

**No. 88**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**92nd Legislature**  
**REGULAR SESSION OF 2004**

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House Chamber, Lansing, Wednesday, December 1, 2004.

1:00 p.m.

The House was called to order by the Speaker Pro Tempore.

The roll was called by the Clerk of the House of Representatives, who announced that a quorum was present.

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

e/d/s = entered during session

Rep. John R. Pastor, from the 19th District, offered the following invocation:

“God, Loving Father, today we gather as the legislature meets to consider so many important issues. Be with us, O God, in this space and time as we shape and affirm the changes which we are about to consider. We are here in trust; destroy all hopelessness; We are here in joy; dismiss all despair. We bring years of experience and a depth of knowledge to the issues set before us. Help us to reassess the journey, to set firm a new pathway, and to lay new foundations which will bring to fruition new opportunities and visions. Knowing You are here, God, we are freer in our interactions, gentle in our confrontations, respectfully silent in our deliberations, and accepting of the ideas placed before us. In all of our thoughts and ideas, we ask for Your guidance and wisdom that our words and actions might contribute to Your further glory. We ask this all in the name of Jesus. Amen.”

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Rep. Waters moved that Reps. Clack, Hardman, Phillips, Stallworth, Williams and Zelenko be excused from this week's session.

The motion prevailed.

Rep. Palmer moved that Rep. Mortimer be excused from today's session.

The motion prevailed.

### Reports of Standing Committees

The Speaker laid before the House

#### **House Resolution No. 305.**

A resolution to memorialize the President and the Congress of the United States to designate the River Raisin Battlefield as a National Battlefield Site.

(For text of resolution, see House Journal No. 80, p. 2175.)

(The resolution was reported by the Committee on Veterans Affairs and Homeland Security on November 30, consideration of which, under the rules, was postponed until today.)

The question being on the adoption of the resolution,

Rep. Richardville moved to substitute (H-1) the resolution as follows:

#### **Substitute for House Resolution No. 305.**

A resolution to memorialize the President and the Congress of the United States to designate the River Raisin Battlefield as a National Historic Landmark.

Whereas, The then-territory of Michigan played a pivotal role in the events of the War of 1812 that saw the fledgling United States finally achieve complete freedom from the military domination of Great Britain, which had occupied American territory long after the Treaty of Paris had ended the Revolutionary War; and

Whereas, The Battle of the River Raisin took place on Michigan soil on January 22, 1813, in Monroe County. Nine hundred thirty-four Americans were involved in this conflict of which only thirty-three escaped death or capture following the massacre of wounded soldiers and innocent civilians after the battle in the bloodiest encounter of the War of 1812; and

Whereas, The men of the Kentucky Cavalry, led by survivors of the Battle of the River Raisin, engaged British forces and their Indian allies, driving them back into Canada and decisively defeating them at the Battle of the Thames under the battle cry of “Remember the Raisin!” which galvanized support for the war effort in the Old Northwest Territory and across the nation; and

Whereas, This important battle in America's past has never received the respect and acclaim it deserves with its designation as a National Historic Landmark; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the President and the Congress of the United States to designate the River Raisin Battlefield as a National Historic Landmark; and be it further

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

The motion prevailed and the substitute (H-1) was adopted, a majority of the members present voting therefor.

The question being on the adoption of the resolution,

The resolution was adopted.

### Second Reading of Bills

#### House Bill No. 6032, entitled

A bill to amend 1967 PA 150, entitled "Michigan military act," by amending section 251 (MCL 32.651), as amended by 1988 PA 246.

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

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

Rep. Pappageorge 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. 6032, entitled

A bill to amend 1967 PA 150, entitled "Michigan military act," by amending section 251 (MCL 32.651), as amended by 1988 PA 246.

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

#### Roll Call No. 949

#### Yeas—101

Accavitti	Farrah	Lipsey	Shaffer
Acciavatti	Gaffney	McConico	Sheen
Adamini	Garfield	Meisner	Sheltrown
Amos	Gielegem	Meyer	Shulman
Anderson	Gillard	Middaugh	Smith
Bieda	Gleason	Milosch	Spade
Bisbee	Hager	Moolenaar	Stahl
Bradstreet	Hood	Murphy	Stakoe
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
Condino	Jamnick	Pastor	Vander Veen
Daniels	Johnson, Rick	Plakas	Voorhees
Dennis	Johnson, Ruth	Pumford	Walker
DeRoche	Julian	Reeves	Ward
DeRossett	Koetje	Richardville	Waters
Dillon	Kolb	Rivet	Wenke
Drolet	Kooiman	Robertson	Whitmer
Ehardt	LaJoy	Rocca	Wojno
Elkins	LaSata	Sak	Woodward
Emmons	Law	Shackleton	Woronchak
Farhat			

#### 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. 5140, entitled

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

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

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

Rep. Plakas 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. 5140, entitled

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

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

#### Roll Call No. 950

#### Yeas—102

Accavitti	Farrah	McConico	Shaffer
Acciavatti	Gaffney	Meisner	Sheen
Adamini	Garfield	Meyer	Sheltrown
Amos	Gielegem	Middaugh	Shulman
Anderson	Gillard	Milosch	Smith
Bieda	Gleason	Minore	Spade
Bisbee	Hager	Moolenaar	Stahl
Bradstreet	Hood	Murphy	Stakoe
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
Condino	Jamnick	Pastor	Vander Veen
Daniels	Johnson, Rick	Plakas	Voorhees
Dennis	Johnson, Ruth	Pumford	Walker
DeRoche	Julian	Reeves	Ward
DeRossett	Koetje	Richardville	Waters
Dillon	Kolb	Rivet	Wenke
Drolet	Kooiman	Robertson	Whitmer
Ehardt	LaJoy	Rocca	Wojno
Elkins	LaSata	Sak	Woodward
Emmons	Law	Shackleton	Woronchak
Farhat	Lipsey		

**Nays—0**

In The Chair: Julian

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

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

A bill to amend 1992 PA 147, entitled "Neighborhood enterprise zone act," by amending section 4 (MCL 207.774), as amended by 2004 PA 396.

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.

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

Rep. Hart entered the House Chambers.

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. 576, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 6233, 20145, 20161, 20923, and 20929 (MCL 333.6233, 333.20145, 333.20161, 333.20923, and 333.20929), section 20145 as amended by 2002 PA 683, section 20161 as amended by 2002 PA 562, and sections 20923 and 20929 as amended by 2000 PA 375.

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. Shulman, Emmons, Pumford, Shackleton, Kooiman, Stewart, Amos, Caswell, Moolenaar, Shaffer, Steil, Walker, Whitmer, Brown, Kolb, Plakas, Reeves, Cheeks, Hunter, Sak and O'Neil

Nays: Reps. Caul, Acciavatti, Farhat, Hoogendyk, Pastor, Taub and Brandenburg

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

**Senate Bill No. 1103, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 25 (MCL 205.75), as amended by 2003 PA 139.

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, Caul, Pumford, Shackleton, Kooiman, Stewart, Amos, Farhat, Hoogendyk, Moolenaar, Pastor, Shaffer, Steil, Taub, Walker, Whitmer, Brown, Kolb, Plakas, Reeves, Cheeks, Hunter, Sak and O'Neil

Nays: Reps. Acciavatti, Caswell and Brandenburg

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

**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.

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, Caul, Shackleton, Kooiman, Stewart, Acciavatti, Amos, Caswell, Farhat, Hoogendyk, Moolenaar, Pastor, Shaffer, Steil, Taub, Walker, Brandenburg, Whitmer, Brown, Kolb, Plakas, Reeves, Cheeks, Hunter and Sak

Nays: None

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

**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.

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, Caul, Pumford, Shackleton, Kooiman, Stewart, Acciavatti, Amos, Farhat, Moolenaar, Pastor, Shaffer, Steil, Taub, Whitmer, Brown, Kolb, Plakas, Reeves, Cheeks, Hunter, Sak and O'Neil

Nays: Reps. Caswell, Hoogendyk, Walker and Brandenburg

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

**House Concurrent Resolution No. 70.**

A concurrent resolution 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 Constitution Hall.

(For text of concurrent resolution, see House Journal No. 85, p. 2470.)

With the recommendation that the concurrent resolution be adopted.

The concurrent resolution was laid over one day under the rules.

Favorable Roll Call

To Report Out:

Yeas: Reps. Shulman, Emmons, Pumford, Shackleton, Kooiman, Stewart, Acciavatti, Amos, Caswell, Hoogendyk, Moolenaar, Pastor, Shaffer, Steil, Taub, Walker, Whitmer, Brown, Kolb, Plakas, Reeves, Cheeks, Hunter, Sak and O'Neil

Nays: Reps. Caul, Farhat 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, December 1, 2004

Present: Reps. Shulman, Emmons, Caul, Pumford, Shackleton, Kooiman, Stewart, Acciavatti, Amos, Caswell, Farhat, Hoogendyk, Moolenaar, Pastor, Shaffer, Steil, Taub, Walker, Brandenburg, Whitmer, Brown, Kolb, Plakas, Reeves, Cheeks, Hunter, Sak and O'Neil

Absent: Reps. Newell, Mortimer, Phillips, Williams and Zelenko

Excused: Reps. Newell, Mortimer, Phillips, Williams and Zelenko

The Committee on Energy and Technology, by Rep. Bradstreet, Chair, reported on  
**House Bill No. 6337, entitled**

A bill to amend 1991 PA 179, entitled "Michigan telecommunications act," by amending section 213 (MCL 484.2213), as amended by 2000 PA 295.

#### **Adverse Roll Call**

To Report Out:

Yeas: Reps. Bradstreet, Huizenga, LaJoy, Stahl and Rivet

Nays: Reps. Middaugh, Bisbee, Casperson, Garfield, Nitz, Palsrok, McConico, Daniels and Murphy

#### **COMMITTEE ATTENDANCE REPORT**

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

Meeting held on: Wednesday, December 1, 2004

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

Absent: Reps. LaSata, DeRoche and Stallworth

Excused: Reps. LaSata, DeRoche and Stallworth

The Committee on Conservation and Outdoor Recreation, by Rep. Tabor, Chair, reported on

**Senate Bill No. 111, entitled**

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

#### **Adverse Roll Call**

To Report Out:

Yeas: Reps. Bradstreet, Rocca, Gillard, Sheltroun and Accavitti

Nays: Reps. Tabor, Milosch, Nitz and Farrah

The Committee on Conservation and Outdoor Recreation, by Rep. Tabor, Chair, reported

**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.

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. Tabor, Milosch, Bradstreet, Ehardt, Rocca, Nitz, Gillard, Sheltroun and Accavitti

Nays: None

The Committee on Conservation and Outdoor Recreation, by Rep. Tabor, Chair, reported

**Senate Bill No. 1181, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 32607 (MCL 324.32607), as added by 2000 PA 278.

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. Tabor, Milosch, Bradstreet, Rocca, Nitz, Gillard, Farrah, Sheltroun and Accavitti  
Nays: None

The Committee on Conservation and Outdoor Recreation, by Rep. Tabor, Chair, reported

**Senate Bill No. 1329, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 82119 (MCL 324.82119), as added by 1995 PA 58.

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. Tabor, Milosch, Bradstreet, Ehardt, Rocca, Nitz, Gillard, Farrah, Sheltroun and Accavitti  
Nays: None

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Tabor, Chair, of the Committee on Conservation and Outdoor Recreation, was received and read:

Meeting held on: Wednesday, December 1, 2004

Present: Reps. Tabor, Milosch, Bradstreet, Ehardt, Richardville, Rocca, Nitz, Gillard, Farrah, Sheltroun and Accavitti

The Committee on Tax Policy, by Rep. Wenke, Chair, reported

**Senate Bill No. 184, entitled**

A bill to amend 1937 PA 94, entitled "Use tax act," (MCL 205.91 to 205.111) by adding section 4w.

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. Wenke, Sheen, Koetje, Woronchak, Meyer, Drolet, Hummel, Nofs, Stakoe, Minore, Farrah, Bieda and Condino  
Nays: None

The Committee on Tax Policy, by Rep. Wenke, Chair, reported

**Senate Bill No. 978, entitled**

A bill to amend 1993 PA 331, entitled "State education tax act," by amending section 5b (MCL 211.905b), as added by 2004 PA 108.

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. Wenke, Sheen, Koetje, Woronchak, Meyer, Drolet, Hummel, Nofs, Stakoe, Minore, Farrah, Bieda and Condino  
Nays: None



The Committee on Tax Policy, by Rep. Wenke, Chair, reported

**Senate Bill No. 1185, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 154 (MCL 211.154), as amended by 2003 PA 247.

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. Wenke, Sheen, Koetje, Meyer, Drolet, Hummel, Palmer, Nofs, Stakoe and Condino

Nays: Reps. O'Neil, Minore, Farrah and Bieda

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, December 1, 2004

Present: Reps. Wenke, Sheen, Koetje, Woronchak, Meyer, Drolet, Hummel, Palmer, Nofs, Stakoe, O'Neil, Minore, Farrah, Bieda and Condino

Absent: Reps. Milosch and Zelenko

Excused: Reps. Milosch and Zelenko

**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, December 1:

**House Bill Nos. 6357 6358**

The Clerk announced that the following Senate bills had been received on Wednesday, December 1:

**Senate Bill Nos. 72 1193**

By unanimous consent the House returned to the order of

**Messages from the Senate**

**House Bill No. 4450, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 803b (MCL 257.803b), as amended by 2003 PA 152.

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. 5544, 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 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. 5832, entitled**

A bill to amend 1881 PA 187, entitled "An act in relation to the form of deeds and mortgages of real estate and to the form of the acknowledgments of the same," by amending section 4 (MCL 565.154).

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. 5971, entitled**

A bill to amend 1964 PA 170, entitled "An act to make uniform the liability of municipal corporations, political subdivisions, and the state, its agencies and departments, officers, employees, and volunteers thereof, and members of certain boards, councils, and task forces when engaged in the exercise or discharge of a governmental function, for injuries to property and persons; to define and limit this liability; to define and limit the liability of the state when engaged in a proprietary function; to authorize the purchase of liability insurance to protect against loss arising out of this liability; to provide for defending certain claims made against public officers, employees, and volunteers and for paying damages sought or awarded against them; to provide for the legal defense of public officers, employees, and volunteers; to provide for reimbursement of public officers and employees for certain legal expenses; and to repeal acts and parts of acts," by amending section 7 (MCL 691.1407), as amended by 2000 PA 318.

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. 5550, entitled**

A bill to amend 1992 PA 116, entitled "Records media act," by amending the title and sections 1, 2, and 3 (MCL 24.401, 24.402, and 24.403), section 2 as amended by 2001 PA 72, and by adding sections 4, 5, and 6.

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 1992 PA 116, entitled "An act to designate and regulate certain records media; and to prescribe the powers and duties of certain governmental entities and officials," by amending section 2 (MCL 24.402), as amended by 2001 PA 72, and by adding section 5.

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

**House Bill No. 5657, entitled**

A bill to amend 1992 PA 116, entitled "Records media act," by amending the title and sections 1, 2, and 3 (MCL 24.401, 24.402, and 24.403), section 2 as amended by 2001 PA 72, and by adding sections 4, 5, and 6.

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 1992 PA 116, entitled "An act to designate and regulate certain records media; and to prescribe the powers and duties of certain governmental entities and officials," by amending the title and section 1 (MCL 24.401) and by adding section 4.

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

**Senate Bill No. 72, entitled**

A bill to create the pregnant and parenting student services fund; to provide grants to encourage certain institutions of higher education to establish and operate a pregnant and parenting student services office for pregnant and parenting students attending the institution; to prescribe the powers and duties of a pregnant and parenting student services office; and to prescribe the powers and duties of certain state departments.

The Senate has passed the bill.

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

**Senate Bill No. 1193, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11 and 17b (MCL 388.1611 and 388.1617b), section 11 as amended by 2004 PA 351 and section 17b as amended by 2000 PA 297.

The Senate has passed the bill.

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

**Introduction of Bills**

Reps. Hune, Gaffney, Nofs and Gleason introduced

**House Bill No. 6359, entitled**

A bill to amend 1953 PA 181, entitled "An act relative to investigations in certain instances of the causes of death within this state due to violence, negligence or other act or omission of a criminal nature or to protect public health;

to provide for the taking of statements from injured persons under certain circumstances; to abolish the office of coroner and to create the office of county medical examiner in certain counties; to prescribe the powers and duties of county medical examiners; to prescribe penalties for violations of the provisions of this act; and to prescribe a referendum thereon," (MCL 52.201 to 52.216) by adding section 9.

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

Reps. Julian, Sheltroun, Rivet, Gillard, Van Regenmorter, Vander Veen, Howell, Gleason, Gaffney, Pastor, Farhat, Taub, Newell, Richardville and Shackleton introduced

**House Bill No. 6360, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 452. The bill was read a first time by its title and referred to the Committee on Insurance.

Reps. Julian, Sheltroun, Rivet, Gillard, Van Regenmorter, Vander Veen, Howell, Gleason, Gaffney, Pastor, Farhat, Taub, Newell, Richardville and Shackleton introduced

**House Bill No. 6361, entitled**

A bill to amend 1965 PA 203, entitled "Commission on law enforcement standards act," by amending section 13 (MCL 28.613) and by adding sections 14a and 14b; and to repeal acts and parts of acts.

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

Reps. Julian, Sheltroun, Rivet, Gillard, Van Regenmorter, Vander Veen, Howell, Gleason, Gaffney, Pastor, Farhat, Taub, Newell, Richardville and Shackleton introduced

**House Bill No. 6362, entitled**

A bill to create the public safety training fund; and to provide for expenditures from the fund.

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

Reps. Julian, Sheltroun, Rivet, Gillard, Van Regenmorter, Vander Veen, Howell, Gleason, Gaffney, Pastor, Farhat, Taub, Newell, Richardville and Shackleton introduced

**House Bill No. 6363, entitled**

A bill to amend 1966 PA 291, entitled "Fire fighters training council act of 1966," by amending section 13 (MCL 29.373) and by adding sections 14a and 14b; and to repeal acts and parts of acts.

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

By unanimous consent the House returned to the order of

**Second Reading of Bills**

**House Bill No. 4787, entitled**

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," (MCL 125.1401 to 125.1499c) by amending the title, as amended by 1984 PA 215, and by adding chapter 3A.

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.

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Rep. Woronchak moved that Rep. Middaugh be excused temporarily from today's session. The motion prevailed.

Rep. Waters moved that Rep. Hood 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. 4787, entitled**

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," (MCL 125.1401 to 125.1499c) by amending the title, as amended by 1984 PA 215, and by adding chapter 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. 951**

**Yeas—87**

Accavitti	Gielegem	McConico	Sheltrown
Adamini	Gillard	Meisner	Shulman
Amos	Gleason	Meyer	Smith
Anderson	Hager	Minore	Spade
Bieda	Hart	Moolenaar	Stahl
Bisbee	Hopgood	Murphy	Stakoe
Brown	Howell	Newell	Stewart
Byrum	Huizenga	Nitz	Tabor
Casperson	Hummel	Nofs	Taub
Caul	Hune	O'Neil	Tobocman
Cheeks	Hunter	Palmer	Vagnozzi
Condino	Jamnack	Palsrok	Van Regenmorter
Daniels	Johnson, Rick	Pappageorge	Vander Veen
Dennis	Johnson, Ruth	Plakas	Voorhees
DeRoche	Julian	Pumford	Walker
DeRossett	Koetje	Reeves	Ward
Dillon	Kolb	Richardville	Waters
Elkins	Kooiman	Rivet	Wenke
Emmons	LaJoy	Robertson	Wojno
Farhat	LaSata	Sak	Woodward
Farrar	Law	Shackleton	Woronchak
Gaffney	Lipsey	Shaffer	

**Nays—10**

Acciavatti	Drolet	Milosch	Sheen
Brandenburg	Garfield	Pastor	Steil
Caswell	Hoogendyk		

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Reps. Reeves, Anderson, Kolb, Jamnick, Lipsey, Meyer, Gaffney, Hunter, Law, Condino, Gleason and Nofs were named co-sponsors of the bill.

**Second Reading of Bills**

**House Bill No. 4788, entitled**

A bill to establish the Michigan housing and community development fund in the department of treasury; to provide for the administration of the fund; to provide for the deposit of certain money in that fund; to provide for the distribution of the money in that fund and to limit the use of the money in that fund; and to prescribe the powers and duties of certain state officials.

The bill was read a second time.

Rep. Reeves 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. 4788, entitled

A bill to establish the Michigan housing and community development fund in the department of treasury; to provide for the administration of the fund; to provide for the deposit of certain money in that fund; to provide for the distribution of the money in that fund and to limit the use of the money in that fund; and to prescribe the powers and duties of certain state officials.

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

#### Roll Call No. 952

#### Yeas—87

Accavitti	Gillard	McConico	Shulman
Adamini	Gleason	Meisner	Smith
Amos	Hager	Meyer	Spade
Anderson	Hart	Minore	Stahl
Bieda	Hood	Moolenaar	Stakoe
Bisbee	Hopgood	Murphy	Stewart
Brown	Howell	Newell	Tabor
Byrum	Huizenga	Nitz	Taub
Casperson	Hummel	Nofs	Tobocman
Caul	Hune	O'Neil	Vagnozzi
Cheeks	Hunter	Palsrok	Van Regenmorter
Condino	Jamnack	Pappageorge	Vander Veen
Daniels	Johnson, Rick	Plakas	Voorhees
Dennis	Johnson, Ruth	Pumford	Walker
DeRossett	Julian	Reeves	Ward
Dillon	Koetje	Richardville	Waters
Elkins	Kolb	Rivet	Wenke
Emmons	Kooiman	Robertson	Whitmer
Farhat	LaJoy	Sak	Wojno
Farrah	LaSata	Shackleton	Woodward
Gaffney	Law	Shaffer	Woronchak
Gielegem	Lipsey	Sheltrown	

#### Nays—14

Acciavatti	DeRoche	Hoogendyk	Pastor
Bradstreet	Drolet	Milosch	Sheen
Brandenburg	Ehardt	Palmer	Steil
Caswell	Garfield		

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. Waters, Gielegem, Jamnick, Richardville, Lipsey, Gaffney, Smith, Law, Bieda, Vagnozzi and Accavitti were named co-sponsors of the bill.

### Comments and Recommendations

Rep. Richardville moved that Rule 82 be suspended.  
The motion prevailed, 3/5 of the members present voting therefor.

Rep. Richardville moved that the following remarks be printed in the Journal.  
The motion prevailed.

Rep. Gielegem:

“Thank you Mr. Speaker,

I certainly appreciate you recognizing me and the indulgence that you may afford me which has not been characteristic of our relationship in the past.

Let me take the unusual step of complementing your tie today.

To my colleagues, thank you also for your indulgence.

My first term, I was one of the people who actually listened to these speeches on the floor.

One of the members actually hit the nail right on the head. He summed up this whole process in two words. Gratitude and Wonder. It was a great theme that stuck with me to this day and I'm sure even beyond today. Gratitude and Wonder, I think, appropriately summarizes the feeling that I've had, and the feeling that I think we all should have as we approach our time here.

On those late night sessions, I've often walked back from the Capitol, to my office to leave for the evening. On that walk, I often looked back about halfway down the path—gaze up at that lighted dome casting shadows on the dull sandstone of the Capitol and the surrounding grounds. The flags would still be flying indicating the State House is in session doing the people's business.

That's the feeling of Gratitude and Wonder that I'm referring to.

Whenever we lose the feeling of gratitude to the people of our districts for putting their trust in us, by sending us here to be their voice, we've forgotten why we are here.

Wonder is that feeling of awe when you are first elected. It's that feeling you get when you look back at the lighted dome. It's that feeling you get when you see one of your bills signed into law, knowing that you've worked hard to serve the people of our state and worked to improve their quality of life.

I want to talk just for a brief moment about this place as an institution. I worked in this building prior to term limits. I was among the first crop of 64 freshmen after those that were the first to be thrown out by that law. I've recognized a difference in the way this place has functioned.

The House is the body of the people. Smaller districts closer and more local to the people that elect them, and therefore more responsive. I've seen the House reduced to the lesser chamber. Statements about the work that we do here is often followed by the statement: 'Well, will have to clean it up over in the Senate.' I think that is something we need to address, and I'm sure that will be a challenge for those members who will be serving in January.

Another general observation is that understanding the complexity of the people that serve here is not an easy thing. We come from all over Michigan and bring with us the attitudes and cultures of our people or our region. Relationships are something that develops over time. Under term limits, we simply don't have the time to try and understand one another. Add to that complexity, party affiliations and personal agendas, the civility has broken down.

Part of our understanding must be that there is room for differing agendas and disagreement among reasonable people. People used to say, 'Yah you really got me today, but watch out, I'm going to get you tomorrow, but tonight, let's go have a beer together.'

When we look around the room and realize that each one of us was elected by roughly the same number of people, that voted for you in your district, how can we do anything but respect one another despite any policy difference we might have.

I appreciate those who took the time to understand who I was and why I made the decisions that I did. I came here determined to make a difference and advance public policy, regardless of the fact that I served in the minority.

I know whose shoulders I stand on. I know who I'm speaking for.

I want to thank those of you that worked with me to pass meaningful legislation outfitting all ambulances in Michigan with the life saving drug, epinephrine. I've passed several bills here in the Legislature (some of which actually have my name on them as the sponsor). That bill actually is the one I'm most proud of, not just because it passed the House and Senate unanimously, but because it could potentially save lives and gives parents of severely allergic children the piece of mind that they deserve.

I want to thank my staff that have actually put up with me while I worked through my years in the Legislature.

Donna Aberlich has a long and distinguished career in the legislature. She has worked here for many years and will be retiring at the end of the year. I could not have done this without the expert tutelage from Donna.

Jennifer Putney first came to my office as a student intern. When she became a full-time part of our staff, the difference that she made was outstanding.

The person I really need to thank is my wife Sara, who is seated next to my desk. I'm honored that she came today. Seven years ago, I came home and asked my wife if she would mind if I quit my job and embarked on a campaign to run for a seat in the State House of Representative. At the time, we had been married five months.

The fact that she said yes is amazing. Even more amazing is the help, and encouragement support and love she has provided me.

Let me close with a quote that I've come to appreciate. It's one that I like to live by, but unfortunately don't quite do successfully.

It was written by Voltaire's biographer. He said of him—

'First and above all else, he was marvelously alive, and mankind who dreads boredom, even more than anxiety, is eternally grateful.'

Now, I don't think I ever met that test, but I do believe that is something to strive for.

To all here I say thank you for giving me the wonderful experience of working with you to doing the people's work with you."

Rep. Hager:

"What a privilege to serve in the Michigan House of Representatives!

I have been blessed to have experienced two fulfilling careers. I have had the honor of teaching in Michigan public schools for 35 years. Many of those years I worked with learning disabled kids who had more potential than many people realized. To help them reach that potential was a great yet satisfying challenge.

And then my six years in the legislature! What an honor to serve my constituents as well as, in a general sense, the entire state of Michigan. The experience has broadened my horizons. I'll never be the same again as a result of the experiences I've had.

One of the bonuses of the job has been developing relationships. I've made some great lasting friends. As we go our separate ways and perhaps not see each other very often, great memories of such friendships will remain.

I can clearly remember laboring over the decision of running for the Michigan House. Am I qualified? Can I contribute? I answered YES.

Life is full of decisions, some small and some monumental. Several such decisions stand out in my mind:

As a young boy I made a decision to commit my life to Christ, a decision I have never regretted, a decision that has shaped my life's purpose.

Second, as a college student I made a decision to marry Carol, my bride of 43 years. I'm glad she agreed! What a support she's been. She would be by my side today if she were not recuperating from extensive surgery. I love her dearly.

Third, a decision I made after winning the primary election a little more than six years ago was a great decision. I asked Wes Thorp and Ruth Blakeslee to join my staff. They have served me well and I wish them the best in retirement.

My next decision has evolved over the years. I came to Lansing as an advocate of education issues. That continues to be important to me. But due to a series of tragedies in my district and around the state where children's lives were taken, children died terrible horrific deaths. That issue topped my agenda of things to do, it became my passion.

As I get ready to leave the House, I have a challenge for colleagues on both sides of the aisle. It stems from an issue that I've been dealing with since the death of three youngsters in my district. Two were two-year-old. One died because of neglect and the other was beaten to death by her parents. The third was four-years-old and was beaten to death by her stepmother.

Child welfare was not on my priority list when I was sworn in, even though I retired as a special education teacher and have been involved with kids all my adult life. When two-year-old Ariana Swinson was murdered by mom and pop in Port Huron Township that changed.

I asked for the Michigan children's ombudsman to investigate the state's involvement in protecting her and her siblings. In the process, I found some pretty big holes in the state's safety net for protecting at-risk kids. That was the beginning of my efforts to strengthen oversight of the state's child welfare system.

As I leave, I need members to pick up the baton. It's a cause that's bi-partisan. These are kids who can't afford a lobbyist. They are just looking for love, attention and safety. The least we can do is respond. They are depending on us and others. If Ariana had been allowed to live, she would be seven-years-old today. She had a beautiful smile and a happy spirit until she was returned to her parents and then tortured and killed.

I plead with you today to search your hearts. Make Ariana, Brandon, Ann Marie and so many others a priority. I pray that their deaths will not be in vain or forgotten."

Rep. Howell:

"ITS BEEN AN HONOR TO SERVE

First, I am fully aware of the short attention span of the members of this great house, so I'll make it brief. My wife has told me on many occasions that I can't seem to hold a job. In all my life, over many career changes, this is the time

that I will treasure the most. It was extremely difficult to make the decision to run in the first place, and I must say it must have been difficult for my constituents to choose me given the fact that I won by only 73 votes. But during the next six years we both became more accustomed to each other and my being the state representative from the 94<sup>th</sup> district.

Each of you should ask yourself at the end of your career in the House, did I always make the right choices in the approximately 6000 votes that I cast? My answer is no, but with more experience on the issues facing the state and my district, I learned and I can only hope that my service will be viewed from the standpoint that I did the best that I could and that just maybe I made a difference.

First and most importantly, I want to thank all of my constituents for the honor and privilege of serving as their state representative. It was even more than I anticipated in having the ability to make a difference in their lives, and I must say in my life. No additional college education could have been more encompassing as far as my life than this experience.

The election experience in and of itself has certainly been an eye opener. Before I ran I thought that I knew many of the people in my county. I now realize that I only really knew a small percentage of my constituents and certainly did not truly understand the breadth of their needs and concerns. On January 1<sup>st</sup>, in Lansing I will be Jim who? But in my district and county I will retain many of the friends that I came to know over the last 6 years for the rest of my life. This is truly a gift.

Six years have come and gone all too quickly. This time I am not looking forward to an exciting adventure, but rather regretting that I must leave it. Leaving anything that you enjoy this much will be truly difficult. It is not as many in the public think about the power or celebrity that is part of the office. It's about the people, both at home and the colleagues that I have had the enjoyment of working with that will make it difficult. I know that I will keep some of these friends, but I also know that some will fall by the wayside. I say thank you to all my past and present colleagues, on both sides of the isle. It has been a pleasure and an honor to serve with you.

I want to make special mention of the House Leadership, Speaker Johnson, Speaker Pro Tem Julian, and Floor Leader Richardville. I have to mention that as a member I was not very powerful, but my friends were. I hope that this does not destroy his reputation, but I would also like to acknowledge my minority vice chair on Judiciary, Representative Alexander 'Sandy' Lipsey. He has been of great assistance in using his influence on committee members to do the things that needed doing for our great state without the interference of partisan politics. To the entire Judiciary Committee members, thank you for your help in what I hope was a successful session. Finally, I would like to thank my staff, all of those who have worked with me, but especially Rhonda King, Bill Adams and Sherry Hauter, and my ex-officio staff member Bruce Timmons. Without their assistance I would not have been as successful in serving my district and this great state. As I now take my leave of this great institution, I can only say to my remaining colleagues and those who will follow all of us, the same thing that my parents would say to me when they went out for the night, 'Please don't mess up the house.'"

Rep. Reeves:

"Today, I stand before you in awe that, my God and my community, the 10<sup>th</sup> House District in Northwest Detroit, would entrust me with the last six years of service.

I was met almost immediately in the early part of my first term with several very controversial issues. Among those were two major issues that would change the 'kind' of legislator I would become.

The first issue was Senate Bill 297 also known as the 'Detroit School Takeover' legislation. It was a very difficult time for the entire Detroit caucus. As strongly as I opposed this legislation, especially the part that unseated a recently elected school board, yet, my one of 110 votes was insufficient for derailing this bill. Ultimately, it was this very tumultuous legislation that leads to a greater and deeper understanding of the legislative process and prepared me for life in the legislature. It was during this bill debate that some of my colleagues and I began to meet weekly in the document room for Morning Prayer. From those weekly meetings relationships were formed beyond political party, race and geographic region. Also from those relationships, grew professional relationships of trust. Specifically, there was a friendship gained from those meetings, whereby, later when there was any anti-Detroit specific legislation, one my colleagues would ask, 'What do you want me to do on this?'

The other major issue that I faced was legislation banning partial-birth abortion. I experienced a spiritual transformation on this issue after reading an in-depth description of this supposed medical procedure. After voting for the ban, I became very interested in the effect of abortion in our state and in my city. I started asking about race specific questions, such as, how many African American women have abortions. And I was astonished to find out the disproportionate rate of Abortion in my community. This issue would become something I would take on personally to educate the community about, as well as, advocate for prevention and abstinence programs to help curve this dilemma.

Therefore, two major initial issues would help shape my six years here in the legislature. From these events, I ventured to embark on a nine city state-wide tour on Infant and Maternal health. March of Dimes and Healthy Mothers,



Healthy Babies would co-sponsor this tour that led to a report of our findings entitled, 'Is Anybody Listening?'. This report and its recommendations directly affected some administrative changes in Maternal and Infant Health in this state.

Another revealing state-wide tour was the Michigan Legislative Black Caucus tour where we traveled to more twelve communities to hold special hearings on issues affecting African Americans in this state.

Not only did the first tour on maternal and infant health reveal that access to health care, especially for moms and children were in crisis throughout the state, especially in the rural areas up north; but, likewise the second tour with the Black Caucus mirrored very similar challenges throughout the State of Michigan to the African American populations. The sum of both these state-wide fact-finding missions was that people in this state are facing many of the same challenges. We actually have more common issues than differences. These common needs are evident in the process I joined during my second term; the Appropriations Committee. One Congressman once wrote that politics is 'the process of determining who gets how much of what'. I will truly never forget the invaluable experience of seeing that process at work.

Some of my most memorable legislative highlights include Public Act 192 of 2003, that protects young people from view sexually explicit matter in corner convenience stores and Public Acts 374 & 375 of 2005 that allow for direct billing for Nurse Midwives, thereby, hopefully, preserving access to these very valuable medical professionals.

Unfortunately, there were some very important issues that I introduced but was unable to move. The most important of these bills was HB 4837 the insurance redlining legislation that changed the uniform territorial rating. Extremely high insurance continues to plague my constituents, both individuals and businesses.

In closing, I would like to thank God, my family, my constituents and my staff for the past six years of service. When I came to the legislature my marriage to Alando was four years old, we're now closing in on ten years. Karmel was 3, Isaac was 2 and Tilon was almost 1 year old. They are now almost nine, eight and seven. To my staff, Lakesha Rawls Hunter and Regina Jordan, you were invaluable to me and the 10<sup>th</sup> District constituents. You are gifts and your service, loyalty and sacrifice is greatly appreciated. Also, six years ago I had a BA in Public Administration and now I hold a MA in Practical Theology from Ashland Theological Seminary.

As this stop on life's journey of service comes to a close, I am grateful for all those in this process who made my service to my constituents easier...including House Fiscal, Democratic policy and communications, house clerks, sergeants, building maintenance and various state department employees and all others who assisted me in service. Special thanks to my leadership, Gretchen Whitmer, Mary Waters and my seatmate, Artina Tinsley Hardman, for being a seatmate, not just a colleague."

Rep. Jamnick:

**"Mr. Speaker if I may, let me introduce my guests today.**

On the Floor here with me is Jennifer Robel. Earlier this year, I had to make a staff change, did so without really knowing who, if anyone would be working with me. After some able assistance from Bob Gefgen, an intern in my friend the Representative from Burton's office, Jennifer walked through the door. She was interested in working in a one staff office. What a relief! She has been incredible, knowing whatever is needed, many times without my asking. I thank her today.

Unable to be here today is Lynne Turcotte. Lynne worked for our District beginning with former Speaker Gary Owen. She made the work lives of myself and those before me sane and stable. She was the beautiful British voice on the phone, calling you 'Love' before hanging up. She sends greetings to those who remember her from Stoke Gabriel, Devon England.

In the gallery are some very special friends from home. David Ostrowski has taken office as Ypsilanti Township Trustee. I will join him there soon as Supervisor. With David is Scott Martin. These are just two of the faces of future leaders in our local political arena. I thank them for making the trip to be here today.

**Mr. Speaker and colleagues,** it has been an honor and a privilege to serve in the House of Representatives with you. Never did I ever dream serving here was a part of my future. I am sincerely pleased that it has been. I must thank the citizens of the 54th District who have allowed me to serve these 3 terms.

**WHAT DID I KNOW WHEN I ARRIVED IN LANSING?**

My arrival in Lansing coincided with's Governor Engler total Republican majority in the House, Senate and Judiciary having been accomplished. I had no idea what to expect, but having long been a minority opinion on Democratic Township Boards for the better part of 22 years, it didn't take me long to understand that I was going to be able to function here in Lansing. I knew I had 40+ years knowledge gained as an employee and elected official in Ypsilanti Township as well as a similar amount of years as a volunteer in our communities. My approach to working through issues is simple. I know how to get the information needed to make a decision, find the people needed to be a part of the solution and I know how to make a decision. I am pleased with my accomplishments. I thank those who have worked with me and allowed me to work with them. It has been an incredible experience.

**What Did I Learn In Lansing?**

The title State Representative means just that. While we come from specific Districts, when we sit here in Session, we are to be concerned with how legislation impacts all of Michigan.

Again as anywhere else, if you have all the marbles, you make all the rules, or as I have heard many times here in Lansing language, if you hold the gavel, you make all the rules, no offense Mr. Speaker.

It is an hour drive to Lansing from my home, actually got there once in 50 minutes, but that one time was all it took to let me know, that won't happen again. The Michigan State Police enforce what I have been told over the years by local police officers, there is some leeway in the enforcement of speed limits of 7-10 mph. However in listening to others in this chamber, I know they have little patience with us when we are traveling over that given 7-10 mph. I am extremely grateful for that.

When issues are said to be bi-partisan, it means democrat/republican, not yes or no on an issue. I do believe in some instances. I do believe and suggest that if some of us who were in the yes or no position on an issue were more involved, better legislation could have been, and still could be, developed that most of us could support. The biggest one that comes to my mind is the changes in the concealed carry gun permit legislation.

**What will I Remember From Being In Lansing?**

We could walk in and out of any door in our Capitol Building. No matter the season, there is a tremendous view as you walk out the front door, overlooking the Capitol grounds and Michigan Avenue as you walk down the steps.

My first Tax Policy meeting was to be the formal elect officers, set meeting dates and time. Much to the Democrats surprise, we did that, but also passed the bill eliminating the Single Business Tax without any financial impact data. Now those of you who have come to know me will understand, I made some comments which easily had me standing on the wrong foot with the Committee Chair. For the entire 2 years, I never got on the right foot and decided to never return to Tax Policy my remaining terms here.

In Local Government & Urban Affairs Committee we passed the Tax Reversion Process, changing the delinquent property tax collection. We changed when elections are held in Michigan. Most everyone on this committee has always came from local government, which enabled us to make sure the needed protections for our residents were in place. To my Local Government Chair this Session, thanks for letting me really be a part of leading this committee with you. Your patience and honesty with your Democratic members has been very much appreciated. You allowed us to disagree on issues, vote as we needed, and in the end remain friends.

In Transportation Committee, I remember my first Chair. He was this guy, fortunately for me, with a pretty good sense of humor and a lot of patience from Leroy. I guess I didn't behave too badly because he became a friend and oh yes, he also became our Speaker in my 2<sup>nd</sup> and 3<sup>rd</sup> terms. Even though we had some, I can't recall our accomplishments, but he did let us have some fun. The Chair for my remaining terms was one of 2 people I knew when we took office here. He has a good sense of humor, patience and is incredibly punctual and has become a friend as well. One of my Democratic colleagues shared what they thought was my 2<sup>nd</sup> session 'claim to fame'. I think it was my seat mate who commented that perhaps my great accomplishment to remember was that I the only Democrat to have a bill make it all the way through the legislative process and then be vetoed by Governor Engler. It was a bill having townships participate in determining speed limits with the State Police and road commissions. Thanks to your support, it became law this Session.

I often wondered when the process would grind to a halt during some of our long, long into the next day, Sessions, where were many of our colleagues were on the other side of the aisle. One evening/morning which ever it was, I remember watching many of those colleagues continually in a steady stream, going to rear of the Chamber. I thought they were getting coffee, water or going to the restroom. Then one night on my way to the ladies room, I looked past the copy machine and there stood a most unhappy looking Governor Engler. It was then I realized that you had been presented with an opportunity to speak one on one with him about whatever issue wasn't quite going the way he preferred. I must admit to having to taken that walk myself this year, but don't think it was as difficult as any of yours.

Manufactured home parks is the issue I strongly wanted to change, so I introduced some bills. In my 2<sup>nd</sup> term, concerns of a few of us about the proliferation of manufactured home parks had become an issue across our State. A bipartisan work group was appointed to really work on reform. Unfortunately, while we were working on who was to get which bill, session ended. Many of you have helped move this issue to a level of urgency. These bills are expected to be taken up in the Senate this week. It has been 70 years and we now have an opportunity to make some substantial changes for residents of these parks. On behalf of the residents of these communities, I thank you for that.

**What Am I Taking Home With Me From Lansing?**

I have learned much from all of you here today and those who were senior members in my 1<sup>st</sup> and 2<sup>nd</sup> terms. I have shared an incredible experience with you that will remain with me forever.

Term Limits brought 64 new people to this House in January, 1999. We will always be this well studied, first class of legislators under term limits! Studies were made of us every Session and now a report has been written about our experience. Are there benefits of term limits? Certainly, we would not be here today without them, but we also know some of their challenges. At some point, it becomes our responsibility to begin the discussion about term limits. We are told it would be self-serving for us to have begun that conversation. I respectfully disagree. We are the very ones to have that conversation. We know how difficult it has been for this government to meet the needs of so many new people when it was used to less than 3 each session. Ah, but that remains a topic for another day.

Each of our caucuses has lost a member who could have returned. To them, I say a special thank you. It is not easy to come back to finish session when everyone knows you will not return. You have handled yourselves with a grace and dignity that I will always respect and remember.

***What Do I Want To Leave With You?***

To those colleagues who are remaining and those coming in that I will not have an opportunity to get to know, I wish you well. May you all enjoy this experience as much as I have, gaining friends you too will long remember. I ask you to always keep in mind that each of our Districts is comprised of voters in each of our parties. We need to set aside our politics a little more often and represent their varied and many times conflicting priorities within our Districts and across our State.

To those who have been given the responsibility of leadership, I ask you take it very seriously. Find in each of your members their strength and provide the opportunity for each one of their strengths to add to the intelligence of governing this great State. I ask you listen to the members of your respective caucuses that don't necessarily agree with what you are suggesting be done rather than pass us off as someone trying to create dissension.

To all the departments and staff that make it possible for us to do the governing of this State, thank you for whatever it is that you do. This government could not function without you.

To my seat mate for my entire time here in Lansing, I will remember many things about you, especially the day I noticed you were being unusually quiet and wouldn't let me go get your son to take you home. When you finally agreed and he came back to the Floor with me, you were just about on your way to the hospital. You do know that, that is how some of our colleagues first learned you had a heart (a maize and blue one at that). Your friendship is so very much appreciated. I wish you much happiness.

To our Speaker Pro Tem, thanks for your friendship, kindness and patience with me. I will not compliment you on your tie as other do to gain favor with you, but will compliment you on the coffee cup you many times have at the podium. It is nice to see that donkey in your hand.

To my Speaker, thanks for 2 appointments to the National Conference of State Legislators, Committee on Redistricting and Elections, it was a tremendous experience. Thank you for respecting my knowledge and sincerity. I appreciate your kindness and patience as well, taking with me your friendship. However, you still are expected at the Terry's Bakery in Ypsilanti some day.

God bless you all and please do not be too hard on my Governor."

By unanimous consent the House returned to the order of

**Second Reading of Bills**

**House Bill No. 6215, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 4 and 5 (MCL 380.4 and 380.5), as amended by 2003 PA 299.

The bill was read a second time.

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. Waters moved that Rep. Reeves 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. 6215, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 4 and 5 (MCL 380.4 and 380.5), as amended by 2003 PA 299.

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

**Roll Call No. 953****Yeas—101**

Accavitti	Farrah	Law	Shaffer
Acciavatti	Gaffney	Lipsey	Sheen
Adamini	Garfield	McConico	Sheltrown
Amos	Gielegem	Meisner	Shulman
Anderson	Gillard	Meyer	Smith
Bieda	Gleason	Milosch	Spade
Bisbee	Hager	Minore	Stahl
Bradstreet	Hart	Moolenaar	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	Hune	Palsrok	Van Regenmorter
Condino	Hunter	Pappageorge	Vander Veen
Daniels	Jamnack	Pastor	Voorhees
Dennis	Johnson, Rick	Plakas	Walker
DeRoche	Johnson, Ruth	Pumford	Ward
DeRossett	Julian	Richardville	Waters
Dillon	Koetje	Rivet	Wenke
Drolet	Kooiman	Robertson	Whitmer
Ehardt	Kooiman	Rocca	Wojno
Elkins	LaJoy	Sak	Woodward
Emmons	LaSata	Shackleton	Woronchak
Farhat			

**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. 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.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Judiciary (for amendment, see House Journal No. 87, p. 2555),

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

**Roll Call No. 954**

**Yeas—42**

Adamini	Hart	McConico	Sheltrown
Anderson	Hopgood	Minore	Smith
Brown	Howell	Murphy	Stewart
Byrum	Huizenga	Newell	Tobocman
Caswell	Hunter	Nitz	Van Regenmorter
Caul	Jamnick	Pappageorge	Vander Veen
Cheeks	Johnson, Rick	Plakas	Voorhees
Daniels	Koetje	Pumford	Waters
Elkins	Kolb	Rivet	Wenke
Farrah	LaSata	Shaffer	Whitmer
Gielegem	Lipsey		

**Nays—57**

Accavitti	Farhat	Meisner	Sheen
Acciavatti	Gaffney	Meyer	Shulman
Amos	Garfield	Milosch	Spade
Bieda	Gillard	Moolenaar	Stahl
Bisbee	Gleason	Nofs	Stakoe
Brandenburg	Hager	O'Neil	Steil
Casperson	Hoogendyk	Palmer	Tabor
Condino	Hummel	Palsrok	Taub
Dennis	Hune	Pastor	Vagnozzi
DeRoche	Johnson, Ruth	Richardville	Walker
DeRossett	Julian	Robertson	Ward
Dillon	Kooiman	Rocca	Wojno
Drolet	LaJoy	Sak	Woodward
Ehardt	Law	Shackleton	Woronchak
Emmons			

In The Chair: Julian

Rep. Richardville moved to reconsider the vote by which the House did not pass 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. 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.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Judiciary (for amendment, see House Journal No. 87, p. 2556),

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

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

The motion prevailed.

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

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

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Rep. Voorhees moved that Rep. Vander Veen be excused from the balance of today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### 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.

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

#### Roll Call No. 955

#### Yeas—100

Accavitti	Farhat	LaSata	Shackleton
Acciavatti	Farrah	Law	Shaffer
Adamini	Gaffney	Lipsey	Sheen
Amos	Garfield	McConico	Sheltrown
Anderson	Gieleghem	Meisner	Shulman
Bieda	Gillard	Meyer	Smith
Bisbee	Gleason	Milosch	Spade
Bradstreet	Hager	Minore	Stahl
Brandenburg	Hart	Moolenaar	Stakoe
Brown	Hood	Murphy	Steil
Byrum	Hoogendyk	Newell	Stewart
Casperson	Hopgood	Nitz	Tabor
Caswell	Howell	Nofs	Taub
Caul	Huizenga	O'Neil	Tobocman
Cheeks	Hummel	Palmer	Vagnozzi
Condino	Hune	Palsrok	Van Regenmorter
Daniels	Hunter	Pappageorge	Voorhees
Dennis	Jamnick	Pastor	Walker
DeRoche	Johnson, Rick	Plakas	Ward
DeRossett	Johnson, Ruth	Pumford	Waters
Dillon	Julian	Richardville	Wenke
Drolet	Koetje	Rivet	Whitmer
Ehardt	Kolb	Robertson	Wojno
Elkins	Kooiman	Rocca	Woodward
Emmons	LaJoy	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****House Bill No. 6345, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 2529 (MCL 600.2529), as amended by 2004 PA 205, and by adding section 2530b.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Judiciary (for amendments, see House Journal No. 87, p. 2556),

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

Rep. Howell moved to amend the bill as follows:

1. Amend page 5, line 24, after “**section**” by striking out “**17d(1)(e)**” and inserting “**17d(1)**”.

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

Rep. Lipsey 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. 6345, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 2529 (MCL 600.2529), as amended by 2004 PA 205, and by adding section 2530b.

The bill was read a third time and not passed, a majority of the members serving not voting therefor, by yeas and nays, as follows:

**Roll Call No. 956****Yeas—45**

Accavitti	Hager	Lipsey	Shackleton
Anderson	Hart	McConico	Shulman
Bieda	Hood	Meisner	Smith
Brown	Hopgood	Minore	Stewart
Byrum	Howell	Murphy	Tobocman
Caul	Hunter	Nitz	Vagnozzi
Cheeks	Jamnick	O’Neil	Waters
Condino	Johnson, Rick	Plakas	Wenke
Elkins	Kolb	Pumford	Whitmer
Farrah	LaSata	Rivet	Wojno
Gielegghem	Law	Sak	Woodward
Gillard			

**Nays—54**

Acciavatti	Emmons	Meyer	Sheen
Adamini	Farhat	Milosch	Sheltrown

Amos	Gaffney	Moolenaar	Spade
Bisbee	Garfield	Newell	Stahl
Bradstreet	Gleason	Nofs	Stakoe
Brandenburg	Hoogendyk	Palmer	Steil
Casperson	Huizenga	Palsrok	Tabor
Caswell	Hummel	Pappageorge	Taub
Dennis	Hune	Pastor	Van Regenmorter
DeRoche	Johnson, Ruth	Richardville	Voorhees
DeRossett	Julian	Robertson	Walker
Dillon	Koetje	Rocca	Ward
Drolet	Kooiman	Shaffer	Woronchak
Ehardt	LaJoy		

In The Chair: Julian

Rep. Howell moved to reconsider the vote by which the House did not pass the bill.  
The motion prevailed, a majority of the members serving voting therefor.  
The question being on the passage of the bill,

Rep. Howell 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

#### 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 Senate has amended the bill as follows:

1. Amend page 3, line 10, after "MCL" by striking out the balance of the line and inserting "445.65 and 445.67."

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.

Rep. Huizenga moved that Rule 45 be suspended.

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

The question being on concurring in the amendment made to the bill by the Senate,

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

#### Roll Call No. 957

#### Yeas—99

Accavitti	Farrah	Law	Shaffer
Acciavatti	Gaffney	Lipsey	Sheen
Adamini	Garfield	McConico	Sheltrown
Amos	Gielegem	Meisner	Shulman
Anderson	Gillard	Meyer	Smith
Bieda	Gleason	Milosch	Spade
Bisbee	Hager	Minore	Stahl
Bradstreet	Hart	Moolenaar	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	Hune	Palsrok	Van Regenmorter
Condino	Hunter	Pappageorge	Voorhees
Dennis	Jamnack	Pastor	Walker
DeRoche	Johnson, Rick	Plakas	Ward
DeRossett	Johnson, Ruth	Pumford	Waters
Dillon	Julian	Richardville	Wenke
Drolet	Koetje	Rivet	Whitmer
Ehardt	Kolb	Robertson	Wojno
Elkins	Kooiman	Rocca	Woodward
Emmons	LaJoy	Sak	Woronchak
Farhat	LaSata	Shackleton	

**Nays—0**

In The Chair: Julian

The House agreed to the full title of the bill.

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

The Speaker laid before the House

**House Bill No. 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 received from the Senate on November 10, with amendments, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until November 30, see House Journal No. 86, p. 2483.)

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. 958****Yeas—99**

Accavitti	Farrah	Law	Shaffer
Acciavatti	Gaffney	Lipsey	Sheen
Adamini	Garfield	McConico	Sheltrown
Amos	Gielegem	Meisner	Shulman
Anderson	Gillard	Meyer	Smith
Bieda	Gleason	Milosch	Spade
Bisbee	Hager	Minore	Stahl
Bradstreet	Hart	Moolenaar	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	Hune	Palsrok	Van Regenmorter
Condino	Hunter	Pappageorge	Voorhees
Dennis	Jamnack	Pastor	Walker
DeRoche	Johnson, Rick	Plakas	Ward
DeRossett	Johnson, Ruth	Pumford	Waters
Dillon	Julian	Richardville	Wenke
Drolet	Koetje	Rivet	Whitmer
Ehardt	Kolb	Robertson	Wojno
Elkins	Kooiman	Rocca	Woodward
Emmons	LaJoy	Sak	Woronchak
Farhat	LaSata	Shackleton	

**Nays—0**

In The Chair: Julian

The House agreed to the full title of the bill.

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

**Second Reading of Bills****House Bill No. 5294, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 4701 (MCL 600.4701), as amended by 2002 PA 142.

The bill was read a second time.

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

The motion prevailed.

By unanimous consent the House returned to the order of

**Motions and Resolutions**

Rep. Huizenga moved that Rule 45(c) be suspended.

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

Rep. Richardville moved that the Committee on Family and Children Services be discharged from further consideration of **House Bill No. 5715**.

(For first notice see House Journal No. 87, p. 2601.)

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

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. Huizenga moved that Rule 45(c) be suspended.

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

Rep. Richardville moved that the Committee on Conservation and Outdoor Recreation be discharged from further consideration of **House Bill No. 4141**.

(For first notice see House Journal No. 87, p. 2601.)

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

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. Huizenga moved that Rule 45(c) be suspended.

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

Rep. Spade moved that the Committee on Regulatory Reform be discharged from further consideration of **House Bill No. 5790**.

(For first notice see House Journal No. 87, p. 2601.)

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

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. Vagnozzi moved that Rule 45 be suspended.

The motion did not prevail, 3/5 of the members present not voting therefor.

**Reports of Standing Committees**

The Committee on Insurance, by Rep. Julian, Chair, reported

**Senate Bill No. 1150, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 3515, 3519, 3523, 3529, 3533, 3569, and 3571 (MCL 500.3515, 500.3519, 500.3523, 500.3529, 500.3533, 500.3569, and 500.3571), sections 3515 and 3519 as amended by 2002 PA 621, sections 3523 and 3529 as amended by 2002 PA 304, and sections 3533, 3569, and 3571 as added by 2000 PA 252.

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. Julian, Hune, Bisbee, Ehardt, Middaugh, Hummel, Garfield, Robertson and Sheen

Nays: Reps. Daniels, Woodward, Anderson, Wojno, Hood, Gillard and Condino

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, December 1, 2004

Present: Reps. Julian, Hune, Bisbee, Ehardt, Middaugh, Hummel, Garfield, Robertson, Sheen, Daniels, Woodward, Anderson, Wojno, Hood, Gillard and Condino

Absent: Rep. Mortimer

Excused: Rep. Mortimer

The Committee on Land Use and Environment, by Rep. Ruth Johnson, Chair, reported

**House Bill No. 6196, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending the heading of part 172 and section 17201 (MCL 324.17201), as added by 2002 PA 578, and by adding section 17205.

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. Ruth Johnson, DeRossett, Nitz, Ward, Farrah, Gielegem, Dennis and Law

Nays: Rep. LaJoy

The Committee on Land Use and Environment, by Rep. Ruth Johnson, Chair, reported

**House Bill No. 6198, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by amending the heading of part 172 and by adding section 17204.

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. Ruth Johnson, DeRossett, Nitz, Ward, Farrah, Gielegem, Dennis and Law

Nays: Rep. LaJoy

The Committee on Land Use and Environment, by Rep. Ruth Johnson, Chair, reported  
**Senate Bill No. 1201, entitled**

A bill to amend 1975 PA 197, entitled "An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials," by amending section 3 (MCL 125.1653), as amended by 1993 PA 323.

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. Ruth Johnson, LaJoy, DeRossett, Nitz, Ward, Farrah, Gielegghem, Dennis and Law

Nays: None

The Committee on Land Use and Environment, by Rep. Ruth Johnson, Chair, reported  
**Senate Bill No. 1202, 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.

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

1. Amend page 13, line 1, after "the" by inserting "historic district commission for the historic district and the".

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. Ruth Johnson, LaJoy, DeRossett, Nitz, Ward, Farrah and Dennis

Nays: None

The Committee on Land Use and Environment, by Rep. Ruth Johnson, Chair, reported  
**Senate Bill No. 1416, entitled**

A bill to amend 1967 PA 288, entitled "Land division act," by amending sections 111, 112, 113, 114, 115, 116, 117, 118, 120, 131, 142, 147, 161, 162, 163, 164, 165, 166, 167, 168, 169, and 171 (MCL 560.111, 560.112, 560.113, 560.114, 560.115, 560.116, 560.117, 560.118, 560.120, 560.131, 560.142, 560.147, 560.161, 560.162, 560.163, 560.164, 560.165, 560.166, 560.167, 560.168, 560.169, and 560.171), sections 117 and 169 as amended by 1998 PA 549, and by adding sections 112a and 167a; and to repeal acts and parts of acts.

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. Ruth Johnson, LaJoy, DeRossett, Nitz, Ward, Farrah, Gielegghem, Dennis and Law

Nays: None

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Ruth Johnson, Chair, of the Committee on Land Use and Environment, was received and read:

Meeting held on: Wednesday, December 1, 2004

Present: Reps. Ruth Johnson, LaJoy, DeRossett, Nitz, Ward, Farrah, Gielegem, Dennis and Law

Absent: Reps. Ehardt and Milosch

Excused: Reps. Ehardt and Milosch

The Committee on Criminal Justice, by Rep. Van Regenmorter, Chair, reported

**House Bill No. 5409, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 1a of chapter IV, section 16a of chapter IX, section 22 of chapter XVI, and sections 1, 15g, 16m, 16z, 22, and 35 of chapter XVII (MCL 764.1a, 769.16a, 776.22, 777.1, 777.15g, 777.16m, 777.16z, 777.22, and 777.35), section 1a of chapter IV as amended by 1994 PA 70, section 16a of chapter IX as amended by 2001 PA 204, section 22 of chapter XVI as amended by 2001 PA 194, section 1 of chapter XVII as amended by 2002 PA 34, section 15g of chapter XVII as added by 2002 PA 206, section 16m of chapter XVII as amended by 2001 PA 166, section 16z of chapter XVII as amended by 2002 PA 271, section 22 of chapter XVII as amended by 2003 PA 134, and section 35 of chapter XVII as amended by 2000 PA 279.

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. Van Regenmorter, Stakoe, Howell, LaSata, Gaffney, Nofs, Meisner, Condino and Hood

Nays: None

The Committee on Criminal Justice, by Rep. Van Regenmorter, Chair, reported

**House Bill No. 5493, entitled**

A bill to amend 1965 PA 213, entitled "An act to provide for setting aside the conviction in certain criminal cases; to provide for the effect of such action; to provide for the retention of certain nonpublic records and their use; to prescribe the powers and duties of certain public agencies and officers; and to prescribe penalties," by amending section 1 (MCL 780.621), as amended by 2002 PA 472.

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. Van Regenmorter, Stakoe, Howell, LaSata, Gaffney, Nofs, Meisner, Condino and Hood

Nays: None

The Committee on Criminal Justice, by Rep. Van Regenmorter, Chair, reported

**House Bill No. 6181, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 168a.

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. Van Regenmorter, Stakoe, Howell, LaSata, Gaffney, Nofs, Meisner, Condino and Hood

Nays: None

The Committee on Criminal Justice, by Rep. Van Regenmorter, Chair, reported

**House Bill No. 6203, entitled**

A bill to amend 1995 PA 279, entitled "Horse racing law of 1995," by amending section 16 (MCL 431.316).

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. Van Regenmorter, Stakoe, Howell, LaSata, Gaffney, Nofs, Meisner, Condino and Hood

Nays: None

The Committee on Criminal Justice, by Rep. Van Regenmorter, Chair, reported

**House Bill No. 6204, entitled**

A bill to amend 1972 PA 295, entitled "Forensic polygraph examiners act," by amending section 10 (MCL 338.1710).

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. Van Regenmorter, Stakoe, Howell, LaSata, Gaffney, Nofs, Meisner, Condino and Hood

Nays: None

The Committee on Criminal Justice, by Rep. Van Regenmorter, Chair, reported

**Senate Bill No. 773, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 145c (MCL 750.145c), as amended by 2002 PA 629.

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. Van Regenmorter, Stakoe, Howell, LaSata, Gaffney, Nofs, Meisner, Condino and Hood

Nays: None

The Committee on Criminal Justice, by Rep. Van Regenmorter, Chair, reported

**Senate Bill No. 1175, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16s of chapter XVII (MCL 777.16s), as amended by 2003 PA 183.

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. Van Regenmorter, Stakoe, Howell, LaSata, Gaffney, Nofs, Meisner and Hood

Nays: None

The Committee on Criminal Justice, by Rep. Van Regenmorter, Chair, reported

**Senate Bill No. 1176, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 395. 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. Van Regenmorter, Stakoe, Howell, LaSata, Gaffney, Nofs, Meisner and Hood

Nays: None

The Committee on Criminal Justice, by Rep. Van Regenmorter, Chair, reported

**Senate Bill No. 1287, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 211a (MCL 750.211a), as amended by 2003 PA 257.

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. Van Regenmorter, Stakoe, Howell, LaSata, Gaffney, Nofs, Meisner and Hood

Nays: None

The Committee on Criminal Justice, by Rep. Van Regenmorter, Chair, reported

**Senate Bill No. 1288, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16k of chapter XVII (MCL 777.16k), as amended by 2001 PA 136.

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. Van Regenmorter, Stakoe, Howell, LaSata, Gaffney, Nofs, Meisner and Hood

Nays: None

The Committee on Criminal Justice, by Rep. Van Regenmorter, Chair, reported

**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.

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. Van Regenmorter, Stakoe, Howell, LaSata, Gaffney, Nofs, Meisner, Condino and Hood

Nays: None

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Van Regenmorter, Chair, of the Committee on Criminal Justice, was received and read:

Meeting held on: Wednesday, December 1, 2004

Present: Reps. Van Regenmorter, Stakoe, Howell, LaSata, Gaffney, Nofs, Meisner, Condino and Hood

The Committee on Education, by Rep. Hummel, Vice-Chair, reported

**Senate Bill No. 144, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1304.

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. Hummel, Meyer, Hager, Tabor, Voorhees, Nofs, Stahl, Gielegem, Vagnozzi, Spade, Smith, Hopgood and Meisner

Nays: None

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, December 1, 2004

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

Absent: Reps. Palmer, Hart and Clack

**Notices**

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Government Operations from further consideration of **House Joint Resolution No. EE**.

Rep. Pappageorge

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Criminal Justice from further consideration of **House Bill No. 6321**.

Rep. Richardville

Rep. Milosch moved that the House adjourn.

The motion prevailed, the time being 6:00 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, December 2, at 10:00 a.m.

GARY L. RANDALL  
Clerk of the House of Representatives