

No. 71
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
92nd Legislature
REGULAR SESSION OF 2003

House Chamber, Lansing, Tuesday, October 7, 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—excused
Brandenburg—present	Hoogendyk—present	Nitz—present	Steil—present
Brown—present	Hopgood—present	Nofs—present	Stewart—present
Byrum—present	Howell—present	O’Neil—present	Tabor—present
Casperson—present	Huizenga—present	Paletko—present	Taub—present
Caswell—present	Hummel—present	Palmer—present	Tobocman—present
Caul—present	Hune—present	Palsrok—present	Vagnozzi—present
Cheeks—present	Hunter—present	Pappageorge—present	Van Regenmorter—present
Clack—present	Jamnick—present	Pastor—present	Vander Veen—present
Condino—present	Johnson, Rick—present	Phillips—present	Voorhees—present
Daniels—present	Johnson, Ruth—present	Plakas—present	Walker—present
Dennis—present	Julian—present	Pumford—present	Ward—present
DeRoche—present	Koetje—present	Reeves—present	Waters—present
DeRossett—present	Kolb—present	Richardville—present	Wenke—present
Drolet—present	Kooiman—present	Rivet—present	Whitmer—present
Ehardt—present	LaJoy—present	Robertson—present	Williams—present
Elkins—present	LaSata—present	Rocca—present	Wojno—present
Emmons—present	Law—present	Sak—present	Woodward—present
Farhat—present	Lipsey—present	Shackleton—present	Woronchak—present
Farrah—present	McConico—present	Shaffer—present	Zelenko—present
Gaffney—present	Meisner—present		

e/d/s = entered during session

Rep. Triette Lipsey Reeves, from the 10th District, offered the following invocation:

“The prayer today is a prayer of David, from Psalm 27:

The Lord is my light and my salvation; whom shall I fear?
 The Lord is the strength of my life; of whom shall I be afraid?
 When the wicked, even mine enemies and my foes,
 came upon me to eat up my flesh, they stumbled and fell.
 Though a host should encamp against me, my heart shall not fear:
 though war should rise against me, in this will I be confident.
 One thing have I desired of the Lord, that will I seek after; that I may
 dwell in the house of the Lord all the days of my life, to behold the
 beauty of the Lord, and to inquire in his temple.
 For in the time of trouble he shall hide me in his pavilion: in the secret
 of his tabernacle shall he hide me; he shall set me up upon a rock.
 And now shall mine head be lifted up above mine enemies round about
 me: therefore will I offer in his tabernacle sacrifices of joy;
 I will sing, yea, I will sing praises unto the Lord.

In Jesus’ name, Amen.”

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

Messages from the Senate

The Speaker laid before the House

House Bill No. 4632, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 394 (MCL 750.394).

(The bill was received from the Senate on October 1, with an amendment to the House substitute (H-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until October 2, see House Journal No. 69, p. 1785.)

The question being on concurring in the amendment to the House substitute (H-1) made to the bill by the Senate,
 The amendment was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 518

Yeas—108

Accavitti	Gaffney	McConico	Shackleton
Acciavatti	Garfield	Meisner	Shaffer
Adamini	Gieleghem	Meyer	Sheen
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	Jamnick	Pappageorge	Voorhees
Daniels	Johnson, Rick	Pastor	Walker
Dennis	Johnson, Ruth	Phillips	Ward
DeRoche	Julian	Plakas	Waters
DeRossett	Koetje	Pumford	Wenke
Drolet	Kolb	Reeves	Whitmer
Ehardt	Kooiman	Richardville	Williams

Elkins	LaJoy	Rivet	Wojno
Emmons	LaSata	Robertson	Woodward
Farhat	Law	Rocca	Woronchak
Farrah	Lipsey	Sak	Zelenko

Nays—0

In The Chair: Julian

The House agreed to the full title of the bill.

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

The Speaker laid before the House

House Bill No. 4633, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16s of chapter XVII (MCL 777.16s), as amended by 2000 PA 279.

(The bill was received from the Senate on October 1, with an amendment to the House substitute (H-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until October 2, see House Journal No. 69, p. 1786.)

The question being on concurring in the amendment to the House substitute (H-1) made to the bill by the Senate,

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

Roll Call No. 519**Yeas—109**

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

Nays—0

In The Chair: Julian

The House agreed to the full title of the bill.

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

Second Reading of Bills**House Bill No. 4950, entitled**

A bill to amend 1947 PA 359, entitled "The charter township act," by amending section 10 (MCL 42.10).

Was read a second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Local Government and Urban Policy,

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills**House Bill No. 4950, entitled**

A bill to amend 1947 PA 359, entitled "The charter township act," by amending section 10 (MCL 42.10).

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

Roll Call No. 520**Yeas—109**

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

Elkins	LaSata	Robertson	Wojno
Emmons	Law	Rocca	Woodward
Farhat	Lipsey	Sak	Woronchak
Farrah	McConico	Shackleton	Zelenko
Gaffney			

Nays—0

In The Chair: Julian

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

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

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

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. Richardville moved that House Committees be given leave to meet during the balance of today’s session.

The motion prevailed.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Lipsey, Accavitti, Adamini, Anderson, Bieda, Byrum, Caswell, Clack, Dennis, DeRossett, Ehardt, Farrah, Gielegghem, Gillard, Gleason, Hardman, Hoogendyk, Hopgood, Jamnick, Koetje, Kolb, Kooiman, LaSata, McConico, Middaugh, Minore, Newell, Paletko, Pappageorge, Phillips, Plakas, Richardville, Rivet, Sak, Shaffer, Sheltroun, Shulman, Spade, Tobocman, Vagnozzi, Van Regenmorter, Voorhees, Waters, Wojno and Zelenko offered the following resolution:

House Resolution No. 137.

A resolution honoring Bronson Healthcare Group, Inc. of Kalamazoo upon its designation as one of the best 100 companies nationally for working mothers.

Whereas, It is with great pride for its accomplishment that we are pleased to offer congratulations to Bronson Healthcare Group, Inc. upon its designation as one of the best 100 companies nationally for working mothers. We are pleased to have this opportunity to praise and acknowledge the outstanding efforts of the Bronson Healthcare Group, Inc. in ensuring that the needs of working mothers receive top priority; and

Whereas, *Working Mother* magazine was founded in 1979 and has just completed its 18th annual list of “100 Best companies for Working Mothers.” It is the only national magazine for career-committed mothers and its annual company ratings are recognized as the standard in the corporate world; and

Whereas, Companies have realized the need to provide adequate work/life benefits to reduce stress and keep employees healthy. These benefits have steadily increased in recent years. Today, working mothers enjoy options which include fitness programs, counseling, after-school, holiday and emergency care for children and elderly parents; and

Whereas, The primary issues considered by *Working Mother* for this year’s list included flexible scheduling, advancement of women and child-care options. It is a proud Kalamazoo community which can boast of having one of only three Michigan companies and one of 100 companies nationally cited for its forward-thinking policies to protect our families and strengthen our communities; and

Whereas, The Bronson Healthcare Group, Inc. has a proud legacy of excellence and quality service within the Kalamazoo community and has now achieved national recognition for its dedication to improving the quality of life for its employees; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body commend and congratulate Bronson Healthcare Group, Inc. of Kalamazoo on its receipt of this prestigious honor. May the future bring continued success and satisfaction; and be it further

Resolved, That a copy of this resolution be transmitted to Bronson Healthcare Group, Inc. as a token of our esteem.

Pending the reference of the resolution to a committee,

Rep. Richardville moved that Rule 77 be suspended and the resolution be considered at this time.

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Lipsey, Accavitti, Adamini, Anderson, Bieda, Byrum, Caswell, Clack, Dennis, DeRossett, Ehardt, Farrah, Gielegghem, Gillard, Gleason, Hager, Hardman, Hoogendyk, Hopgood, Jamnick, Koetje, Kolb, Kooiman, LaSata, McConico, Middaugh, Minore, Murphy, Newell, Paletko, Pappageorge, Phillips, Plakas, Richardville, Rivet, Sak, Shaffer, Sheltroun, Shulman, Spade, Tobocman, Vagnozzi, Van Regenmorter, Voorhees, Waters, Wojno and Zelenko offered the following resolution:

House Resolution No. 138.

A resolution commemorating the 50th anniversary of Community Advocates for Persons with Developmental Disabilities and expressing appreciation for their valuable contributions in Michigan.

Whereas, Community Advocates was founded in April of 1952, and later incorporated in October of 1953, as a not-for-profit agency called the Kalamazoo Association for Retarded Children; and

Whereas, We are proud to join with the members, officers, and friends of Community Advocates as they gather to mark their 50th anniversary; and

Whereas, We recognize and commend this outstanding group and their milestone as a reflection of their unselfishness and commitment to the common good; and

Whereas, While the members of this distinguished organization celebrate 50 years of service, we offer our thanks for the gifts they have shared within Kalamazoo County and throughout Michigan; and

Whereas, In the years that have followed since they first came together, this organization has been a determined force in the efforts to ensure the interests and rights of adults and children with developmental disabilities are safeguarded; and

Whereas, Community Advocates has been a leader in Kalamazoo County assisting to encourage the establishment of adequate support structures that enable opportunities for independence and galvanize available resources towards education for the developmentally disabled, their families, and the community as a whole; and

Whereas, This organization has helped to inspire, support, and develop many of the sister programs and agencies that exist today; and

Whereas, With ceremonies to celebrate its history, the members and officers of Community Advocates will remember the vision of many people and the hours and years of commitment that have brought the group to this point; and

Whereas, Fittingly, as we look to the past, we will also be casting an eye to the future and to the many ways in which Community Advocates will continue to reach out in Kalamazoo County and the great state of Michigan; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body commemorate the 50th anniversary of Community Advocates and to express appreciation for their valuable contributions to the citizens of the state of Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to Community Advocates for Persons with Disabilities as evidence of our esteem.

Pending the reference of the resolution to a committee,

Rep. Richardville moved that Rule 77 be suspended and the resolution be considered at this time.

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reports of Standing Committees

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

House Bill No. 4319, entitled

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

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, Gleason and Stallworth

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, October 2, 2003, at 12:10 p.m.

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

The Committee on Appropriations, by Rep. Shulman, Chair, reported

House Bill No. 4386, entitled

A bill to provide for a capital outlay program; to set forth the provisions for its implementation within the budgetary process; to make appropriations for planning and construction at state institutions and the acquisition of land; to provide for the elimination of fire hazards at the institutions; to provide for certain special maintenance, remodeling, alteration, renovation, or demolition of and additions to projects at state institutions; to provide for elimination of occupational safety and health hazards at state agencies and institutions; to provide for the award of contracts; and to provide for the expenditure thereof under the supervision of the director of the department of management and budget and the state administrative board.

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. Shulman, Emmons, Caul, Pumford, Shackleton, Kooiman, Newell, Stewart, Acciavatti, Amos, Caswell, Farhat, Hoogendyk, Moolenaar, Shaffer, Steil, Taub, Walker, Brandenburg, Mortimer, Whitmer, Brown, Kolb, Phillips, Plakas, Williams, Cheeks, Hunter, Paletko, Sak and Zelenko

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, October 2, 2003, at 12:40 p.m.

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

Absent: Rep. Pastor

Excused: Rep. Pastor

The Committee on Local Government and Urban Policy, by Rep. Robertson, Vice-Chair, reported

House Bill No. 5086, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 759 and 759a (MCL 168.759 and 168.759a), section 759 as amended by 1995 PA 261 and section 759a as amended by 1999 PA 216.

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. Robertson, DeRossett, Hager, Drolet, Stakoe, Wenke, Jamnick, Tobocman and Accavitti

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, October 7, 2003, at 9:00 a.m.

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

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

House Bill No. 4608, entitled

A bill to amend 1937 PA 103, entitled "An act to prescribe certain conditions relative to the execution of instruments entitled to be recorded in the office of the register of deeds," (MCL 565.201 to 565.203) by adding section 2a.

With the recommendation that the substitute (H-6) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Meyer, Nitz, DeRossett, Hager, Casperson, Hune, Sheltroun, Rivet and Spade

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, October 7, 2003, at 10:30 a.m.

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

The Committee on Regulatory Reform, by Rep. Rocca, Chair, reported

House Bill No. 5054, entitled

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

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. Rocca, Gaffney, Bisbee, Julian, DeRoche, Palsrok, Sheen, Wojno, Meisner, Hopgood and Gielegem

Nays: None

The Committee on Regulatory Reform, by Rep. Rocca, Chair, reported

House Bill No. 5106, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 2504 and 2505 (MCL 339.2504 and 339.2505), section 2504 as amended by 2002 PA 611 and section 2505 as amended by 1988 PA 463.

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. Rocca, Bisbee, Julian, DeRoche, Palsrok, Sheen, Wojno, Meisner, Hopgood and Gielegem
Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Rocca, Chair of the Committee on Regulatory Reform, was received and read:

Meeting held on: Tuesday, October 7, 2003, at 9:00 a.m.

Present: Reps. Rocca, Gaffney, Bisbee, Julian, DeRoche, Palsrok, Sheen, Wojno, Meisner, Hopgood and Gielegem

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, October 7, 2003, at 8:00 a.m.

Present: Reps. Nofs, Garfield, Pappageorge, Casperson, Woodward, Sheltroun, Spade and Elkins

Absent: Reps. Richardville, Ruth Johnson and Woronchak

Excused: Reps. Richardville, Ruth Johnson and Woronchak

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, October 7, 2003, at 9:00 a.m.

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

Messages from the Senate**House Bill No. 4457, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 676 (MCL 257.676), as amended by 1980 PA 518.

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

The House agreed to the full title.

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

Notices

October 7, 2003

Mr. Gary Randall
Clerk of the House
P.O. Box 30014
Lansing, MI 48909

Dear Mr. Randall:

This letter serves as my authorization for Representatives Mortimer and Julian to switch seats on the House floor. Representative Mortimer will be permitted to move from seat #31 to seat #19. Representative Julian will be moving from seat #19 to seat #31.

If you have any further questions regarding this matter please feel free to contact me at 373-1747.

Sincerely,
Rick Johnson
Speaker of the House

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, October 1:

Senate Bill Nos. 740 741 742 743 744 745 746 747 748 749

The Clerk announced that the following bills had been printed and placed upon the files of the members on Friday, October 3:

House Bill Nos. 5115 5116 5117 5118 5119 5120 5121 5122 5123 5124 5125 5126 5127 5128

The Clerk announced the enrollment printing and presentation to the Governor on Tuesday, October 7, for her approval of the following bills:

Enrolled House Bill No. 4967 at 10:25 a.m.

Enrolled House Bill No. 4715 at 10:27 a.m.

Communications from State Officers

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

September 19, 2003

As Director of the Department of Consumer and Industry Services, I take great pleasure in forwarding to you the sixth legislative report as required by statute on the activities and the progress of survey and remonumentation in the State of Michigan.

Details of these activities are included in the enclosed report. If you have any questions regarding the survey and remonumentation program, please feel free to contact me.

Sincerely,
David C. Hollister
Director

The communication was referred to the Clerk.

Introduction of Bills

Rep. Howell introduced

House Bill No. 5129, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 1301a, 1303a, 1304, 1305, 1307a, 1308, 1309, 1310, 1312, 1313, 1315, 1316, 1317, 1319, 1320, 1321, 1322, 1323, 1324, 1326, 1327, 1328, 1329, 1331, 1332, 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1340, 1341, 1342, 1343, 1345, 1346, 1347, 1372, 1374, and 1375 (MCL 600.1301a, 600.1303a, 600.1304, 600.1305, 600.1307a, 600.1308, 600.1309, 600.1310, 600.1312, 600.1313, 600.1315, 600.1316, 600.1317, 600.1319, 600.1320, 600.1321, 600.1322, 600.1323, 600.1324, 600.1326, 600.1327, 600.1328, 600.1329, 600.1331, 600.1332, 600.1333, 600.1334, 600.1335, 600.1336, 600.1337, 600.1338, 600.1339, 600.1340, 600.1341, 600.1342, 600.1343, 600.1345, 600.1346, 600.1347, 600.1372, 600.1374, and 600.1375), sections 1301a, 1304, 1310, 1312, and 1375 as amended by 1986 PA 104 and section 1307a as amended by 2002 PA 739.

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

Reps. Meisner and Van Regenmorter introduced

House Bill No. 5130, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 81134 and 81136 (MCL 324.81134 and 324.81136), section 81134 as amended by 2001 PA 12 and section 81136 as amended by 1996 PA 175.

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

Reps. Nofs and Van Regenmorter introduced

House Bill No. 5131, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 80171, 80176, 80183, 80184, and 80187 (MCL 324.80171, 324.80176, 324.80183, 324.80184, and 324.80187), section 80171 as added by 1995 PA 58, section 80176 as amended by 2001 PA 12, and sections 80183, 80184, and 80187 as amended by 1996 PA 174.

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

Reps. Condino and Van Regenmorter introduced

House Bill No. 5132, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 82127, 82128, 82140, and 82143 (MCL 324.82127, 324.82128, 324.82140, and 324.82143), section 82127 as amended by 2001 PA 12, section 82128 as amended by 1999 PA 22, and sections 82140 and 82143 as amended by 1996 PA 183.

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

Reps. Acciavatti, Wenke, Taub, Meyer, Sheen, Howell, Stakoe, Stahl, Casperson, Ward, Hummel, Milosch, Tabor, Brandenburg, Palmer, LaJoy, Bradstreet, Drolet, Amos, Caswell, Robertson, Farhat, Hager, Nofs and Emmons introduced

House Bill No. 5133, entitled

A bill to amend 1941 PA 122, entitled "An act to establish the revenue collection duties of the department of treasury; to prescribe its powers and duties as the revenue collection agency of the state; to prescribe certain powers and duties of the state treasurer; to regulate the importation, stamping, and disposition of certain tobacco products; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," by amending section 24 (MCL 205.24), as amended by 2002 PA 657.

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

Rep. Gaffney introduced

House Bill No. 5134, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 16276.

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

Rep. Mortimer introduced

House Bill No. 5135, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3107 (MCL 500.3107), as amended by 1991 PA 191.

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

Reps. Wojno, Accavitti, Tobocman, Sak, Farrah, Cheeks, Clack, Vagnozzi and Condino introduced

House Bill No. 5136, entitled

A bill to require meal and rest periods for certain employees; to prescribe certain powers and duties of employers and the department of consumer and industry services; and to prescribe penalties.

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

Reps. Wojno, Accavitti, Tobocman, Sak, Farrah, Cheeks, Vagnozzi and Condino introduced

House Bill No. 5137, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 540c (MCL 750.540c), as amended by 2002 PA 672.

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

Reps. Hood, Cheeks, Wojno, Tobocman, Accavitti, Smith, Condino, Phillips, Woodward, Zelenko, Hunter, Stallworth, Waters, Hopgood, McConico, Reeves, Plakas, Vagnozzi, Williams, Lipsey, Byrum, Clack and Daniels introduced

House Bill No. 5138, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 439. The bill was read a first time by its title and referred to the Committee on Insurance.

Reps. Hunter, Richardville, Kooiman, Gaffney, Nofs, McConico, Condino, Phillips and Hood introduced

House Bill No. 5139, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 811e (MCL 257.811e), as amended by 2001 PA 124, and by adding sections 811p and 811q; and to repeal acts and parts of acts.

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

Reps. Plakas, Sak, Farrah, Gleason, Hood, O'Neil, Sheltroun, Vagnozzi, Spade, Law, Condino, Woodward, Wojno, Paletko, Pappageorge, Anderson, Zelenko, Phillips, Williams, Brown and Kolb introduced

House Bill No. 5140, entitled

A bill to amend 1992 PA 147, entitled "Neighborhood enterprise zone act," by amending section 4 (MCL 207.774), as amended by 2002 PA 608.

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

Reps. Adamini, Brown, Gillard, Casperson, Shackleton, Sheltroun, Gleason and Gielegem introduced

House Bill No. 5141, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 43506 and 43536a (MCL 324.43506 and 324.43536a), section 43506 as amended by 1996 PA 585 and section 43536a as amended by 2003 PA 4.

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

Reps. Bieda, Spade, Lipsey, Shaffer, Minore, Sheltroun and Condino introduced

House Bill No. 5142, entitled

A bill to amend 1970 PA 91, entitled "Child custody act of 1970," by amending section 7b (MCL 722.27b), as amended by 1996 PA 19.

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

Rep. Pappageorge moved that the House adjourn.

The motion prevailed, the time being 2:10 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, October 8, at 1:00 p.m.

GARY L. RANDALL
Clerk of the House of Representatives