

**No. 17**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**92nd Legislature**  
**REGULAR SESSION OF 2003**

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House Chamber, Lansing, Tuesday, March 11, 2003.

1:00 p.m.

The House was called to order by Associate Speaker Pro Tempore Vander Veen.

The roll was called by the Clerk of the House of Representatives, who announced that a quorum was present.

Accavitti—present	Garfield—present	Meisner—present	Sheen—present
Acciavatti—present	Gieleghem—present	Meyer—present	Sheltrown—present
Adamini—present	Gillard—present	Middaugh—present	Shulman—present
Amos—present	Gleason—present	Milosch—present	Smith—present
Anderson—present	Hager—present	Minore—present	Spade—present
Bieda—present	Hardman—present	Moolenaar—present	Stahl—present
Bisbee—present	Hart—present	Murphy—excused	Stakoe—present
Bradstreet—present	Hood—present	Newell—present	Stallworth—present
Brandenburg—present	Hoogendyk—present	Nitz—present	Steil—present
Brown—present	Hopgood—present	Nofs—present	Stewart—present
Byrum—present	Howell—present	O’Neil—present	Tabor—present
Casperson—present	Huizenga—present	Paletko—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	Jamnick—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—excused
Gaffney—present			

e/d/s = entered during session



The Clerk announced that the following bills had been printed and placed upon the files of the members, Friday, February 28:

<b>Senate Bill Nos.</b>	<b>214</b>	<b>215</b>	<b>216</b>	<b>218</b>	<b>219</b>	<b>220</b>	<b>221</b>	<b>222</b>	<b>223</b>	<b>224</b>	<b>225</b>	<b>226</b>	<b>227</b>	<b>228</b>
	<b>229</b>	<b>230</b>	<b>231</b>	<b>232</b>	<b>233</b>	<b>234</b>	<b>235</b>	<b>236</b>	<b>237</b>	<b>238</b>	<b>239</b>	<b>240</b>	<b>241</b>	<b>242</b>
	<b>243</b>													

The Clerk announced that the following bill had been printed and placed upon the files of the members, Monday, March 3:

**Senate Bill No. 217**

The Clerk announced that the following bills had been printed and placed upon the files of the members, Wednesday, March 5:

<b>Senate Bill Nos.</b>	<b>244</b>	<b>245</b>	<b>246</b>	<b>247</b>	<b>248</b>	<b>249</b>	<b>250</b>	<b>251</b>	<b>252</b>	<b>253</b>	<b>254</b>	<b>255</b>	<b>256</b>	<b>257</b>
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The Clerk announced that the following Senate bills had been received on Thursday, March 6:

**Senate Bill Nos. 180 195**

By unanimous consent, the House returned to the order of

#### **Messages from the Senate**

#### **House Bill No. 4206, entitled**

A bill to provide for the approval of certain contracts involving the operation of city and village water and sewer systems; to create an authority; and to provide for the powers and duties of certain governmental officials and entities.

The Senate has substituted (S-3) the bill.

The Senate has passed the bill as substituted (S-3).

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

#### **House Concurrent Resolution No. 5.**

A concurrent resolution to memorialize the Congress of the United States to enact legislation to provide that all states receive a minimum of 95 percent of transportation funds sent to the federal government and to urge Congress to make the return of transportation money to the states a higher priority within existing federal revenues.

(For text of concurrent resolution, see House Journal No. 3, p. 53.)

The Senate has adopted the concurrent resolution and named Senators Allen, Bishop, Brater, Cassis, Cropsey, Goschka, Jacobs, Kuipers, Schauer, Scott, Switalski and Thomas as co-sponsors.

The concurrent resolution was referred to the Clerk for record.

#### **Senate Bill No. 180, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 224.

The Senate has passed the bill.

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

#### **Senate Bill No. 195, entitled**

A bill to provide for the approval of certain contracts involving the operation of city and village water and sewer systems; to require certain policies and procedures in the awarding of contracts; and to provide for the powers and duties of certain governmental officials and entities.

The Senate has passed the bill.

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

By unanimous consent, the House returned to the order of

#### **Reports of Standing Committees**

The Committee on Senior Health, Security and Retirement, by Rep. Woronchak, Chair, reported

#### **House Bill No. 4062, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 21799a (MCL 333.21799a).

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.

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Woronchak, Pappageorge, Rocca, Tabor, Vander Veen, Stallworth, Vagnozzi and Zelenko  
 Nays: None

The Committee on Senior Health, Security and Retirement, by Rep. Woronchak, Chair, reported

**House Bill No. 4079, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 20194 and 21799a (MCL 333.20194 and 333.21799a), section 20194 as added by 1993 PA 79.

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.

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Woronchak, Pappageorge, Rocca, Tabor, Vander Veen, Stallworth, Vagnozzi and Zelenko  
 Nays: None

## 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 27, 2003, at 9:00 a.m.

Present: Reps. Woronchak, Pappageorge, Rocca, Tabor, Vander Veen, Stallworth, Vagnozzi and Zelenko

Absent: Rep. Brandenburg

Excused: Rep. Brandenburg

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

**Senate Bill No. 160, entitled**

A bill to provide for the audit and examination of this state and state funds; to provide for the audit and examination of the books and accounts of all branches, departments, offices, boards, commissions, agencies, authorities, and institutions of this state; to prescribe powers and duties of certain state officers and employees; to provide for access to certain records; to provide for the subpoena of witnesses and production of documents and records; and to provide for the administration of this act.

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.

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Koetje, Drolet, Howell, Waters and Lipsey  
 Nays: None

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

**Senate Bill No. 195, entitled**

A bill to provide for the approval of certain contracts involving the operation of city and village water and sewer systems; to require certain policies and procedures in the awarding of contracts; and to provide for the powers and duties of certain governmental officials and entities.

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.

## Favorable Roll Call

To Report Out:

Yeas: Reps. Koetje, Drolet and Howell

Nays: Rep. Waters

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, March 11, 2003, at 2:12 p.m.

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

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Nofs, Chair of the Committee on Veterans Affairs and Homeland Security, was received and read:

Meeting held on: Thursday, February 27, 2003, at 1:15 p.m.

Present: Reps. Nofs, Garfield, Richardville, Pappageorge, Ruth Johnson, Casperson, Woodward, Spade and Elkins

Absent: Reps. Woronchak and Sheltroun

Excused: Reps. Woronchak and Sheltroun

## 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: Tuesday, March 11, 2003, at 9:00 a.m.

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

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Meyer, Chair of the Committee on Agriculture and Resource Management, was received and read:

Meeting held on: Tuesday, March 11, 2003, at 10:30 a.m.

Present: Reps. Meyer, Nitz, DeRossett, Hager, Casperson, Hune, Stahl, Sheltroun, Rivet, Spade and Law

**Notices**

March 4, 2003

Mr. Gary Randall  
Clerk of the House  
Ground Floor, Capitol Building

Dear Mr. Randall:

This letter is to authorize Representative Clark Bisbee to hold public hearings of the Joint Committee on Business Competitiveness from March 1, 2003 through September 1, 2003 in various locations across the state of Michigan.

Thank you for your attention to this matter.

Sincerely,  
Rick Johnson  
Speaker of the House

February 28, 2003

Mr. Gary Randall  
Clerk of the House  
Ground Floor, Capitol Building  
Lansing, Michigan 48909

Dear Mr. Randall:

Please make note in your records that Representative Paula Zelenko is removed from the House Standing Committee on Higher Education, and replaced by Representative Morris Hood, III.

Thank you for your attention to this matter.

Sincerely,  
Rick Johnson  
Speaker of the House

### Messages from the Governor

The following messages from the Governor were received March 3, 2003 and read:

#### EXECUTIVE ORDER No. 2003 - 4

#### MICHIGAN LAND USE LEADERSHIP COUNCIL

#### MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY

WHEREAS, Article V, Section 4 of the Michigan Constitution of 1963 authorizes the establishment of temporary commissions or agencies for special purposes;

WHEREAS, the State of Michigan is experiencing the outward migration of population and economic activity from Michigan's urban areas resulting in land use change in rural and urban areas;

WHEREAS, outward migration and land use change has significantly impacted development patterns; traffic, air, and water resources; historic, cultural, and scenic resources; open space, wetlands, and agriculture; the availability of affordable housing; and the ability of this State and its local governments to finance public facilities and service improvements;

WHEREAS, Michigan's sprawling low-density growth pattern is projected to consume additional land at a rate that exceeds six to eight times the rate of population growth, creating a strain on the efficient provision of public services;

WHEREAS, Michigan's land-based industries are important to the economy of this State including agriculture, Michigan's second largest industry, which annually generates nearly \$40 billion in economic activity, tourism, which generates nearly \$12 billion in economic activity annually, and forestry, which annually generates nearly \$9 billion in economic activity;

WHEREAS, between 1982 and 1997, Michigan lost over 1 million acres of farmland;

WHEREAS, Michigan's vital natural resources, which are an important economic, environmental, and social aspect of this State, continue to be fragmented and impacted by encroaching development;

WHEREAS, the unplanned, uncontrolled consumption of open space not only impairs the quality of Michigan's land, water, and ecosystems, but will also threaten Michigan's social and economic well-being if not met with strong leadership and vision;

WHEREAS, state-initiated land use coordination efforts will result in cost savings; better prioritization of limited state resources spent on public infrastructure; better stewardship of Michigan's agricultural, natural, historic, scenic, and cultural resources; an increased supply of affordable housing; orderly, safe, and well-planned urban and rural communities; preservation of important historic and scenic resources; and an expansion in private economic development activities;

NOW, THEREFORE, I, Jennifer M. Granholm, Governor of the State of Michigan, pursuant to the powers vested in me by the Michigan Constitution of 1963 and the laws of the State of Michigan, order the following:

#### **I. MICHIGAN LAND USE LEADERSHIP COUNCIL**

A. The Michigan Land Use Leadership Council ("Council") is created within the Department of Environmental Quality.

B. The Council shall have 26 members.

C. The Speaker of the House of Representatives, the House Minority Leader, the Senate Majority Leader, and the Senate Minority Leader each may designate one member of the Michigan Legislature to participate as members of the Council.

D. From a list of candidates recommended by the Speaker of the House of Representatives and the Senate Majority Leader, the Governor shall appoint 11 members of the Council.

E. After consultation with the House Minority Leader and the Senate Minority Leader, the Governor shall appoint 11 additional members of the Council.

F. The Directors of the Departments of Agriculture, Consumer and Industry Services, Environmental Quality, History, Arts and Libraries, Natural Resources, and Transportation, or their designees, shall serve as ex officio, non-voting participants at meetings of the Council.

G. Members of the Council appointed by the Governor shall serve at the pleasure of the Governor.

H. A vacancy on the Council shall be filled in the same manner as the original appointment.

## **II. CHARGE TO THE COUNCIL**

B. The Council is advisory in nature and shall:

1. Identify the trends, causes, and consequences of unmanaged growth and development.

2. Provide recommendations to the Governor and the Legislature designed to minimize the negative economic, environmental, and social impacts of current land use trends; promote urban revitalization and reinvestment; foster intergovernmental and public-private land use partnerships; identify new growth and development opportunities; and protect Michigan's natural resources, including farmland and open space, and better manage the cost of public investments in infrastructure to support growth.

B. In exercising its duties the Council may:

1. Evaluate the effectiveness of current state, regional, and local land use laws, including but not limited to zoning and planning laws, housing laws, building codes, and annexation laws.

2. Survey developers, builders, contractors, farmers, planners, engineers, surveyors, environmentalists, historic preservationists, attorneys, academics, citizen groups, others in the private sector, state agencies, and local governmental agencies about problems associated with current land use trends and current policies and suggested policy changes.

3. Stimulate statewide discussion on problems related to current land use trends, identifying best development practices and alternative land use and capital investment solutions.

4. Review model legislation and studies on land use techniques and collect information on states that have developed innovative solutions to similar land use challenges.

5. Identify any state programs or regulations that directly or indirectly encourage or subsidize low-density development and outward migration from urban areas.

6. Identify public information, training, and technical assistance related to land use needed by state, regional, and local agencies.

7. Identify incentives or techniques for sharing the benefits of economic growth and eliminating or reducing fiscal competition among local units of government and for fostering intergovernmental cooperation.

8. Propose innovative and cooperative land use approaches that will accommodate and guide growth and development through cooperation and partnerships on a local and regional basis; ensure the construction of adequate supporting services and infrastructure, including utilities, storm water management systems, and transportation; provide opportunities for or eliminate barriers to affordable housing; protect the environment and historic and scenic resources; enhance community livability; preserve farmland; and minimize negative impacts on natural resources.

C. The Council shall complete its work and issue a final report and recommendations, including any proposed legislation, to the Governor, the Clerk of the Michigan House of Representatives, and the Secretary of the Michigan Senate by August 15, 2003.

## **III. OPERATIONS OF THE COUNCIL**

A. The Governor shall designate two members of the Council appointed by the Governor as Co-Chairpersons who shall share equally the powers of directing the Council. The Co-Chairpersons shall serve as Co-Chairpersons at the pleasure of the Governor.

B. The Council shall be staffed by personnel within the Department of Environmental Quality, as designated by the Director. The Directors of the Departments of Agriculture, Consumer and Industry Services, History, Arts, and Libraries, Natural Resources, and Transportation shall provide personnel assistance to the Council at the request of the Director of the Department of Environmental Quality.

C. The Co-chairpersons shall appoint an executive coordinator for the Council.

D. The Council may adopt procedures, not inconsistent with Michigan law and this Order, governing its organization and operations. The Council may establish subcommittees as it deems advisable.

E. The Council shall meet at the call of the Co-chairpersons and as may be provided in procedures adopted by the Council.

F. A majority of the serving members constitutes a quorum for the transaction of business of the Council at a meeting, notwithstanding the existence of one or more vacancies. The Council shall act by a majority vote of its serving members.

G. In developing recommendations, the Council may, as appropriate, make inquiries, studies, investigations, hold hearings, and receive comments from the public. The Council may consult with outside experts in order to perform its duties.

H. Members of the Council shall serve without compensation. Members of the Council may receive reimbursement for necessary travel and expenses according to relevant statutes and the rules and procedures of the Department of Management and Budget and the Civil Service Commission, subject to available appropriations.

I. The Council may hire or retain such contractors, sub-contractors, advisors, consultants and agents, and may make and enter into contracts necessary or incidental to the exercise of the powers of the Council and the performance of its duties as the Director of the Department of Environmental Quality deems advisable and necessary, in accordance with the relevant statutes, rules, and procedures of the Civil Service Commission and the Department of Management and Budget.

J. The Council may accept donations of labor, services, or other things of value from any public or private agency or person.

K. Members of the Council appointed by the Governor shall refer all legal, legislative, and media contacts to the Department of Environmental Quality.

#### **IV. MISCELLANEOUS**

A. All departments, committees, commissioners, or officers of this State or of any political subdivision of this State shall give to the Council, or to any member or representative of the Council, any necessary assistance required by the Council, or any member or representative of the Council, in the performance of the duties of the Council so far as is compatible with its, his, or her duties. Free access shall also be given to any books, records or documents in its, his, or her custody, relating to matters within the scope of inquiry, study, or investigation of the Council

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

This Executive Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 28th day of February, 2003.

Jennifer M. Granholm

Governor

By the Governor:

Terri Land

Secretary of State

The message was referred to the Clerk.

### **EXECUTIVE ORDER**

**No. 2003 – 5**

#### **GOVERNOR'S CHRONIC WASTING DISEASE TASK FORCE**

##### **EXECUTIVE OFFICE OF THE GOVERNOR**

WHEREAS, Article V, Section 4 of the Michigan Constitution of 1963 authorizes the establishment of temporary commissions or agencies for special purposes;

WHEREAS, Section 1 of 1931 PA 195, MCL 10.51, authorizes and empowers the Governor, at such times and for such purposes as the Governor deems necessary or advisable, to create special commissions consisting of as many members as the Governor deems appropriate;

WHEREAS, chronic wasting disease is a neurological disease of deer and elk, a transmissible spongiform encephalopathy similar to mad cow disease in cattle and scrapie in sheep, characterized by loss of body condition, behavioral abnormalities, and death;

WHEREAS, chronic wasting disease can reduce the growth and size of deer and elk populations in areas where the prevalence of the disease is high, and is of increasing concern for wildlife managers across North America;

WHEREAS, there is no reliable live animal testing available for diagnosing chronic wasting disease, nor a treatment available, and information about the spread and long term implications of the disease is incomplete;

WHEREAS, once a disease thought to be limited in the wild to a relatively small endemic area in northeastern Colorado, southeastern Wyoming and southwestern Nebraska, chronic wasting disease has recently been found in new areas of



Colorado and Nebraska, among wild deer in Illinois, New Mexico, South Dakota, Wisconsin and Saskatchewan, and among captive herds in Colorado, Nebraska, South Dakota, Minnesota, Montana, Oklahoma, Kansas, Wisconsin, Saskatchewan and Alberta;

WHEREAS, the spread of chronic wasting disease beyond its historic range threatens more than elk and deer in Michigan. If allowed to spread into Michigan, the disease has the potential to negatively impact other wildlife populations, limit interest in recreational and commercial use of deer and elk, and negatively impact rural economies;

WHEREAS, the increased occurrence of chronic wasting disease in regionally diverse locations necessitates a coordinated state response and an escalation in research, surveillance, monitoring, and management activities focused on containing and managing this lethal deer and elk disease and establishing preventative measures to keep the disease out of Michigan;

WHEREAS, the Natural Resources Commission, the Agriculture Commission, the Department of Natural Resources, and the Department of Agriculture have worked well to date to institute policies and procedures for the Departments of Natural Resources and Agriculture to limit the threat posed by the disease; and

WHEREAS, greater partnership among the Michigan Departments of Agriculture, Community Health, Environmental Quality, Natural Resources, State Police, and Transportation, as well as other state, federal, and provincial, and local agencies in the Great Lakes region and beyond is necessary to prevent and control the spread of chronic wasting disease.

NOW, THEREFORE, I, Jennifer M. Granholm, Governor of the state of Michigan, pursuant of the powers vested in me by the Michigan Constitution of 1963 and Michigan law, order the following:

#### **I. GOVERNOR'S CHRONIC WASTING DISEASE TASK FORCE**

A. The Governor's Chronic Wasting Disease Task Force ("Task Force") is created within the Executive Office of the Governor.

B. The members of the Task Force shall include five members of the public appointed by the Governor.

C. The Directors of the Departments of Agriculture, Community Health, Environmental Quality, Natural Resources, State Police, and Transportation, or their designates, shall serve as ex officio, non-voting members of the Task Force.

D. The members of the Task Force shall serve at the pleasure of the Governor.

E. A vacancy on the Task Force shall be filled in the same manner as the original appointment.

#### **II. CHARGE TO THE TASK FORCE**

A. The Task Force shall act in an advisory capacity to the Executive Office of the Governor and shall:

1. Review existing state efforts regarding the prevention of chronic wasting disease.

2. Develop and make recommendations to implement a comprehensive and coordinated state chronic wasting disease prevention plan.

3. Make recommendations on the clarification of enforcement authority to prevent the spread of chronic wasting disease into Michigan, and if ever detected in Michigan, to prevent its spread within this state.

4. Recommend a process for the development of a widely-accessible reference database of available and current information concerning chronic wasting disease.

5. Identify mechanisms to promote effective communications and coordination of efforts between state, federal, provincial, and local officials regarding chronic wasting disease.

B. The Task Force shall complete its work and issue a final report and recommendations, including any proposed legislation, to the Governor by September 19, 2003.

#### **III. OPERATIONS OF THE TASK FORCE**

A. The Governor shall designate one member of the Task Force as Chairperson to serve at the pleasure of the Governor.

B. The Chairperson shall select from among the members of the Task Force a Vice-Chairperson and a Secretary. Task force staff shall assist the Secretary with recordkeeping responsibilities.

C. The Task Force shall be staffed by personnel from and assisted by the Departments of Agriculture, Community Health, Environmental Quality, Natural Resources, State Police, and Transportation, as requested by the Executive Office of the Governor.

D. The Task Force may adopt procedures, not inconsistent with Michigan law and this executive order, governing its organization and operations. The Task Force may establish subcommittees as it deems advisable.

E. The Task Force shall meet at the call of the Chairperson, or the Vice-Chairperson or other designee of the Chairperson, and as may be provided in procedures adopted by the Task Force.

F. The Task Force shall act by a majority vote of its serving members. A majority of the members present and voting constitutes a quorum for the transaction of business of the Task Force at a meeting.

G. In developing recommendations, the Task Force may, as appropriate, make inquiries, studies, investigations, hold hearings, and receive comments from the public. The Task Force may consult with outside experts in order to perform its duties, including but not limited to experts at state universities, state agencies, and federal agencies such as the United States Department of Agriculture and the United States Fish and Wildlife Service.

H. Members of the Task Force shall serve without compensation. Members of the Task Force may receive reimbursement for necessary travel and expenses according to relevant statutes and the rules and procedures of the Department of Management and Budget and the Civil Service Commission, subject to available appropriations.

I. The Task Force may hire or retain such contractors, sub-contractors, advisors, consultants and agents, and may make and enter into contracts necessary or incidental to the exercise of the powers of the Task Force and the performance of its duties as the Executive Office of the Governor deems advisable and necessary, in accordance with the relevant statutes, rules, and procedures of the Civil Service Commission and the Department of Management and Budget.

J. The Task Force may accept donations of labor, services, or other things of value from any public or private agency or person.

K. Members of the Task Force shall refer all legal, legislative, and media contacts to the Executive Office of the Governor.

#### IV. MISCELLANEOUS

A. All departments, committees, commissioners, or officers of this state or of any political subdivision of this state shall give to the Task Force, or to any member or representative of the Task Force, any necessary assistance required by the Task Force, or any member or representative of the Task Force, in the performance of the duties of the Task Force so far as is compatible with its, his, or her duties. Free access shall also be given to any books, records or documents in its, his, or her custody, relating to matters within the scope of inquiry, study, or investigation of the Task Force.

B. The invalidity of any portion of this Order shall not affect the validity of the remainder the order. This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 28th day of February, 2003.

Jennifer M. Granholm  
Governor

By the Governor:  
Terri Land  
Secretary of State

The message was referred to the Clerk.

#### Communications from State Officers

The following communications from the Auditor General were received and read:

February 26, 2003

Enclosed is a copy of the following audit report and/or report summary:  
Performance Audit of the  
Criminal Justice Information Center  
Michigan Department of State Police  
February 2003

February 28, 2003

Enclosed is a copy of the following audit report and/or report summary:  
Financial Audit of the  
Michigan Broadband Development Authority  
March 14, 2002 through September 30, 2002

Sincerely,  
Thomas H. McTavish, C.P.A.  
Auditor General

The communications were referred to the Clerk and the accompanying reports referred to the Committee on Government Operations.

The following communication from the Department of Environmental Quality was received and read:

February 28, 2003

I am pleased to enclose with this letter the annual report regarding brownfield plans and work plans submitted to the Department of Environmental Quality (DEQ) pursuant to the reporting requirements of Section 15(12) of the

Brownfield Redevelopment Financing Act, 1996 PA 381, as amended. The report summarizes information provided by local Brownfield Redevelopment Authorities from January 1, 2002 through December 31, 2002.

The Act 381 program continues to be an important factor in promoting redevelopment of Michigan's brownfield sites. If you have any questions regarding this or any other aspects of our cleanup and redevelopment program, please contact Mr. Jim Sygo, Chief, Remediation and Redevelopment Division, at 517-335-1104, or you may contact me.

Sincerely,  
Steven E. Chester  
Director  
517-373-7917

The communication was referred to the Clerk.

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

March 3, 2003

Pursuant to Section 314 of P.A. 527 of 2002, we are enclosing a copy of the following reports:

<u>Type of Report</u>	<u>Facility</u>	<u>Report #</u>	<u>License #</u>
Special Invest. Report	Adrian Trng. School	2003C0212024	CS460200931
Special Invest. Report	Sequoyah Center	2003C0212026	CS470201401

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

If you should have any questions regarding this information, please feel free to contact me at 373-3892.

Sincerely,  
Allan R. Pohl  
Acting Director  
Finance and Administrative  
Services

The communication was referred to the Clerk.

By unanimous consent the House returned to the order of

### **Reports of Standing Committees**

The Speaker laid before the House  
**Senate Concurrent Resolution No. 1.**

A concurrent resolution to memorialize the Congress of the United States to establish a minimum rate of return of 95 percent of Michigan's federal transportation funding for highway and transit programs.

(For text of concurrent resolution, see House Journal No. 9, p. 116.)

(The concurrent resolution was reported by the Committee on Transportation on February 27, consideration of which, under the rules, was postponed until today.)

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

### **Second Reading of Bills**

**House Bill No. 4198, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 82126 (MCL 324.82126), as amended by 1998 PA 30.

The bill was read a second time.

Rep. LaSata 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 Reps. Byrum, Stallworth and McConico be excused temporarily from today's session.  
The motion prevailed.

Rep. Richardville moved that Rep. Newell 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. 4198, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 82126 (MCL 324.82126), as amended by 1998 PA 30.

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

**Roll Call No. 22**

**Yeas—102**

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

**Nays—0**

In The Chair: Vander Veen

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.

### Introduction of Bills

Reps. Meyer, Sheltroun, Caswell, Julian, Rivet, Newell, Ehardt, Stahl, Shackleton and Nitz introduced

**House Bill No. 4310, entitled**

A bill to amend 1939 PA 141, entitled "Grain dealers act," by amending section 25 (MCL 285.85), as added by 2002 PA 80.

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

Reps. Meyer, Sheltroun, Caswell, Julian, Rivet, Newell, Ehardt, Stahl, Shackleton and Nitz introduced

**House Bill No. 4311, entitled**

A bill to provide insurance to farm produce producers against losses from the failure of grain dealers; to establish a farm produce insurance authority; to prescribe the powers and duties of the authority and its board; to establish a farm produce insurance fund; to provide for assessments on grain dealers; to prescribe certain powers and duties of certain state agencies and officers; to authorize the promulgation of rules; and to repeal acts and parts of acts.

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

Reps. Kolb, Vander Veen, Stewart, Dennis, Bieda, Hart, Murphy, Accavitti, Vagnozzi, Paletko, Plakas, Hardman, Condino, McConico, Woodward, Gillard, Whitmer, Gielegem, Tobocman, Law, Phillips, Hopgood, Minore, Clack, Wojno, Woronchak, Rivet, Lipsey, Sak, Williams, Zelenko and Jamnick introduced

**House Bill No. 4312, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 3111 and 3113 (MCL 324.3111 and 324.3113).

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

Reps. Meisner, Vander Veen, Stewart, Dennis, Bieda, Hart, Murphy, Accavitti, Vagnozzi, Paletko, Plakas, Hardman, Condino, McConico, Woodward, Gillard, Whitmer, Gielegem, Tobocman, Law, Phillips, Hopgood, Minore, Clack, Wojno, Woronchak, Rivet, Lipsey, Sak, Williams, Zelenko, Jamnick and Kolb introduced

**House Bill No. 4313, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 3112 (MCL 324.3112) and by adding section 3113b.

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

Reps. Lipsey, Vander Veen, Stewart, Dennis, Bieda, Hart, Murphy, Accavitti, Vagnozzi, Paletko, Plakas, Hardman, Condino, McConico, Woodward, Gillard, Whitmer, Gielegem, Tobocman, Law, Phillips, Hopgood, Minore, Clack, Wojno, Woronchak, Rivet, Sak, Williams, Zelenko, Jamnick and Kolb introduced

**House Bill No. 4314, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 3113a.

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

Reps. Farrah, Vander Veen, Stewart, Dennis, Bieda, Hart, Murphy, Accavitti, Vagnozzi, Paletko, Plakas, Hardman, Condino, McConico, Woodward, Gillard, Whitmer, Gielegem, Tobocman, Law, Phillips, Hopgood, Minore, Clack, Wojno, Woronchak, Rivet, Lipsey, Sak, Zelenko, Williams, Jamnick and Kolb introduced

**House Bill No. 4315, 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 3113c.

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

Reps. Pappageorge, Voorhees, Vander Veen, Rocca, Koetje and Steil introduced

**House Bill No. 4316, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 11513a.

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

Reps. Wojno, Meisner, O'Neil, Bieda, Gillard, Elkins, Murphy, Law, Vagnozzi, Paletko, Howell, Jamnick, Accavitti, Plakas, Condino, Tobocman, Spade and Ward introduced

**House Bill No. 4317, entitled**

A bill to amend 1846 RS 2, entitled "Of the legislature," by amending section 4 (MCL 4.84).

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

Reps. Condino, Meisner, Smith, Bieda, Tobocman, Wojno, Minore, Zelenko, Phillips, Lipsey, McConico, Accavitti, Hardman, Plakas, Gleason, Adamini, Pappageorge, Brown and Waters introduced

**House Bill No. 4318, entitled**

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending section 19i (MCL 38.19i), as added by 2002 PA 743.

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

Reps. Gleason, Tobocman, Plakas, Bieda, McConico, Hardman, Paletko, Lipsey, Farrah, Clack, Hunter, Spade, Minore, Sak, Murphy, Smith and O'Neil introduced

**House Bill No. 4319, entitled**

A bill to designate March 31 of each year as Cesar Chavez day in the state of Michigan.

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

Reps. Ruth Johnson, Vander Veen, Sheltroun, Zelenko, Rocca, Stakoe and Daniels introduced

**House Bill No. 4320, entitled**

A bill to amend 1991 PA 179, entitled "Michigan telecommunications act," (MCL 484.2101 to 484.2701) by adding section 255.

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

Reps. Ruth Johnson, Vander Veen, Ehardt, Zelenko and Rocca introduced

**House Bill No. 4321, entitled**

A bill to make, supplement, and adjust appropriations for the department of environmental quality for the fiscal year ending September 30, 2003; to provide for the expenditure of the appropriations; and to prescribe certain conditions for the appropriations.

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

Reps. Ruth Johnson, DeRossett, Vander Veen, LaJoy, Ehardt, Gielegem, Sheltroun, Rivet, Zelenko, Rocca, Stakoe and Daniels introduced

**House Bill No. 4322, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 101 (MCL 388.1701), as amended by 2002 PA 476.

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

Reps. Ruth Johnson, Vander Veen, Voorhees, Zelenko and Rocca introduced

**House Bill No. 4323, entitled**

A bill to prohibit certain methods, acts, and practices in consumer credit and debit transactions; to prescribe certain powers and duties; to provide for certain remedies, damages, and penalties; to provide for certain investigations; and to prescribe penalties.

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

Reps. Lipsey and Brown introduced

**House Bill No. 4324, entitled**

A bill to amend 1851 PA 156, entitled "An act to define the powers and duties of the county boards of commissioners of the several counties, and to confer upon them certain local, administrative and legislative powers; and to prescribe penalties for the violation of the provisions of this act," by amending section 11 (MCL 46.11), as amended by 1998 PA 97.

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

Reps. Drolet, DeRossett, Zelenko, Spade, Ward, Gleason, Steil, Paletko, Brown, Meyer, Casperson, Garfield, Sheltrown, Plakas, Stakoe, Hoogendyk, Anderson, Voorhees, Rocca, Bradstreet, Tabor, Hune, Milosch, Palmer, Acciavatti, Brandenburg, Caswell, Ehardt, Pumford, Ruth Johnson, DeRoche, Accavitti, Adamini, Woodward, Sheen, Gillard, Bisbee, Richardville, Emmons and Daniels introduced

**House Bill No. 4325, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 658 (MCL 257.658), as amended by 2002 PA 494.

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

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Rep. Condino moved that the House adjourn.  
The motion prevailed, the time being 5:25 p.m.

Associate Speaker Pro Tempore Vander Veen declared the House adjourned until Wednesday, March 12, at 1:00 p.m.

GARY L. RANDALL  
Clerk of the House of Representatives

