

No. 81
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
93rd Legislature
REGULAR SESSION OF 2005

House Chamber, Lansing, Tuesday, September 27, 2005.

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	Emmons—present	Leland—present	Robertson—present
Acciavatti—present	Espinoza—present	Lemmons, III—present	Rocca—present
Adamini—present	Farhat—present	Lemmons, Jr.—present	Sak—present
Amos—present	Farrah—present	Lipsey—present	Schuitmaker—present
Anderson—present	Gaffney—present	Marleau—present	Shaffer—present
Angerer—present	Garfield—excused	Mayes—present	Sheen—present
Ball—present	Gillard—present	McConico—present	Sheltrown—present
Baxter—present	Gleason—present	McDowell—present	Smith, Alma—present
Bennett—present	Gonzales—excused	Meisner—present	Smith, Virgil—present
Bieda—present	Gosselin—present	Meyer—present	Spade—present
Booher—present	Green—present	Miller—present	Stahl—present
Brandenburg—present	Hansen—present	Moolenaar—present	Stakoe—present
Brown—present	Hildenbrand—present	Moore—present	Steil—present
Byrnes—present	Hood—present	Mortimer—present	Stewart—present
Byrum—present	Hoogendyk—present	Murphy—present	Taub—present
Casperson—present	Hopgood—present	Newell—present	Tobocman—present
Caswell—present	Huizenga—present	Nitz—present	Vagnozzi—present
Caul—present	Hummel—present	Nofs—present	Van Regenmorter—present
Cheeks—present	Hune—present	Palmer—present	Vander Veen—present
Clack—present	Hunter—present	Palsrok—present	Walker—present
Clemente—present	Jones—present	Pastor—present	Ward—present
Condino—present	Kahn—present	Pavlov—present	Waters—present
Cushingberry—present	Kehrl—present	Pearce—present	Wenke—excused
DeRoche—present	Kolb—present	Phillips—present	Whitmer—present
Dillon—present	Kooiman—present	Plakas—present	Williams—present
Donigan—present	LaJoy—present	Polidori—present	Wojno—present
Drolet—present	Law, David—present	Proos—present	Zelenko—present
Elsenheimer—present	Law, Kathleen—present		

e/d/s = entered during session

Rep. Clarence E. Phillips, from the 29th District, offered the following invocation:

“This prayer goes out to every heart and every home in the state of Michigan, especially to the servicemen and servicewomen from Michigan who are fighting in Afghanistan and Iraq. A special prayer goes to those who are victims of Katrina, those who have been displaced and dispossessed and in many respects are here in this state looking for help. I know that we are doing a great job with that. I want to ask your help with this as we pray today. Help me in reciting the 23rd Psalm, ‘The Lords Prayer’. Our Father, who art in heaven, hallowed be Thy name. Thy Kingdom come, Thy will by done, on earth as it is in heaven. Give us this day our daily bread. And forgive us our trespasses, as we forgive those who trespass against us. And lead us not into temptation, but deliver us from evil. For Thine is the kingdom, the power and the glory, for ever and ever, Amen”.

Rep. Sak moved that Rep. Gonzales be excused from today’s session.
The motion prevailed.

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

Second Reading of Bills

House Bill No. 4260, entitled

A bill to amend 1951 PA 90, entitled “An act to regulate the conducting of racing meets in the state of Michigan; to provide for the possession, control and disposition of funds held by licensees for the payment of outstanding winning tickets not claimed or demanded by the lawful owners of such funds; and to prescribe penalties for violations of the provisions of this act,” by amending section 2 (MCL 431.252), as amended by 1998 PA 505.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Appropriations (for amendments, see House Journal No. 76, p. 1384),

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

Rep. Hune 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

Third Reading of Bills

House Bill No. 4968, entitled

A bill to amend 1998 PA 386, entitled “Estates and protected individuals code,” by amending sections 1104, 2301, 2908, 3715, 3804, 3919, 5202, 5217, 5423, 7401, 7502, and 7508 (MCL 700.1104, 700.2301, 700.2908, 700.3715, 700.3804, 700.3919, 700.5202, 700.5217, 700.5423, 700.7401, 700.7502, and 700.7508), sections 1104 and 5202 as amended by 2000 PA 54, sections 2301 and 3715 as amended by 2004 PA 314, section 5423 as amended by 2000 PA 469, and section 7508 as amended by 2000 PA 177.

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

Roll Call No. 455

Yeas—107

Accavitti	Elsenheimer	Leland	Robertson
Acciavatti	Emmons	Lemmons, III	Rocca
Adamini	Espinoza	Lemmons, Jr.	Sak
Amos	Farhat	Lipsey	Schuitmaker
Anderson	Farrah	Marleau	Shaffer
Angerer	Gaffney	Mayer	Sheen
Ball	Gillard	McConico	Sheltrown

Baxter	Gleason	McDowell	Smith, Alma
Bennett	Gosselin	Meisner	Smith, Virgil
Bieda	Green	Meyer	Spade
Booher	Hansen	Miller	Stahl
Brandenburg	Hildenbrand	Moolenaar	Stakoe
Brown	Hood	Moore	Steil
Byrnes	Hoogendyk	Mortimer	Stewart
Byrum	Hopgood	Murphy	Taub
Casperson	Huizenga	Newell	Tobocman
Caswell	Hummel	Nitz	Vagnozzi
Caul	Hune	Nofs	Van Regenmorter
Cheeks	Hunter	Palmer	Vander Veen
Clack	Jones	Palsrok	Walker
Clemente	Kahn	Pastor	Ward
Condino	Kehrl	Pavlov	Waters
Cushingberry	Kolb	Pearce	Whitmer
DeRoche	Kooiman	Phillips	Williams
Dillon	LaJoy	Plakas	Wojno
Donigan	Law, David	Polidori	Zelenko
Drolet	Law, Kathleen	Proos	

Nays—0

In The Chair: Kooiman

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

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

A bill to amend 1998 PA 386, entitled “Estates and protected individuals code,” by amending sections 1104, 2301, 2519, 2908, 3715, 3804, 3919, 5202, 5204, 5217, 5301, 5308, 5423, 7401, 7502, and 7508 (MCL 700.1104, 700.2301, 700.2519, 700.2908, 700.3715, 700.3804, 700.3919, 700.5202, 700.5204, 700.5217, 700.5301, 700.5308, 700.5423, 700.7401, 700.7502, and 700.7508), sections 1104, 2519, 5202, 5204, 5301, and 5308 as amended by 2000 PA 54, sections 2301 and 3715 as amended by 2004 PA 314, section 5423 as amended by 2000 PA 469, and section 7508 as amended by 2000 PA 177.

The motion prevailed.

The House agreed to the title as amended.

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

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

Senate Bill No. 415, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 82148 (MCL 324.82148), as added by 1995 PA 58.

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

Roll Call No. 456**Yeas—107**

Accavitti	Elsenheimer	Leland	Robertson
Acciavatti	Emmons	Lemmons, III	Rocca
Adamini	Espinoza	Lemmons, Jr.	Sak
Amos	Farhat	Lipsey	Schuitmaker
Anderson	Farrah	Marleau	Shaffer
Angerer	Gaffney	Mayes	Sheen
Ball	Gillard	McConico	Sheltrown
Baxter	Gleason	McDowell	Smith, Alma

Bennett	Gosselin	Meisner	Smith, Virgil
Bieda	Green	Meyer	Spade
Booher	Hansen	Miller	Stahl
Brandenburg	Hildenbrand	Moolenaar	Stakoe
Brown	Hood	Moore	Steil
Byrnes	Hoogendyk	Mortimer	Stewart
Byrum	Hopgood	Murphy	Taub
Casperson	Huizenga	Newell	Tobocman
Caswell	Hummel	Nitz	Vagnozzi
Caul	Hune	Nofs	Van Regenmorter
Cheeks	Hunter	Palmer	Vander Veen
Clack	Jones	Palsrok	Walker
Clemente	Kahn	Pastor	Ward
Condino	Kehrl	Pavlov	Waters
Cushingberry	Kolb	Pearce	Whitmer
DeRoche	Kooiman	Phillips	Williams
Dillon	LaJoy	Plakas	Wojno
Donigan	Law, David	Polidori	Zelenko
Drolet	Law, Kathleen	Proos	

Nays—0

In The Chair: Kooiman

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

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

A bill to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts,” by amending sections 82101 and 82148 (MCL 324.82101 and 324.82148), section 82101 as amended by 2003 PA 230 and section 82148 as added by 1995 PA 58.

The motion prevailed.

The House agreed to the title as amended.

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

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

Senate Bill No. 423, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16p of chapter XVII (MCL 777.16p), as amended by 2000 PA 279.

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

Roll Call No. 457

Yeas—103

Accavitti	Emmons	Leland	Robertson
Acciavatti	Espinoza	Lemmons, III	Rocca
Adamini	Farhat	Lemmons, Jr.	Sak
Amos	Farrah	Lipsey	Schuitmaker
Anderson	Gaffney	Marleau	Shaffer
Angerer	Gillard	Mayer	Sheen
Ball	Gleason	McDowell	Sheltrown

Baxter	Gosselin	Meisner	Smith, Alma
Bieda	Green	Meyer	Spade
Booher	Hansen	Miller	Stahl
Brandenburg	Hildenbrand	Moolenaar	Stakoe
Brown	Hood	Moore	Steil
Byrnes	Hoogendyk	Mortimer	Stewart
Byrum	Hopgood	Murphy	Taub
Casperson	Huizenga	Newell	Tobocman
Caswell	Hummel	Nitz	Vagnozzi
Caul	Hune	Nofs	Van Regenmorter
Cheeks	Hunter	Palmer	Vander Veen
Clack	Jones	Palsrok	Walker
Clemente	Kahn	Pastor	Ward
Condino	Kehrl	Pavlov	Waters
Cushingberry	Kolb	Pearce	Whitmer
DeRoche	Kooiman	Phillips	Williams
Dillon	LaJoy	Plakas	Wojno
Donigan	Law, David	Polidori	Zelenko
Elsenheimer	Law, Kathleen	Proos	

Nays—4

Bennett	Drolet	McConico	Smith, Virgil
---------	--------	----------	---------------

In The Chair: Kooiman

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

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

The House agreed to the full title.

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

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

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

Rep. Ward moved that Rep. DeRoche be excused temporarily from today's session.
The motion prevailed.

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

The Speaker laid before the House

House Bill No. 4865, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 217f. (The bill was received from the Senate on September 20, with substitute (S-2), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 78, p. 1520.)

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

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

Roll Call No. 458

Yeas—105

Accavitti	Emmons	Leland	Robertson
Acciavatti	Espinoza	Lemmons, III	Rocca
Adamini	Farhat	Lemmons, Jr.	Sak
Amos	Farrah	Lipsey	Schuitmaker
Anderson	Gaffney	Marleau	Shaffer
Angerer	Gillard	Mayes	Sheen
Ball	Gleason	McConico	Sheltrown
Baxter	Gosselin	McDowell	Smith, Alma
Bennett	Green	Meisner	Smith, Virgil
Bieda	Hansen	Meyer	Spade
Booher	Hildenbrand	Miller	Stahl
Brandenburg	Hood	Moolenaar	Stakoe
Brown	Hoogendyk	Moore	Steil
Byrnes	Hopgood	Mortimer	Stewart
Byrum	Huizenga	Murphy	Taub
Casperson	Hummel	Newell	Tobocman
Caswell	Hune	Nitz	Vagnozzi
Caul	Hunter	Nofs	Van Regenmorter
Cheeks	Jones	Palmer	Vander Veen
Clack	Kahn	Palsrok	Walker
Clemente	Kehrl	Pastor	Ward
Condino	Kolb	Pavlov	Waters
Cushingberry	Kooiman	Pearce	Whitmer
Dillon	LaJoy	Phillips	Williams
Donigan	Law, David	Polidori	Wojno
Drolet	Law, Kathleen	Proos	Zelenko
Elsenheimer			

Nays—0

In The Chair: Kooiman

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.

Rep. Plakas, under Rule 33, made the following statement:

"Mr. Speaker and members of the House:

I was absent from the Chamber when the vote was taken on Roll Call No. 458. Had I been present, I would have voted 'yea'."

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

The Speaker laid before the House the conference report relative to
Senate Bill No. 276, entitled

A bill to make appropriations for the department of labor and economic growth, the Michigan strategic fund, and certain other state purposes for the fiscal year ending September 30, 2006; to provide for the expenditure of those appropriations; to provide for the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

(The conference report was received from the Senate on September 21; considered on Reports of Select Committees and postponed temporarily on September 22, see House Journal No. 80, p. 1758.)

(For conference report, see House Journal No. 79, p. 1696.)

The question being on the adoption of the conference report,

The conference report was then adopted, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 459

Yeas—106

Accavitti	Elsenheimer	Lemmons, III	Robertson
Acciavatti	Emmons	Lemmons, Jr.	Rocca
Adamini	Espinoza	Lipsey	Sak
Amos	Farhat	Marleau	Schuitmaker
Anderson	Farrar	Mayes	Shaffer
Angerer	Gaffney	McConico	Sheen
Ball	Gillard	McDowell	Sheltrown
Baxter	Gleason	Meisner	Smith, Alma
Bennett	Green	Meyer	Smith, Virgil
Bieda	Hansen	Miller	Spade
Booher	Hildenbrand	Moolenaar	Stahl
Brandenburg	Hood	Moore	Stakoe
Brown	Hoogendyk	Mortimer	Steil
Byrnes	Hopgood	Murphy	Stewart
Byrum	Huizenga	Newell	Taub
Casperson	Hummel	Nitz	Tobocman
Caswell	Hune	Nofs	Vagnozzi
Caul	Hunter	Palmer	Van Regenmorter
Cheeks	Jones	Palsrok	Vander Veen
Clack	Kahn	Pastor	Walker
Clemente	Kehrl	Pavlov	Ward
Condino	Kolb	Pearce	Waters
Cushingberry	Kooiman	Phillips	Whitmer
DeRoche	LaJoy	Plakas	Williams
Dillon	Law, David	Polidori	Wojno
Donigan	Law, Kathleen	Proos	Zelenko
Drolet	Leland		

Nays—1

Gosselin

In The Chair: Kooiman

Rep. Ward moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.

Messages from the Senate

The Speaker laid before the House

House Bill No. 4866, entitled

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

(The bill was received from the Senate on September 20, with an amendment, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until September 21, see House Journal No. 78, p. 1520.)

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. 460

Yeas—107

Accavitti	Elsenheimer	Leland	Robertson
Acciavatti	Emmons	Lemmons, III	Rocca
Adamini	Espinoza	Lemmons, Jr.	Sak
Amos	Farhat	Lipsey	Schuitmaker
Anderson	Farrar	Marleau	Shaffer
Angerer	Gaffney	Mayes	Sheen
Ball	Gillard	McConico	Sheltrown
Baxter	Gleason	McDowell	Smith, Alma
Bennett	Gosselin	Meisner	Smith, Virgil
Bieda	Green	Meyer	Spade
Booher	Hansen	Miller	Stahl
Brandenburg	Hildenbrand	Moolenaar	Stakoe
Brown	Hood	Moore	Steil
Byrnes	Hoogendyk	Mortimer	Stewart
Byrum	Hopgood	Murphy	Taub
Casperson	Huizenga	Newell	Tobocman
Caswell	Hummel	Nitz	Vagnozzi
Caul	Hune	Nofs	Van Regenmorter
Cheeks	Hunter	Palmer	Vander Veen
Clack	Jones	Palsrok	Walker
Clemente	Kahn	Pastor	Ward
Condino	Kehrl	Pavlov	Waters
Cushingberry	Kolb	Pearce	Whitmer
DeRoche	Kooiman	Phillips	Williams
Dillon	LaJoy	Plakas	Wojno
Donigan	Law, David	Polidori	Zelenko
Drolet	Law, Kathleen	Proos	

Nays—0

In The Chair: Kooiman

The House agreed to the full title of the bill.

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

By unanimous consent the House returned to the order of

Motions and Resolutions

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

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

Rep. Ward moved that House Committees be given leave to meet during the balance of today's session.

The motion prevailed.

Reps. Stahl, Nofs, Palmer, Hummel, Hoogendyk, Baxter, Green, Vander Veen, Van Regenmorter, Meyer, Stakoe, Stewart, Rocca, Sheltroun, Hildenbrand, Brandenburg, Pavlov, Ward, Gaffney, Hune, Gleason, Steil, Moore, Moolenaar, Mortimer, Nitz, Sak, Schuitmaker, Wenke, Farhat, Taub, Walker, David Law, Jones, Pearce, Booher, Hansen, Gosselin, Caul, Spade, Emmons, Casperson, Proos, Shaffer, Kooiman, McConico, Pastor, Elsenheimer, Sheen, Acciavatti, LaJoy, Marleau, Espinoza, Palsrok, Drolet, Caswell, Kehrl, Robertson, Polidori, McDowell, Kahn, Newell, Huizenga, Dillon, Anderson, Ball, Lemmons, Jr. and Plakas offered the following concurrent resolution:

House Concurrent Resolution No. 21.

A concurrent resolution to express our support for keeping "under God" in the Pledge of Allegiance to the United States flag.

Whereas, Our nation is a diverse collection of people whose origins span the globe. Our nation is not one of blood, ethnicity, or race; but is one of shared ideals. America is based on the belief that freedom, democracy, and opportunity are indispensable to our well being and will build a better tomorrow for the next generation. Our Pledge of Allegiance to the United States flag is a vital component of forging unity from such a diverse citizenry; and

Whereas, A federal District Court judge has ruled that the Pledge of Allegiance is unconstitutional based on the longstanding use of the expression "under God" in the pledge. Arguing that these two words unlawfully impose a religious belief on the schoolchildren who recite this pledge daily is absurd. This ruling requires the assumption that a simple affirmation of faith is equivalent to establishing a state religion as our Constitution forbids. This ruling requires us to believe that using "under God" in our pledge has somehow created a theocracy in our republic when common sense and history show that our democracy has prospered since 1954, when "under God" was added to the Pledge of Allegiance. No, our pledge as written is an affirmation of our unity that must not be weakened; and

Whereas, It is our fervent hope that common sense and respect for our history and diversity will lead our federal courts to reverse this federal District Court ruling. The federal District Court is but the first rung in our federal court system, so there is ample opportunity for rational thought to be brought to bear on this issue. Nor are our courts the last word in this battle. Should the judicial branch fail us, the United States Congress has the authority to recover what might be lost due to the actions of a few in defiance of the heartfelt views of our citizens; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we express our support for keeping "under God" in the Pledge of Allegiance to the United States flag; and be it further

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

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

Reps. Stahl, Nofs, Hummel, Hoogendyk, Baxter, Green, Vander Veen, Van Regenmorter, Meyer, Stakoe, Ball, Stewart, Sheltroun, Rocca, Brandenburg, Hildenbrand, Pavlov, Ward, Gaffney, Hune, Gleason, Steil, Moolenaar, Mortimer, Acciavatti, Nitz, Sak, Schuitmaker, Wenke, Farhat, Taub, Moore, Walker, David Law, Jones, Pearce, Booher, Hansen, Gosselin, Caul, Proos, Emmons, Casperson, Spade, Shaffer, Kooiman, McConico, Pastor, Elsenheimer, Sheen, LaJoy, Marleau, Espinoza, Drolet, Dillon, Huizenga, Newell, Kahn, Palsrok, Caswell, Kehrl, Robertson, Polidori, McDowell, Palmer, Lemmons, Jr. and Plakas offered the following concurrent resolution:

House Concurrent Resolution No. 22.

A concurrent resolution to express to the United States Congress the resolve of the people of Michigan to continue using the words "under God" in the Pledge of Allegiance to the United States flag.

Whereas, Only a year after the United States Supreme Court rejected a case for lack of standing which pressed for the removal of “under God” from the Pledge of Allegiance to the United States flag, another case is working its way through the federal courts. This time, Sacramento federal District Court Judge Lawrence Karlton ruled that the pledge as it stands violates the right of schoolchildren to be “free from the coercive requirement to affirm God”; and

Whereas, The Pledge of Allegiance to the United States flag is a unifying patriotic exercise that has served our nation well for more than half a century. After five decades of schoolchildren reciting “under God” as part of the Pledge of Allegiance, we can look back on an era of unprecedented and ever expanding freedoms of beliefs, practices, speech, and thought. Our diverse nation is strengthened in its unity by teaching each new generation about our liberties and values. We cannot discard this record of success and the sincere beliefs expressed in our Pledge of Allegiance if this narrowly based objection to “under God” manages to succeed before our highest federal court; and

Whereas, The District Court judge stated that he was bound by precedent from the United States Court of Appeals for the Ninth Circuit. Given that the appeal to this latest case will go to the same Court of Appeals circuit, it is likely that the United States Supreme Court will once again be faced with an issue that resonates deeply with patriotic citizens who value the Pledge of Allegiance as a teaching tool to foster unity and an appreciation for our freedoms; and

Whereas, Should the United States Supreme Court fail to uphold the Pledge of Allegiance as we have recited for half a century, we should refuse to be browbeaten into submitting to this dictate of a narrowly focused minority view. Should the federal courts fail to reverse this lower court ruling, it will be up to the United States Congress to address the pledge in order to restore it to its rightful place in our society. Until such action can be taken, it will be up to the states to uphold the Pledge of Allegiance with “under God” in our classrooms; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we express to the United States Congress the resolve of the people of Michigan to continue using the words “under God” in the Pledge of Allegiance to the United States flag; and be it further

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

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

Reports of Select Committees

House Bill No. 4887, entitled

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending sections 3, 4, 6, 11, 11a, 11f, 11g, 11j, 15, 18, 19, 20, 20j, 22a, 22b, 22d, 24, 25, 26a, 31a, 31d, 32c, 32d, 32j, 37, 39, 39a, 41, 41a, 51a, 51c, 51d, 53a, 54, 56, 57, 61a, 62, 74, 81, 94a, 98, 98b, 99, 101, 105, 105c, 107, 147, 158b, 164c, and 167 (MCL 388.1603, 388.1604, 388.1606, 388.1611, 388.1611a, 388.1611f, 388.1611g, 388.1611j, 388.1615, 388.1618, 388.1619, 388.1620, 388.1620j, 388.1622a, 388.1622b, 388.1622d, 388.1624, 388.1625, 388.1626a, 388.1631a, 388.1631d, 388.1632c, 388.1632d, 388.1632j, 388.1637, 388.1639, 388.1639a, 388.1641, 388.1641a, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1656, 388.1657, 388.1661a, 388.1662, 388.1674, 388.1681, 388.1694a, 388.1698, 388.1698b, 388.1699, 388.1701, 388.1705, 388.1705c, 388.1707, 388.1747, 388.1758b, 388.1764c, and 388.1767), sections 3, 4, 6, 11f, 11g, 15, 19, 20, 20j, 24, 26a, 31d, 32c, 32d, 32j, 37, 39a, 41, 41a, 51d, 53a, 54, 56, 57, 61a, 62, 74, 81, 94a, 98, 99, 107, 147, and 158b as amended and section 22d as added by 2004 PA 351, sections 11, 11a, 11j, 22a, 22b, 51a, and 51c as amended by 2005 PA 98, section 18 as amended by 2004 PA 414, sections 25 and 105c as amended by 2000 PA 297, sections 31a and 98b as amended by 2004 PA 593, section 39 as amended by 2002 PA 191, section 101 as amended by 2005 PA 41, section 105 as amended by 2003 PA 158, section 164c as added by 1995 PA 130, and section 167 as amended by 2000 PA 89, and by adding sections 11k, 26b, 31b, 31f, 32l, 33, 54a, and 99b; and to repeal acts and parts of acts.

(For text of conference report, see House Journal No. 78, p. 1630.)

The Senate has adopted the report of the Committee of Conference and ordered that the bill be given immediate effect.

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

Announcement by the Clerk of Printing and Enrollment

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

House Bill Nos.	5210	5211	5212	5213	5214	5215	5216	5217	5218
Senate Bill Nos.	772	773	774	775	776				

The Clerk announced the enrollment printing and presentation to the Governor on Monday, September 26, for her approval of the following bills:

Enrolled House Bill No. 4082 at 11:13 a.m.

Enrolled House Bill No. 4306 at 11:15 a.m.

Enrolled House Bill No. 4469 at 11:17 a.m.

Enrolled House Bill No. 4470 at 11:19 a.m.

Enrolled House Bill No. 4803 at 11:21 a.m.

Enrolled House Bill No. 4963 at 11:23 a.m.

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

Enrolled House Bill No. 4831 at 1:01 p.m.

Enrolled House Bill No. 4917 at 2:05 p.m.

Enrolled House Bill No. 4916 at 2:07 p.m.

Enrolled House Bill No. 4541 at 2:09 p.m.

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Committee on Transportation, by Rep. LaJoy, Chair, reported

House Bill No. 4920, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 80307, 80309, 81112, and 82105 (MCL 324.80307, 324.80309, 324.81112, and 324.82105), sections 80307, 80309, and 81112 as added by 1995 PA 58 and section 82105 as amended by 1998 PA 297.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. LaJoy, David Law, Gosselin, Meyer, Casperson, Nitz, Pavlov, Anderson, Byrnes, Gleason and Leland

Nays: None

The Committee on Transportation, by Rep. LaJoy, Chair, reported

House Bill No. 5199, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," by amending section 29 (MCL 250.1029).

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. LaJoy, David Law, Gosselin, Meyer, Casperson, Nitz, Pavlov, Pearce, Anderson, Byrnes, Murphy, Hood, Gleason and Leland

Nays: None

The Committee on Transportation, by Rep. LaJoy, Chair, reported

House Bill No. 5200, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 219, 233, 235a, and 811d (MCL 257.219, 257.233, 257.235a, and 257.811d), sections 219 and 233 as amended by 1999 PA 267, section 235a as amended by 1987 PA 238, and section 811d as added by 2000 PA 77.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. LaJoy, David Law, Gosselin, Meyer, Casperson, Nitz, Pavlov, Pearce, Anderson, Byrnes, Murphy, Hood, Gleason and Leland

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, September 27, 2005

Present: Reps. LaJoy, David Law, Gosselin, Meyer, Casperson, Nitz, Pavlov, Pearce, Anderson, Byrnes, Murphy, Hood, Gleason and Leland

Absent: Reps. Wenke, Moore and Kathleen Law

Excused: Reps. Wenke, Moore and Kathleen Law

The Committee on Regulatory Reform, by Rep. Rocca, Chair, reported

House Bill No. 4849, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 2512 (MCL 339.2512), as amended by 2002 PA 42, and by adding section 2512d.

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.

Favorable Roll Call

To Report Out:

Yeas: Reps. Rocca, Jones, Gaffney, Palsrok, Wojno, McDowell and Lemmons, III

Nays: None

The Committee on Regulatory Reform, by Rep. Rocca, Chair, reported

House Bill No. 4850, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 2517 (MCL 339.2517), as amended by 2000 PA 436.

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.

Favorable Roll Call

To Report Out:

Yeas: Reps. Rocca, Jones, Gaffney, Palsrok, Wojno, McDowell and Lemmons, III

Nays: None

The Committee on Regulatory Reform, by Rep. Rocca, Chair, reported

Senate Bill No. 456, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 229 (MCL 436.1229), as amended by 2004 PA 407.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Rocca, Gaffney, Palsrok, Wojno, McDowell and Virgil Smith

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Rocca, Chair, of the Committee on Regulatory Reform, was received and read:
Meeting held on: Tuesday, September 27, 2005
Present: Reps. Rocca, Jones, Gaffney, Palsrok, Wojno, McDowell, Virgil Smith and Lemmons, III
Absent: Rep. Van Regenmorter
Excused: Rep. Van Regenmorter

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

House Bill No. 5100, entitled

A bill to amend 1970 PA 91, entitled "Child custody act of 1970," by amending sections 2, 5, and 7 (MCL 722.22, 722.25, and 722.27), section 2 as amended by 2004 PA 542, section 5 as amended by 1993 PA 259, and section 7 as amended by 2001 PA 108.

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.

Favorable Roll Call

To Report Out:

Yeas: Reps. Stahl, Pearce, Vander Veen, Hoogendyk, Sheen, Clack, Spade, Polidori and Lemmons, Jr.

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, September 27, 2005

Present: Reps. Stahl, Pearce, Vander Veen, Hoogendyk, Sheen, Clack, Spade, Polidori and Lemmons, Jr.

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

House Bill No. 4700, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16204 (MCL 333.16204), as added by 1994 PA 234.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Gaffney, Newell, Robertson, Vander Veen, Hune, Nofs, Ball, Green, Kahn, Mortimer, Adamini, Wojno, McDowell, Murphy, Gleason and Angerer

Nays: None

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

House Bill No. 5046, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20927 (MCL 333.20927), as added by 1990 PA 179.

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.

Favorable Roll Call

To Report Out:

Yeas: Reps. Gaffney, Newell, Robertson, Vander Veen, Hune, Ward, Nofs, Ball, Green, Kahn, Mortimer, Adamini, Wojno, McDowell, Murphy, Gleason and Angerer

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Gaffney, Chair, of the Committee on Health Policy, was received and read:
Meeting held on: Tuesday, September 27, 2005

Present: Reps. Gaffney, Newell, Robertson, Vander Veen, Hune, Ward, Nofs, Ball, Green, Kahn, Mortimer, Adamini, Wojno, McDowell, Murphy, Gleason and Angerer

The Committee on Commerce, by Rep. Huizenga, Chair, reported

House Bill No. 4369, entitled

A bill to provide for the establishment of commercial rehabilitation districts in certain local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain qualified facilities; to provide for the disposition of the tax; to reimburse certain expenses; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of certain local governmental officials; and to provide penalties.

With the recommendation that the substitute (H-3) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

To Report Out:

Yeas: Reps. Huizenga, Baxter, Emmons, Palsrok, Green, Hildenbrand, Jones, Marleau, Pavlov, Schuitmaker, Meisner, Tobocman, Murphy, Bennett and Accavitti

Nays: None

The Committee on Commerce, by Rep. Huizenga, Chair, reported

House Bill No. 5215, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 37e (MCL 208.37e), as added by 2003 PA 297.

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.

Favorable Roll Call

To Report Out:

Yeas: Reps. Huizenga, Baxter, Emmons, Palsrok, Green, Hildenbrand, Jones, David Law, Marleau, Pavlov, Schuitmaker, Meisner, Tobocman, Dillon, Bennett and Accavitti

Nays: None

The Committee on Commerce, by Rep. Huizenga, Chair, reported

House Bill No. 5216, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 270 (MCL 206.270), as added by 2003 PA 295.

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.

Favorable Roll Call

To Report Out:

Yeas: Reps. Huizenga, Baxter, Emmons, Palsrok, Green, Hildenbrand, Jones, David Law, Marleau, Pavlov, Schuitmaker, Meisner, Tobocman, Dillon, Bennett and Accavitti

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Huizenga, Chair, of the Committee on Commerce, was received and read:
Meeting held on: Tuesday, September 27, 2005

Present: Reps. Huizenga, Baxter, Emmons, Palsrok, Green, Hildenbrand, Jones, David Law, Marleau, Pavlov, Schuitmaker, Meisner, Tobocman, Murphy, Dillon, Bennett and Accavitti

Absent: Reps. Wenke and McConico

Excused: Reps. Wenke and McConico

Messages from the Senate

September 27, 2005

This is to notify you that the Senate concurs with the request of the House of Representatives that the Governor return Enrolled House Bill No. 4082.

Sincerely,
Carol Morey Viventi, J.D.
Secretary of the Senate

The message was referred to the Clerk.

Senate Bill No. 130, entitled

A bill to require persons convicted of certain offenses to disclose those offenses before coaching youth; and to provide penalties.

The Senate has substituted (S-1) the House substitute (H-2).

The Senate has concurred in the House substitute (H-2) as substituted (S-1) and amended the title to read as follows:

A bill to require persons convicted of certain offenses to disclose those offenses before coaching youth; and to provide penalties.

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

Messages from the Governor

Date: September 21, 2005

Time: 7:30 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4465 (Public Act No. 110, I.E.), being

An act to amend 1931 PA 328, entitled “An act to revise, consolidate, codify and add to the statutes relating to crimes; to define crimes and prescribe the penalties therefor; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act,” (MCL 750.1 to 750.568) by adding section 236a.

(Filed with the Secretary of State September 22, 2005, at 10:40 a.m.)

Date: September 21, 2005

Time: 7:40 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4679 (Public Act No. 115, I.E.), being

An act 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 sections 1, 3, 4, and 7 (MCL 125.1651, 125.1653, 125.1654, and 125.1657), sections 1 and 3 as amended by 2005 PA 13, section 4 as amended by 1987 PA 66, and section 7 as amended by 2004 PA 196.

(Filed with the Secretary of State September 22, 2005, at 10:50 a.m.)

Date: September 21, 2005
Time: 7:42 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4071 (Public Act No. 116, I.E.), being

An act to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts,” (MCL 324.101 to 324.90106) by amending the title, as amended by 1996 PA 434, and by adding section 43540a.

(Filed with the Secretary of State September 22, 2005, at 10:52 a.m.)

Date: September 21, 2005
Time: 7:44 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4145 (Public Act No. 117, I.E.), being

An act to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts,” (MCL 324.101 to 324.90106) by adding section 43540c.

(Filed with the Secretary of State September 22, 2005, at 10:54 a.m.)

Date: September 22, 2005
Time: 10:05 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4915 (Public Act No. 118, I.E.), being

An act to amend 1974 PA 198, entitled “An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties,” by amending section 2 (MCL 207.552), as amended by 2003 PA 5.

(Filed with the Secretary of State September 22, 2005, at 10:56 a.m.)

Date: September 22, 2005
Time: 10:20 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4825 (Public Act No. 119, I.E.), being

An act to amend 1982 PA 249, entitled “An act to establish the state children’s trust fund in the department of treasury; and to provide certain powers and duties of the department of treasury with respect to the trust fund,” by amending section 1 (MCL 21.171), as amended by 2002 PA 1.

(Filed with the Secretary of State September 22, 2005, at 10:58 a.m.)

The following message from the Governor was received September 23, 2005 and read:

**EXECUTIVE ORDER
No. 2005 - 25**

STATE OF ENERGY EMERGENCY

EXTENSION FOR TEMPORARY USE OF DYED DIESEL FUEL

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

WHEREAS, under Section 4 of 1982 PA 191, MCL 10.84, during a declared State of Energy Emergency the Governor may by executive order suspend a statute, an order, a rule of a state agency, or a specific provision of the statute, rule, or order if strict compliance with the statute, order, rule, or a specific provision of the statute, rule, or order will prevent, hinder, or delay necessary action in coping with the energy emergency;

WHEREAS, effective August 31, 2005, in response to shortages of clear diesel fuel caused by the effects of Hurricane Katrina, the federal Environmental Protection Agency is temporarily allowing regulated parties to supply motor vehicle diesel fuel having a sulfur content greater than 500 parts per million with visible evidence of red dye;

WHEREAS, in response to the effects of Hurricane Katrina on diesel fuel supplies on September 2, 2005, the federal Internal Revenue Service declared that it will not impose a penalty when dyed diesel fuel is sold for use or used on highways;

WHEREAS, Executive Order 2005-20 suspended certain provisions of Michigan law to allow the use of dyed diesel fuel on Michigan highways without penalty;

WHEREAS, the Internal Revenue Service has extended the penalty waiver through October 5, 2005;

WHEREAS, appropriate measures must be taken in Michigan to ensure that fuel supplies will remain sufficient and to assure the health, safety, and welfare of Michigan residents and visitors;

NOW, THEREFORE, I, JENNIFER M. GRANHOLM, Governor of the State of Michigan, pursuant to powers vested in the Governor by the Michigan Constitution of 1963 and Michigan law, order the following:

1. The suspension under Executive Order 2005-20 of provisions of the Motor Fuel Tax Act, 2000 PA 403, MCL 207.1001 to 207.1170, relating to dyed diesel fuel is extended through October 5, 2005.

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 23rd day of September, in the year of our Lord, two thousand and five.

Jennifer M. Granholm

Governor

By the Governor:

Terri L. Land

Secretary of State

The message was referred to the Clerk.

Introduction of Bills

Reps. Lemmons, III and Lemmons, Jr. introduced

House Bill No. 5219, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," (MCL 791.201 to 791.283) by adding section 69b. The bill was read a first time by its title and referred to the Committee on Judiciary.

Reps. Lemmons, III and Lemmons, Jr. introduced

House Bill No. 5220, entitled

A bill to amend 1976 PA 453, entitled "Elliott-Larsen civil rights act," (MCL 37.2101 to 37.2804) by adding section 202b. The bill was read a first time by its title and referred to the Committee on Judiciary.

Reps. Hildenbrand and Kooiman introduced

House Bill No. 5221, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8407 (MCL 600.8407), as amended by 1991 PA 192.

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

Reps. Tobocman and Condino introduced

House Bill No. 5222, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1153 and 1155 (MCL 380.1153 and 380.1155), as amended by 1995 PA 289, and by adding sections 1154, 1156, and 1158.

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

Reps. Kolb, Alma Smith, Hopgood, Polidori, Accavitti, Spade, Kathleen Law, Plakas, Gleason and Lipsey introduced

House Bill No. 5223, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 4cc.

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

Reps. Kolb, Alma Smith and Gleason introduced

House Bill No. 5224, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 35 (MCL 791.235), as amended by 1998 PA 315.

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

Reps. Hoogendyk, Condino, Taub, Vander Veen, Bieda, Lipsey and Kolb introduced

House Bill No. 5225, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending sections 35 and 37 (MCL 791.235 and 791.237), section 35 as amended by 1998 PA 315 and section 37 as amended by 1994 PA 217, and by adding section 34b.

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

Reps. Bieda, Taub, Vander Veen, Condino, Lipsey, Kolb and Hoogendyk introduced

House Bill No. 5226, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 67 (MCL 791.267), as amended by 1996 PA 565.

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

Reps. Vander Veen, Condino, Taub, Bieda, Lipsey, Kolb and Hoogendyk introduced

House Bill No. 5227, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," (MCL 791.201 to 791.283) by adding section 37a.

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

Reps. Condino, Taub, Vander Veen, Bieda, Lipsey, Kolb and Hoogendyk introduced

House Bill No. 5228, entitled

A bill to amend 1972 PA 222, entitled "An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; to prescribe certain penalties for violations; and to provide an appropriation for certain purposes," by amending section 1 (MCL 28.291), as amended by 1997 PA 99.

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

Reps. Lipsey, Condino, Bieda, Hoogendyk and Alma Smith introduced

House Bill No. 5229, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 307 (MCL 257.307), as amended by 2004 PA 502.

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

Reps. Mortimer and Hoogendyk introduced

House Bill No. 5230, entitled

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 37 (MCL 791.237), as amended by 1994 PA 217.

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

Rep. Caswell introduced

House Bill No. 5231, entitled

A bill to amend 1919 PA 339, entitled "Dog law of 1919," by amending section 26a (MCL 287.286a).
The bill was read a first time by its title and referred to the Committee on Judiciary.

Rep. Caswell introduced

House Bill No. 5232, entitled

A bill to amend 1999 PA 94, entitled "Michigan merit award scholarship act," by amending section 8 (MCL 390.1458), as amended by 2004 PA 595.

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

Reps. Gosselin, Hoogendyk, Palmer, Drolet, Schuitmaker, Stahl, Robertson and Pastor introduced

House Bill No. 5233, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 4cc.
The bill was read a first time by its title and referred to the Committee on Tax Policy.

Rep. Gosselin introduced

House Bill No. 5234, entitled

A bill to amend 1976 PA 453, entitled "Elliott-Larsen civil rights act," by amending the title and sections 102, 103, 202, 203, 204, 205, 206, 207, and 302 (MCL 37.2102, 37.2103, 37.2202, 37.2203, 37.2204, 37.2205, 37.2206, 37.2207, and 37.2302), the title as amended by 1992 PA 258, section 102 as amended by 1992 PA 124, section 103 as amended by 1999 PA 202, and section 202 as amended by 1991 PA 11.

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

Rep. Gosselin introduced

House Bill No. 5235, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3107 (MCL 500.3107), as amended by 1991 PA 191.

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

Rep. Gosselin introduced

House Bill No. 5236, entitled

A bill to amend 1995 PA 29, entitled "Uniform unclaimed property act," by amending sections 2 and 15 (MCL 567.222 and 567.235).

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

Reps. Nofs, Proos, Accavitti, Moore, Schuitmaker, Emmons, Baxter, Stahl, Drolet, LaJoy, Huizenga, Mayes, Clemente, Hunter, Hopgood, Murphy, Dillon and Palsrok introduced

House Bill No. 5237, entitled

A bill to amend 1991 PA 179, entitled "Michigan telecommunications act," by amending sections 101, 102, 103, 201, 202, 203, 203a, 204, 205, 209, 210, 211, 213, 214, 301, 302, 303, 304, 305, 306, 307, 309, 309a, 310, 312, 314a, 315, 316a, 317, 318, 320, 321, 322, 351, 352, 353, 355, 357, 358, 359, 401, 502, 503, 504, 505, and 604 (MCL 484.2101, 484.2102, 484.2103, 484.2201, 484.2202, 484.2203, 484.2203a, 484.2204, 484.2205, 484.2209, 484.2210, 484.2211, 484.2213, 484.2214, 484.2301, 484.2302, 484.2303, 484.2304, 484.2305, 484.2306, 484.2307, 484.2309, 484.2309a, 484.2310, 484.2312, 484.2314a, 484.2315, 484.2316a, 484.2317, 484.2318, 484.2320, 484.2321, 484.2322, 484.2351, 484.2352, 484.2353, 484.2355, 484.2357, 484.2358, 484.2359, 484.2401, 484.2502, 484.2503, 484.2504, 484.2505, and 484.2604), sections 101, 103, 201, 203, 203a, 302, 303, 304, 310, 312, 502, 503, and 604 as amended and sections 214, 316a, and 322 as added by 2000 PA 295, section 102 as amended by 1998 PA 41, sections 202, 205, 210, 301, 305, 306, 307, 309a, and 401 as amended and sections 317, 318, 320, 321, 351, 352, 353, 355, 357, 358, 359, and 504 as added by 1995 PA 216, section 213 as amended by 2004 PA 591, section 314a as added by 2003 PA 206, and section 505 as added by 1998 PA 260, and by adding section 252; and to repeal acts and parts of acts.

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

1782

Rep. Gleason moved that the House adjourn.
The motion prevailed, the time being 3:30 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, September 28, at 1:00 p.m.

GARY L. RANDALL
Clerk of the House of Representatives