

No. 83
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House of Representatives
92nd Legislature
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House Chamber, Lansing, Wednesday, September 29, 2004.

10:00 a.m.

The House was called to order by Associate Speaker Pro Tempore Vander Veen.

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—excused
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—present	Spade—present
Bieda—present	Hardman—present	Moolenaar—present	Stahl—present
Bisbee—present	Hart—present	Mortimer—e/d/s	Stakoe—present
Bradstreet—present	Hood—present	Murphy—present	Stallworth—present
Brandenburg—present	Hoogendyk—present	Newell—e/d/s	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—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—excused
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—e/d/s
Gaffney—present			

e/d/s = entered during session

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

“Almighty and wonderful God, the earth belongs to You and the fullness thereof. All things that were made come from Thee. O Lord, we come to You this morning in submission to Your awesome power and will, thanking You for everything—the things we take for granted everyday and the things that are so large that we do remember to thank You. We stand here asking and needing Your divine guidance, Your wisdom, and Your direction. Father, we stand here knowing, Lord, that we are not worthy of these places that we occupy, these positions we occupy, but yet, through Your grace and by Your mercy, Lord, we’re here. There are members in this room, Father, who are personally going through things, Lord, that only You know about. I ask You to bless them today—bless their families, bless each and every legislator, bless their districts, and bless the people of their districts. We ask that You would have mercy upon all of us. We ask that You bless our troops and their families, not forgetting about them. We ask that You would remember the fallen. Remember all the people who have lost family members in the city of Detroit this year because of a rise in murders, Lord. We ask that You remember the family of the three-year-old child who was killed this week at a day care center in Detroit. We ask, Father, that You bless them and we ask that You keep Your hand on this great country and this great state. We ask all these things, Lord believing that You are powerful, You are mighty, and through You all things are possible. In Your name, we pray, Jesus’ name. Amen.”

The Speaker Pro Tempore assumed the Chair.

Rep. Palmer moved that Reps. Sheen and Wenke be excused from today’s session.
The motion prevailed.

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

Second Reading of Bills

House Bill No. 6164, entitled

A bill to amend 1921 PA 207, entitled “City and village zoning act,” (MCL 125.581 to 125.600) by adding section 4g. Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Land Use and Environment,

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

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

The motion prevailed.

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

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

Rep. Nitz moved that Rep. Shackleton 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. 6164, entitled

A bill to amend 1921 PA 207, entitled “City and village zoning act,” (MCL 125.581 to 125.600) by adding section 4g. Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 794**Yeas—102**

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

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Second Reading of Bills**House Bill No. 6166, entitled**

A bill to amend 1943 PA 183, entitled "County zoning act," (MCL 125.201 to 125.240) by adding section 16i.

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

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

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

The motion prevailed.

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

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

Rep. Waters moved that Rep. McConico 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. 6166, entitled

A bill to amend 1943 PA 183, entitled "County zoning act," (MCL 125.201 to 125.240) by adding section 16i.

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

Roll Call No. 795

Yeas—102

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

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Second Reading of Bills

House Bill No. 6206, entitled

A bill to amend 1943 PA 184, entitled "Township zoning act," (MCL 125.271 to 125.310) by adding section 16i.

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

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

Rep. LaJoy moved that the bill be placed on the order of Third Reading of Bills.
The motion prevailed.

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 6206, entitled

A bill to amend 1943 PA 184, entitled "Township zoning act," (MCL 125.271 to 125.310) by adding section 16i.

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

Roll Call No. 796

Yeas—103

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

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Second Reading of Bills

Senate Bill No. 953, entitled

A bill to amend 1855 PA 105, entitled "An act to regulate the disposition of the surplus funds in the state treasury; to provide for the deposit of surplus funds in certain financial institutions; to lend surplus funds pursuant to loan

agreements secured by certain commercial, agricultural, or industrial real and personal property; to authorize the loan of surplus funds to certain municipalities; to authorize the participation in certain loan programs; to authorize an appropriation; and to prescribe the duties of certain state agencies," (MCL 21.141 to 21.147) by adding section 2g.

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

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. Waters moved that Reps. Byrum and Rivet be excused temporarily from today's session.

The motion prevailed.

Rep. Mortimer entered the House Chambers.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 953, entitled

A bill to amend 1855 PA 105, entitled "An act to regulate the disposition of the surplus funds in the state treasury; to provide for the deposit of surplus funds in certain financial institutions; to lend surplus funds pursuant to loan agreements secured by certain commercial, agricultural, or industrial real and personal property; to authorize the loan of surplus funds to certain municipalities; to authorize the participation in certain loan programs; to authorize an appropriation; and to prescribe the duties of certain state agencies," (MCL 21.141 to 21.147) by adding section 2g.

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

Roll Call No. 797

Yeas—67

Acciavatti	Gillard	Moolenaar	Sheltrown
Adamini	Hager	Mortimer	Shulman
Amos	Hart	Nitz	Spade
Bisbee	Howell	Nofs	Stahl
Brown	Huizenga	O'Neil	Stakoe
Casperson	Hummel	Palsrok	Steil
Caswell	Hune	Pappageorge	Stewart
Caul	Johnson, Rick	Pastor	Tabor
Dennis	Johnson, Ruth	Phillips	Taub
DeRoche	Julian	Plakas	Van Regenmorter
DeRossett	Koetje	Pumford	Vander Veen
Ehardt	Kooiman	Richardville	Voorhees
Elkins	LaJoy	Robertson	Walker
Emmons	LaSata	Rocca	Ward
Farhat	Meyer	Sak	Williams
Farrar	Middaugh	Shackleton	Woronchak
Gaffney	Milosch	Shaffer	

Nays—34

Accavitti	Garfield	Kolb	Smith
Anderson	Gielegem	Law	Stallworth
Bieda	Gleason	Lipsey	Tobocman
Bradstreet	Hardman	McConico	Vagnozzi

Brandenburg	Hood	Meisner	Waters
Cheeks	Hoogendyk	Murphy	Whitmer
Clack	Hopgood	Palmer	Wojno
Condino	Hunter	Reeves	Woodward
Drolet	Jamnack		

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. Law and Hopgood, 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 SB 953 and SB 955 because: The state does not have funds available at this time to finance such a program, especially one that would basically benefit operations large enough to use a methane digester, usually multimillion-dollar CAFOs. The bill would amount to a \$1.6 million tax payer subsidy for factory farms that in general have a history of environmental violations. Additionally, studies show that methane digesters have a failure rate near 50 percent.

Tax breaks and financing incentives for large farms and CAFOs may encourage the development of these large facilities to the detriment of small and medium size family farms. CAFOs or ‘factory farms’ which may have thousands of animals have been responsible for numerous violations of state and federal environmental laws and regulations in Michigan. Those who argue for a free market system believe that the construction and operation of methane digesters and other alternative technology should be a cost of doing business and not subsidized by the taxpayer dollars.”

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

The Committee on Great Lakes and Tourism, by Rep. Palsrok, Chair, reported
House Joint Resolution CC, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by adding section 55 to article IV, to prohibit the diversion of the waters of the Great Lakes.

Without amendment and with the recommendation that the joint resolution be adopted.

The joint resolution 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. Palsrok, Tabor, Meyer and Gleason

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, September 23, 2004
 Present: Reps. Palsrok, Tabor, Meyer and Gleason
 Absent: Reps. Brandenburg, Law and Stallworth
 Excused: Reps. Brandenburg, Law and Stallworth

Second Reading of Bills

Rep. Richardville moved that Rule 48 be suspended.
The motion prevailed, 3/5 of the members present voting therefor.

House Joint Resolution CC, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by adding section 55 to article IV, to prohibit the diversion of the waters of the Great Lakes.

The joint resolution was read a second time.

Rep. Farhat moved that the joint resolution be placed on the order of Third Reading of Bills.

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

Rep. Richardville moved that the joint resolution 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 Joint Resolution CC, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by adding section 55 to article IV, to prohibit the diversion of the waters of the Great Lakes.

The joint resolution was read a third time.

The question being on the adoption of the joint resolution,

Rep. Waters moved to reconsider the vote by which the House placed the joint resolution on the order of Third Reading of Bills.

The motion did not prevail, a majority of the members present not voting therefor.

The question being on the adoption of the joint resolution,

Rep. Kolb moved to amend the joint resolution as follows:

1. Amend page 2, line 3, after "law." by inserting "However, the foregoing amendment shall not be submitted to the people of the state at the next general election unless House Bill No. 5634 of the 92nd Legislature is enacted into law."

The question being on the seconding of the motion made by Rep. Kolb,

The motion was not seconded.

The question being on the adoption of the joint resolution,

Rep. Law moved to amend the joint resolution as follows:

1. Amend page 1, line 3, after the second "**the**" by striking out the balance of the line through "**this**" on line 4.

2. Amend page 1, line 6, after the third "**the**" by striking out "**Great Lakes**" and inserting "**state**".

3. Amend page 1, line 7, after "**Lakes.**" by inserting "**As used in this section:**

(a) "Diversion" means a transfer of water from the Great Lakes basin into another watershed outside of the Great Lakes basin including, but not limited to, the transport of water intended for commercial sale as bottled water.

(b) "Waters of the state" means groundwaters, lakes, rivers, and streams and all other watercourses and waters, including the Great Lakes, within the jurisdiction of this state."

The question being on the seconding of the motion made by Rep. Law,

The motion was not seconded.

The question being on the adoption of the joint resolution,

Rep. Waters moved to reconsider the vote by which the House did not second the motion made previously by Rep. Law.

The question being on the motion made by Rep. Waters,

Rep. Waters demanded the yeas and nays.

The demand was supported.

The question being on the motion made by Rep. Waters,

The motion did not prevail, a majority of members present not voting therefor, by yeas and nays, as follows:

Roll Call No. 798**Yeas—42**

Accavitti	Farrah	Lipsey	Sheltrown
Adamini	Gielegem	McConico	Spade
Anderson	Gillard	Meisner	Stallworth
Bieda	Gleason	Minore	Tobocman
Brown	Hardman	Murphy	Vagnozzi
Byrum	Hood	O'Neil	Waters
Cheeks	Hopgood	Phillips	Whitmer
Clack	Hunter	Plakas	Williams
Condino	Jamnick	Reeves	Wojno
Dennis	Kolb	Sak	Woodward
Elkins	Law		

Nays—60

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

In The Chair: Julian

The question being on the adoption of the joint resolution,

Rep. Waters moved to reconsider the vote by which the House did not second the motion made previously by Rep. Kolb.

The question being on the motion made by Rep. Waters,

Rep. Waters demanded the yeas and nays.

The demand was supported.

The question being on the motion made by Rep. Waters,

The motion did not prevail, a majority of members present not voting therefor, by yeas and nays, as follows:

Roll Call No. 799**Yeas—42**

Accavitti	Farrah	Lipsey	Sheltrown
Adamini	Gielegem	McConico	Smith
Anderson	Gillard	Meisner	Spade
Bieda	Gleason	Minore	Stallworth
Brown	Hardman	Murphy	Vagnozzi
Byrum	Hood	O'Neil	Waters
Cheeks	Hopgood	Phillips	Whitmer

Clack	Hunter	Plakas	Williams
Condino	Jamnick	Reeves	Wojno
Dennis	Kolb	Sak	Woodward
Elkins	Law		

Nays—59

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

In The Chair: Julian

The question being on the adoption of the joint resolution,

The joint resolution was then adopted, 2/3 of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 800**Yeas—94**

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

Nays—10

Bisbee
Bradstreet
Drolet

Emmons
Garfield
Hoogendyk

Hummel
Lipse

Moolenaar
Pappageorge

In The Chair: Julian

The House agreed to the title of the joint resolution.

Reps. McConico, Woronchak, Stewart, O'Neil, Rocca, Hager and Gaffney were named co-sponsors of the joint resolution.

Rep. Lipsey, having reserved the right to explain his nay vote, made the following statement:

“Mr. Speaker and members of the House:

While I believe in protecting our Great Lakes, I do not believe we should play politics with such an important issue. This resolution fails to properly identify which diversions are acceptable, i.e. agricultural versus which are detrimental. We are rushing through a proposed amendment which will be more confusing to the public than helpful. I hope we will revisit this issue after the election to give our citizens a meaningful opportunity to express their desire to responsibly protect our waters.”

Second Reading of Bills

Senate Bill No. 955, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 9 (MCL 211.9), as amended by 2003 PA 140.

The bill was read a second time.

Rep. Meyer moved to amend the bill as follows:

1. Amend page 3, line 20, after “of” by striking out “a” and inserting “three”.
2. Amend page 3, line 21, after “criminal” by striking out “violation” and inserting “violations”.
3. Amend page 3, line 21, after “for” by striking out “a” and inserting “three”.
4. Amend page 3, line 22, by striking out “violation” and inserting “violations”.
5. Amend page 3, line 24, after “a” by striking out “1-year” and inserting “2-year”.

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

Rep. Kolb moved to amend the bill as follows:

1. Amend page 3, line 25, after “unit.” by inserting “**If a person claiming an exemption under this subparagraph is found guilty of a criminal violation under, or found responsible for a civil violation under, part 31 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.3101 to 324.3133, the exemption under this subparagraph is rescinded in the year in which the person claiming the exemption is found guilty or is found responsible and the person claiming the exemption is not eligible to claim an exemption under this subparagraph during the immediately succeeding 1-year period. If an exemption under this subparagraph is rescinded, the property that had been subject to that exemption shall be immediately placed on the tax roll by the local tax collecting unit if the local tax collecting unit has possession of the tax roll or by the county treasurer if the county has possession of the tax roll as though the exemption had not been granted. A corrected tax bill shall be issued for the tax year being adjusted by the local tax collecting unit if the local tax collecting unit has possession of the tax roll or by the county treasurer if the county has possession of the tax roll.**”

The motion did not prevail and the amendment was not adopted, a majority of the members serving not 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. Elkins moved that Rep. Rivet be excused temporarily from today's session.
The motion prevailed.

Rep. Newell entered the House Chambers.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 955, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 9 (MCL 211.9), as amended by 2003 PA 140.

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

Roll Call No. 801

Yeas—76

Acciavatti	Garfield	Milosch	Shackleton
Adamini	Gillard	Moolenaar	Shaffer
Amos	Hager	Mortimer	Sheltrown
Bisbee	Hart	Newell	Shulman
Bradstreet	Hoogendyk	Nitz	Spade
Brandenburg	Howell	Nofs	Stahl
Brown	Huizenga	O'Neil	Stakoe
Casperson	Hummel	Palmer	Stallworth
Caswell	Hune	Palsrok	Steil
Caul	Johnson, Rick	Pappageorge	Stewart
Dennis	Johnson, Ruth	Pastor	Tabor
DeRoche	Julian	Phillips	Taub
DeRossett	Koetje	Plakas	Van Regenmorter
Ehardt	Kooiman	Pumford	Vander Veen
Elkins	LaJoy	Reeves	Voorhees
Emmons	LaSata	Richardville	Walker
Farhat	McConico	Robertson	Ward
Farrah	Meyer	Rocca	Williams
Gaffney	Middaugh	Sak	Woronchak

Nays—27

Accavitti	Gielegem	Kolb	Tobocman
Anderson	Gleason	Law	Vagnozzi
Bieda	Hardman	Lipsey	Waters
Cheeks	Hood	Meisner	Whitmer
Clack	Hopgood	Minore	Wojno
Condino	Hunter	Murphy	Woodward
Drolet	Jamnack	Smith	

In The Chair: Julian

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

"An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide

for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts,”

The House agreed to the full title.

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

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

Second Reading of Bills

Senate Bill No. 1279, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” (MCL 206.1 to 206.532) by adding section 437.

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

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.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 1279, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” (MCL 206.1 to 206.532) by adding section 437.

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

Roll Call No. 802

Yeas—104

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

Emmons
Farhat
Farrah

LaJoy
LaSata
Law

Robertson
Rocca
Sak

Wojno
Woodward
Woronchak

Nays—0

In The Chair: Julian

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

“An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts,”

The House agreed to the full title.

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

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

Second Reading of Bills

Senate Bill No. 1280, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 74101 (MCL 324.74101), as added by 1995 PA 58, and by adding section 74102a.

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

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.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 1280, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 74101 (MCL 324.74101), as added by 1995 PA 58, and by adding section 74102a.

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

Roll Call No. 803

Yeas—97

Accavitti
Acciavatti
Adamini
Amos
Anderson
Bieda
Bisbee
Brandenburg
Brown

Gillard
Gleason
Hager
Hardman
Hart
Hopgood
Howell
Huizenga
Hune

Middaugh
Milosch
Minore
Moolenaar
Mortimer
Murphy
Newell
Nitz
Nofs

Sheltrown
Shulman
Smith
Spade
Stahl
Stakoe
Stallworth
Steil
Stewart

Byrum	Hunter	O'Neil	Tabor
Casperson	Jamnick	Palmer	Taub
Caul	Johnson, Rick	Palsrok	Tobocman
Cheeks	Johnson, Ruth	Pappageorge	Vagnozzi
Clack	Julian	Pastor	Van Regenmorter
Condino	Koetje	Phillips	Vander Veen
Dennis	Kolb	Plakas	Voorhees
DeRoche	Kooiman	Pumford	Walker
DeRossett	LaJoy	Reeves	Ward
Ehardt	LaSata	Richardville	Waters
Elkins	Law	Robertson	Whitmer
Emmons	Lipsey	Rocca	Williams
Farhat	McConico	Sak	Wojno
Farrah	Meisner	Shackleton	Woodward
Gaffney	Meyer	Shaffer	Woronchak
Gielegem			

Nays—6

Bradstreet	Drolet	Hoogendyk	Hummel
Caswell	Garfield		

In The Chair: Julian

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

“An act to 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.”

The House agreed to the full title.

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

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

Second Reading of Bills

Senate Bill No. 1281, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 74124.

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 1281, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 74124.

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

Roll Call No. 804**Yeas—98**

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

Nays—3

Caswell	Drolet	Garfield
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In The Chair: Julian

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

“An act to 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,”

The House agreed to the full title.

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

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

Second Reading of Bills**Senate Bill No. 1120, entitled**

A bill to authorize the state administrative board to convey certain state owned property in Mason county; to prescribe conditions for the conveyance; and to provide for disposition of revenue derived from the conveyance.

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 1120, entitled

A bill to authorize the state administrative board to convey certain state owned property in Mason county; to prescribe conditions for the conveyance; and to provide for disposition of revenue derived from the conveyance.

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

Roll Call No. 805

Yeas—104

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

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Second Reading of Bills

Senate Bill No. 1123, entitled

A bill to authorize the state administrative board to convey or transfer certain parcels of state owned property in Barry county; to prescribe conditions for the conveyance; to provide for certain powers and duties of certain state departments in regard to the property; and to provide for disposition of revenue derived from the conveyance.

The bill was read a second time.

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

The motion prevailed.

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

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

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

Senate Bill No. 1123, entitled

A bill to authorize the state administrative board to convey or transfer certain parcels of state owned property in Barry county; to prescribe conditions for the conveyance; to provide for certain powers and duties of certain state departments in regard to the property; and to provide for disposition of revenue derived from the conveyance.

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

Roll Call No. 806

Yeas—102

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

Nays—0

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

Messages from the Governor

The following line item veto message from the Governor was received and read:

Executive Office, Lansing, September 28, 2004

Michigan House of Representatives
State Capitol Building
Lansing, Michigan 48909

Ladies and Gentlemen:

Today I have signed **Enrolled House Bill 5519**, the fiscal year 2005 Department of History, Arts and Libraries appropriation bill. However, I am returning it to you because of one item of which I disapprove, pursuant to Article V, Section 19, of the Michigan Constitution. The specific veto is contained in the attached copy of the bill, which has been filed with the Secretary of State.

This budget provides \$57.1 million (\$45.8 million general fund) in appropriations to maintain and promote Michigan's historical treasures and heritage, encourage the development of the arts and other cultural activities, and to maintain the high quality services offered in our public libraries.

I am especially pleased that in these difficult economic times, we were able to include funding to begin a new and exciting library preservation initiative. Funding appropriated for the Preservation and Access for Michigan (PAM) project will allow for the digitization of unique and specialty collections housed in Michigan libraries statewide. The digital preservation of the selected items will be available to all Michigan citizens via the Michigan electronic Library (MeL).

My action today includes veto of the \$10,000 general fund/general purpose appropriation to the Arenac County Historical Society for the Charity Island Lighthouse preservation project. This project does not meet the guidelines already established for the Michigan lighthouse assistance program

I thank the Legislature for their work on this fiscal year 2005 appropriation bill. Your tireless efforts to preserve Michigan's rich cultural heritage are appreciated in these times of limited revenues.

Sincerely,
Jennifer M. Granholm
Governor

The bill was signed by the Governor September 28, 2004, at 8:23 a.m.

The bill was filed with the Secretary of State, September 28, 2004, at 1:06 p.m., and assigned Public Act No. 340, I.E.

The question being on the passage of the disapproved item, the objections of the Governor to the contrary notwithstanding,

Rep. Richardville moved that the bill be re-referred to the Committee on Appropriations.

The motion prevailed.

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Richardville moved to suspend that portion of Rule 44 requiring bills to be handed to the Clerk three hours prior to calling the House to order.

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

Rep. Richardville moved that pursuant to House Rule 20, the Clerk of the House be authorized to enroll House bills while the House is not in session.

The motion prevailed.

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

Second Reading of Bills

House Bill No. 5920, entitled

A bill to amend 1980 PA 119, entitled "Motor carrier fuel tax act," by amending section 8 (MCL 207.218), as amended by 1996 PA 584.

The bill was read a second time.

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. 5920, entitled

A bill to amend 1980 PA 119, entitled "Motor carrier fuel tax act," by amending section 8 (MCL 207.218), as amended by 1996 PA 584.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

Second Reading of Bills

House Bill No. 5645, entitled

A bill to amend 1846 RS 14, entitled "Of county officers," by amending section 91 (MCL 53.91).

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

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

Rep. Caul 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. Nitz moved that Rep. Rick 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. 5645, entitled

A bill to amend 1846 RS 14, entitled "Of county officers," by amending section 91 (MCL 53.91).

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

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

House Bill No. 6077, entitled

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," by amending sections 11, 32b, 44, and 44a (MCL 125.1411, 125.1432b, 125.1444, and 125.1444a), section 11 as amended by 1996 PA 475 and sections 32b, 44, and 44a as amended by 2000 PA 257.

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

Roll Call No. 808

Yeas—103

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

Nays—1

Drolet

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Reps. Hardman, Anderson, Minore, DeRossett, Farrah, Condino and Gleason were named co-sponsors of the bill.

By unanimous consent the House returned to the order of
Messages from the Senate

Senate Bill No. 1105, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 2153 and 2154 (MCL 324.2153 and 324.2154), as added by 1995 PA 60.

The Senate has nonconcurrent in the House substitute (H-1) and appointed Senators McManus, Johnson and Prusi as conferees.

The message was referred to the Clerk for record.

House Bill No. 5472, entitled

A bill to amend 1846 RS 84, entitled "Of divorce," by amending section 45 (MCL 552.45).

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

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

House Bill No. 5772, entitled

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

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. 6208, entitled

A bill to amend 2002 PA 6, entitled "An act to authorize the state administrative board to convey certain parcels of state owned property in Tuscola county and Wayne county; to prescribe conditions for conveyance; to provide for certain powers and duties of the department of management and budget; and to provide for the disposition of revenue derived from the conveyances," by amending section 10.

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

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

House Bill No. 5414, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 106 (MCL 400.106), as amended by 2003 PA 33.

The Senate has amended the bill as follows:

1. Amend page 7, line 15, after "**act.**" by inserting "**The attorney general shall recover any cost or attorney fees associated with a recovery under this subsection.**".

2. Amend page 7, line 24, after "**plan,**" by striking out "**the individual, and his or her legal counsel shall share pro rata in the proceeds with each receiving 1/3**" and inserting "**and the individual shall share equally in the proceeds**".

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

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

House Bill No. 5467, entitled

A bill to amend 1887 PA 128, entitled "An act establishing the minimum ages for contracting marriages; to require a civil license in order to marry and its registration; to provide for the implementation of federal law; and to provide a penalty for the violation of this act," by amending the title and sections 2, 3, and 3a (MCL 551.102, 551.103, and 551.103a), the title and section 2 as amended by 1998 PA 333, section 3 as amended by 1984 PA 346, and section 3a as amended by 1989 PA 270, and by adding sections 2a and 2b.

The Senate has substituted (S-2) the bill.

The Senate has passed the bill as substituted (S-2) and amended the title to read as follows:

A bill to amend 1887 PA 128, entitled "An act establishing the minimum ages for contracting marriages; to require a civil license in order to marry and its registration; to provide for the implementation of federal law; and to provide

a penalty for the violation of this act,” by amending sections 3 and 3a (MCL 551.103 and 551.103a), section 3 as amended by 1984 PA 346 and section 3a as amended by 1989 PA 270.

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

House Bill No. 5468, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” (MCL 206.1 to 206.532) by adding section 269.

The Senate has substituted (S-2) the bill.

The Senate has passed the bill as substituted (S-2) and amended the title to read as follows:

A bill to amend 1967 PA 281, entitled “An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts,” (MCL 206.1 to 206.532) by adding section 263.

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

House Bill No. 5469, entitled

A bill to amend 1887 PA 128, entitled “An act establishing the minimum ages for contracting marriages; to require a civil license in order to marry and its registration; to provide for the implementation of federal law; and to provide a penalty for the violation of this act,” (MCL 551.101 to 551.111) by amending the title, as amended by 1998 PA 333, and by adding section 12.

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

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

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

House Bill No. 5470, entitled

A bill to amend 1846 RS 84, entitled “Of divorce,” (MCL 552.1 to 552.45) by adding sections 5 and 5a.

The Senate has substituted (S-3) the bill.

The Senate has passed the bill as substituted (S-3) and amended the title to read as follows:

A bill to amend 1846 RS 84, entitled “Of divorce,” (MCL 552.1 to 552.45) by adding section 5.

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

House Bill No. 5471, entitled

A bill to amend 1970 PA 91, entitled “Child custody act of 1970,” by amending sections 4 and 7a (MCL 722.24 and 722.27a), section 4 as amended by 1998 PA 482 and section 7a as amended by 1996 PA 19.

The Senate has substituted (S-2) the bill.

The Senate has passed the bill as substituted (S-2) and amended the title to read as follows:

A bill to amend 1970 PA 91, entitled “An act to declare the inherent rights of minor children; to establish rights and duties to their custody, support, and parenting time in disputed actions; to establish rights and duties to provide support for a child after the child reaches the age of majority under certain circumstances; to provide for certain procedure and appeals; and to repeal certain acts and parts of acts,” by amending section 4 (MCL 722.24), as amended by 1998 PA 482.

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

House Bill No. 5473, entitled

A bill to amend 1887 PA 128, entitled “An act establishing the minimum ages for contracting marriages; to require a civil license in order to marry and its registration; to provide for the implementation of federal law; and to provide a penalty for the violation of this act,” by amending section 4 (MCL 551.104).

The Senate has substituted (S-2) the bill.

The Senate has passed the bill as substituted (S-2).

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

House Bill No. 5474, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 16901, 16903, and 16905 (MCL 333.16901, 333.16903, and 333.16905), as added by 1995 PA 126.

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 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” by amending section 16905 (MCL 333.16905), as added by 1995 PA 126.

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

House Concurrent Resolution No. 67.

A concurrent resolution approving an increase in Total Project Cost, approving the conveyance of property to the State Building Authority, and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Community Health Center for Forensic Psychiatry.

(For text of concurrent resolution, see House Journal No. 79, p. 1950.)

The Senate has adopted the concurrent resolution and named Senator Allen as co-sponsor.

The concurrent resolution was referred to the Clerk for record.

Rep. Zelenko entered the House Chambers.

Quorum Call

Rep. Richardville questioned the presence of a quorum and moved that the roll be called and printed in the Journal. The motion prevailed.

The roll was called and the Clerk announced that a quorum was present.

The following is the roll call:

Roll Call No. 809

Yeas—97

Accavitti	Gaffney	Meisner	Shaffer
Acciavatti	Garfield	Meyer	Sheltrown
Adamini	Gielegem	Middaugh	Smith
Amos	Gleason	Milosch	Spade
Anderson	Hager	Minore	Stahl
Bieda	Hardman	Moolenaar	Stakoe
Bisbee	Hood	Mortimer	Stallworth
Bradstreet	Hoogendyk	Murphy	Steil

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

In The Chair: Julian

The Speaker assumed the Chair.

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, September 22:

**Senate Bill Nos. 1397 1398 1399 1400 1401 1402 1403 1404 1405 1406 1407 1408 1409 1410
1411 1412 1413 1414 1415**

The Clerk announced the enrollment printing and presentation to the Governor on Thursday, September 23, for her approval of the following bill:

Enrolled House Bill No. 5509 at 11:30 a.m.

The Clerk announced that the following bills and joint resolution had been printed and placed upon the files of the members on Thursday, September 23:

**House Bill Nos. 6213 6214 6215 6216 6217 6218 6219 6220 6221 6222 6223 6224 6225 6226
6227 6228 6229 6230 6231 6232 6233 6234 6235**

House Joint Resolution CC

The Clerk announced that the following Senate bills had been received on Thursday, September 23:

Senate Bill Nos. 1095 1243 1368 1369 1376 1391 1396

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

Senate Bill Nos. 1417 1418 1419 1420 1421 1422 1423 1424 1425 1426 1427

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

Enrolled House Bill No. 5113 at 11:00 a.m.

Enrolled House Bill No. 5114 at 11:02 a.m.

Enrolled House Bill No. 5809 at 11:04 a.m.

The Clerk announced the enrollment printing and presentation to the Governor on Tuesday, September 28, for her approval of the following bill:

Enrolled House Bill No. 5802 at 2:00 p.m.

The Clerk announced that the following bill had been printed and placed upon the files of the members on Tuesday, September 28:

Senate Bill No. 1432

The Clerk announced that the following bills had been printed and placed upon the files of the members on Wednesday, September 29:

Senate Bill Nos. 1428 1429 1430 1431 1433

The Clerk announced that the following Senate bills had been received on Wednesday, September 29:

Senate Bill Nos. 959 961 963 964 966 1148 1384

By unanimous consent the House returned to the order of

Motions and Resolutions

By unanimous consent the House considered **House Resolution No. 319** out of numerical order.

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution:
House Resolution No. 319.

A resolution of tribute offered as a memorial for Joseph Ingram Jackson, former member of the House of Representatives.

Whereas, It is with great respect for the manner in which he served our state and this legislative body that we extend this expression of respect to mark the passing of Joseph Ingram Jackson, a member of the Michigan House of Representatives from 1955 to 1962. We offer our condolences to his family as we mark his contributions to the legislative process and the development of our state; and

Whereas, Born in London, Ontario, in 1906, Joseph Jackson came to Detroit in 1925 and learned the tool and die trade. He became actively involved in community groups and organized labor, becoming an official with his local in the UAW. From this start, he devoted himself to civic affairs in Highland Park and to the real estate profession. In 1954, he was elected to the first of his four consecutive terms in the Michigan House of Representatives. Mr. Jackson, who was thought to be the oldest living former Michigan lawmaker before his passing, served our state during the governorship of G. Mennen Williams, at a time when Michigan was adjusting to the challenges of the post war boom; and

Whereas, As a member of the House, Mr. Jackson contributed to the work of several committees, including those dealing with conservation, education, local government, and various state institutions. Following his work as a lawmaker, Mr. Jackson went on to create a successful business in Oakland County and to exhibit the energy and compassion that earned him honors and which marked his entire life; now, therefore, be it

Resolved by the House of Representatives, That we offer this expression of our highest tribute to honor the memory of Joseph Ingram Jackson, who served as a member of this legislative body with great distinction from 1955 to 1962; and be it further

Resolved, That copies of this resolution be transmitted to the Jackson family as evidence of our condolences and gratitude for his service to our state.

The question being on the adoption of the resolution,

The resolution was adopted by unanimous standing vote.

The Speaker called the Speaker Pro Tempore to the Chair.

Rep. Richardville moved that Rule 45 be suspended.

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

Rep. Richardville moved that the Committee on Tax Policy be discharged from further consideration of **House Bill No. 6227.**

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

The bill was placed on the order of Second Reading of Bills and laid over one day.

Rep. Richardville moved that Rule 45 be suspended.
The motion prevailed, 3/5 of the members present voting therefor.

Rep. Richardville moved that the Committee on Health Policy be discharged from further consideration of **House Bill No. 4703**.

The motion prevailed, a majority of the members serving voting therefor.
The bill was placed on the order of Second Reading of Bills and laid over one day.

Richardville moved that Rule 45 be suspended.
The motion prevailed, 3/5 of the members present voting therefor.

Rep. Richardville moved that the Committee on Health Policy be discharged from further consideration of **House Concurrent Resolution No. 68**.

The motion prevailed, a majority of the members serving voting therefor.
The concurrent resolution was placed on the order of Reports of Standing Committees and laid over one day.

Second Reading of Bills

House Bill No. 6168, entitled

A bill to prohibit certain acts and practices concerning identity theft; to provide for the powers and duties of certain state and local governmental officers and entities; to prescribe penalties and provide remedies; and to repeal acts and parts of acts.

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

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

Rep. Van Regenmorter 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. Van Regenmorter moved to amend the bill as follows:

1. Amend page 8, line 2, after "exercising" by inserting "reasonable".

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

Rep. Van Regenmorter moved to amend the bill as follows:

1. Amend page 8, line 6, after "subdivision." by inserting "This subdivision does not apply to a change to or review of an existing account."

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

Rep. Van Regenmorter moved to amend the bill as follows:

1. Amend page 8, line 4, after "issued" by inserting "for depository institutions, and to be issued for other financial institutions,".

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

Rep. Van Regenmorter moved to amend the bill as follows:

1. Amend page 1, following line 3, by inserting:

"(a) "Child or spousal support" means support for a child or spouse, paid or provided pursuant to state or federal law under a court order or judgement. Support includes, but is not limited to, any of the following:

(i) Expenses for day-to-day care.

(ii) Medical, dental, or other health care.

(iii) Child care expenses.

(iv) Educational expenses.

(v) Expenses in connection with pregnancy or confinement under the paternity act, 1956 PA 205, MCL 722.711 to 722.730.

(vi) Repayment of genetic testing expenses, under the paternity act, 1956 PA 205, MCL 722.711 to 722.730.

(vii) A surcharge as provided by section 3a of the support and parenting time enforcement act, 1982 PA 295, MCL 552.603a." and relettering the remaining subdivisions.

2. Amend page 4, line 20, after "debt," by inserting "child or spousal support obligation, tax liability,".

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

Rep. Robertson 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. Sak moved that Rep. Plakas be excused temporarily from today's session.
The motion prevailed.

Rep. Steil moved that Rep. Shackleton 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. 6168, entitled

A bill to prohibit certain acts and practices concerning identity theft; to provide for the powers and duties of certain state and local governmental officers and entities; to prescribe penalties and provide remedies; and to repeal acts and parts of acts.

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

Roll Call No. 810

Yeas—104

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

Nays—0

In The Chair: Julian

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

Second Reading of Bills

House Bill No. 6169, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 14h and 16o of chapter XVII (MCL 777.14h and 777.16o), section 14h as amended by 2003 PA 134 and section 16o as amended by 2000 PA 389.

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

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

Rep. Van Regenmorter moved to amend the bill as follows:

1. Amend page 1, line 5, by striking out "445.64" and inserting "445.65".
2. Amend page 1, line 6, by striking out "445.65" and inserting "445.67".

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

Rep. Van Regenmorter 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. 6169, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 14h and 16o of chapter XVII (MCL 777.14h and 777.16o), section 14h as amended by 2003 PA 134 and section 16o as amended by 2000 PA 389.

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

Roll Call No. 811

Yeas—105

Accavitti	Garfield	Meisner	Shaffer
Acciavatti	Gielegthem	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	Palmer	Tobocman
Caul	Hune	Palsrok	Vagnozzi
Cheeks	Hunter	Pappageorge	Van Regenmorter
Clack	Jamnack	Pastor	Vander Veen
Condino	Johnson, Ruth	Phillips	Voorhees
Dennis	Julian	Plakas	Walker
DeRoche	Koetje	Pumford	Ward
DeRossett	Kolb	Reeves	Waters

Drolet	Kooiman	Richardville	Whitmer
Ehardt	LaJoy	Rivet	Williams
Elkins	LaSata	Robertson	Wojno
Emmons	Law	Rocca	Woodward
Farhat	Lipsey	Sak	Woronchak
Farrah	McConico	Shackleton	Zelenko
Gaffney			

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Second Reading of Bills**House Bill No. 6170, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” (MCL 760.1 to 777.69) by adding section 10c to chapter II.

The bill was read a second time.

Rep. Farhat 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. 6170, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” (MCL 760.1 to 777.69) by adding section 10c to chapter II.

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

Roll Call No. 812**Yeas—106**

Accavitti	Garfield	Meisner	Shaffer
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	Palmer	Tobocman
Caul	Hune	Palsrok	Vagnozzi

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

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Second Reading of Bills

House Bill No. 6171, entitled

A bill to establish the social security number privacy act in the state of Michigan; to prescribe penalties; and to provide remedies.

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

The substitute (H-1) was not adopted, a majority of the members serving not voting therefor.

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

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

Rep. Van Regenmorter moved to amend the bill as follows:

1. Amend page 7, line 24, after “3” by striking out the balance of the line through “greater” on line 25.

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

Rep. Van Regenmorter moved to amend the bill as follows:

1. Amend page 4, line 23, after “6809” by striking out the balance of the line through “subtitle” on line 24.

2. Amend page 4, line 25, after “104-191” by striking out the balance of the line through “act” on line 26.

3. Amend page 4, line 27, after “500.539” by striking out the balance of the subparagraph and inserting a period.

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

Rep. Van Regenmorter moved to amend the bill as follows:

1. Amend page 1, line 4, after ““Child” by inserting “or spousal”.

2. Amend page 1, line 4, after “child” by inserting “or spouse”.

3. Amend page 1, line 6, after “judgement.” by inserting “Support includes, but is not limited to, any of the following:

(i) Expenses for day-to-day care.

(ii) Medical, dental, or other health care.

(iii) Child care expenses.

(iv) Educational expenses.

(v) Expenses in connection with pregnancy or confinement under the paternity act, 1956 PA 205, MCL 722.711 to 722.730.

(vi) Repayment of genetic testing expenses, under the paternity act, 1956 PA 205, MCL 722.711 to 722.730.

(vii) A surcharge as provided by section 3a of the support and parenting time enforcement act, 1982 PA 295, MCL 552.603a.”.

4. Amend page 6, line 7, after “child” by inserting “or spousal”.

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

Rep. Casperson 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. 6171, entitled

A bill to establish the social security number privacy act in the state of Michigan; to prescribe penalties; and to provide remedies.

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

Roll Call No. 813

Yeas—106

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

Nays—0

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

Second Reading of Bills

House Bill No. 6172, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 24 of chapter VII (MCL 767.24), as amended by 2002 PA 119.

The bill was read a second time.

Rep. Van Regenmorter moved to amend the bill as follows:

1. Amend page 3, line 9, after "**in**" by striking out "**section 4 or 5**" and inserting "**section 5 or 7**".

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

Rep. Milosch 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. 6172, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 24 of chapter VII (MCL 767.24), as amended by 2002 PA 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. 814

Yeas—106

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

Farrah
Gaffney

Lipsey
McConico

Shackleton

Zelenko

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Second Reading of Bills

House Bill No. 6173, entitled

A bill to amend 1985 PA 87, entitled "Crime victim's rights act," (MCL 780.751 to 780.834) by adding sections 4a, 33b, and 64a.

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

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

Rep. Van Regenmorter moved to amend the bill as follows:

1. Amend page 1, line 2, after "to" by striking out the balance of the line through "from" on line 3 and inserting "file a police report with".

2. Amend page 1, line 6, after "762.10c" by inserting a comma and "and to obtain a copy of that report from that law enforcement agency".

3. Amend page 1, line 10, after "to" by striking out the balance of the line through "from" on line 11 and inserting "file a police report with".

4. Amend page 2, line 3, after "762.10c" by inserting a comma and "and to obtain a copy of that report from that law enforcement agency".

5. Amend page 2, line 7, after "to" by striking out the balance of the line through "from" on line 8 and inserting "file a police report with".

6. Amend page 2, line 11, after "762.10c" by inserting a comma and "and to obtain a copy of that report from that law enforcement agency".

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

Rep. Stakoe 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. 6173, entitled

A bill to amend 1985 PA 87, entitled "Crime victim's rights act," (MCL 780.751 to 780.834) by adding sections 4a, 33b, and 64a.

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

Roll Call No. 815

Yeas—105

Accavitti
Acciavatti
Adamini
Amos
Anderson
Bieda
Bisbee

Garfield
Gielegem
Gillard
Gleason
Hager
Hardman
Hart

McConico
Meisner
Meyer
Middaugh
Milosch
Minore
Moolenaar

Shaffer
Sheltrown
Shulman
Smith
Spade
Stahl
Stakoe

Bradstreet	Hood	Mortimer	Stallworth
Brandenburg	Hoogendyk	Murphy	Steil
Brown	Hopgood	Newell	Stewart
Byrum	Howell	Nitz	Tabor
Casperson	Huizenga	Nofs	Taub
Caswell	Hummel	O'Neil	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	Whitmer
Ehardt	Kooiman	Richardville	Williams
Elkins	LaJoy	Rivet	Wojno
Emmons	LaSata	Robertson	Woodward
Farhat	Law	Rocca	Woronchak
Farrah	Lipsey	Sak	Zelenko
Gaffney			

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. Anderson, Rocca, Phillips, Kolb, DeRossett, Richardville, Lipsey, Bieda, Vagnozzi, Hune, Gleason and Ward were named co-sponsors of the bill.

Second Reading of Bills

House Bill No. 6174, entitled

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending section 3 (MCL 445.903), as amended by 2002 PA 613.

The bill was read a second time.

Rep. Van Regenmorter moved to amend the bill as follows:

1. Amend page 7, line 3, after "**section**" by striking out "**7**" and inserting "**11**".

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

Rep. Nofs 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. Caswell moved that Rep. Shackleton 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. 6174, entitled

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending section 3 (MCL 445.903), as amended by 2002 PA 613.

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

Roll Call No. 816**Yeas—105**

Accavitti	Garfield	McConico	Shaffer
Acciavatti	Gielegem	Meisner	Sheltrown
Adamini	Gillard	Meyer	Shulman
Amos	Gleason	Middaugh	Smith
Anderson	Hager	Milosch	Spade
Bieda	Hardman	Minore	Stahl
Bisbee	Hart	Moolenaar	Stakoe
Bradstreet	Hood	Mortimer	Stallworth
Brandenburg	Hoogendyk	Murphy	Steil
Brown	Hopgood	Newell	Stewart
Byrum	Howell	Nitz	Tabor
Casperson	Huizenga	Nofs	Taub
Caswell	Hummel	O'Neil	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	Whitmer
Ehardt	Kooiman	Richardville	Williams
Elkins	LaJoy	Rivet	Wojno
Emmons	LaSata	Robertson	Woodward
Farhat	Law	Rocca	Woronchak
Farrah	Lipsey	Sak	Zelenko
Gaffney			

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. Woronchak, Anderson, Rocca, Zelenko, Kolb, Richardville, Koetje, Voorhees, Middaugh, Vander Veen, Gaffney, Hunter, Farrah, Stakoe, Hune, Moolenaar and Mortimer were named co-sponsors of the bill.

Second Reading of Bills**House Bill No. 6175, entitled**

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending section 3 (MCL 445.903), as amended by 2002 PA 613.

The bill was read a second time.

Rep. Mortimer 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. 6175, entitled**

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending section 3 (MCL 445.903), as amended by 2002 PA 613.

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

Roll Call No. 817**Yeas—105**

Accavitti	Garfield	McConico	Shaffer
Acciavatti	Gielegem	Meisner	Sheltrown
Adamini	Gillard	Meyer	Shulman
Amos	Gleason	Middaugh	Smith
Anderson	Hager	Milosch	Spade
Bieda	Hardman	Minore	Stahl
Bisbee	Hart	Moolenaar	Stakoe
Bradstreet	Hood	Mortimer	Stallworth
Brandenburg	Hoogendyk	Murphy	Steil
Brown	Hopgood	Newell	Stewart
Byrum	Howell	Nitz	Tabor
Casperson	Huizenga	Nofs	Taub
Caswell	Hummel	O'Neil	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	Whitmer
Ehardt	Kooiman	Richardville	Williams
Elkins	LaJoy	Rivet	Wojno
Emmons	LaSata	Robertson	Woodward
Farhat	Law	Rocca	Woronchak
Farrah	Lipsey	Sak	Zelenko
Gaffney			

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. Rocca, Kolb, DeRossett, Lipsey, Voorhees, Vander Veen, Sheltrown, Farrah, Bieda, Wojno, Accavitti, Hune, Ward, Moolenaar and Gillard were named co-sponsors of the bill.

Second Reading of Bills**House Bill No. 6176, entitled**

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending section 3 (MCL 445.903), as amended by 2002 PA 613.

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

The substitute (H-1) was not adopted, a majority of the members serving not voting therefor.

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

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 6176, entitled

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending section 3 (MCL 445.903), as amended by 2002 PA 613.

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

Roll Call No. 818

Yeas—105

Accavitti	Garfield	McConico	Shaffer
Acciavatti	Gielegem	Meisner	Sheltrown
Adamini	Gillard	Meyer	Shulman
Amos	Gleason	Middaugh	Smith
Anderson	Hager	Milosch	Spade
Bieda	Hardman	Minore	Stahl
Bisbee	Hart	Moolenaar	Stakoe
Bradstreet	Hood	Mortimer	Stallworth
Brandenburg	Hoogendyk	Murphy	Steil
Brown	Hopgood	Newell	Stewart
Byrum	Howell	Nitz	Tabor
Casperson	Huizenga	Nofs	Taub
Caswell	Hummel	O'Neil	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	Whitmer
Ehardt	Kooiman	Richardville	Williams
Elkins	LaJoy	Rivet	Wojno
Emmons	LaSata	Robertson	Woodward
Farhat	Law	Rocca	Woronchak
Farrah	Lipsey	Sak	Zelenko
Gaffney			

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Second Reading of Bills

House Bill No. 6177, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 539k. The bill was read a second time.

Rep. Rocca 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. 6177, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 539k.

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

Roll Call No. 819

Yeas—105

Accavitti	Garfield	McConico	Shaffer
Acciavatti	Gielegem	Meisner	Sheltrown
Adamini	Gillard	Meyer	Shulman
Amos	Gleason	Middaugh	Smith
Anderson	Hager	Milosch	Spade
Bieda	Hardman	Minore	Stahl
Bisbee	Hart	Moolenaar	Stakoe
Bradstreet	Hood	Mortimer	Stallworth
Brandenburg	Hoogendyk	Murphy	Steil
Brown	Hopgood	Newell	Stewart
Byrum	Howell	Nitz	Tabor
Casperson	Huizenga	Nofs	Taub
Caswell	Hummel	O'Neil	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	Whitmer
Ehardt	Kooiman	Richardville	Williams
Elkins	LaJoy	Rivet	Wojno
Emmons	LaSata	Robertson	Woodward
Farhat	Law	Rocca	Woronchak
Farrah	Lipsey	Sak	Zelenko
Gaffney			

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. Anderson, Pappageorge, Phillips, Minore, Zelenko, Kolb, Jamnick, DeRossett, Richardville, Lipsey, Voorhees, Ruth Johnson, Gaffney, Bieda, Wojno, Vagnozzi, Accavitti, Hune, Gleason, Elkins, Gillard and Mortimer were named co-sponsors of the bill.

Second Reading of Bills

Senate Bill No. 220, entitled

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending section 3 (MCL 445.903), as amended by 2002 PA 613.

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

The substitute (H-3) 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.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 220, entitled

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending section 3 (MCL 445.903), as amended by 2002 PA 613.

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

Roll Call No. 820

Yeas—106

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

Nays—0

In The Chair: Julian

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

"An act to prohibit certain methods, acts, and practices in trade or commerce; to prescribe certain powers and duties; to provide for certain remedies, damages, and penalties; to provide for the promulgation of rules; to provide for certain investigations; and to prescribe penalties,"

The House agreed to the full title.

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

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

Second Reading of Bills

Senate Bill No. 657, entitled

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending section 3 (MCL 445.903), as amended by 2002 PA 613.

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

The substitute (H-3) was not adopted, a majority of the members serving not voting therefor.

Rep. Van Regenmorter moved to substitute (H-4) the bill.

The motion prevailed and the substitute (H-4) 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.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 657, entitled

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending section 3 (MCL 445.903), as amended by 2002 PA 613.

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

Roll Call No. 821

Yeas—106

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

Nays—0

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

“An act to prohibit certain methods, acts, and practices in trade or commerce; to prescribe certain powers and duties; to provide for certain remedies, damages, and penalties; to provide for the promulgation of rules; to provide for certain investigations; and to prescribe penalties,”

The House agreed to the full title.

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

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

Second Reading of Bills

Senate Bill No. 792, entitled

A bill to prohibit certain acts and practices concerning identity theft; to provide for the powers and duties of certain state and local governmental officers and entities; to prescribe penalties and provide remedies; and to repeal acts and parts of acts.

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

The substitute (H-2) was not adopted, a majority of the members serving not voting therefor.

Rep. Van Regenmorter moved to substitute (H-4) the bill.

The motion prevailed and the substitute (H-4) was adopted, a majority of the members serving voting therefor.

Rep. Van Regenmorter moved to amend the bill as follows:

1. Amend page 8, line 2, after “exercising” by inserting “reasonable”.

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

Rep. Van Regenmorter moved to amend the bill as follows:

1. Amend page 8, line 6, after “subdivision.” by inserting “This subdivision does not apply to a change to or review of an existing account.”.

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

Rep. Van Regenmorter moved to amend the bill as follows:

1. Amend page 8, line 4, after “issued” by inserting “for depository institutions, and to be issued for other financial institutions,”.

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

Rep. Van Regenmorter moved to amend the bill as follows:

1. Amend page 1, following line 3, by inserting:

“(a) “Child or spousal support” means support for a child or spouse, paid or provided pursuant to state or federal law under a court order or judgement. Support includes, but is not limited to, any of the following:

(i) Expenses for day-to-day care.

(ii) Medical, dental, or other health care.

(iii) Child care expenses.

(iv) Educational expenses.

(v) Expenses in connection with pregnancy or confinement under the paternity act, 1956 PA 205, MCL 722.711 to 722.730.

(vi) Repayment of genetic testing expenses, under the paternity act, 1956 PA 205, MCL 722.711 to 722.730.

(vii) A surcharge as provided by section 3a of the support and parenting time enforcement act, 1982 PA 295, MCL 552.603a.” and relettering the remaining subdivisions.

2. Amend page 4, line 20, after “debt,” by inserting “child or spousal support obligation, tax liability,”.

The motion prevailed and the amendments were 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. Palmer moved that Rep. Rick Johnson be excused temporarily from today’s session.

The motion prevailed.

Rep. Nitz moved that Rep. Huizenga be excused temporarily from today's session.
The motion prevailed.

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

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

Senate Bill No. 792, entitled

A bill to prohibit certain acts and practices concerning identity theft; to provide for the powers and duties of certain state and local governmental officers and entities; to prescribe penalties and provide remedies; and to repeal acts and parts of acts.

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

Roll Call No. 822

Yeas—103

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

Nays—0

In The Chair: Julian

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

Second Reading of Bills

Senate Bill No. 793, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” (MCL 760.1 to 777.69) by adding section 10c to chapter II.

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

The substitute (H-3) 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. Mortimer moved that Rep. Ehardt be excused temporarily from today’s session.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 793, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” (MCL 760.1 to 777.69) by adding section 10c to chapter II.

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

Roll Call No. 823

Yeas—104

Accavitti	Garfield	McConico	Shackleton
Acciavatti	Gielegem	Meisner	Shaffer
Adamini	Gillard	Meyer	Sheltrown
Amos	Gleason	Middaugh	Shulman
Anderson	Hager	Milosch	Smith
Bieda	Hardman	Minore	Spade
Bisbee	Hart	Moolenaar	Stahl
Bradstreet	Hood	Mortimer	Stakoe
Brandenburg	Hoogendyk	Murphy	Steil
Brown	Hopgood	Newell	Stewart
Byrum	Howell	Nitz	Tabor
Casperson	Huizenga	Nofs	Taub
Caswell	Hummel	O’Neil	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	Whitmer
Elkins	Kooiman	Richardville	Williams
Emmons	LaJoy	Rivet	Wojno
Farhat	LaSata	Robertson	Woodward

Farrah
Gaffney

Law
Lipsev

Rocca
Sak

Woronchak
Zelenko

Nays—0

In The Chair: Julian

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

“An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act,”

The House agreed to the full title.

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

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

Second Reading of Bills

Senate Bill No. 795, entitled

A bill to establish the social security number privacy act in the state of Michigan; to prescribe penalties and civil sanctions; and to provide remedies.

Was read a second time, and the question being on the adoption of the proposed substitute (H-4) previously recommended by the Committee on Criminal Justice,

The substitute (H-4) was not adopted, a majority of the members serving not voting therefor.

Rep. Van Regenmorter moved to substitute (H-5) the bill.

The motion prevailed and the substitute (H-5) was adopted, a majority of the members serving voting therefor.

Rep. Van Regenmorter moved to amend the bill as follows:

1. Amend page 7, line 24, after “3” by striking out the balance of the line through “greater” on line 25.

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

Rep. Van Regenmorter moved to amend the bill as follows:

1. Amend page 4, line 23, after “6809” by striking out the balance of the line through “subtitle” on line 24.

2. Amend page 4, line 25, after “104-191” by striking out the balance of the line through “act” on line 26.

3. Amend page 4, line 27, after “500.539” by striking out the balance of the subparagraph and inserting a period.

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

Rep. Van Regenmorter moved to amend the bill as follows:

1. Amend page 1, line 4, after ““Child” by inserting “or spousal”.

2. Amend page 1, line 4, after “child” by inserting “or spouse”.

3. Amend page 1, following line 6, after “judgment.” by inserting “Support includes, but is not limited to, any of the following:

(i) Expenses for day-to-day care.

(ii) Medical, dental, or other health care.

(iii) Child care expenses.

(iv) Educational expenses.

(v) Expenses in connection with pregnancy or confinement under the paternity act, 1956 PA 205, MCL 722.711 to 722.730.

(vi) Repayment of genetic testing expenses, under the paternity act, 1956 PA 205, MCL 722.711 to 722.730.

(vii) A surcharge as provided by section 3a of the support and parenting time enforcement act, 1982 PA 295, MCL 552.603a.”.

4. Amend page 6, line 7, after “child” by inserting “or spousal”.

The motion prevailed and the amendments were 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.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 795, entitled

A bill to establish the social security number privacy act in the state of Michigan; to prescribe penalties and civil sanctions; and to provide remedies.

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

Roll Call No. 824

Yeas—105

Accavitti	Garfield	McConico	Shackleton
Acciavatti	Gielegem	Meisner	Shaffer
Adamini	Gillard	Meyer	Sheltrown
Amos	Gleason	Middaugh	Shulman
Anderson	Hager	Milosch	Smith
Bieda	Hardman	Minore	Spade
Bisbee	Hart	Moolenaar	Stahl
Bradstreet	Hood	Mortimer	Stakoe
Brandenburg	Hoogendyk	Murphy	Steil
Brown	Hopgood	Newell	Stewart
Byrum	Howell	Nitz	Tabor
Casperson	Huizenga	Nofs	Taub
Caswell	Hummel	O’Neil	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	Whitmer
Ehardt	Kooiman	Richardville	Williams
Elkins	LaJoy	Rivet	Wojno
Emmons	LaSata	Robertson	Woodward
Farhat	Law	Rocca	Woronchak
Farrah	Lipsey	Sak	Zelenko
Gaffney			

Nays—0

In The Chair: Julian

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

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

A bill to establish the social security number privacy act in the state of Michigan; to prescribe penalties; and to provide remedies.

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.

Second Reading of Bills**Senate Bill No. 797, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 14h and 16o of chapter XVII (MCL 777.14h and 777.16o), section 14h as amended by 2003 PA 134 and section 16o as amended by 2000 PA 389.

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

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

Rep. Van Regenmorter moved to amend the bill as follows:

1. Amend page 1, line 5, by striking out "**445.64**" and inserting "**445.65**".

2. Amend page 1, line 6, by striking out "**445.65**" and inserting "**445.67**".

The motion prevailed and the amendments were 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.

By unanimous consent the House returned to the order of

Third Reading of Bills**Senate Bill No. 797, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 14h and 16o of chapter XVII (MCL 777.14h and 777.16o), section 14h as amended by 2003 PA 134 and section 16o as amended by 2000 PA 389.

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

Roll Call No. 825**Yeas—105**

Accavitti	Garfield	McConico	Shackleton
Acciavatti	Gieleghem	Meisner	Shaffer
Adamini	Gillard	Meyer	Sheltrown
Amos	Gleason	Middaugh	Shulman
Anderson	Hager	Milosch	Smith
Bieda	Hardman	Minore	Spade
Bisbee	Hart	Moolenaar	Stahl
Bradstreet	Hood	Mortimer	Stakoe

Brandenburg	Hoogendyk	Murphy	Steil
Brown	Hopgood	Newell	Stewart
Byrum	Howell	Nitz	Tabor
Casperson	Huizenga	Nofs	Taub
Caswell	Hummel	O'Neil	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	Whitmer
Ehardt	Kooiman	Richardville	Williams
Elkins	LaJoy	Rivet	Wojno
Emmons	LaSata	Robertson	Woodward
Farhat	Law	Rocca	Woronchak
Farrah	Lipsey	Sak	Zelenko
Gaffney			

Nays—0

In The Chair: Julian

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

“An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act,”

The House agreed to the full title.

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

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

Second Reading of Bills

Senate Bill No. 798, entitled

A bill to amend 1976 PA 331, entitled “Michigan consumer protection act,” by amending section 3 (MCL 445.903), as amended by 2002 PA 613.

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

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

Rep. Van Regenmorter moved to amend the bill as follows:

1. Amend page 7, line 3, after “**section**” by striking out “**7**” and inserting “**11**”.

The motion prevailed and the amendment 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.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 798, entitled

A bill to amend 1976 PA 331, entitled “Michigan consumer protection act,” by amending section 3 (MCL 445.903), as amended by 2002 PA 613.

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

Roll Call No. 826

Yeas—105

Accavitti	Garfield	McConico	Shackleton
Acciavatti	Gielegem	Meisner	Shaffer
Adamini	Gillard	Meyer	Sheltrown
Amos	Gleason	Middaugh	Shulman
Anderson	Hager	Milosch	Smith
Bieda	Hardman	Minore	Spade
Bisbee	Hart	Moolenaar	Stahl
Bradstreet	Hood	Mortimer	Stakoe
Brandenburg	Hoogendyk	Murphy	Steil
Brown	Hopgood	Newell	Stewart
Byrum	Howell	Nitz	Tabor
Casperson	Huizenga	Nofs	Taub
Caswell	Hummel	O’Neil	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	Whitmer
Ehardt	Kooiman	Richardville	Williams
Elkins	LaJoy	Rivet	Wojno
Emmons	LaSata	Robertson	Woodward
Farhat	Law	Rocca	Woronchak
Farrah	Lipsey	Sak	Zelenko
Gaffney			

Nays—0

In The Chair: Julian

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

“An act to prohibit certain methods, acts, and practices in trade or commerce; to prescribe certain powers and duties; to provide for certain remedies, damages, and penalties; to provide for the promulgation of rules; to provide for certain investigations; and to prescribe penalties.”

The House agreed to the full title.

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

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

Second Reading of Bills

Senate Bill No. 803, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 24 of chapter VII (MCL 767.24), as amended by 2002 PA 119.

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

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

Rep. Van Regenmorter moved to amend the bill as follows:

1. Amend page 3, line 9, after “**in**” by striking out “**section 4 or 5**” and inserting “**section 5 or 7**”.

The motion prevailed and the amendment 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.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 803, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 24 of chapter VII (MCL 767.24), as amended by 2002 PA 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. 827

Yeas—105

Accavitti	Garfield	McConico	Shackleton
Acciavatti	Gielegem	Meisner	Shaffer
Adamini	Gillard	Meyer	Sheltrown
Amos	Gleason	Middaugh	Shulman
Anderson	Hager	Milosch	Smith
Bieda	Hardman	Minore	Spade
Bisbee	Hart	Moolenaar	Stahl
Bradstreet	Hood	Mortimer	Stakoe
Brandenburg	Hoogendyk	Murphy	Steil
Brown	Hopgood	Newell	Stewart
Byrum	Howell	Nitz	Tabor
Casperson	Huizenga	Nofs	Taub
Caswell	Hummel	O’Neil	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	Whitmer
Ehardt	Kooiman	Richardville	Williams
Elkins	LaJoy	Rivet	Wojno
Emmons	LaSata	Robertson	Woodward
Farhat	Law	Rocca	Woronchak
Farrah	Lipsey	Sak	Zelenko
Gaffney			

Nays—0

In The Chair: Julian

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

“An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act,”

The House agreed to the full title.

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

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

Second Reading of Bills

House Bill No. 5537, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding section 21735.

Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Senior Health, Security and Retirement,

The substitute (H-2) was not adopted, a majority of the members serving not voting therefor.

Rep. Woronchak moved to substitute (H-4) the bill.

The motion prevailed and the substitute (H-4) was adopted, a majority of the members serving voting therefor.

Rep. Woronchak moved to amend the bill as follows:

1. Amend page 2, line 11, after “**there**” by striking out “**is**” and inserting “**are**”.
2. Amend page 4, line 22, after “**(2).**” by striking out the balance of the line through “**program**” on line 23 and inserting “**Except as otherwise provided under this subsection, if funds are appropriated by the legislature for the air conditioning grant program, the department**”.

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

Rep. Caul moved to amend the bill as follows:

1. Amend page 1, line 9, after “**under**” by striking out the balance of the line through “**(4)**” on line 10 and inserting “**subsection (3), (4), or (7)**”.
2. Amend page 4, line 26, by striking out all of line 26 through “**repaired**” on line 27 and inserting “**the projected costs of replacing, updating, or repairing its heating and cooling system**”.
3. Amend page 5, line 7, after “**2004.**” by inserting “**If funds are not appropriated by the legislature for the air conditioning grant program or if the funds are insufficient, the department is not obligated in any way to make grants to nursing homes under the air conditioning grant program. A nursing home is exempt from the requirements of subsection (2) until full funding is available and granted to that nursing home under the air conditioning grant program.**”.

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

Rep. Woronchak 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. 5537, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21735.
 Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 828

Yeas—92

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

Nays—13

Brandenburg	Garfield	Jamnack	Tabor
Caswell	Hoogendyk	Meyer	Taub
DeRoche	Hummel	Palmer	Walker
Drolet			

In The Chair: Julian

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

Rep. Richardville 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. 829**Yeas—97**

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

Nays—8

DeRoche	Garfield	Jamnick	Tabor
Drolet	Hoogendyk	Palmer	Taub

In The Chair: Julian

Reps. Hardman, Anderson, Stewart, Rocca, Zelenko, Kolb, DeRossett, Richardville, Lipsey, Murphy, Hart, Caul, Pumford, Ruth Johnson, Gaffney, Bieda, Meisner, Condino, Accavitti, Hune, Gleason, Milosch, Nofs, Ward, Byrum, Sak, Elkins, Moolenaar, Gillard and Mortimer were named co-sponsors of the bill.

By unanimous consent the House returned to the order of

Messages from the Senate**House Bill No. 4766, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding sections 21435 and 21735.

The Senate has substituted (S-2) the bill.

The Senate has passed the bill as substituted (S-2), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1978 PA 368, entitled "An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and

duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates," (MCL 333.1101 to 333.25211) by adding sections 21335 and 21735.

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

Rep. Richardville moved that Rule 45 be suspended.

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

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

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

The motion prevailed.

The Speaker laid before the House

House Bill No. 5527, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies, capital outlay, and the judicial branch for the fiscal year ending September 30, 2005; and to provide for the expenditure of the appropriations.

(The bill was received from the Senate on September 22, with substitute (S-1), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until September 29, rule suspended, amended and bill postponed temporarily, see House Journal No. 82, p. 2259.)

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

Rep. Richardville moved to reconsider the vote by which the House adopted the amendment offered previously by Rep. Shackleton.

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

Rep. Shackleton moved to amend the Senate substitute (S-1) as follows:

1. Amend page 8, line 18, by striking out all of section 302.

The question being on the adoption of the amendment offered previously by Rep. Shackleton,

Rep. Shackleton withdrew the amendment.

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

Rep. Caul moved to amend the Senate substitute (S-1) as follows:

1. Amend page 9, following line 4, enacting section 1, after "1." by inserting "The following sections are repealed: (a)".

2. Amend page 9, following line 4, enacting section 1, after "the" by striking out "93rd Legislature is repealed." and inserting "92nd Legislature.

(b) Section 452 of 2003 PA 237."

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

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

Rep. Shulman moved to amend the Senate substitute (S-1) as follows:

1. Amend page 1, line 5, by striking out all of line 5 and inserting "year ending September 30, 2004 from the".

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

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

Rep. Kooiman moved to amend the Senate substitute (S-1) as follows:

1. Amend page 9, following line 4, following section 351, by inserting:

"FAMILY INDEPENDENCE AGENCY

Sec. 401. It is the intent of the legislature that the administration's proposal for the Adrian training school be implemented, except that the W.J. Maxey training school Sequoyah center shall be closed and residents at the

Sequoyah center and the male residents at the Adrian training school shall be relocated to alternative public or private facilities or community settings, unless a formal solicitation of bids, in accordance with the Management and Budget Act, 1984 PA 431, from all Michigan private providers of juvenile justice residential services reveals that there is insufficient private sector capacity to comply with this section. The department shall notify the legislature at least 30 days before closing or making any change in the status of a state juvenile justice facility.”.

2. Amend page 9, following line 4, following enacting section 1, by inserting:

“Enacting section 2. Section 719 of Enrolled House Bill No. 5516 of the 92nd Legislature is repealed.”.

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

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

Rep. Taub moved to amend the Senate substitute (S-1) as follows:

1. Amend page 5, following line 3, following Section 152, by inserting:

“**SEC. 155. DEPARTMENT OF TREASURY**

(1) APPROPRIATION SUMMARY

GROSS APPROPRIATION	\$	1,075,000
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers		0
ADJUSTED GROSS APPROPRIATION	\$	1,075,000
Federal revenues:		
Total federal revenues.....		0
Special revenue funds:		
Total local revenues.....		0
Total private revenues.....		0
Total other state restricted revenues.....		1,075,000
State general fund/general purpose	\$	0

(2) GRANTS

State sports tourism	\$	1,075,000
GROSS APPROPRIATION	\$	1,075,000

Appropriated from:

Special revenue funds:

Convention facility development fund		1,075,000
State general fund/general purpose	\$	0”

and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 9, following line 4, following Section 351, by inserting:

“Sec. 500. The unexpended funds appropriated in part 1A to the department of treasury for state sports tourism shall not lapse at the end of the fiscal year and shall be carried over into the succeeding fiscal year and made available for expenditure.”.

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

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



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

Rep. Shackleton moved to amend the Senate substitute (S-1) as follows:

1. Amend page 8, line 18, by striking out all of section 302.

The question being on the adoption of the amendment offered by Rep. Shackleton,
Rep. Shackleton demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Rep. Shackleton,

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

The motion prevailed.



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

Second Reading of Bills

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 second time.

Rep. O'Neil moved to amend the bill as follows:

1. Amend page 2, following line 13, by inserting:

"Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 92nd Legislature are enacted into law:

- (a) Senate Bill No. 591.
- (b) Senate Bill No. 1076.
- (c) Senate Bill No. 1079."

The question being on the adoption of the amendment offered by Rep. O'Neil,

Rep. O'Neil demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Rep. O'Neil,

The amendment was not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 830

Yeas—41

Accavitti	Emmons	LaJoy	Pumford
Anderson	Farhat	LaSata	Richardville
Bieda	Farrah	Law	Sak
Bradstreet	Garfield	Meisner	Shulman
Brandenburg	Gillard	Middaugh	Stewart
Caswell	Gleason	Minore	Tabor
Condino	Hart	Moolenaar	Vagnozzi
Dennis	Hoogendyk	O'Neil	Voorhees
DeRoche	Hummel	Pastor	Wojno
DeRossett	Jamnack	Plakas	Woronchak
Drolet			

Nays—55

Acciavatti	Hood	Mortimer	Spade
Adamini	Howell	Newell	Stahl
Amos	Hune	Nitz	Stakoe
Bisbee	Hunter	Nofs	Steil
Brown	Johnson, Rick	Palmer	Taub
Casperson	Johnson, Ruth	Palsrok	Tobocman
Caul	Julian	Pappageorge	Van Regenmorter
Cheeks	Koetje	Phillips	Vander Veen
Clack	Kolb	Reeves	Walker
Ehardt	Kooiman	Robertson	Ward
Elkins	Lipsey	Shackleton	Waters
Gaffney	McConico	Shaffer	Woodward
Gielegem	Meyer	Sheltrown	Zelenko
Hager	Milosch	Smith	

Rep. O'Neil 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. 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.

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

Roll Call No. 831

Yeas—71

Accavitti	Farrah	Law	Sak
Acciavatti	Gaffney	Meyer	Shackleton
Adamini	Garfield	Middaugh	Shaffer
Amos	Gleason	Milosch	Shulman
Anderson	Hager	Minore	Stahl
Bradstreet	Hardman	Moolenaar	Stakoe
Brandenburg	Hart	Mortimer	Steil
Casperson	Howell	Newell	Stewart
Caswell	Huizenga	Nitz	Tabor
Caul	Hummel	Nofs	Taub
Condino	Hune	O'Neil	Vagnozzi
Dennis	Johnson, Rick	Palmer	Van Regenmorter
DeRoche	Johnson, Ruth	Pappageorge	Vander Veen
DeRossett	Julian	Pastor	Voorhees
Drolet	Koetje	Plakas	Walker
Ehardt	Kooiman	Pumford	Ward
Emmons	LaJoy	Richardville	Woronchak
Farhat	LaSata	Robertson	

Nays—28

Bieda	Gielegem	Meisner	Tobocman
Bisbee	Gillard	Murphy	Waters
Brown	Hoogendyk	Palsrok	Whitmer
Byrum	Hunter	Phillips	Williams
Cheeks	Kolb	Reeves	Wojno
Clack	Lipsey	Sheltrown	Woodward
Elkins	McConico	Spade	Zelenko

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Second Reading of Bills

Senate Bill No. 591, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 109h. The bill was read a second time.

Rep. Ehardt moved to substitute (H-4) the bill.

The motion prevailed and the substitute (H-4) was adopted, a majority of the members serving voting therefor.

Rep. O'Neil moved to amend the bill as follows:

1. Amend page 1, line 1, after "**109i.**" by inserting "**(1)**".
2. Amend page 1, following line 8, by inserting:

"(2) A relative of the city's chief executive officer or the county's chief executive officer is not eligible for appointment to a community mental health services board of a community mental health services program described in subsection (1)."

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

Rep. Richardville moved to reconsider the vote by which the House adopted the amendments.

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

The question being on the adoption of the amendments offered previously by Rep. O'Neil,

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

Rep. O'Neil moved to amend the bill as follows:

1. Amend page 1, following line 8, by inserting:

"Enacting section 1. This amendatory act does not take effect unless House Bill No. 5630 of the 92nd Legislature is enacted into law."

The question being on the adoption of the amendment offered by Rep. O'Neil,

Rep. O'Neil demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Rep. O'Neil,

The amendment was not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 832

Yeas—50

Accavitti	Drolet	Johnson, Ruth	Sak
Acciavatti	Emmons	Kooiman	Shulman
Adamini	Farhat	LaJoy	Stahl
Anderson	Farrah	LaSata	Stewart
Bieda	Gaffney	Law	Tabor
Brandenburg	Garfield	Meisner	Vagnozzi
Brown	Gillard	Middaugh	Van Regenmorter
Byrum	Gleason	Palmer	Vander Veen
Casperson	Hager	Pastor	Voorhees
Caul	Hart	Plakas	Walker
Dennis	Huizenga	Richardville	Wojno
DeRoche	Hummel	Rocca	Woronchak
DeRossett	Hune		

Nays—45

Amos	Jamnick	Murphy	Sheltrown
Bisbee	Johnson, Rick	Nitz	Spade
Caswell	Julian	Nofs	Stakoe
Cheeks	Koetje	Palsrok	Steil
Clack	Kolb	Pappageorge	Taub

Condino	Lipsey	Phillips	Tobocman
Ehardt	McConico	Pumford	Ward
Elkins	Meyer	Reeves	Waters
Gielegem	Milosch	Robertson	Williams
Hoogendyk	Moolenaar	Shackleton	Woodward
Howell	Mortimer	Shaffer	Zelenko
Hunter			

In The Chair: Julian

Rep. Garfield moved to reconsider the vote by which the House did not adopt the amendment.

The motion did not prevail, a majority of the members present not 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.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 591, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 109h.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

By unanimous consent the House returned to the order of

Messages from the Senate

The House returned to the consideration of

House Bill No. 4766, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding sections 21435 and 21735.

(The bill was considered earlier today, see today's Journal, p. 2328.)

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

Rep. Pastor moved to amend the Senate substitute (S-2) as follows:

1. Amend page 2, line 16, after "site." by inserting "**Until a home for the aged undergoes any major building modification as provided under subsection (2), a home for the aged that is exempt from compliance under subsection (2) shall file with the department a copy of the home for the aged's written policies and procedures and existing plans or agreements for emergency situations, including in the event of an interruption of the normal electrical supply.**"

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

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

The substitute (S-2), as amended, was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 833

Yeas—103

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

Nays—1

Drolet

In The Chair: Julian

The House agreed to the title as amended.

The Speaker laid before the House

House Bill No. 5118, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding section 5474a; and to repeal acts and parts of acts.

(The bill was received from the Senate on September 15, with substitute (S-3), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until September 22, see House Journal No. 81, p. 2215.)

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

Rep. Kolb moved to amend the Senate substitute (S-3) as follows:

1. Amend page 2, line 26, after “**governor**” by striking out the balance of the line through “**governor**” on line 27.

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

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

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

Roll Call No. 834**Yeas—86**

Accavitti	Gielegem	Meyer	Sheltrown
Acciavatti	Gillard	Minore	Shulman
Adamini	Gleason	Moolenaar	Smith
Amos	Hardman	Mortimer	Spade

Anderson	Hart	Murphy	Stahl
Bieda	Hood	Newell	Stakoe
Brandenburg	Howell	Nitz	Steil
Brown	Huizenga	Nofs	Stewart
Byrum	Hune	O'Neil	Taub
Casperson	Hunter	Palsrok	Tobocman
Caswell	Jamnick	Pappageorge	Vagnozzi
Caul	Johnson, Rick	Phillips	Van Regenmorter
Cheeks	Julian	Plakas	Vander Veen
Clack	Koetje	Pumford	Walker
Condino	Kolb	Reeves	Ward
Dennis	Kooiman	Richardville	Waters
DeRossett	LaJoy	Rivet	Whitmer
Elkins	LaSata	Robertson	Williams
Emmons	Law	Rocca	Wojno
Farhat	Lipsey	Sak	Woodward
Farrah	McConico	Shaffer	Zelenko
Gaffney	Meisner		

Nays—13

Bisbee	Garfield	Middaugh	Pastor
Bradstreet	Hoogendyk	Milosch	Tabor
DeRoche	Hummel	Palmer	Voorhees
Drolet			

In The Chair: Julian

The House agreed to the title as amended.

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. The Senate has substituted (S-4) the bill.

The Senate has passed the bill as substituted (S-4), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1976 PA 451, entitled "An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, intermediate school districts, and other public school entities; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, intermediate school districts, and other public school entities; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts," (MCL 380.1 to 380.1852) by adding section 1240; and to repeal acts and parts of acts.

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

Rep. Richardville moved that Rule 45 be suspended.

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

The question being on concurring in the substitute (S-4) made to the bill by the Senate,

Rep. Waters moved to amend the Senate substitute (S-4) as follows:

1. Amend page 1, following "**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**" by inserting:

"Sec. 420. (1) This section applies to a first class school district only if the question under section 410 is approved in the first class school district.

(2) The school board of a first class school district shall appoint a chief executive officer under this section. The initial chief executive officer shall be appointed not later than 30 days after the school board takes office under section 412, with the appointment of the initial chief executive officer to take effect at the beginning of the next school fiscal year. All of the following apply to appointment and employment of a chief executive officer under this section:

(a) The chief executive officer shall be employed by the school district according to an employment contract entered into with the school board. The term of the contract shall not exceed 4 years and may be renewed.

(b) The mayor shall submit to the school board the name of 1 nominee for the position of chief executive officer. The school board shall approve or disapprove of the nominee. Approval of the nominee shall be by majority vote of the school board. Upon approval by the school board, the nominee is appointed as chief executive officer. If the school board does not approve the nominee, the mayor shall submit to the school board the name of a new nominee.

(c) Appointment of a chief executive officer under this section is subject to section 421.

(d) A chief executive officer may be removed from office either by the mayor or by a majority vote of the members serving on the school board with the approval of the mayor. However, a chief executive officer may be removed only for good cause.

(3) Beginning on the next January 1 occurring at least 1 year after the question under section 410 is presented to the school electors of the first class school district, and until the appointment of an initial chief executive officer for a first class school district takes effect under this section, the person who was serving as chief executive officer of the school district under part 5a immediately before the school board takes office under section 412 shall act as the interim chief executive officer of the first class school district under this part. All provisions of this act that would otherwise apply to the chief executive officer of the first class school district apply to the interim chief executive officer, and he or she may exercise all the powers and duties otherwise vested by law in the chief executive officer of the first class school district until a permanent chief executive officer is appointed for the school district under this section.

(4) Upon appointment of a chief executive officer for a first class school district under this section, except for the school board's powers under subsection (11), the chief executive officer immediately may exercise all the powers and duties vested by law in the chief executive officer or the school board under this act and all additional powers and duties provided under this part; and the chief executive officer accedes to all the rights, duties, and obligations of an elected school board of a first class school district. Subject to section 421, these powers, rights, duties, and obligations include, but are not limited to, all of the following:

(a) Authority over the expenditure of all school district funds, including proceeds from bonded indebtedness and other funds dedicated to capital projects. However, the chief executive officer shall submit an annual budget and annual procurement goals to the school board for approval as provided under subsection (11)(b).

(b) Rights and obligations under collective bargaining agreements and employment contracts entered into by the previous school board or by a previous chief executive officer.

(c) Rights to prosecute and defend litigation.

(d) Obligations under any judgments entered against the school district.

(e) Rights and obligations under statute, rule, and common law.

(f) Authority to delegate any of the chief executive officer's powers and duties to 1 or more designees.

(g) All other rights, duties, and obligations provided under this part for the chief executive officer or provided under this act or other state law for a school board except for those school board powers listed in subsection (11).

(5) In addition to his or her other powers, the chief executive officer appointed under this part may terminate any contract entered into by a previous school board or chief executive officer of the school district except for a collective bargaining agreement. However, this subsection does not allow any termination or diminishment of obligations to pay debt service on legally authorized bonds. A contract terminated by a chief executive officer under this subsection is void.

(6) Upon appointment of a chief executive officer for a first class school district under this section, each employee of the qualifying school district whose position is not covered by a collective bargaining agreement is employed at the will of the chief executive officer.

(7) The chief executive officer shall appoint for the first class school district a chief financial officer, chief academic officer, chief operations officer, and chief purchasing officer. Appointment of a chief financial officer under this section is subject to section 421. These officers are employed at the will of the chief executive officer.

(8) Not later than 90 days after the initial appointment of a chief executive officer under this section, and at least annually thereafter, the chief executive officer shall develop and submit to the mayor, school board, and department a school district improvement plan that includes at least detailed academic, financial, capital, and operational goals and benchmarks for improvement and a description of strategies to be used to accomplish those goals and benchmarks. The plan also shall include an assessment of available resources and recommendations concerning additional resources or changes in statute or rule, if any, needed to meet those goals and benchmarks. The plan also shall include an evaluation of local school governance issues, including criteria for establishing building-level governance.

(9) The chief executive officer shall submit an annual report to the mayor, school board, governor, and legislature and shall make the annual report available to the community in the first class school district. The annual report shall contain at least all of the following:

(a) A summary of the initiatives that have been implemented to improve school quality in the first class school district.

(b) Measurements that may be useful in determining improvements in school quality in the first class school district. These measurements shall indicate changes from baseline data from the school year before the appointment of the chief executive officer, and shall include at least all of the following:

- (i) Standardized test scores of pupils.
- (ii) Dropout rates.
- (iii) Daily attendance figures.
- (iv) Enrollment figures.
- (v) High school completion and other pertinent completion rates.
- (vi) Changes made in course offerings.
- (vii) Proportion of school district resources devoted to direct educational services.

(c) A description of long-term performance goals that may include statewide averages or comparable measures of long-term improvement.

(10) The chief executive officer shall submit a monthly report, which shall be a public record, to the school board of the first class school district and shall make the monthly report available to the community in the first class school district. The monthly report shall contain at least all of the following:

(a) A summary of the initiatives that have been implemented to improve school quality in the first class school district.

(b) Daily attendance figures.

(c) A description of steps taken to implement the chief executive officer's school district improvement plan.

(d) A description of the progress made toward achieving the goals and benchmarks set forth in the chief executive officer's school district improvement plan.

(e) A description of progress made toward achieving the long-term performance goals set forth in the annual report under subsection (9).

(f) A copy of any and all completed financial audits authorized by the school district.

(11) The school board of a first class school district shall do all of the following:

(a) Monitor pupil performance.

(b) During June of each year, receive, review, and approve the annual budget and procurement goals submitted by the chief executive officer, including approval of the annual appropriation total for the school district's general operating fund and the general fund expenditure budget total for each of the following functions, as the functions are defined by the department in Bulletin 1022:

- (i) Instructions.
- (ii) Pupil support services.
- (iii) Instructional staff support services.
- (iv) School administration.
- (v) Business support services.
- (vi) Operations and maintenance.
- (vii) Pupil transportation services.
- (viii) Central support services.
- (ix) Community services.

(c) ~~Review~~ **Approve** all contracts totaling over ~~\$250,000.00~~ **\$50,000.00** that are entered into by the chief executive officer.

(d) Not later than August 31 of each year, provide to the mayor an annual evaluation of the performance of the chief executive officer and make this annual performance evaluation available to the public. To assist in this function, the school board may contract with an independent auditor to conduct a performance and financial audit of the activities of the chief executive officer. If the school board contracts for such an audit, the school board shall review the audit results before preparing the annual performance evaluation.

(e) Form committees as the board considers necessary or desirable to fulfill its functions.

(f) Organize and establish community assistance teams to work with the school board to implement a cohesive, full service community school program addressing the needs and concerns of the school district's population. The school board may delegate to a community assistance team the authority to devise and implement family, community, cultural, and recreational activities to promote the academic mission of the schools. The community assistance teams may also develop parental involvement activities that focus on the encouragement of voluntary parenting education, enhancing parent and family involvement in education, and promoting adult and family literacy.

(12) As used in this section and section 421, "mayor" means the mayor of the city with the greatest population as of the most recent decennial census located within the boundaries of a first class school district."

The question being on the adoption of the amendment offered by Rep. Waters,

Rep. Waters demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Rep. Waters,

Point of Order

Rep. Richardville requested a ruling from the Chair regarding the germaneness of the amendment offered by Rep. Waters.

The Chair ruled that the amendment is not germane pursuant to House Rule 64.

Rep. Waters appealed the decision of the Chair.

The question being, "Shall the judgment of the Chair stand as the judgment of the House?"

The judgment of the Chair stood as the judgment of the House, a majority of the members present voting therefor, by yeas and nays, as follows:

Roll Call No. 835**Yeas—60**

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

Nays—41

Accavitti	Gielegem	Meisner	Smith
Adamini	Gillard	Minore	Spade
Anderson	Gleason	Murphy	Tobocman
Bieda	Hardman	O'Neil	Vagnozzi
Brown	Hood	Phillips	Waters
Byrum	Hunter	Plakas	Whitmer
Clack	Jamnick	Reeves	Williams
Condino	Kolb	Rivet	Wojno
Dennis	Law	Sak	Woodward
Elkins	McConico	Sheltrown	Zelenko
Farrah			

In The Chair: Julian

The question being on concurring in the substitute (S-4) made to the bill by the Senate,

The substitute (S-4) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 836**Yeas—104**

Accavitti	Gaffney	McConico	Shackleton
Acciavatti	Garfield	Meisner	Shaffer

Adamini	Gielegem	Meyer	Sheltrown
Amos	Gillard	Middaugh	Shulman
Anderson	Gleason	Milosch	Smith
Bieda	Hager	Minore	Spade
Bisbee	Hardman	Moolenaar	Stahl
Bradstreet	Hart	Mortimer	Stakoe
Brandenburg	Hood	Murphy	Steil
Brown	Hoogendyk	Newell	Stewart
Byrum	Howell	Nitz	Tabor
Casperson	Huizenga	Nofs	Taub
Caswell	Hummel	O'Neil	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	Whitmer
Ehardt	Kooiman	Richardville	Williams
Elkins	LaJoy	Rivet	Wojno
Emmons	LaSata	Robertson	Woodward
Farhat	Law	Rocca	Woronchak
Farrah	Lipsey	Sak	Zelenko

Nays—0

In The Chair: Julian

The House agreed to the title as amended.

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

The House returned to the consideration of

House Bill No. 5527, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies, capital outlay, and the judicial branch for the fiscal year ending September 30, 2005; and to provide for the expenditure of the appropriations.

(The bill was considered earlier today, see today's Journal, p. 2329.)

The question being on the adoption of the amendment offered previously by Rep. Shackleton,

Rep. Shackleton demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered previously by Rep. Shackleton,

Rep. Shackleton withdrew the amendment.

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

The substitute (S-1), as amended, was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 837**Yeas—100**

Accavitti	Gaffney	McConico	Shaffer
Acciavatti	Gielegem	Meisner	Sheltrown
Adamini	Gillard	Meyer	Shulman
Amos	Gleason	Middaugh	Smith

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

Nays—1

Garfield

In The Chair: Julian

The House agreed to the title as amended.

House Bill No. 5432, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 411 (MCL 339.411), as amended by 2002 PA 611.

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 1980 PA 299, entitled "An act to revise, consolidate, and classify the laws of this state regarding the regulation of certain occupations; to create a board for each of those occupations; to establish the powers and duties of certain departments and agencies and the boards of each occupation; to provide for the promulgation of rules; to provide for certain fees; to provide for penalties and civil fines; to establish rights, relationships, and remedies of certain persons under certain circumstances; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts," by amending section 411 (MCL 339.411), as amended by 2004 PA 264.

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

Rep. Richardville moved that Rule 45 be suspended.

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

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

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 838

Yeas—100

Accavitti	Garfield	McConico	Shaffer
Acciavatti	Gielegem	Meisner	Sheltrown
Adamini	Gillard	Meyer	Shulman

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

Nays—0

In The Chair: Julian

The House agreed to the title as amended.

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

House Bill No. 5953, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 438.

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 pursuant to Joint Rule 20, inserted the full title.

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

Rep. Richardville moved that Rule 45 be suspended.

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

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

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 839**Yeas—99**

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

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

Nays—0

In The Chair: Julian

The House agreed to the full title of the bill.

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

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Richardville moved that Rule 45 be suspended.

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

Rep. Richardville moved that the Committee on Commerce be discharged from further consideration of **House Bill No. 6058**.

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

The bill was placed on the order of Second Reading of Bills and laid over one day.

Rep. Richardville moved that Rule 45 be suspended.

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

Rep. Richardville moved that the Committee on Veterans Affairs and Homeland Security be discharged from further consideration of **House Bill No. 6062**.

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

The bill was placed on the order of Second Reading of Bills and laid over one day.

Second Reading of Bills

Rep. Richardville moved that Rule 48 be suspended.

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

House Bill No. 6062, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 801 (MCL 257.801), as amended by 2003 PA 152.

The bill was read a second time.

Rep. Mortimer 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. Jamnick moved that Rep. Minore 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. 6062, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 801 (MCL 257.801), as amended by 2003 PA 152.

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

Roll Call No. 840

Yeas—100

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

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Reps. Hardman, McConico, Reeves, Woronchak, Plakas, Anderson, Stewart, Drolet, Woodward, Shulman, Pappageorge, Phillips, Kolb, Jamnick, Richardville, Spade, Lipsey, Murphy, Tabor, Kooiman, Voorhees, Middaugh, Hager, Julian, Hummel, Newell, Vander Veen, Howell, Rivet, Caul, Ruth Johnson, Sheltrown, Shackleton, Brown, Palmer, Gaffney, Farrah, Pastor, LaJoy, Law, Brandenburg, Bieda, Wojno, Clack, Condino, Vagnozzi, Taub, Amos, Hune, Milosch, Caswell, Shaffer, Hoogendyk, Nofs, Ward, Steil, Sak, Nitz, Stahl, Elkins, Moolenaar, Palsrok, Walker, Gillard and Byrum were named co-sponsors of the bill.

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

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

Senate Bill No. 1164, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 21777 (MCL 333.21777).

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

Nays: None

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

Senate Bill No. 1340, entitled

A bill to amend 1995 PA 29, entitled "Uniform unclaimed property act," by amending section 19 (MCL 567.239), as amended by 2004 PA 82, and by adding section 11a; and to repeal acts and parts of acts.

With the recommendation that the following amendment be adopted and that the bill then pass.

1. Amend page 3, line 8, after "published" by striking out "**twice each year**" and inserting "**once every 6 months**".

The bill and amendment 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. Shulman, Emmons, Caul, Pumford, Shackleton, Stewart, Acciavatti, Amos, Caswell, Farhat, Hoogendyk, Moolenaar, Pastor, Shaffer, Steil, Taub, Walker, Brandenburg, Mortimer, Whitmer, Brown, Kolb, Phillips, Reeves, Williams, Cheeks, Hunter, Sak and Zelenko

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, September 28, 2004

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

Absent: Reps. Kooiman, Newell, Plakas and O'Neil

Excused: Reps. Kooiman, Newell, Plakas and O'Neil

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

House Bill No. 6230, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 1704a (MCL 388.1704a), as amended by 2003 PA 158.

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. Palmer, Hummel, Meyer, Bradstreet, Hager, Ruth Johnson, Voorhees, Vander Veen, Nofs, Stahl, Vagnozzi, Smith, Hopgood, Meisner and Clack
Nays: None

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

House Bill No. 6231, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1279 and 1279d (MCL 380.1279 and 380.1279d), section 1279 as amended by 1997 PA 175 and section 1279d as added by 2002 PA 640.

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. Palmer, Meyer, Bradstreet, Hager, Ruth Johnson, Voorhees, Nofs, Vagnozzi, Smith, Hopgood, Meisner and Clack
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: Wednesday, September 29, 2004

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

Absent: Reps. Hart, Tabor, Gielegem and Spade

Excused: Reps. Hart, Tabor, Gielegem and Spade

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

Senate Bill No. 908, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7405 (MCL 333.7405), as amended by 1997 PA 153.

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. Ehardt, Vander Veen, Ruth Johnson, Rocca, Wojno, Hardman, O'Neil, Gillard and Clack
Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, September 29, 2004

Present: Reps. Ehardt, Vander Veen, Ruth Johnson, Rocca, Gaffney, Hune, Adamini, Wojno, Hardman, O'Neil, Gillard and Clack

Absent: Reps. Hart, Woronchak, Van Regenmorter, Robertson and Ward

Excused: Reps. Hart, Woronchak, Van Regenmorter, Robertson and Ward

The Committee on Agriculture and Resource Management, by Rep. Meyer, Chair, reported
House Bill No. 5942, entitled

A bill to amend 1984 PA 44, entitled "Motor fuels quality act," by amending sections 2, 3, and 5 (MCL 290.642, 290.643, and 290.645), section 2 as amended by 1993 PA 236 and sections 3 and 5 as amended by 2002 PA 13.

With the recommendation that the substitute (H-4) 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. Meyer, Nitz, Casperson, Stahl, Spade and Law

Nays: Reps. Hager, Hune, Sheltroun and Rivet

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, September 29, 2004

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

Absent: Rep. DeRossett

Excused: Rep. DeRossett

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

House Bill No. 6226, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 303d (MCL 600.303d), as added by 1993 PA 190.

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, Bradstreet, Pappageorge, Voorhees, Garfield, Lipsey, Bieda, Condino and Smith

Nays: None

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

House Bill No. 6234, entitled

A bill to require online dating services to conduct criminal background checks or to provide certain notices; and to prescribe penalties and provide remedies.

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. Howell, LaSata, Bradstreet, Koetje, Voorhees, Lipsey, Bieda and Condino

Nays: Rep. Pappageorge

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, September 29, 2004

Present: Reps. Howell, LaSata, Bradstreet, Koetje, Pappageorge, Voorhees, Garfield, Lipsey, Bieda, Condino and Smith

Absent: Reps. Van Regenmorter, Gaffney, Wenke and Adamini

Excused: Reps. Van Regenmorter, Gaffney, Wenke and Adamini

The Committee on Transportation, by Rep. DeRossett, Chair, reported

House Bill No. 4779, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of," by amending section 10 (MCL 247.660), as amended by 2000 PA 188.

With the recommendation that the substitute (H-3) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. DeRossett, Casperson, Hummel, LaJoy, Robertson, Jamnick, Tobocman, Adamini, Murphy and Elkins

Nays: Rep. Hune

The Committee on Transportation, by Rep. DeRossett, Chair, reported

House Bill No. 5594, entitled

A bill to amend 1909 PA 283, entitled "An act to revise, consolidate, and add to the laws relating to the establishment, opening, discontinuing, vacating, closing, altering, improvement, maintenance, and use of the public highways and private roads; the condemnation of property and gravel therefor; the building, repairing and preservation of bridges; maintaining public access to waterways under certain conditions; setting and protecting shade trees, drainage, and cutting weeds and brush within this state; providing for the election or appointment and defining the powers, duties, and compensation of state, county, township, and district highway officials; and to prescribe penalties and provide remedies," by amending section 6 (MCL 224.6), as amended by 1982 PA 299.

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. DeRossett, Gaffney, LaJoy, Robertson, Anderson, Jamnick, Gleason, Tobocman and Murphy

Nays: Reps. Hune, Ward and Adamini

The Committee on Transportation, by Rep. DeRossett, Chair, reported

House Bill No. 5595, entitled

A bill to amend 1966 PA 293, entitled "An act to provide for the establishment of charter counties; to provide for the election of charter commissioners; to prescribe their powers and duties; to prohibit certain acts of a county board

of commissioners after the approval of the election of a charter commission; to prescribe the mandatory and permissive provisions of a charter; to provide for the exercise by a charter county of certain powers whether or not authorized by its charter; and to prescribe penalties and provide remedies," by amending section 14 (MCL 45.514), as amended by 1982 PA 300.

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. DeRossett, Gaffney, LaJoy, Robertson, Anderson, Jamnick, Gleason, Tobocman and Murphy

Nays: Reps. Hune and Adamini

The Committee on Transportation, by Rep. DeRossett, Chair, reported

House Bill No. 5596, entitled

A bill to amend 1973 PA 139, entitled "An act to provide forms of county government; to provide for county managers and county executives and to prescribe their powers and duties; to abolish certain departments, boards, commissions, and authorities; to provide for transfer of certain powers and functions; to prescribe powers of a board of county commissioners and elected officials; to provide organization of administrative functions; to transfer property; to retain ordinances and laws not inconsistent with this act; to provide methods for abolition of a unified form of county government; and to prescribe penalties and provide remedies," by amending section 12 (MCL 45.562).

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. DeRossett, Gaffney, LaJoy, Robertson, Anderson, Jamnick, Gleason, Tobocman and Murphy

Nays: Reps. Casperson, Hune and Adamini

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, September 29, 2004

Present: Reps. DeRossett, Casperson, Hummel, Gaffney, Hune, LaJoy, Robertson, Ward, Anderson, Jamnick, Gleason, Tobocman, Adamini, Murphy and Elkins

Absent: Reps. DeRoche and Huizenga

Excused: Reps. DeRoche and Huizenga

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

House Bill No. 6138, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 477 (MCL 168.477), as amended by 1999 PA 219.

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

Nays: None

The Committee on Local Government and Urban Policy, by Rep. Ward, Chair, reported
House Bill No. 6190, entitled

A bill to allow public officials to elect not to receive compensation for serving in their elected or appointed positions.

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. Ward, Robertson, DeRossett, Hager, Stakoe, Tobocman and Accavitti

Nays: None

The Committee on Local Government and Urban Policy, by Rep. Ward, Chair, reported
House Bill No. 6228, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2631 (MCL 600.2631).
 With the recommendation that the following amendment be adopted and that the bill then pass.

1. Amend page 2, line 16, after "**that**" by inserting "**has been approved by the legislative body of that local unit of government and**".

The bill and amendment 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. Ward, Robertson, DeRossett, Hager, Drolet, Stakoe, Jamnick and Accavitti

Nays: None

The Committee on Local Government and Urban Policy, by Rep. Ward, Chair, reported
Senate Bill No. 928, entitled

A bill to amend 1947 PA 359, entitled "The charter township act," by amending section 8 (MCL 42.8).

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

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, September 29, 2004

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

Absent: Rep. Wenke

Excused: Rep. Wenke

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

Senate Bill No. 1143, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 2891 (MCL 333.2891), as amended by 2001 PA 31.

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. Shulman, Emmons, Pumford, Shackleton, Kooiman, Newell, Stewart, Shaffer, Walker, Whitmer, Brown, Kolb, Phillips, Plakas, Williams, Cheeks, Hunter, Sak, Zelenko and O'Neil

Nays: Reps. Caul, Acciavatti, Amos, Caswell, Farhat, Hoogendyk, Moolenaar, Pastor, Steil, Taub, Brandenburg and Mortimer

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

Senate Bill No. 1146, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20161 (MCL 333.20161), as amended by 2003 PA 234.

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. Shulman, Emmons, Pumford, Shackleton, Kooiman, Stewart, Acciavatti, Amos, Caswell, Farhat, Moolenaar, Shaffer, Walker, Whitmer, Brown, Kolb, Plakas, Williams, Cheeks, Hunter, Sak and O'Neil

Nays: Reps. Caul, Hoogendyk and Brandenburg

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, September 29, 2004

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

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Sak, Plakas, Palsrok, Dennis, Richardville, Farhat, O'Neil, Anderson, Bieda, Brandenburg, Brown, Caswell, Condino, Ehardt, Garfield, Gielegem, Hood, Hopgood, Kooiman, Milosch, Pappageorge, Rivet, Sheltroun, Shulman, Spade, Stallworth, Tabor, Taub, Vagnozzi, Waters, Wojno, Accavitti, Adamini, Byrum, Caul, Clack, DeRossett, Elkins, Farrah, Gleason, Huizenga, Jamnick, Koetje, Kolb, LaSata, Lipsey, Murphy, Nofs, Rocca, Stakoe, Tobocman and Phillips offered the following resolution:

House Resolution No. 316.

A resolution recognizing October 2004 as Polish Heritage Month in the state of Michigan.

Whereas, The first Polish immigrants to North America were among the settlers of Jamestown, Virginia, in the 17th century; and

Whereas, Kazimierz Pulaski, Tadeusz Kosciuszko, and other Polish people came to the British Colonies in America to fight in the Revolutionary War and risk their lives and fortunes for the creation of the United States; and

Whereas, For over three hundred years, the Polish people, and their American descendants, have shared their traditional customs, thousand-year-old culture, and strong devotion to democracy with us; and

Whereas, Polish people, and the American descendants, have distinguished themselves by contributing to the development of arts, sciences, government, military service, athletics, and education in the United States; and

Whereas, The Polish Constitution of May 3, 1791, was directly modeled on the Constitution of the United States and recognized as the second written constitution in history. It is revered by Polish people and Americans of Polish descent; and

Whereas, We know and respect the indomitable spirit and loyal civic involvement of the Polish American people and Pole immigrants. They are Revolutionary War heroes and Nobel Peace Prize winners; and

Whereas, Polish people and their American descendants take great pride in, and honor the achievements of, the greatest son of Poland, his Holiness Pope John Paul, II; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body recognize October 2004 as Polish Heritage Month in the state of Michigan.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Sak, Hart, Kooiman, Steil, Murphy, Richardville, Plakas, O'Neil, Anderson, Bieda, Brandenburg, Condino, Ehardt, Garfield, Gielegem, Hood, Hopgood, Milosch, Pappageorge, Rivet, Sheltroun, Shulman, Spade, Stallworth, Tabor, Vagnozzi, Van Regenmorter, Waters, Wojno, Accavitti, Adamini, Byrum, Caul, Clack, Dennis, DeRossett, Elkins, Farrah, Gleason, Huizenga, Jamnick, Koetje, Kolb, Lipsey, Rocca, Stakoe, Tobocman and Phillips offered the following resolution:

House Resolution No. 317.

A resolution honoring the West Michigan Whitecaps for winning the 2004 Midwest League Championship.

Whereas, It is a great privilege and honor to salute the West Michigan Whitecaps on winning the 2004 Midwest League Championship. The Whitecaps won the title with a 4-2 win over the Kane County Cougars in Game 5 of the Championship Series on Sunday, September 19, 2004; and

Whereas, The 2004 victory is the third Midwest League Championship captured by the Whitecaps; and

Whereas, The Whitecaps have a successful history and a commitment to their community. Their mission is to provide affordable family entertainment to all of West Michigan; and

Whereas, The Whitecaps are a staple in communities throughout West Michigan. We feel a sense of duty and gratitude for all the fans who have supported the team and made it one of the premier sports franchises in the country; and

Whereas, The Whitecaps became Grand Rapids' first professional sports team to win a championship when they brought home the Midwest Team Championship in 1996 and again in 1998; and

Whereas, In December of 1999, Baseball America bestowed one of its highest honors on the Whitecaps, naming it the Class A Organization of the Decade. In addition, the 1997 Whitecaps were named the Third-Best Minor League Team of the Decade; and

Whereas, The West Michigan Whitecaps had an overall record of 69-70 this season; and

Whereas, The Whitecaps came charging into the playoffs after earning a spot on the last day of the regular season, which was sparked by an astonishing 24-6 record in August for a 40-30 second-half record and the Eastern Division Championship; and

Whereas, The West Michigan Whitecaps used a 2-1 series win over Lansing, a 2-0 sweep of South Bend, and a 3-2 win over Kane County to earn their third league championship in the 11-year history of the team and their first since 1998. The win came in the first Game 5 of the team's playoff history; and

Whereas, The Whitecaps team players to be honored are Andy Baldwin, Eulogio Delacruz, Chris Homer, Cristhian Martinez, Damien Myers, Troy Pickford, Jermy Rodriguez, Brian Rogers, Kenon Ronz, Brian Santo, Chris Steinborn, Jordan Tata, Anthony Tomey, Virgil Vasquez, Daniel Zell, Andrew Graham, Danilo Sanchez, Alex Trezza, Richard Burgos, Nate Doyle, Juan Francia, Troy Giarratano, Kelly Hunt, Kody Kirkland, Juan Llama, Nick McIntyre, Eric Rodland, Vincent Blue, Bo Flowers, Jason Knoedler, Garth McKinney, Wilton Reynolds and Luis Sabino; and

Whereas, The Whitecaps Manager, Matt Walbeck, Hitting Coach Tony Jaramillo, Pitching Coach, A.J. Sager, and Athletic Trainer, Chris Vernon are to be honored as well; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body honor the West Michigan Whitecaps for winning the 2004 Midwest League Championship.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Murphy, Anderson, Bieda, Brown, Condino, Ehardt, Garfield, Gielegem, Hood, Hopgood, Kooiman, Palsrok, Pappageorge, Plakas, Richardville, Rivet, Sak, Sheltroun, Shulman, Spade, Stallworth, Tabor, Taub, Vagnozzi, Waters, Wojno, Accavitti, Adamini, Byrum, Caul, Clack, Dennis, DeRossett, Elkins, Farrah, Gleason, Huizenga, Jamnick, Kolb, LaSata, Lipsey, Rocca, Stakoe, Tobocman and Phillips offered the following resolution:

House Resolution No. 318.

A resolution recognizing October 6, 2004, as Suicide Prevention Awareness Day in the state of Michigan.

Whereas, Suicide is the 11th leading cause of death and it is the 3rd leading cause of death among young people ages 15-24. Over 500 youth committed suicide last year in Michigan alone; and

Whereas, Males are more likely to die from suicide than females. Suicide rates are highest among whites and second highest among American Indian and Native Alaskan men; and

Whereas, The first step in preventing suicide is to identify and understand the risk factors. Risk factors are not necessarily causes, they are instances that increase the likelihood that a person will harm themselves; and

Whereas, Risk factors include a previous suicide attempt, a family history of suicide, a history of alcohol and/or substance abuse, a family history of child maltreatment, and a history of mental disorders, particularly depression. Other risk factors are feelings of hopelessness, impulsive or aggressive tendencies, loss, isolation, and physical illness. In addition, barriers to accessing mental health treatment and easy access to lethal methods are risk factors. They could also include suicidal thoughts, cultural or religious beliefs, local epidemics of suicide, and an unwillingness to seek help because of stigmas attached to mental health and substance abuse disorders; and

Whereas, Protective factors have been identified to help shield individuals from the risks associated with suicide. These include effective clinical care for mental, physical, and substance abuse disorders. They also include easy access to a variety of clinical interventions, family and community support, and support from ongoing medical and mental health care relationships. In addition, protective factors include skills in problem solving, conflict resolution, and nonviolent handling of disputes. Cultural and religious beliefs that discourage suicide and support self-preservation instincts are also protective factors; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body recognize October 6, 2004, as Suicide Prevention Awareness Day in the state of Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to the Michigan Association of Suicidology as a token of our respect for the work they have done for the citizens of Michigan.

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.

Rep. Julian offered the following resolution:

House Resolution No. 320.

A resolution to memorialize the Congress of the United States and the United States Department of Transportation to exempt local transporters of liquid petroleum from federal regulations that require 10 hours off duty for every 14 hours on duty.

Whereas, Regulations restricting hours of service of motor transport workers contribute to public safety as goods are handled and moved across the country. As technology and equipment have changed, these regulations have also evolved. The Federal Motor Carrier Safety Administration sets these standards to respond to changes that occur and situations where the regulations clearly need to be adjusted; and

Whereas, The overall impact of hours of service regulations can vary significantly from industry to industry. Currently, for those hauling and delivering liquid petroleum products, the regulations provide that a person doing so must take 10 consecutive hours off for every 14 hours worked. Companies that transport liquid petroleum locally, however, are finding that these restrictions are a hindrance to their ability to operate effectively and efficiently; and

Whereas, The most effective laws and regulations bring balance to the situation or issue in question. The regulations that determine the hours of service for a person transporting liquid petroleum locally need to be modified to reflect the vastly dissimilar nature of their jobs from others transporting similar products; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States and the United States Department of Transportation to exempt local liquid petroleum distribution personnel from federal regulations that require 10 hours off duty for every 14 hours on duty; and be it further

Resolved, That copies of this resolution be transmitted to the United States Department of Transportation, 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 Transportation.

Rep. Robertson offered the following resolution:

House Resolution No. 321.

A resolution recognizing October 22, 2004, as Nursing Assistants for Long-Term Care Day in the state of Michigan.

Whereas, Certified nurses aides provide direct care to nursing home residents, primarily for their activities of daily living, but also including some medical care; and

Whereas, Certified nurses aides assist in creating an atmosphere of warmth, personal interest, and positive emphasis as well as a healthy environment throughout the center and enhance the residents' quality of life; and

Whereas, Certified nurses aides strive to ensure the privacy of residents during care and treat residents with kindness, dignity, and respect thereby enhancing their quality of life; and

Whereas, Whereas, Certified nurses aides are part of the team that delivers high-quality health services, and helps residents of long-term care facilities maintain their independence. Michiganders and all Americans can control the escalating costs of health care services; now, therefore, be it.

Resolved by the House of Representatives, That the members of this legislative body recognize October 22, 2004, as Nursing Assistants for Long-Term Care Day in the state of Michigan. We show our support of certified nurses aides, in their commitment to patient advocacy.

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.

Notices

The Speaker appointed as conferees, on the part of the House of Representatives for **Senate Bill No. 1105**, Reps. Walker, Pumford and Brown.

Public Hearing

Subcommittee on Alternative Energy of the Committee on Energy and Technology

Date: Tuesday, October 12, 2004

Time: 10:00 a.m.

Place: Menominee County ISD Building
1201 41st Avenue
Menominee, Michigan 49858

Rep. Bill Huizenga,
Chair

Agenda: All times listed are central standard time
Testimony from Gary Erickson and Tom Meinz, UPPCO and Rob Bennington,
WI Public Service Corporation and any other interested parties.

1:45 p.m. Tour of Grand Rapids Hydro Electric Dam of WI Public Service Corporation
N6651 P3 Road
Ingalls, Michigan 49848
Or any business properly before this committee.

Public Hearing

Subcommittee on Alternative Energy of the Committee on Energy and Technology

Date: Wednesday, October 13, 2004

Time: 10:00 a.m.

Place: Kingsford High School Auditorium
431 Hamilton Avenue
Kingsford, Michigan 49802

Rep. Bill Huizenga,
Chair

Agenda: All times listed are central standard time

1:30 p.m. Tour of Kingsford Hydro Plant
Cowboy Lake Road
Kingsford, Michigan 49802
Or any business properly before this committee.

Messages from the Governor

Date: September 22, 2004
Time: 1:00 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 6021 (Public Act No. 329, I.E.), being

An act to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” by amending section 17766 (MCL 333.17766), as amended by 1990 PA 30, and by adding section 17766d.

(Filed with the Secretary of State September 23, 2004, at 9:44 a.m.)

Date: September 22, 2004
Time: 1:02 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4742 (Public Act No. 330, I.E.), being

An act to amend 1927 PA 175, entitled “An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending section 3 of chapter XI (MCL 771.3), as amended by 2004 PA 219.

(Filed with the Secretary of State September 23, 2004, at 9:46 a.m.)

Date: September 22, 2004
Time: 1:04 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5820 (Public Act No. 331, I.E.), being

An act to amend 1949 PA 300, entitled “An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for

the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date," by amending section 626 (MCL 257.626).

(Filed with the Secretary of State September 23, 2004, at 9:48 a.m.)

Date: September 22, 2004

Time: 1:06 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5846 (Public Act No. 332, I.E.), being

An act to amend 1927 PA 175, entitled "An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act," by amending section 28 of chapter V (MCL 765.28), as amended by 2002 PA 659.

(Filed with the Secretary of State September 23, 2004, at 9:50 a.m.)

Date: September 22, 2004

Time: 4:20 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5798 (Public Act No. 335, I.E.), being

An act to amend 1967 PA 281, entitled "An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts," by amending section 527a (MCL 206.527a), as amended by 2001 PA 169.

(Filed with the Secretary of State September 23, 2004, at 9:56 a.m.)

Date: September 22, 2004

Time: 4:30 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5801 (Public Act No. 336, I.E.), being

An act to amend 1952 PA 214, entitled "An act authorizing the Mackinac bridge authority to acquire a bridge connecting the upper and lower peninsulas of Michigan, including causeways, tunnels, roads and all useful related equipment and facilities, including park, parking, recreation, lighting and terminal facilities; extending the corporate existence of the authority; authorizing such authority to enjoy and carry out all powers incident to its corporate objects;

authorizing the appropriation and use of state funds for the preliminary purposes of the authority; providing for the payment of the cost of such bridge and in that connection authorizing the authority to issue revenue bonds payable solely from the revenues of the bridge; granting the right of condemnation to the authority; granting the use of state land and property to the authority; making provisions for the payment and security of such bonds and granting certain rights and remedies to the holders thereof; authorizing banks and trust companies to perform certain acts in connection therewith; authorizing the imposition of tolls and charges; authorizing the authority to secure the consent of the United States government to the construction of the bridge and to secure approval of plans, specifications and location of same; authorizing employment of engineers irrespective of whether such engineers have been previously employed to make preliminary inspections or reports with respect to the bridge; authorizing the state highway department to operate and maintain such bridge or to contribute thereto and enter into leases and agreements in connection therewith; exempting such bonds and the property of the authority from taxation; prohibiting competing traffic facilities; authorizing the operation of ferries by the authority; providing for the construction and use of certain buildings; and making an appropriation,” by amending section 12 (MCL 254.322), as amended by 2003 PA 176.

(Filed with the Secretary of State September 23, 2004, at 9:58 a.m.)

Date: September 28, 2004

Time: 8:15 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5520 (Public Act No. 339, I.E.), being

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 2005; to provide for the expenditure of these appropriations; to place certain restrictions on the expenditure of these appropriations; to prescribe the powers and duties of certain officials and employees; to require certain reports; and to provide for the disposition of fees and other income received by the judicial branch.

(Filed with the Secretary of State September 28, 2004, at 1:04 p.m.)

Date: September 28, 2004

Time: 8:26 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5522 (Public Act No. 341, I.E.), being

A bill to make appropriations for the department of military and veterans affairs for the fiscal year ending September 30, 2005; to provide for the expenditure of the appropriations; to provide for certain powers and duties of the department of military and veterans affairs, other state agencies, and local units of government related to the appropriations; and to provide for the preparation of certain reports related to the appropriations.

(Filed with the Secretary of State September 28, 2004, at 1:08 p.m.)

Communications from State Officers

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

September 21, 2004

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

Performance Audit of the Clean Michigan Initiative,
Natural Resources Protection Programs, administered by the
Department of Natural Resources
September 2004

September 24, 2004

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

Performance Audit of the Parks and Recreation Bureau
Department of Natural Resources
September 2004

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

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

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

Rep. Richardville moved that Rule 48 be suspended.
 The motion prevailed, 3/5 of the members present voting therefor.

House Bill No. 6230, entitled

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending section 1704a (MCL 388.1704a), as amended by 2003 PA 158.

The bill was read a second time.

Rep. Palmer 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. Sak moved that Rep. Cheeks 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. 6230, entitled

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending section 1704a (MCL 388.1704a), as amended by 2003 PA 158.

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

Roll Call No. 841

Yeas—103

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

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Second Reading of Bills

Rep. Richardville moved that Rule 48 be suspended.

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

House Bill No. 6231, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1279 and 1279d (MCL 380.1279 and 380.1279d), section 1279 as amended by 1997 PA 175 and section 1279d as added by 2002 PA 640.

The bill was read a second time.

Rep. Palmer 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. 6231, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1279 and 1279d (MCL 380.1279 and 380.1279d), section 1279 as amended by 1997 PA 175 and section 1279d as added by 2002 PA 640.

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

Roll Call No. 842**Yeas—102**

Accavitti	Gielegem	Meyer	Shaffer
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	Steil
Brandenburg	Howell	Nitz	Stewart
Brown	Huizenga	Nofs	Tabor
Byrum	Hummel	O'Neil	Taub
Casperson	Hune	Palmer	Tobocman
Caswell	Hunter	Palsrok	Vagnozzi
Caul	Jamnick	Pappageorge	Van Regenmorter
Clack	Johnson, Rick	Pastor	Vander Veen
Condino	Johnson, Ruth	Phillips	Voorhees
Dennis	Julian	Plakas	Walker
DeRoche	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
Garfield	Meisner		

Nays—0

In The Chair: Julian

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

—

Rep. Minore moved that Rep. Anderson be excused temporarily from today's session.
The motion prevailed.

By unanimous consent the House returned to the order of
Messages from the Senate

House Bill No. 5528, entitled

A bill to make appropriations for the state transportation department and certain transportation purposes for the fiscal year ending September 30, 2005; to provide for the imposition of fees; to provide for reports; to create certain funds and programs; to prescribe requirements for certain railroad and bus facilities; to prescribe certain powers and duties of certain state departments and officials and local units of government; and to provide for the expenditure of the appropriations.

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

The Senate has passed the bill as substituted (S-1) and ordered that it be given immediate effect.

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

Rep. Richardville moved that Rule 45 be suspended.

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

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

Rep. Julian moved to amend the Senate substitute (S-1) as follows:

1. Amend page 49, line 19, after "for" by inserting "lost ridership support and/or".

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

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

Rep. Shackleton moved to amend the Senate substitute (S-1) as follows:

1. Amend page 30, line 21, after "source" by inserting "without an approved legislative transfer or an enacted supplemental appropriations bill".

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

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

Rep. Shackleton moved to amend the Senate substitute (S-1) as follows:

1. Amend page 45, line 20, by striking out all of section 710.

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

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

Rep. Shackleton moved to amend the Senate substitute (S-1) as follows:

1. Amend page 27, line 23, by striking out all of section 370 and inserting:

“Sec. 370. The department shall develop a complaint process pertaining to charter service prohibitions that allows written or electronic complaints from private operators of potential violations of 49 CFR, part 604. The department shall maintain records of these complaints and shall forward them in an expeditious manner to the Federal Transit Administration. At the time complaints are forwarded to the Federal Transit Administration, the department shall also notify the relevant eligible authority or eligible governmental agency that a complaint has been received and potential violations have been reported to the Federal Transit Administration. The department shall request an eligible authority or eligible governmental agency respond in writing within 30 days upon notification from the department a complaint has been received. The department shall forward this response to the Federal Transit Administration. The department shall notify the relevant eligible authority or eligible governmental agency and complainant of pertinent information regarding disposal of the complaint by the Federal Transit Administration in an expeditious manner.”.

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

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

Rep. Shackleton moved to amend the Senate substitute (S-1) as follows:

1. Amend page 52, line 7, by striking out all of section 734 and inserting:

“Sec. 734. (1) The department will work to ensure that public transit agencies that receive funds under this act meet the following service performance measures:

(a) Transportation services are efficient, cost-effective, safe, well-maintained, reliable, customer-drive.

(b) Agency provides a quality work environment that fulfills employee performance, productivity, and development standards.

(c) Agency identifies and captures all available funding, creates cost-effective programs to eliminate debt, and maintains a balanced budget.

(d) Agency maintains sufficient local and community funding.

(e) Agency supports business development by providing transportation to areas of employment and commerce, emerging or established businesses, and health care facilities.

(2) The department shall inform agencies of deficiencies meeting these performance measures and shall inform agencies that failure to address deficiencies jeopardizes future state funding.

(3) The department shall report deficiencies noted in meeting performance measures to the house and senate appropriations subcommittees on transportation and the house and senate fiscal agencies by April 1, 2005.”.

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

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

Rep. Shackleton moved to amend the Senate substitute (S-1) as follows:

1. Amend page 31, line 7, by striking out all of section 401 and inserting:

“Sec. 401. When the department receives authorization from the federal government to commit transportation funds pursuant to federal appropriations, it shall present to the senate and house of representatives appropriations transportation subcommittees and the senate and house fiscal agencies, the federal amounts and categories authorized and the department’s recommendation for distribution of these funds. If a recommendation or recommendations are not disapproved within 60 business days by either the senate or house of representatives appropriations transportation subcommittee, then the recommendation or recommendations shall be considered as approved. If either the senate or house of representatives appropriations transportation subcommittee disapproves the proposed distribution, then the senate and house of representatives appropriations transportation subcommittees and the department shall hold a joint meeting to develop a final distribution. If no agreement is reached between the parties, the department’s distribution shall stand.”.

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

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

Rep. Shackleton moved to amend the Senate substitute (S-1) as follows:

1. Amend page 52, following line 6, by inserting:

“(8) The department shall ensure that transit agencies have adequate wheelchair lifts available on demand response vehicles to meet the needs of persons with disabilities.”.

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

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

Rep. Shackleton moved to amend the Senate substitute (S-1) as follows:

1. Amend page 50, line 27, after “By” by striking out “January 7, 2005” and inserting “April 1, 2005”.
 2. Amend page 51, line 5, after “accurate” by inserting “to the best of the director’s knowledge”.
- The motion prevailed and the amendments were adopted, a majority of the members serving voting therefor.
The question being on concurring in the substitute (S-1) made to the bill by the Senate,

Rep. Shackleton moved to amend the Senate substitute (S-1) as follows:

1. Amend page 10, line 10, after “benefits—” by striking out “796.7” and inserting “803.7”
2. Amend page 10, line 10, by striking out “37,678,800” and inserting “38,238,300”.
3. Amend page 10, line 15, after “benefits—” by striking out “721.7” and inserting “727.7”
4. Amend page 10, line 15, by striking out “\$31,923,700” and inserting “\$32,403,700”.
5. Amend page 10, line 26, by striking out “71,048,500” and inserting “72,088,500.” and adjusting the subtotals, totals, and section 201 accordingly.

The motion prevailed and the amendments were adopted, a majority of the members serving voting therefor.
The question being on concurring in the substitute (S-1) made to the bill by the Senate,

Rep. Shackleton moved to amend the Senate substitute (S-1) as follows:

1. Amend page 43, line 1, after “expenses.” by inserting “The Detroit Transportation Corporation is not an eligible authority or eligible governmental agency under this act and is not eligible for grants funded from appropriations made in this act.”.

The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.
The question being on concurring in the substitute (S-1) made to the bill by the Senate,

Rep. Hager moved to amend the Senate substitute (S-1) as follows:

1. Amend page 46, line 22, by striking out all of subsection (4) and renumbering the remaining subsections.
- The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

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

The substitute (S-1), as amended, was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 843

Yeas—102

Accavitti	Gieleghem	Meyer	Shaffer
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	Steil
Brandenburg	Howell	Nitz	Stewart
Brown	Huizenga	Nofs	Tabor
Byrum	Hummel	O’Neil	Taub
Casperson	Hune	Palmer	Tobocman
Caswell	Hunter	Palsrok	Vagnozzi
Caul	Jamnick	Pappageorge	Van Regenmorter
Cheeks	Johnson, Rick	Pastor	Vander Veen
Clack	Johnson, Ruth	Phillips	Voorhees
Condino	Julian	Plakas	Walker
Dennis	Koetje	Pumford	Ward
DeRoche	Kolb	Reeves	Waters
DeRossett	Kooiman	Richardville	Whitmer
Drolet	LaJoy	Rivet	Williams
Elkins	LaSata	Robertson	Wojno
Emmons	Law	Rocca	Woodward
Farhat	Lipsey	Sak	Woronchak

Farrah
Gaffney

McConico
Meisner

Shackleton

Zelenko

Nays—1

Garfield

In The Chair: Julian

House Bill No. 5906, entitled

A bill to allow governing boards of certain public bodies to create law enforcement agencies and grant certain powers and authority to law enforcement officers employed by those agencies; to require those law enforcement officers to meet certain standards; to prescribe certain powers and duties of those law enforcement agencies; to provide for certain powers of public bodies; and to provide for certain powers and duties of state and local agencies and officers.

The Senate has substituted (S-2) the bill.

The Senate has passed the bill as substituted (S-2), ordered that it be given immediate effect and amended the title to read as follows:

A bill to allow certain public bodies to create law enforcement agencies and grant certain powers and authority to law enforcement officers employed by those agencies; to require those law enforcement officers to meet certain standards; to prescribe certain powers and duties of those law enforcement agencies; to provide for certain powers of public bodies; and to provide for certain powers and duties of state and local agencies and officers.

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

Rep. Richardville moved that Rule 45 be suspended.

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

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

The substitute (S-2) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 844

Yeas—89

Accavitti	Gleason	Meyer	Shackleton
Acciavatti	Hager	Middaugh	Shaffer
Amos	Hart	Milosch	Sheltrown
Bieda	Hoogendyk	Minore	Shulman
Bisbee	Howell	Moolenaar	Smith
Bradstreet	Huizenga	Mortimer	Spade
Brandenburg	Hummel	Newell	Stahl
Casperson	Hune	Nitz	Stakoe
Caswell	Hunter	Nofs	Steil
Caul	Jamnick	O'Neil	Stewart
Cheeks	Johnson, Rick	Palmer	Tabor
Condino	Johnson, Ruth	Palsrok	Taub
DeRoche	Julian	Pappageorge	Tobocman
DeRossett	Koetje	Pastor	Van Regenmorter
Drolet	Kolb	Phillips	Vander Veen
Ehardt	Kooiman	Pumford	Voorhees
Elkins	LaJoy	Reeves	Walker
Emmons	LaSata	Richardville	Ward
Farhat	Law	Rivet	Williams
Gaffney	Lipsey	Robertson	Wojno

Garfield
Gielegem
Gillard

McConico
Meisner

Rocca
Sak

Woodward
Woronchak

Nays—10

Anderson
Byrum
Clack

Farrah
Hardman
Murphy

Vagnozzi
Waters

Whitmer
Zelenko

In The Chair: Julian

The House agreed to the title as amended.

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

House Bill No. 5907, entitled

A bill to amend 1965 PA 203, entitled "Commission on law enforcement standards act," by amending sections 2 and 9 (MCL 28.602 and 28.609), section 2 as amended by 2001 PA 186 and section 9 as amended by 1998 PA 237.

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 pursuant to Joint Rule 20, inserted the full title.

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

Rep. Richardville moved that Rule 45 be suspended.

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

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

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 845

Yeas—91

Accavitti
Acciavatti
Adamini
Amos
Bieda
Bisbee
Bradstreet
Brandenburg
Brown
Casperson
Caswell
Caul
Cheeks
Condino
DeRoche
DeRossett
Drolet
Ehardt
Elkins
Emmons

Gillard
Gleason
Hager
Hardman
Hart
Hood
Hoogendyk
Howell
Huizenga
Hummel
Hune
Hunter
Johnson, Rick
Johnson, Ruth
Julian
Koetje
Kolb
Kooiman
LaJoy
LaSata

Meisner
Meyer
Middaugh
Milosch
Minore
Moolenaar
Mortimer
Newell
Nitz
Nofs
O'Neil
Palmer
Palsrok
Pastor
Plakas
Reeves
Richardville
Rivet
Robertson
Rocca

Sheltrown
Shulman
Smith
Spade
Stahl
Stakoe
Steil
Stewart
Tabor
Taub
Tobocman
Vagnozzi
Van Regenmorter
Vander Veen
Voorhees
Walker
Ward
Waters
Williams
Wojno

Farhat
Garfield
Gielegghem

Law
Lipsey
McConico

Sak
Shackleton
Shaffer

Woodward
Woronchak

Nays—10

Anderson
Byrum
Clack

Dennis
Farrah
Jamnick

Murphy
Phillips

Whitmer
Zelenko

In The Chair: Julian

The House agreed to the full title of the bill.

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

House Bill No. 4361, entitled

A bill to amend 1980 PA 350, entitled “The nonprofit health care corporation reform act,” (MCL 550.1101 to 550.1704) by adding section 416d.

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 pursuant to Joint Rule 20, inserted the full title.

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

Rep. Richardville moved that Rule 45 be suspended.

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

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

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 846

Yeas—103

Accavitti
Acciavatti
Adamini
Amos
Anderson
Bieda
Bisbee
Bradstreet
Brandenburg
Brown
Byrum
Casperson
Caswell
Caul
Cheeks
Clack
Condino
Dennis
DeRoche
DeRossett
Drolet

Gaffney
Garfield
Gielegghem
Gillard
Gleason
Hager
Hardman
Hart
Hood
Hoogendyk
Hopgood
Howell
Huizenga
Hummel
Hune
Hunter
Jamnick
Johnson, Rick
Johnson, Ruth
Julian
Koetje

Lipsey
McConico
Meisner
Meyer
Middaugh
Milosch
Minore
Moolenaar
Mortimer
Murphy
Newell
Nitz
Nofs
O’Neil
Palmer
Palsrok
Pappageorge
Pastor
Phillips
Plakas
Pumford

Sak
Shackleton
Shaffer
Sheltrown
Shulman
Smith
Spade
Stahl
Stakoe
Stewart
Tabor
Tobocman
Vagnozzi
Van Regenmorter
Vander Veen
Voorhees
Walker
Ward
Waters
Whitmer
Williams

Ehardt
Elkins
Emmons
Farhat
Farrah

Kolb
Kooiman
LaJoy
LaSata
Law

Reeves
Richardville
Rivet
Robertson
Rocca

Wojno
Woodward
Woronchak
Zelenko

Nays—2

Steil

Taub

In The Chair: Julian

The House agreed to the full title of the bill.

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

House Bill No. 4362, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” (MCL 500.100 to 500.8302) by adding section 3406*l*.

The Senate has substituted (S-2) the bill.

The Senate has passed the bill as substituted (S-2), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1956 PA 218, entitled “An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker’s compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act,” (MCL 500.100 to 500.8302) by adding section 3406*r*.

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

Rep. Richardville moved that Rule 45 be suspended.

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

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

The substitute (S-2) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 847**Yeas—103**

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

Nays—2

Steil

Taub

In The Chair: Julian

The House agreed to the title as amended.

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

House Bill No. 5340, entitled

A bill to amend 2002 PA 440, entitled "An act to authorize the state administrative board to convey certain state owned property in Macomb county; to prescribe conditions for the conveyance; and to provide for disposition of the revenue from the conveyance," by amending sections 3, 4, 5, and 6.

The Senate has amended the bill as follows:

1. Amend page 3, line 17, after the first "**the**" by inserting "**difference between the**".
2. Amend page 3, line 19, after the first "**property**" by striking out the comma and "**less**" and inserting "**and**".

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

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

Rep. Richardville moved that Rule 45 be suspended.

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

The question being on concurring in the amendments made to the bill by the Senate,

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

Roll Call No. 848**Yeas—105**

Accavitti	Garfield	McConico	Shackleton
Acciavatti	Gielegem	Meisner	Shaffer
Adamini	Gillard	Meyer	Sheltrown
Amos	Gleason	Middaugh	Shulman
Anderson	Hager	Milosch	Smith
Bieda	Hardman	Minore	Spade
Bisbee	Hart	Moolenaar	Stahl
Bradstreet	Hood	Mortimer	Stakoe
Brandenburg	Hoogendyk	Murphy	Steil
Brown	Hopgood	Newell	Stewart
Byrum	Howell	Nitz	Tabor
Casperson	Huizenga	Nofs	Taub
Caswell	Hummel	O'Neil	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	Whitmer
Ehardt	Kooiman	Richardville	Williams
Elkins	LaJoy	Rivet	Wojno
Emmons	LaSata	Robertson	Woodward
Farhat	Law	Rocca	Woronchak
Farrah	Lipsey	Sak	Zelenko
Gaffney			

Nays—0

In The Chair: Julian

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

House Bill No. 6165, entitled

A bill to amend 1985 PA 106, entitled "State convention facility development act," by amending section 9 (MCL 207.629), as amended by 1993 PA 58.

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 pursuant to Joint Rule 20, inserted the full title.

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

Rep. Richardville moved that Rule 45 be suspended.

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

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

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 849**Yeas—105**

Accavitti	Garfield	McConico	Shackleton
Acciavatti	Gielegem	Meisner	Shaffer
Adamini	Gillard	Meyer	Sheltrown

Amos	Gleason	Middaugh	Shulman
Anderson	Hager	Milosch	Smith
Bieda	Hardman	Minore	Spade
Bisbee	Hart	Moolenaar	Stahl
Bradstreet	Hood	Mortimer	Stakoe
Brandenburg	Hoogendyk	Murphy	Steil
Brown	Hopgood	Newell	Stewart
Byrum	Howell	Nitz	Tabor
Casperson	Huizenga	Nofs	Taub
Caswell	Hummel	O'Neil	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	Whitmer
Ehardt	Kooiman	Richardville	Williams
Elkins	LaJoy	Rivet	Wojno
Emmons	LaSata	Robertson	Woodward
Farhat	Law	Rocca	Woronchak
Farrah	Lipsey	Sak	Zelenko
Gaffney			

Nays—0

In The Chair: Julian

The House agreed to the full title of the bill.

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

House Bill No. 6074, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 20113, 21506, 21508, 21546, 21548, and 21550 (MCL 324.20113, 324.21506, 324.21508, 324.21546, 324.21548, and 324.21550), section 20113 as amended by 1996 PA 383, sections 21506 and 21508 as amended by 1995 PA 269, sections 21546 and 21548 as amended by 1996 PA 181, and section 21550 as amended by 1995 PA 252, and by adding section 21552; and to repeal acts and parts of acts.

The Senate has substituted (S-5) the bill.

The Senate has passed the bill as substituted (S-5), ordered that it be given immediate effect and amended the title to read as follows:

A bill 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 21502, 21504, 21505, 21506, 21508, 21546, 21548, and 21550 (MCL 324.21502, 324.21504, 324.21505, 324.21506, 324.21508, 324.21546, 324.21548, and 324.21550), sections 21506 and 21508 as amended by 1995 PA 269, sections 21546 and 21548 as amended by 1996 PA 181, and section 21550 as amended by 1995 PA 252, by amending the part heading of part 215, and by adding sections 21506a and 21552; and to repeal acts and parts of acts.

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

Rep. Richardville moved that Rule 45 be suspended.

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

The question being on concurring in the substitute (S-5) made to the bill by the Senate,

The substitute (S-5) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 850**Yeas—74**

Accavitti	Gaffney	Lipsey	Sak
Acciavatti	Gielegem	McConico	Shaffer
Adamini	Gleason	Meisner	Sheltrown
Amos	Hager	Meyer	Shulman
Anderson	Hardman	Middaugh	Smith
Bieda	Hart	Minore	Spade
Brown	Hopgood	Murphy	Stakoe
Byrum	Howell	Newell	Steil
Casperson	Huizenga	O'Neil	Tobocman
Cheeks	Hummel	Palsrok	Vagnozzi
Clack	Hunter	Pappageorge	Walker
Condino	Jamnick	Pastor	Waters
Dennis	Johnson, Rick	Phillips	Whitmer
DeRossett	Johnson, Ruth	Plakas	Williams
Ehardt	Julian	Pumford	Wojno
Elkins	Koetje	Reeves	Woodward
Emmons	Kolb	Rivet	Woronchak
Farhat	Kooiman	Robertson	Zelenko
Farrah	Law		

Nays—31

Bisbee	Gillard	Mortimer	Stewart
Bradstreet	Hood	Nitz	Tabor
Brandenburg	Hoogendyk	Nofs	Taub
Caswell	Hune	Palmer	Van Regenmorter
Caul	LaJoy	Richardville	Vander Veen
DeRoche	LaSata	Rocca	Voorhees
Drolet	Milosch	Shackleton	Ward
Garfield	Moolenaar	Stahl	

In The Chair: Julian

The House agreed to the title as amended.

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

House Bill No. 5771, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 11701, 11702, 11703, 11704, 11705, 11706, 11707, 11708, 11709, 11710, 11711, 11712, 11713, 11714, 11715, 11716, 11717, 11718, and 11719 (MCL 324.11701, 324.11702, 324.11703, 324.11704, 324.11705, 324.11706, 324.11707, 324.11708, 324.11709, 324.11710, 324.11711, 324.11712, 324.11713, 324.11714, 324.11715, 324.11716, 324.11717, 324.11718, and 324.11719), sections 11703, 11704, and 11709 as amended by 2004 PA 325, and by adding sections 11715b, 11715d, 11717b, and 11720.

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 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 1301, 11701, 11702, 11703, 11704, 11705, 11706, 11707, 11708, 11709, 11710, 11711, 11712, 11713, 11714, 11715, 11716, 11717, 11718, and 11719 (MCL 324.1301, 324.11701, 324.11702, 324.11703, 324.11704, 324.11705, 324.11706, 324.11707, 324.11708, 324.11709, 324.11710, 324.11711, 324.11712, 324.11713, 324.11714, 324.11715, 324.11716, 324.11717, 324.11718, and 324.11719), section 1301 as added by 2004 PA 325, sections 11703, 11704, and 11709 as amended by 2004 PA 325, and by adding sections 11715b, 11715d, 11717b, and 11720.

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

Rep. Richardville moved that Rule 45 be suspended.

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

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

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 851

Yeas—90

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

Nays—14

Acciavatti	DeRoche	Hune	Rivet
Amos	Drolet	Nofs	Rocca
Bisbee	Garfield	Palmer	Taub
Brandenburg	Hoogendyk		

In The Chair: Julian

The House agreed to the title as amended.

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

Rep. Nitz moved that Rep. Shackleton be excused temporarily from today's session.
The motion prevailed.

House Bill No. 5319, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending the title and section 10 (MCL 247.660), the title as amended by 1997 PA 79 and section 10 as amended by 2003 PA 151.

The Senate has substituted (S-3) the bill.

The Senate has passed the bill as substituted (S-3), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending the title and section 10 (MCL 247.660), the title as amended by 1997 PA 79 and section 10 as amended by 2003 PA 151; and to repeal acts and parts of acts.

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

Rep. Richardville moved that Rule 45 be suspended.

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

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. 852**Yeas—103**

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

Nays—0

In The Chair: Julian

The House agreed to the title as amended.

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

House Bill No. 5864, entitled

A bill to amend 1935 PA 120, entitled "An act to prescribe a method for the fingerprinting of residents of the state, and to provide for the recording and filing thereof by the central records division of the department of state police," by amending section 3 (MCL 28.273), as amended by 2002 PA 463.

The Senate has substituted (S-3) the bill.

The Senate has passed the bill as substituted (S-3) and ordered that it be given immediate effect.

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

Rep. Richardville moved that Rule 45 be suspended.

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

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. 853**Yeas—104**

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

Nays—0

In The Chair: Julian

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

Senate Bill No. 1391, entitled

A bill to provide for the transfer between state departments of certain state property in Ingham and Clinton counties.

The Senate has passed the bill.

The bill was read a first time by its title.

Pending the reference of the bill to a committee,

Rep. Richardville moved that Rules 44 and 45 be suspended.

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

The bill was placed on the order of Second Reading of Bills and laid over one day.

Second Reading of Bills

Rep. Richardville moved that Rule 48 be suspended.

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

Senate Bill No. 1391, entitled

A bill to provide for the transfer between state departments of certain state property in Ingham and Clinton counties.
The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills**Senate Bill No. 1391, entitled**

A bill to provide for the transfer between state departments of certain state property in Ingham and Clinton counties.
Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 854**Yeas—104**

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

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

By unanimous consent the House returned to the order of
Messages from the Senate

Senate Bill No. 1396, entitled

A bill to amend 1995 PA 24, entitled “Michigan economic growth authority act,” by amending section 8 (MCL 207.808), as amended by 2004 PA 81.

The Senate has passed the bill.

The bill was read a first time by its title.

Pending the reference of the bill to a committee,

Rep. Richardville moved that Rules 44 and 45 be suspended.

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

The bill was placed on the order of Second Reading of Bills and laid over one day.

Second Reading of Bills

Rep. Richardville moved that Rule 48 be suspended.

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

Senate Bill No. 1396, entitled

A bill to amend 1995 PA 24, entitled “Michigan economic growth authority act,” by amending section 8 (MCL 207.808), as amended by 2004 PA 81.

The bill was read a second time.

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

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

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

The motion prevailed.

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

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

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

Senate Bill No. 1396, entitled

A bill to amend 1995 PA 24, entitled “Michigan economic growth authority act,” by amending section 8 (MCL 207.808), as amended by 2004 PA 81.

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

Roll Call No. 855

Yeas—103

Accavitti	Garfield	McConico	Shaffer
Acciavatti	Gielegem	Meisner	Sheltrown
Adamini	Gillard	Meyer	Shulman
Amos	Gleason	Middaugh	Smith
Anderson	Hager	Milosch	Spade
Bieda	Hardman	Minore	Stahl
Bisbee	Hart	Moolenaar	Stakoe
Bradstreet	Hood	Mortimer	Steil
Brandenburg	Hoogendyk	Murphy	Stewart
Brown	Hopgood	Newell	Tabor
Byrum	Howell	Nitz	Taub
Casperson	Huizenga	Nofs	Tobocman
Caswell	Hummel	O’Neil	Vagnozzi
Caul	Hune	Palmer	Van Regenmorter
Cheeks	Hunter	Palsrok	Vander Veen

Clack	Jamnick	Pappageorge	Voorhees
Condino	Johnson, Rick	Pastor	Walker
Dennis	Johnson, Ruth	Phillips	Ward
DeRoche	Julian	Plakas	Waters
DeRossett	Koetje	Pumford	Whitmer
Ehardt	Kolb	Reeves	Williams
Elkins	Kooiman	Richardville	Wojno
Emmons	LaJoy	Rivet	Woodward
Farhat	LaSata	Robertson	Woronchak
Farrah	Law	Rocca	Zelenko
Gaffney	Lipsey	Sak	

Nays—1

Drolet

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 1995 PA 24, entitled “An act to promote economic growth and job creation within this state; to create and regulate the Michigan economic growth authority; to prescribe the powers and duties of the authority and of state and local officials; to assess and collect a fee; to approve certain plans and the use of certain funds; and to provide qualifications for and determine eligibility for tax credits and other incentives for authorized businesses and for qualified taxpayers,” by amending sections 3 and 8 (MCL 207.803 and 207.808), as amended by 2004 PA 81.

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.

Second Reading of Bills

Rep. Richardville moved that Rule 48 be suspended.

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

House Bill No. 4703, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 12507, 12511, 12514, 12515, 12516, 12522, 12523, 12524, 12525, 12530, 12531, and 12533 (MCL 333.12507, 333.12511, 333.12514, 333.12515, 333.12516, 333.12522, 333.12523, 333.12524, 333.12525, 333.12530, 333.12531, and 333.12533), section 12525 as amended by 1980 PA 522 and section 12533 as amended by 1989 PA 153; and to repeal acts and parts of acts.

The bill was read a second time.

Rep. Whitmer 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. 4703, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 12507, 12511, 12514, 12515, 12516, 12522, 12523, 12524, 12525, 12530, 12531, and 12533 (MCL 333.12507, 333.12511, 333.12514, 333.12515,

333.12516, 333.12522, 333.12523, 333.12524, 333.12525, 333.12530, 333.12531, and 333.12533), section 12525 as amended by 1980 PA 522 and section 12533 as amended by 1989 PA 153; and to repeal acts and parts of acts.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Whitmer moved to substitute (H-5) the bill.

The motion was seconded and the substitute (H-5) was adopted, a majority of the members serving voting therefor.

The question being on the passage of the bill,

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

Roll Call No. 856

Yeas—57

Accavitti	Gleason	McConico	Shulman
Adamini	Hardman	Meisner	Smith
Anderson	Hart	Minore	Spade
Bieda	Hood	Murphy	Stewart
Brown	Hopgood	O'Neil	Tabor
Byrum	Howell	Pastor	Tobocman
Cheeks	Hunter	Phillips	Vagnozzi
Clack	Jamnick	Plakas	Walker
Condino	Johnson, Rick	Pumford	Waters
Dennis	Julian	Reeves	Whitmer
DeRossett	Kolb	Richardville	Williams
Farrah	LaSata	Rivet	Wojno
Gaffney	Law	Sak	Woodward
Gielegghem	Lipsey	Sheltrown	Zelenko
Gillard			

Nays—47

Acciavatti	Emmons	Meyer	Rocca
Amos	Farhat	Middaugh	Shaffer
Bisbee	Garfield	Milosch	Stahl
Bradstreet	Hager	Moolenaar	Stakoe
Brandenburg	Hoogendyk	Mortimer	Steil
Casperson	Huizenga	Newell	Taub
Caswell	Hummel	Nitz	Van Regenmorter
Caul	Hune	Nofs	Vander Veen
DeRoche	Johnson, Ruth	Palmer	Voorhees
Drolet	Koetje	Palsrok	Ward
Ehardt	Kooiman	Pappageorge	Woronchak
Elkins	LaJoy	Robertson	

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 1978 PA 368, entitled "Public health code," by amending sections 12501, 12505, 12506, 12507, 12508, 12509, 12512, 12513, 12514, 12516, 12521, 12527, 12527a, 12528, 12529, and 12532 (MCL 333.12501, 333.12505, 333.12506, 333.12507, 333.12508, 333.12509, 333.12512, 333.12513, 333.12514, 333.12516, 333.12521, 333.12527, 333.12527a, 333.12528, 333.12529, and 333.12532), section 12501 as amended by 1982 PA 525, section 12527 as amended by 1980 PA 522, and sections 12527a and 12532 as amended by 1985 PA 19, and by adding sections 12506a, 12506b, 12510, and 12527b.

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.

Second Reading of Bills

Rep. Richardville moved that Rule 48 be suspended.
 The motion prevailed, 3/5 of the members present voting therefor.

House Bill No. 6227, entitled

A bill to amend 1933 PA 62, entitled "Property tax limitation act," by amending section 5i (MCL 211.205i), as amended by 2001 PA 146.

The bill was read a second time.

Rep. Sheltrown 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. 6227, entitled

A bill to amend 1933 PA 62, entitled "Property tax limitation act," by amending section 5i (MCL 211.205i), as amended by 2001 PA 146.

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

Roll Call No. 857

Yeas—102

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

Nays—2

DeRoche

Drolet

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Second Reading of Bills

House Bill No. 4358, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 719 (MCL 257.719), as amended by 2002 PA 453.

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

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

Rep. Anderson moved to amend the bill as follows:

1. Amend page 7, line 3, by striking out all of section 724.
2. Amend page 12, line 2, by striking out all of section 725.

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

Rep. DeRossett 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. DeRossett moved to amend the bill as follows:

1. Amend page 6, line 13, after "include" by striking out the balance of the line through "vehicle." on line 19 and inserting "**devices described in 26 CFR 658.16 and 23 CFR part 658, appendix d. 26 CFR 658.16 and 23 CFR part 658, appendix d, as on file with the secretary of state are adopted by reference.**"

2. Amend page 6, line 24, after "structure." by inserting "**Vehicle components not excluded by law shall be included in the measurement of the length, height, and width of the vehicle.**"

3. Amend page 10, line 2, by striking out all of subsection (4) and inserting:

"(4) If the court determines that the motor vehicle or the combination of vehicles was operated in violation of this section, the court shall impose a fine as follows:

(a) If the court determines that the motor vehicle or the combination of vehicles was operated in such a manner that the gross weight of the vehicle or the combination of vehicles would not be lawful by a proper distribution of the load upon all the axles of the vehicle or the combination of vehicles, the court shall impose a fine for the violation according to the schedule provided for in subsection (3).

(b) If the court determines that the motor vehicle or the combination of vehicles was operated in such a manner that the gross weight of the vehicle or the combination of vehicles would be lawful by a proper distribution of the load upon all the axles of the vehicle or the combination of vehicles, the court shall impose a fine as provided for in section 907(3). In addition to the fine specified in section 907(3), if any axle or axles of the vehicle exceed the maximum allowable axle weight by more than 4,000 pounds, the fine for that axle or axles shall be determined by the schedule provided for in subsection (3). This subdivision does not apply to a vehicle subject to the maximum loading provisions of section 722(11) or to a vehicle found to be in violation of a special permit issued under section 725."

4. Amend page 11, line 25, after "Sec. 724a." by inserting "(1)".

5. Amend page 12, following line 6, by inserting:

"(2) As used in this section, "lift axle" means an axle on a vehicle that can be raised or lowered by mechanical means."

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

Rep. DeRossett 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. 4358, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 719 (MCL 257.719), as amended by 2002 PA 453.

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

Roll Call No. 858

Yeas—68

Accavitti	Emmons	Koetje	Rivet
Acciavatti	Farhat	Kooiman	Robertson
Adamini	Gaffney	LaJoy	Shaffer
Amos	Garfield	Meyer	Sheltrown
Bisbee	Gillard	Milosch	Shulman
Bradstreet	Gleason	Moolenaar	Spade
Brandenburg	Hager	Mortimer	Stahl
Brown	Hart	Murphy	Steil
Byrum	Hoogendyk	Newell	Stewart
Casperson	Howell	Nitz	Tabor
Caswell	Huizenga	Palmer	Taub
Caul	Hummel	Palsrok	Vander Veen
Cheeks	Hune	Pappageorge	Voorhees
DeRoche	Hunter	Pastor	Walker
DeRossett	Johnson, Rick	Pumford	Ward
Drolet	Johnson, Ruth	Reeves	Whitmer
Elkins	Julian	Richardville	Zelenko

Nays—33

Anderson	Kolb	Nofs	Tobocman
Bieda	LaSata	O'Neil	Vagnozzi
Clack	Law	Phillips	Van Regenmorter
Condino	Lipsey	Plakas	Waters
Dennis	McConico	Rocca	Williams
Farrah	Meisner	Sak	Wojno
Gielegem	Middaugh	Smith	Woodward
Hardman	Minore	Stakoe	Woronchak
Hopgood			

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 1949 PA 300, entitled "Michigan vehicle code," by amending sections 719 and 724 (MCL 257.719 and 257.724), section 719 as amended by 2003 PA 142 and section 724 as amended by 1988 PA 346, and by adding section 724a.

The motion prevailed.

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

Rep. Tobocman, 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 against this bill because although it seeks to address the real problem of arbitrary ticketing practices of certain local law enforcement and the difficulty of administering a per axle weight system, the bill will enable longer, heavier and larger trucks. Michigan already allows some of the heaviest trucks in the nation and the condition of our roads are evidence of that. In fact, we have, perhaps, the worst roads in the entire nation. Their poor quality is a deterrent to attracting people to want to live, work or visit our state, as well as a deterrent to attracting businesses to locate here.

This bill will harm the quality of life in Michigan. Residents of urbanized areas, like Southwest Detroit, already fear for their safety when they take to our freeways, having to dodge large and heavy trucks as they drive. This bill will increase the length of those trucks by over 10 percent. Given the poor quality of our existing roads, this burden is too much to ask our drivers and visitors to bear to correct an unequal enforcement problem that is vested in local law enforcement’s attempts to enforce our per axle weight limits. Perhaps a better solution would be to move the state to a gross vehicle weight or to better train or monitor local law enforcement.”

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 HB4358 as originally introduced to increase truck lengths from 59 to 65 feet. The bill has been amended to make changes to the way that certain ‘overweight’ truck tickets are being written by local units of government in an attempt to create a distinction that would allow for ‘misloads’ or shifting of a load so that more weight is seated over a single axle than is currently allowed. Currently, Michigan allows some of the heaviest trucks in the country on its state and federal highway systems.

This change is problematic because long ago, Michigan made the choice to be a ‘per-axle’ weight state rather than a ‘gross vehicle weight’ state. This choice was made to allow for multi-axle (e.g. 11 axle) trucks to carry more gross vehicle weight per load.”

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

The Speaker laid before the House
House Concurrent Resolution No. 68.

A concurrent resolution to memorialize the Congress of the United States and the Department of Health and Human Services to establish the NorthEast Detroit Community Health Center as a federally qualified health care center.

(For text of concurrent resolution, see today’s Journal, p. 2302.)

(The concurrent resolution was discharged from the Committee on Health Policy on September 29, consideration of which, under the rules, was postponed until November 4.)

Rep. Richardville moved that Rule 77 be suspended and the concurrent 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 concurrent resolution,

The concurrent resolution was adopted.

Second Reading of Bills

House Bill No. 6085, entitled

A bill to amend 1982 PA 415, entitled “Correctional officers’ training act of 1982,” by amending section 12 (MCL 791.512), as amended by 1989 PA 4.

The bill was read a second time.

Rep. Tobocman moved to amend the bill as follows:

1. Amend page 5, line 6, after “**the**” by striking out “**department of corrections**” and inserting “**department of community health**”.

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 6085, entitled

A bill to amend 1982 PA 415, entitled “Correctional officers’ training act of 1982,” by amending section 12 (MCL 791.512), as amended by 1989 PA 4.

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

Roll Call No. 859

Yeas—102

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

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Second Reading of Bills

Rep. Richardville moved that Rule 48 be suspended.
The motion prevailed, 3/5 of the members present voting therefor.

Senate Bill No. 1143, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 2891 (MCL 333.2891), as amended by 2001 PA 31.

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 1143, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 2891 (MCL 333.2891), as amended by 2001 PA 31.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

Second Reading of Bills

Rep. Richardville moved that Rule 48 be suspended.
The motion prevailed, 3/5 of the members present voting therefor.

Senate Bill No. 1146, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20161 (MCL 333.20161), as amended by 2003 PA 234.

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

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.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 1146, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20161 (MCL 333.20161), as amended by 2003 PA 234.

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

Roll Call No. 860

Yeas—68

Accavitti
Acciavatti
Adamini

Emmons
Farhat
Farrah

Kooiman
Law
Lipsey

Rivet
Sak
Shaffer

Amos	Gaffney	McConico	Sheltrown
Anderson	Gielegem	Meisner	Shulman
Bieda	Gleason	Minore	Smith
Brown	Hager	Moolenaar	Spade
Byrum	Hardman	Murphy	Tabor
Casperson	Hart	Newell	Tobocman
Caswell	Hood	Nitz	Vagnozzi
Cheeks	Hopgood	Nofs	Walker
Clack	Howell	O'Neil	Waters
Condino	Hunter	Palsrok	Whitmer
Dennis	Jamnick	Pappageorge	Williams
DeRossett	Johnson, Rick	Phillips	Wojno
Ehardt	Koetje	Plakas	Woodward
Elkins	Kolb	Pumford	Zelenko

Nays—35

Bisbee	Huizenga	Milosch	Steil
Bradstreet	Hummel	Mortimer	Stewart
Brandenburg	Hune	Palmer	Taub
Caul	Johnson, Ruth	Pastor	Van Regenmorter
DeRoche	Julian	Richardville	Vander Veen
Drolet	LaJoy	Robertson	Voorhees
Garfield	LaSata	Rocca	Ward
Gillard	Meyer	Stahl	Woronchak
Hoogendyk	Middaugh	Stakoe	

In The Chair: Julian

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

“An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,”

The House agreed to the full title.

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

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

Second Reading of Bills

Rep. Richardville moved that Rule 48 be suspended.

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

Senate Bill No. 1340, entitled

A bill to amend 1995 PA 29, entitled "Uniform unclaimed property act," by amending section 19 (MCL 567.239), as amended by 2004 PA 82, and by adding section 11a; and to repeal acts and parts of acts.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Appropriations (for amendment, see today's Journal, p. 2345),

The amendment 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.

By unanimous consent the House returned to the order of

Third Reading of Bills**Senate Bill No. 1340, entitled**

A bill to amend 1995 PA 29, entitled "Uniform unclaimed property act," by amending section 19 (MCL 567.239), as amended by 2004 PA 82, and by adding section 11a; and to repeal acts and parts of acts.

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

Roll Call No. 861**Yeas—101**

Accavitti	Garfield	McConico	Shaffer
Acciavatti	Gielegem	Meisner	Sheltrown
Adamini	Gillard	Meyer	Shulman
Anderson	Gleason	Milosch	Smith
Bieda	Hager	Minore	Spade
Bisbee	Hardman	Moolenaar	Stahl
Bradstreet	Hart	Mortimer	Stakoe
Brandenburg	Hood	Murphy	Steil
Brown	Hoogendyk	Newell	Stewart
Byrum	Hopgood	Nitz	Tabor
Casperson	Howell	Nofs	Taub
Caswell	Huizenga	O'Neil	Tobocman
Caul	Hummel	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	Whitmer
Ehardt	Kooiman	Richardville	Williams
Elkins	LaJoy	Rivet	Wojno
Emmons	LaSata	Robertson	Woodward
Farhat	Law	Rocca	Woronchak
Farrah	Lipsey	Sak	Zelenko
Gaffney			

Nays—3

Amos

Hune

Middaugh

In The Chair: Julian

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

“An act concerning unclaimed property; to provide for the reporting and disposition of unclaimed property; to make uniform the law concerning unclaimed property; to prescribe the powers and duties of certain state agencies and officials; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,”

The House agreed to the full title.

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

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

Second Reading of Bills

Rep. Richardville moved that Rule 48 be suspended.

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

Senate Bill No. 1164, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 21777 (MCL 333.21777).

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

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

Rep. Caswell moved to amend the bill as follows:

1. Amend page 2, line 11, after “98%” by inserting “or more”.

The motion prevailed and the amendment 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.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 1164, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 21777 (MCL 333.21777).

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

Roll Call No. 862

Yeas—103

Accavitti	Gaffney	Lipsey	Shaffer
Acciavatti	Garfield	McConico	Sheltrown
Adamini	Gielegem	Meisner	Shulman
Amos	Gillard	Meyer	Smith
Anderson	Gleason	Middaugh	Spade
Bieda	Hager	Milosch	Stahl
Bisbee	Hardman	Moolenaar	Stakoe
Bradstreet	Hart	Mortimer	Steil
Brandenburg	Hood	Murphy	Stewart
Brown	Hoogendyk	Newell	Tabor
Byrum	Hopgood	Nitz	Taub
Casperson	Howell	Nofs	Tobocman
Caswell	Huizenga	O’Neil	Vagnozzi
Caul	Hummel	Palmer	Van Regenmorter
Cheeks	Hune	Palsrok	Vander Veen
Clack	Hunter	Pappageorge	Voorhees
Condino	Jamnick	Pastor	Walker
Dennis	Johnson, Rick	Phillips	Ward

DeRoche	Johnson, Ruth	Plakas	Waters
DeRossett	Julian	Pumford	Whitmer
Drolet	Koetje	Reeves	Williams
Ehardt	Kolb	Richardville	Wojno
Elkins	Kooiman	Rivet	Woodward
Emmons	LaJoy	Robertson	Woronchak
Farhat	LaSata	Rocca	Zelenko
Farrah	Law	Sak	

Nays—0

In The Chair: Julian

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

“An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,”

The House agreed to the full title.

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

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

By unanimous consent the House returned to the order of

Reports of Select Committees

First Conference Report

The Committee of Conference on the matters of difference between the two Houses concerning
House Bill No. 5313, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 52706 (MCL 324.52706), as amended by 2002 PA 356, and by adding section 2150a.

Recommends:

First: That the Senate recede from the Substitute of the Senate as passed by the Senate.

Second: That the House and Senate agree to the Substitute of the House as passed by the House, amended to read as follows:

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 52706 (MCL 324.52706), as amended by 2002 PA 356.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Sec. 52706. (1) The department, the department of treasury, or other state officer having charge of state land, may sell homestead, tax, swamp, or primary school land to ~~municipalities~~ **a public agency** for forestry purposes, at a price ~~fixed set~~ by the department, department of treasury, or other state officer. However, ~~land shall not be sold in excess of the amount of land sold shall not exceed~~ the amount that may be necessary for the ~~municipality~~ **public agency**, and any land that is sold shall be suitable for and used solely for a forestry purpose **unless conveyed as provided in this**

section. ~~When the land described in this section~~ **Prime land sold to a public agency under this section shall be used only for a forestry purpose. When the prime land is no longer used for a forestry purpose, the land shall revert to the this state.**

(2) **Except as provided in subsection (5), the department shall not retain a reversionary interest in municipal forestland conveyed to a public agency under this section before the effective date of the amendatory act that added this subsection. The department shall relinquish any such reversionary interest within 3 years after the effective date of the amendatory act that added this subsection or within 90 days after the department receives a written request for relinquishment from the public agency that owns the municipal forestland subject to the reversionary interest, whichever is earlier. The department shall relinquish its reversionary interest by an instrument approved by the department of attorney general and recorded with the register of deeds of the county where the municipal forestland is located. The instrument shall include provisions implementing subsection (3).**

(3) **Beginning 4 years after the effective date of the amendatory act that added this subsection, a public agency to which a reversionary interest was relinquished under subsection (2) shall not convey the municipal forestland formerly subject to the reversionary interest unless the conveyance is approved by the department.**

(4) **A public agency to which a reversionary interest was relinquished under subsection (2) shall not convey the municipal forestland formerly subject to the reversionary interest for less than fair market value. If a public agency to which a reversionary interest was relinquished under subsection (2) conveys the municipal forestland formerly subject to the reversionary interest, the public agency shall distribute the proceeds of the conveyance as follows:**

(a) **Except as provided in subdivision (b), 50% of the proceeds shall be retained by that public agency and the remaining 50% of the proceeds shall be submitted to the department of treasury for deposit as follows:**

(i) **The first \$18,000,000.00 in total proceeds from all such conveyances shall be deposited in the general fund.**

(ii) **Any proceeds in excess of \$18,000,000.00 shall be deposited in the fire protection fund created in section 732a of the Michigan vehicle code, 1949 PA 300, MCL 257.732a.**

(b) **If the municipal forestland is conveyed to another public agency, all of the proceeds shall be retained by the public agency conveying the municipal forestland.**

(5) **Subsection (2) does not apply to prime land.**

(6) **A public agency to which a reversionary interest is relinquished under subsection (2) shall not convey the municipal forestland formerly subject to the reversionary interest to a third person unless the public agency has conducted a public hearing on the proposed conveyance. The public agency may conduct a second public hearing on the proposed conveyance if the public agency determines that a second public hearing may be necessary. Notice of a public hearing under this subsection shall be published at least twice in a newspaper of general circulation in the county or counties where the municipal forestland is located, not more than 28 or less than 7 days before the hearing. The notice shall describe where the municipal forestland is located, specify the approximate size of the municipal forestland, describe its current use, and identify the person to whom the municipal forestland is proposed to be sold, if known.**

(7) **The requirements of subsection (6) do not relieve the public agency of any notice, hearing, or other requirements imposed by any other law.**

(8) **If, before 4 years after the effective date of the amendatory act that added this subsection, municipal forestland formerly subject to a reversionary interest that was relinquished under subsection (2) is conveyed by the public agency to which the reversionary interest was relinquished under subsection (2), the public agency shall notify the department within 60 days of the conveyance. Notice of the conveyance shall be in a form prescribed by the department.**

(9) **If municipal forestland was conveyed to a public agency under this section and the municipal forestland is subsequently conveyed by the public agency to the department, then, for purposes of subparts 13 and 14 of part 21, the municipal forestland shall not be considered to have been reacquired by the department on or after January 1, 1933 for natural resource purposes unless the municipal forestland was originally acquired by the department on or after January 1, 1933 for natural resource purposes.**

(10) **As used in this section:**

(a) **“Municipal forestland” means homestead, tax, swamp, or primary school land sold to a public agency under this section solely for a forestry purpose.**

(b) **“Prime land” means land that meets 1 or more of the following requirements:**

(i) **Is within a boundary of a program administered by the department.**

(ii) **Provides access to a public body of water.**

(iii) **Is not less than 80 acres in size and, at any time during the preceding 10 years, had a basal area of not less than 90 square feet per acre.**

(c) **“Public agency” means a school district, public educational institution, governmental unit of this state or agency of this state, or a municipality.**

Third: That the House and Senate agree to the title of the bill to read as follows:

A bill 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 section 52706 (MCL 324.52706), as amended by 2002 PA 356.

Mike Pumford
Bruce Caswell
Matt Gillard
Conferees for the House

Michelle McManus
Ron Jelinek
Michael Prusi
Conferees for the Senate

The Speaker announced that under Joint Rule 9 the conference report would lie over one day.

Rep. Richardville moved pursuant to Joint Rule 9, that the Journal printing requirement be suspended, printed copies of the text having been made available to each Member.

The motion prevailed.

The question being on the adoption of the conference report,

The conference report was then adopted, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 863

Yeas—102

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

Nays—2

Anderson

Condino

In The Chair: Julian

Second Reading of Bills

Rep. Richardville moved that Rule 48 be suspended.
The motion prevailed, 3/5 of the members present voting therefor.

House Bill No. 6226, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 303d (MCL 600.303d), as added by 1993 PA 190.

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills**House Bill No. 6226, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 303d (MCL 600.303d), as added by 1993 PA 190.

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

Roll Call No. 864**Yeas—96**

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

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Second Reading of Bills**Senate Bill No. 145, entitled**

A bill to amend 1969 PA 296, entitled “An act to provide for the transfer of jurisdiction over highways; to provide for the final determination of disputes involving transfers of highway jurisdiction; and to supersede certain acts and parts of acts,” by amending sections 1 and 5 (MCL 247.851 and 247.855), section 5 as amended by 1980 PA 12, and by adding section 3a.

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills**Senate Bill No. 145, entitled**

A bill to amend 1969 PA 296, entitled “An act to provide for the transfer of jurisdiction over highways; to provide for the final determination of disputes involving transfers of highway jurisdiction; and to supersede certain acts and parts of acts,” by amending sections 1 and 5 (MCL 247.851 and 247.855), section 5 as amended by 1980 PA 12, and by adding section 3a.

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

Roll Call No. 865**Yeas—55**

Acciavatti	Gaffney	Meyer	Shaffer
Amos	Garfield	Middaugh	Shulman
Bisbee	Hager	Moolenaar	Stahl
Bradstreet	Hoogendyk	Mortimer	Stakoe
Brandenburg	Howell	Newell	Steil
Casperson	Huizenga	Nitz	Tabor
Caswell	Hummel	Nofs	Taub
Caul	Hune	Palmer	Van Regenmorter
DeRoche	Johnson, Rick	Palsrok	Vander Veen
DeRossett	Johnson, Ruth	Pappageorge	Voorhees
Drolet	Julian	Pastor	Walker
Ehardt	Koetje	Richardville	Ward
Emmons	Kooiman	Robertson	Woronchak
Farhat	LaJoy	Rocca	

Nays—49

Accavitti	Gillard	McConico	Sheltrown
Adamini	Gleason	Meisner	Smith
Anderson	Hardman	Milosch	Spade

Bieda	Hart	Minore	Stewart
Brown	Hood	Murphy	Tobocman
Byrum	Hopgood	O'Neil	Vagnozzi
Cheeks	Hunter	Phillips	Waters
Clack	Jamnack	Plakas	Whitmer
Condino	Kolb	Pumford	Williams
Dennis	LaSata	Reeves	Wojno
Elkins	Law	Rivet	Woodward
Farrah	Lipsey	Sak	Zelenko
Gielegghem			

In The Chair: Julian

The House agreed to the title of the bill.

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

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

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

“Mr. Speaker and members of the House:

I voted ‘no’ on Senate Bill 145 because it totally undermines local control.”

Second Reading of Bills

Rep. Richardville moved that Rule 48 be suspended.

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

House Bill No. 6234, entitled

A bill to require online dating services to conduct criminal background checks or to provide certain notices; and to provide remedies.

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

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

Rep. Pappageorge 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. 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. 6234, entitled

A bill to require online dating services to conduct criminal background checks or to provide certain notices; and to provide remedies.

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

Roll Call No. 866

Yeas—75

Accavitti	Gleason	Middaugh	Shaffer
Adamini	Hager	Minore	Sheltrown

Amos	Hardman	Moolenaar	Shulman
Bieda	Hart	Mortimer	Spade
Bisbee	Hopgood	Murphy	Stewart
Casperson	Howell	Newell	Taub
Caswell	Hunter	Nitz	Tobocman
Caul	Jamnack	O'Neil	Vagnozzi
Cheeks	Johnson, Rick	Palsrok	Van Regenmorter
Condino	Johnson, Ruth	Pappageorge	Vander Veen
Dennis	Julian	Pastor	Voorhees
DeRossett	Koetje	Phillips	Walker
Ehardt	LaJoy	Plakas	Ward
Elkins	LaSata	Pumford	Waters
Emmons	Law	Reeves	Whitmer
Farhat	Lipsey	Richardville	Williams
Farrah	McConico	Robertson	Woodward
Gaffney	Meisner	Rocca	Zelenko
Garfield	Meyer	Sak	

Nays—14

Acciavatti	Hoogendyk	Milosch	Smith
Brandenburg	Hummel	Nofs	Steil
DeRoche	Hune	Palmer	Tabor
Drolet	Koiman		

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 require online dating services to conduct criminal background checks or to provide certain notices; and to provide remedies.

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.

Second Reading of Bills

Senate Bill No. 1206, entitled

A bill to amend 1992 PA 147, entitled "Neighborhood enterprise zone act," by amending sections 2, 3, 4, and 12 (MCL 207.772, 207.773, 207.774, and 207.782), sections 2, 3, and 12 as amended by 2001 PA 217 and section 4 as amended by 2004 PA 60.

The bill was read a second time.

Rep. Plakas moved to amend the bill as follows:

1. Amend page 8, following line 3, by inserting:

"(h) For the construction of a new facility if the area in which the new facility is located is designated as a neighborhood enterprise zone by the governing body of the local governmental unit in July 1993 and the new facility was a model home."

The motion prevailed and the amendment 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. Waters moved that Reps. Hood and McConico be excused temporarily from today’s session.
The motion prevailed.

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

Senate Bill No. 1206, entitled

A bill to amend 1992 PA 147, entitled “Neighborhood enterprise zone act,” by amending sections 2, 3, 4, and 12 (MCL 207.772, 207.773, 207.774, and 207.782), sections 2, 3, and 12 as amended by 2001 PA 217 and section 4 as amended by 2004 PA 60.

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

Roll Call No. 867

Yeas—96

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

Nays—0

In The Chair: Julian

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

“An act to provide for the development and rehabilitation of residential housing; to provide for the creation of neighborhood enterprise zones; to provide for obtaining neighborhood enterprise zone certificates for a period of time and to prescribe the contents of the certificates; to provide for the exemption of certain taxes; to provide for the levy and collection of a specific tax on the owner of certain facilities; and to prescribe the powers and duties of certain officers of the state and local governmental units,”

The House agreed to the full title.

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

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

Second Reading of Bills

House Bill No. 6127, entitled

A bill to provide for the establishment of a historical neighborhood tax increment finance authority; to prescribe the powers and duties of the authority; to correct and prevent deterioration in neighborhoods and certain other areas; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans and development areas; to promote residential and economic growth; to create a board; to prescribe the powers and duties of the board; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to prescribe powers and duties of certain state officials; to provide for rule promulgation; and to provide for enforcement of the act.

The bill was read a second time.

Rep. Nofs 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. 6127, entitled

A bill to provide for the establishment of a historical neighborhood tax increment finance authority; to prescribe the powers and duties of the authority; to correct and prevent deterioration in neighborhoods and certain other areas; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans and development areas; to promote residential and economic growth; to create a board; to prescribe the powers and duties of the board; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to prescribe powers and duties of certain state officials; to provide for rule promulgation; and to provide for enforcement of the act.

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

Roll Call No. 868

Yeas—90

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

Nays—7Bradstreet
DroletHardman
KoetjeKooiman
Palmer

Steil

In The Chair: Julian

The House agreed to the title of the bill.

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

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

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Richardville moved that Rule 45 be suspended.

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

Rep. Richardville moved that the Committee on Transportation be discharged from further consideration of **House Resolution No. 320**.

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

The resolution was placed on the order of Reports of Standing Committees and laid over one day.

Reports of Standing Committees

The Speaker laid before the House

House Resolution No. 320.

A resolution to memorialize the Congress of the United States and the United States Department of Transportation to exempt local transporters of liquid petroleum from federal regulations that require 10 hours off duty for every 14 hours on duty.

(For text of resolution, see today's Journal, p. 2353.)

(The resolution was discharged from the Committee on Transportation on September 29, consideration of which, under the rules, was postponed until November 4.)

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.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Casperson, LaJoy, Bradstreet, Nitz, Caswell, Emmons, Newell, Hager, Robertson, Palmer, Meyer, DeRoche, Stahl, Voorhees, Brandenburg, Acciavatti, Garfield, Adamini, Shaffer, Pappageorge, Drolet, Pastor, Kooiman, Brown, Hummel, Howell, Sheltroun, Rivet, Gillard and Ruth Johnson offered the following resolution:

House Resolution No. 322.

A resolution to urge the United States Forest Service to carry out its responsibilities to facilitate the managed harvest of trees.

Whereas, The United States Forest Service is responsible for managing public lands on 191 million acres of national forests and grasslands to sustain the health, diversity, and productivity of these vital resources for both present and future generations. For generations, the renewable riches of our forests have been vital to the economic strength of local areas and our entire state; and

Whereas, The Forest Service is charged with helping states and communities to use the forests wisely to promote rural economic development and a quality rural environment. Wise use of these resources contributes to an increase in scientific and technical knowledge and improves our capability to protect, manage, and use forests and rangelands. When the Forest Service does not fully carry out its responsibilities, including those that are necessary for properly managed harvesting of trees, the long-term well-being of the forests can be jeopardized; and

Whereas, Many jobs depend upon the Forest Service upholding its agreements on the amount of land to be managed and the number of trees that need to be harvested each year. Failure to uphold these agreements causes economic hardships on many sectors of the economy, can harm the health of our forests, and can lead to the closure of businesses; now, therefore, be it

Resolved by the House of Representatives, That we urge the United States Forest Service to carry out its responsibilities to facilitate the managed harvest of trees, including marking trees to be taken; and be it further

Resolved, That copies of this resolution be transmitted to United States Forest Service.

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.

Third Reading of Bills

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 passed earlier today, see today's Journal p. 2332.)

Rep. Richardville 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,

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

The motion prevailed.

Second Reading of Bills

House Bill No. 5929, entitled

A bill to amend 1917 PA 156, entitled "An act authorizing cities, villages, counties, townships and school districts to operate systems of public recreation and playgrounds," by amending section 2 (MCL 123.52).

The bill was read a second time.

Rep. Huizenga moved to amend the bill as follows:

1. Amend page 1, line 8, after "**subsection**" by inserting "**unless all of the following are met:**

(a) **The system of public recreation is administered by an independent board that is empowered to establish policies for the system and to approve all financial commitments entered into for the system.**

(b) **The independent board described in subdivision (a) includes representatives of each city, township, or village having territory located in the school district.**

(c) **The system of public recreation has in place a master plan for future operations that is approved by the department of natural resources.**

(d) **The governing board of each city, township, and village having territory located in the school district has approved a resolution supporting the tax.**

(e) **The proceeds from the tax are segregated in a separate fund and are separately audited to ensure that the proceeds are expended only on the system of public recreation and not for general school operating purposes.**

(f) **The election to authorize the tax is held at least 24 months after the most recent previous election to levy a tax under this section.**

(g) **The election to authorize the tax was held at either the general November election or the regular school election."**

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

Rep. Koetje 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. 5929, entitled

A bill to amend 1917 PA 156, entitled "An act authorizing cities, villages, counties, townships and school districts to operate systems of public recreation and playgrounds," by amending section 2 (MCL 123.52).

The bill was read a third time.

The question being on the passage of the bill,

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

Second Reading of Bills

House Bill No. 5599, entitled

A bill to amend 1978 PA 390, entitled "An act to regulate the time and manner of payment of wages and fringe benefits to employees; to prescribe rights and responsibilities of employers and employees, and the powers and duties of the department of labor; to require keeping of records; to provide for settlement of disputes regarding wages and fringe benefits; to prohibit certain practices by employers; to prescribe penalties and remedies; and to repeal certain acts and parts of acts," by amending section 6 (MCL 408.476).

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Employment Relations, Training and Safety (for amendments, see House Journal No. 33, p. 753),

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

Rep. Hoogendyk 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. Middaugh moved to amend the bill as follows:

1. Amend page 2, following line 21, by inserting:

"(2) An employer that pays wages to an employee under subsection (1)(c) shall provide the statement required under section 9(2) in writing if requested by the employee." and renumbering the remaining subsection.

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

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

The motion prevailed.

House Bill No. 5833, entitled

A bill to amend 1941 PA 174, entitled "An act to authorize the establishment and the maintenance of common trust funds; to authorize investments or participations therein; to define the requirements and terms thereof and the conditions and terms governing investments or participations therein and the admission and withdrawal of such investments or participations; to prescribe and define the rights, powers and duties of banks, trust companies, fiduciaries, participants, beneficiaries and other persons with respect thereto; to provide for the regulation and supervision thereof; and to repeal acts and parts of acts inconsistent with the provisions of this act," by amending the title and sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13 (MCL 555.101, 555.102, 555.103, 555.104, 555.105, 555.106, 555.107, 555.108, 555.109, 555.110, 555.111, 555.112, and 555.113), section 1 as amended by 1984 PA 101 and section 9 as amended by 1986 PA 23, and by adding sections 4a and 5a.

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. Milosch 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. 5833, entitled

A bill to amend 1941 PA 174, entitled "An act to authorize the establishment and the maintenance of common trust funds; to authorize investments or participations therein; to define the requirements and terms thereof and the conditions and terms governing investments or participations therein and the admission and withdrawal of such investments or participations; to prescribe and define the rights, powers and duties of banks, trust companies, fiduciaries, participants, beneficiaries and other persons with respect thereto; to provide for the regulation and supervision thereof; and to repeal acts and parts of acts inconsistent with the provisions of this act," by amending the title and sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13 (MCL 555.101, 555.102, 555.103, 555.104, 555.105, 555.106, 555.107, 555.108, 555.109, 555.110, 555.111, 555.112, and 555.113), section 1 as amended by 1984 PA 101 and section 9 as amended by 1986 PA 23, and by adding sections 4a and 5a.

Was read a third time and passed, 2/3 of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 869

Yeas—101

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

By unanimous consent the House returned to the order of

Messages from the Senate

The Speaker laid before the House

House Bill No. 5783, entitled

A bill to amend 1986 PA 316, entitled “Michigan education trust act,” by amending sections 6, 7, and 8 (MCL 390.1426, 390.1427, and 390.1428); and to repeal acts and parts of acts.

(The bill was received from the Senate on September 22, with amendments, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 82, p. 2243.)

The question being on concurring in the amendments made to the bill by the Senate,

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

Roll Call No. 870

Yeas—91

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

Nays—13

Caul	Johnson, Ruth	Newell	Palsrok
DeRoche	LaSata	Nofs	Stahl
Ehardt	Mortimer	Palmer	Stakoe
Hune			

In The Chair: Julian

The House agreed to the full title of the bill.

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

Third Reading of Bills

The House returned to the consideration of

House Bill No. 5920, entitled

A bill to amend 1980 PA 119, entitled "Motor carrier fuel tax act," by amending section 8 (MCL 207.218), as amended by 1996 PA 584.

(The bill was considered earlier today, see today's Journal p. 2294.)

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. 871

Yeas—57

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

Nays—46

Accavitti	Gielegem	McConico	Smith
Adamini	Gillard	Meisner	Spade
Anderson	Gleason	Minore	Tobocman
Bieda	Hardman	Murphy	Vagnozzi
Brown	Hood	O'Neil	Waters
Byrum	Hopgood	Phillips	Whitmer
Cheeks	Hunter	Plakas	Williams
Clack	Jamnack	Reeves	Wojno
Condino	Kolb	Rivet	Woodward
Dennis	LaSata	Sak	Woronchak
Elkins	Law	Sheltrown	Zelenko
Farrah	Lipsey		

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Rep. Tobocman, 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 am voting no on this bill because the joint and severally liability for Motor Carrier Fuel Taxes makes economic sense. Motor carrier lessors are in a unique position to collect the tax with a minimal administrative cost. They can

write the tax collection into their lease agreements. The State, however, is not in such a position. Considerable testimony was given at Committee that many lessees were hard to track down and find for tax collection purposes.”

By unanimous consent the House returned to the order of

Messages from the Senate

Senate Concurrent Resolution No. 47.

A concurrent resolution prescribing the legislative schedule.

Resolved by the Senate (the House of Representatives concurring), That when the House of Representatives adjourns on Wednesday, September 29, 2004, it stands adjourned until Thursday, November 4, 2004, at 10:00 a.m.; and be it further

Resolved, That when the Senate adjourns on Thursday, October 7, 2004, it stands adjourned until Wednesday, November 3, 2004, at 10:00 a.m.

The Senate has adopted the concurrent resolution.

Pending the reference of the concurrent resolution to a committee,

Rep. Richardville moved that Rule 77 be suspended and the concurrent 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 concurrent resolution,

The concurrent resolution was adopted.

Rep. Richardville moved that when the House adjourns today it stand adjourned until Thursday, November 4, at 10:00 a.m.

The motion prevailed.

Senate Bill No. 959, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 16901 and 16903 (MCL 333.16901 and 333.16903), as added by 1995 PA 126.

The Senate has passed the bill.

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

Senate Bill No. 961, entitled

A bill to amend 1887 PA 128, entitled “An act establishing the minimum ages for contracting marriages; to require a civil license in order to marry and its registration; to provide for the implementation of federal law; and to provide a penalty for the violation of this act,” (MCL 551.101 to 551.111) by amending the title, as amended by 1998 PA 333, and by adding section 12.

The Senate has passed the bill.

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

Senate Bill No. 963, entitled

A bill to amend 1887 PA 128, entitled “An act establishing the minimum ages for contracting marriages; to require a civil license in order to marry and its registration; to provide for the implementation of federal law; and to provide a penalty for the violation of this act,” by amending section 4 (MCL 551.104).

The Senate has passed the bill.

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

Senate Bill No. 964, entitled

A bill to amend 1887 PA 128, entitled “An act establishing the minimum ages for contracting marriages; to require a civil license in order to marry and its registration; to provide for the implementation of federal law; and to provide a penalty for the violation of this act,” by amending the title and section 2 (MCL 551.102), as amended by 1998 PA 333, and by adding sections 2a and 2b.

The Senate has passed the bill.

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

Senate Bill No. 966, entitled

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

The Senate has passed the bill.

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

Senate Bill No. 1095, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 17708, 17751, and 17763 (MCL 333.17708, 333.17751, and 333.17763), sections 17708 and 17751 as amended by 1997 PA 153 and section 17763 as amended by 2004 PA 214.

The Senate has passed the bill.

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

Senate Bill No. 1148, entitled

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

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. 1243, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.1100) by adding section 73.

The Senate has passed the bill.

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

Senate Bill No. 1368, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 175 (MCL 600.175), as added by 2003 PA 78.

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. 1369, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 151d and 151e (MCL 600.151d and 600.151e), section 151d as added by 2002 PA 740 and section 151e as added by 2002 PA 742.

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. 1376, entitled

A bill to amend 1999 PA 94, entitled "Michigan merit award scholarship act," by amending section 7 (MCL 390.1457), as amended by 2002 PA 736.

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. 1384, entitled

A bill to amend 1985 PA 87, entitled "Crime victim's rights act," (MCL 780.751 to 780.834) by adding sections 4a, 33b, and 64a.

The Senate has passed the bill.

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

Introduction of Bills

Reps. Brown and Adamini introduced

House Bill No. 6236, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 810a (MCL 600.810a), as amended by 2002 PA 715.

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

Rep. Bradstreet introduced

House Bill No. 6237, entitled

A bill to amend 1993 PA 23, entitled "Michigan limited liability company act," by amending section 904 (MCL 450.4904), as amended by 2000 PA 333.

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

Rep. Bradstreet introduced

House Bill No. 6238, entitled

A bill to amend 1962 PA 192, entitled "Professional service corporation act," by amending section 4 (MCL 450.224), as amended by 2000 PA 335.

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

Reps. McConico, Hunter, Waters, Phillips, Hood, Smith, Tobocman, Condino, Vagnozzi, O'Neil, Sak, Minore and Hardman introduced

House Bill No. 6239, entitled

A bill to regulate the manufacture, possession, purchase, sale, and transfer of assault weapons; to provide certain powers and duties for certain state and local officials and agencies; to provide for the promulgation of rules; and to provide penalties.

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

Reps. McConico and Minore introduced

House Bill No. 6240, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 11b of chapter XVII (MCL 777.11b), as amended by 2004 PA 150.

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

Reps. Gaffney, Hune and Ward introduced

House Bill No. 6241, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 3, 67, 67a, and 722 (MCL 257.3, 257.67, 257.67a, and 257.722), section 67a as amended by 1988 PA 346 and section 722 as amended by 2002 PA 41.

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

Rep. Caswell introduced

House Bill No. 6242, entitled

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending section 41 (MCL 389.41), as amended by 2000 PA 488.

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

Reps. Casperson, Farhat, Garfield, Brown, Adamini, Emmons, Amos, LaJoy, Huizenga, Gillard and Shackleton introduced

House Bill No. 6243, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 632.

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

Rep. Koetje introduced

House Bill No. 6244, entitled

A bill to amend 1887 PA 128, entitled "An act establishing the minimum ages for contracting marriages; to require a civil license in order to marry and its registration; to provide for the implementation of federal law; and to provide a penalty for the violation of this act," by amending section 3 (MCL 551.103), as amended by 1984 PA 346.

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

Reps. Middaugh, Tabor, Hummel, Vander Veen, Palsrok, Ehardt, Mortimer, Voorhees and Newell introduced

House Bill No. 6245, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21571.

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

Reps. Brandenburg, Wojno, Bieda, Acciavatti and Pumford introduced

House Bill No. 6246, entitled

A bill to amend 1982 PA 325, entitled "An act to authorize county sheriffs to declare a county jail overcrowding state of emergency; to prescribe the powers and duties of certain judges, county sheriffs, and other county officials; and to provide remedies for a county jail overcrowding state of emergency," by amending section 5 (MCL 801.55).

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

Reps. Nofs, Hune and Gaffney introduced

House Bill No. 6247, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending section 47 (MCL 169.247), as amended by 2001 PA 250.

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

Reps. Kooiman, Williams, Murphy, Clack, Phillips, Stahl, Vander Veen, Voorhees, Hart, Hager and Hardman introduced

House Bill No. 6248, entitled

A bill to amend 1974 PA 150, entitled "Youth rehabilitation services act," (MCL 803.301 to 803.309) by adding section 4f.

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

Reps. Kooiman, Murphy, Phillips, Williams, Clack, Stahl, Vander Veen, Voorhees, Hart, Hager and Hardman introduced

House Bill No. 6249, entitled

A bill to amend 1974 PA 150, entitled "Youth rehabilitation services act," (MCL 803.301 to 803.309) by adding section 4e.

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

Reps. Williams, Murphy, Clack, Phillips, Vander Veen, Voorhees, Hart, Hager, Kooiman, Stahl and Hardman introduced

House Bill No. 6250, entitled

A bill to amend 1974 PA 150, entitled "Youth rehabilitation services act," (MCL 803.301 to 803.309) by adding section 4c.

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

Reps. Williams, Murphy, Clack, Phillips, Vander Veen, Voorhees, Hart, Hager, Kooiman, Stahl and Hardman introduced

House Bill No. 6251, entitled

A bill to amend 1974 PA 150, entitled "Youth rehabilitation services act," (MCL 803.301 to 803.309) by adding section 4k.

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

Reps. Williams, Murphy, Clack, Phillips, Vander Veen, Voorhees, Hart, Hager, Kooiman, Stahl and Hardman introduced

House Bill No. 6252, entitled

A bill to amend 1974 PA 150, entitled "Youth rehabilitation services act," (MCL 803.301 to 803.309) by adding section 4b.

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

Reps. Stahl, Murphy, Williams, Clack, Phillips, Vander Veen, Voorhees, Hart, Kooiman, Hager and Hardman introduced

House Bill No. 6253, entitled

A bill to amend 1974 PA 150, entitled "Youth rehabilitation services act," (MCL 803.301 to 803.309) by adding section 4n.

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

Reps. Stahl, Murphy, Williams, Clack, Phillips, Vander Veen, Voorhees, Hart, Kooiman, Hager and Hardman introduced

House Bill No. 6254, entitled

A bill to amend 1974 PA 150, entitled "Youth rehabilitation services act," (MCL 803.301 to 803.309) by adding section 4m.

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

Reps. Clack, Murphy, Phillips, Vander Veen, Voorhees, Kooiman, Stahl, Hart, Hager and Hardman introduced

House Bill No. 6255, entitled

A bill to amend 1974 PA 150, entitled "Youth rehabilitation services act," (MCL 803.301 to 803.309) by adding section 4h.

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

Reps. Clack, Murphy, Phillips, Vander Veen, Voorhees, Hart, Kooiman, Stahl, Hager and Hardman introduced

House Bill No. 6256, entitled

A bill to amend 1974 PA 150, entitled "Youth rehabilitation services act," (MCL 803.301 to 803.309) by adding section 4g.

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

Reps. Hart, Phillips, Williams, Clack, Vander Veen, Voorhees, Kooiman, Stahl, Hager and Hardman introduced

House Bill No. 6257, entitled

A bill to amend 1974 PA 150, entitled "Youth rehabilitation services act," (MCL 803.301 to 803.309) by adding section 4l.

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

Reps. Hart, Williams, Murphy, Clack, Phillips, Vander Veen, Voorhees, Hager, Kooiman, Stahl and Hardman introduced

House Bill No. 6258, entitled

A bill to amend 1974 PA 150, entitled "Youth rehabilitation services act," (MCL 803.301 to 803.309) by adding section 4o.

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

Reps. Pumford, Murphy, Williams, Clack, Phillips, Vander Veen, Voorhees, Hart, Kooiman, Stahl, Hager and Hardman introduced

House Bill No. 6259, entitled

A bill to amend 1974 PA 150, entitled "Youth rehabilitation services act," (MCL 803.301 to 803.309) by adding section 4q.

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

Reps. Pumford, Murphy, Williams, Clack, Phillips, Vander Veen, Voorhees, Hart, Kooiman, Stahl, Hager and Hardman introduced

House Bill No. 6260, entitled

A bill to amend 1974 PA 150, entitled "Youth rehabilitation services act," (MCL 803.301 to 803.309) by adding section 4p.

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

Reps. Phillips, Murphy, Clack, Vander Veen, Voorhees, Hart, Hager, Kooiman, Stahl and Hardman introduced

House Bill No. 6261, entitled

A bill to amend 1974 PA 150, entitled "Youth rehabilitation services act," (MCL 803.301 to 803.309) by adding section 4i.

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

Reps. Phillips, Murphy, Clack, Vander Veen, Voorhees, Hager, Kooiman, Stahl, Hart and Hardman introduced

House Bill No. 6262, entitled

A bill to amend 1974 PA 150, entitled "Youth rehabilitation services act," (MCL 803.301 to 803.309) by adding section 4j.

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

Reps. Murphy, Williams, Clack, Phillips, Vander Veen, Voorhees, Hart, Kooiman, Stahl, Hager and Hardman introduced

House Bill No. 6263, entitled

A bill to amend 1974 PA 150, entitled "Youth rehabilitation services act," (MCL 803.301 to 803.309) by adding section 4a.

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

Reps. Murphy, Williams, Clack, Phillips, Vander Veen, Voorhees, Hart, Kooiman, Stahl, Hager and Hardman introduced

House Bill No. 6264, entitled

A bill to amend 1974 PA 150, entitled "Youth rehabilitation services act," (MCL 803.301 to 803.309) by adding section 4d.

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

Reps. Clack, Hart, Vander Veen, Voorhees, Stahl, Hardman and Reeves introduced

House Bill No. 6265, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 6a.

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

Reps. Clack, Hart, Voorhees, Vander Veen, Stahl, Hardman and Reeves introduced

House Bill No. 6266, entitled

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts," (MCL 722.111 to 722.128) by adding section 11c.

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

Reps. Stahl, Hart, Clack, Vander Veen, Voorhees, Hardman and Reeves introduced

House Bill No. 6267, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," (MCL 722.621 to 722.638) by adding section 9b. The bill was read a first time by its title and referred to the Committee on Family and Children Services.

Reps. Stahl, Hart, Clack, Vander Veen, Voorhees, Hardman and Reeves introduced

House Bill No. 6268, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," (MCL 710.21 to 712A.32) by adding section 22a to chapter XIII A.

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

Reps. Reeves, Hart, Clack, Vander Veen, Voorhees, Stahl and Hardman introduced

House Bill No. 6269, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," (MCL 791.201 to 791.283) by adding section 20i. The bill was read a first time by its title and referred to the Committee on Family and Children Services.

Reps. Reeves, Hart, Clack, Vander Veen, Voorhees, Stahl and Hardman introduced

House Bill No. 6270, entitled

A bill to amend 1988 PA 73, entitled "The juvenile facilities act," (MCL 803.221 to 803.228) by adding section 3a. The bill was read a first time by its title and referred to the Committee on Family and Children Services.

Reps. Hart, Clack, Vander Veen, Voorhees, Stahl, Hardman and Reeves introduced

House Bill No. 6271, entitled

A bill to amend 1994 PA 203, entitled "Foster care and adoption services act," (MCL 722.951 to 722.960) by adding section 4e.

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

Reps. Tabor, Vander Veen, Drolet, Milosch, Sak, Sheltroun, Acciavatti, Hummel, Robertson, Bradstreet, Casperson, Palsrok, DeRossett, Hoogendyk, Richardville, Pastor, LaJoy, Emmons and Farhat introduced

House Bill No. 6272, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40110 (MCL 324.40110), as added by 1995 PA 57.

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

Rep. Kooiman introduced

House Bill No. 6273, entitled

A bill to authorize the imposition of taxes and fees for the purpose of road improvements or operations; to provide for certain powers and duties of political subdivisions; to provide for general or special elections; and to earmark certain revenues for road improvements, operations, or public transportation purposes.

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

Rep. Kooiman introduced

House Bill No. 6274, entitled

A bill to amend 1933 PA 254, entitled "The motor carrier act," by amending the title and sections 1, 2, and 3 of article I, sections 1, 4, 5, 6, 7, 7a, 8, 9, 10, 11, 12, 13, and 14 of article II, sections 1, 2, 4, 5, 5a, 8, 9, 10, 11, and 12 of article III, and sections 1, 2, 7, and 8 of article IV (MCL 475.1, 475.2, 475.3, 476.1, 476.4, 476.5, 476.6, 476.7, 476.7a, 476.8, 476.9, 476.10, 476.11, 476.12, 476.13, 476.14, 477.1, 477.2, 477.4, 477.5, 477.5a, 477.8, 477.9, 477.10, 477.11, 477.12, 478.1, 478.2, 478.7, and 478.8), the title and sections 1, 4, 6, 8, 9, 10, 11, 13, and 14 of article II, sections 1, 5, 8, 9, 11, and 12 of article III, and section 1 of article IV as amended by 1982 PA 399, sections 1, 2, and 3 of article I, sections 5, 7, and 7a of article II, sections 2, 4, and 5a of article III, and section 2 of article IV as amended by 1993 PA 352, section 7 of article IV as amended by 1989 PA 221, and section 8 of article IV as added by 1988 PA 369; 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. Voorhees, Hoogendyk, Vander Veen, Emmons, Taub, Amos, Pastor, Pappageorge, Steil, Middaugh and Caul introduced

House Bill No. 6275, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7cc (MCL 211.7cc), as amended by 2003 PA 247.

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

Rep. Voorhees introduced

House Bill No. 6276, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding section 1029.

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

Reps. Tobocman, Smith, Hopgood, Meisner, Farrah, Bieda, Gleason, Rivet, Kolb, Taub, Casperson, Pastor, Gaffney, Nofs, Stewart, LaJoy, Hune, Ward and Cheeks introduced

House Bill No. 6277, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 248 and 249 (MCL 750.248 and 750.249), section 248 as amended by 1991 PA 145.

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

Reps. LaJoy, Tobocman, Smith, Hopgood, Meisner, Farrah, Bieda, Gleason, Rivet, Kolb, Taub, Pastor, Gaffney, Nofs, Stewart, Hune, Ward and Cheeks introduced

House Bill No. 6278, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2935 (MCL 600.2935).

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

Rep. Kolb introduced

House Bill No. 6279, entitled

A bill to amend 1846 RS 12, entitled "Of certain state officers," (MCL 10.2, 11.4, 11.5, 12.7 to 12.14, 14.28 to 14.35, and 15.36 to 15.39) by adding section 29a.

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

Rep. Kolb introduced

House Bill No. 6280, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding section 35d.

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

Rep. Kolb introduced

House Bill No. 6281, entitled

A bill to amend 1993 PA 330, entitled "State real estate transfer tax act," by amending sections 2, 5, and 11 (MCL 207.522, 207.525, and 207.531), section 5 as amended by 1994 PA 224.

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

Reps. Brown, Adamini and Casperson introduced

House Bill No. 6282, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 5131 and 20201 (MCL 333.5131 and 333.20201), section 5131 as amended by 1997 PA 57 and section 20201 as amended by 2001 PA 240.

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

Reps. Emmons, Acciavatti, Tabor, Nitz, Pastor, LaJoy, Bisbee, Vander Veen, Shaffer, Meyer, Gaffney, Steil, Amos, Walker, Voorhees, Howell, Palmer, DeRoche and Hune introduced

House Bill No. 6283, entitled

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending sections 8a and 9 (MCL 125.2688a and 125.2689), section 8a as amended by 2002 PA 587.

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

Reps. Palsrok, Bisbee, Middaugh, Richardville, Ward, Hune, Tobocman, Law, Stewart, LaJoy, Lipsey, Kolb, DeRoche, Garfield, Murphy, Palmer, Bieda, Pumford, Huizenga, Howell, Farhat, O'Neil, Mortimer, Stahl, Koetje, Hart, Hummel, Shaffer, Pastor and Rivet introduced

House Bill No. 6284, entitled

A bill to amend 2003 PA 215, entitled "Credit union act," by amending sections 102, 104, 201, 203, 212, 214, 217, 234, 301, 302, 304, 307, 331, 341, 342, 345, 352, 357, 371, 373, 374, 382, 386, 401, 402, 407, and 423 (MCL 490.102, 490.104, 490.201, 490.203, 490.212, 490.214, 490.217, 490.234, 490.301, 490.302, 490.304, 490.307, 490.331, 490.341, 490.342, 490.345, 490.352, 490.357, 490.371, 490.373, 490.374, 490.382, 490.386, 490.401, 490.402, 490.407, and 490.423).

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

Reps. Bieda, Gleason and Gielegghem introduced

House Bill No. 6285, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 1312 (MCL 600.1312), as amended by 2004 PA 12.

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

Reps. Bieda, Gleason, Lipsey, Wojno and Gielegghem introduced

House Bill No. 6286, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 17766 and 21413 (MCL 333.17766 and 333.21413), section 17766 as amended by 1990 PA 30 and section 21413 as amended by 1996 PA 267, and by adding section 17766d.

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

Reps. Bieda and Gleason introduced

House Bill No. 6287, entitled

A bill to amend 1974 PA 258, entitled "Mental health code," by amending sections 100a and 161 (MCL 330.1100a and 330.1161), as amended by 1998 PA 497, and by adding chapter 3A.

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

Rep. Robertson introduced

House Bill No. 6288, entitled

A bill to amend 1993 PA 354, entitled "Railroad code of 1993," by amending section 307 (MCL 462.307).

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

Reps. LaJoy, Drolet, Garfield, Casperson, Palmer, Taub, Emmons, Robertson, Pastor, Ward, Acciavatti, Tabor, Brandenburg, Milosch, Nitz, Caswell, Gaffney, Nofs, Stahl, Stakoe, Van Regenmorter, Pappageorge, Moolenaar, Stewart, Mortimer, Voorhees, Hoogendyk, DeRoche and Palsrok introduced

House Bill No. 6289, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 283 (MCL 18.1283).

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

Reps. Cheeks, Wojno, Smith, Phillips, McConico, Clack, Kolb, Reeves, Stallworth, Hood, Tobocman, Hunter, Accavitti, Williams, Lipsey, Sheltroun, Gaffney, Ward and Hardman introduced

House Bill No. 6290, entitled

A bill to amend 1992 PA 147, entitled "Neighborhood enterprise zone act," by amending section 4 (MCL 207.774), as amended by 2004 PA 60.

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

Rep. Hunter introduced

House Bill No. 6291, entitled

A bill to amend 2002 PA 660, entitled "Consumer mortgage protection act," by amending the title and sections 1, 2, 4, 5, 8, 9, 10, 12, and 15 (MCL 445.1631, 445.1632, 445.1634, 445.1635, 445.1638, 445.1639, 445.1640, 445.1642, and 445.1645); and to repeal acts and parts of acts.

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

Rep. Rivet introduced

House Bill No. 6292, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 2 (MCL 257.2), as amended by 2004 PA 19.

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

Rep. Rivet introduced

House Bill No. 6293, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding section 35c.

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

Reps. Gleason, Bieda, Lipsey, Gielegem, Adamini, Murphy, Meisner, Gaffney, Casperson, Hummel, LaJoy, Nofs, Gillard, Wojno, Sak, DeRoche, Hune and Elkins introduced

House Bill No. 6294, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 226 and 801 (MCL 257.226 and 257.801), section 226 as amended by 2004 PA 163 and section 801 as amended by 2003 PA 152.

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

Reps. Pappageorge, Voorhees, Garfield, Amos, Van Regenmorter, Hoogendyk, O'Neil, Farrah, Plakas, Woodward, Gielegem, DeRoche, Hune, Accavitti, Farhat, Vander Veen, Hart, LaJoy and Walker introduced

House Bill No. 6295, entitled

A bill to amend 1967 PA 288, entitled "Land division act," by amending section 222 (MCL 560.222) and by adding section 222a.

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

Rep. Lipsey moved that the House adjourn.

The motion prevailed, the time being 11:55 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, November 4, at 10:00 a.m.

GARY L. RANDALL
Clerk of the House of Representatives