:

(i) Transfer to foster care.

(ii) Risk of further child abuse or neglect has been reduced to an acceptable level.

(iii) The perpetrator no longer has access to the child victim.

(iv) Unsatisfactory family response – referral to court not feasible.

(v) Child protective services not needed – family is receiving services from another program.

(vi) Client unavailable for services, location of client unknown.

(vii) Other."

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

Rep. Hager 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. 5418, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 8d (MCL 722.628d), as amended by 2002 PA 661.

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

Roll Call No. 65

Yeas—105

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

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

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.

The bill was read a second time.

Rep. Milosch 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. 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.

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

Roll Call No. 66

Yeas—104

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

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.

Second Reading of Bills

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.

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

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. 842, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 616a.
Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 67

Yeas—105

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

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 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.

Rep. Gillard entered the House Chambers.

Second Reading of Bills

Senate Bill No. 824, entitled

A bill to amend 1995 PA 24, entitled “Michigan economic growth authority act,” by amending sections 3, 4, 5, 6, 8, and 10 (MCL 207.803, 207.804, 207.805, 207.806, 207.808, and 207.810), section 3 as amended by 2000 PA 428 and sections 6 and 8 as amended by 2000 PA 144, and by adding section 8a.

Was read a second time, and the question being on the adoption of the proposed substitute (H-5) previously recommended by the Committee on Commerce,

The substitute (H-5) was adopted, a majority of the members serving voting therefor.

Rep. Emmons moved to amend the bill as follows:

1. Amend page 14, following line 21, by inserting:

“(d) That maintains 150 retained jobs at a facility, maintains 1,000 or more full-time jobs in this state, and makes new capital investment in this state.”.

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

Rep. Emmons demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 68

Yeas—106

Accavitti	Gaffney	Meyer	Sheen
Acciavatti	Gielegem	Middaugh	Sheltrown
Adamini	Gillard	Milosch	Shulman
Amos	Gleason	Minore	Smith
Anderson	Hager	Moolenaar	Spade
Bieda	Hardman	Mortimer	Stahl
Bisbee	Hood	Murphy	Stakoe
Bradstreet	Hoogendyk	Newell	Stallworth
Brandenburg	Hopgood	Nitz	Steil
Brown	Howell	Nofs	Stewart
Byrum	Huizenga	O’Neil	Taub
Casperson	Hummel	Palmer	Tobocman
Caswell	Hune	Palsrok	Vagnozzi
Caul	Hunter	Pappageorge	Van Regenmorter
Cheeks	Jamnick	Pastor	Vander Veen
Clack	Johnson, Rick	Phillips	Voorhees
Condino	Johnson, Ruth	Plakas	Walker

Daniels	Julian	Pumford	Ward
Dennis	Koetje	Reeves	Waters
DeRoche	Kolb	Richardville	Wenke
DeRossett	Kooiman	Rivet	Whitmer
Drolet	LaJoy	Robertson	Williams
Ehardt	LaSata	Rocca	Wojno
Elkins	Law	Sak	Woodward
Emmons	Lipsey	Shackleton	Woronchak
Farhat	McConico	Shaffer	Zelenko
Farrah	Meisner		

Nays—0

In The Chair: Julian

Rep. Hummel moved to amend the bill as follows:

1. Amend page 14, line 3, after “agreement” by inserting a comma and “**which shall include a repayment provision of all or a portion of the credits under section 9 for a violation of the written agreement,**”.

The motion prevailed and the amendment 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.

House Bill No. 5445, entitled

A bill to amend 1975 PA 228, entitled “Single business tax act,” by amending section 37c (MCL 208.37c), as amended by 2003 PA 251.

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. 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. 5445, entitled**

A bill to amend 1975 PA 228, entitled “Single business tax act,” by amending section 37c (MCL 208.37c), as amended by 2003 PA 251.

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

Roll Call No. 69**Yeas—106**

Accavitti	Gaffney	Meyer	Sheen
Acciavatti	Gielegem	Middaugh	Sheltrown
Adamini	Gillard	Milosch	Shulman
Amos	Gleason	Minore	Smith
Anderson	Hager	Moolenaar	Spade
Bieda	Hardman	Mortimer	Stahl
Bisbee	Hood	Murphy	Stakoe
Bradstreet	Hoogendyk	Newell	Stallworth
Brandenburg	Hopgood	Nitz	Steil
Brown	Howell	Nofs	Stewart
Byrum	Huizenga	O’Neil	Taub

Casperson	Hummel	Palmer	Tobocman
Caswell	Hune	Palsrok	Vagnozzi
Caul	Hunter	Pappageorge	Van Regenmorter
Cheeks	Jamnack	Pastor	Vander Veen
Clack	Johnson, Rick	Phillips	Voorhees
Condino	Johnson, Ruth	Plakas	Walker
Daniels	Julian	Pumford	Ward
Dennis	Koetje	Reeves	Waters
DeRoche	Kolb	Richardville	Wenke
DeRossett	Kooiman	Rivet	Whitmer
Drolet	LaJoy	Robertson	Williams
Ehardt	LaSata	Rocca	Wojno
Elkins	Law	Sak	Woodward
Emmons	Lipsey	Shackleton	Woronchak
Farhat	McConico	Shaffer	Zelenko
Farrah	Meisner		

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.

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. Shulman, Daniels, Stallworth, Smith, Cheeks, Waters and Bradstreet offered the following resolution:

House Resolution No. 203.

A resolution to urge the Congress of the United States and the Michigan Department of Education to take certain actions to ensure the integrity and success of the E-Rate program to bring technology to all school districts.

Whereas, The education of our nation's youth continues to be a top priority at all levels of government. In one of many efforts to advance the education of our nation's youth, Congress enacted the E-Rate program, officially known as the Universal Service Program Schools and Libraries Support Mechanism, as part of the 1996 Telecommunications Act; and

Whereas, The purpose of the E-Rate program is to provide our nation's neediest school districts and libraries with the necessary funding to develop and expand their technological infrastructure by procuring internet access, internal network connections, and other telecommunications services. This allows school districts and libraries to reallocate some of their funds to other necessary and essential programs; and

Whereas, The E-Rate program is a ratepayer-funded initiative made possible by fees paid by telecommunications companies that then pass these costs on to their customers; and

Whereas, It has recently been discovered that a major telecommunications provider and participant in the E-Rate program may have violated specific provisions of the program by amassing over \$5 million worth of telecommunications material and equipment intended to be used to enhance technology in the Chicago Public Schools. In this case, the materials and equipment were reportedly never delivered or installed in the schools for which they were intended. This has resulted in a loss to both the taxpayers and to the children this telecommunications material and equipment were intended to help. The United States House of Representatives Energy and Commerce Committee has begun an investigation into these alleged improprieties; and

Whereas, School districts and libraries in the state of Michigan also participate in the E-Rate program, having received a total of \$30.8 million in Fiscal Year 2003. In an effort to bolster the education of our state's youth and build upon the commendable purpose of the E-Rate program, the Michigan Legislature is committed to putting forth the effort necessary to help our school districts implement competitive technical programs; and

Whereas, As a result of the recent economic recession, it is now, more than ever, imperative that all of levels of government continue to seek ways to maximize efficiencies while reducing costs; now, therefore, be it

Resolved by the House of Representatives, That we express our support for the United States House of Representatives Energy and Commerce Committee's efforts to restore the integrity of the E-Rate program by uncovering any possible abuse or misappropriation of funds, or any failure to adhere to the guidelines of the program by any of the parties involved. We urge the committee to proceed with the utmost diligence and expediency in its investigation of this matter; and be it further

Resolved, That we request the Michigan State Board of Education and the Michigan Department of Education to investigate Michigan's involvement in the E-Rate program to ensure that these funds are being utilized for their intended purpose and that Michigan's children are receiving the equipment and benefits for which these funds were allocated; and be it further

Resolved, That copies of this resolution be transmitted to the Michigan State Board of Education, the Michigan Superintendent of Public Instruction, the President of the United States Senate, the Speaker of the United States House of Representatives, the members of the Michigan congressional delegation, and the members of the United States House of Representatives Energy and Commerce Committee.

The resolution was referred to the Committee on Commerce.

Reps. Farhat, LaJoy, Steil, Nofs, Gaffney, Ward, Hoogendyk, Sheen, Woronchak, Brandenburg, Kooiman, Huizenga, Stahl, Newell, Hager, Wenke, Shackleton, Milosch, Mortimer, Bradstreet, Emmons, Pastor, Vander Veen, Shaffer, Palsrok, Acciavatti, Moolenaar, Stakoe, Van Regenmorter, Nitz, Brown, Hune, Farrah, Plakas, Sak, O'Neil, Dennis and Vagnozzi offered the following resolution:

House Resolution No. 204.

A resolution to urge Michigan's public universities and community colleges to charge in-state tuition rates instead of nonresident rates to members of the military and their dependents stationed in Michigan.

Whereas, Although we should need no reminders of the sacrifices that are always being made by members of America's Armed Forces, the current challenges facing our nation clearly illustrate the stresses that military service places on military families; and

Whereas, One of the many hardships that confront members of the military and their families involves rates of tuition for higher education. Military families relocate regularly as service needs are met. The result of these moves is that military personnel and their dependents often are unable to establish residency for the purpose of paying the lower in-state tuition rates; and

Whereas, It is unfair for military families, whose locations are essentially determined by the nation's needs as the military assigns its personnel around the country, to be penalized by having to pay the significantly higher nonresident tuition rates for higher education. Across the country, many states have adopted policies to permit military personnel and families to benefit from in-state tuition rates. Michigan's universities and community colleges should do so as well; and

Whereas, By its very nature, service in the military requires people to give up a great deal for their fellow Americans. There is, however, no reason that these enormous sacrifices should include major financial obstacles to higher education; now, therefore, be it

Resolved by the House of Representatives, That we urge Michigan's public universities and community colleges to charge in-state tuition rates instead of nonresident rates to members of the military and their dependents stationed in Michigan; and be it further

Resolved, That copies of this resolution be transmitted to Michigan's public universities and community colleges.

The resolution was referred to the Committee on Higher Education.

Reports of Standing Committees

The Committee on Land Use and Environment, by Rep. Ruth Johnson, Chair, reported

House Bill No. 4929, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 3112a (MCL 324.3112a), as amended by 2000 PA 286.

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. Ruth Johnson, LaJoy, Milosch, Nitz, Ward, Farrah, Gielegem and Law
 Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Ruth Johnson, Chair, of the Committee on Land Use and Environment, was received and read:

Meeting held on: Wednesday, February 18, 2004

Present: Reps. Ruth Johnson, LaJoy, Milosch, Nitz, Ward, Farrah, Gielegem and Law

Absent: Reps. Ehardt, DeRossett and Dennis

Excused: Reps. Ehardt, DeRossett and Dennis

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

House Bill No. 4478, entitled

An act to amend 1990 PA 211, entitled "An initiation of Legislation to require parental consent for abortions performed on unemancipated minors and to provide a judicial alternative to parental consent; to provide for certain rights, powers, and duties of departments, individuals, and courts; and to prescribe penalties," by amending sections 3 and 4 (MCL 722.903 and 722.904).

With the recommendation that the bill pass, the objections of the Governor to the contrary notwithstanding.

The bill was referred to the order of Messages from the Governor.

Favorable Roll Call

To Report Out:

Yeas: Reps. Koetje, Drolet and Howell

Nays: Reps. Tobocman and Lipsey

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 19, 2004

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

The Committee on Family and Children Services, by Rep. Hager, Chair, reported

House Bill No. 4476, entitled

A bill to provide for respite care resources; to establish the Michigan lifespan respite services program; to provide for community lifespan respite services programs; and to prescribe the powers and duties of certain departments of this state.

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. Hager, Stahl, Vander Veen, Voorhees, Sheen, Hardman, Clack and Elkins

Nays: None

The Committee on Family and Children Services, by Rep. Hager, Chair, reported

House Bill No. 4654, entitled

A bill to amend 1971 PA 174, entitled "Office of child support act," (MCL 400.231 to 400.240) by adding section 3b.

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. Hager, Stahl, Vander Veen, Voorhees, Sheen, Hardman, Clack and Elkins

Nays: None

The Committee on Family and Children Services, by Rep. Hager, Chair, reported

House Bill No. 5259, entitled

A bill to amend 1982 PA 294, entitled "Friend of the court act," by amending section 11 (MCL 552.511), as amended by 2002 PA 571.

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. Hager, Stahl, Vander Veen, Voorhees, Sheen, Hardman, Clack and Elkins

Nays: None

The Committee on Family and Children Services, by Rep. Hager, Chair, reported

House Bill No. 5261, entitled

A bill to amend 1982 PA 295, entitled "Support and parenting time enforcement act," by amending section 3 (MCL 552.603), as amended by 2002 PA 572.

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. Hager, Stahl, Vander Veen, Voorhees, Sheen, Hardman, Clack and Elkins

Nays: None

The Committee on Family and Children Services, by Rep. Hager, Chair, reported

House Bill No. 5262, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 161a.

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. Hager, Stahl, Vander Veen, Voorhees, Sheen, Hardman, Clack and Elkins

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Hager, Chair, of the Committee on Family and Children Services, was received and read:

Meeting held on: Wednesday, February 18, 2004

Present: Reps. Hager, Stahl, Vander Veen, Voorhees, Sheen, Hardman, Clack and Elkins

Absent: Rep. Hart

Excused: Rep. Hart

COMMITTEE ATTENDANCE REPORT

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

Present: Reps. Shulman, Emmons, Caul, Pumford, Kooiman, Newell, Stewart, Acciavatti, Amos, Caswell, Farhat, Hoogendyk, Moolenaar, Pastor, Shaffer, Steil, Taub, Walker, Brandenburg, Mortimer, Whitmer, Brown, Kolb, Phillips, Plakas, Reeves, Williams, Cheeks, Hunter, Sak, Zelenko and O'Neil

Absent: Rep. Shackleton

Excused: Rep. Shackleton

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, February 19, 2004

Present: Reps. Woronchak, Mortimer, Rocca, Vander Veen and Vagnozzi

Absent: Reps. Pappageorge, Tabor, Stallworth and Zelenko

Excused: Reps. Pappageorge, Tabor, Stallworth and Zelenko

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 Tuesday, February 17:

Senate Bill Nos. 998 999 1000

The Clerk announced that the following bills had been printed and placed upon the files of the members on Thursday, February 19:

**House Bill Nos. 5555 5556 5557 5558 5559 5560 5561 5562 5563 5564 5565 5566 5567 5568
5569 5570 5571 5572 5573 5574 5575 5576 5577 5578 5579 5580 5581 5582**

The Clerk announced that the following Senate bill had been received on Thursday, February 19:

Senate Bill No. 559

By unanimous consent the House returned to the order of

Messages from the Senate**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 concurred in the House amendment to the Senate substitute (S-1).

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

House Bill No. 4887, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 2 (MCL 257.2), as amended by 1997 PA 8.

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.

Senate Bill No. 559, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 513 (MCL 436.1513), as amended by 2002 PA 725.

The Senate has passed the bill.

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

Messages from the Governor

Date: February 19, 2004

Time: 7:20 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5244 (Public Act No. 4, I.E.), being

An act 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.

(Filed with the Secretary of State February 19, 2004, at 9:07 a.m.)

Introduction of Bills

Reps. Kolb, Milosch, Tobocman and Sak introduced

House Bill No. 5583, entitled

A bill to amend 1933 PA 167, entitled “General sales tax act,” (MCL 205.51 to 205.78) by adding section 4h. The bill was read a first time by its title and referred to the Committee on Tax Policy.

Reps. Kolb and Tobocman introduced

House Bill No. 5584, entitled

A bill to amend 1990 PA 187, entitled “The pupil transportation act,” (MCL 257.1801 to 257.1877) by adding section 40.

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

Reps. Spade, Sheltroun, Plakas, Bieda and Byrum introduced

House Bill No. 5585, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” (MCL 257.1 to 257.923) by adding section 706a. The bill was read a first time by its title and referred to the Committee on Transportation.

Rep. Acciavatti introduced

House Bill No. 5586, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 3101 (MCL 324.3101), as amended by 2001 PA 114, and by adding section 3111b.

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

Reps. Julian, Voorhees, Pastor, Robertson, Caswell, Hummel, Brandenburg, Taub, Koetje, Steil, Stakoe, Stahl, Pumford, Meyer, Howell, Shackleton, Newell, Ward, Amos, Stewart, Tabor, Shaffer, Casperson, Rocca, Huizenga, Nofs, Bradstreet, Emmons, Pappageorge, Acciavatti, Hoogendyk, Wenke, Mortimer and Nitz introduced

House Joint Resolution W, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 46 of article IV, to provide for the death penalty in certain circumstances.

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

Rep. Woodward moved that the House adjourn.
The motion prevailed, the time being 11:20 a.m.

The Speaker Pro Tempore declared the House adjourned until Tuesday, February 24, at 1:00 p.m.

GARY L. RANDALL
Clerk of the House of Representatives

