

No. 91
STATE OF MICHIGAN
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House of Representatives
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House Chamber, Lansing, Tuesday, December 9, 2003.

1:00 p.m.

The House was called to order by the Speaker Pro Tempore.

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

Accavitti—present	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—present	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—e/d/s	Hune—present	Palsrok—present	Vagnozzi—present
Cheeks—present	Hunter—present	Pappageorge—present	Van Regenmorter—present
Clack—present	Jamnick—present	Pastor—present	Vander Veen—present
Condino—present	Johnson, Rick—present	Phillips—present	Voorhees—present
Daniels—present	Johnson, Ruth—present	Plakas—present	Walker—present
Dennis—present	Julian—present	Pumford—present	Ward—present
DeRoche—present	Koetje—present	Reeves—present	Waters—present
DeRossett—present	Kolb—present	Richardville—present	Wenke—present
Drolet—present	Kooiman—present	Rivet—present	Whitmer—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. Barb Vander Veen, from the 89th District, offered the following invocation:

“Bless the Lord, O my soul, and all that is within me. Bless His holy name. Bless the Lord, O my soul, and forget not all His benefits—Who forgives all our iniquities; Who heals all our diseases; Who redeems our lives from destruction; Who crowns you with loving kindness and tender mercies; Who satisfies your mouth with good things so that your youth is renewed like the eagle’s. The Lord is merciful and gracious, slow to anger, and abounding in mercy. For as the heavens are high above the earth, so great is His mercy towards those who fear Him. As far as the east is from the west, so far has He removed our transgressions from us. The mercy of the Lord is from everlasting to everlasting on those who fear Him. Father, thank You for Your mercy. Thank You for being with us today as we deliberate in the House, and as we do the duties of the House for the state of Michigan. Thank You for all that You do and all that You are. In Jesus’ name, Amen.”

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

Second Reading of Bills

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.

The bill was read a second time.

Rep. Palmer moved to substitute (H-1) the bill.

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

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

The motion prevailed.

Rep. Richardville moved that the bill be placed on its immediate passage.

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

Rep. Bieda moved that Reps. Gleason and Tobocman be excused temporarily from today’s session.
The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

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.

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

Roll Call No. 688

Yeas—106

Accavitti	Garfield	Meyer	Shaffer
Acciavatti	Gielegem	Middaugh	Sheen
Adamini	Gillard	Milosch	Sheltrown
Amos	Hager	Minore	Shulman
Anderson	Hardman	Moolenaar	Smith
Bieda	Hart	Mortimer	Spade

Bisbee	Hood	Murphy	Stahl
Bradstreet	Hoogendyk	Newell	Stakoe
Brandenburg	Hopgood	Nitz	Stallworth
Brown	Howell	Nofs	Steil
Byrum	Huizenga	O'Neil	Stewart
Casperson	Hummel	Paletko	Tabor
Caswell	Hune	Palmer	Taub
Cheeks	Hunter	Palsrok	Vagnozzi
Clack	Jamnick	Pappageorge	Van Regenmorter
Condino	Johnson, Rick	Pastor	Vander Veen
Daniels	Johnson, Ruth	Phillips	Voorhees
Dennis	Julian	Plakas	Walker
DeRoche	Koetje	Pumford	Ward
DeRossett	Kolb	Reeves	Waters
Drolet	Kooiman	Richardville	Wenke
Ehardt	LaJoy	Rivet	Williams
Elkins	LaSata	Robertson	Wojno
Emmons	Law	Rocca	Woodward
Farhat	Lipsey	Sak	Woronchak
Farrah	McConico	Shackleton	Zelenko
Gaffney	Meisner		

Nays—0

In The Chair: Julian

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

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

The House agreed to the full title.

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

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

Second Reading of Bills

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.

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.

Rep. Richardville moved that the bill be placed on its immediate passage.

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 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.

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

Roll Call No. 689

Yeas—106

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

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Speaker laid before the House

House Resolution No. 136.

A resolution to memorialize the Congress of the United States to enact legislation to grant a federal charter to the Korean War Veterans Association.

(For text of resolution, see House Journal No. 70, p. 1798.)

(The resolution was reported by the Committee on Veterans Affairs and Homeland Security on December 2, consideration of which, under the rules, was postponed until December 3.)

The question being on the adoption of the resolution,
The resolution was adopted.

The Speaker laid before the House

House Concurrent Resolution No. 24.

A concurrent resolution to memorialize the Congress of the United States to enact legislation to grant a federal charter to the Korean War Veterans Association.

(For text of concurrent resolution, see House Journal No. 61, p. 1300.)

(The concurrent resolution was reported by the Committee on Veterans Affairs and Homeland Security on December 2, consideration of which, under the rules, was postponed until December 3.)

The question being on the adoption of the concurrent resolution,
The concurrent resolution was adopted.

Second Reading of Bills

House Bill No. 5329, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16186 (MCL 333.16186), as amended by 2002 PA 643.

The bill was read a second time.

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

The motion prevailed.

Rep. Kooiman moved that the bill be placed on its immediate passage.

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

Rep. Howell moved that Rep. Wenke be excused temporarily from today's session.

The motion prevailed.

Rep. Caul entered the House Chambers.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5329, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16186 (MCL 333.16186), as amended by 2002 PA 643.

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

Roll Call No. 690

Yeas—106

Accavitti	Gaffney	Meisner	Shackleton
Acciavatti	Garfield	Meyer	Shaffer
Adamini	Gielegem	Middaugh	Sheen
Amos	Gillard	Milosch	Sheltrown
Anderson	Hager	Minore	Shulman
Bieda	Hardman	Moolenaar	Smith
Bisbee	Hart	Mortimer	Spade
Bradstreet	Hood	Murphy	Stahl
Brandenburg	Hoogendyk	Newell	Stakoe

Brown	Hopgood	Nitz	Stallworth
Byrum	Howell	Nofs	Steil
Casperson	Huizenga	O'Neil	Stewart
Caswell	Hummel	Paletko	Tabor
Caul	Hune	Palmer	Taub
Cheeks	Hunter	Palsrok	Vagnozzi
Clack	Jamnick	Pappageorge	Van Regenmorter
Condino	Johnson, Rick	Pastor	Vander Veen
Daniels	Johnson, Ruth	Phillips	Voorhees
Dennis	Julian	Plakas	Walker
DeRoche	Koetje	Pumford	Ward
DeRossett	Kolb	Reeves	Waters
Drolet	Kooiman	Richardville	Williams
Ehardt	LaJoy	Rivet	Wojno
Elkins	LaSata	Robertson	Woodward
Emmons	Law	Rocca	Woronchak
Farhat	Lipsey	Sak	Zelenko
Farrah	McConico		

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. 4179, entitled

A bill to amend 2000 PA 499, entitled "Elder prescription insurance coverage act," by amending section 3 (MCL 550.2003).

The bill was read a second time.

Rep. Shackleton 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. 4179, entitled

A bill to amend 2000 PA 499, entitled "Elder prescription insurance coverage act," by amending section 3 (MCL 550.2003).

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

Roll Call No. 691

Yeas—107

Accavitti	Gaffney	McConico	Shackleton
Acciavatti	Garfield	Meisner	Shaffer
Adamini	Gielegem	Meyer	Sheen
Amos	Gillard	Middaugh	Sheltrown

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

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.

Reps. Hardman, Woronchak, Plakas, Anderson, Stewart, O'Neil, Phillips, Minore, Zelenko, Kolb, DeRossett, Richardville, Spade, Bisbee, Voorhees, Hager, Julian, Newell, Dennis, Williams, Sheltroun, Brown, Palmer, Gaffney, Stallworth, Farrah, Paletko, Pastor, LaJoy, Hopgood, Law, Bieda, Meisner, Wojno, Acciavatti, Clack, Condino, Vagnozzi, Taub, Accavitti, Stakoe, Hune, Robertson, Milosch, Nofs, Ward, Byrum, Sak, Stahl, Farhat, Elkins, Palsrok, Gillard and Casperson were named co-sponsors of the bill.

Second Reading of Bills

House Bill No. 4965, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3406k (MCL 500.3406k), as added by 1998 PA 125.

The bill was read a second time.

Rep. Ehardt 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. 4965, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3406k (MCL 500.3406k), as added by 1998 PA 125.

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

Roll Call No. 692**Yeas—107**

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

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. 4966, entitled**

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," by amending section 418 (MCL 550.1418), as added by 1998 PA 124.

The bill was read a second time.

Rep. Wojno 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. 4966, entitled**

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," by amending section 418 (MCL 550.1418), as added by 1998 PA 124.

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

Roll Call No. 693**Yeas—107**

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

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.

Reps. Hardman, Waters, McConico, Plakas, Anderson, Stewart, O'Neil, Rocca, Gielegghem, Pappageorge, Phillips, Zelenko, Kolb, Jamnick, Richardville, Spade, Lipsey, Murphy, Voorhees, Middaugh, Julian, Dennis, Pumford, Shackleton, Brown, Cheeks, Stallworth, Hood, Farrah, Paletko, Pastor, LaJoy, Hopgood, Clack, Condino, Vagnozzi, Garfield, Nofs, Sak, Elkins and Gillard were named co-sponsors of the bill.

Second Reading of Bills**House Bill No. 5179, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 662 (MCL 168.662), as amended by 1999 PA 216.

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

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

Rep. Newell 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. Moolenaar moved that Rep. Ward 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. 5179, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 662 (MCL 168.662), as amended by 1999 PA 216.

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

Roll Call No. 694

Yeas—107

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

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. 710, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 20 of chapter XII (MCL 712.20), as added by 2000 PA 235.

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.

Rep. Richardville moved that the bill be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of
Third Reading of Bills

Senate Bill No. 710, entitled

A bill to amend 1939 PA 288, entitled “Probate code of 1939,” by amending section 20 of chapter XII (MCL 712.20), as added by 2000 PA 235.

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

Roll Call No. 695

Yeas—106

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

Nays—0

In The Chair: Julian

Pursuant to Joint Rule 20, the full title of the act shall be inserted to read as follows:

“An act to revise and consolidate the statutes relating to certain aspects of the family division of circuit court, to the jurisdiction, powers, and duties of the family division of circuit court and its judges and other officers, to the change of name of adults and children, and to the adoption of adults and children; to prescribe certain jurisdiction, powers, and duties of the family division of circuit court and its judges and other officers; to prescribe the manner and time within which certain actions and proceedings may be brought in the family division of the circuit court; to prescribe

pleading, evidence, practice, and procedure in certain actions and proceedings in the family division of circuit court; to provide for appeals from certain actions in the family division of circuit court; to prescribe the powers and duties of certain state departments, agencies, and officers; to provide for certain immunity from liability; and to provide remedies and penalties,”

The House agreed to the full title.

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

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

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Speaker laid before the House

House Resolution No. 164.

A resolution to memorialize the Congress of the United States to expand its efforts through the World Trade Organization and the World Intellectual Property Organization to ensure that the intellectual property of domestic businesses and individuals is protected.

(For text of resolution, see House Journal No. 84, p. 2075.)

(The resolution was reported by the Committee on Commerce on December 4, consideration of which, under the rules, was postponed until today.)

The question being on the adoption of the resolution,

Rep. Palsrok moved to amend the resolution as follows:

1. Amend the second Resolving clause, line 3, after “Commerce,” by inserting “the Under Secretary of Commerce for Intellectual Property in the United States Patent and Trade Office,”.

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

The question being on the adoption of the resolution,

The resolution was adopted.

The Speaker laid before the House

House Resolution No. 165.

A resolution to memorialize the Congress of the United States to develop economic incentives and other programs to aid in the recovery and stabilization of the manufacturing industry in the United States.

(For text of resolution, see House Journal No. 84, p. 2076.)

(The resolution was reported by the Committee on Commerce on December 4, consideration of which, under the rules, was postponed until today.)

The question being on the adoption of the resolution,

The resolution was adopted.

The Speaker laid before the House

House Resolution No. 166.

A resolution to memorialize the Congress of the United States to take necessary actions, through the International Monetary Fund or otherwise, to ensure that foreign nations that trade with the United States do so fairly and do not manipulate their currency.

(For text of resolution, see House Journal No. 84, p. 2076.)

(The resolution was reported by the Committee on Commerce on December 4, consideration of which, under the rules, was postponed until today.)

The question being on the adoption of the resolution,

The resolution was adopted.

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 Wednesday, December 3:

Senate Bill Nos.	845	846	847	848	849	850	851	852	862	863	864	865	866	867
	868	869	870	871	872	873	875							

The Clerk announced that the following bills and joint resolution had been printed and placed upon the files of the members on Friday, December 5:

House Bill Nos. 5350 5351 5352 5353 5354 5355 5356
House Joint Resolution R

The Clerk announced that the following Senate bill had been received on Tuesday, December 9:

Senate Bill No. 849

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

The Committee on Great Lakes and Tourism, by Rep. Palsrok, Chair, reported

House Bill No. 4729, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 8313, 8314, 8327, 8329, and 8333 (MCL 324.8313, 324.8314, 324.8327, 324.8329, and 324.8333), as amended by 2002 PA 418.

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. Palsrok, Brandenburg, Tabor, Meyer, Law and Gleason

Nays: None

The Committee on Great Lakes and Tourism, by Rep. Palsrok, Chair, reported

House Bill No. 4730, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 30113 (MCL 324.30113), as amended by 1995 PA 171, and by adding part 33 and section 8316a; 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. Palsrok, Brandenburg, Tabor, Meyer and Gleason

Nays: Rep. Law

The Committee on Great Lakes and Tourism, by Rep. Palsrok, Chair, reported

House Bill No. 5158, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 413.

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. Palsrok, Brandenburg, Tabor, Meyer, Law and Gleason

Nays: None

The Committee on Great Lakes and Tourism, by Rep. Palsrok, Chair, reported

Senate Bill No. 214, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 413.

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. Palsrok, Brandenburg, Tabor, Meyer, Law and Gleason
Nays: None

The Committee on Great Lakes and Tourism, by Rep. Palsrok, Chair, reported

Senate Bill No. 215, entitled

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

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. Palsrok, Brandenburg, Tabor, Meyer, Law and Gleason
Nays: None

The Committee on Great Lakes and Tourism, by Rep. Palsrok, Chair, reported

Senate Bill No. 226, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 45901, 45906, 45908, 48701, 48735, and 48738 (MCL 324.45901, 324.45906, 324.45908, 324.48701, 324.48735, and 324.48738), sections 45901, 45906, 45908, 48735, and 48738 as added by 1995 PA 57 and section 48701 as amended by 2002 PA 434, and by adding part 413.

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. Palsrok, Brandenburg, Tabor, Meyer, Law and Gleason
Nays: None

The Committee on Great Lakes and Tourism, by Rep. Palsrok, Chair, reported

Senate Bill No. 227, entitled

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

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. Palsrok, Brandenburg, Tabor, Meyer, Law and Gleason
Nays: None

The Committee on Great Lakes and Tourism, by Rep. Palsrok, Chair, reported

Senate Bill No. 228, entitled

A bill to amend 1988 PA 466, entitled "Animal industry act," by amending sections 4, 6, 12, and 31 (MCL 287.704, 287.706, 287.712, and 287.731), sections 4, 6, and 12 as amended by 2002 PA 458 and section 31 as amended by 2000 PA 323.

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. Palsrok, Brandenburg, Tabor, Meyer, Law and Gleason

Nays: None

The Committee on Great Lakes and Tourism, by Rep. Palsrok, Chair, reported

Senate Bill No. 229, entitled

A bill to amend 1996 PA 199, entitled "Michigan aquaculture development act," by amending sections 2 and 4 (MCL 286.872 and 286.874).

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. Palsrok, Brandenburg, Tabor, Meyer, Law and Gleason

Nays: None

The Committee on Great Lakes and Tourism, by Rep. Palsrok, Chair, reported

Senate Bill No. 535, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 80115 (MCL 324.80115), as added by 1995 PA 58, and by adding section 80124b.

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. Palsrok, Brandenburg, Tabor, Meyer, Law and Gleason

Nays: None

The Committee on Great Lakes and Tourism, by Rep. Palsrok, Chair, reported

Senate Bill No. 536, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 80124a.

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. Palsrok, Brandenburg, Tabor, Meyer, Law and Gleason

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Palsrok, Chair of the Committee on Great Lakes and Tourism, was received and read:

Meeting held on: Thursday, December 4, 2003, at 11:47 a.m.

Present: Reps. Palsrok, Brandenburg, Tabor, Meyer, Law and Gleason

Absent: Rep. Stallworth

Excused: Rep. Stallworth

The Committee on Veterans Affairs and Homeland Security, by Rep. Nofs, Chair, reported
House Bill No. 5009, entitled

A bill to amend 1953 PA 192, entitled "An act to create a county department of veterans' affairs in certain counties, and to prescribe its powers and duties; and to transfer the powers and duties of the soldiers' relief commission in such counties," by amending section 1 (MCL 35.621), as amended by 1996 PA 108.

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. Nofs, Richardville, Ruth Johnson, Woronchak, Casperson, Woodward, Sheltroun, Spade and Elkins

Nays: None

The Committee on Veterans Affairs and Homeland Security, by Rep. Nofs, Chair, reported

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.

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. Nofs, Garfield, Richardville, Ruth Johnson, Casperson, Woodward, Sheltroun, Spade and Elkins

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, December 9, 2003, at 9:00 a.m.

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

Absent: Rep. Pappageorge

Excused: Rep. Pappageorge

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

House Bill No. 4871, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 5759 (MCL 600.5759).

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

Nays: None

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

House Bill No. 5182, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 5714, 5735, and 5744 (MCL 600.5714, 600.5735, and 600.5744), section 5714 as amended by 1990 PA 310 and section 5735 as amended by 2001 PA 162.

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, Van Regenmorter, Bradstreet, Koetje, Pappageorge, Voorhees, Gaffney, Garfield, Wenke, Adamini and Condino
Nays: None

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

House Bill No. 5197, entitled

A bill to amend 1846 RS 66, entitled "Of estates in dower, by the curtesy, and general provisions concerning real estate," by amending section 34 (MCL 554.134), as amended by 1990 PA 311.

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, Van Regenmorter, Bradstreet, Koetje, Pappageorge, Voorhees, Gaffney, Garfield, Wenke, Lipsey, Adamini, 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: Tuesday, December 9, 2003, at 9:00 a.m.

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

Absent: Rep. LaSata

Excused: Rep. LaSata

The Committee on Commerce, by Rep. Bisbee, Chair, reported

House Bill No. 5243, entitled

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending section 8 (MCL 125.2688), as amended by 2003 PA 93, and by adding section 8d.

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. Bisbee, DeRoche, Howell, Palmer, Huizenga, Hune, Milosch, Palsrok, Wenke, Rivet, O'Neil, McConico, Lipsey, Murphy, Tobocman and Accavitti
Nays: Rep. Middaugh

The Committee on Commerce, by Rep. Bisbee, Chair, reported

Senate Bill No. 825, entitled

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending section 8 (MCL 125.2688), as amended by 2003 PA 93, and by adding section 8d.

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. Bisbee, DeRoche, Palmer, Huizenga, Hune, Milosch, Palsrok, Wenke, Rivet, O'Neil, McConico, Lipsey, Murphy, Tobocman and Accavitti

Nays: Reps. Middaugh and Drolet

The Committee on Commerce, by Rep. Bisbee, Chair, reported

Senate Bill No. 833, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 19703 (MCL 324.19703), as added by 2002 PA 397.

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. Bisbee, DeRoche, Howell, Koetje, Middaugh, Drolet, Palmer, Huizenga, Milosch, Palsrok, Wenke, O'Neil, McConico, Murphy and Accavitti

Nays: None

The Committee on Commerce, by Rep. Bisbee, Chair, reported

Senate Bill No. 834, entitled

A bill to promote investment in certain businesses; to promote economic development in this state; to provide for a Michigan early stage venture investment corporation; to prescribe the powers and duties of a Michigan early stage venture investment corporation; to prescribe the powers and duties of certain public officers and departments; to establish the Michigan early stage venture investment fund and other funds; to provide for tax credits and incentives; to authorize certain investments; to provide for the expiration of the fund; to provide or allow for appropriations; and to provide penalties and remedies.

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. Bisbee, DeRoche, Howell, Koetje, Middaugh, Palmer, Huizenga, Hune, Milosch, Palsrok and Wenke

Nays: Rep. Drolet

The Committee on Commerce, by Rep. Bisbee, Chair, reported

Senate Bill No. 835, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding section 37e.

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. Bisbee, Howell, Middaugh, Huizenga, Hune, Milosch, Palsrok, Wenke, Rivet, O'Neil, Murphy and Accavitti

Nays: Reps. DeRoche, Drolet and Palmer

The Committee on Commerce, by Rep. Bisbee, Chair, reported

Senate Bill No. 836, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 270.

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. Bisbee, Howell, Middaugh, Huizenga, Hune, Milosch, Palsrok, Wenke, Rivet, O'Neil, Lipsey, Murphy, Tobocman and Accavitti

Nays: Reps. DeRoche, Drolet and Palmer

The Committee on Commerce, by Rep. Bisbee, Chair, reported

House Resolution No. 182.

A resolution to memorialize the Congress of the United States to enact measures that support venture capital activities in Michigan.

(For text of resolution, see House Journal No. 89, p. 2252.)

With the recommendation that the resolution be adopted.

The Speaker announced that under Rule 77 the resolution would lie over one day.

Favorable Roll Call

To Report Out:

Yeas: Reps. Bisbee, DeRoche, Howell, Middaugh, Drolet, Palmer, Huizenga, Hune, Milosch, Palsrok, Wenke, Rivet, O'Neil, Lipsey and Tobocman

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, December 9, 2003, at 10:30 a.m.

Present: Reps. Bisbee, DeRoche, Howell, Koetje, Middaugh, Drolet, Palmer, Huizenga, Hune, Milosch, Palsrok, Wenke, Rivet, O'Neil, McConico, Lipsey, Murphy, Tobocman and Accavitti

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

Senate Bill No. 366, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1526, 1526a, and 1527 (MCL 380.1526, 380.1526a, and 380.1527), section 1526 as amended and section 1527 as added by 1995 PA 289 and section 1526a as added by 1996 PA 159.

The committee recommended that the bill be referred to the Committee on Commerce.

Favorable Roll Call

To Report Out:

Yeas: Reps. Palmer, Hummel, Meyer, Bradstreet, Hager, Hart, Ruth Johnson, Voorhees, Vander Veen and Stahl

Nays: Reps. Nofs, Gielegem, Vagnozzi, Spade, Smith, Hopgood, Meisner and Clack

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, December 9, 2003, at 12:00 p.m.

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

Absent: Rep. Tabor

The Committee on Agriculture and Resource Management, by Rep. Meyer, Chair, reported

House Bill No. 5154, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 8303, 8306, and 8316 (MCL 324.8303, 324.8306, and 324.8316), sections 8303 and 8306 as amended by 2002 PA 418.

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

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, December 9, 2003, at 10:30 a.m.

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

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

House Bill No. 4638, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 951, 952, and 954 (MCL 168.951, 168.952, and 168.954), section 951 as amended by 1993 PA 45 and section 952 as amended by 1993 PA 137.

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. Ward, Robertson, DeRossett, Hager, Stakoe and Wenke

Nays: None

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

House Bill No. 5333, 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 30a (MCL 46.30a).

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. Ward, Robertson, DeRossett, Hager, Drolet, Stakoe, Jamnick, Hardman, Tobocman and Accavitti

Nays: None

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

House Bill No. 5351, entitled

A bill to amend 1973 PA 139, entitled "An act to provide forms of county government; to provide for county managers and county executives and to prescribe their powers and duties; to abolish certain departments, boards, commissions, and authorities; to provide for transfer of certain powers and functions; to prescribe powers of a board of county commissioners and elected officials; to provide organization of administrative functions; to transfer property;

to retain ordinances and laws not inconsistent with this act; to provide methods for abolition of a unified form of county government; and to prescribe penalties and provide remedies," by amending sections 9 and 10 (MCL 45.559 and 45.560), section 9 as amended by 1980 PA 100, and by adding section 9a.

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. Ward, Robertson, DeRossett, Hager, Drolet, Stakoe, Jamnick, Hardman, Tobocman and Accavitti

Nays: None

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

Senate Bill No. 601, entitled

A bill to amend 1909 PA 279, entitled "The home rule city act," by amending section 3 (MCL 117.3), as amended by 2002 PA 201.

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. Ward, Robertson, DeRossett, Hager, Drolet, Stakoe, Jamnick, Hardman, Tobocman and Accavitti

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, December 9, 2003, at 9:00 a.m.

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, December 9, 2003, at 11:30 a.m.

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

Messages from the Senate

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

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

Senate Bill No. 849, entitled

A bill to amend 1996 PA 381, entitled "Brownfield redevelopment financing act," by amending section 2 (MCL 125.2652), as amended by 2002 PA 254.

The Senate has passed the bill.

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

Introduction of Bills

Reps. Huizenga, Sheen, Taub, Brandenburg, Stewart, Newell, Wenke, Vander Veen, Shaffer, Palmer, Shackleton, DeRoche, Kooiman, Voorhees and Farhat introduced

House Bill No. 5357, entitled

A bill to amend 1996 PA 381, entitled "Brownfield redevelopment financing act," by amending section 2 (MCL 125.2652), as amended by 2002 PA 254.

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

Reps. Palmer, Hummel, Brandenburg, Robertson, Drolet, Voorhees, Hoogendyk, Acciavatti, Pastor, Hager, Stahl, Bisbee, Garfield, Moolenaar, Meyer, Wenke and Nofs introduced

House Bill No. 5358, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 22a (MCL 211.22a).

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

Reps. Ruth Johnson, Voorhees, Vander Veen, Bradstreet, Robertson, Garfield, DeRoche, Drolet, Acciavatti, Hoogendyk, Rocca, Woodward, Sheen, Reeves and Stahl introduced

House Bill No. 5359, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1506 and 1507 (MCL 380.1506 and 380.1507), section 1507 as amended by 1993 PA 335; and to repeal acts and parts of acts.

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

Rep. LaSata introduced

House Bill No. 5360, entitled

A bill to amend 1968 PA 251, entitled "Cemetery regulation act," (MCL 456.521 to 456.543) by adding sections 17 and 17a.

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

Rep. LaSata introduced

House Bill No. 5361, entitled

A bill to amend 1986 PA 255, entitled "Prepaid funeral contract funding act," (MCL 328.211 to 328.235) by adding section 7a.

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

Rep. LaSata introduced

House Bill No. 5362, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 2843c.

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

Rep. Tobocman, under Rule 33, made the following statement:

"Mr. Speaker and members of the House:

I was absent from the Chamber when the vote was taken on Roll Call Nos. 688-693. Had I been present, I would have voted 'yea'."

Rep. Gleason, under Rule 33, made the following statement:

“Mr. Speaker and members of the House:

I was absent from the Chamber when the vote was taken on Roll Call Nos. 688-690. Had I been present, I would have voted ‘yea’.”

By unanimous consent the House returned to the order of

Notices

Pursuant to Rule 44, the Speaker has made the following reassignment:

Senate Bill No. 849 referred to the Committee on Tax Policy.

By unanimous consent the House returned to the order of

Motions and Resolutions

THIS RESOLUTION IS OFFERED TO COMPLY WITH MCL § 18.1246.

Rep. Shackleton offered the following concurrent resolution:

House Concurrent Resolution No. 37.

A concurrent resolution to change the total project cost of the Business and Industry Training Center and Waterman Center Renovation project at Schoolcraft College.

Whereas, The Schoolcraft College—Business and Industry Training Center and Waterman Center Renovation project was authorized in 2000 PA 506 with a total project cost of \$26,738,000; and

Whereas, Schoolcraft College has estimated that the total cost to construct the Business and Industry Training Center and Waterman Center Renovation project has increased to \$27,916,500; and

Whereas, Schoolcraft College has agreed to fund the increase in the project cost of \$1,178,500, with the state commitment remaining at \$13,369,000; and

Whereas, Pursuant to section 246 of 1984 PA 431, as amended, being MCL § 18.1246, the authorized cost of projects shall only be established or revised by specific reference in a budget act, by concurrent resolution adopted by both houses of the legislature, or inferred by the total amount of any appropriations made to complete plans and construction; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Michigan Legislature recognizes the need to increase the total authorized cost for the Schoolcraft College—Business and Industry Training Center and Waterman Center Renovation project to an amount not to exceed \$27,916,500 (State Building Authority share \$13,368,800; State General Fund/General Purpose share \$200; and Schoolcraft College share \$14,547,500) and that the legislature intends to continue to appropriate funds for construction subject to the limitations herein stated, in amounts not to exceed the authorized cost, subject to the ordinary vicissitudes of the legislative process; and be it further

Resolved, That copies of this resolution be transmitted to the State Budget Director, the Director of the Department of Management and Budget, and Schoolcraft College.

The concurrent resolution was referred to the Committee on Appropriations.

THIS RESOLUTION IS OFFERED TO COMPLY WITH MCL §§ 830.415 AND 830.417 AND REQUIRES A RECORD ROLL CALL VOTE.

Rep. Shackleton offered the following concurrent resolution:

House Concurrent Resolution No. 38.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and the Board of Control of Northern Michigan University relative to the Northern Michigan University Student Services Building.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the Board of Control of Northern Michigan University (the “Educational Institution”), the State Administrative Board, and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before land owned by the Educational Institution may be conveyed to the State Building Authority (the “Authority”); and

Whereas, The site for the Student Services Building (the “Facility”) is currently owned by the Educational Institution; and

Whereas, Section 7 of 1964 PA 183, as amended, being MCL § 830.417, requires the approval of the State Administrative Board and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the

journal, before the State of Michigan (the "State") may enter into a lease with the Authority upon a showing of a public purpose; and

Whereas, Providing additional space to be used by the Educational Institution pursuant to the lease for the Facility is a recognized public purpose; and

Whereas, A lease among the Authority, the State, and the Educational Institution has been prepared providing for the leasing of the Facility by the Authority to the State and the Educational Institution (the "Lease"); and

Whereas, The Executive Director of the Authority has furnished the Joint Capital Outlay Subcommittee of the Legislature with information and documents relative to the Lease; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Total Facility Cost for the Northern Michigan University Student Services Building shall not exceed \$15,750,000 (the Authority share is \$11,812,300, the State General Fund/General Purpose share is \$200, and the Educational Institution share is \$3,937,500), plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$11,812,300, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

Resolved, That the Legislature hereby approves the necessary conveyances of property to the Authority as more particularly described in the Lease and attachments thereto; and be it further

Resolved, That the Legislature hereby approves the Authority acquiring the Facility and leasing it to the State and the Educational Institution and hereby determines that the leasing of the Facility from the Authority is for a public purpose as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the annual amounts of "True Rental" for the Facility shall be within or below the range of \$900,000 and \$1,150,000, as shall reflect variations that may occur in the components upon which the appraisal of True Rental was based, which amounts shall be certified by the appraiser and thereafter approved by the State Administrative Board and the Authority as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the Lease is hereby approved by this concurrent resolution, and the Governor and the Secretary of State are authorized and directed to execute the Lease for and on behalf of the State; and be it further

Resolved, That, by hereby approving the Lease among the State, the Educational Institution, and the Authority, the Legislature agrees to appropriate annually sufficient amounts to pay the rent as obligated pursuant to the Lease; and be it further

Resolved, That copies of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, the Board of Control of Northern Michigan University, and the State Budget Director.

The concurrent resolution was referred to the Committee on Appropriations.

THIS RESOLUTION IS OFFERED TO COMPLY WITH MCL §§ 830.415 AND 830.417 AND REQUIRES A RECORD ROLL CALL VOTE.

Rep. Shackleton offered the following concurrent resolution:

House Concurrent Resolution No. 39.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and the Board of Control of Northern Michigan University relative to the Northern Michigan University Fine and Practical Arts Project.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the Board of Control of Northern Michigan University (the "Educational Institution"), the State Administrative Board, and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before land owned by the Educational Institution may be conveyed to the State Building Authority (the "Authority"); and

Whereas, The site for the Fine and Practical Arts Project (the "Facility") is currently owned by the Educational Institution; and

Whereas, Section 7 of 1964 PA 183, as amended, being MCL § 830.417, requires the approval of the State Administrative Board and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before the State of Michigan (the "State") may enter into a lease with the Authority upon a showing of a public purpose; and

Whereas, Providing additional space to be used by the Educational Institution pursuant to the lease for the Facility is a recognized public purpose; and

Whereas, A lease among the Authority, the State, and the Educational Institution has been prepared providing for the leasing of the Facility by the Authority to the State and the Educational Institution (the "Lease"); and

Whereas, The Executive Director of the Authority has furnished the Joint Capital Outlay Subcommittee of the Legislature with information and documents relative to the Lease; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Total Facility Cost for the Northern Michigan University Fine and Practical Arts Project shall not exceed \$21,230,000 (the Authority share is \$15,922,300, the State General Fund/General Purpose share is \$200, and the Educational Institution share is \$5,307,500), plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$15,922,300, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

Resolved, That the Legislature hereby approves the necessary conveyances of property to the Authority as more particularly described in the Lease and attachments thereto; and be it further

Resolved, That the Legislature hereby approves the Authority acquiring the Facility and leasing it to the State and the Educational Institution and hereby determines that the leasing of the Facility from the Authority is for a public purpose as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the annual amounts of "True Rental" for the Facility shall be within or below the range of \$1,210,000 and \$1,550,000, as shall reflect variations that may occur in the components upon which the appraisal of True Rental was based, which amounts shall be certified by the appraiser and thereafter approved by the State Administrative Board and the Authority as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the Lease is hereby approved by this concurrent resolution, and the Governor and the Secretary of State are authorized and directed to execute the Lease for and on behalf of the State; and be it further

Resolved, That, by hereby approving the Lease among the State, the Educational Institution, and the Authority, the Legislature agrees to appropriate annually sufficient amounts to pay the rent as obligated pursuant to the Lease; and be it further

Resolved, That copies of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, the Board of Control of Northern Michigan University, and the State Budget Director.

The concurrent resolution was referred to the Committee on Appropriations.

THIS RESOLUTION IS OFFERED TO COMPLY WITH MCL §§ 830.415 AND 830.417 AND REQUIRES A RECORD ROLL CALL VOTE.

Rep. Shackleton offered the following concurrent resolution:

House Concurrent Resolution No. 40.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Mid Michigan Community College relative to the Mid Michigan Community College Student Assessment Center.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the Board of Trustees of Mid Michigan Community College (the "Educational Institution"), the State Administrative Board, and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before land owned by the Educational Institution may be conveyed to the State Building Authority (the "Authority"); and

Whereas, The site for the Student Assessment Center (the "Facility") is currently owned by the Educational Institution; and

Whereas, Section 7 of 1964 PA 183, as amended, being MCL § 830.417, requires the approval of the State Administrative Board and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before the State of Michigan (the "State") may enter into a lease with the Authority upon a showing of a public purpose; and

Whereas, Providing additional space to be used by the Educational Institution pursuant to the lease for the Facility is a recognized public purpose; and

Whereas, A lease among the Authority, the State, and the Educational Institution has been prepared providing for the leasing of the Facility by the Authority to the State and the Educational Institution (the "Lease"); and

Whereas, The Executive Director of the Authority has furnished the Joint Capital Outlay Subcommittee of the Legislature with information and documents relative to the Lease; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Total Facility Cost for the Mid Michigan Community College Student Assessment Center shall not exceed \$3,165,000 (the Authority share is \$1,582,300, the State General Fund/General Purpose share is \$200, and the Educational Institution share is \$1,582,500), plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$1,582,300, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

Resolved, That the Legislature hereby approves the necessary conveyances of property to the Authority as more particularly described in the Lease and attachments thereto; and be it further

Resolved, That the Legislature hereby approves the Authority acquiring the Facility and leasing it to the State and the Educational Institution and hereby determines that the leasing of the Facility from the Authority is for a public purpose as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the annual amounts of "True Rental" for the Facility shall be within or below the range of \$120,000 and \$155,000, as shall reflect variations that may occur in the components upon which the appraisal of True Rental was based, which amounts shall be certified by the appraiser and thereafter approved by the State Administrative Board and the Authority as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the Lease is hereby approved by this concurrent resolution, and the Governor and the Secretary of State are authorized and directed to execute the Lease for and on behalf of the State; and be it further

Resolved, That, by hereby approving the Lease among the State, the Educational Institution, and the Authority, the Legislature agrees to appropriate annually sufficient amounts to pay the rent as obligated pursuant to the Lease; and be it further

Resolved, That copies of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, the Board of Trustees of Mid Michigan Community College, and the State Budget Director.

The concurrent resolution was referred to the Committee on Appropriations.

THIS RESOLUTION IS OFFERED TO COMPLY WITH MCL §§ 830.415 AND 830.417 AND REQUIRES A RECORD ROLL CALL VOTE.

Rep. Shackleton offered the following concurrent resolution:

House Concurrent Resolution No. 41.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Michigan Technological University relative to the Michigan Technological University Center for Integrated Learning and Information Technology Project.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the Board of Control of Michigan Technological University (the "Educational Institution"), the State Administrative Board, and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before land owned by the Educational Institution may be conveyed to the State Building Authority (the "Authority"); and

Whereas, The site for the Center for Integrated Learning and Information Technology Project (the "Facility") is currently owned by the Educational Institution; and

Whereas, Section 7 of 1964 PA 183, as amended, being MCL § 830.417, requires the approval of the State Administrative Board and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before the State of Michigan (the "State") may enter into a lease with the Authority upon a showing of a public purpose; and

Whereas, Providing additional space to be used by the Educational Institution pursuant to the lease for the Facility is a recognized public purpose; and

Whereas, A lease among the Authority, the State, and the Educational Institution has been prepared providing for the leasing of the Facility by the Authority to the State and the Educational Institution (the "Lease"); and

Whereas, The Executive Director of the Authority has furnished the Joint Capital Outlay Subcommittee of the Legislature with information and documents relative to the Lease; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Total Facility Cost for the Michigan Technological University Center for Integrated Learning and Information Technology Project shall not exceed \$33,838,700 (the Authority share is \$24,999,800, the State General Fund/General Purpose share is \$200, and the Educational Institution share is \$8,838,700), plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$24,999,800, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

Resolved, That the Legislature hereby approves the necessary conveyances of property to the Authority as more particularly described in the Lease and attachments thereto; and be it further

Resolved, That the Legislature hereby approves the Authority acquiring the Facility and leasing it to the State and the Educational Institution and hereby determines that the leasing of the Facility from the Authority is for a public purpose as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the annual amounts of "True Rental" for the Facility shall be within or below the range of \$1,900,000 and \$2,430,000, as shall reflect variations that may occur in the components upon which the appraisal of True Rental was based, which amounts shall be certified by the appraiser and thereafter approved by the State Administrative Board and the Authority as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the Lease is hereby approved by this concurrent resolution, and the Governor and the Secretary of State are authorized and directed to execute the Lease for and on behalf of the State; and be it further

Resolved, That, by hereby approving the Lease among the State, the Educational Institution, and the Authority, the Legislature agrees to appropriate annually sufficient amounts to pay the rent as obligated pursuant to the Lease; and be it further

Resolved, That copies of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, the Board of Control of Michigan Technological University, and the State Budget Director.

The concurrent resolution was referred to the Committee on Appropriations.

THIS RESOLUTION IS OFFERED TO COMPLY WITH MCL §§ 830.415 AND 830.417 AND REQUIRES A RECORD ROLL CALL VOTE.

Rep. Shackleton offered the following concurrent resolution:

House Concurrent Resolution No. 42.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and the Community College District of Monroe County relative to the Community College District of Monroe County Instructional Center for Business Training and Performing Arts Building.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the Board of Trustees of the Community College District of Monroe County (the "Educational Institution"), the State Administrative Board, and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before land owned by the Educational Institution may be conveyed to the State Building Authority (the "Authority"); and

Whereas, The site for the Instructional Center for Business Training and Performing Arts Building (the "Facility") is currently owned by the Educational Institution; and

Whereas, Section 7 of 1964 PA 183, as amended, being MCL § 830.417, requires the approval of the State Administrative Board and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before the State of Michigan (the "State") may enter into a lease with the Authority upon a showing of a public purpose; and

Whereas, Providing additional space to be used by the Educational Institution pursuant to the lease for the Facility is a recognized public purpose; and

Whereas, A lease among the Authority, the State, and the Educational Institution has been prepared providing for the leasing of the Facility by the Authority to the State and the Educational Institution (the "Lease"); and

Whereas, The Executive Director of the Authority has furnished the Joint Capital Outlay Subcommittee of the Legislature with information and documents relative to the Lease; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Total Facility Cost for the Community College District of Monroe County Instructional Center for Business Training and Performing Arts Building shall not exceed \$12,000,000 (the Authority share is \$5,999,800, the State General Fund/General Purpose share is \$200, and the Educational Institution share is \$6,000,000), plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$5,999,800, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

Resolved, That the Legislature hereby approves the necessary conveyances of property to the Authority as more particularly described in the Lease and attachments thereto; and be it further

Resolved, That the Legislature hereby approves the Authority acquiring the Facility and leasing it to the State and the Educational Institution and hereby determines that the leasing of the Facility from the Authority is for a public purpose as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the annual amounts of "True Rental" for the Facility shall be within or below the range of \$460,000 and \$580,000, as shall reflect variations that may occur in the components upon which the appraisal of True Rental was based, which amounts shall be certified by the appraiser and thereafter approved by the State Administrative Board and the Authority as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the Lease is hereby approved by this concurrent resolution, and the Governor and the Secretary of State are authorized and directed to execute the Lease for and on behalf of the State; and be it further

Resolved, That, by hereby approving the Lease among the State, the Educational Institution, and the Authority, the Legislature agrees to appropriate annually sufficient amounts to pay the rent as obligated pursuant to the Lease; and be it further

Resolved, That copies of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, the Board of Trustees of the Community College District of Monroe County, and the State Budget Director. The concurrent resolution was referred to the Committee on Appropriations.

THIS RESOLUTION IS OFFERED TO COMPLY WITH MCL §§ 830.415 AND 830.417 AND REQUIRES A RECORD ROLL CALL VOTE.

Rep. Shackleton offered the following concurrent resolution:

House Concurrent Resolution No. 43.

A concurrent resolution approving an amendment to the conveyance of property to the State Building Authority and the lease among the State of Michigan, the State Building Authority, and Jackson Community College relative to the Jackson Community College Lenawee Extension Center.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the Board of Trustees of Jackson Community College (the "College"), the State Administrative Board, and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before land owned by the College may be conveyed to the State Building Authority (the "Authority"); and

Whereas, Pursuant to Section 7 of 1964 PA 183, as amended, being MCL § 830.417, the Michigan Legislature by House Concurrent Resolution No. 18 of 2003 concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, approved (i) the conveyance of the College's Lenawee Extension Center (the "Facility") to the Authority and (ii) the form of a lease (the "Lease"), among the Authority, the College, and the State of Michigan (the "State") for the Facility in Adrian, Michigan; and

Whereas, The form of the Lease contains a legal description of the Facility to be conveyed from the College to the Authority; and

Whereas, In connection with the planning and construction of the Facility, it was determined that there was a more suitable site for the Facility, the legal description of which was not included in the form of the Lease approved by the Michigan Legislature in House Concurrent Resolution No. 18 of 2003; and

Whereas, The Attorney General advises the Michigan Legislature that it should approve an amendment to the legal description for the Facility that includes the correct site for the Facility; and

Whereas, The Deputy Executive Director of the Authority has furnished the Joint Capital Outlay Subcommittee of the Legislature with information and documents relative to the Lease; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Michigan Legislature hereby approves the necessary conveyance of property relative to the Jackson Community College Lenawee Extension Center to the Authority as more particularly described in the Lease and the amendment to the legal description attached thereto; and be it further

Resolved, That copies of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, the Board of Trustees of Jackson Community College, and the State Budget Director.

The concurrent resolution was referred to the Committee on Appropriations.

Second Reading of Bills

House Bill No. 4670, entitled

A bill to amend 2000 PA 499, entitled "Elder prescription insurance coverage act," by amending section 3 (MCL 550.2003).

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

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

Rep. Ehardt moved to amend the bill as follows:

1. Amend page 4, line 8, after "**center,**" by striking out "**home for the aged,**".

2. Amend page 4, line 10, after "**home**" by striking out "**or**" and inserting a comma and "**a home for the aged, or an**". The motion prevailed and the amendments were adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

Rep. Richardville moved that the bill be placed on its immediate passage.

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

Rep. Waters moved that Reps. Rivet and Stallworth be excused temporarily from today’s session. The motion prevailed.

By unanimous consent the House returned to the order of
Third Reading of Bills

House Bill No. 4670, entitled

A bill to amend 2000 PA 499, entitled “Elder prescription insurance coverage act,” by amending section 3 (MCL 550.2003).

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

Roll Call No. 696

Yeas—107

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

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.

Reps. Hardman, Waters, Daniels, McConico, Reeves, Anderson, Stewart, Rocca, Gielegem, Pappageorge, Phillips, Zelenko, Kolb, Jamnick, DeRossett, Richardville, Lipsey, Murphy, Kooiman, Voorhees, Middaugh, Hager, Meyer, Julian, Newell, Dennis, Caul, Shackleton, Adamini, Brown, Gaffney, Cheeks, Hunter, Farrah, Paletko, Hopgood, Law, Bieda, Meisner, Acciavatti, Clack, Condino, Vagnozzi, DeRoche, Taub, Accavitti, Stakoe, Garfield, Hune, Gleason, Milosch, Shaffer, Ward, Byrum, Van Regenmorter, Huizenga, Elkins, Moolenaar, Palsrok and Gillard were named co-sponsors of the bill.

Second Reading of Bills

House Bill No. 5247, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1140. Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Commerce,

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

Rep. LaJoy 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. 5247, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1140. Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 697

Yeas—108

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

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.

Reps. McConico, Stewart, Rocca, Drolet, Phillips, Kolb, Jamnick, DeRossett, Meyer, Julian, Dennis, Ruth Johnson, Hunter, Pastor, Bieda, Condino, Vagnozzi, Taub, Stakoe, Garfield, Gleason, Milosch, Caswell, Nofs, Ward, Sak, Gillard and Casperson were named co-sponsors of the bill.

Second Reading of Bills

House Bill No. 5254, entitled

A bill to amend 2002 PA 49, entitled "Michigan broadband development authority act," by amending section 7 (MCL 484.3207).

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

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

Rep. Nitz 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. 5254, entitled

A bill to amend 2002 PA 49, entitled "Michigan broadband development authority act," by amending section 7 (MCL 484.3207).

The bill was read a third time.

The question being on the passage of the bill,

Rep. Bisbee moved to amend the bill as follows:

1. Amend page 6, following line 13, by inserting:

"Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 825 of the 92nd Legislature is enacted into law."

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

The question being on the passage of the bill,

Rep. Richardville moved that consideration of the bill be postponed for the day.

The motion prevailed.

Second Reading of Bills

House Bill No. 5306, entitled

A bill to create certain offices in certain departments; to provide for the appointment of certain officers with the advice and consent of the senate; and to impose certain duties and responsibilities on those officers and on certain state employees.

The bill was read a second time.

Rep. Emmons moved to substitute (H-1) the bill.

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

Rep. Emmons 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. 5306, entitled

A bill to create certain offices in certain departments; to provide for the appointment of certain officers with the advice and consent of the senate; and to impose certain duties and responsibilities on those officers and on certain state employees.

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

Roll Call No. 698

Yeas—56

Acciavatti	Hart	Milosch	Shaffer
Amos	Howell	Mortimer	Shulman
Bisbee	Huizenga	Newell	Stahl
Casperson	Hummel	Nitz	Steil
Caswell	Hune	Nofs	Stewart
Caul	Johnson, Rick	Palmer	Tabor
DeRoche	Johnson, Ruth	Palsrok	Taub
DeRossett	Julian	Pappageorge	Van Regenmorter
Ehardt	Koetje	Pastor	Vander Veen
Emmons	Kooiman	Pumford	Voorhees
Farhat	LaJoy	Reeves	Walker
Gaffney	LaSata	Richardville	Ward
Garfield	Meyer	Robertson	Wenke
Hager	Middaugh	Shackleton	Woronchak

Nays—51

Accavitti	Elkins	Lipsey	Sheen
Adamini	Farrar	McConico	Sheltrown
Anderson	Gielegem	Meisner	Smith
Bieda	Gillard	Minore	Spade
Bradstreet	Gleason	Moolenaar	Stakoe
Brandenburg	Hardman	Murphy	Tobocman
Brown	Hood	O'Neil	Vagnozzi
Byrum	Hoogendyk	Paletko	Waters
Cheeks	Hopgood	Phillips	Williams
Clack	Hunter	Plakas	Wojno
Condino	Jamnick	Rivet	Woodward
Daniels	Kolb	Rocca	Zelenko
Drolet	Law	Sak	

In The Chair: Julian

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

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

A bill to create certain offices in the Michigan economic development corporation; to provide for the appointment of certain officers with the advice and consent of the senate; and to impose certain duties and responsibilities on those officers and on certain state employees and public employees.

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.

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

“Mr. Speaker and members of the House:

I voted no on the floor substitute to HB 5306 because the executive branch is currently reviewing and revamping the MEDC and this legislation would be counter-productive in governmental attempts to address job losses in the manufacturing sector. Frankly, adding another level of governmental bureaucracy does not seem to be an appropriate nor intelligent response to the problem, especially at a time in which this state has absorbed almost three billion dollars in cuts within one calendar year.”

Rep. Stallworth moved that the House adjourn.
The motion prevailed, the time being 5:35 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, December 10, at 1:00 p.m.

GARY L. RANDALL
Clerk of the House of Representatives

