

No. 85
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92nd Legislature
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House Chamber, Lansing, Thursday, November 6, 2003.

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	Meyer—present	Sheen—present
Acciavatti—present	Gieleghem—present	Middaugh—present	Sheltrown—present
Adamini—present	Gillard—present	Milosch—present	Shulman—present
Amos—present	Gleason—present	Minore—present	Smith—present
Anderson—present	Hager—present	Moolenaar—present	Spade—present
Bieda—present	Hardman—excused	Mortimer—present	Stahl—present
Bisbee—present	Hart—present	Murphy—present	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—excused	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—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—excused
Ehardt—present	LaJoy—present	Robertson—present	Williams—present
Elkins—present	LaSata—present	Rocca—present	Wojno—present
Emmons—present	Law—present	Sak—present	Woodward—present
Farhat—present	Lipsey—present	Shackleton—present	Woronchak—present
Farrah—present	McConico—present	Shaffer—present	Zelenko—present
Gaffney—present	Meisner—present		

e/d/s = entered during session

Rep. Alma G. Stallworth, from the 8th District, offered the following invocation:

“Let the words of my mouth and the meditation of my heart be acceptable in Thy sight. O Lord, my strength and my redeemer, we pray that You will continue to direct our paths, protect and guide our judgments, and strengthen our will to better serve all the people of the state of Michigan. Amen.”

Rep. Waters moved that Reps. Cheeks, Daniels and Hardman be excused from today’s session.
The motion prevailed.

Second Reading of Bills

House Bill No. 5188, entitled

A bill to amend 1939 PA 3, entitled “An act to provide for the regulation and control of public utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts,” by amending section 10a (MCL 460.10a), as added by 2000 PA 141.

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

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

Rep. Bradstreet moved to amend the bill as follows:

1. Amend page 3, line 15, after “**order.**” by inserting “**The enactment of this subsection shall not be deemed to prejudice, delay, or affect any pending legal case or proceeding.**”.

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Bradstreet moved to amend the bill as follows:

1. Amend page 3, line 15, after “**order.**” by inserting “**The enactment of this subsection shall not be deemed to prejudice, delay, or affect any pending legal case or legal proceeding.**”.

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

Rep. Palsrok 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. Sheltroun moved that Rep. Rivet 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. 5188, entitled

A bill to amend 1939 PA 3, entitled “An act to provide for the regulation and control of public utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for

licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts," by amending section 10a (MCL 460.10a), as added by 2000 PA 141.

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

Roll Call No. 610**Yeas—104**

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

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Second Reading of Bills**Senate Bill No. 516, entitled**

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 22a of chapter X (MCL 710.22a), as added by 1994 PA 430.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5199, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 9 and 9a of chapter X (MCL 770.9 and 770.9a), section 9a as amended by 2002 PA 483, and by adding section 9b to chapter X.

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

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

Rep. Drolet 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. 5199, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 9 and 9a of chapter X (MCL 770.9 and 770.9a), section 9a as amended by 2002 PA 483, and by adding section 9b to chapter X.

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

Roll Call No. 611**Yeas—105**

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

Nays—0

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. 4587, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 7d (MCL 722.627d), as added by 1998 PA 428.

The bill was read a second time.

Rep. Clack 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. Sak moved that Rep. O'Neil 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. 4587, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 7d (MCL 722.627d), as added by 1998 PA 428.

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

Roll Call No. 612

Yeas—105

Accavitti	Gielegem	Meyer	Sheen
Acciavatti	Gillard	Middaugh	Sheltrown
Adamini	Gleason	Milosch	Shulman
Amos	Hager	Minore	Smith
Anderson	Hart	Moolenaar	Spade
Bieda	Hood	Mortimer	Stahl
Bisbee	Hoogendyk	Murphy	Stakoe
Bradstreet	Hopgood	Newell	Stallworth
Brandenburg	Howell	Nitz	Steil
Brown	Huizenga	Nofs	Stewart
Byrum	Hummel	Paletko	Tabor
Casperson	Hune	Palmer	Taub
Caswell	Hunter	Palsrok	Tobocman
Caul	Jamnick	Pappageorge	Vagnozzi
Clack	Johnson, Rick	Pastor	Van Regenmorter
Condino	Johnson, Ruth	Phillips	Vander Veen
Dennis	Julian	Plakas	Voorhees
DeRoche	Koetje	Pumford	Walker
DeRossett	Kolb	Reeves	Ward
Drolet	Kooiman	Richardville	Waters
Ehardt	LaJoy	Rivet	Wenke
Elkins	LaSata	Robertson	Williams

Emmons
Farhat
Farrah
Gaffney
Garfield

Law
Lipsey
McConico
Meisner

Rocca
Sak
Shackleton
Shaffer

Wojno
Woodward
Woronchak
Zelenko

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Second Reading of Bills

House Bill No. 5107, 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 1c (MCL 247.651c), as amended by 1982 PA 438.

The bill was read a second time.

Rep. Minore moved to amend the bill as follows:

1. Amend page 4, line 27, after “**highways.**” by inserting “**The state transportation department shall use context-sensitive design in undertaking new construction, improvement, or preservation of bridges over a body of water, including bridges under the critical bridges program created in section 11b and state trunk line bridges.**”

2. Amend page 5, line 6, after “**mobility.**” by inserting “**When applied to construction, improvement, or preservation of bridges over a body of water, context-sensitive design shall include directing runoff from the bridge away from any body of water under the bridge so that the runoff will not be deposited in the body of water.**”

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

Rep. Ruth Johnson 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. 5107, 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 1c (MCL 247.651c), as amended by 1982 PA 438.

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

Roll Call No. 613

Yeas—99

Accavitti	Gillard	Meyer	Shaffer
Acciavatti	Gleason	Middaugh	Sheen
Amos	Hager	Milosch	Shulman
Anderson	Hart	Minore	Spade
Bieda	Hood	Moolenaar	Stahl
Bisbee	Hoogendyk	Mortimer	Stakoe
Brandenburg	Hopgood	Murphy	Stallworth
Brown	Howell	Newell	Steil
Byrum	Huizenga	Nitz	Stewart
Casperson	Hummel	Nofs	Tabor
Caul	Hune	O'Neil	Taub
Clack	Hunter	Paletko	Tobocman
Condino	Jamnick	Palmer	Vagnozzi
Dennis	Johnson, Rick	Palsrok	Van Regenmorter
DeRoche	Johnson, Ruth	Pappageorge	Vander Veen
DeRossett	Julian	Pastor	Voorhees
Drolet	Koetje	Phillips	Walker
Ehardt	Kolb	Plakas	Ward
Elkins	Kooiman	Pumford	Wenke
Emmons	LaJoy	Reeves	Williams
Farhat	LaSata	Richardville	Wojno

Farrah
Gaffney
Garfield
Gielegem

Law
Lipsey
McConico
Meisner

Robertson
Rocca
Sak
Shackleton

Woodward
Woronchak
Zelenko

Nays—6

Adamini
Bradstreet

Caswell
Rivet

Sheltrown

Waters

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. 5173, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 601b (MCL 257.601b), as amended by 2001 PA 103.

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

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

Rep. Acciavatti 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. Hood moved that Rep. Smith be excused temporarily from today's session.
The motion prevailed.

Rep. Mortimer 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. 5173, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 601b (MCL 257.601b), as amended by 2001 PA 103.

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

Roll Call No. 614

Yeas—97

Accavitti
Acciavatti

Gleason
Hager

Middaugh
Milosch

Shaffer
Sheen

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

Nays—7

Bisbee	Drolet	Pappageorge	Van Regenmorter
Bradstreet	LaSata	Steil	

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.

The House returned to the consideration of

House Bill No. 5188, entitled

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts," by amending section 10a (MCL 460.10a), as added by 2000 PA 141. (The bill was considered earlier today, see today's Journal p. 2062.)

Rep. Richardville moved to reconsider the vote by which the House passed the bill.

The motion prevailed, a majority of the members serving voting therefor.

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. 615**Yeas—106**

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

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

Reps. Woronchak, Anderson, Stewart, Woodward, Phillips, Zelenko, Kolb, Spade, Lipsey, Voorhees, Middaugh, Meyer, Vander Veen, Adamini, Brown, Paletko, Pastor, Bieda, Gleason, Wenke, Byrum and Huizenga were named co-sponsors of the bill.

Second Reading of Bills**House Bill No. 5089, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 627 (MCL 257.627), as amended by 1990 PA 165, and by adding section 79d.

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

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

Rep. Shackleton 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. Hummel moved to substitute (H-3) the bill.

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

Rep. Acciavatti moved to amend the bill as follows:

1. Amend page 11, following line 12, by inserting:

“Enacting section 1. This amendatory act takes effect 90 days after the date this amendatory act is enacted.”.

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

Rep. Acciavatti 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. 5089, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 627 (MCL 257.627), as amended by 1990 PA 165, and by adding section 79d.

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

Roll Call No. 616

Yeas—106

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

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 amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 320a, 601b, and 627 (MCL 257.320a, 257.601b, and 257.627), section 320a as amended by 2003 PA 61, section 601b as amended by 2001 PA 103, and section 627 as amended by 1990 PA 165, and by adding sections 79d and 616a.

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. McConico, O'Neil, Pappageorge, Minore, Zelenko, Kolb, Jamnick, Richardville, Voorhees, Sheltroun, Shackleton, Paletko, Hopgood, Taub, Robertson, Shaffer and Elkins were named co-sponsors of the bill.

Rep. Richardville moved to suspend that portion of Rule 44 requiring bills to be handed to the Clerk three hours prior to calling the House to order.

The motion prevailed, 3/5 of the members present voting therefor.

Rep. Richardville moved that when the House adjourns today it stand adjourned until Wednesday, November 12, at 1:00 p.m.

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. Hoogendyk, Huizenga, Reeves, Voorhees, Middaugh, Stahl, Hummel, Robertson, Palmer, LaJoy, Garfield, Palsrok, Taub, Vander Veen, Sheen, Nofs, Moolenaar, O'Neil, Wojno, Shaffer, Mortimer, Kooiman, Julian, Pastor, Richardville, Stallworth, Acciavatti, Brandenburg, Casperson, DeRossett, Farhat, Spade, Hunter, Meyer, Pappageorge, Phillips, Vagnozzi, Shulman, Shackleton and Hager offered the following resolution:

House Resolution No. 167.

A resolution to memorialize the Congress of the United States and the Michigan Department of Community Health to provide assistance to pregnancy care centers in Michigan.

Whereas, Pregnancy care centers, which are also known as crisis pregnancy centers, are located in Michigan and across our country and provide vitally needed help to women and families at difficult times in their lives. These centers offer free, confidential, and compassionate services, which range from pregnancy testing and childbirth classes to help with housing, counseling, and medical referrals; and

Whereas, Pregnancy care centers encourage women to make positive choices in life by providing them with accurate and complete information. This information covers such key topics as nutrition, prenatal care, adoption services, and parenting; and

Whereas, Many pregnancy care centers across the country also offer classes in abstinence education, including programs carried out in schools; and

Whereas, The work of pregnancy care centers is largely conducted by volunteers, with contributions of time, talent, and financial support from people who see the intrinsic value of helping women and families facing a variety of very personal difficulties. With the strong societal implications of the good work being done at pregnancy care centers across our state, these centers are performing a great volume of services that clearly are carried out for the public benefit; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States and the Michigan Department of Community Health to provide assistance to pregnancy care centers in Michigan. We urge that any assistance made available to help with medical and abstinence education programs be administered in a manner that does not compromise the values of the centers; and be it further

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

The resolution was referred to the Committee on Health Policy.

Reps. Casperson, Hummel, Pappageorge, Tabor, Shackleton, Nitz, Huizenga, Kooiman, Mortimer, Newell, Caul, Voorhees, Vander Veen, Hune, Stahl, Emmons, Farhat, Ward, Caswell, Hoogendyk, Julian, Pastor, Richardville, Shaffer, Acciavatti, Brandenburg, DeRossett, Garfield, Robertson, Brown, Meyer, Sheltroun, Taub, Adamini, Ehardt, Palmer, Shulman and Hager offered the following resolution:

House Resolution No. 168.

A resolution to memorialize the Congress of the United States and the United States Department of Transportation to permit the use of 75-foot crib carrier log hauling equipment.

Whereas, In the logging industry, an important industry for the state of Michigan, the crib carrier for log hauling offers an advancement that can increase the stability of loads with a new design for how the logs are arranged. In a highly competitive industry like lumbering, the new equipment represents significant progress; and

Whereas, Current federal law places a 70-foot limit on the length of trucks, although a waiver has permitted the use of 75-foot equipment over the past couple of years. Until federal laws and regulations permit the use of a 75-foot truck length, sanctions will prevent the use of safer truck-trailer combinations; and

Whereas, The 75-foot equipment offers distinct safety measures not available through the 70-foot limit currently in place. Most importantly, the crib arrangement makes the load more secure, with added protection against a shifting cargo. This enhances safety along Michigan's roads; and

Whereas, Discussions on proposals to permit the 75-foot crib carriers are underway in Washington, and legislation is expected to be introduced in the 108th Congress; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States and the United States Department of Transportation to permit the use of 75-foot crib carrier log hauling equipment; and be it further

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

The resolution was referred to the Committee on Transportation.

Reps. Vander Veen, Shaffer, Newell, Mortimer, Kooiman, Garfield, Wenke, Richardville, Stahl, Farhat, Ehardt, Caswell, Taub, Hoogendyk, Julian, Pastor, Brandenburg, Casperson, DeRossett, Hopgood, Hunter, Meyer, Phillips, Voorhees, Palmer, Shulman and Hager offered the following resolution:

House Resolution No. 169.

A resolution to memorialize the Congress of the United States and the Food and Drug Administration to address the issue of the legality of imported drugs from Canada to ensure stability in the prescription drug component of health care and to protect the health of our citizens.

Whereas, Over the past few years, rapid increases in costs have caused more and more citizens and organizations to investigate the possibility of importing prescription drugs from Canada. In addition to individual citizens pursuing this on their own, storefront businesses helping people import medicines have developed, and some states have discussed importing certain medications on a very large scale; and

Whereas, There is considerable uncertainty over the practice of importing prescription medications. Some insurers will not cover these expenses. The FDA has repeatedly issued warnings that procuring medicines over the Internet or through other avenues to get drugs from outside the country are practices that could be extremely dangerous to health. In spite of these formidable obstacles, the interest people have in buying medications at far lower prices than are available in the United States has only grown; and

Whereas, As this trend continues, companies can be expected to cut their supplies of drugs to Canada. Such actions could contribute to an imbalance in the marketplace that could cause even more problems in this segment of health care; and

Whereas, The present situation of uncertainty should not continue. Whatever Congress and federal policy makers decide to do regarding the importation of prescription medications, whether recognizing this as legal or prohibiting or regulating the practice, a decision needs to be made as soon as possible. In the meantime, individual citizens, state officials, and private businesses are vulnerable. Before more serious damage is done, Congress needs to take a stand on this issue; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States and the Food and Drug Administration to address the issue of the legality of imported drugs from Canada to ensure stability in the prescription drug component of health care and to protect the health of our citizens; and be it further

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

The resolution was referred to the Committee on Health Policy.

Reps. Vander Veen, Shaffer, Amos, Newell, Ehardt, Mortimer, Kooiman, Stahl, Caul, Pappageorge, Garfield, Caswell, Wenke, Rocca, Richardville, Taub, Farhat, Julian, Pastor, Brandenburg, Casperson, DeRossett, Wojno, Brown, Clack, Hopgood, Hunter, Lipsey, Meyer, Phillips, Sheltrown, Voorhees, Adamini, Gleason, Shulman, Minore and Shackleton offered the following resolution:

House Resolution No. 170.

A resolution to memorialize the Congress of the United States and the United States Department of Health and Human Services to make the treatment of chronic diseases a higher priority.

Whereas, An estimated 125 million Americans suffer from at least one chronic illness, which includes such maladies as asthma, arthritis, diabetes, heart disease, mental illness, and many cancers. Approximately 60 million people are afflicted with more than one of these conditions; and

Whereas, Chronic illnesses, which are responsible for 7 of every 10 deaths, are the leading cause of death in our country. More than 75 percent of state Medicaid spending goes toward the treatment of chronic illnesses, and more than half of Medicaid spending treats Medicaid enrollees who have more than one chronic disease; and

Whereas, The health care system of the United States could more accurately be called a "sick care" system, as most costs are incurred in the treatment of acute episodes of chronic illnesses that, in many cases, could be avoided or lessened by preventive measures. Many chronic diseases can be mitigated through improved diet, increased exercise, avoiding tobacco use, or other management steps. In spite of this, our country spends only a fraction of its health care money on prevention; and

Whereas, Many studies have demonstrated widespread problems with the quality of care delivered to individuals with chronic illnesses. These studies often cite the absence of appropriate screening and follow-up care, inadequate coordination of treatment among health care providers, and many preventable and costly complications; and

Whereas, There are structural barriers to improved treatment of chronic illnesses. Specifically, Medicaid and Medicare do not encourage preventive steps or better coordination for the treatment of people with more than one disease. Clearly, with the financial pressures in health care and the aging of our population, we need to take stronger steps to deal with chronic conditions in a more effective manner; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States and the United States Department of Health and Human Services to make the treatment of chronic diseases a higher priority. We urge federal policy makers to transform the regulatory, financial, and clinical structures for dealing with chronic diseases, including more support for preventive measures, better coordination of care, and the removal of regulatory barriers within Medicaid and Medicare; and be it further

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

The resolution was referred to the Committee on Health Policy.

Reps. Vander Veen, Bieda, Garfield, Brandenburg, Pappageorge, Mortimer, Emmons, Sheen, Voorhees, Caul, Steil, Palmer, Middaugh, Hart, Pastor, Moolenaar, Stakoe, Amos, Meyer, Huizenga, Kolb, DeRoche, Van Regenmorter, Hoogendyk, Williams, Wojno, Sak, Nitz, Tobocman, Hopgood, Clack, Anderson, Farhat, Kooiman, O'Neil, Woodward, Shackleton, Dennis, Minore, Plakas, Jamnick, Sheltrown, Byrum, Spade, Caswell, Gleason, Howell, Newell, LaJoy, Hager, Brown, Elkins, Accavitti, Zelenko, Richardville, Lipsey and Taub offered the following resolution:

House Resolution No. 171.

A resolution honoring veterans and recognizing November 11, 2003, as Veterans' Day.

Whereas, The willingness of our citizens to give freely and unselfishly of themselves, even their lives, in defense of our democratic principles, gives this great Nation continued strength and vitality; and

Whereas, From Valley Forge to the Persian Gulf, through war and peace, valiant Americans have answered the call to duty with honor and dignity; and

Whereas, Americans throughout this great land set aside Veterans' Day for special remembrance of the men and women who have served to protect our freedom; and

Whereas, The sound of bugles playing taps will pierce the air at countless ceremonies around the country and at our bases overseas in tribute to those who gave their lives in order to safeguard human liberty; and

Whereas, On this special day, our hearts and thoughts also turn to those who were disabled while serving their country, and their sacrifices and hardships endure, and daily earn anew the honor and compassion of a grateful nation; and

Whereas, With a spirit of pride and gratitude, we honor all our veterans, and especially those who have fought on the battlefields of Europe and the beaches of the Pacific, in the jungles and mountains of Asia, in the deserts of the Middle East, in hostile waters and skies around the globe; now, therefore, be it

Resolved by House of Representatives, That the members of this legislative body do hereby recognize November 11, 2003, as Veterans' Day and ask that on this day of honor all citizens express their gratitude to our veterans; and be it further

Resolved, That we devote special attention to those veterans who are sick and disabled, and show them through our actions that we remember and honor them.

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. Sak, Kooiman, Plakas, Spade, Vagnozzi, Condino, Hunter, McConico, Stallworth, Gielegem, Woodward, Zelenko, Anderson, Brown, Adamini, Kolb, Palsrok, Sheltroun, Gillard, Bieda, Gleason, Elkins, Meisner, Van Regenmorter, Pappageorge, DeRoche, Clack, Law, Murphy, Hopgood, Paletko, Tobocman, Wojno, Accavitti, Byrum, Waters, Rivet, Hood, Jamnick, Minore, Richardville, Williams, Reeves, Farrah, O'Neil, Dennis, Huizenga, Newell, Caswell, Howell, Pastor, LaJoy, Hager, Voorhees, Lipsey, Sheen, Hoogendyk, Meyer, Nitz, Farhat, Stakoe, Taub and Emmons offered the following resolution:

House Resolution No. 172.

A resolution honoring veterans and recognizing November 11, 2003, as Veterans' Day.

Whereas, World War I ended on the eleventh hour of the eleventh day of the eleventh month of 1918; and

Whereas, On November 11, 1921, an American soldier of World War I, his name "known but to God" was buried at Arlington National Cemetery. His burial symbolizing a nation's reverence for America's veterans who served in that great war; and

Whereas, November 11th received an official designation as Armistice Day in 1926 and became a national holiday in 1938; and

Whereas, After the greatest mobilization of soldiers, sailors, marines and airmen in the nation's history to fight World War II and after U.S. forces fought communist aggression in Korea, November 11th was renamed Veterans' Day in 1954; and

Whereas, It is fitting that the recurring anniversary of this date should be commemorated with thanksgiving, prayer and exercises designed to perpetuate peace through good will and mutual understanding between nations; and

Whereas, Over 25 million veterans live in our nation and over 845,000 veterans live in the state of Michigan; and

Whereas, We are now freshly reminded of the danger and threat to our peace and liberty, we recognize the many, here and abroad, who now stand watch, as they execute the difficult military missions required to preserve, restore and build democracy throughout the world; and

Whereas, We should pause on Veterans' Day to remember the historical importance of the day and honor America's veterans for their patriotic spirit, their service and sacrifice for our nation; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body recognize November 11, 2003, as Veterans' Day in the state of Michigan and we urge the citizens of the state to recognize America's veterans and military personnel with public ceremonies and private reflection.

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. Sheen, Woronchak, Drolet, Newell, Vander Veen, Hoogendyk, Palsrok, Middaugh, DeRoche, Brandenburg, Garfield, Pappageorge, Hart, Mortimer, Emmons, Gleason, Byrum, Vagnozzi, Accavitti, Anderson, Lipsey, Howell, Gaffney, Van Regenmorter, Huizenga, Hager, Caswell, Clack, Stahl, Wenke, Koetje, Bieda, Hopgood, Law, Wojno, Tobocman, Hunter, Plakas, Sak, O'Neil, Smith, Hood, Farrah, Kolb, Ruth Johnson, Hune, Rocca, Nofs, Farhat, Dennis, Richardville, Jamnick, Spade, Brown, Meyer, Elkins, Woodward, Minore, Williams, Moolenaar, Stakoe, Walker, DeRossett, Amos, Pastor, Kooiman, Robertson, Shaffer, LaJoy, Taub, Voorhees, Bisbee, Hummel, Milosch, Acciavatti, Nitz, Shulman, Tabor, Casperson, Julian and Zelenko offered the following resolution:

House Resolution No. 173.

A resolution commemorating the contributions of Michigan veterans to preserving American freedoms.

Whereas, Throughout the course of American history, courageous men and women have taken up arms to secure, defend and maintain the principles on which our nation's freedoms depend; and

Whereas, Terrorists ruthlessly attacked our land and our freedoms. Their attempt to assail the American spirit failed, and our nation's response reveals the spirit of freedom is as strong as ever. American troops are now fighting overseas to defeat terrorism, following in the footsteps of the 48 million men and women who have stepped forward to defend our land since our nation's founding; and

Whereas, There are more than 25 million living veterans who served our nation in times of peace and war. These veterans have diverse religious beliefs and come from varying backgrounds and ethnicities. Through their service, they kept America strong, and have protected our way of life from tyranny's grip for over two centuries. At this moment, men and women from Michigan are serving in the Army, Navy, Air Force, Marines and Coast Guard around the world. They represent our resolute dedication to achieving a lasting peace out of the challenges and threats of the 21st century; and

Whereas, Veterans' Day is a time to pause and reflect on the sacrifices of all those who have served in the United States military. Let us especially honor our veterans from Michigan, who have proved their heroism and love of country again and again—from Gettysburg to Iwo Jima, from the Chosin Reservoir to the War in Iraq. They defended our ideals across the globe, and they continue to inspire those who defend America today half a world away; and

Whereas, More than a million American men and women have died in service to America, and more than a million and a half have been wounded. Some veterans sustained serious injuries in combat and now live with disabilities. Our nation will always be grateful for the noble sacrifices of our veterans; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body honor all Michigan veterans who have served in the United States military for their sacrifices in demonstrating the timeless truth that freedom is not free. We urge all Michigan citizens to recognize the valor and sacrifice of our veterans through appropriate public ceremonies and private prayers; and be it further

Resolved, That copies of this resolution be transmitted to Michigan veterans, their families and service organizations as a token of our appreciation for their service.

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 Transportation, by Rep. DeRossett, Chair, reported

House Bill No. 4887, entitled

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

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.

Favorable Roll Call

To Report Out:

Yeas: Reps. DeRossett, Casperson, Hummel, DeRoche, Gaffney, Hune, Huizenga, LaJoy, Robertson, Ward, Anderson, Jamnick, Gleason, Tobocman 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, November 6, 2003, at 9:00 a.m.

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

Absent: Reps. Adamini and Murphy

Excused: Reps. Adamini and Murphy

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

House Bill No. 4585, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 85 (MCL 38.1385), as amended by 2002 PA 94.

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, Mortimer, Pappageorge, Rocca, Tabor, Vander Veen and Zelenko

Nays: None

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

House Bill No. 4766, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 20144a. 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, Mortimer, Pappageorge, Rocca, Vander Veen, Stallworth, Vagnozzi and Zelenko

Nays: None

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

House Bill No. 5184, entitled

A bill to amend 1979 PA 218, entitled "Adult foster care facility licensing act," (MCL 400.701 to 400.737) by adding section 34a.

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, Mortimer, Pappageorge, Rocca, 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, November 6, 2003, at 8:30 a.m.

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

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

House Bill No. 5216, entitled

A bill to amend 1909 PA 279, entitled "The home rule city act," by amending section 4l (MCL 117.4l), as amended by 1996 PA 44, and by adding section 4q.

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. Howell, LaSata, Van Regenmorter, Bradstreet, Koetje, Voorhees, Gaffney, Garfield, Wenke, Lipsey, Bieda, Condino and Smith

Nays: None

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

House Bill No. 5217, entitled

A bill to amend 1909 PA 279, entitled "The home rule city act," (MCL 117.1 to 117.38) by adding section 4r.

With the recommendation that the following amendment be adopted and that the bill then pass.

1. Amend page 3, line 6, after "**than**" by striking out "**5**" and inserting "**10**".

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Howell, LaSata, Van Regenmorter, Bradstreet, Koetje, Voorhees, Gaffney, Garfield, Wenke, Lipsey, Bieda, Condino and Smith

Nays: None

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

House Bill No. 5218, entitled

A bill to amend 1909 PA 279, entitled "The home rule city act," by amending section 29 (MCL 117.29), as amended by 1994 PA 17.

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.

Favorable Roll Call

To Report Out:

Yeas: Reps. Howell, LaSata, Van Regenmorter, Bradstreet, Koetje, Voorhees, Gaffney, Garfield, Wenke, Lipsey, Bieda, Condino and Smith

Nays: None

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

House Bill No. 5219, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8313 (MCL 600.8313), as amended by 1995 PA 54.

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.

Favorable Roll Call

To Report Out:

Yeas: Reps. Howell, LaSata, Van Regenmorter, Bradstreet, Koetje, Voorhees, Gaffney, Garfield, Wenke, Lipsey, Bieda, Condino and Smith

Nays: None

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

House Bill No. 5220, entitled

A bill to amend 1921 PA 207, entitled "City and village zoning act," by amending section 7 (MCL 125.587), as amended by 1994 PA 25.

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.

Favorable Roll Call

To Report Out:

Yeas: Reps. Howell, LaSata, Van Regenmorter, Bradstreet, Koetje, Voorhees, Gaffney, Garfield, Wenke, Lipsey, Bieda, Condino and Smith

Nays: None

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

House Bill No. 5223, entitled

A bill to amend 1972 PA 230, entitled "Stille-DeRossett-Hale single state construction code act," by amending sections 8b, 23, and 23a (MCL 125.1508b, 125.1523, and 125.1523a), section 8b as added by 1999 PA 245, section 23 as amended by 1994 PA 22, and section 23a as added by 1989 PA 135.

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.

Favorable Roll Call

To Report Out:

Yeas: Reps. Howell, LaSata, Van Regenmorter, Bradstreet, Koetje, Voorhees, Gaffney, Garfield, Wenke, Lipsey, Bieda, Condino and Smith

Nays: None

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

House Bill No. 5224, entitled

A bill to amend 1941 PA 359, entitled "An act for controlling and eradicating certain noxious weeds within the state; to permit townships, villages, and cities to have a lien for expenses incurred in controlling and eradicating such weeds; to permit officials of counties and municipalities to appoint commissioners of noxious weeds; to define the powers, duties, and compensation of commissioners; to provide for sanctions; and to repeal certain acts and parts of acts," by amending section 4 (MCL 247.64), as amended by 1994 PA 26.

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.

Favorable Roll Call

To Report Out:

Yeas: Reps. Howell, LaSata, Van Regenmorter, Bradstreet, Koetje, Voorhees, Gaffney, Garfield, Wenke, Lipsey, Bieda, Condino and Smith

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, November 6, 2003, at 9:00 a.m.

Present: Reps. Howell, LaSata, Van Regenmorter, Bradstreet, Koetje, Pappageorge, Voorhees, Gaffney, Garfield, Wenke, Lipsey, Bieda, Condino and Smith

Absent: Rep. Adamini

Excused: Rep. Adamini

The Committee on Education, by Rep. Palmer, Chair, reported

Senate Bill No. 482, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1274a (MCL 380.1274a), as amended by 1990 PA 227.

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.

Favorable Roll Call

To Report Out:

Yeas: Reps. Palmer, Hummel, Meyer, Bradstreet, Hager, Hart, Tabor, Vander Veen, Nofs, Stahl, Gielegem, Vagnozzi, Spade, Smith, Hopgood, Meisner and Clack

Nays: None

The Committee on Education, by Rep. Palmer, Chair, reported

Senate Bill No. 761, entitled

A bill to amend 1937 PA 306, entitled "An act to promote the safety, welfare, and educational interests of the people of the state of Michigan by regulating the construction, reconstruction, and remodeling of certain public or private school buildings or additions to such buildings, by regulating the construction, reconstruction, and remodeling of buildings leased or acquired for school purposes, and to define the class of buildings affected by this act; to prescribe

the powers and duties of certain state agencies and officials; to prescribe penalties for the violation of this act; and to repeal acts and parts of acts," by amending section 1 (MCL 388.851), as amended by 2002 PA 628.

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.

Favorable Roll Call

To Report Out:

Yeas: Reps. Palmer, Hummel, Meyer, Bradstreet, Hager, Hart, Tabor, Voorhees, Vander Veen, Nofs, Stahl, Gielegem, Vagnozzi, Spade, Smith, Hopgood, Meisner and Clack

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, November 6, 2003, at 9:00 a.m.

Present: Reps. Palmer, Hummel, Meyer, Bradstreet, Hager, Hart, Ruth Johnson, Tabor, Voorhees, Vander Veen, Nofs, Stahl, Gielegem, Vagnozzi, Spade, Smith, Hopgood, Meisner and Clack

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

House Bill No. 4296, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 11514 (MCL 324.11514).

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.

Favorable Roll Call

To Report Out:

Yeas: Reps. Ruth Johnson, LaJoy, Ehardt, Milosch, Ward, Farrah, Gielegem, Dennis and Law

Nays: Rep. Nitz

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

House Bill No. 4297, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 5502a.

With the recommendation that the following amendment be adopted and that the bill then pass.

1. Amend page 1, line 1, after "**5502a.**" by striking out "**A**" and inserting "**Beginning 1 year after the effective date of the amendatory act that added this section, a**".

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Ruth Johnson, LaJoy, Ehardt, Milosch, Nitz, Ward, Farrah, Gielegem, Dennis and Law

Nays: None

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

House Bill No. 4688, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 11538 (MCL 324.11538); and to repeal acts and parts of acts.

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. Ruth Johnson, LaJoy, Ehardt, Milosch, Nitz and Ward

Nays: Reps. Farrah, Gielegem, Dennis and Law

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

House Bill No. 5234, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 11526a.

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. Ruth Johnson, LaJoy, Ehardt, Milosch, Nitz, Ward, Farrah, Gielegem, Dennis and Law

Nays: None

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

House Bill No. 5235, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 11527a.

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. Ruth Johnson, LaJoy, Ehardt, Milosch, Nitz, Ward, Farrah, Gielegem, Dennis and Law

Nays: None

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

House Bill No. 5236, entitled

A bill to amend 1967 (Ex Sess) PA 7, entitled "Urban cooperation act of 1967," by amending section 8a (MCL 124.508a), as amended by 1996 PA 45.

With the recommendation that the following amendments be adopted and that the bill then pass.

1. Amend page 2, line 4, after "households" by inserting "**and commercial businesses**".

2. Amend page 2, line 5, after "household" by inserting "**or commercial business**".

3. Amend page 3, line 18, after "**households**" by inserting "**or commercial businesses**".

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Ruth Johnson, LaJoy, Ehardt, Milosch, Nitz and Ward

Nays: Reps. Farrah, Gielegem, Dennis and Law

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

House Bill No. 5237, entitled

A bill to amend 1967 (Ex Sess) PA 7, entitled "Urban cooperation act of 1967," by amending section 8a (MCL 124.508a), as amended by 1996 PA 45.

With the recommendation that the following amendments be adopted and that the bill then pass.

1. Amend page 2, line 4, after "households" by inserting "**and commercial businesses**".

2. Amend page 2, line 5, after "household" by inserting "**or commercial business**".

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Ruth Johnson, LaJoy, Ehardt, Milosch, Nitz, Ward, Farrah, Gielegem, Dennis and Law
Nays: None

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

Senate Bill No. 57, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 11526c.

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. Ruth Johnson, LaJoy, Ehardt, Milosch, Ward, Farrah, Gielegem, Dennis and Law
Nays: Rep. Nitz

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

Senate Bill No. 497, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 11502 (MCL 324.11502), as amended by 1996 PA 359.

With the recommendation that the following amendments be adopted and that the bill then pass.

1. Amend page 4, line 9, by striking out all of subdivision (a) and inserting:

"(a) House Bill No. 5234."

2. Amend page 4, line 13, by striking out all of subdivision (e) and inserting:

"(e) House Bill No. 5235."

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Ruth Johnson, LaJoy, Ehardt, DeRossett, Milosch, Ward, Farrah, Gielegem, Dennis and Law
Nays: Rep. Nitz

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

Senate Bill No. 498, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 11514 and 11521 (MCL 324.11514 and 324.11521).

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. Ruth Johnson, LaJoy, Ehardt, DeRossett, Milosch, Ward, Farrah, Gielegem, Dennis and Law
Nays: Rep. Nitz

The Committee on Land Use and Environment, by Rep. Ruth Johnson, Chair, reported
Senate Bill No. 499, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 11526 (MCL 324.11526).

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.

Favorable Roll Call

To Report Out:

Yeas: Reps. Ruth Johnson, LaJoy, DeRossett, Milosch, Ward, Farrah, Gielegem, Dennis and Law

Nays: Reps. Ehardt and Nitz

The Committee on Land Use and Environment, by Rep. Ruth Johnson, Chair, reported
Senate Bill No. 500, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 11546 and 11549 (MCL 324.11546 and 324.11549).

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.

Favorable Roll Call

To Report Out:

Yeas: Reps. Ruth Johnson, LaJoy, Ehardt, DeRossett, Milosch and Ward

Nays: Rep. Nitz

The Committee on Land Use and Environment, by Rep. Ruth Johnson, Chair, reported
Senate Bill No. 502, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 11526b.

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. Ruth Johnson, LaJoy, Ehardt, DeRossett, Milosch, Ward, Farrah, Gielegem, Dennis and Law

Nays: Rep. Nitz

The Committee on Land Use and Environment, by Rep. Ruth Johnson, Chair, reported
Senate Bill No. 506, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 11511a; and to repeal acts and parts of acts.

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. Ruth Johnson, LaJoy, DeRossett, Milosch, Nitz, Ward, Farrah, Gielegem, Dennis and Law

Nays: Rep. Ehardt

The Committee on Land Use and Environment, by Rep. Ruth Johnson, Chair, reported
Senate Bill No. 557, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 11507a (MCL 324.11507a), as amended by 2003 PA 153.

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.

Favorable Roll Call

To Report Out:

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

Nays: Reps. Ehardt and DeRossett

The Committee on Land Use and Environment, by Rep. Ruth Johnson, Chair, reported
Senate Bill No. 715, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 11533 and 11538 (MCL 324.11533 and 324.11538).

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.

Favorable Roll Call

To Report Out:

Yeas: Reps. Ruth Johnson, LaJoy, Ehardt, DeRossett, Milosch, Ward, Farrah, Gielegem and Dennis

Nays: Rep. Nitz

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, November 6, 2003, at 1:10 p.m.

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, November 5, 2003, at 4:00 p.m.

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

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, November 6, 2003, at 8:30 a.m.

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

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members on Tuesday, November 4:

Senate Bill Nos. 820 821 822 823 824

The Clerk announced that the following bills had been printed and placed upon the files of the members on Thursday, November 6:

House Bill Nos. 5251 5252 5253 5254 5255 5256 5257 5258 5259 5260 5261 5262 5263 5264 5265

The Clerk announced that the following Senate bills had been received on Thursday, November 6:

Senate Bill Nos. 700 787 805 806

By unanimous consent the House returned to the order of

Messages from the Senate

House Bill No. 4283, entitled

A bill to amend 1991 PA 179, entitled "Michigan telecommunications act," (MCL 484.2101 to 484.2701) by adding section 314a.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

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

House Bill No. 4613, entitled

A bill to amend 2001 PA 181, entitled "An act to authorize the board of a school district to award high school diplomas to World War II veterans under certain circumstances; and to prescribe duties and responsibilities of certain state officers and officials," by amending the title and section 1 (MCL 35.341).

The Senate has passed the bill and ordered that it be given immediate effect.

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

House Bill No. 4660, entitled

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts," (MCL 460.1 to 460.10cc) by adding section 9c.

The Senate has passed the bill and ordered that it be given immediate effect.

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

House Bill No. 4695, 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 12a (MCL 46.12a), as amended by 2002 PA 730.

The Senate has passed the bill by a 2/3 vote and ordered that it be given immediate effect.

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

House Bill No. 4698, entitled

A bill to amend 1978 PA 322, entitled "An act to authorize financial institutions to make electronic funds transfer terminals available to their customers; to protect the privacy and security of customers; to prohibit unfair discrimination among financial institutions and monopolistic practices in the use and availability of electronic funds transfer terminals; to prescribe remedies; and to prescribe penalties," by amending sections 2 and 3 (MCL 488.2 and 488.3).

The Senate has passed the bill by a 2/3 vote and ordered that it be given immediate effect.

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

House Bill No. 4699, entitled

A bill to amend 1950 (Ex Sess) PA 27, entitled "Motor vehicle sales finance act," by amending section 36 (MCL 492.136).

The Senate has passed the bill by a 2/3 vote, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

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

House Bill No. 4950, entitled

A bill to amend 1947 PA 359, entitled "The charter township act," (MCL 42.1 to 42.34) by adding section 10a.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

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

House Bill No. 5054, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 1117 (MCL 339.1117), as amended by 1984 PA 25.

The Senate has passed the bill, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

The House agreed to the full title.

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

House Bill No. 4263, entitled

A bill to amend 1961 PA 120, entitled "An act to authorize the development or redevelopment of principal shopping districts and business improvement districts; to permit the creation of certain boards; to provide for the operation of principal shopping districts and business improvement districts; to provide for the creation, operation, and dissolution of business improvement zones; and to authorize the collection of revenue and the bonding of certain cities for the development or redevelopment projects," by amending the title and sections 1, 2, 4, 5, and 6 (MCL 125.981, 125.982, 125.984, 125.985, and 125.986), the title as amended by 2001 PA 260, sections 1, 2, and 5 as amended by 2001 PA 261, section 4 as amended by 1999 PA 49, and section 6 as amended by 1992 PA 146.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1) and ordered that it be given immediate effect.

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

House Bill No. 4518, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20919 (MCL 333.20919), as amended by 2000 PA 375.

The Senate has amended the bill as follows:

1. Amend page 3, line 27, after "(c)" by striking out "Not later than" and inserting "**Within**".

The Senate has passed the bill as amended, ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

House Bill No. 4938, entitled

A bill to provide for the qualification, appointment, and regulation of notaries; to provide for the levy, assessment, and collection of certain service charges and fees and to provide for their disposition; to create certain funds for certain purposes; to provide for liability for certain persons; to provide for the admissibility of certain evidence; to prescribe powers and duties of certain state agencies and local officers; to provide for remedies and penalties; and to repeal acts and parts of acts.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1) and ordered that it be given immediate effect.

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

House Bill No. 5156, entitled

A bill to amend 1909 PA 279, entitled "The home rule city act," (MCL 117.1 to 117.38) by adding section 36a.

The Senate has substituted (S-1) the bill.

The House has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

Senate Bill No. 700, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 89a (MCL 211.89a), as added by 1994 PA 189, and by adding section 89b.

The Senate has passed the bill.

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

Senate Bill No. 787, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1280 (MCL 380.1280), as amended by 1997 PA 180.

The Senate has passed the bill.

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

Senate Bill No. 805, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 19608 (MCL 324.19608), as added by 1998 PA 288.

The Senate has passed the bill.

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

Senate Bill No. 806, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 19608a.

The Senate has passed the bill.

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

Messages from the Governor

Date: November 5, 2003

Time: 11:35 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4360 (Public Act No. 192, I.E.), being

An act to amend 1978 PA 33, entitled "An act to prohibit the dissemination, exhibiting, or displaying of certain sexually explicit matter to minors; to prohibit certain misrepresentations facilitating the dissemination of sexually explicit matter to minors; to provide penalties; to provide for declaratory judgments and injunctive relief in certain instances; to impose certain duties upon prosecuting attorneys and the circuit court; to preempt local units of government from proscribing certain conduct; and to repeal certain acts and parts of acts," by amending sections 1, 3, 5, 6, and 7 (MCL 722.671, 722.673, 722.675, 722.676, and 722.677), sections 3, 5, 6, and 7 as amended by 1999 PA 33; and to repeal acts and parts of acts.

(Filed with the Secretary of State November 5, 2003, at 2:27 p.m.)

Introduction of Bills

Rep. Condino introduced

House Bill No. 5266, entitled

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending sections 1a, 1e, 1i, 17g, 23, 27, 33, 49, 53, 55, 64, and 67a (MCL 38.1a, 38.1e, 38.1i, 38.17g, 38.23, 38.27, 38.33, 38.49, 38.53, 38.55, 38.64, and 38.67a), section 1a as amended by 1998 PA 205, sections 1e and 1i as amended and sections 53, 55, 64, and 67a as

added by 1996 PA 487, sections 17g, 23, and 27 as amended by 1987 PA 241, and sections 33 and 49 as amended by 2002 PA 93, and by adding section 27a.

The bill was read a first time by its title and referred to the Committee on Employment Relations, Training and Safety.

Reps. Newell, Palsrok, Howell, Shackleton, Shaffer and Sheen introduced

House Bill No. 5267, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1267 (MCL 380.1267), as amended by 1995 PA 289.

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

Reps. Nofs, Stakoe, O'Neil, Dennis, Rivet, Sak, Plakas, Condino, Spade, Hunter, Hood, Smith, Accavitti, Wojno, Paletko, Murphy, Hopgood, Adamini, Brown, Sheltroun, Lipsey, Gleason, Meisner, LaJoy, Middaugh, Acciavatti, Garfield, Law, Elkins, McConico, Kolb, Williams, Gillard, Whitmer, Anderson, Gaffney, Hummel, Pappageorge, Ward, Moolenaar, Newell, Farhat, Steil, Amos, Pastor, Casperson, Stahl, Shaffer and Huizenga introduced

House Bill No. 5268, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7524 (MCL 333.7524), as amended by 1994 PA 8.

The bill was read a first time by its title and referred to the Committee on Veterans Affairs and Homeland Security.

Reps. Farrah, Stakoe, O'Neil, Dennis, Rivet, Sak, Plakas, Condino, Spade, Hunter, Hood, Smith, Accavitti, Wojno, Paletko, Murphy, Hopgood, Adamini, Brown, Sheltroun, Lipsey, Gleason, Meisner, LaJoy, Middaugh, Acciavatti, Garfield, Law, Elkins, McConico, Kolb, Williams, Gillard, Whitmer, Anderson, Gaffney, Hummel, Pappageorge, Ward, Moolenaar, Newell, Farhat, Steil, Amos, Pastor, Casperson, Stahl, Shaffer, Woronchak and Huizenga introduced

House Bill No. 5269, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7524 (MCL 333.7524), as amended by 1994 PA 8.

The bill was read a first time by its title and referred to the Committee on Veterans Affairs and Homeland Security.

Reps. Nofs, Middaugh, Woronchak, Wenke, Richardville, Voorhees, Vander Veen, Shaffer, Casperson, Hoogendyk, Koetje, Newell, Rocca, Caul, Gaffney, Nitz, Bisbee, Robertson, Hunter, Smith, Farhat, Julian, Palsrok, Ward, Moolenaar, Steil, Murphy, Phillips, Lipsey, Wojno, Condino, Tobocman, Reeves, Minore, Stahl, DeRossett, Tabor, LaSata, Hardman and Daniels introduced

House Bill No. 5270, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 19608a.

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

Reps. Gaffney, Lipsey, Woronchak, Pastor, LaJoy, Stewart, O'Neil, Plakas, Farrah, Smith, Condino, Tobocman, Anderson, Law, Hopgood, Paletko, Cheeks, Hunter, Hood, Adamini, Stallworth, Farhat, Hardman, Waters, Reeves, Hune and Daniels introduced

House Bill No. 5271, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 504 (MCL 600.504), as amended by 2002 PA 715.

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

Reps. Hunter, Sheltroun, Adamini, Gillard, Elkins, Brown, Sak, Tobocman and Vagnozzi introduced

House Bill No. 5272, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 6 (MCL 388.1606), as amended by 2003 PA 158.

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

Reps. Casperson, Hummel, Pappageorge, Pastor, Nitz, Huizenga, Kooiman, Newell, Voorhees, Vander Veen, Ward, Hune, Stahl, Emmons, Farhat, Tabor, Shackleton, Mortimer and Garfield introduced

House Bill No. 5273, entitled

A bill to amend 1963 PA 181, entitled "Motor carrier safety act of 1963," by amending section 7c (MCL 480.17c), as amended by 2002 PA 118.

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

Reps. Casperson, Hummel, Pappageorge, Pastor, Nitz, Palmer, Huizenga, Newell, Voorhees, Vander Veen, Caul, Ward, Stahl, Emmons, Farhat, Tabor, Shackleton, Kooiman, Mortimer, Caswell, Garfield and Taub introduced

House Bill No. 5274, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 30312 (MCL 324.30312), as amended by 2003 PA 14.

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

Rep. Rivet introduced

House Bill No. 5275, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 801, 804, 805, 805a, 806, and 807 (MCL 339.801, 339.804, 339.805, 339.805a, 339.806, and 339.807), sections 801, 804, 805, 805a, and 806 as amended by 1995 PA 217.

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

Reps. Gleason, O'Neil, Hummel, Hune, Rivet, Sak, Richardville, Robertson, Stahl, Bradstreet, Voorhees, Vander Veen, Hoogendyk, Huizenga, Pappageorge, Mortimer, Newell, Ward, Casperson, Milosch, Paletko, Farhat, Koetje, Stakoe, Moolenaar, Emmons, Drolet, Palmer, Brown, Sheltroun, Spade, Kooiman, Pastor and Acciavatti introduced

House Bill No. 5276, entitled

A bill to allow certain health facilities to object to providing or participating in certain procedures under certain circumstances; to provide for protection from certain liability; and to provide for remedies.

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

Reps. Hummel, Rivet, Plakas, O'Neil, Gleason, Richardville, Robertson, Stahl, Bradstreet, Voorhees, Vander Veen, Hoogendyk, Huizenga, Pappageorge, Mortimer, Newell, Ward, Casperson, Milosch, Paletko, Kooiman, Farhat, Koetje, Stakoe, Hune, Moolenaar, Emmons, Drolet, Palmer, Brown, Sheltroun, Spade, Pastor and Acciavatti introduced

House Bill No. 5277, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding section 409a.

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

Reps. Hummel, Rivet, Plakas, O'Neil, Gleason, Richardville, Robertson, Stahl, Bradstreet, Voorhees, Vander Veen, Hoogendyk, Huizenga, Pappageorge, Mortimer, Newell, Ward, Casperson, Brown, Kooiman, Farhat, Koetje, Stakoe, Hune, Moolenaar, Emmons, Drolet, Palmer, Milosch, Paletko, Sheltroun, Spade, Pastor and Acciavatti introduced

House Bill No. 5278, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3406r.

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

Rep. Accavitti introduced

House Bill No. 5279, entitled

A bill to amend 1986 PA 182, entitled "State police retirement act of 1986," by amending sections 3, 4, 14, 14a, 42, and 43 (MCL 38.1603, 38.1604, 38.1614, 38.1614a, 38.1642, and 38.1643), sections 3 and 14 as amended by 2000 PA 374, section 14a as added by 1995 PA 192, section 42 as amended by 1989 PA 191, and section 43 as amended by 2002 PA 96, and by adding section 24a.

The bill was read a first time by its title and referred to the Committee on Employment Relations, Training and Safety.

Rep. Ward introduced

House Bill No. 5280, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1305. The bill was read a first time by its title and referred to the Committee on Veterans Affairs and Homeland Security.

Rep. Mortimer introduced

House Bill No. 5281, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 410a. The bill was read a first time by its title and referred to the Committee on Insurance.

Reps. Paletko, Kolb, Gillard, Bieda, Gleason, Condino, Elkins, Adamini, Byrum, Tobocman, Minore, Wojno, Spade, Lipsey, Sak, Plakas, Hopgood, Law, Hunter, Farrah, Gielegem, O'Neil, Accavitti, Vagnozzi, Meisner, Anderson and Reeves introduced

House Bill No. 5282, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 11502 and 11514 (MCL 324.11502 and 324.11514), section 11502 as amended by 1996 PA 359, and by adding section 11527a; and to repeal acts and parts of acts.

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

Reps. Gillard, Kolb, Bieda, Gleason, Condino, Elkins, Adamini, Byrum, Tobocman, Minore, Wojno, Spade, Paletko, Sak, Plakas, Lipsey, Farrah, Hopgood, Hunter, Gielegem, O'Neil, Law, Accavitti, Vagnozzi, Meisner, Anderson and Reeves introduced

House Bill No. 5283, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 11506, 11546, and 11549 (MCL 324.11506, 324.11546, and 324.11549), section 11506 as amended by 1998 PA 466.

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

Reps. Gleason, Kolb, Gillard, Bieda, Condino, Elkins, Adamini, Byrum, Tobocman, Minore, Wojno, Spade, Paletko, Lipsey, Sak, Plakas, Farrah, Hopgood, Law, Hunter, Gielegem, O'Neil, Accavitti, Vagnozzi, Meisner, Anderson and Reeves introduced

House Bill No. 5284, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 11514a.

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

Reps. Law, Kolb, Gillard, Bieda, Gleason, Condino, Elkins, Byrum, Adamini, Tobocman, Minore, Wojno, Paletko, Sak, Spade, Lipsey, Plakas, Farrah, Hopgood, Hunter, Gielegem, O'Neil, Accavitti, Vagnozzi, Meisner, Anderson and Reeves introduced

House Bill No. 5285, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding sections 11526a and 11526b.

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

Reps. Farrah, Kolb, Gillard, Bieda, Gleason, Condino, Adamini, Elkins, Minore, Byrum, Tobocman, Wojno, Sak, Spade, Lipsey, Paletko, Plakas, Hopgood, Law, Hunter, Gielegem, O'Neil, Accavitti, Vagnozzi, Meisner, Anderson and Reeves introduced

House Bill No. 5286, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 11549 (MCL 324.11549).

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

Reps. Farrah, Kolb, Gillard, Bieda, Gleason, Condino, Elkins, Byrum, Adamini, Tobocman, Minore, Wojno, Lipsey, Spade, Paletko, Sak, Plakas, Hopgood, Law, Hunter, Gielegem, O'Neil, Accavitti, Vagnozzi, Meisner, Anderson and Reeves introduced

House Bill No. 5287, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13c of chapter XVII (MCL 777.13c), as added by 2002 PA 30.

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

Rep. Walker introduced

House Bill No. 5288, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 32501, 32512, and 80159 (MCL 324.32501, 324.32512, and 324.80159), sections 32501 and 32512 as added by 1995 PA 59 and section 80159 as added by 1995 PA 58.

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

Rep. Sheltrown moved that the House adjourn.
The motion prevailed, the time being 5:40 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, November 12, at 1:00 p.m.

GARY L. RANDALL
Clerk of the House of Representatives

