

No. 45
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
92nd Legislature
REGULAR SESSION OF 2004

House Chamber, Lansing, Thursday, May 20, 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—present	Meisner—present	Sheen—present
Acciavatti—present	Gieleghem—present	Meyer—present	Sheltrown—present
Adamini—present	Gillard—present	Middaugh—excused	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—present
Casperson—present	Huizenga—present	O’Neil—present	Taub—present
Caswell—present	Hummel—present	Palmer—present	Tobocman—present
Caul—present	Hune—present	Palsrok—present	Vagnozzi—present
Cheeks—present	Hunter—present	Pappageorge—excused	Van Regenmorter—present
Clack—present	Jamnack—present	Pastor—present	Vander Veen—present
Condino—present	Johnson, Rick—present	Phillips—present	Voorhees—present
Daniels—excused	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

e/d/s = entered during session

Rep. Scott Hummel, from the 93rd District, offered the following invocation:

“A quote from Ben Franklin, ‘I have lived sir, a long time, and the longer I live, the more convincing proofs I see of this truth, that God governs in the affairs of men.’ - The Heavens are telling the Glory of God; and the firmament displays his handiwork. Day to day the Heavens pour forth speech, and night to night declare knowledge. There is no speech, nor are there words, their voice is not heard; yet the voice of the heavens goes out through all the earth, and their words to the end of the world. The law of the Lord is perfect reviving the soul; the testimony of the Lord is sure, making wise the simple; the precepts of the Lord are right rejoicing the heart; the commandment of the Lord is radiant enlightening the eyes. Let the words of our mouths and the meditations of our hearts be acceptable in Your sight, O Lord, our rock and our redeemer. As we govern today, may we be reminded that You govern in our affairs. Amen.”

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

Rep. Palmer moved that Reps. Middaugh and Pappageorge be excused from today’s session.
The motion prevailed.

Second Reading of Bills

House Bill No. 5494, entitled

A bill to create the Michigan law enforcement officers memorial monument fund; to establish a commission to govern the monument fund; to prescribe the purpose of the monument fund; to prescribe the powers and duties of the commission and certain state departments and officers; and to provide for dissolution of the commission and monument fund.

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

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

Rep. Julian 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. Waters moved that Rep. Whitmer be excused temporarily from today’s session.
The motion prevailed.

Rep. Nitz moved that Rep. Ehardt 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. 5494, entitled

A bill to create the Michigan law enforcement officers memorial monument fund; to establish a commission to govern the monument fund; to prescribe the purpose of the monument fund; to prescribe the powers and duties of the commission and certain state departments and officers; and to provide for dissolution of the commission and monument fund.

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

Roll Call No. 375**Yeas—104**

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

Nays—0

In The Chair: Julian

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

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

A bill to create the Michigan law enforcement officers memorial monument fund; to establish a commission to govern the monument fund; to prescribe the purpose of the monument fund; to prescribe the powers and duties of the commission and certain state departments and officers; to provide for penalties; and to provide for dissolution of the commission and monument fund. The motion prevailed.

The House agreed to the title as amended.

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

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

Reps. Hardman, Woronchak, Stewart, Rocca, Gielegem, Drolet, Shulman, Phillips, Rick Johnson, Minore, Zelenko, Kolb, Jamnick, Spade, Lipsey, Bisbee, Murphy, Koetje, Hager, Hummel, Newell, Dennis, Howell, Williams, Rivet, Pumford, Ruth Johnson, Sheltrown, Shackleton, Adamini, Brown, Palmer, Hunter, Farrah, LaJoy, Hopgood, Law, Brandenburg, Bieda, Meisner, Wojno, Acciavatti, Clack, Condino, DeRoche, Taub, Accavitti, Amos, Hune, Gleason, Robertson, Milosch, Shaffer, Ward, Byrum, Emmons, Steil, Nitz, Stahl, Sheen, Elkins, Moolenaar, Palsrok, Walker, Gillard and Casperson were named co-sponsors of the bill.

Second Reading of Bills**House Bill No. 5446, entitled**

A bill to amend 1945 PA 282, entitled "An act to provide for county planning; the creation, organization, powers and duties of county planning commissions," by amending section 2 (MCL 125.102).

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, line 12, after “or” by inserting “an administrative”.

The motion prevailed and the amendment 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. 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. 5446, entitled

A bill to amend 1945 PA 282, entitled “An act to provide for county planning; the creation, organization, powers and duties of county planning commissions,” by amending section 2 (MCL 125.102).

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

Roll Call No. 376

Yeas—82

Accavitti	Gleason	Minore	Smith
Acciavatti	Hager	Moolenaar	Spade
Amos	Hardman	Mortimer	Stakoe
Anderson	Hart	Murphy	Stallworth
Bieda	Hood	Newell	Steil
Bisbee	Hopgood	Nitz	Stewart
Brandenburg	Howell	Nofs	Tabor
Brown	Hune	O’Neil	Tobocman
Byrum	Hunter	Palsrok	Vagnozzi
Casperson	Jamnick	Phillips	Van Regenmorter
Caswell	Johnson, Rick	Plakas	Walker
Cheeks	Julian	Pumford	Ward
Clack	Koetje	Reeves	Waters
Condino	Kolb	Richardville	Wenke
Dennis	Kooiman	Robertson	Whitmer
DeRossett	LaJoy	Rocca	Williams
Emmons	Law	Sak	Wojno
Farhat	Lipsey	Shackleton	Woodward
Farrah	McConico	Shaffer	Woronchak
Gaffney	Meisner	Shulman	Zelenko
Gielegem	Meyer		

Nays—24

Adamini	Elkins	Johnson, Ruth	Sheen
Bradstreet	Garfield	LaSata	Sheltrown
Caul	Gillard	Milosch	Stahl
DeRoche	Hoogendyk	Palmer	Taub
Drolet	Huizenga	Pastor	Vander Veen
Ehardt	Hummel	Rivet	Voorhees

In The Chair: Julian

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

By unanimous consent the House returned to the order of
Reports of Standing Committees

The Committee on Government Operations, by Rep. Koetje, Chair, reported
House Resolution No. 258.

A resolution to condemn remarks made by Betsy DeVos saying Michigan workers' wages are too high and calling for right-to-work laws.

(For text of resolution, see House Journal No. 42, p. 955.)

With the recommendation that the following substitute (H-2) be adopted and that the resolution then be adopted.

Substitute for House Resolution No. 258.

A resolution to urge Michigan's United States Senators and Representatives to call upon all presidential candidates and Congress to leave Corporate Average Fuel Economy standards unchanged.

Whereas, The Michigan economy remains strongly related to the vigor of the automobile industry. Pending proposals to raise the mileage requirements under the Corporate Average Fuel Economy (CAFÉ) program represent a serious threat to manufacturing jobs throughout our entire state; and

Whereas, Governmental regulations should not replace the innovations of the marketplace, which ultimately will bring the best long-term response to fuel and safety issues. Domestic automakers have responded to public demand, and light trucks now make up a major portion of annual sales. Major increase in CAFÉ requirements would restrict or eliminate many of the most popular makes of vehicles and erode the long-term health of the state's principal industry. At the same time, vehicle safety would likely suffer significantly, as cars become lighter to meet new mileage requirements; and

Whereas, John Kerry has taken a leadership role in efforts to force more stringent CAFÉ requirements. He has taken a lead on legislation that would force dramatically higher mileage—to an average 36 miles per gallon from the current fleet average of 24 miles per gallon. Such an increase would seriously jeopardize the jobs of tens of thousands of Michigan residents and the economic future of our state; and

Whereas, The Governor of this state should stand up for our citizens and their jobs and work against any proposals to increase CAFÉ standards; now, therefore, be it

Resolved by the House of Representatives, That we urge, in the strongest possible terms, Michigan's United States Senators and Representatives to call upon Congress and all presidential candidates to leave Corporate Average Fuel Economy standards unchanged; and be it further

Resolved, That copies of this resolution be transmitted to the Office of the Governor, 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 and substitute were laid over one day under the rules.

Favorable Roll Call

To Report Out:

Yeas: Reps. Koetje, Drolet and Howell

Nays: Reps. Tobocman and Lipsey

The Committee on Government Operations, by Rep. Koetje, Chair, reported
House Concurrent Resolution No. 58.

A concurrent resolution to condemn remarks made by Betsy DeVos saying Michigan workers' wages are too high and calling for right-to-work laws.

(For text of concurrent resolution, see House Journal No. 42, p. 957.)

With the recommendation that the following substitute (H-2) be adopted and that the concurrent resolution then be adopted.

Substitute for House Concurrent Resolution No. 58.

A concurrent resolution to urge Michigan's United States Senators and Representatives to call upon all presidential candidates and Congress to leave Corporate Average Fuel Economy standards unchanged.

Whereas, The Michigan economy remains strongly related to the vigor of the automobile industry. Pending proposals to raise the mileage requirements under the Corporate Average Fuel Economy (CAFÉ) program represent a serious threat to manufacturing jobs throughout our entire state; and

Whereas, Governmental regulations should not replace the innovations of the marketplace, which ultimately will bring the best long-term response to fuel and safety issues. Domestic automakers have responded to public demand, and light trucks now make up a major portion of annual sales. Major increase in CAFÉ requirements would restrict or eliminate many of the most popular makes of vehicles and erode the long-term health of the state's principal industry. At the same time, vehicle safety would likely suffer significantly, as cars become lighter to meet new mileage requirements; and

Whereas, John Kerry has taken a leadership role in efforts to force more stringent CAFÉ requirements. He has taken a lead on legislation that would force dramatically higher mileage—to an average 36 miles per gallon from the current fleet average of 24 miles per gallon. Such an increase would seriously jeopardize the jobs of tens of thousands of Michigan residents and the economic future of our state; and

Whereas, The Governor of this state should stand up for our citizens and their jobs and work against any proposals to increase CAFÉ standards; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we urge, in the strongest possible terms, Michigan's United States Senators and Representatives to call upon Congress and all presidential candidates to leave Corporate Average Fuel Economy standards unchanged; and be it further

Resolved, That copies of this resolution be transmitted to the Office of the Governor, 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 concurrent resolution and substitute were laid over one day under the rules.

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, May 20, 2004

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

Rep. Nitz moved that Rep. DeRoche be excused temporarily from today's session.
The motion prevailed.

Second Reading of Bills

Senate Bill No. 943, 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.

The bill was read a second time.

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

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

Rep. Spade moved to amend the bill as follows:

1. Amend page 4, line 23, after "**district.**" by striking out the balance of the line through "**district.**" on line 27 and inserting "**The board of a school district is encouraged to ensure that at least 1/2 of the members of the advisory board are parents who have a child attending a school operated by the school district.**".

The question being on the adoption of the amendment offered by Rep. Spade,
Rep. Spade demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 377**Yeas—48**

Accavitti	Gillard	McConico	Sheltrown
Adamini	Gleason	Meisner	Smith
Anderson	Hardman	Minore	Spade
Bieda	Hood	Murphy	Stallworth
Brown	Hopgood	O'Neil	Tobocman
Byrum	Hunter	Phillips	Vagnozzi
Cheeks	Jamnick	Plakas	Waters
Clack	Julian	Pumford	Whitmer
Condino	Kolb	Reeves	Williams
Dennis	LaSata	Rivet	Wojno
Elkins	Law	Sak	Woodward
Gielegem	Lipsey	Shackleton	Zelenko

Nays—56

Acciavatti	Garfield	Milosch	Shulman
Amos	Hager	Moolenaar	Stahl
Bisbee	Hart	Mortimer	Stakoe
Bradstreet	Hoogendyk	Newell	Steil
Brandenburg	Howell	Nitz	Stewart
Casperson	Huizenga	Nofs	Tabor
Caswell	Hummel	Palmer	Taub
Caul	Hune	Palsrok	Van Regenmorter
DeRossett	Johnson, Rick	Pastor	Vander Veen
Drolet	Johnson, Ruth	Richardville	Voorhees
Ehardt	Koetje	Robertson	Walker
Emmons	Kooiman	Rocca	Ward
Farhat	LaJoy	Shaffer	Wenke
Gaffney	Meyer	Sheen	Woronchak

In The Chair: Julian

Rep. Hummel moved to amend the bill as follows:

1. Amend page 3, line 26, after "class." by inserting **"If a class is part of a course, then the requirements of this subsection may be met for the entire course by notifying the pupil's parent or guardian in advance of the course and the content of the course, giving the pupil's parent or guardian a prior opportunity to review the materials to be used in the course, and notifying the pupil's parent or guardian of his or her right to have the pupil excused from the course."**

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.

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. 943, 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.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Drolet moved to amend the bill as follows:

1. Amend page 4, line 26, after "by" by striking out "the" and inserting "a" .

The motion was seconded.

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

Rep. Gielegem demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 378

Yeas—8

Bradstreet
Drolet

Garfield
Hoogendyk

Kooiman
Pastor

Van Regenmorter
Voorhees

Nays—97

Accavitti
Acciavatti
Adamini
Amos
Anderson
Bieda
Bisbee
Brandenburg
Brown
Byrum
Casperson
Caswell
Caul
Cheeks
Clack
Condino
Dennis
DeRossett
Ehardt
Elkins
Emmons
Farhat
Farrah
Gaffney
Gielegem

Gillard
Gleason
Hager
Hardman
Hart
Hood
Hopgood
Howell
Huizenga
Hummel
Hune
Hunter
Jammnick
Johnson, Rick
Johnson, Ruth
Julian
Koetje
Kolb
LaJoy
LaSata
Law
Lipsey
McConico
Meisner

Meyer
Milosch
Minore
Moolenaar
Mortimer
Murphy
Newell
Nitz
Nofs
O'Neil
Palmer
Palsrok
Phillips
Plakas
Pumford
Reeves
Richardville
Rivet
Robertson
Rocca
Sak
Shackleton
Shaffer
Sheen

Sheltrown
Shulman
Smith
Spade
Stahl
Stakoe
Stallworth
Steil
Stewart
Tabor
Taub
Tobocman
Vagnozzi
Vander Veen
Walker
Ward
Waters
Wenke
Whitmer
Williams
Wojno
Woodward
Woronchak
Zelenko

In The Chair: Julian

The question being on the passage of the bill,

The bill was then passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 379**Yeas—99**

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

Nays—6

Condino	Kolb	Nofs	Zelenko
Hopgood	Minore		

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 a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts.”

The House agreed to the full title.

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

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

Second Reading of Bills**House Bill No. 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.

The bill was read a second time.

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

The motion prevailed and the substitute (H-4) was adopted, a majority of the members serving voting therefor.

Rep. Palmer moved to amend the bill as follows:

1. Amend page 2, line 9, after “class.” by inserting “**If a class is part of a course, then the requirements of this subsection may be met for the entire course by notifying the pupil’s parent or guardian in advance of the course and the content of the course, giving the pupil’s parent or guardian a prior opportunity to review the materials to be used in the course, and notifying the pupil’s parent or guardian of his or her right to observe instruction in the course and to have the pupil excused from the course.**”.

2. Amend page 2, line 15, after “class” by inserting “**or course, as applicable,**”.

3. Amend page 6, line 7, after “class” by striking out “means that term” and inserting “**and “course” mean those terms**”.

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

Rep. Stahl 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. 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.

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

Roll Call No. 380

Yeas—98

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

Nays—7Brandenburg
CaswellCondino
KolbMinore
Smith

Zelenko

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. 5502, entitled**

A bill to amend 1937 PA 94, entitled "Use tax act," by amending sections 2, 3, 3a, 4, 4a, 4d, 4f, 4o, 5, 6, 6a, 8, 9, 9a, 10, 11, and 14 (MCL 205.92, 205.93, 205.93a, 205.94, 205.94a, 205.94d, 205.94f, 205.94o, 205.95, 205.96, 205.96a, 205.98, 205.99, 205.99a, 205.100, 205.101, and 205.104), sections 2 and 4 as amended by 2002 PA 669, section 3 as amended by 2003 PA 27, section 3a as amended by 2002 PA 455, section 4d as amended by 2000 PA 328, section 4f as amended by 1998 PA 266, sections 4o, 8, and 9a as added by 1999 PA 117, section 5 as amended by 2002 PA 580, section 6 as amended by 2003 PA 24, section 6a as added by 2002 PA 511, section 10 as amended by 1998 PA 366, section 11 as added by 2000 PA 153, and section 14 as amended by 1986 PA 41, and by adding sections 2b, 3c, 12, 13, 14a, 14b, 17, 19, and 20; and to repeal acts and parts of acts.

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

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

Rep. Wenke 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. Waters moved that Rep. Stallworth 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. 5502, entitled**

A bill to amend 1937 PA 94, entitled "Use tax act," by amending sections 2, 3, 3a, 4, 4a, 4d, 4f, 4o, 5, 6, 6a, 8, 9, 9a, 10, 11, and 14 (MCL 205.92, 205.93, 205.93a, 205.94, 205.94a, 205.94d, 205.94f, 205.94o, 205.95, 205.96, 205.96a, 205.98, 205.99, 205.99a, 205.100, 205.101, and 205.104), sections 2 and 4 as amended by 2002 PA 669, section 3 as amended by 2003 PA 27, section 3a as amended by 2002 PA 455, section 4d as amended by 2000 PA 328, section 4f as amended by 1998 PA 266, sections 4o, 8, and 9a as added by 1999 PA 117, section 5 as amended by 2002 PA 580, section 6 as amended by 2003 PA 24, section 6a as added by 2002 PA 511, section 10 as amended by 1998 PA 366, section 11 as added by 2000 PA 153, and section 14 as amended by 1986 PA 41, and by adding sections 2b, 3c, 12, 13, 14a, 14b, 17, 19, and 20; and to repeal acts and parts of acts.

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

Roll Call No. 381**Yeas—78**Accavitti
AdaminiGielegem
GillardMcConico
MeisnerShaffer
Sheltrown

Anderson	Gleason	Meyer	Shulman
Bieda	Hager	Minore	Smith
Brown	Hardman	Moolenaar	Spade
Byrum	Hart	Mortimer	Steil
Casperson	Hood	Murphy	Stewart
Caswell	Hopgood	Newell	Tabor
Caul	Howell	Nitz	Taub
Cheeks	Huizenga	O'Neil	Tobocman
Clack	Hunter	Palsrok	Vagnozzi
Condino	Jamnack	Phillips	Vander Veen
Dennis	Johnson, Rick	Plakas	Walker
DeRossett	Julian	Pumford	Waters
Ehardt	Koetje	Reeves	Wenke
Elkins	Kolb	Richardville	Whitmer
Emmons	LaJoy	Rivet	Williams
Farhat	LaSata	Sak	Wojno
Farrah	Law	Shackleton	Zelenko
Gaffney	Lipsey		

Nays—26

Acciavatti	Hoogendyk	Palmer	Stakoe
Amos	Hummel	Pastor	Van Regenmorter
Bisbee	Hune	Robertson	Voorhees
Bradstreet	Johnson, Ruth	Rocca	Ward
Brandenburg	Kooiman	Sheen	Woodward
Drolet	Milosch	Stahl	Woronchak
Garfield	Nofs		

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. Sheen, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

This Streamline Tax System, even though it promises to protect states’ sovereignty, may serve as a vehicle to both control and subjugate states’ rights, especially in respect to controlling their ability to regulate and control the taxation of their citizens. The Tenth Amendment states, ‘The powers not delegated to the United States by the Constitution, nor prohibited by it to the States are reserved to the States respectively, or to the people.’ I do not want to be a party to the relinquishment or federalization of these rights and responsibilities. I have some additional concerns as follows:

The current agreement could create additional taxation of items not currently taxed under Michigan law, which I find unacceptable.

The passage of this legislation would set up a multi-state agency to collect state taxes, which would be like the IRS. This could set up the framework for a National Sales Tax, as it will have to be approved by Congress. What will prevent them from deciding to change this agreement at some future date, or federalizing and taking control of these taxing powers in the future.

Since 1996, I have advocated that Michigan should be at the table to have input into the current and future decisions made by the states that are creating the voluntary streamline sales tax system. I am no longer confident that the majority of those appointed would represent my view of limited government and taxation.

My next concern rests in what happens next. Michigan's decision to join the twenty other states at the streamlined sales tax table means that we not only accept the current agreement, but also the future changes. Granted, we could reject the final agreement, however as I stated in my previous concern, I have grave doubts about the future actions and outcomes which will come forth from the Michigan delegation.

As the bill is written, only the State Treasurer can initiate withdrawal from this agreement, the State Legislature has no say or control in this decision. I attempted to insert the Legislature into this decision making process and it was rejected. The Legislature should never allow its decision making power to be abrogated and removed.

Michigan will be the 21st state to join the Streamlined Tax Plan. This will put Michigan at a competitive disadvantage to those states, which are not participating, which are also the majority. Michigan does not anymore economic impediments at this time. Currently, many Michigan internet companies are being courted by other states, not apart of this agreement. This will hurt the Michigan economy and cost jobs, as well as hurt our state in the future consideration of new technology companies.

For these reasons as well as others I can not vote in favor of this legislation."

Rep. Drolet, having reserved the right to explain his protest against the passage of the bill, made the following statement:

"Mr. Speaker and Members of the House:

The state is hungry and this vote gives it an unprecedented chance to feast on the taxpayer. The goal of this tax increase is to suck \$440 billion from the economy over the next ten years. Those voting in favor of this measure are complicit in reversing one-third of the federal tax relief package of 2001. It's no wonder the President is not in favor of this money grab.

Nobody ever wants to admit that they voted to raise taxes. We tell ourselves that we are just '*streamlining*' the process by which we collect the tax. But, when we ask ourselves why this is necessary, we discover that the U.S. Supreme Court is standing in the way of the state's desire to take this money. If this legislation does not pass, money stays in the pockets of the Michigan taxpayers that we are supposed to be fighting for. Government needs this law in place before it can go after that wealth. *Changing laws so as to generate more tax dollars is called RAISING TAXES!*

In addition to the tax increase, this bill seeks to create another IRS-like data collection agency. Nothing prevents the real IRS from someday using it to assess a *federal* sales tax.

Supporters call it *voluntary*, as if Michigan and other states can collude to raise taxes in a vacuum. Meanwhile, the governor of Colorado is refusing to join this collusion and promises to make his state a haven for tax refugees. If this tax scheme is truly voluntary, then there will be nothing to stop Michigan consumers from evading this law and purchasing in Colorado, and there will be a powerful incentive for Michigan e-commerce retailers to move to Colorado and sell those goods. The end result is that Michigan will lose both jobs and the tax dollars that we are so greedily pursuing.

The alternative is that this scheme becomes mandatory – that eventually we get Congress to *force* states such as Colorado to comply and collect our sales taxes for us. In that case, we have the national sales tax that the supporters say is not going to happen, and we are still stuck with the loss of revenue from the taxpayers.

Either we lose jobs or we get a national sales tax. The supporters can't have it both ways. Either way, we are putting a shackle around the future and negating the tax relief of the past. No government has ever taxed its way to prosperity. It's too bad this one hasn't learned that lesson."

Second Reading of Bills

House Bill No. 5503, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending sections 1, 2, 2a, 3, 4, 4a, 4e, 4f, 4g, 4i, 4j, 4k, 4m, 4o, 4p, 4q, 4r, 4s, 4t, 4u, 4w, 4x, 5b, 6, 8, 9, 10, 17, and 23 (MCL 205.51, 205.52, 205.52a, 205.53, 205.54, 205.54a, 205.54e, 205.54f, 205.54g, 205.54i, 205.54j, 205.54k, 205.54m, 205.54o, 205.54p, 205.54q, 205.54r, 205.54s, 205.54t, 205.54u, 205.54w, 205.54x, 205.55b, 205.56, 205.58, 205.59, 205.60, 205.67, and 205.73), section 1 as amended by 2000 PA 390, sections 2 and 23 as amended by 1993 PA 325, section 2a as added by 1984 PA 228, section 3 as amended by 2002 PA 457, section 4 as amended by 1998 PA 267, sections 4a, 4j, and 4q as amended and sections 4r, 4t, 4u, and 4w as added by 1999 PA 116, section 4g as amended by 2000 PA 417, section 4i as added by 1982 PA 23, section 4k as added by 1986 PA 42, section 4m as added by 1993 PA 238, section 4o as added by 1994 PA 156, section 4p as added by 1998 PA 274, section 4s as added by 1999 PA 105, section 4x as amended by 2001 PA 40, section 5b as added by 2002 PA 510, section 6 as amended by 1998 PA 453, section 9 as amended by 1998 PA 365, section 10 as added by 2000 PA 149, and section 17 as amended by 2001 PA 102, and by adding sections 1a, 4d, 4h, 6b, 11, 12, 18, 19, 20, and 21; and to repeal acts and parts of acts.

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

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

Rep. Byrum 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. 5503, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending sections 1, 2, 2a, 3, 4, 4a, 4e, 4f, 4g, 4i, 4j, 4k, 4m, 4o, 4p, 4q, 4r, 4s, 4t, 4u, 4w, 4x, 5b, 6, 8, 9, 10, 17, and 23 (MCL 205.51, 205.52, 205.52a, 205.53, 205.54, 205.54a, 205.54e, 205.54f, 205.54g, 205.54i, 205.54j, 205.54k, 205.54m, 205.54o, 205.54p, 205.54q, 205.54r, 205.54s, 205.54t, 205.54u, 205.54w, 205.54x, 205.55b, 205.56, 205.58, 205.59, 205.60, 205.67, and 205.73), section 1 as amended by 2000 PA 390, sections 2 and 23 as amended by 1993 PA 325, section 2a as added by 1984 PA 228, section 3 as amended by 2002 PA 457, section 4 as amended by 1998 PA 267, sections 4a, 4j, and 4q as amended and sections 4r, 4t, 4u, and 4w as added by 1999 PA 116, section 4g as amended by 2000 PA 417, section 4i as added by 1982 PA 23, section 4k as added by 1986 PA 42, section 4m as added by 1993 PA 238, section 4o as added by 1994 PA 156, section 4p as added by 1998 PA 274, section 4s as added by 1999 PA 105, section 4x as amended by 2001 PA 40, section 5b as added by 2002 PA 510, section 6 as amended by 1998 PA 453, section 9 as amended by 1998 PA 365, section 10 as added by 2000 PA 149, and section 17 as amended by 2001 PA 102, and by adding sections 1a, 4d, 4h, 6b, 11, 12, 18, 19, 20, and 21; and to repeal acts and parts of acts.

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

Roll Call No. 382

Yeas—78

Accavitti	Gielegthem	McConico	Shaffer
Adamini	Gillard	Meisner	Sheltrown
Anderson	Gleason	Meyer	Shulman
Bieda	Hager	Minore	Smith
Brown	Hardman	Moolenaar	Spade
Byrum	Hart	Mortimer	Steil
Casperson	Hood	Murphy	Stewart
Caswell	Hopgood	Newell	Tabor
Caul	Howell	Nitz	Taub
Cheeks	Huizenga	O'Neil	Tobocman
Clack	Hunter	Palsrok	Vagnozzi
Condino	Jamnack	Phillips	Vander Veen
Dennis	Johnson, Rick	Plakas	Walker
DeRossett	Julian	Pumford	Waters
Ehardt	Koetje	Reeves	Wenke
Elkins	Kolb	Richardville	Whitmer
Emmons	LaJoy	Rivet	Williams
Farhat	LaSata	Sak	Wojno
Farrah	Law	Shackleton	Zelenko
Gaffney	Lipsey		

Nays—26

Acciavatti	Hoogendyk	Palmer	Stakoe
Amos	Hummel	Pastor	Van Regenmorter
Bisbee	Hune	Robertson	Voorhees

Bradstreet
 Brandenburg
 Drolet
 Garfield

Johnson, Ruth
 Kooiman
 Milosch
 Nofs

Rocca
 Sheen
 Stahl

Ward
 Woodward
 Woronchak

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. Sheen, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

This Streamline Tax System, even though it promises to protect states’ sovereignty, may serve as a vehicle to both control and subjugate states’ rights, especially in respect to controlling their ability to regulate and control the taxation of their citizens. The Tenth Amendment states, ‘The powers not delegated to the United States by the Constitution, nor prohibited by it to the States are reserved to the States respectively, or to the people.’ I do not want to be a party to the relinquishment or federalization of these rights and responsibilities. I have some additional concerns as follows:

The current agreement could create additional taxation of items not currently taxed under Michigan law, which I find unacceptable.

The passage of this legislation would set up a multi-state agency to collect state taxes, which would be like the IRS. This could set up the framework for a National Sales Tax, as it will have to be approved by Congress. What will prevent them from deciding to change this agreement at some future date, or federalizing and taking control of these taxing powers in the future.

Since 1996, I have advocated that Michigan should be at the table to have input into the current and future decisions made by the states that are creating the voluntary streamline sales tax system. I am no longer confident that the majority of those appointed would represent my view of limited government and taxation.

My next concern rests in what happens next. Michigan’s decision to join the twenty other states at the streamlined sales tax table means that we not only accept the current agreement, but also the future changes. Granted, we could reject the final agreement, however as I stated in my previous concern, I have grave doubts about the future actions and outcomes which will come forth from the Michigan delegation.

As the bill is written, only the State Treasurer can initiate withdrawal from this agreement, the State Legislature has no say or control in this decision. I attempted to insert the Legislature into this decision making process and it was rejected. The Legislature should never allow its decision making power to be abrogated and removed.

Michigan will be the 21st state to join the Streamlined Tax Plan. This will put Michigan at a competitive disadvantage to those states, which are not participating, which are also the majority. Michigan does not anymore economic impediments at this time. Currently, many Michigan internet companies are being courted by other states, not apart of this agreement. This will hurt the Michigan economy and cost jobs, as well as hurt our state in the future consideration of new technology companies.

For these reasons as well as others I can not vote in favor of this legislation.”

Second Reading of Bills

House Bill No. 5504, entitled

A bill to provide for a streamlined system of sales and use tax collection; to prescribe the requirements necessary for this state to adopt a multistate agreement; to provide for a board with certain powers and duties; to provide for the registration of sellers who select a model of collection and remittance; to forgive liability of collection of sales and use taxes on past transactions for certain sellers; to assure privacy of buyers; and to prescribe certain powers and duties of state officials and state departments.

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

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

Rep. Sheen moved to amend the bill as follows:

1. Amend page 6, line 24, after “treasurer” by inserting “or the state legislature by resolution”.

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

Rep. Condino 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. 5504, entitled

A bill to provide for a streamlined system of sales and use tax collection; to prescribe the requirements necessary for this state to adopt a multistate agreement; to provide for a board with certain powers and duties; to provide for the registration of sellers who select a model of collection and remittance; to forgive liability of collection of sales and use taxes on past transactions for certain sellers; to assure privacy of buyers; and to prescribe certain powers and duties of state officials and state departments.

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

Roll Call No. 383

Yeas—78

Accavitti	Gielegem	McConico	Shaffer
Adamini	Gillard	Meisner	Sheltrown
Anderson	Gleason	Meyer	Shulman
Bieda	Hager	Minore	Smith
Brown	Hardman	Moolenaar	Spade
Byrum	Hart	Mortimer	Steil
Casperson	Hood	Murphy	Stewart
Caswell	Hopgood	Newell	Tabor
Caul	Howell	Nitz	Taub
Cheeks	Huizenga	O’Neil	Tobocman
Clack	Hunter	Palsrok	Vagnozzi
Condino	Jamnick	Phillips	Vander Veen
Dennis	Johnson, Rick	Plakas	Walker
DeRossett	Julian	Pumford	Waters
Ehardt	Koetje	Reeves	Wenke
Elkins	Kolb	Richardville	Whitmer
Emmons	LaJoy	Rivet	Williams
Farhat	LaSata	Sak	Wojno
Farrah	Law	Shackleton	Zelenko
Gaffney	Lipsey		

Nays—26

Acciavatti	Hoogendyk	Palmer	Stakoe
Amos	Hummel	Pastor	Van Regenmorter
Bisbee	Hune	Robertson	Voorhees
Bradstreet	Johnson, Ruth	Rocca	Ward
Brandenburg	Kooiman	Sheen	Woodward
Drolet	Milosch	Stahl	Woronchak
Garfield	Nofs		

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. Sheen, having reserved the right to explain his protest against the passage of the bill, made the following statement:
“Mr. Speaker and members of the House:

Streamlined Sales Tax No Vote Explanation

This Streamline Tax System, even though it promises to protect states’ sovereignty, may serve as a vehicle to both control and subjugate states’ rights, especially in respect to controlling their ability to regulate and control the taxation of their citizens. The Tenth Amendment states, ‘The powers not delegated to the United States by the Constitution, nor prohibited by it to the States are reserved to the States respectively, or to the people.’ I do not want to be a party to the relinquishment or federalization of these rights and responsibilities. I have some additional concerns as follows:

The current agreement could create additional taxation of items not currently taxed under Michigan law, which I find unacceptable.

The passage of this legislation would set up a multi-state agency to collect state taxes, which would be like the IRS. This could set up the framework for a National Sales Tax, as it will have to be approved by Congress. What will prevent them from deciding to change this agreement at some future date, or federalizing and taking control of these taxing powers in the future.

Since 1996, I have advocated that Michigan should be at the table to have input into the current and future decisions made by the states that are creating the voluntary streamline sales tax system. I am no longer confident that the majority of those appointed would represent my view of limited government and taxation.

My next concern rests in what happens next. Michigan’s decision to join the twenty other states at the streamlined sales tax table means that we not only accept the current agreement, but also the future changes. Granted, we could reject the final agreement, however as I stated in my previous concern, I have grave doubts about the future actions and outcomes which will come forth from the Michigan delegation.

Michigan will be the 21st state to join the Streamlined Tax Plan. This will put Michigan at a competitive disadvantage to those states, which are not participating, which are also the majority. Michigan does not need anymore economic impediments at this time. Currently, many Michigan internet companies are being courted by other states, not apart of this agreement. This will hurt the Michigan economy and cost jobs, as well as hurt our state in the future consideration of new technology companies.

For these reasons as well as others I can not vote in favor of this legislation.”

Second Reading of Bills

House Bill No. 5505, entitled

A bill to impose taxes and create credits and refundable credits to modify and equalize the impact of changes made to the general sales tax act and use tax act necessary to bring those taxes into compliance with the streamlined sales tax agreement so this state may participate in the streamlined sales tax system and governing board; to prescribe certain powers and duties of certain state departments; and to provide for the disbursement of certain proceeds.

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

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

Rep. Koetje 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. 5505, entitled

A bill to impose taxes and create credits and refundable credits to modify and equalize the impact of changes made to the general sales tax act and use tax act necessary to bring those taxes into compliance with the streamlined sales tax agreement so this state may participate in the streamlined sales tax system and governing board; to prescribe certain powers and duties of certain state departments; and to provide for the disbursement of certain proceeds.

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

Roll Call No. 384**Yeas—78**

Accavitti	Gielegem	McConico	Shaffer
Adamini	Gillard	Meisner	Sheltrown
Anderson	Gleason	Meyer	Shulman
Bieda	Hager	Minore	Smith
Brown	Hardman	Moolenaar	Spade
Byrum	Hart	Mortimer	Steil
Casperson	Hood	Murphy	Stewart
Caswell	Hopgood	Newell	Tabor
Caul	Howell	Nitz	Taub
Cheeks	Huizenga	O'Neil	Tobocman
Clack	Hunter	Palsrok	Vagnozzi
Condino	Jamnick	Phillips	Vander Veen
Dennis	Johnson, Rick	Plakas	Walker
DeRossett	Julian	Pumford	Waters
Ehardt	Koetje	Reeves	Wenke
Elkins	Kolb	Richardville	Whitmer
Emmons	LaJoy	Rivet	Williams
Farhat	LaSata	Sak	Wojno
Farrah	Law	Shackleton	Zelenko
Gaffney	Lipsey		

Nays—26

Acciavatti	Hoogendyk	Palmer	Stakoe
Amos	Hummel	Pastor	Van Regenmorter
Bisbee	Hune	Robertson	Voorhees
Bradstreet	Johnson, Ruth	Rocca	Ward
Brandenburg	Kooiman	Sheen	Woodward
Drolet	Milosch	Stahl	Woronchak
Garfield	Nofs		

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. Sheen, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

Streamlined Sales Tax No Vote Explanation

This Streamline Tax System, even though it promises to protect states' sovereignty, may serve as a vehicle to both control and subjugate states' rights, especially in respect to controlling their ability to regulate and control the taxation of their citizens. The Tenth Amendment states, “The powers not delegated to the United States by the Constitution, nor prohibited by it to the States are reserved to the States respectively, or to the people.” I do not want to be a party to the relinquishment or federalization of these rights and responsibilities. I have some additional concerns as follows:

The current agreement could create additional taxation of items not currently taxed under Michigan law, which I find unacceptable.

The passage of this legislation would set up a multi-state agency to collect state taxes, which would be like the IRS. This could set up the framework for a National Sales Tax, as it will have to be approved by Congress. What will prevent them from deciding to change this agreement at some future date, or federalizing and taking control of these taxing powers in the future.

Since 1996, I have advocated that Michigan should be at the table to have input into the current and future decisions made by the states that are creating the voluntary streamline sales tax system. I am no longer confident that the majority of those appointed would represent my view of limited government and taxation.

My next concern rests in what happens next. Michigan's decision to join the twenty other states at the streamlined sales tax table means that we not only accept the current agreement, but also the future changes. Granted, we could reject the final agreement, however as I stated in my previous concern, I have grave doubts about the future actions and outcomes which will come forth from the Michigan delegation.

Michigan will be the 21st state to join the Streamlined Tax Plan. This will put Michigan at a competitive disadvantage to those states, which are not participating, which are also the majority. Michigan does not need anymore economic impediments at this time. Currently, many Michigan internet companies are being courted by other states, not apart of this agreement. This will hurt the Michigan economy and cost jobs, as well as hurt our state in the future consideration of new technology companies.

For these reasons as well as others I can not vote in favor of this legislation."

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Speaker laid before the House

House Concurrent Resolution No. 58.

A concurrent resolution to condemn remarks made by Betsy DeVos saying Michigan workers' wages are too high and calling for right-to-work laws.

(For text of concurrent resolution, see House Journal No. 42, p. 957.)

(The concurrent resolution was reported by the Committee on Government Operations on May 20, with substitute (H-2), consideration of which, under the rules, was postponed until May 25.)

(For substitute, see today's Journal, p. 1037.)

Rep. Richardville moved that Rule 77 be suspended and the concurrent 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 proposed substitute (H-2) recommended by the Committee,

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

The question being on the adoption of the concurrent resolution,

Rep. Richardville moved that the concurrent resolution be referred to the Committee on House Television and Oversight. The motion prevailed.

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. Richardville, Wojno, Accavitti, Amos, Anderson, Bieda, Bradstreet, Brandenburg, Byrum, Casperson, Caswell, Caul, Clack, Condino, Dennis, DeRossett, Ehardt, Elkins, Emmons, Farhat, Farrah, Garfield, Gielegem, Gillard, Gleason, Hager, Hardman, Hoogendyk, Hopgood, Huizenga, Hummel, Jamnick, Koetje, LaJoy, LaSata, Law, Lipsey, McConico, Meyer, Milosch, Minore, Murphy, Palmer, Pastor, Plakas, Pumford, Rivet, Rocca, Sak, Shackleton, Shaffer, Sheltroun, Shulman, Smith, Spade, Stakoe, Steil, Stewart, Tabor, Taub, Tobocman, Vagnozzi, Vander Veen, Voorhees, Waters, Woodward, Woronchak and Zelenko offered the following resolution:

House Resolution No. 264.

A resolution commemorating June 6, 2004, as World War II Veterans Survivors Day in the state of Michigan.

Whereas, It is with great respect that we proudly commemorate June 6, 2004, as World War II Veterans Survivors Day. As we remember the many sacrifices that our veterans made during World War II, it is only right that we give

thanks to all those who gave so much for the sake of freedom. Over 16 million U.S. armed forces personnel served in World War II between December 1, 1941 and December 31, 1946. Many of these Americans made the supreme sacrifice. Over 292,000 U.S. soldiers, sailors, airmen, and marines were killed in battle and another 114,000 service personnel died serving during other efforts to preserve the freedom we all enjoy today; and

Whereas, The sacrifices made by our service men and women during World War II can not be overstated. In September 1940, the Congress, by a very narrow margin, approved the first peacetime draft and by years end the first Michigan draftees were inducted. Approximately 670,000 Michigan men and women served in the armed forces during World War II. In fact, the average length of active duty by U.S. military service personnel was 33 months and almost three-fourths of all individuals served an average length of 16 months overseas. Of the over 16 million service personnel who served, fewer than 4 million still survive; and

Whereas, The average age of World War II veterans is 80 years old and according to the 2000 census 11.6% were still employed. In addition, an estimated 210,000 of our World War II veterans are women. These facts demonstrate the strength and endurance of our veterans and are an inspiration to us all; and

Whereas, Many World War II veterans will visit the newly constructed National World War II Memorial in Washington D.C. This memorial is a fitting and most deserved tribute for our veterans and may it serve as a solemn reminder of those who fought for the cause of freedom; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body commemorate June 6, 2004, as World War II Veterans Survivors Day in the state of Michigan; and be it further

Resolved, That we remember in our hearts those who gave their lives and express our gratitude to the many surviving veterans who live in the United States.

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. Wojno, Richardville, Accavitti, Amos, Anderson, Bieda, Bradstreet, Brandenburg, Brown, Byrum, Casperson, Caul, Clack, Condino, Dennis, DeRossett, Ehardt, Elkins, Emmons, Farhat, Farrah, Garfield, Gielegem, Gillard, Gleason, Hager, Hardman, Hoogendyk, Hopgood, Huizenga, Hummel, Jamnick, Koetje, LaJoy, LaSata, Law, Lipsey, McConico, Meyer, Milosch, Minore, Murphy, Palmer, Pastor, Plakas, Pumford, Rivet, Rocca, Sak, Shackleton, Shaffer, Sheltroun, Shulman, Smith, Spade, Stakoe, Steil, Stewart, Tabor, Taub, Tobocman, Vagnozzi, Vander Veen, Voorhees, Waters, Woodward, Woronchak and Zelenko offered the following resolution:

House Resolution No. 265.

A resolution commemorating the 60th anniversary of D-Day on June 6, 2004, in the state of Michigan.

Whereas, It is with great respect that we are proud to join with the world in remembering those heroes who stormed the beaches of Normandy, France on June 6, 1944. As we commemorate the 60th anniversary of “the longest day,” it is only right that we give thanks to all those who sacrificed so much for the sake of freedom. For many, the first step on the soil of the European continent was their last. For others, the events of that day, and those that followed, were to shape the rest of their lives; and

Whereas, D-Day was the greatest mustering of land, sea, and air forces ever to have been attempted. The assault, planned in secrecy and staged when even the elements had turned against the Allied forces, was a turning point not only for World War II, but also for America’s place in the world. At 6:30 a.m., the land assault began with American troops hitting Omaha and Utah Beaches and within the hour, British and Canadian troops landed on Gold, Juno, and Sword Beaches. Since Americans comprised the largest element of the invading forces, they also suffered some of the greatest losses, by day’s end 250,000 allied troops were assembled on the five beaches, but the price was steep, with 10,000 allied soldiers killed or wounded; and

Whereas, D-Day was the start of the greatest offensive to wrest Europe from the hands of a despot. It was the beginning of the end, and Hitler’s one last ditch stand in the Ardennes Forest was to prove once and for all that American courage and determination have no equal, and soon the continent would be freed; and

Whereas, D-Day was also a deadline. While conditions for the invasion were far from favorable, time was of the essence. The Allies had to establish a presence on the continent to balance the Russian influence driving to Berlin from the east and to head off another era of European domination by an equally unwanted and harsh regime. It was indeed a day that America and Americans, as well as their comrades-in-arms, proved their mettle. The row upon row of white crosses on the ridge above the beaches stand as solemn reminders of this long day and of those who fought for the cause of freedom; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body commemorate the 60th anniversary of D-Day on June 6, 2004, in the state of Michigan; and be it further

Resolved, That we remember in our hearts those who gave their lives and express our gratitude to the many surviving veterans who live in the Great Lake State.

Pending the reference of the resolution to a committee,
Rep. Richardville moved that Rule 77 be suspended and the resolution be considered at this time.
The motion prevailed, 3/5 of the members present voting therefor.
The question being on the adoption of the resolution,
The resolution was adopted.

Reports of Standing Committees

The Committee on Judiciary, by Rep. Howell, Chair, reported

House Bill No. 5763, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 6023 and 6027 (MCL 600.6023 and 600.6027), section 6023 as amended by 1998 PA 61.

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. Howell, LaSata, Bradstreet, Koetje, Voorhees, Gaffney, Garfield, Lipsey and Bieda

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, May 20, 2004

Present: Reps. Howell, LaSata, Bradstreet, Koetje, Voorhees, Gaffney, Garfield, Lipsey and Bieda

Absent: Reps. Van Regenmorter, Pappageorge, Wenke, Adamini, Condino and Smith

Excused: Reps. Van Regenmorter, Pappageorge, Wenke, Adamini, Condino and Smith

The Committee on Local Government and Urban Policy, by Rep. Ward, Chair, reported

House Bill No. 4106, entitled

A bill to amend 1987 PA 96, entitled "The mobile home commission act," by amending the title and sections 30c and 30g (MCL 125.2330c and 125.2330g) and by adding section 30i.

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. Ward, Robertson, Hager, Stakoe, Wenke, Jamnick and Accavitti

Nays: None

The Committee on Local Government and Urban Policy, by Rep. Ward, Chair, reported

House Bill No. 4111, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 2a (MCL 211.2a), as amended by 1982 PA 539.

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. Ward, Robertson, Hager, Stakoe, Wenke, Jamnick and Accavitti

Nays: None

The Committee on Local Government and Urban Policy, by Rep. Ward, Chair, reported
House Bill No. 4868, entitled

A bill to establish and protect the rights of manufactured home park tenants; to prescribe the powers and duties of certain agencies and departments; and to provide remedies and penalties.

With the recommendation that the substitute (H-5) 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. Ward, Robertson, Hager, Stakoe, Wenke, Jamnick, Tobocman and Accavitti

Nays: None

The Committee on Local Government and Urban Policy, by Rep. Ward, Chair, reported
House Bill No. 4869, entitled

A bill to allow and protect the rights of manufactured home park tenants to organize a manufactured home owners association.

With the recommendation that the substitute (H-4) 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. Ward, Robertson, Hager, Stakoe, Wenke, Jamnick, Tobocman and Accavitti

Nays: None

The Committee on Local Government and Urban Policy, by Rep. Ward, Chair, reported
House Bill No. 4879, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 4cc.

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. Ward, Robertson, Hager, Stakoe, Wenke, Jamnick and Accavitti

Nays: None

The Committee on Local Government and Urban Policy, by Rep. Ward, Chair, reported
House Bill No. 4880, entitled

A bill to provide for the exemption of certain manufactured housing property from certain taxes; to levy and collect a specific tax upon the owners of certain manufactured housing property; to provide for the disposition of the specific tax; to prescribe the powers and duties of certain local government officials; to provide penalties; and to repeal acts and parts of acts.

With the recommendation that the substitute (H-6) 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. Ward, Robertson, Hager, Stakoe, Wenke, Jamnick and Accavitti

Nays: None

The Committee on Local Government and Urban Policy, by Rep. Ward, Chair, reported
House Bill No. 4882, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending sections 3 and 4g (MCL 205.93 and 205.94g), section 3 as amended by 2002 PA 669 and section 4g as added by 1985 PA 66, and by adding section 4w.

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. Ward, Robertson, Hager, Stakoe, Wenke, Jamnick and Accavitti

Nays: None

The Committee on Local Government and Urban Policy, by Rep. Ward, Chair, reported
House Bill No. 5035, entitled

A bill to amend 1987 PA 96, entitled "The mobile home commission act," by amending section 3 (MCL 125.2303).

With the recommendation that the substitute (H-4) 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. Ward, Robertson, Hager, Stakoe, Wenke, Jamnick, Tobocman and Accavitti

Nays: None

The Committee on Local Government and Urban Policy, by Rep. Ward, Chair, reported
House Bill No. 5844, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 508 (MCL 206.508), as amended by 1990 PA 283.

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. Ward, Robertson, Hager, Stakoe, Wenke, Jamnick and Accavitti

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Ward, Chair, of the Committee on Local Government and Urban Policy, was received and read:

Meeting held on: Thursday, May 20, 2004

Present: Reps. Ward, Robertson, DeRossett, Hager, Stakoe, Wenke, Jamnick, Tobocman and Accavitti

Absent: Reps. Drolet and Hardman

Excused: Reps. Drolet and Hardman

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

House Bill No. 5008, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 226 (MCL 257.226), as amended by 2002 PA 642.

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. DeRossett, Casperson, Hummel, Hune, Huizenga, LaJoy, Robertson, Anderson, Jammick, Gleason, Tobocman, Murphy and Elkins

Nays: None

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

House Bill No. 5230, 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, critical 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 section 20a (MCL 247.670a), as amended by 2002 PA 498.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills and laid over one day under the rules.

Favorable Roll Call

To Report Out:

Yeas: Reps. DeRossett, Casperson, Hummel, DeRoche, Gaffney, Hune, Huizenga, LaJoy, Anderson, Gleason, Tobocman, Murphy and Elkins

Nays: None

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

House Bill No. 5762, 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, critical 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 section 1a (MCL 247.651a).

With the recommendation that the bill be referred to the Committee on Appropriations.

Favorable Roll Call

To Report Out:

Yeas: Reps. DeRossett, Casperson, Hummel, DeRoche, Gaffney, Hune, Huizenga, LaJoy, Anderson, Jammick, Gleason and Elkins

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Appropriations.

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

Senate Bill No. 1160, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.1100) by adding section 82.

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. DeRossett, Casperson, Hummel, DeRoche, Gaffney, Hune, Huizenga, LaJoy, Robertson, Anderson, Jammick, Gleason, Tobocman, Murphy and Elkins

Nays: None

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

Senate Bill No. 1179, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.1100) by adding section 74.

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. DeRossett, Casperson, Hummel, DeRoche, Gaffney, Hune, Huizenga, LaJoy, Robertson, Ward, Anderson, Jammick, Gleason, Tobocman, Murphy and Elkins

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, May 20, 2004

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

Absent: Rep. Adamini

Excused: Rep. Adamini

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, May 20:

House Bill Nos. 5926 5927

The Clerk announced that the following Senate bills had been received on Thursday, May 20:

Senate Bill Nos. 918 1025

By unanimous consent the House returned to the order of
Messages from the Senate

Senate Bill No. 918, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 539j. The Senate has passed the bill. The bill was read a first time by its title and referred to the Committee on Criminal Justice.

Senate Bill No. 1025, entitled

A bill to create a child protection registry; to prohibit the sending of certain communications to registered contact points; to proscribe the powers and duties of certain state agencies and officials; to create a fund and provide for fees; and to provide for penalties and remedies.

The Senate has passed the bill.

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

Introduction of Bills

Reps. Condino and Howell introduced

House Bill No. 5928, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 350a and 430 (MCL 750.350a and 750.430), section 350a as amended by 1996 PA 14 and section 430 as amended by 2003 PA 235.

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

Reps. Koetje, Wenke, Acciavatti and Tabor introduced

House Bill No. 5929, entitled

A bill to amend 1917 PA 156, entitled "An act authorizing cities, villages, counties, townships and school districts to operate systems of public recreation and playgrounds," by amending section 2 (MCL 123.52).

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

Reps. Robertson, Milosch, Voorhees, Shaffer, Wenke, Julian and Hune introduced

House Bill No. 5930, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 8115a.

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

Reps. Robertson, Milosch, Voorhees, Shaffer, Wenke, Julian and Hune introduced
House Bill No. 5931, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 834 (MCL 500.834), as amended by 2000 PA 378.

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

Reps. Lipsey, Howell, Meisner, Condino, Jamnick, Clack, Law, Kolb, Brown, Adamini, Accavitti, Gleason, Gillard, Gielegem, Bieda, Woodward, Vagnozzi, Spade, Minore, Hopgood, Zelenko and Anderson introduced

House Bill No. 5932, entitled

A bill to amend 1925 PA 289, entitled "An act to create and maintain a fingerprint identification and criminal history records division within the department of state police; to require peace officers, persons in charge of certain institutions, and others to make reports respecting juvenile offenses, crimes, and criminals to the state police; to require the fingerprinting of an accused by certain persons; and to provide penalties and remedies for a violation of this act," by amending section 3 (MCL 28.243), as amended by 2002 PA 694.

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

Rep. Gaffney moved that the House adjourn.
The motion prevailed, the time being 1:30 p.m.

The Speaker Pro Tempore declared the House adjourned until Tuesday, May 25, at 1:00 p.m.

GARY L. RANDALL
Clerk of the House of Representatives

