

**No. 88**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**92nd Legislature**  
**REGULAR SESSION OF 2003**

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House Chamber, Lansing, Tuesday, December 2, 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—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—excused	Johnson, Ruth—present	Plakas—present	Walker—present
Dennis—present	Julian—present	Pumford—present	Ward—present
DeRoche—present	Koetje—present	Reeves—present	Waters—present
DeRossett—present	Kolb—present	Richardville—present	Wenke—present
Drolet—present	Kooiman—present	Rivet—present	Whitmer—excused
Ehardt—present	LaJoy—present	Robertson—present	Williams—excused
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. Larry Julian, from the 85th District, offered the following invocation:

“Heavenly Father, we thank You in this time of Thanksgiving. Thank You for the safe trip, the time that we’ve been able to have with our families and in our districts. We ask that You be with us today and guide us in the deliberations that we do on behalf of all of the people of Michigan. We ask that You do all this in Your son Jesus’ name. Amen.”

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

Rep. Waters moved that Reps. Williams and Whitmer be excused from this week’s session.  
The motion prevailed.

#### **Announcement by the Clerk of Printing and Enrollment**

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

**Senate Bill Nos. 828 829 830 831 832 833 834 835 836**

The Clerk announced that the following bills had been printed and placed upon the files of the members on Wednesday, November 12:

**Senate Bill Nos. 840 841**

The Clerk announced that the following bill and joint resolution had been printed and placed upon the files of the members on Thursday, November 13:

**House Bill No. 5289**

**House Joint Resolution Q**

The Clerk announced that the following Senate bills had been received on Thursday, November 13:

**Senate Bill Nos. 785 808 809 814 825 833**

The Clerk announced that the following bills had been printed and placed upon the files of the members on Friday, November 14:

**House Bill Nos. 5290 5291 5292 5293 5294 5295 5296 5297 5298 5299 5300 5301 5302 5303  
5304 5305 5306 5307 5308 5309 5310 5311 5312 5313 5314 5315 5316 5317  
5318 5319 5320 5321 5322**

The Clerk announced the enrollment printing and presentation to the Governor on Tuesday, November 18, for her approval of the following bills:

**Enrolled House Bill No. 4011 at 3:10 p.m.**

**Enrolled House Bill No. 4263 at 3:12 p.m.**

**Enrolled House Bill No. 4599 at 3:14 p.m.**

**Enrolled House Bill No. 4695 at 3:16 p.m.**

**Enrolled House Bill No. 4698 at 3:18 p.m.**

**Enrolled House Bill No. 4699 at 3:20 p.m.**

**Enrolled House Bill No. 4753 at 3:22 p.m.**

**Enrolled House Bill No. 5156 at 3:24 p.m.**

**Enrolled House Bill No. 5188 at 3:26 p.m.**

The Clerk announced that the following Senate bills had been received on Tuesday, December 2:

**Senate Bill Nos. 307 840 841**

**Messages from the Governor**

Date: November 14, 2003

Time: 9:06 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4872 (Public Act No. 199, I.E.), being**

An act to amend 1992 PA 147, entitled “An act to provide for the development and rehabilitation of residential housing; to provide for the creation of neighborhood enterprise zones; to provide for obtaining neighborhood enterprise zone certificates for a period of time and to prescribe the contents of the certificates; to provide for the exemption of certain taxes; to provide for the levy and collection of a specific tax on the owner of certain facilities; and to prescribe the powers and duties of certain officers of the state and local governmental units,” by amending section 4 (MCL 207.774), as amended by 2002 PA 608.

(Filed with the Secretary of State November 14, 2003, at 10:30 a.m.)

Date: November 14, 2003

Time: 9:08 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5050 (Public Act No. 200, I.E.), being**

An act to amend 1956 PA 218, entitled “An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker’s compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act,” by amending section 4072 (MCL 500.4072), as amended by 2002 PA 635.

(Filed with the Secretary of State November 14, 2003, at 10:32 a.m.)

Date: November 14, 2003

Time: 9:10 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5133 (Public Act No. 201, I.E.), being**

An act 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.

(Filed with the Secretary of State November 14, 2003, at 10:34 a.m.)

Date: November 14, 2003

Time: 9:12 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4714 (Public Act No. 202, I.E.), being**

An act to amend 1976 PA 451, entitled "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;" by amending section 1525 (MCL 380.1525), as amended by 1995 PA 289.

(Filed with the Secretary of State November 14, 2003, at 10:36 a.m.)

Date: November 25, 2003

Time: 3:04 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4613 (Public Act No. 203, I.E.), being**

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

(Filed with the Secretary of State November 26, 2003, at 9:36 a.m.)

Date: November 25, 2003

Time: 3:11 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4660 (Public Act No. 204, I.E.), being**

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

(Filed with the Secretary of State November 26, 2003, at 9:38 a.m.)

Date: November 25, 2003  
Time: 3:14 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4950 (Public Act No. 205, I.E.), being**

An act to amend 1947 PA 359, entitled “An act to authorize the incorporation of charter townships; to provide a municipal charter therefor; to prescribe the powers and functions thereof; and to prescribe penalties and provide remedies,” (MCL 42.1 to 42.34) by adding section 10a.

(Filed with the Secretary of State November 26, 2003, at 9:40 a.m.)

Date: November 25, 2003  
Time: 3:16 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4283 (Public Act No. 206, I.E.), being**

An act to amend 1991 PA 179, entitled “An act to regulate and insure the availability of certain telecommunication services; to prescribe the powers and duties of certain state agencies and officials; to prescribe penalties; to repeal certain acts and parts of acts; and to repeal this act on a specific date,” (MCL 484.2101 to 484.2701) by adding section 314a.

(Filed with the Secretary of State November 26, 2003, at 9:42 a.m.)

Date: November 25, 2003  
Time: 3:18 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5054 (Public Act No. 207, I.E.), being**

An act to amend 1980 PA 299, entitled “An act to revise, consolidate, and classify the laws of this state regarding the regulation of certain occupations; to create a board for each of those occupations; to establish the powers and duties of certain departments and agencies and the boards of each occupation; to provide for the promulgation of rules; to provide for certain fees; to provide for penalties and civil fines; to establish rights, relationships, and remedies of certain persons under certain circumstances; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts,” by amending section 1117 (MCL 339.1117), as amended by 1984 PA 25.

(Filed with the Secretary of State November 26, 2003, at 9:44 a.m.)

Date: November 25, 2003  
Time: 3:20 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4907 (Public Act No. 208, I.E.), being**

An act to amend 1956 PA 218, entitled “An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the

nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker's compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act," by amending section 602 (MCL 500.602), as amended by 1989 PA 35, and by adding section 603.

(Filed with the Secretary of State November 26, 2003, at 9:46 a.m.)

Date: November 25, 2003

Time: 3:22 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4263 (Public Act No. 209, I.E.), being**

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

(Filed with the Secretary of State November 26, 2003, at 9:48 a.m.)

Date: November 25, 2003

Time: 3:24 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5156 (Public Act No. 210, I.E.), being**

An act to amend 1909 PA 279, entitled "An act to provide for the incorporation of cities and for revising and amending their charters; to provide for certain powers and duties; to provide for the levy and collection of taxes by cities, borrowing of money, and issuance of bonds or other evidences of indebtedness; to validate actions taken, bonds issued, and obligations heretofore incurred; to prescribe penalties and provide remedies; and to repeal acts and parts of acts on specific dates," (MCL 117.1 to 117.38) by adding section 36a.

(Filed with the Secretary of State November 26, 2003, at 9:50 a.m.)

Date: November 25, 2003

Time: 3:26 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4753 (Public Act No. 212, I.E.), being**

An act to amend 1949 PA 300, entitled "An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date," by amending section 57b (MCL 257.57b).

(Filed with the Secretary of State November 26, 2003, at 9:54 a.m.)

Date: December 1, 2003  
Time: 4:05 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 5188 (Public Act No. 214, I.E.), being**

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

(Filed with the Secretary of State December 2, 2003, at 10:08 a.m.)

Date: December 1, 2003  
Time: 4:15 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4695 (Public Act No. 219, I.E.), being**

An act to amend 1851 PA 156, entitled “An act to define the powers and duties of the county boards of commissioners of the several counties, and to confer upon them certain local, administrative and legislative powers; and to prescribe penalties for the violation of the provisions of this act,” by amending section 12a (MCL 46.12a), as amended by 2002 PA 730.

(Filed with the Secretary of State December 2, 2003, at 10:18 a.m.)

Date: December 1, 2003  
Time: 4:17 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4698 (Public Act No. 220, I.E.), being**

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

(Filed with the Secretary of State December 2, 2003, at 10:20 a.m.)

Date: December 1, 2003  
Time: 4:19 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4699 (Public Act No. 221, I.E.), being**

An act to amend 1950 (Ex Sess) PA 27, entitled “An act defining and regulating certain installment sales of motor vehicles; prescribing the conditions under which such sales may be made and regulating the financing thereof; regulating and licensing persons engaged in the business of making or financing such sales; prescribing the form, contents and effect of instruments used in connection with such sales and the financing thereof; prescribing certain rights and obligations of buyers, sellers, persons financing such sales and others; limiting charges in connection with such instruments and fixing maximum interest rates for delinquencies, extensions and loans; regulating insurance in connection with such sales; regulating repossessions, redemptions, resales and deficiency judgments and the rights of parties with respect thereto; authorizing extensions, loans and forbearances related to such sales; authorizing investigations and examinations of persons engaged in the business of making or financing such sales; transferring

certain powers and duties with respect to finance companies to the commissioner of the financial institutions bureau; and prescribing penalties,” by amending section 36 (MCL 492.136).

(Filed with the Secretary of State December 2, 2003, at 10:22 a.m.)

Date: December 1, 2003

Time: 5:00 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4011 (Public Act No. 223, I.E.), being**

An act to repeal 1927 LA 9, entitled “An act to prohibit hunting on Sunday in the county of Washtenaw and to prescribe penalties for the violation thereof.”

(Filed with the Secretary of State December 2, 2003, at 10:26 a.m.)

Date: December 1, 2003

Time: 5:02 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4599 (Public Act No. 224, I.E.), being**

An act to repeal local acts restricting hunting on Sundays in the counties of Tuscola, Lenawee, Hillsdale, and St. Clair.

(Filed with the Secretary of State December 2, 2003, at 10:28 a.m.)

The following message from the Governor was received November 26, 2003 and read:

**EXECUTIVE ORDER  
No. 2003 - 22**

**GOVERNOR’S COUNCIL OF ECONOMIC ADVISORS**

**AMENDMENT OF EXECUTIVE ORDER No. 2003 - 8**

WHEREAS, Article V, Section 1 of the Michigan Constitution of 1963 vests the executive power of the State of Michigan in the Governor;

WHEREAS, on July 30, 2003, the Governor’s Council of Economic Advisors was created under Executive Order 2003-8;

WHEREAS, it is necessary to amend Executive Order 2003-8 so that the composition of the Governor’s Council of Economic Advisors reflects both the size and diversity that enables the most effective fulfillment of the Council’s mission;

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

A. Section I.B of Executive Order 2003-8 is amended to read as follows:

“The Governor shall appoint 51 members to the Council. Of the initial members appointed by the Governor, 17 members shall be appointed to terms expiring on October 7, 2005, 17 members shall be appointed to terms expiring on October 7, 2006, and 17 members shall be appointed to terms expiring on October 7, 2007. After the initial appointments, members of the Council shall be appointed to 4-year terms. A vacancy on the Council shall be filled in the same manner as the original appointment for the balance of the unexpired term.”

B. Effective December 7, 2003, all references in Executive Order 2003-8 to the Department of Consumer and Industry Services shall be deemed references to the Department of Labor and Economic Growth created under Executive Order 2003-18.

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 26th day of November, 2003.

Jennifer M. Granholm  
Governor

By the Governor:  
Terri L. Land  
Secretary of State

The message was referred to the Clerk.



**Communications from State Officers**

The following communications from the Secretary of State were received and read:

Notices of Filing  
Administrative Rules

November 17, 2003

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 10:48 A.M. this date, administrative rule (03-11-01) for the Department of Consumer and Industry Services, Director’s Office, entitled “*Rehabilitation Code (Single State Construction Code)*”, effective December 31, 2003.

November 17, 2003

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 10:50 A.M. this date, administrative rule (03-11-02) for the Department of Consumer and Industry Services, Director’s Office, entitled “*Construction Code – Part 7. Plumbing Code*”, effective December 31, 2003.

November 17, 2003

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 10:52 A.M. this date, administrative rule (03-11-03) for the Department of Consumer and Industry Services, Director’s Office, entitled “*Construction Code – Part 9A. Mechanical Code*”, effective December 31, 2003.

Sincerely,  
Terri Lynn Land  
Secretary of State  
Elena L. Beasley, Manager  
Office of the Great Seal

The communications were referred to the Clerk.

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

November 18, 2003

Enclosed is a copy of the following audit report and/or report summary:  
Financial Audit of the Transition in the Office of State Treasurer,  
Department of Treasury, as of December 31, 2002, released November 18, 2003.

November 18, 2003

Enclosed is a copy of the following audit report and/or report summary:  
Financial Audit of the Transition in the Office of State Treasurer,  
Department of Treasury, as of January 5, 2003, released November 18, 2003.

November 19, 2003

Enclosed is a copy of the following audit report and/or report summary:  
Performance Audit of the Surface Water Program, Water Division,  
Department of Environmental Quality, released November 19, 2003.

November 19, 2003

Enclosed is a copy of the following audit report and/or report summary:  
Performance Audit of the Office of Commission Audits,  
Department of Transportation, released November 19, 2003.

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

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

By unanimous consent the House returned to the order of  
**Second Reading of Bills**

**House Bill No. 4225, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 43520, 43523, 43525a, 43527, 43531, and 43553 (MCL 324.43520, 324.43523, 324.43525a, 324.43527, 324.43531, and 324.43553), section 43520 as added by 1995 PA 57, sections 43523, 43527, 43531, and 43553 as amended by 1996 PA 585, and section 43525a as added by 1998 PA 291.

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

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

Rep. Tabor 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.

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Rep. Adamini moved that Rep. Brown be excused temporarily from today's session.  
The motion prevailed.

Rep. Waters moved that Rep. Byrum be excused temporarily from today's session.  
The motion prevailed.

Rep. Hummel moved that Reps. Rick Johnson and Shulman 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. 4225, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 43520, 43523, 43525a, 43527, 43531, and 43553 (MCL 324.43520, 324.43523, 324.43525a, 324.43527, 324.43531, and 324.43553), section 43520 as added by 1995 PA 57, sections 43523, 43527, 43531, and 43553 as amended by 1996 PA 585, and section 43525a as added by 1998 PA 291.

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

**Roll Call No. 666**

**Yeas—69**

Acciavatti	Gillard	Meyer	Shackleton
Amos	Gleason	Middaugh	Shaffer
Anderson	Hager	Milosch	Sheen
Bisbee	Hart	Moolenaar	Spade
Bradstreet	Hoogendyk	Mortimer	Stahl
Brandenburg	Hopgood	Newell	Stakoe
Casperson	Howell	Nitz	Steil
Caswell	Huizenga	Nofs	Tabor
Caul	Hummel	Paletko	Taub
DeRoche	Hune	Palmer	Van Regenmorter
DeRossett	Johnson, Ruth	Palsrok	Vander Veen
Drolet	Julian	Pappageorge	Voorhees
Ehardt	Koetje	Pastor	Walker
Emmons	Kooiman	Pumford	Ward
Farhat	LaJoy	Richardville	Wenke
Farrah	LaSata	Robertson	Woodward
Gaffney	McConico	Rocca	Woronchak
Garfield			

**Nays—33**

Accavitti	Hardman	Minore	Sheltrown
Adamini	Hood	Murphy	Smith
Bieda	Hunter	O'Neil	Stallworth
Cheeks	Jamnick	Phillips	Tobocman
Clack	Kolb	Plakas	Vagnozzi
Condino	Law	Reeves	Waters
Dennis	Lipsey	Rivet	Wojno
Elkins	Meisner	Sak	Zelenko
Gielegghem			

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.

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Rep. Meisner, 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 strongly support the right of Michiganders to engage in the time-honored tradition of hunting. Hunting has a proud legacy in our state, as evidenced by the deer and elk which can be found in our state seal.

I cannot, however, support putting lethal weapons in the hands of children. This is not based on a lack of confidence in the parents’ ability to supervise, but instead, on the premise that this is poor public policy. In my view there are no unreasonable impediments in current law to the younger generation, and the generations that follow, taking part in hunting.”

Rep. Condino, 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 have voted no on final passage of this bill as it is clear to me that this is no more a parental consent issue than the statutory protection we give young persons who operate motor vehicles. In fact the news is filled with daily reports of adult hunters who misuse firearms while hunting. Protecting our most vulnerable seems worthy given the responsibility that firearm hunting creates. This is the same protection we currently provide to our youth who operate motor vehicles. For this reason I have voted no as to final passage.”

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

“Mr. Speaker and members of the House:

I voted no on HB 4225 because I believe it is not in the interests of the residents of my district to allow children who are only twelve years old, or just shy of twelve years old, to use firearms. I am also concerned with the vagueness of some of the bill’s provisions. In particular, it would allow a child to hunt with firearms not only when the child is with a parent or legal guardian, but with any ‘authorized’ adult. I am concerned that an adult who is not the child’s parent or legal guardian, and who could even just be another young person, may not provide sufficient guidance and protection in a situation involving the use of guns. For this reason and others, this bill does not contain sufficient safety precautions for either the children involved, or for members of the public who could become victims of stray or reckless gunfire.”

**Second Reading of Bills****House Bill No. 5216, entitled**

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

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

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

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

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

Rep. Howell moved to amend the bill as follows:

1. Amend page 7, line 9, after “city” by inserting “for the appointment of other municipal officers or employees”. The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Howell moved to amend the bill as follows:

1. Amend page 5, line 9, after “vehicles,” by striking out “and”.
2. Amend page 5, line 10, after “impoundment” by inserting a comma and “and municipal vehicle licensing”. The motion prevailed and the amendments were adopted, a majority of the members serving voting therefor.

Rep. Howell moved to amend the bill as follows:

1. Amend page 5, line 25, by striking out “(6) An” and inserting: “An”.

2. Amend page 6, following line 3, by inserting:

**“(6) If a city has a rental inspection program with which a landlord must register in order to rent premises for residential purposes and if a landlord of premises rented in the city for residential purposes is registered with the city’s rental inspection program, the city shall not issue a blight violation notice during an inspection of the premises unless either of the following occurs:**

**(a) The landlord is given a written correction notice of the violation and a reasonable opportunity to correct the circumstances before a reinspection of the premises or a date specified in the notice.**

**(b) The violation creates an emergency that presents an immediate risk of harm to people or damage to property including, but not limited to, a flooded basement or premises without heat.”**

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

Rep. Tobocman 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. 5216, entitled**

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

The bill was read a third time.

The question being on the passage of the bill,

Rep. Bradstreet moved that consideration of the bill be postponed temporarily.

The motion prevailed.

### **Second Reading of Bills**

#### **House Bill No. 5217, entitled**

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

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Judiciary (for amendment, see House Journal No. 85, p. 2077),

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

Rep. Howell moved to amend the bill as follows:

1. Amend page 1, line 4, after “a” by striking out “quality of life” and inserting “blight”.
2. Amend page 3, line 1, after “a” by striking out “quality of life” and inserting “blight”.

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

Rep. McConico 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. 5217, entitled**

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

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

**Roll Call No. 667**

**Yeas—96**

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

**Nays—10**

Brandenburg	Hoogendyk	Moolenaar	Stahl
Drolet	Hummel	Palmer	Walker
Ehardt	Milosch		

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. 5218, entitled**

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

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**

**House Bill No. 5218, entitled**

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

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

**Roll Call No. 668**

**Yeas—96**

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

**Nays—9**

Bisbee	Hoogendyk	Milosch	Palmer
Brandenburg	Hummel	Moolenaar	Stahl
Drolet			

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. 5219, entitled

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

The bill was read a second time.

Rep. Howell moved to amend the bill as follows:

1. Amend page 2, line 8, after the first “a” by striking out “**quality of life**” and inserting “**blight**”.

2. Amend page 2, line 10, after “**for**” by striking out “**quality of life**” and inserting “**blight**”.

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

Rep. Howell 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. 5219, entitled

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

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

#### Roll Call No. 669

#### Yeas—98

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

#### Nays—9

Bisbee	Caswell	Hoogendyk	Palmer
Brandenburg	Drolet	Milosch	Walker
Casperson			

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. 5220, entitled

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

The bill was read a second time.

Rep. Howell moved to amend the bill as follows:

1. Amend page 2, line 3, after "a" by striking out "quality of life" and inserting "blight".
2. Amend page 2, line 7, by striking out "quality of life" and inserting "blight".

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

Rep. Gaffney 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.

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Rep. Nitz moved that Rep. Garfield 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. 5220, entitled

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

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

#### Roll Call No. 670

#### Yeas—96

Accavitti	Gleason	Meyer	Shaffer
Acciavatti	Hager	Middaugh	Sheen
Adamini	Hardman	Minore	Sheltrown
Amos	Hart	Moolenaar	Shulman
Anderson	Hood	Mortimer	Smith
Bieda	Hopgood	Murphy	Spade
Bradstreet	Howell	Newell	Stakoe
Brown	Huizenga	Nitz	Stallworth
Byrum	Hummel	Nofs	Steil
Casperson	Hune	O'Neil	Stewart
Caul	Hunter	Paletko	Tabor
Cheeks	Jamnack	Palsrok	Taub
Clack	Johnson, Rick	Pappageorge	Tobocman
Condino	Johnson, Ruth	Pastor	Vagnozzi
Dennis	Julian	Phillips	Van Regenmorter
DeRoche	Koetje	Plakas	Vander Veen
DeRossett	Kolb	Pumford	Voorhees
Elkins	Kooiman	Reeves	Ward
Emmons	LaJoy	Richardville	Waters
Farhat	LaSata	Rivet	Wenke



Farrah  
Gaffney  
Gielegem  
Gillard

Law  
Lipsey  
McConico  
Meisner

Robertson  
Rocca  
Sak  
Shackleton

Wojno  
Woodward  
Woronchak  
Zelenko

### Nays—10

Bisbee  
Brandenburg  
Caswell

Drolet  
Ehardt  
Hoogendyk

Milosch  
Palmer

Stahl  
Walker

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Rep. Garfield, 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 No. 670. Had I been present, I would have voted ‘yea’.”

### Second Reading of Bills

#### House Bill No. 5224, entitled

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

The bill was read a second time.

Rep. Howell moved to amend the bill as follows:

1. Amend page 3, line 15, after “**for**” by striking out “**quality of life**” and inserting “**blight**”.

2. Amend page 3, line 18, after “**a**” by striking out “**quality of life**” and inserting “**blight**”.

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

Rep. Hood 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. 5224, entitled

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

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

The House returned to the consideration of  
**House Bill No. 5216, entitled**

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

(The bill was considered earlier today, see today's Journal p. 2209.)

The question being on the passage of the bill,

Rep. Bradstreet moved to amend the bill as follows:

1. Amend page 4, line 8, after "**city**" by inserting "**having a population of 7,500 or more**".

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,

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

**Roll Call No. 671**

**Yeas—91**

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

**Nays—16**

Acciavatti	DeRoche	Hoogendyk	Palmer
Bisbee	Drolet	Hummel	Rocca
Brandenburg	Ehardt	Hune	Stahl
Caswell	Garfield	Milosch	Walker

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  
**Motions and Resolutions**

Rep. Richardville moved that a respectful message be sent to the Senate requesting the return of **Senate Bill No. 805**. The motion prevailed.

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Rep. Richardville moved that House Committees be given leave to meet during the balance of today's session. The motion prevailed.

Reps. Wenke, Sheen, Milosch, Brandenburg, Garfield, Tabor, Drolet, Bradstreet, Acciavatti, Stahl, Huizenga, DeRossett, Ehardt, Farhat, Hummel, Jamnick, Julian, Kooiman, Richardville, Stewart, Taub, Vander Veen, Voorhees, Woronchak and Gleason offered the following resolution:

**House Resolution No. 177.**

A resolution to memorialize the Congress of the United States to adopt and submit to the states for ratification a proposed amendment to the Constitution of the United States to require a federal balanced budget.

Whereas, While the economic health of our nation is dependent on a wide range of complex factors, one of the key components is the state of the federal government's annual budget. Of the economic factors that can be controlled, the maintenance of a deficit or a surplus may be the most important; and

Whereas, There are many significant benefits to our country to be gained from a balanced budget and from a constitutional provision to require this at the federal level. Less of the nation's financial resources would have to be channeled to deal with the nation's debt. Ultimately, more of our tax dollars would be available for the many areas of public endeavor that reflect our national priorities, such as education, the security of our nation, health, and the creation of jobs. Fiscal discipline can be a powerful tool for strengthening our country in many ways; and

Whereas, Since there are parallels between the impact of unchecked debt on a government and on a family, the American people understand well the wisdom of policies that encourage governments to balance their budgets. The example of this requirement in local and state government argues strongly for similar requirements at the federal level; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to adopt and submit to the states for ratification a proposed amendment to the Constitution of the United States to require a federal balanced budget; and be it further

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

The resolution was referred to the Committee on Government Operations.

Reps. Waters, Reeves, Phillips, Jamnick, Accavitti, Hopgood, Murphy, Williams, McConico, Hunter, Cheeks, Tobocman, Condino, Smith, Byrum, Clack, Vagnozzi, Spade, Hood, Gielegem, Woodward, Zelenko, Hardman, Daniels, Anderson, Bieda, Dennis, DeRossett, Elkins, Gillard, Lipsey, Minore, Paletko, Richardville, Sak, Sheltroun, Stahl, Stallworth, Woronchak, Brown, Gleason, Kolb and Law offered the following resolution:

**House Resolution No. 178.**

A resolution calling for a study of insurance issues in Michigan.

Whereas, Insurance is a key element of the lives of individuals and businesses throughout our state and nation. Access to this service plays a big role in the success of virtually all ventures and the security of virtually all families. It is imperative that insurance services be available without discrimination, at fair rates, and under conditions that accurately represent the true financial considerations and risks that exist; and

Whereas, The setting of insurance rates has long generated controversy in our state and elsewhere. Michigan and its citizens have long suffered from and wrestled with redlining, the setting of rates that discriminate against certain regions and populations. Achieving the goal of eliminating discrimination has always been a challenge for policy makers, but it remains a critical issue and one that clearly falls upon the shoulders of state government. Insurance practices that are unfair and rates that are unaffordable are serious barriers to the development of our state, especially our urban areas; and

Whereas, In the areas where insurance coverage is mandated by government, it seems entirely consistent and reasonable to expect that government will also ensure that the insurance coverage available to people and businesses is available at rates that are just. If insurance rates for coverage that is required by government are not fair, the state is not carrying out its responsibilities fully; now, therefore, be it

Resolved by the House of Representatives, That we call for a study of insurance issues in Michigan, including the practices of insurance companies in Michigan and the appropriateness of a requirement that, in instances where the state mandates insurance coverage, the state should mandate fair rates for this coverage; and be it further

Resolved, That copies of this resolution be transmitted to the Office of Financial and Insurance Services and to the members of the House Insurance Committee.

The resolution was referred to the Committee on Insurance.

Reps. Hune, DeRoche, Ward, Stahl, Stakoe, Taub, Casperson, Walker, Hoogendyk, Sheen, Gaffney, Nofs, Amos, Vander Veen, Voorhees, LaJoy, Robertson, Shaffer, Clack, Brandenburg, Accavitti, Anderson, Bieda, Caul, Dennis, DeRossett, Ehardt, Elkins, Farhat, Garfield, Gielegem, Gillard, Huizenga, Jamnick, Julian, Kooiman, Lipsey, Paletko, Richardville, Sheltroun, Spade, Tobocman, Vagnozzi, Woronchak, Brown, Gleason and Hardman offered the following resolution:

**House Resolution No. 179.**

A resolution to memorialize the Congress of the United States to enact legislation to reduce the threshold of eligibility for Prisoner of War benefits to one day of imprisonment.

Whereas, Under current federal law, a former Prisoner of War is eligible for special benefits when the imprisonment extends for a period of at least 60 days. These benefits include a variety of health services, including some that require a threshold of eligibility of 90 days of internment; and

Whereas, Many people strongly feel that the length of time served as a POW necessary to receive special benefits is far too long. The sacrifice being made by members of our military who are incarcerated as prisoners and the conditions they face are such that the 60-day requirement is entirely inappropriate; and

Whereas, Much stronger protections should be extended to the men and women who risk everything in defense of their country and their fellow citizens. Creating a minimum threshold for POW benefits eligibility would send an important message to our military that our country is making a true commitment to these heroes commensurate with their suffering and sacrifices; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to enact legislation to reduce the threshold of eligibility for Prisoner of War benefits to one day of imprisonment; and be it further

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

The resolution was referred to the Committee on Veterans Affairs and Homeland Security.

Reps. Vagnozzi, Bieda, Jamnick, Kolb, Adamini, Gleason, Paletko, Sak, Murphy, Brown, Accavitti, O'Neil, Condino, Hood, Smith, Tobocman, Wojno, Hopgood, Woronchak, Elkins, Meisner, Byrum, Lipsey, Sheltroun, McConico, Gielegem, Hoogendyk, Reeves, Spade, Rocca, Farhat, Woodward, Hunter, Rivet, Anderson, Zelenko, Plakas, Emmons, Hardman, Daniels, Dennis, Ehardt, Garfield, Gillard, Minore, Richardville, Stallworth, Waters and Law offered the following resolution:

**House Resolution No. 180.**

A resolution to memorialize the Congress of the United States to provide a federal extension of unemployment benefits.

Whereas, Our nation, the state of Michigan in particular, has been hard hit by the country's recent recession. Although the economy has seen improvement, the "jobless recovery" has been characterized by an inordinately high level of unemployment. This situation has been especially difficult in our state's manufacturing and other professional sectors; and

Whereas, In recognition of the country's employment difficulties, the United States Congress has tapped into the Temporary Extended Unemployment Compensation (TEUC) program fund to provide federal 13-week extensions of unemployment benefits. These extensions have been invaluable in helping working men and women provide the necessities for their families while seeking work. It is only fitting that the monies collected from every worker's paycheck for the TEUC be returned in the form of benefits when, through no fault of their own, workers are faced with extended periods of unemployment; and

Whereas, At least 50,000 Michigan workers have exhausted their state employment security benefits. Without a federal extension, these people and their families face tremendous financial hardships. Moreover, winter's onset, spiraling energy costs, and a continuing slow job market spell disaster for far too many of Michigan's working families. The economic well-being and human dignity that a federal extension can help provide in these troubled economic times are critical; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to provide a federal extension of unemployment benefits; and be it further

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

The resolution was referred to the Committee on Employment Relations, Training and Safety.

Reps. Bieda, Adamini, Anderson, Dennis, Drolet, Elkins, Garfield, Gielegem, Gillard, Jamnick, Lipsey, McConico, Milosch, Minore, Paletko, Richardville, Robertson, Sak, Spade, Stallworth, Tobocman, Vagnozzi, Vander Veen, Waters, Woronchak, Brown, Condino and Gleason offered the following resolution:

**House Resolution No. 181.**

A resolution recognizing the 70<sup>th</sup> anniversary of the Great Famine-Genocide in the Ukraine.

Whereas, As Michigan Ukrainians observe remembrances of the millions of victims of the man-made famine that occurred in the Ukraine from 1932 through 1933 and the triumphs they have since shared, we are pleased to add our voice of thanks for the many ways in which this nationality of people has touched and enriched not only its loyal community, but also the state of Michigan. Since the days when circuit-riding clerics rode through the forests to lead services, Michigan's people have come together to share their deepest emotions through communities like the Ukrainians of Michigan. The history of the Ukrainian Congress Committee of America, Inc. Southeast Michigan Chapter is a wonderful example of how much their faith and unselfishness mean to our entire state; and

Whereas, From 1932 through 1933 at least 5 million men, women, and children in the Ukraine and an estimated 1-2 million people in other regions died as a direct result of this man-made famine. The famine took place in the most productive agricultural area of the former Soviet Union, while food stock throughout the country remained sufficient to prevent the famine and the Soviet regime continued to export large quantities of grain. At the same time, the Soviet regime was deliberately seizing grain, blocking food shipments, and restricting the movement of peasants out of the affected areas. The purpose of the Soviet regime's actions were to eliminate resistance to the forced collectivization of agriculture and the destruction of the Ukraine's national identity; and

Whereas, On December 13, 1985, the United States Government's Commission on the Ukraine Famine concluded that the victims were starved to death in a man-made famine and that Joseph Stalin and those around him committed genocide against Ukrainians from 1932 through 1933. Although the Ukraine famine was one of the greatest losses of human life in the 20<sup>th</sup> century, it remains virtually unknown in the United States and the world. The official recognition of the famine by the government of Ukraine and the Verkhovna Rada represents a significant step in the reestablishment of Ukraine's national identity, the elimination of the legacy of the Soviet dictatorship, and the advancement of efforts to establish a democratic and free Ukraine that is fully integrated into the western community of nations; now, therefore, be it

Resolved by the House of Representatives, That members of this legislative body join with the friends and families of Michigan's Ukrainian descendants in commemorating its 70<sup>th</sup> anniversary of the Great Famine-Genocide in the Ukraine.

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

**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.)

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. Nofs, Richardville, Pappageorge, Woronchak, Casperson, Woodward, Sheltrown, Spade and Elkins

Nays: None

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

**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.)

With the recommendation that the concurrent resolution be adopted.

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

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Nofs, Richardville, Pappageorge, Woronchak, 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 2, 2003, at 9:00 a.m.

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

Absent: Reps. Garfield and Ruth Johnson

Excused: Reps. Garfield and Ruth Johnson

The Committee on Family and Children Services, by Rep. Hager, Chair, reported

**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.

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. Hager, Stahl, Hart, Vander Veen, Sheen, Hardman, Clack and Elkins

Nays: None

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Hager, Chair of the Committee on Family and Children Services, was received and read:

Meeting held on: Tuesday, December 2, 2003, at 11:30 a.m.

Present: Reps. Hager, Stahl, Hart, Vander Veen, Sheen, Hardman, Clack and Elkins

Absent: Rep. Voorhees

Excused: Rep. Voorhees

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

**House Bill No. 4308, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 328 and 907 (MCL 257.328 and 257.907), section 328 as amended by 1995 PA 287 and section 907 as amended by 2002 PA 534.

With the recommendation that the substitute (H-5) be adopted and that the bill then pass.

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

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Howell, Van Regenmorter, Bradstreet, Voorhees, Garfield, Lipsey, Bieda and Condino

Nays: Rep. Smith

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

**Senate Bill No. 437, entitled**

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 18 of chapter XIIA (MCL 712A.18), as amended by 2000 PA 55, and by adding section 18m to chapter XIIA.

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, LaSata, Van Regenmorter, Voorhees, Garfield, Lipsey, Bieda, Condino and Smith  
Nays: None

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, December 2, 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

The Committee on Regulatory Reform, by Rep. Julian, Acting Chair, reported

**House Bill No. 4808, entitled**

A bill to regulate watercraft manufacturers, distributors, wholesalers, dealers, and their representatives; to regulate their dealings with dealers and consumers; to prohibit unfair practices; to provide remedies and penalties; and to repeal acts and parts of acts.

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

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

## Favorable Roll Call

## To Report Out:

Yeas: Reps. Rocca, Gaffney, Julian, Wojno, Hopgood and Gielegem  
Nays: None

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, December 2, 2003, at 9:00 a.m.

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

Absent: Rep. Bisbee

Excused: Rep. Bisbee

The Committee on Health Policy, by Rep. Ehardt, Chair, reported

**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).

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. Ehardt, Vander Veen, Ruth Johnson, Rocca, Hart, Woronchak, Van Regenmorter, Robertson, Gaffney, Ward, Adamini, Wojno, Hardman, O'Neil, Gillard and Clack

Nays: None

The Committee on Health Policy, by Rep. Ehardt, Chair, reported

**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).

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. Ehardt, Vander Veen, Ruth Johnson, Rocca, Hart, Woronchak, Van Regenmorter, Robertson, Gaffney, Hune, Ward, Adamini, Wojno, Hardman, O'Neil, Gillard and Clack

Nays: None

The Committee on Health Policy, by Rep. Ehardt, Chair, reported

**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.

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. Ehardt, Vander Veen, Rocca, Hart, Woronchak, Van Regenmorter, Robertson, Gaffney, Hune, Ward, Adamini, Wojno, Hardman, O'Neil, Gillard and Clack

Nays: None

The Committee on Health Policy, by Rep. Ehardt, Chair, reported

**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.

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. Ehardt, Vander Veen, Rocca, Hart, Woronchak, Van Regenmorter, Robertson, Gaffney, Hune, Ward, Adamini, Wojno, Hardman, O'Neil, Gillard and Clack

Nays: None

The Committee on Health Policy, by Rep. Ehardt, Chair, reported

**Senate Bill No. 667, entitled**

A bill to amend 1974 PA 258, entitled "Mental health code," by amending section 222 (MCL 330.1222), as amended by 2002 PA 596.

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. Ehardt, Vander Veen, Ruth Johnson, Rocca, Hart, Woronchak, Van Regenmorter, Robertson, Gaffney, Ward, Adamini, Wojno, Hardman, O'Neil, Gillard and Clack

Nays: None

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Ehardt, Chair of the Committee on Health Policy, was received and read:

Meeting held on: Tuesday, December 2, 2003, at 10:30 a.m.

Present: Reps. Ehardt, Vander Veen, Ruth Johnson, Rocca, Hart, Woronchak, Van Regenmorter, Robertson, Gaffney, Hune, Ward, Adamini, Wojno, Hardman, O'Neil, Gillard and Clack



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

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, Hager, Stakoe, Jammick and Hardman

Nays: None

The Committee on Local Government and Urban Policy, by Rep. Ward, Chair, reported  
**Senate Bill No. 476, entitled**

A bill to amend 1989 PA 24, entitled "The district library establishment act," by amending section 25 (MCL 397.195), as amended by 2002 PA 540; and to repeal acts and parts of acts.

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

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

#### Favorable Roll Call

To Report Out:

Yeas: Reps. Ward, Robertson, Hager, Stakoe, Jammick and Hardman

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 2, 2003, at 9:00 a.m.

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

Absent: Rep. DeRossett

Excused: Rep. DeRossett

### 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 2, 2003, at 10:30 a.m.

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

Absent: Rep. Rivet

Excused: Rep. Rivet

### Messages from the Senate

#### **House Bill No. 4284, entitled**

A bill to provide for joint land use planning and the joint exercise of certain zoning powers and duties by local units of government; and to provide for the establishment, powers, and duties of joint planning commissions.

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

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

**House Bill No. 4666, entitled**

A bill to amend 1921 PA 207, entitled "City and village zoning act," by amending section 4b (MCL 125.584b).

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

The House agreed to the full title.

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

**House Bill No. 4667, entitled**

A bill to amend 1943 PA 184, entitled "Township zoning act," by amending section 16c (MCL 125.286c).

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

The House agreed to the full title.

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

**House Bill No. 4668, entitled**

A bill to amend 1943 PA 183, entitled "County zoning act," by amending section 16c (MCL 125.216c).

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

The House agreed to the full title.

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

**House Bill No. 5027, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 82101, 82106, 82107, and 82109 (MCL 324.82101, 324.82106, 324.82107, and 324.82109), section 82101 as amended by 2003 PA 43, section 82106 as amended by 1998 PA 297, and sections 82107 and 82109 as added by 1995 PA 58.

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.

**Senate Bill No. 307, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1294.

The Senate has passed the bill.

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

**Senate Bill No. 785, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 217d, 801, 811d, 811e, 811f, 811g, 811h, 811i, 811j, 811k, 811l, and 811n (MCL 257.217d, 257.801, 257.811d, 257.811e, 257.811f, 257.811g, 257.811h, 257.811i, 257.811j, 257.811k, 257.811l, and 257.811n), sections 217d, 801, and 811h as amended by 2003 PA 152, sections 811d, 811f, and 811g as added by 2000 PA 77, section 811e as amended by 2001 PA 124, section 811i as added by 2000 PA 74, section 811j as added by 2000 PA 71, section 811k as added by 2000 PA 73, section 811l as added by 2000 PA 70, and section 811n as added by 2000 PA 79, and by adding sections 811m, 811o, and 811p; and to repeal acts and parts of acts.

The Senate has passed the bill.

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

**Senate Bill No. 808, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1140.

The Senate has passed the bill.

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

**Senate Bill No. 809, entitled**

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

The Senate has passed the bill.

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

**Senate Bill No. 814, entitled**

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 38e (MCL 208.38e), as amended by 1999 PA 184.

The Senate has passed the bill.

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

**Senate Bill No. 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.

The Senate has passed the bill.

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

**Senate Bill No. 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.

The Senate has passed the bill.

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

**Senate Bill No. 840, entitled**

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 Senate has passed the bill.

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

**Senate Bill No. 841, entitled**

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 Senate has passed the bill.

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

### Notices

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Appropriations from further consideration of **House Bill No. 4367**.

Rep. Richardville

### Introduction of Bills

Rep. Wenke introduced

**House Bill No. 5323, entitled**

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 36 (MCL 208.36), as amended by 1995 PA 284.

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

Reps. Casperson, Adamini, Brown, LaJoy, Meyer, Julian, Amos, Walker, Mortimer, Pastor, Huizenga, Emmons, Garfield, Brandenburg and Stahl introduced

**House Bill No. 5324, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 63101 (MCL 324.63101), as amended by 1997 PA 149.

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

Reps. Casperson, Adamini, Brown, LaJoy, Meyer, Julian, Amos, Pappageorge, Walker, Mortimer, Pastor, Caswell, Caul, Newell, Huizenga, Emmons, Garfield, Brandenburg and Stahl introduced

**House Bill No. 5325, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 722 (MCL 257.722), as amended by 2002 PA 41.

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

Rep. Hunter introduced

**House Bill No. 5326, entitled**

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

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

Rep. Ward introduced

**House Bill No. 5327, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 306 (MCL 257.306), as amended by 2002 PA 534.

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

Rep. Gaffney introduced

**House Bill No. 5328, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 17753.

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

Rep. Hardman introduced

**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 first time by its title and referred to the Committee on Health Policy.

Reps. Palmer, Wenke, Drolet, Palsrok, Koetje, Huizenga and Howell introduced

**House Bill No. 5330, entitled**

A bill to amend 1984 PA 385, entitled "Technology park development act," by amending section 12 (MCL 207.712), as amended by 1996 PA 445.

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

Reps. Wenke, Huizenga, Howell, Koetje, Palsrok, Palmer and Drolet introduced

**House Bill No. 5331, entitled**

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding section 31a.

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

Rep. Spade moved that the House adjourn.  
The motion prevailed, the time being 4:20 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, December 3, at 1:00 p.m.

GARY L. RANDALL  
Clerk of the House of Representatives

