

No. 80
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
92nd Legislature
REGULAR SESSION OF 2003

House Chamber, Lansing, Tuesday, October 28, 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	Jamnack—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—present
Ehardt—present	LaJoy—present	Robertson—present	Williams—present
Elkins—present	LaSata—present	Rocca—present	Wojno—present
Emmons—present	Law—present	Sak—present	Woodward—present
Farhat—present	Lipsey—present	Shackleton—present	Woronchak—present
Farrah—present	McConico—present	Shaffer—present	Zelenko—present
Gaffney—present	Meisner—present		

e/d/s = entered during session

Rep. Dale E. Sheltroun, from the 103rd District, offered the following invocation:

“To all who have come to worship the Lord, may each of us have our faith increased, our love enhanced and our courage strengthened. May God’s presence be very real. May this also be a time of inspiration and joy for us all. Amen.”

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

Second Reading of Bills

House Bill No. 5200, entitled

A bill to designate October 18 of each year as Willie Horton day in the state of Michigan.

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

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

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

The motion prevailed.

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

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

Rep. Howell moved that Rep. Wenke 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. 5200, entitled

A bill to designate October 18 of each year as Willie Horton day in the state of Michigan.

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

Roll Call No. 580

Yeas—108

Accavitti	Garfield	Meisner	Shaffer
Acciavatti	Gielegem	Meyer	Sheen
Adamini	Gillard	Middaugh	Sheltroun
Amos	Gleason	Milosch	Shulman
Anderson	Hager	Minore	Smith
Bieda	Hardman	Moolenaar	Spade
Bisbee	Hart	Mortimer	Stahl
Bradstreet	Hood	Murphy	Stakoe
Brandenburg	Hoogendyk	Newell	Stallworth
Brown	Hopgood	Nitz	Steil
Byrum	Howell	Nofs	Stewart
Casperson	Huizenga	O’Neil	Tabor
Caswell	Hummel	Paletko	Taub

Caul	Hune	Palmer	Tobocman
Cheeks	Hunter	Palsrok	Vagnozzi
Clack	Jamnack	Pappageorge	Van Regenmorter
Condino	Johnson, Rick	Pastor	Vander Veen
Dennis	Johnson, Ruth	Phillips	Voorhees
DeRoche	Julian	Plakas	Walker
DeRossett	Koetje	Pumford	Ward
Drolet	Kolb	Reeves	Waters
Ehardt	Kooiman	Richardville	Whitmer
Elkins	LaJoy	Rivet	Williams
Emmons	LaSata	Robertson	Wojno
Farhat	Law	Rocca	Woodward
Farrah	Lipsey	Sak	Woronchak
Gaffney	McConico	Shackleton	Zelenko

Nays—0

In The Chair: Julian

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

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

A bill to designate October 28, 2003 as Willie Horton day in the state of Michigan.

The motion prevailed.

The House agreed to the title as amended.

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

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

Reps. Hardman, McConico, Reeves, Woronchak, Plakas, Anderson, Stewart, O'Neil, Rocca, Gielegem, Drolet, Woodward, Pappageorge, Phillips, Rick Johnson, Minore, Zelenko, Kolb, Jamnick, DeRossett, Spade, Lipsey, Bisbee, Murphy, Tabor, Koetje, Kooiman, Voorhees, Hager, Ehardt, Meyer, Julian, Hummel, Newell, Vander Veen, Dennis, Howell, Williams, Ruth Johnson, Sheltrown, Bradstreet, Shackleton, Adamini, Brown, Gaffney, Cheeks, Smith, Stallworth, Hunter, Hood, Tobocman, Farrah, Paletko, Pastor, LaJoy, Law, Brandenburg, Bieda, Meisner, Wojno, Acciavatti, Clack, Condino, Vagnozzi, DeRoche, Taub, Accavitti, Amos, Stakoe, Garfield, Gleason, Robertson, Milosch, Shaffer, Hoogendyk, Nofs, Wenke, Ward, Byrum, Emmons, Steil, Sak, Nitz, Stahl, Sheen, Huizenga, Farhat, Elkins, Moolenaar, Palsrok, Walker, Gillard, Casperson and Mortimer were named co-sponsors of the bill.

By unanimous consent the House returned to the order of

Messages from the Senate

The Speaker laid before the House

House Bill No. 4311, entitled

A bill to provide insurance to farm produce producers against losses from the failure of grain dealers; to establish a farm produce insurance authority; to prescribe the powers and duties of the authority and its board; to establish a farm produce insurance fund; to provide for assessments on grain dealers; to prescribe certain powers and duties of certain state agencies and officers; to authorize the promulgation of rules; and to repeal acts and parts of acts.

(The bill was received from the Senate on October 23, with substitute (S-3) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 79, p. 1987.)

The question being on concurring in the substitute (S-3) made to the bill by the Senate,

The substitute (S-3) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 581**Yeas—108**

Accavitti	Garfield	Meisner	Sheen
Acciavatti	Gielegem	Meyer	Sheltrown
Adamini	Gillard	Middaugh	Shulman

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

Nays—0

In The Chair: Julian

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

Second Reading of Bills

House Bill No. 4786, entitled

A bill to amend 1978 PA 90, entitled "Youth employment standards act," by amending section 19 (MCL 409.119). The bill was read a second time.

Reps. Kooiman and Minore moved to amend the bill as follows:

1. Amend page 2, line 13, after "means" by inserting "**only**".
2. Amend page 2, line 27, after "**(h)**" by striking out "**Construction**" and inserting "**Nonhazardous construction**".
3. Amend page 3, line 4, by striking out all of subparagraph (i) and renumbering the remaining subparagraphs.
4. Amend page 3, following line 17, by inserting:

"(v) "Nonhazardous construction work or operations" means construction work or operations that are performed at a construction site of a new single family home and do not involve the use of power tools, woodworking machinery, or hazardous substances or other activities that would constitute a great risk of serious injury. Activities that would constitute a great risk of serious injury include, but are not limited to, all of the following:

(A) Excavation.

(B) Highway, bridge, or street construction.

(C) Wrecking.

(D) Demolition.

(E) New commercial or new multiple residential construction."

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

Rep. Kooiman 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. 4786, entitled

A bill to amend 1978 PA 90, entitled "Youth employment standards act," by amending section 19 (MCL 409.119).
Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 582

Yeas—109

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

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Reps. Reeves, Drolet, Jamnick, DeRossett, Richardville, Middaugh, Pastor, Taub, Sak and Mortimer were named co-sponsors of the bill.

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

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Tobocman, Gielegem, Woodward, Daniels, Zelenko, Minore, Kolb, Whitmer, Williams, Byrum, Waters, Drolet, Accavitti, Bieda, Farrah, Vagnozzi, Stallworth, Paletko, Hardman, Adamini, Brandenburg, Brown, Clack, Condino, Dennis, DeRossett, Ehardt, Farhat, Garfield, Gillard, Gleason, Jamnick, Lipsey, McConico, Murphy, Phillips and Woronchak offered the following resolution:

House Resolution No. 157.

A resolution to memorialize the Congress of the United States to amend the USA PATRIOT Act to ensure national security without eroding civil liberties.

Whereas, The USA PATRIOT Act enacted by Congress and signed into law was a quick response to the terrorism of September 11, 2001; and

Whereas, The way in which the Justice Department continues to handle this law furthers the belief that we have upset the delicate balance of our system of government by eroding civil liberties in many situations. Specifically, such policies as conducting sweeping searches and surveillance without reasonable suspicion of criminal activity, the indefinite incarceration of people without access to counsel, and law enforcement access to personal information with few judicial protections are very troublesome to those who treasure civil liberties; and

Whereas, Many people in Michigan, a state rich in the diversity of its people, also are disturbed by actions and investigations that seem to be more centered on religious and ethnic groups than criminal activities. Eroding civil liberties and civil rights by targeting certain ethnic and religious groups can lead to mistrust and fear of our government and law enforcement and undermine our efforts to encourage cooperation and keep America safe; and

Whereas, Chipping away at the rights and process that are central to our national character is not what will make America stronger in the face of terrorism. Balance should be brought to the provisions of the USA PATRIOT Act to provide appropriate protections for our country without destroying human rights in a nation that clearly can do both; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to review provisions of the USA PATRIOT Act that curtail protections to our safety by violating our civil liberties; and be it further

Resolved, That we memorialize the Congress of the United States to amend the USA PATRIOT Act to ensure national security without eroding civil liberties; 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. Palsrok, Brandenburg, Vander Veen, LaJoy, Amos, Acciavatti, Robertson, Milosch, Sheen, Farhat, Casperson, Nofs, Shackleton, Accavitti, Adamini, Brown, Byrum, Caul, Condino, Dennis, DeRossett, Ehardt, Elkins, Garfield, Gillard, Gleason, Howell, Huizenga, Jamnick, Kolb, Kooiman, Lipsey, Meyer, Middaugh, Minore, Murphy, Paletko, Pappageorge, Pastor, Phillips, Richardville, Sak, Sheltrown, Stahl, Stakoe, Tabor, Taub, Tobocman and Voorhees offered the following resolution:

House Resolution No. 158.

A resolution to urge the President of the United States and the Prime Minister of Canada to present a formal request to the International Joint Commission to examine the matter of invasive species within the Great Lakes basin.

Whereas, The protection, conservation, and use of the aquatic ecosystem formed by the Great Lakes basin are responsibilities shared by the United States and Canada, the eight Great Lakes states, two Canadian provinces, and the many cities that dot the shoreline. As the only state or province located entirely within the basin, Michigan has unsurpassed interest in protecting the Great Lakes from the onslaught of invasive species; and

Whereas, The Boundary Waters Treaty of 1909 established the six-member International Joint Commission (IJC) and gave it numerous powers. Among these powers is the authority to engage in joint fact finding on matters concerning boundary waters, especially within the Great Lakes basin, the largest boundary water system shared by our two countries. The United States and Canada have taken further joint actions to restore and maintain the waters of the Great Lakes through the Great Lakes Water Quality Agreement of 1972 and its subsequent protocols and annexes. The agreement requires the IJC to provide assistance in this work; and

Whereas, The IJC is a science-based organization that works to address key problems facing the Great Lakes ecosystem. The IJC was specifically established to address such problems as the threat posed by invasive species; and

Whereas, Invasive species are a form of biological pollution that clearly threatens the integrity of the Great Lakes basin ecosystem. Non-native species constitute the number one threat to aquatic biodiversity. Well over 150 exotic species are now established in the Great Lakes, and new invaders are being discovered at a rate of one every eight months. The damage done to the region of the Great Lakes is staggering and includes serious harm done to both to the economy and the ecology; and

Whereas, Ballast water discharges are the primary source of invasive species introduced into the Great Lakes. The regulation of navigation and international commerce are the exclusive jurisdictions of the federal governments of the United States and Canada; and

Whereas, Many people and organizations in the Great Lakes basin have urged the governments of the United States and Canada to refer the matter of invasive species to the International Joint Commission for investigation and to recommend actions and coordinate policies to prevent further introductions of invasive species; now, therefore, be it

Resolved by the House of Representatives, That we urge the President of the United States and the Prime Minister of Canada to present a formal request to the International Joint Commission to examine the matter of invasive species within the Great Lakes basin. We urge that the request ask that the commission's study be comprehensive and include ballast water issues. We also call on the President of the United States and the Prime Minister of Canada to work to provide appropriate financial support for the International Joint Commission's efforts to deal with invasive species within the Great Lakes; and be it further

Resolved, That copies of this resolution be transmitted to the Office of the President of the United States, the Prime Minister of Canada, the United States Secretary of State, the Canadian Minister for Foreign Affairs, and the International Joint Commission.

The resolution was referred to the Committee on Great Lakes and Tourism.

Reps. Taub, Drolet, LaJoy, Amos, Stakoe, Acciavatti, Bradstreet, Brandenburg, Caul, DeRossett, Ehardt, Farhat, Garfield, Huizenga, Koetje, Meyer, Milosch, Pastor, Robertson, Stahl, Tabor, Voorhees and Woronchak offered the following resolution:

House Resolution No. 159.

A resolution to create a select committee to review the practices and policies of the Detroit Water and Sewerage Department.

Whereas, The Detroit Water and Sewerage Department is responsible for providing water services to 4.3 million people in more than 125 communities in 8 counties in southeastern Michigan. In recent years, the Detroit Water and Sewerage Department has drawn increasing criticism over apparent inconsistencies in its policies, questionable rate differences among communities, and uncertain lines of authority and communication. With the magnitude of the system's impact on the most populous region of Michigan, the operation of this system and the issues raised need to be correctly identified and addressed; and

Whereas, An audit conducted to review the department's rate setting uncovered millions of dollars in overcharges to Oakland County communities. This discovery has raised serious questions about the accuracy of rates charged throughout the system and the efficiency of many of its procedures; and

Whereas, The efficiency of the Detroit Water and Sewerage Department is vitally important to Michigan's future. The massive power blackout of August 14, 2003, reignited concerns over problems with the Detroit Water and Sewerage Department. Problems could be very harmful not only to area residents and businesses but also to the state's competitiveness; now, therefore, be it

Resolved by the House of Representatives, That there be created a select committee to review the practices and policies of the Detroit Water and Sewerage Department, including the setting of rates throughout the system; the department's billing practices, processes, and procedures; how the department will refund overcharges; and clarifying the oversight relationship between the department and the Southeast Michigan Consortium for Water Quality. The select committee to review the practices and policies of the Detroit Water and Sewerage Department shall consist of 7 members of the House of Representatives appointed in the same manner as standing committees of the House of Representatives. The select committee shall report its findings and recommendations to the Michigan Legislature by June 30, 2004.

The resolution was referred to the Committee on Government Operations.

Reps. O'Neil, Law, Dennis, Vagnozzi, Sak, Voorhees, Shaffer, Brown, Jammick, Plakas, Anderson, Farrah, Kolb, Tobocman, Spade, Stewart, Sheltroun and Daniels offered the following concurrent resolution:

House Concurrent Resolution No. 32.

A concurrent resolution to call for a waiver of rental fees when the Boys' State program utilizes the facilities of the House of Representatives and the Senate.

Whereas, The Boys' State program provides young people with an enriching educational experience in the fundamentals of representative government. Since its origins in Illinois in 1934, this program has provided generations of students with invaluable insights into self-government. In Michigan, this exercise in governing has been in operation since it was established here in 1937; and

Whereas, While the Boys' State program features many components, including numerous activities on the Michigan State University campus, a key part of the program is the work that takes place at the Capitol. Here, the hands-on approach to dealing with issues comes alive for hundreds of students each year; and

Whereas, With the enormous stake that each citizen in Michigan has in encouraging young people to learn about government and to become involved in their own communities on all types of issues, we should be doing all we can to facilitate the success of this ambitious and worthy program; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we call for a waiver of rental fees when the Boys' State program utilizes the facilities of the House of Representatives and the Senate; and be it further

Resolved, That copies of this resolution be transmitted to coordinators of Boys' State of Michigan.

The concurrent resolution was referred to the Committee on Government Operations.

Reps. Palsrok, Brandenburg, Vander Veen, LaJoy, Amos, Acciavatti, Robertson, Milosch, Farhat, Casperson, Nofs, Shackleton, Accavitti, Adamini, Brown, Byrum, Caul, Condino, Dennis, DeRossett, Ehardt, Elkins, Garfield, Gillard, Gleason, Howell, Huizenga, Jamnick, Ruth Johnson, Kolb, Kooiman, Lipsey, Meyer, Middaugh, Minore, Murphy, Paletko, Pappageorge, Pastor, Phillips, Sheen, Sheltroun, Stahl, Tabor, Taub, Tobocman and Voorhees offered the following concurrent resolution:

House Concurrent Resolution No. 33.

A concurrent resolution to urge the President of the United States and the Prime Minister of Canada to present a formal request to the International Joint Commission to examine the matter of invasive species within the Great Lakes basin.

Whereas, The protection, conservation, and use of the aquatic ecosystem formed by the Great Lakes basin are responsibilities shared by the United States and Canada, the eight Great Lakes states, two Canadian provinces, and the many cities that dot the shoreline. As the only state or province located entirely within the basin, Michigan has unsurpassed interest in protecting the Great Lakes from the onslaught of invasive species; and

Whereas, The Boundary Waters Treaty of 1909 established the six-member International Joint Commission (IJC) and gave it numerous powers. Among these powers is the authority to engage in joint fact finding on matters concerning boundary waters, especially within the Great Lakes basin, the largest boundary water system shared by our two countries. The United States and Canada have taken further joint actions to restore and maintain the waters of the Great Lakes through the Great Lakes Water Quality Agreement of 1972 and its subsequent protocols and annexes. The agreement requires the IJC to provide assistance in this work; and

Whereas, The IJC is a science-based organization that works to address key problems facing the Great Lakes ecosystem. The IJC was specifically established to address such problems as the threat posed by invasive species; and

Whereas, Invasive species are a form of biological pollution that clearly threatens the integrity of the Great Lakes basin ecosystem. Non-native species constitute the number one threat to aquatic biodiversity. Well over 150 exotic species are now established in the Great Lakes, and new invaders are being discovered at a rate of one every eight months. The damage done to the region of the Great Lakes is staggering and includes serious harm done to both to the economy and the ecology; and

Whereas, Ballast water discharges are the primary source of invasive species introduced into the Great Lakes. The regulation of navigation and international commerce are the exclusive jurisdictions of the federal governments of the United States and Canada; and

Whereas, Many people and organizations in the Great Lakes basin have urged the governments of the United States and Canada to refer the matter of invasive species to the International Joint Commission for investigation and to recommend actions and coordinate policies to prevent further introductions of invasive species; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we urge the President of the United States and the Prime Minister of Canada to present a formal request to the International Joint Commission to examine the matter of invasive species within the Great Lakes basin. We urge that the request ask that the commission's study be comprehensive and include ballast water issues. We also call on the President of the United States and the Prime Minister of Canada to work to provide appropriate financial support for the International Joint Commission's efforts to deal with invasive species within the Great Lakes; and be it further

Resolved, That copies of this resolution be transmitted to the Office of the President of the United States, the Prime Minister of Canada, the United States Secretary of State, the Canadian Minister for Foreign Affairs, and the International Joint Commission.

The concurrent resolution was referred to the Committee on Great Lakes and Tourism.

Reps. Gielegem, Tobocman, Woodward, Daniels, Zelenko, Minore, Kolb, Whitmer, Williams, Byrum, Waters, Hardman, Drolet, Accavitti, Stallworth, Bieda, Vagnozzi, O'Neil, Farrah, Paletko, Adamini, Brandenburg, Brown, Clack, Condino, Dennis, Ehardt, Farhat, Garfield, Gillard, Gleason, Jamnick, Lipsey, McConico, Murphy, Phillips, Plakas and Woronchak offered the following concurrent resolution:

House Concurrent Resolution No. 34.

A concurrent resolution to memorialize the Congress of the United States to amend the USA PATRIOT Act to ensure national security without eroding civil liberties.

Whereas, The USA PATRIOT Act enacted by Congress and signed into law was a quick response to the terrorism of September 11, 2001; and

Whereas, The way in which the Justice Department continues to handle this law furthers the belief that we have upset the delicate balance of our system of government by eroding civil liberties in many situations. Specifically, such policies as conducting sweeping searches and surveillance without reasonable suspicion of criminal activity, the indefinite incarceration of people without access to counsel, and law enforcement access to personal information with few judicial protections are very troublesome to those who treasure civil liberties; and

Whereas, Many people in Michigan, a state rich in the diversity of its people, also are disturbed by actions and investigations that seem to be more centered on religious and ethnic groups than criminal activities. Eroding civil liberties and civil rights by targeting certain ethnic and religious groups can lead to mistrust and fear of our government and law enforcement and undermine our efforts to encourage cooperation and keep America safe; and

Whereas, Chipping away at the rights and process that are central to our national character is not what will make America stronger in the face of terrorism. Balance should be brought to the provisions of the USA PATRIOT Act to provide appropriate protections for our country without destroying human rights in a nation that clearly can do both; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the Congress of the United States to review provisions of the USA PATRIOT Act that curtail protections to our safety by violating our civil liberties; and be it further

Resolved, That we memorialize the Congress of the United States to amend the USA PATRIOT Act to ensure national security without eroding civil liberties; 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 concurrent resolution was referred to the Committee on Government Operations.

Reports of Standing Committees

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

Senate Bill No. 718, entitled

A bill to amend 1996 PA 381, entitled "Brownfield redevelopment financing act," by amending section 15 (MCL 125.2665), as amended by 2002 PA 727.

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

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Ward, Robertson, DeRossett, Hager, Drolet and Jamnick

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, October 28, 2003, at 9:00 a.m.

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

Messages from the Senate

House Bill No. 4070, entitled

A bill to require textbook publishers to provide electronic versions of certain instructional materials used in colleges and universities.

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.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members on Wednesday, October 22:

Senate Bill Nos. 780 781 782 783 784 785

The Clerk announced that the following bills had been printed and placed upon the files of the members on Friday, October 24:

House Bill Nos. 5201 5202 5203 5204 5205

The Clerk announced the enrollment printing and presentation to the Governor on Monday, October 27, for her approval of the following bills:

Enrolled House Bill No. 4211 at 3:20 p.m.

Enrolled House Bill No. 4386 at 3:22 p.m.

Enrolled House Bill No. 4895 at 3:24 p.m.

Enrolled House Bill No. 5106 at 3:26 p.m.

Introduction of Bills

Rep. Koetje introduced

House Bill No. 5206, 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 first time by its title and referred to the Committee on Land Use and Environment.

Reps. Murphy, Hopgood, Tobocman, Dennis, Minore, Gielegem, Reeves, Williams, Accavitti, Waters, Kolb, Stallworth, Vagnozzi, O'Neil, Jammick and Daniels introduced

House Bill No. 5207, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 2227.

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

Reps. Garfield, Nofs, Ruth Johnson, Meyer, Brandenburg, Plakas, Stahl, Acciavatti, Robertson, Palmer and Milosch introduced

House Bill No. 5208, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 10, 11, and 492 (MCL 168.10, 168.11, and 168.492), section 492 as amended by 1989 PA 142.

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

Reps. Garfield, Nofs, Ruth Johnson, Meyer, Brandenburg, Plakas, Stahl, Acciavatti, Robertson, Palmer and Milosch introduced

House Bill No. 5209, entitled

A bill to amend 1895 PA 3, entitled "The general law village act," by amending section 4 of chapter III (MCL 63.4), as added by 1998 PA 255.

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

Reps. Garfield, Nofs, Ruth Johnson, Meyer, Brandenburg, Plakas, Stahl, Acciavatti, Robertson, Palmer and Milosch introduced

House Bill No. 5210, entitled

A bill to amend 1895 PA 215, entitled "The fourth class city act," by amending section 1 of chapter IV (MCL 84.1).

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

Reps. Garfield, Nofs, Ruth Johnson, Meyer, Brandenburg, Plakas, Stahl, Acciavatti, Robertson, Palmer and Milosch introduced

House Bill No. 5211, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 6 (MCL 380.6), as amended by 1995 PA 289.

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

Reps. Garfield, Nofs, Ruth Johnson, Meyer, Brandenburg, Plakas, Stahl, Acciavatti, Robertson, Palmer and Milosch introduced

House Joint Resolution P, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending sections 1 and 6 of article II, to permit nonresidents who pay ad valorem property tax on real property located in a political subdivision the right to vote on local issues, tax limit increases, or bond issues.

The joint resolution was read a first time by its title and referred to the Committee on Local Government and Urban Policy.

Rep. Rocca moved that the House adjourn.
The motion prevailed, the time being 3:10 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, October 29, at 1:00 p.m.

GARY L. RANDALL
Clerk of the House of Representatives

