

No. 20
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House Chamber, Lansing, Wednesday, March 10, 2004.

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	Meisner—present	Sheen—present
Acciavatti—present	Gieleghem—present	Meyer—present	Sheltrown—present
Adamini—present	Gillard—present	Middaugh—present	Shulman—present
Amos—present	Gleason—present	Milosch—present	Smith—present
Anderson—present	Hager—present	Minore—excused	Spade—present
Bieda—present	Hardman—excused	Moolenaar—present	Stahl—present
Bisbee—present	Hart—present	Mortimer—present	Stakoe—present
Bradstreet—present	Hood—present	Murphy—present	Stallworth—present
Brandenburg—excused	Hoogendyk—present	Newell—present	Steil—present
Brown—present	Hopgood—present	Nitz—present	Stewart—present
Byrum—present	Howell—present	Nofs—present	Tabor—present
Casperson—present	Huizenga—present	O’Neil—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—excused	Jamnack—present	Pastor—present	Vander Veen—present
Condino—present	Johnson, Rick—excused	Phillips—excused	Voorhees—present
Daniels—present	Johnson, Ruth—present	Plakas—present	Walker—present
Dennis—present	Julian—present	Pumford—present	Ward—present
DeRoche—present	Koetje—present	Reeves—excused	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

e/d/s = entered during session

Rep. Tom Casperson, from the 108th District, offered the following invocation:

“Heavenly Father, we come to You today and we thank You for the beautiful day You have given us. We thank You for the many blessings You have given us. Lord, we humbly come and ask for Your forgiveness where we fall short. We just ask that You forgive us. I ask for Your guidance and Your wisdom in this house and the people that work in it. I ask that You would be ever mindful of the things that we are doing, and that You would give us Your wisdom and Your guidance every day. Lord, help us be mindful of what You would have us do. I ask that You be with us today, Lord. Help us in the decisions we make that they would be pleasing in Your sight. We ask these things in Jesus’ precious name. Amen.”

Rep. Palmer moved that Reps. Brandenburg and Rick Johnson be excused from today’s session.
The motion prevailed.

Rep. Waters moved that Rep. Hardman be excused from this week’s session.
The motion prevailed.

Rep. Waters moved that Reps. Minore and Phillips be excused from today’s session.
The motion prevailed.

Second Reading of Bills

House Bill No. 5337, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 504, 517, 518, 542, 549g, 803, 810a, 8117, 8142, 8162, and 8163 (MCL 600.504, 600.517, 600.518, 600.542, 600.549g, 600.803, 600.810a, 600.8117, 600.8142, 600.8162, and 600.8163), sections 504, 517, 803, and 810a as amended by 2002 PA 715, section 518 as amended by 2001 PA 256, section 542 as amended by 1984 PA 95, section 549g as added by 1981 PA 182, and section 8117 as amended by 1997 PA 161.

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 not adopted, a majority of the members serving not voting therefor.

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

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

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

The motion prevailed.

Rep. Huizenga 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. 5337, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 504, 517, 518, 542, 549g, 803, 810a, 8117, 8142, 8162, and 8163 (MCL 600.504, 600.517, 600.518, 600.542, 600.549g, 600.803, 600.810a, 600.8117, 600.8142, 600.8162, and 600.8163), sections 504, 517, 803, and 810a as amended by 2002 PA 715, section 518 as amended by 2001 PA 256, section 542 as amended by 1984 PA 95, section 549g as added by 1981 PA 182, and section 8117 as amended by 1997 PA 161.

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

Roll Call No. 96

Yeas—55

Accavitti	Gaffney	Lipsey	Spade
Acciavatti	Gielegem	McConico	Stallworth
Adamini	Gleason	Murphy	Stewart
Anderson	Hager	Newell	Tobocman
Bieda	Hood	O’Neil	Vagnozzi
Brown	Hopgood	Pastor	Voorhees

Byrum	Howell	Plakas	Waters
Cheeks	Hunter	Richardville	Wenke
Condino	Jamnack	Rivet	Whitmer
Daniels	Julian	Rocca	Williams
Dennis	Kolb	Sak	Wojno
Elkins	Kooiman	Shackleton	Woronchak
Farhat	LaJoy	Sheltrown	Zelenko
Farrah	Law	Smith	

Nays—46

Amos	Gillard	Moolenaar	Shulman
Bisbee	Hart	Mortimer	Stahl
Bradstreet	Hoogendyk	Nitz	Stakoe
Casperson	Huizenga	Nofs	Steil
Caswell	Hummel	Palmer	Tabor
Caul	Hune	Palsrok	Taub
DeRoche	Johnson, Ruth	Pappageorge	Van Regenmorter
DeRossett	LaSata	Pumford	Vander Veen
Drolet	Meisner	Robertson	Walker
Ehardt	Meyer	Shaffer	Ward
Emmons	Middaugh	Sheen	Woodward
Garfield	Milosch		

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 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 504, 517, 518, 549g, 803, and 8142 (MCL 600.504, 600.517, 600.518, 600.549g, 600.803, and 600.8142), sections 504, 517, and 803 as amended by 2002 PA 715, section 518 as amended by 2001 PA 256, and section 549g as added by 1981 PA 182.

The motion prevailed.

The House agreed to the title as amended.

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

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

Rep. Hoogendyk, 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:

We need to take every opportunity to cut the size of government. A very detailed report was submitted by the State Court Administrator's office recommending the reduction of one judge in Kalamazoo and one judge in Saginaw. Oddly, those two elements did not make it into the bill. I am convinced we could have done without that extra judge in Kalamazoo county. It is a missed opportunity for the county and the state to save precious resources."

Second Reading of Bills

House Bill No. 5281, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 410a.

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

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

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

The motion prevailed.

Rep. Huizenga 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. 5281, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 410a. Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 97

Yeas—96

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

Nays—5

Anderson	Hopgood	McConico	Waters
Daniels			

In The Chair: Julian

The House agreed to the title of the bill.

Rep. Huizenga 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. 4937, entitled

A bill to amend 1965 PA 290, entitled "Boiler act of 1965," by amending section 7a (MCL 408.757a), as amended by 1982 PA 176.

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

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

Rep. Caswell moved that the bill be placed on the order of Third Reading of Bills.
 The motion prevailed.
 Rep. Huizenga moved that the bill be placed on its immediate passage.
 The motion prevailed, a majority of the members serving voting therefor.

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. 4937, entitled

A bill to amend 1965 PA 290, entitled “Boiler act of 1965,” by amending section 7a (MCL 408.757a), as amended by 1982 PA 176.

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

Roll Call No. 98

Yeas—101

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

Nays—0

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 1965 PA 290, entitled "Boiler act of 1965," by amending sections 2, 3, and 7a (MCL 408.752, 408.753, and 408.757a), sections 2 and 3 as amended by 1986 PA 277 and section 7a as amended by 1982 PA 176.

The motion prevailed.

The House agreed to the title as amended.

Rep. Huizenga 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. 5394, entitled

A bill to restrict the use and disclosure of certain statements made by law enforcement officers.

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 not adopted, a majority of the members serving not voting therefor.

Reps. Howell and Lipsey 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.

Reps. Howell and Lipsey moved to amend the bill as follows:

1. Amend page 3, line 9, after "a" by striking out "civil" and inserting "criminal".

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

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

The motion prevailed.

Rep. Huizenga 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. 5394, entitled

A bill to restrict the use and disclosure of certain statements made by law enforcement officers.

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

Roll Call No. 99

Yeas—72

Adamini	Gillard	Meisner	Shaffer
Anderson	Gleason	Meyer	Sheltrown
Bieda	Hager	Middaugh	Shulman
Bisbee	Hart	Mortimer	Smith
Bradstreet	Hood	Newell	Stahl
Brown	Hopgood	Nitz	Stakoe
Byrum	Howell	Nofs	Stallworth
Caswell	Huizenga	O'Neil	Stewart
Caul	Hummel	Palmer	Tabor
Cheeks	Hunter	Palsrok	Taub
Daniels	Johnson, Ruth	Pappageorge	Vagnozzi
DeRossett	Julian	Pastor	Van Regenmorter
Ehardt	Koetje	Plakas	Vander Veen
Elkins	Kooiman	Pumford	Voorhees
Emmons	LaSata	Richardville	Waters
Farrah	Law	Rivet	Wenke
Gaffney	Lipsey	Rocca	Wojno
Gielegem	McConico	Shackleton	Woodward

Nays—29

Accavitti	Farhat	Moolenaar	Tobocman
Acciavatti	Hoogendyk	Murphy	Walker
Amos	Hune	Robertson	Ward
Casperson	Jamnick	Sak	Whitmer
Condino	Kolb	Sheen	Williams
Dennis	LaJoy	Spade	Woronchak
DeRoche	Milosch	Steil	Zelenko
Drolet			

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Reps. Whitmer and Zelenko, having reserved the right to explain their protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I voted no on House Bill 5394 because it goes too far. While the objective of protecting police officers from being deprived of their Fifth Amendment right against self-incrimination is certainly an important one, the bill would completely remove these statements from public scrutiny.

Police officers, being human, are prone to the same failings as everyone else – these failings are particularly problematic for police personnel because of the level of power and authority that the citizens have given to them. The risks that that power could be abused make it imperative that be held to certain standards of public accountability. That is why I cannot support the bill’s nearly complete barrier against access to and the use of these statements.

Furthermore, not only will the bill make it more difficult to expose wrongdoing to the public that pays the police officers’ salaries, the fact that it blocks the use of information in civil cases makes the very difficult prospect of bringing a lawsuit against a police officer even more challenging. Governmental immunity already provides a great deal of protection against civil law suits, this bill enhances that immunity by limiting access to what could amount to an admission of wrongdoing. There is good reason to bar compelled testimony in criminal cases (in fact that is why it is already prohibited), however, it is another matter entirely to block access in civil cases.”

Rep. Murphy, 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:

Protecting police officers from being deprived of their Fifth Amendment right against self-incrimination is certainly an important one, the bill would completely remove these statements from public scrutiny.

Police officers, being human, are prone to the same failings as everyone else - these failings are particularly problematic for police personnel because of the level of power and authority that the citizens have given to them. The risks that that power could be abused make it imperative that be held to certain standards of public accountability. That is why I cannot support the bill’s nearly complete barrier against access to and the use of these statements.

Furthermore, not only will the bill make it more difficult to expose wrongdoing to the public that pays the police officers’ salaries, the fact that it blocks the use of information in civil cases makes the very difficult prospect of bringing a lawsuit against a police officer even more challenging. Governmental immunity already provides a great deal of protection against civil law suits, this bill enhances that immunity by limiting access to what could amount to an admission of wrongdoing. There is good reason to bar compelled testimony in criminal cases (in fact that is why it is already prohibited), however, it is another matter entirely to block access in civil cases.”

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

“Mr. Speaker and members of the House:

I voted no on House Bill 5394 because it goes too far. While the objective of protecting police officers from being deprived of their Fifth Amendment right against self-incrimination is certainly an important one, the bill would completely remove these statements from public scrutiny.

Police officers, being human, are prone to the same failings as everyone else - these failings are particularly problematic for police personnel because of the level of power and authority that the citizens have given to them. The risks that that power could be abused make it imperative that be held to certain standards of public accountability. That is why I cannot support the bill's nearly complete barrier against access to and the use of these statements.

Furthermore, not only will the bill make it more difficult to expose wrongdoing to the public that pays the police officers' salaries, the fact that it blocks the use of information in civil cases makes the very difficult prospect of bringing a lawsuit against a police officer even more challenging. There is good reason to bar compelled testimony in criminal cases (in fact that is why it is already prohibited), however, it is another matter entirely to block access in civil cases. Governmental immunity already provides a great deal of protection against civil law suits, this bill enhances that immunity by limiting access to what could amount to an admission of wrongdoing.”

Second Reading of Bills

House Bill No. 5483, entitled

A bill to amend 2000 PA 146, entitled “Obsolete property rehabilitation act,” by amending section 2 (MCL 125.2782).

The bill was read a second time.

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

The motion prevailed.

Rep. Huizenga 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. 5483, entitled

A bill to amend 2000 PA 146, entitled “Obsolete property rehabilitation act,” by amending section 2 (MCL 125.2782).

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

Roll Call No. 100

Yeas—100

Accavitti	Gaffney	Meisner	Sheltrown
Acciavatti	Gielegghem	Meyer	Shulman
Adamini	Gillard	Middaugh	Smith
Amos	Gleason	Milosch	Spade
Anderson	Hager	Moolenaar	Stahl
Bieda	Hart	Mortimer	Stakoe
Bisbee	Hood	Murphy	Steil
Bradstreet	Hoogendyk	Newell	Stewart
Brown	Hopgood	Nitz	Tabor
Byrum	Howell	Nofs	Taub
Casperson	Huizenga	O'Neil	Tobocman
Caswell	Hummel	Palmer	Vagnozzi
Caul	Hune	Palsrok	Van Regenmorter
Cheeks	Hunter	Pappageorge	Vander Veen
Condino	Jamnick	Pastor	Voorhees
Daniels	Johnson, Ruth	Plakas	Walker

Dennis	Julian	Pumford	Ward
DeRoche	Koetje	Richardville	Waters
DeRossett	Kolb	Rivet	Wenke
Drolet	Kooiman	Robertson	Whitmer
Ehardt	LaJoy	Rocca	Williams
Elkins	LaSata	Sak	Wojno
Emmons	Law	Shackleton	Woodward
Farhat	Lipsey	Shaffer	Woronchak
Farrah	McConico	Sheen	Zelenko

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.
Rep. Huizenga 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. 5484, entitled**

A bill to amend 1992 PA 147, entitled "Neighborhood enterprise zone act," by amending sections 5 and 12 (MCL 207.775 and 207.782), section 12 as amended by 2001 PA 217.

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

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

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

The motion prevailed.

Rep. Huizenga 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. 5484, entitled**

A bill to amend 1992 PA 147, entitled "Neighborhood enterprise zone act," by amending sections 5 and 12 (MCL 207.775 and 207.782), section 12 as amended by 2001 PA 217.

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

Roll Call No. 101**Yeas—100**

Accavitti	Gielegem	Meyer	Shulman
Acciavatti	Gillard	Middaugh	Smith
Adamini	Gleason	Milosch	Spade
Amos	Hager	Moolenaar	Stahl
Anderson	Hart	Mortimer	Stakoe
Bieda	Hood	Murphy	Stallworth
Bisbee	Hoogendyk	Newell	Steil
Bradstreet	Hopgood	Nitz	Stewart
Brown	Howell	Nofs	Tabor
Byrum	Huizenga	O'Neil	Taub

Casperson	Hummel	Palmer	Tobocman
Caswell	Hune	Palsrok	Vagnozzi
Caul	Hunter	Pappageorge	Van Regenmorter
Cheeks	Jamnack	Pastor	Vander Veen
Condino	Johnson, Ruth	Plakas	Voorhees
Daniels	Julian	Pumford	Walker
Dennis	Koetje	Richardville	Ward
DeRoche	Kolb	Rivet	Waters
DeRossett	Kooiman	Robertson	Wenke
Ehardt	LaJoy	Rocca	Whitmer
Elkins	LaSata	Sak	Williams
Emmons	Law	Shackleton	Wojno
Farhat	Lipsey	Shaffer	Woodward
Farrah	McConico	Sheen	Woronchak
Gaffney	Meisner	Sheltrown	Zelenko

Nays—1

Drolet

In The Chair: Julian

The House agreed to the title of the bill.

Rep. Huizenga 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. 5552, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 50501, 50502, 50504, 50506, 50507, and 50508 (MCL 324.50501, 324.50502, 324.50504, 324.50506, 324.50507, and 324.50508), as added by 1995 PA 57.

The bill was read a second time.

Rep. Brown moved to amend the bill as follows:

1. Amend page 3, line 20, after the first "the" by inserting "director,".
2. Amend page 3, line 21, by striking out "**the attorney general, the state forester,**".
3. Amend page 3, line 21, after "and" by striking out "4" and inserting "5".
4. Amend page 4, following line 4, by inserting:

"(e) One individual shall be from a statewide, broad-based, sportsman and conservation organization."
5. Amend page 4, line 5, after "The" by striking out "4" and inserting "5".
6. Amend page 4, line 6, after "**to**" by striking out "**(d)**" and inserting "**(e)**".
7. Amend page 4, line 7, after "initial" by striking out "4" and inserting "5".
8. Amend page 4, line 8, after the first "years," by striking out "1" and inserting "2".

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

Rep. Brown moved to amend the bill as follows:

1. Amend page 3, line 13, by striking out all of subdivision (f) and inserting:

"(f) "State forester" means an employee of the department who has a 4-year degree in forest management from an accredited college or university and experience in forest management and who is designated as the state forester by the director."

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

Rep. Brown moved to amend the bill as follows:

1. Amend page 9, line 18, by striking out all of subdivision (e) and relettering the remaining subdivision. The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Rivet moved to amend the bill as follows:

1. Amend page 9, line 15, by striking out all of subdivision (c) and relettering the remaining subdivisions. The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Meyer moved to amend the bill as follows:

1. Amend page 9, line 15, after “payments” by striking out “in lieu of taxes” and inserting “made under subparts 13 and 14 of part 21”.

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

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

The motion prevailed.

Rep. Huizenga 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. 5552, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 50501, 50502, 50504, 50506, 50507, and 50508 (MCL 324.50501, 324.50502, 324.50504, 324.50506, 324.50507, and 324.50508), as added by 1995 PA 57.

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

Roll Call No. 102

Yeas—57

Acciavatti	Hager	Moolenaar	Sheen
Adamini	Hoogendyk	Mortimer	Sheltrown
Amos	Howell	Newell	Stakoe
Bisbee	Huizenga	Nitz	Steil
Bradstreet	Hummel	Nofs	Tabor
Brown	Hune	Palmer	Taub
Casperson	Johnson, Ruth	Palsrok	Van Regenmorter
Caswell	Julian	Pappageorge	Vander Veen
Caul	Koetje	Pastor	Voorhees
DeRossett	Kooiman	Richardville	Walker
Drolet	LaJoy	Robertson	Ward
Ehardt	Meyer	Sak	Wenke
Elkins	Middaugh	Shackleton	Woronchak
Emmons	Milosch	Shaffer	Zelenko
Gillard			

Nays—36

Accavitti	Gielegem	Law	Spade
Anderson	Gleason	Lipsey	Stewart
Bieda	Hart	McConico	Tobocman
Byrum	Hood	Meisner	Vagnozzi
Cheeks	Hopgood	O’Neil	Waters

Condino	Hunter	Plakas	Whitmer
Daniels	Jamnick	Pumford	Williams
Dennis	Kolb	Rivet	Wojno
Farrah	LaSata	Smith	Woodward

In The Chair: Julian

The House agreed to the title of the bill.
 Rep. Huizenga moved that the bill be given immediate effect.
 The motion prevailed, 2/3 of the members serving voting therefor.

Rep. Law, 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 House Bill 5552 because there is no reason to change the composition of the Forest Finance Authority Board to one that is dominated by loggers, sawmills and the forest products industry. The obvious intent is to have the industry dictate what public policy ought to be on publicly owned land. At a minimum other interests should be represented on the board. Environmental and conservation groups, camping, hunting and recreational organizations also have a stake in the state’s forests, parks and recreational areas and should be represented as well.

The Forest Development Fund currently has a structural deficit. This would only bankrupt the fund sooner. Furthermore the Forest Development Fund is supposed to be used to pay for improvements to the state forests; for forest protection, reforestation and in general to protect this vast public asset. This bill would divert money from the fund to forest management on private land.”

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

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

The question being on the passage of the bill,

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

Roll Call No. 103

Yeas—65

Acciavatti	Gillard	Moolenaar	Sheltrown
Adamini	Hager	Mortimer	Shulman
Amos	Hart	Newell	Stahl
Bisbee	Hoogendyk	Nitz	Stakoe
Bradstreet	Howell	Nofs	Steil
Brown	Huizenga	Palmer	Stewart
Casperson	Hummel	Palsrok	Tabor
Caswell	Hune	Pappageorge	Taub
Caul	Johnson, Ruth	Pastor	Van Regenmorter
DeRoche	Julian	Richardville	Vander Veen
DeRossett	Koetje	Robertson	Voorhees
Drolet	Kooiman	Rocca	Walker
Ehardt	LaJoy	Sak	Ward
Elkins	Meyer	Shackleton	Wenke
Emmons	Middaugh	Shaffer	Woronchak
Farhat	Milosch	Sheen	Zelenko
Gaffney			

Nays—36

Accavitti	Gielegem	Lipsey	Spade
Anderson	Gleason	McConico	Stallworth
Bieda	Hood	Meisner	Tobocman
Byrum	Hopgood	Murphy	Vagnozzi
Cheeks	Hunter	O'Neil	Waters
Condino	Jamnick	Plakas	Whitmer
Daniels	Kolb	Pumford	Williams
Dennis	LaSata	Rivet	Wojno
Farrah	Law	Smith	Woodward

In The Chair: Julian

Second Reading of Bills**House Bill No. 5553, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 52511.

The bill was read a second time.

Rep. Brown moved to amend the bill as follows:

1. Amend page 1, line 1, after "**31**," by striking out "**2004**," and inserting "**2006**,".

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

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

The motion prevailed.

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

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

Rep. Nitz moved that Rep. Ward be excused temporarily from today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills**House Bill No. 5553, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 52511.

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

Roll Call No. 104**Yeas—63**

Acciavatti	Gaffney	Milosch	Sheltrown
Adamini	Gillard	Moolenaar	Shulman

Amos	Gleason	Mortimer	Stahl
Bisbee	Hager	Newell	Stakoe
Bradstreet	Hoogendyk	Nitz	Steil
Brown	Howell	Nofs	Stewart
Casperson	Huizenga	Palmer	Tabor
Caswell	Hummel	Palsrok	Taub
Caul	Hune	Pappageorge	Van Regenmorter
DeRoche	Johnson, Ruth	Pastor	Vander Veen
DeRossett	Julian	Richardville	Voorhees
Drolet	Koetje	Robertson	Walker
Ehardt	Kooiman	Rocca	Wenke
Elkins	LaJoy	Shackleton	Woronchak
Emmons	Meyer	Shaffer	Zelenko
Farhat	Middaugh	Sheen	

Nays—37

Accavitti	Hart	McConico	Spade
Anderson	Hood	Meisner	Stallworth
Bieda	Hopgood	Murphy	Tobocman
Byrum	Hunter	O'Neil	Vagnozzi
Cheeks	Jamnick	Plakas	Waters
Condino	Kolb	Pumford	Whitmer
Daniels	LaSata	Rivet	Williams
Dennis	Law	Sak	Wojno
Farrah	Lipsey	Smith	Woodward
Gielegem			

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Rep. Law, 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 5553 because:

This is just the first step in privatizing the state's public forests, recreation areas and parks by loggers lumberjacks, sawmills and other profit motivated interests. There is an obvious inherent conflict of interest in allowing a private contractor to be in charge of both the marking and cutting of trees. They have no investment to protect and may be driven by profit motive rather than the protection of a public resource.

There is no reason to put loggers and sawmills in charge of this vast public resource. There are a large number of other uses for the state forest that need to be taken into account, not just timber production and harvest.”

Second Reading of Bills

House Bill No. 5554, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending the heading to part 525 and section 52501 (MCL 324.52501), as added by 1995 PA 57, and by adding sections 52502, 52503, 52504, 52505, 52506, and 52507.

The bill was read a second time.

Rep. Sheltroun moved to amend the bill as follows:

1. Amend page 2, line 23, after “**land**” by striking out “**owned or controlled**” and inserting “**designated as state forest**”.

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

Rep. Rivet moved to amend the bill as follows:

1. Amend page 2, line 13, by striking out all of subdivision (g) and relettering the remaining subdivisions.

2. Amend page 5, line 7, by striking out all of sections **52503** and **52504** and renumbering the remaining sections.

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

Rep. Rivet moved to amend the bill as follows:

1. Amend page 3, line 6, after “**forestry**” by striking out the balance of the section and inserting a period.

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

Rep. Walker moved to amend the bill as follows:

1. Amend page 5, line 23, after the second “**forest**” by striking out “**projects**” and inserting “**products**”.

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

Rep. Walker moved to amend the bill as follows:

1. Amend page 5, line 17, after “**annual**” by striking out “**productivity**” and inserting “**capability**”.

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

Rep. Brown moved to amend the bill as follows:

1. Amend page 3, line 27, after “**waterbodies**” by inserting “**in a manner consistent with the department’s best management practices for water quality**”.

2. Amend page 6, line 17, after “**of**” by striking out “**a**” and inserting “**at least 1**”.

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

Rep. Casperson moved to amend the bill as follows:

1. Amend page 6, line 3, by striking out all of line 3 and inserting a period.

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

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

The motion prevailed.

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

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

Rep. Rocca moved that Rep. Ruth Johnson 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. 5554, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending the heading to part 525 and section 52501 (MCL 324.52501), as added by 1995 PA 57, and by adding sections 52502, 52503, 52504, 52505, 52506, and 52507.

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

Roll Call No. 105**Yeas—63**

Acciavatti	Gaffney	Moolenaar	Shulman
Adamini	Gillard	Mortimer	Stahl
Amos	Gleason	Newell	Stakoe
Bisbee	Hager	Nitz	Steil
Bradstreet	Hoogendyk	Nofs	Stewart
Brown	Howell	Palmer	Tabor
Casperson	Huizenga	Palsrok	Taub
Caswell	Hummel	Pappageorge	Van Regenmorter
Caul	Hune	Pastor	Vander Veen
DeRoche	Julian	Richardville	Voorhees
DeRossett	Koetje	Robertson	Walker
Drolet	Kooiman	Rocca	Ward
Ehardt	LaJoy	Shackleton	Wenke
Elkins	Meyer	Shaffer	Woronchak
Emmons	Middaugh	Sheen	Zelenko
Farhat	Milosch	Sheltrown	

Nays—37

Accavitti	Hart	McConico	Spade
Anderson	Hood	Meisner	Stallworth
Bieda	Hopgood	Murphy	Tobocman
Byrum	Hunter	O'Neil	Vagnozzi
Cheeks	Jamnick	Plakas	Waters
Condino	Kolb	Pumford	Whitmer
Daniels	LaSata	Rivet	Williams
Dennis	Law	Sak	Wojno
Farrah	Lipsey	Smith	Woodward
Gielegem			

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Rep. Law, 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 5554 because:

Last month the governor announced that she has instructed the DNR to certify the state’s forests to both SFI and FSC standards. There simply is no reason for this legislation. Furthermore the provisions in this bill are not flexible enough and actually will hinder the state in the certification process.

The definition of state forests in the bill includes state parks, natural areas, and game and wildlife areas. There are legal reasons why certain parcels should not be included in this definition; as a matter of fact it is possible that it could lead to the loss of federal funds.”

Rep. Huizenga 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. Gaffney, Accavitti, Adamini, Anderson, Bieda, Byrum, Daniels, DeRossett, Ehardt, Farhat, Gielegem, Gillard, Gleason, Hager, Jamnick, Koetje, Law, Meyer, Middaugh, Pappageorge, Richardville, Rivet, Sak, Sheltroun, Shulman, Spade, Taub, Tobocman, Vagnozzi, Vander Veen, Voorhees, Wojno, Woodward, Zelenko, Acciavatti, Caul, Kooiman, Murphy, Nofs, Plakas, Rocca and Stallworth offered the following resolution:

House Resolution No. 213.

A resolution recognizing April 7, 2004 as World Health Day.

Whereas, The World Health Organization has designated April 7, 2004, as World Health Day with the theme of road safety; and

Whereas, Over 42,000 Americans die in motor vehicle crashes every year, making motor vehicles crashes the leading cause of death for people ages 1 to 34 in the United States; and

Whereas, Death and injury from motor vehicle crashes may be significantly reduced by greater public awareness, enforcement and strengthening of existing laws; and

Whereas, Research indicates that between 1979 and 1999 safety belts have been effective in saving approximately 123,000 lives in the United States; and

Whereas, In 2004 AAA and other safety groups across the country will be emphasizing the importance of safety belt use; and

Whereas, Minor steps like wearing safety belts, obeying traffic laws, avoiding distracted driving and knowing your personal driving limits will reduce traffic crashes and injuries; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body recognize April 7, 2004, as World Health Day.

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 Judiciary, by Rep. Howell, Chair, reported

Senate Bill No. 788, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 518 (MCL 600.518), as amended by 2001 PA 256.

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 under the rules.

Favorable Roll Call

To Report Out:

Yeas: Reps. Howell, Van Regenmorter, Koetje, Pappageorge, Gaffney, Lipsey, Adamini and Condino

Nays: None

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

Senate Bill No. 829, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 517 (MCL 600.517), as amended by 2002 PA 715.

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 under the rules.

Favorable Roll Call

To Report Out:

Yeas: Reps. Howell, Van Regenmorter, Koetje, Pappageorge, Gaffney, Lipsey, Adamini and Condino
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, March 9, 2004

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

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

House Bill No. 5121, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1240. 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 under the rules.

Favorable Roll Call

To Report Out:

Yeas: Reps. Palmer, Hummel, Meyer, Bradstreet, Hager, Hart, Ruth Johnson, Tabor, Voorhees, Vander Veen, Nofs, Stahl, Gielegem, Vagnozzi, Spade, Smith, Hopgood and Meisner
Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, March 9, 2004

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

Absent: Rep. Clack

Excused: Rep. Clack

The Committee on Energy and Technology, by Rep. Bradstreet, Chair, reported

House Bill No. 4187, entitled

A bill to amend 1991 PA 179, entitled "Michigan telecommunications act," (MCL 484.2101 to 484.2701) by adding section 312c.

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 under the rules.

Favorable Roll Call

To Report Out:

Yeas: Reps. Bradstreet, Middaugh, Bisbee, Casperson, Garfield, LaJoy, Nitz, Stahl, McConico, Rivet, Hopgood, Murphy and Stallworth
Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Bradstreet, Chair, of the Committee on Energy and Technology, was received and read:

Meeting held on: Wednesday, March 10, 2004

Present: Reps. Bradstreet, Huizenga, Middaugh, Bisbee, Casperson, DeRoche, Garfield, LaJoy, Nitz, Palsrok, Stahl, McConico, Rivet, Daniels, Woodward, Hopgood, Murphy and Stallworth

Absent: Rep. LaSata

Excused: Rep. LaSata

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, March 10, 2004

Present: Reps. Wenke, Sheen, Koetje, Woronchak, Drolet, Hummel, Palmer, Milosch, Stakoe, Bieda, Zelenko and Condino

Absent: Reps. Meyer, Nofs, O'Neil, Minore and Farrah

Excused: Reps. Meyer, Nofs, O'Neil, Minore and Farrah

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, March 4:

**Senate Bill Nos. 1052 1053 1054 1055 1056 1057 1058 1059 1060 1061 1062 1063 1064 1065
1066 1067 1068 1069 1070 1071 1072**

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

Senate Bill Nos. 1073 1074 1075 1076 1077 1078 1079 1080 1081 1082 1083 1084

The Clerk announced that the following bills had been printed and placed upon the files of the members on Wednesday, March 10:

House Bill Nos. 5625 5626 5627

The Clerk announced that the following Senate bills had been received on Wednesday, March 10:

Senate Bill Nos. 111 759 778 1013 1014 1015 1016 1017 1018 1019 1020 1021

By unanimous consent the House returned to the order of

Messages from the Senate**House Bill No. 4352, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 82131 (MCL 324.82131), 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.

House Bill No. 4871, entitled

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

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. 5266, entitled

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending sections 1a, 1e, 1i, 49, 53, 55, and 64 (MCL 38.1a, 38.1e, 38.1i, 38.49, 38.53, 38.55, and 38.64), section 1a as amended by 1998 PA 205, sections 1e and 1i as amended and sections 53, 55, and 64 as added by 1996 PA 487, and section 49 as amended by 2002 PA 93.

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. 5279, entitled

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

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

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1986 PA 182, entitled "An act to provide for the Michigan department of state police retirement system; to create certain reserves and certain funds for this retirement system; to provide for the creation of a retirement board within the department of management and budget; to prescribe the powers and duties of the retirement board; to prescribe the powers and duties of the department of state police, the department of management and budget, and certain state officers; and to repeal certain acts and parts of acts," by amending sections 3, 14, 14a, 42, and 43 (MCL 38.1603, 38.1614, 38.1614a, 38.1642, and 38.1643), sections 3 and 14 as amended by 2000 PA 374, section 14a as added by 1995 PA 192, section 42 as amended by 1989 PA 191, and section 43 as amended by 2002 PA 96.

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

Senate Bill No. 111, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 74103a.

The Senate has passed the bill.

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

Senate Bill No. 759, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 80140 (MCL 324.80140), as added by 1995 PA 58.

The Senate has passed the bill.

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

Senate Bill No. 778, entitled

A bill to amend 1978 PA 566, entitled "An act to encourage the faithful performance of official duties by certain public officers and public employees; to prescribe standards of conduct for certain public officers and public employees; to prohibit the holding of incompatible public offices; and to provide certain judicial remedies," by amending section 3 (MCL 15.183), as amended by 2000 PA 455.

The Senate has passed the bill.

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

Senate Bill No. 1013, entitled

A bill to amend 1995 PA 29, entitled "Uniform unclaimed property act," by amending section 19 (MCL 567.239), as amended by 1997 PA 195, and by adding section 8b.

The Senate has passed the bill.

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

Senate Bill No. 1014, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 36202 (MCL 324.36202), as added by 2000 PA 262.

The Senate has passed the bill.

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

Senate Bill No. 1015, entitled

A bill to amend 1986 PA 32, entitled "Emergency telephone service enabling act," by amending section 408 (MCL 484.1408), as amended by 2003 PA 244.

The Senate has passed the bill.

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

Senate Bill No. 1016, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1539 (MCL 380.1539), as added by 1988 PA 339.

The Senate has passed the bill.

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

Senate Bill No. 1017, entitled

A bill to amend 1974 PA 369, entitled "An act to regulate the business of conducting a driver training school; to require licenses in relation thereto; to prescribe certain fees; to prescribe the powers and duties of certain persons and state departments; and to prescribe remedies and penalties," by amending the title and sections 1, 2, 4, 4a, 5, 5c, 6, 6a, 6c, and 9 (MCL 256.601, 256.602, 256.604, 256.604a, 256.605, 256.605c, 256.606, 256.606a, 256.606c, and 256.609), the title and section 1 as amended and sections 4a and 6c as added by 1992 PA 169, sections 2, 4, and 6 as amended and section 5c as added by 1998 PA 11, section 5 as amended by 2000 PA 285, and section 6a as added by 1984 PA 391, and by adding sections 1a, 1b, and 1c and part 3 and by adding headings for parts 1, 2, and 3; 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 Appropriations.

Senate Bill No. 1018, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 306, 310e, and 811 (MCL 257.306, 257.310e, and 257.811), section 306 as amended by 2002 PA 534, section 310e as amended by 2003 PA 61, and section 811 as amended by 2003 PA 152.

The Senate has passed the bill.

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

Senate Bill No. 1019, entitled

A bill to amend 1971 PA 140, entitled "Glenn Steil state revenue sharing act of 1971," by amending sections 11 and 13 (MCL 141.911 and 141.913), as amended by 2003 PA 168.

The Senate has passed the bill.

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

Senate Bill No. 1020, entitled

A bill to amend 1999 PA 94, entitled "Michigan merit award scholarship act," by amending section 8 (MCL 390.1458), as amended by 2003 PA 186.

The Senate has passed the bill.

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

Senate Bill No. 1021, entitled

A bill to amend 1986 PA 182, entitled "State police retirement act of 1986," by amending sections 3 and 4 (MCL 38.1603 and 38.1604), section 3 as amended by 2000 PA 374, and by adding section 24a.

The Senate has passed the bill.

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

Messages from the Governor

Date: March 10, 2004
Time: 11:27 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5154 (Public Act No. 24, I.E.), being

An act to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts,” by amending sections 8303, 8304, 8306, and 8316 (MCL 324.8303, 324.8304, 324.8306, and 324.8316), sections 8303, 8304, and 8306 as amended by 2002 PA 418.

(Filed with the Secretary of State March 10, 2004, at 11:36 a.m.)

Communications from State Officers

The following communication from the Auditor General was received and read:

March 10, 2004

Enclosed is a copy of the following audit report and/or report summary:

Financial Audit of the
Michigan Education Trust (MET) Plans B and C
October 1, 2002 through September 30, 2003

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

The communication was referred to the Clerk and the accompanying report referred to the Committee on Government Operations.

Introduction of Bills

Reps. Amos, DeRoche, Taub, Stakoe, Hune and Ruth Johnson introduced

House Bill No. 5628, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending sections 302, 303, and 310 (MCL 168.302, 168.303, and 168.310), as added by 2003 PA 302.

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

Rep. DeRossett introduced

House Bill No. 5629, entitled

A bill to amend 1967 PA 156, entitled “Optional retirement act of 1967,” by amending section 2 (MCL 38.382), as amended by 1994 PA 296.

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

Reps. O’Neil, Woronchak, Plakas, Sak, Gaffney, Voorhees, Pastor, Anderson, Law, Richardville and Farrah introduced

House Bill No. 5630, entitled

A bill to amend 1974 PA 258, entitled “Mental health code,” by amending sections 212 and 216 (MCL 330.1212 and 330.1216), as amended by 1995 PA 290.

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

Reps. Smith, McConico, Waters, Reeves, Daniels, Stallworth, Tobocman, Hunter, Cheeks, Rivet, Howell, Brandenburg, Gaffney, Wenke, Murphy, Hune, Hood, Lipsey, Gleason, Vagnozzi, Phillips, Plakas, Gielegem, Jamnick, Garfield, Accavitti, Condino, Wojno, Dennis, Sak, Farrah, Meisner, Adamini, Gillard, Elkins, Whitmer, Williams, Hopgood, Sheltroun, Anderson, Kolb, Zelenko, Clack, Richardville, Byrum, Hardman, DeRoche, Law, Bieda and O'Neil introduced

House Bill No. 5631, entitled

A bill to amend 1986 PA 54, entitled "Building officials and inspectors registration act," by amending section 10 (MCL 338.2310).

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

Rep. Julian introduced

House Bill No. 5632, entitled

A bill to amend 1993 PA 327, entitled "Tobacco products tax act," by amending sections 7 and 12 (MCL 205.427 and 205.432), as amended by 2002 PA 503.

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

Reps. Sak, O'Neil, Kooiman, Plakas, Voorhees, Sheen, Gleason, DeRossett, Murphy, Anderson, Huizenga, Hunter, McConico, Farhat and Smith introduced

House Bill No. 5633, 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. Kolb, Dennis, Gaffney, Anderson, Tobocman, Murphy, Vagnozzi, Farrah, Condino, Stallworth, Law, Hopgood, Zelenko, Bieda, Accavitti, Wojno, Plakas, Phillips, Meisner, Williams, Lipsey, Woodward, Cheeks, Gleason, Gillard, Sak, Whitmer, Hunter, Byrum and Elkins introduced

House Bill No. 5634, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 32701, 32702, 32705, 32706, 32707, 32708, 32709, 32710, 32711, 32712, and 32713 (MCL 324.32701, 324.32702, 324.32705, 324.32706, 324.32707, 324.32708, 324.32709, 324.32710, 324.32711, 324.32712, and 324.32713), sections 32701, 32705, 32707, and 32708 as amended by 2003 PA 148, sections 32702, 32709, 32710, 32711, and 32713 as added by 1995 PA 59, and sections 32706 and 32712 as amended by 1996 PA 434, and by adding sections 32702a, 32712a, 32712b, 32712c, 32712d, 32712e, 32712f, 32712g, 32713a, 32715, 32716, and 32717.

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

Rep. Adamini moved that the House adjourn.
The motion prevailed, the time being 3:35 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, March 11, at 10:00 a.m.

GARY L. RANDALL
Clerk of the House of Representatives

