

No. 89
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
92nd Legislature
REGULAR SESSION OF 2004

House Chamber, Lansing, Thursday, December 2, 2004.

10:00 a.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—excused	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—present	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—excused
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—e/d/s	Julian—present	Reeves—e/d/s	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—e/d/s	LaJoy—present	Rocca—present	Wojno—present
Elkins—e/d/s	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. Jim A. Plakas, from the 16th District, offered the following invocation:

“Heavenly Father, as we gather each and every day in this historical chamber to govern our people, may the decisions we render be in concert with Your word and blessings. Heavenly Father, we also ask for Your guidance in our deliberations in formulating the laws we pass are fair and equitable. The responsibility given to us by the people is sacred and we seek Your wisdom as we serve You and our constituents. We should never forget why we are here and what we are entrusted to do for the people. Governments’ purpose is to do for the people those things which they cannot do individually for themselves. Dear Lord, we pray that You guide us to be tolerant and benevolent and to work together for all mankind—the poor, the hungry, the homeless, the sick and the disabled. Help us to be a total family regardless of color, race or religion. Dear Lord, in these difficult times we tend to stray away from Your word and forget our purpose in life. Please bring us together, not only when we pray together, but when we work together. Dear Lord, in our prayers we also ask that You keep our children safe who are serving in the Armed Forces throughout the world. Please bring them home safely to their families and loved ones. Finally Lord, we pray for peace throughout this troubled world. Amen.”

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

Rep. Palmer moved that Reps. Middaugh, Mortimer and Vander Veen be excused from today’s session.
The motion prevailed.

Messages from the Senate

The Speaker laid before the House

Senate Bill No. 220, entitled

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

(The bill was received from the Senate on November 10, with substitute (S-3) to the House substitute (H-3) 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 substitute (S-3) to the House substitute (H-3) made to the bill by the Senate,

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

Roll Call No. 959

Yeas—92

Accavitti	Gaffney	McConico	Shaffer
Acciavatti	Gielegem	Meisner	Sheen
Adamini	Gillard	Meyer	Sheltrown
Amos	Gleason	Milosch	Shulman
Anderson	Hager	Minore	Smith
Bieda	Hart	Moolenaar	Spade
Bisbee	Hood	Murphy	Stahl
Bradstreet	Hoogendyk	Newell	Stakoe
Brandenburg	Hopgood	Nitz	Steil
Brown	Huizenga	Nofs	Stewart
Byrum	Hummel	O’Neil	Tabor
Casperson	Hune	Palmer	Taub
Caul	Hunter	Palsrok	Tobocman
Cheeks	Johnson, Rick	Pappageorge	Vagnozzi
Condino	Johnson, Ruth	Pastor	Van Regenmorter
Daniels	Julian	Plakas	Walker

Dennis	Koetje	Pumford	Ward
DeRossett	Kolb	Richardville	Waters
Dillon	Kooiman	Rivet	Wenke
Drolet	LaJoy	Robertson	Whitmer
Emmons	LaSata	Rocca	Wojno
Farhat	Law	Sak	Woodward
Farrah	Lipsey	Shackleton	Woronchak

Nays—0

In The Chair: Julian

Rep. Caswell, 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. 959. Had I been present, I would have voted ‘yea’.”

The Speaker laid before the House

Senate Bill No. 792, entitled

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

(The bill was received from the Senate on November 10, with amendments to the House substitute (H-4) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until November 30, see House Journal No. 86, p. 2533.)

The question being on concurring in the amendments to the House substitute (H-4) 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. 960**Yeas—93**

Accavitti	Garfield	Lipsey	Shackleton
Acciavatti	Gielegem	McConico	Shaffer
Adamini	Gillard	Meisner	Sheen
Amos	Gleason	Meyer	Sheltrown
Anderson	Hager	Milosch	Shulman
Bieda	Hart	Minore	Spade
Bisbee	Hood	Moolenaar	Stahl
Brandenburg	Hoogendyk	Murphy	Stakoe
Brown	Hopgood	Newell	Steil
Byrum	Howell	Nitz	Stewart
Casperson	Huizenga	Nofs	Tabor
Caswell	Hummel	O’Neil	Taub
Caul	Hune	Palmer	Tobocman
Cheeks	Hunter	Palsrok	Vagnozzi
Condino	Jamnick	Pappageorge	Van Regenmorter
Daniels	Johnson, Rick	Pastor	Voorhees
Dennis	Johnson, Ruth	Plakas	Ward
DeRossett	Julian	Pumford	Waters
Dillon	Koetje	Richardville	Wenke
Drolet	Kooiman	Rivet	Whitmer
Emmons	LaJoy	Robertson	Wojno

Farhat
Farrah
Gaffney

LaSata
Law

Rocca
Sak

Woodward
Woronchak

Nays—0

In The Chair: Julian

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

The Speaker laid before the House
Senate Bill No. 793, entitled

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

(The bill was received from the Senate on November 10, with amendments to the House substitute (H-3) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until November 30, see House Journal No. 86, p. 2534.)

The question being on concurring in the amendments to the House substitute (H-3) 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. 961

Yeas—95

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

Nays—0

In The Chair: Julian

The Speaker laid before the House

Senate Bill No. 798, entitled

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

(The bill was received from the Senate on November 10, with an amendment to the House substitute (H-1) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until November 30, see House Journal No. 86, p. 2535.)

The question being on concurring in the amendment to the House substitute (H-1) 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. 962

Yeas—95

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

Nays—0

In The Chair: Julian

Reps. Ehardt and Elkins entered the House Chambers.

The Speaker laid before the House

Senate Bill No. 795, entitled

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

(The bill was received from the Senate on November 10, with amendments to the House substitute (H-5) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until November 30, see House Journal No. 86, p. 2534.)

The question being on concurring in the amendments to the House substitute (H-5) made to the bill by the Senate,

Rep. Van Regenmorter moved to amend the Senate amendments as follows:

1. Amend Senate Amendment No. 16, page 7, line 25, after “inserting” by striking out the balance of the amendment and inserting “If the person knowingly violates section 3, an individual may also recover reasonable attorney fees. Except for good cause, not later than 60 days before filing a civil action, an individual must make a written demand to the person for a violation of section 3 for the amount of his or her actual damages with reasonable documentation of the violation and the actual damages caused by the violation. This subsection does not apply to a person for conduct by an employee or agent of the person in violation of a privacy policy created pursuant to section 4 or in compliance with the fair credit reporting act, 15 USC 1681 to 1681v, or subtitle A of title V of the Gramm-Leach-Bliley act, 15 USC 6801 to 6809, if the person has taken reasonable measures to enforce its policy and to correct and prevent the reoccurrence of any known violations.”.

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

The question being on concurring in the amendments to the House substitute (H-5) made to the bill by the Senate,

The amendments, as amended, were concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 963

Yeas—98

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

Nays—0

In The Chair: Julian

Rep. Hood moved that Reps. Smith and Tobocman be excused temporarily from today’s session.
The motion prevailed.

Rep. DeRoche entered the House Chambers.

Third Reading of Bills**House Bill No. 5308, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16131 and 16263 (MCL 333.16131 and 333.16263), as amended by 2001 PA 139, and by adding section 16346 and part 176.

(The bill was read a third time and postponed for the day on November 10, see House Journal No. 86, p. 2530.)

The question being on the passage of the bill,

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

Roll Call No. 964**Yeas—75**

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

Nays—19

Acciavatti	Drolet	LaJoy	Sheen
Bisbee	Farhat	Milosch	Stahl
Brandenburg	Garfield	Palmer	Steil
Casperson	Hummel	Palsrok	Taub
DeRoche	Hune	Pastor	

In The Chair: Julian

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

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

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16131 and 16263 (MCL 333.16131 and 333.16263), as amended by 2004 PA 97, and by adding section 16346 and part 176.

The motion prevailed.

The House agreed to the title as amended.

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

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

Second Reading of Bills

Senate Bill No. 1384, entitled

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

The bill was read a second time.

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

1. Amend page 2, line 14, after "act" by striking out the balance of the enacting section and inserting "takes effect March 1, 2005."

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

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

The motion prevailed.

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

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

Rep. Sak moved that Reps. O'Neil and Hunter be excused temporarily from today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 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.

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

Roll Call No. 965

Yeas—93

Accavitti	Emmons	LaSata	Shackleton
Acciavatti	Farhat	Law	Shaffer
Adamini	Farrah	Lipsey	Sheen
Amos	Gaffney	McConico	Sheltrown
Anderson	Garfield	Meisner	Shulman
Bieda	Gielegem	Meyer	Smith
Bisbee	Gillard	Milosch	Spade
Bradstreet	Gleason	Minore	Stahl
Brandenburg	Hager	Moolenaar	Stakoe
Brown	Hart	Murphy	Steil
Byrum	Hood	Newell	Stewart
Casperson	Hopgood	Nitz	Tabor
Caswell	Howell	Nofs	Taub
Caul	Huizenga	Palmer	Vagnozzi
Cheeks	Hummel	Palsrok	Van Regenmorter
Condino	Hune	Pastor	Walker
Daniels	Jamnick	Plakas	Ward
Dennis	Johnson, Ruth	Pumford	Waters
DeRoche	Julian	Richardville	Wenke
DeRossett	Koetje	Rivet	Whitmer
Dillon	Kolb	Robertson	Wojno

Drolet
Ehardt
Elkins

Kooiman
LaJoy

Rocca
Sak

Woodward
Woronchak

Nays—0

In The Chair: Julian

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

“An act to establish the rights of victims of crime and juvenile offenses; to provide for certain procedures; to establish certain immunities and duties; to limit convicted criminals from deriving profit under certain circumstances; to prohibit certain conduct of employers or employers’ agents toward victims; and to provide for penalties and remedies,”

The House agreed to the full title.

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

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

Rep. Waters moved that Reps. Daniels and Hood 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. 5550, 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.

(The bill was received from the Senate on December 1, with substitute (S-2), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 88, p. 2620.)

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. 966

Yeas—92

Accavitti
Acciavatti
Adamini
Anderson
Bieda
Bisbee
Brandenburg
Brown
Byrum
Casperson
Caswell
Caul

Farrah
Gaffney
Garfield
Gielegem
Gillard
Gleason
Hager
Hart
Hopgood
Howell
Hummel
Hune

Lipsey
McConico
Meisner
Meyer
Milosch
Minore
Moolenaar
Murphy
Newell
Nitz
Nofs
O’Neil

Shackleton
Shaffer
Sheen
Sheltrown
Shulman
Smith
Spade
Stahl
Stakoe
Steil
Stewart
Tabor

Cheeks	Hunter	Palmer	Taub
Condino	Jamnack	Palsrok	Tobocman
Dennis	Johnson, Rick	Pappageorge	Vagnozzi
DeRoche	Johnson, Ruth	Pastor	Walker
DeRossett	Julian	Plakas	Ward
Dillon	Koetje	Pumford	Waters
Drolet	Kolb	Richardville	Wenke
Ehardt	Kooiman	Rivet	Whitmer
Elkins	LaJoy	Robertson	Wojno
Emmons	LaSata	Rocca	Woodward
Farhat	Law	Sak	Woronchak

Nays—0

In The Chair: Julian

The House agreed to the title as amended.

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

The Speaker laid before the House

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 bill was received from the Senate on December 1, with substitute (S-3), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 88, p. 2620.)

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

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

Roll Call No. 967**Yeas—96**

Accavitti	Farrah	LaSata	Shackleton
Acciavatti	Gaffney	Law	Shaffer
Adamini	Garfield	Lipsey	Sheen
Amos	Gielegem	McConico	Sheltrown
Anderson	Gillard	Meisner	Shulman
Bieda	Gleason	Meyer	Smith
Bisbee	Hager	Milosch	Spade
Brandenburg	Hart	Minore	Stahl
Brown	Hood	Moolenaar	Stakoe
Byrum	Hoogendyk	Murphy	Steil
Casperson	Hopgood	Newell	Stewart
Caswell	Howell	Nitz	Tabor
Caul	Huizenga	Nofs	Taub
Cheeks	Hummel	O'Neil	Tobocman
Condino	Hune	Palmer	Vagnozzi
Dennis	Hunter	Palsrok	Van Regenmorter
DeRoche	Jamnack	Pappageorge	Voorhees
DeRossett	Johnson, Rick	Pastor	Walker
Dillon	Johnson, Ruth	Plakas	Ward
Drolet	Julian	Pumford	Waters
Ehardt	Koetje	Richardville	Wenke
Elkins	Kolb	Robertson	Whitmer

Emmons
Farhat

Kooiman
LaJoy

Rocca
Sak

Wojno
Woodward

Nays—0

In The Chair: Julian

The House agreed to the title as amended.

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

The Speaker laid before the House

House Bill No. 5467, entitled

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

(The bill was received from the Senate on September 29, with substitute (S-2) and title amendment, consideration of which, under the rules, was postponed until November 4, see House Journal No. 83, p. 2297.)

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

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

1. Amend page 4, line 25, after “(1)” by striking out “A” and inserting “**Except as provided in subsection (2), a**”.
2. Amend page 5, line 8, after “**least**” by striking out “**28**” and inserting “**3**”.
3. Amend page 5, line 9, after “**application.**” by inserting “**If a party to a marriage license application complies with section 2a, the county clerk may deliver a marriage license immediately following the application.**”.
4. Amend page 5, line 19, after “October 1,” by striking out “2004” and inserting “2005”.
5. Amend page 5, line 21, after “unless” by striking out the balance of the enacting section and inserting “all of the following bills of the 92nd Legislature are enacted into law:
 - (a) House Bill No. 5468.
 - (b) House Bill No. 5469.
 - (c) House Bill No. 5470.
 - (d) House Bill No. 5471.
 - (e) House Bill No. 5473.
 - (f) House Bill No. 5474.
 - (g) Senate Bill No. 959.
 - (h) Senate Bill No. 961.
 - (i) Senate Bill No. 963.
 - (j) Senate Bill No. 964.
 - (k) Senate Bill No. 966.”.

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

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

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

Roll Call No. 968

Yeas—59

Acciavatti
Adamini
Amos
Bieda
Brown
Byrum

Gleason
Hager
Hart
Hoogendyk
Howell
Hummel

McConico
Meyer
Milosch
Moolenaar
Nitz
Nofs

Shulman
Spade
Stahl
Stakoe
Steil
Stewart

Casperson	Hune	Pappageorge	Taub
Caswell	Johnson, Rick	Pumford	Van Regenmorter
Caul	Johnson, Ruth	Richardville	Voorhees
DeRoche	Julian	Robertson	Walker
DeRossett	Koetje	Rocca	Ward
Dillon	Kooiman	Sak	Wenke
Ehardt	LaJoy	Shackleton	Wojno
Emmons	LaSata	Shaffer	Woronchak
Gaffney	Lipsey	Sheen	

Nays—34

Accavitti	Farhat	Law	Sheltrown
Anderson	Farrah	Meisner	Smith
Bisbee	Garfield	Murphy	Tabor
Brandenburg	Gielegthem	O'Neil	Tobocman
Cheeks	Gillard	Palmer	Vagnozzi
Condino	Hood	Palsrok	Waters
Dennis	Hopgood	Pastor	Whitmer
Drolet	Hunter	Plakas	Woodward
Elkins	Kolb		

In The Chair: Julian

The House agreed to the title as amended.

Rep. Daniels, 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 Nos. 966-968. Had I been present, I would have voted ‘yea’ on Roll Call Nos. 966-967 and ‘nay’ on Roll Call No. 968.”

Third 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.

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

Roll Call No. 969**Yeas—92**

Accavitti	Farhat	Lipsey	Sheen
Acciavatti	Farrah	McConico	Sheltrown
Adamini	Gaffney	Meisner	Shulman
Amos	Gielegthem	Meyer	Smith
Anderson	Gillard	Minore	Spade
Bieda	Gleason	Moolenaar	Stahl
Bisbee	Hager	Murphy	Stakoe
Bradstreet	Hart	Newell	Steil
Brandenburg	Hood	Nofs	Stewart
Brown	Hoogendyk	O'Neil	Tabor

Byrum	Hopgood	Palmer	Taub
Casperson	Howell	Palsrok	Tobocman
Caswell	Huizenga	Pappageorge	Vagnozzi
Caul	Hummel	Pastor	Van Regenmorter
Condino	Hunter	Plakas	Voorhees
Daniels	Johnson, Rick	Pumford	Walker
Dennis	Johnson, Ruth	Richardville	Ward
DeRoche	Julian	Rivet	Waters
DeRossett	Koetje	Robertson	Wenke
Dillon	Kolb	Rocca	Whitmer
Drolet	Kooiman	Sak	Wojno
Elkins	LaSata	Shackleton	Woodward
Emmons	Law	Shaffer	Woronchak

Nays—4

Garfield	Hune	Milosch	Nitz
----------	------	---------	------

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. 5295, entitled

A bill to amend 1955 PA 224, entitled “An act to regulate sales at public auction; to provide for the issuing of licenses; and to prescribe penalties for violations of the provisions of this act,” by amending sections 1, 2, 3, 4, 5, 6, 7, 9, and 10 (MCL 446.51, 446.52, 446.53, 446.54, 446.55, 446.56, 446.57, 446.59, and 446.60) and by adding sections 1a and 5a.

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

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

Rep. Taub moved to amend the bill as follows:

1. Amend page 5, line 17, after “of” by striking out “\$100.00” and inserting “\$25.00”.

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

Rep. Taub moved to amend the bill as follows:

1. Amend page 8, line 23, after the first “**than**” by striking out “**93**” and inserting “**90**”.

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

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

The motion prevailed.

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

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

Rep. Sak moved that Rep. Plakas be excused temporarily from today’s session.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5295, entitled

A bill to amend 1955 PA 224, entitled "An act to regulate sales at public auction; to provide for the issuing of licenses; and to prescribe penalties for violations of the provisions of this act," by amending sections 1, 2, 3, 4, 5, 6, 7, 9, and 10 (MCL 446.51, 446.52, 446.53, 446.54, 446.55, 446.56, 446.57, 446.59, and 446.60) and by adding sections 1a and 5a.

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

Roll Call No. 970

Yeas—89

Accavitti	Emmons	Kooiman	Shackleton
Acciavatti	Farhat	LaJoy	Sheen
Adamini	Farrah	LaSata	Sheltrown
Amos	Gaffney	Law	Shulman
Anderson	Gielegghem	Lipsey	Smith
Bieda	Gillard	McConico	Spade
Bisbee	Gleason	Meisner	Stahl
Brandenburg	Hager	Minore	Stakoe
Brown	Hart	Moolenaar	Steil
Byrum	Hood	Murphy	Stewart
Casperson	Hoogendyk	Newell	Tabor
Caswell	Hopgood	Nofs	Taub
Caul	Howell	O'Neil	Tobocman
Cheeks	Huizenga	Palsrok	Vagnozzi
Condino	Hummel	Pappageorge	Van Regenmorter
Daniels	Hunter	Pastor	Ward
Dennis	Jamnick	Pumford	Waters
DeRoche	Johnson, Rick	Richardville	Wenke
DeRossett	Johnson, Ruth	Rivet	Whitmer
Dillon	Julian	Robertson	Wojno
Drolet	Koetje	Rocca	Woodward
Ehardt	Kolb	Sak	Woronchak
Elkins			

Nays—7

Garfield	Meyer	Nitz	Walker
Hune	Milosch	Palmer	

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. 6228, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2631 (MCL 600.2631).

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Local Government and Urban Policy (for amendment, see House Journal No. 83, p. 2350),

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

Rep. Koetje moved to amend the bill as follows:

1. Amend page 2, line 15, after “deposit.” by striking out the balance of the subsection.

The motion prevailed and 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. 6228, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 2631 (MCL 600.2631).

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

Roll Call No. 971

Yeas—96

Accavitti	Farrah	Law	Shackleton
Acciavatti	Gaffney	Lipsey	Shaffer
Adamini	Garfield	McConico	Sheen
Amos	Gielegem	Meisner	Sheltrown
Anderson	Gillard	Meyer	Shulman
Bieda	Gleason	Milosch	Spade
Bisbee	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	Jamnack	Pastor	Walker
DeRoche	Johnson, Ruth	Plakas	Ward
DeRossett	Julian	Pumford	Waters
Dillon	Koetje	Richardville	Wenke
Drolet	Kolb	Rivet	Whitmer
Elkins	Kooiman	Robertson	Wojno
Emmons	LaJoy	Rocca	Woodward
Farhat	LaSata	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. 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.

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

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 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.

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

Roll Call No. 972

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
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
Emmons
Farhat

Kooiman
LaJoy
LaSata

Rocca
Sak
Shackleton

Woodward
Woronchak

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 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 15g and 16m of chapter XVII (MCL 764.1a, 769.16a, 776.22, 777.15g, and 777.16m), section 1a of chapter IV as amended by 1994 PA 70, section 16a of chapter IX as amended by 2004 PA 220, section 22 of chapter XVI as amended by 2001 PA 194, section 15g of chapter XVII as amended by 2002 PA 206, and section 16m of chapter XVII as amended by 2001 PA 166.

The motion prevailed.

The House agreed to the title as amended.

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

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

Second Reading of Bills

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.

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

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

Rep. Waters 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. 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.

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

Roll Call No. 973

Yeas—100

Accavitti
Acciavatti
Adamini
Amos

Farhat
Farrah
Gaffney
Garfield

LaSata
Law
Lipsey
McConico

Shackleton
Shaffer
Sheen
Sheltrown

Anderson	Gielegem	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 question being on agreeing to the title of the bill,

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

A bill to amend 1965 PA 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; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

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

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

Second Reading of Bills

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.

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

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

Rep. Meisner 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. Dennis 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. 6181, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 168a. Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 974

Yeas—95

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	Hart	Minore	Stahl
Brandenburg	Hood	Moolenaar	Stakoe
Brown	Hoogendyk	Murphy	Steil
Byrum	Hopgood	Newell	Stewart
Casperson	Howell	Nitz	Tabor
Caswell	Huizenga	Nofs	Taub
Caul	Hummel	O'Neil	Tobocman
Cheeks	Hune	Palmer	Vagnozzi
Condino	Hunter	Palsrok	Van Regenmorter
Daniels	Jamnick	Pappageorge	Walker
DeRoche	Johnson, Rick	Pastor	Ward
DeRossett	Johnson, Ruth	Plakas	Waters
Dillon	Julian	Pumford	Wenke
Drolet	Koetje	Richardville	Whitmer
Ehardt	Kolb	Rivet	Wojno
Elkins	Kooiman	Robertson	Woodward
Emmons	LaJoy	Rocca	Woronchak
Farhat	LaSata	Sak	

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Second Reading of Bills

Senate Bill No. 790, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 173.

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

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

Rep. Ehardt moved to amend the bill as follows:

1. Amend page 3, following line 10, by inserting:

“(vi) **An administrator of a municipally owned landfill.**”.

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

Rep. Law moved to amend the bill as follows:

1. Amend page 9, line 11, after “unless” by inserting “Senate Bill No. 174 and”.

2. Amend page 9, line 11, after “Legislature” by striking out “is” and inserting “are”.

The question being on the adoption of the amendments offered by Rep. Law,

Rep. Law demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Rep. Law,

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

The motion prevailed.

Rep. Rocca moved that Rep. Ruth Johnson be excused temporarily from today’s session.

The motion prevailed.

Rep. Waters moved that Reps. Gielegem and McConico be excused temporarily from today’s session.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 591, entitled

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

(The bill was read a third time and postponed temporarily on September 29, see House Journal No. 83, p. 2333.)

The question being on the passage of the bill,

Rep. Pappageorge moved to amend the bill as follows:

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

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

(a) House Bill No. 5630.

(b) Senate Bill No. 1076.

(c) Senate Bill No. 1079.”.

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

The motion was not seconded.

The question being on the passage of the bill,

Rep. Rick Johnson moved that consideration of the bill be postponed temporarily.

The motion prevailed.

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Rivet moved that Rule 45 be suspended.

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

Rep. Rivet moved that the Committee on Energy and Technology be discharged from further consideration of **House Bill No. 6337**.

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

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

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

Rep. Richardville moved that the Committee on Appropriations be discharged from further consideration of **House Bill No. 5510**.

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

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

Rep. Richardville moved that the Committee on Criminal Justice be discharged from further consideration of **House Bill No. 6321**.

(For first notice see House Journal No. 88, p. 2642.)
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. Richardville moved that Rule 45 be suspended.
The motion prevailed, 3/5 of the members present voting therefor.

Rep. Richardville moved that the Committee on Government Operations be discharged from further consideration of **House Joint Resolution No. EE**.

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

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

Rep. Richardville moved that the Committee on Education be discharged from further consideration of **House Bill No. 6333**.

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

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

Rep. Richardville moved that the Committee on Education be discharged from further consideration of **House Bill No. 6334**.

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

Second Reading of Bills

House Bill No. 4975, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1136.
Was read a second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Health Policy,

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

Rep. Accavitti 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. 4975, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1136. Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 975

Yeas—89

Accavitti	Farhat	Lipsey	Sheen
Acciavatti	Farrah	Meisner	Sheltrown
Adamini	Gaffney	Meyer	Shulman
Amos	Garfield	Minore	Smith
Anderson	Gillard	Moolenaar	Spade
Bieda	Gleason	Murphy	Stahl
Brandenburg	Hager	Newell	Stakoe
Brown	Hart	Nitz	Steil
Byrum	Hood	Nofs	Stewart
Casperson	Hoogendyk	O'Neil	Tabor
Caswell	Hopgood	Palsrok	Tobocman
Caul	Howell	Pappageorge	Vagnozzi
Cheeks	Hune	Pastor	Van Regenmorter
Condino	Hunter	Plakas	Voorhees
Daniels	Jamnick	Pumford	Walker
Dennis	Johnson, Rick	Richardville	Ward
DeRoche	Julian	Rivet	Waters
DeRossett	Koetje	Robertson	Wenke
Dillon	Kolb	Rocca	Whitmer
Drolet	LaJoy	Sak	Wojno
Ehardt	LaSata	Shackleton	Woodward
Elkins	Law	Shaffer	Woronchak
Emmons			

Nays—7

Bisbee	Hummel	Milosch	Taub
Huizenga	Kooiman	Palmer	

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 1976 PA 451, entitled "The revised school code," by amending section 1135 (MCL 380.1135), as added by 1987 PA 84.

The motion prevailed.

The House agreed to the title as amended.

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

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

Second Reading of Bills

Rep. Richardville moved that Rule 48 be suspended.

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

House Bill No. 6321, entitled

A bill to amend 1846 RS 171, entitled “Of county jails and the regulation thereof,” by amending section 4b (MCL 801.4b), as added by 2003 PA 124.

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 6321, entitled

A bill to amend 1846 RS 171, entitled “Of county jails and the regulation thereof,” by amending section 4b (MCL 801.4b), as added by 2003 PA 124.

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

Roll Call No. 976

Yeas—98

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

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

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

The Speaker laid before the House

Senate Bill No. 657, entitled

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

(The bill was received from the Senate on November 10, with substitute (S-1) to the House substitute (H-4) 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 substitute (S-1) to the House substitute (H-4) made to the bill by the Senate,

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

1. Amend page 7, following line 17, by inserting:

"(v) The disclosure is requested from an individual to effect, administer or enforce a specific telephonic or other electronic consumer transaction that is not made in person but is requested or authorized by the individual if it is to be used solely to confirm the identity of the individual through a fraud prevention service database. The consumer good or service shall still be provided to the consumer upon verification of his or her identity if he or she refuses to provide his or her social security number but provides other information or documentation that can be used by the person to verify his or her identity. The person may inform the consumer that verification through other means than use of the social security number may cause a delay in providing the service or good to the consumer."

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

The question being on concurring in the substitute (S-1) to the House substitute (H-4) made to the bill by the Senate,

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

Roll Call No. 977

Yeas—95

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

Nays—0

In The Chair: Julian

Second Reading of Bills

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

House Bill No. 5510, entitled

A bill to provide for a capital outlay program; to set forth the provisions for its implementation within the budgetary process; to make appropriations for planning and construction at state institutions and the acquisition of land; to provide for the elimination of fire hazards at the institutions; to provide for certain special maintenance, remodeling, alteration, renovation, or demolition of and additions to projects at state institutions; to provide for elimination of occupational safety and health hazards at state agencies and institutions; to provide for the award of contracts; and to provide for the expenditure thereof under the supervision of the director of the department of management and budget and the state administrative board.

The bill was read a second time.

Rep. Shackleton moved to substitute (H-1) the bill.
The motion prevailed and the substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Lipsey moved to amend the bill as follows:

- 1. Amend page 3, line 14, by striking out “2,800,000” and inserting “2,200,000”.
- 2. Amend page 3, following line 14, by inserting “Grant to Kalamazoo Valley Community College, high throughput screening initiative.....600,000”.

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

Rep. Shackleton moved to amend the bill as follows:

- 1. Amend page 13, line 16, by striking out all of subsection (3) and adjusting the subtotals, totals, and section 201 accordingly.
- 2. Amend page 35, line 25, by striking out all of section 1205.

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

Rep. Shulman 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. 5510, entitled

A bill to provide for a capital outlay program; to set forth the provisions for its implementation within the budgetary process; to make appropriations for planning and construction at state institutions and the acquisition of land; to provide for the elimination of fire hazards at the institutions; to provide for certain special maintenance, remodeling, alteration, renovation, or demolition of and additions to projects at state institutions; to provide for elimination of occupational safety and health hazards at state agencies and institutions; to provide for the award of contracts; and to provide for the expenditure thereof under the supervision of the director of the department of management and budget and the state administrative board.

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

Roll Call No. 978

Yeas—97

Accavitti	Farrah	Law	Shaffer
Acciavatti	Gaffney	Lipsey	Sheen
Adamini	Garfield	Meisner	Sheltrown
Amos	Gielegghem	Meyer	Shulman
Anderson	Gillard	Milosch	Smith
Bieda	Gleason	Minore	Spade

Bisbee	Hager	Moolenaar	Stahl
Bradstreet	Hart	Murphy	Stakoe
Brandenburg	Hood	Newell	Steil
Brown	Hoogendyk	Nitz	Stewart
Byrum	Hopgood	Nofs	Tabor
Casperson	Howell	O'Neil	Taub
Caswell	Huizenga	Palmer	Tobocman
Caul	Hummel	Palsrok	Vagnozzi
Cheeks	Hune	Pappageorge	Van Regenmorter
Condino	Hunter	Pastor	Voorhees
Daniels	Jamnick	Plakas	Walker
Dennis	Johnson, Rick	Pumford	Ward
DeRoche	Julian	Richardville	Waters
DeRossett	Koetje	Rivet	Wenke
Dillon	Kolb	Robertson	Whitmer
Ehardt	Kooiman	Rocca	Wojno
Elkins	LaJoy	Sak	Woodward
Emmons	LaSata	Shackleton	Woronchak
Farhat			

Nays—1

Drolet

In The Chair: Julian

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

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

A bill to make and supplement appropriations for certain capital outlay programs and state departments and agencies for the fiscal year ending September 30, 2005; to supplement appropriations for the state transportation department for the fiscal year ending September 30, 2005; to make and supplement appropriations for the department of agriculture and certain other state departments for the fiscal year ending September 30, 2004; to implement the appropriations within the budgetary process; to make appropriations for planning and construction at state agencies; to make appropriations for state building authority rent and insurance; to make a grant for state building authority rent; to provide for the acquisition of land and buildings; to provide for the elimination of fire hazards; to provide for special maintenance, remodeling and addition, alteration, renovation, demolition, and other projects; to provide for elimination of occupational safety and health hazards; to provide for the award and implementation of contracts; to provide for the purchase of furnishings and equipment relative to occupancy of a project; to provide for the development of public recreation facilities; to provide for certain advances from the general fund; to prescribe powers and duties of certain state-officers and agencies; to require certain reports, plans, and agreements; to provide for leases; to provide for transfers; to prescribe standards and conditions relating to the appropriations; to provide for the expenditure of appropriations; and to repeal acts and parts of acts.

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.

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Speaker laid before the House

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.)

(The concurrent resolution was reported by the Committee on Appropriations on December 1, consideration of which, under the rules, was postponed until today.)

The question being on the adoption of the concurrent resolution,

The Clerk made the following statement:

“Mr. Speaker and members of the House, the lease and exhibits attached to the resolution are available for review by the membership in the Clerk’s office.”

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 979

Yeas—93

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

Nays—5

Drolet	Hummel	Hune	Milosch
Garfield			

In The Chair: Julian

Messages from the Senate

The Senate requested the return of

House Bill No. 6230, entitled

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

Rep. Richardville moved that the request of the Senate not be honored.

The motion prevailed.

Second Reading of Bills**House Bill No. 4141, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 30111a.

The bill was read a second time.

Rep. Stakoe moved to substitute (H-6) the bill.

The motion prevailed and the substitute (H-6) was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills**House Bill No. 4141, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 30111a.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

Second Reading of Bills

Rep. Kooiman moved that Rule 48 be suspended.

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

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.

The bill was read a second time.

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

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

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

The motion prevailed.

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

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

Rep. Waters moved that Reps. Dennis and 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. 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.

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

Roll Call No. 980**Yeas—96**

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

Rep. Richardville moved that Rule 48 be suspended.

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

House Bill No. 6333, entitled

A bill to amend 1970 PA 38, entitled "An act to provide for assessment and remedial assistance programs of students in reading, mathematics and vocational education," by amending section 2 (MCL 388.1082).

The bill was read a second time.

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

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

Rep. Palmer moved to amend the bill as follows:

1. Amend page 4, line 5, by striking out all of enacting section 1.

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

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

The motion prevailed.

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 6333, entitled

A bill to amend 1970 PA 38, entitled "An act to provide for assessment and remedial assistance programs of students in reading, mathematics and vocational education," by amending section 2 (MCL 388.1082).

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

Roll Call No. 981

Yeas—56

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

Nays—41

Accavitti	Farhat	Kolb	Sak
Adamini	Farrah	Law	Sheltrown
Anderson	Gaffney	Lipsey	Smith
Bieda	Gielegem	Meisner	Spade
Brown	Gillard	Minore	Tobocman
Byrum	Gleason	Murphy	Vagnozzi
Condino	Hood	Nofs	Waters
Daniels	Hopgood	O'Neil	Whitmer
Dennis	Hunter	Plakas	Wojno
Dillon	Jamnick	Rivet	Woodward
Elkins			

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. 6323, entitled

A bill to amend 1957 PA 261, entitled "Michigan legislative retirement system act," by amending sections 26, 28, 30, 59a, and 79 (MCL 38.1026, 38.1028, 38.1030, 38.1059a, and 38.1079), sections 26, 30, and 59a as amended by 2002 PA 97, section 28 as amended by 1981 PA 123, and section 79 as amended by 1998 PA 501.

The bill was read a second time.

Rep. Ehardt moved to amend the bill as follows:

1. Amend page 10, line 12, after “section 22c.” by inserting “**A former qualified participant who is not eligible to elect health insurance coverage may participate in the health insurance benefits described in this section in the manner prescribed by the board at his or her own cost.**”.

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

Rep. Ehardt 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. 6323, entitled

A bill to amend 1957 PA 261, entitled “Michigan legislative retirement system act,” by amending sections 26, 28, 30, 59a, and 79 (MCL 38.1026, 38.1028, 38.1030, 38.1059a, and 38.1079), sections 26, 30, and 59a as amended by 2002 PA 97, section 28 as amended by 1981 PA 123, and section 79 as amended by 1998 PA 501.

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

Roll Call No. 982

Yeas—97

Accavitti	Farrah	Law	Shaffer
Acciavatti	Gaffney	Lipsey	Sheen
Adamini	Garfield	Meisner	Sheltrown
Amos	Gielegem	Meyer	Shulman
Anderson	Gillard	Milosch	Smith
Bieda	Gleason	Minore	Spade
Bisbee	Hager	Moolenaar	Stahl
Bradstreet	Hart	Murphy	Stakoe
Brandenburg	Hood	Newell	Steil
Brown	Hoogendyk	Nitz	Stewart
Byrum	Hopgood	Nofs	Tabor
Casperson	Howell	O’Neil	Taub
Caswell	Huizenga	Palmer	Tobocman
Caul	Hummel	Palsrok	Vagnozzi
Cheeks	Hune	Pappageorge	Van Regenmorter
Condino	Hunter	Pastor	Voorhees
Daniels	Jamnick	Plakas	Walker
Dennis	Johnson, Rick	Pumford	Ward
DeRoche	Julian	Richardville	Waters
DeRossett	Koetje	Rivet	Wenke
Dillon	Kolb	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

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

House Bill No. 6334, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1279 and 1280 (MCL 380.1279 and 380.1280), section 1279 as amended by 2004 PA 399 and section 1280 as amended by 2003 PA 275, and by adding sections 1279g and 1279h; and to repeal acts and parts of acts.

The bill was read a second time.

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

Rep. Palmer moved to amend the bill as follows:

1. Amend page 13, line 26, by striking out all of enacting section 1.

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

Rep. Voorhees 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. Hune moved that Rep. DeRoche 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. 6334, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1279 and 1280 (MCL 380.1279 and 380.1280), section 1279 as amended by 2004 PA 399 and section 1280 as amended by 2003 PA 275, and by adding sections 1279g and 1279h; and to repeal acts and parts of acts.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Palmer moved that consideration of the bill be postponed for the day.
The motion prevailed.

Second Reading of Bills

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).

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

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

Rep. Hood 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. 6203, entitled

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

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

Roll Call No. 983

Yeas—94

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

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Second Reading of Bills

House Bill No. 6204, entitled

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

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

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

Rep. LaSata 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. 6204, entitled

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

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

Roll Call No. 984

Yeas—91

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

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. 5715, entitled

A bill to amend 1990 PA 211, entitled "The parental rights restoration act," by amending sections 3 and 4 (MCL 722.903 and 722.904).

The bill was read a second time.

Rep. O'Neil moved to substitute (H-1) the bill.

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

Rep. O'Neil moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5715, entitled

A bill to amend 1990 PA 211, entitled "The parental rights restoration act," by amending sections 3 and 4 (MCL 722.903 and 722.904).

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

Roll Call No. 985

Yeas—86

Accavitti	Farhat	Meisner	Sheltrown
Acciavatti	Farrah	Meyer	Shulman
Adamini	Gaffney	Milosch	Smith
Amos	Garfield	Moolenaar	Spade
Anderson	Gielegem	Murphy	Stahl
Bieda	Gillard	Newell	Stakoe
Bisbee	Gleason	Nitz	Steil
Bradstreet	Hager	Nofs	Stewart
Brandenburg	Hart	O'Neil	Tabor
Brown	Hoogendyk	Palmer	Taub
Byrum	Hopgood	Palsrok	Vagnozzi
Casperson	Howell	Pastor	Van Regenmorter
Caswell	Huizenga	Plakas	Voorhees
Caul	Hummel	Pumford	Walker
Condino	Hune	Richardville	Ward
Dennis	Hunter	Rivet	Waters
DeRossett	Jamnack	Robertson	Wenke
Dillon	Julian	Rocca	Whitmer
Drolet	Koetje	Sak	Wojno
Ehardt	Kooiman	Shaffer	Woodward
Elkins	LaSata	Sheen	Woronchak
Emmons	Law		

Nays—5

Cheeks	Lipsey	Minore	Tobocman
Kolb			

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. 6272, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40110 (MCL 324.40110), as added by 1995 PA 57.

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

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

Rep. Tabor 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. 6272, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 40110 (MCL 324.40110), as added by 1995 PA 57.

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

Roll Call No. 986

Yeas—69

Acciavatti	Farrah	Kooiman	Sak
Adamini	Gaffney	LaJoy	Shaffer
Amos	Garfield	LaSata	Sheen
Bisbee	Gielegem	Meyer	Sheltrown
Bradstreet	Gillard	Milosch	Shulman
Brandenburg	Gleason	Moolenaar	Spade
Brown	Hager	Newell	Stahl
Byrum	Hart	Nitz	Stakoe
Casperson	Hoogendyk	Palmer	Steil
Caswell	Hopgood	Palsrok	Stewart
Caul	Howell	Pappageorge	Tabor
Dennis	Huizenga	Pastor	Taub
DeRossett	Hummel	Pumford	Van Regenmorter
Dillon	Hune	Richardville	Walker
Drolet	Hunter	Rivet	Ward
Elkins	Julian	Robertson	Waters
Emmons	Koetje	Rocca	Wenke
Farhat			

Nays—22

Accavitti	Kolb	Nofs	Vagnozzi
Anderson	Law	O'Neil	Whitmer
Bieda	Lipsey	Plakas	Wojno
Cheeks	Meisner	Smith	Woodward
Condino	Minore	Tobocman	Woronchak
Jamnack	Murphy		

In The Chair: Julian

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

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

"Mr. Speaker and members of the House:

I voted 'no' on House Bill 6272 (H-1) because there is no reason to pass a law giving the DNR and NRC this authority as these agencies are not prohibited by law from giving this type of advice now."

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

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

House Bill No. 5873, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 310 (MCL 257.310), as amended by 2003 PA 152.

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. DeRossett, Casperson, Hummel, Gaffney, Hune, Huizenga, LaJoy, Robertson, Ward, Anderson, Jammick, Gleason, Tobocman, Adamini and Murphy

Nays: None

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

House Bill No. 5944, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 629 (MCL 257.629), as amended by 1988 PA 368.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills and laid over one day under the rules.

Favorable Roll Call

To Report Out:

Yeas: Reps. DeRossett, Casperson, Hummel, Gaffney, Hune, Huizenga, LaJoy, Robertson, Ward, Jammick, Gleason, Adamini and Murphy

Nays: None

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

Senate Bill No. 735, entitled

A bill to amend 1996 PA 299, entitled "An act to regulate tourist-oriented directional signs on certain rural roads; and to impose certain duties upon the state transportation department," by amending sections 1 and 3 (MCL 247.401 and 247.403).

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. DeRossett, Casperson, Gaffney, Hune, Huizenga, LaJoy, Robertson, Ward, Anderson, Jammick, Gleason, Tobocman, Adamini and Murphy

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, December 2, 2004

Present: Reps. DeRossett, Casperson, Hummel, DeRoche, Gaffney, Hune, Huizenga, LaJoy, Robertson, Ward, Anderson, Jammick, Gleason, Tobocman, Adamini and Murphy

Absent: Rep. Elkins

Excused: Rep. Elkins

Second Reading of Bills

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

House Bill No. 5944, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 629 (MCL 257.629), as amended by 1988 PA 368.

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5944, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 629 (MCL 257.629), as amended by 1988 PA 368.

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

Roll Call No. 987

Yeas—92

Accavitti	Farhat	LaSata	Shaffer
Acciavatti	Farrah	Law	Sheen
Adamini	Gaffney	Meisner	Sheltrown
Amos	Garfield	Meyer	Shulman
Anderson	Gielegem	Milosch	Smith
Bisbee	Gillard	Minore	Spade
Bradstreet	Gleason	Moolenaar	Stahl
Brandenburg	Hager	Murphy	Stakoe
Brown	Hart	Newell	Steil
Byrum	Hood	Nitz	Stewart
Casperson	Hoogendyk	Nofs	Tabor
Caswell	Hopgood	O'Neil	Taub
Caul	Howell	Palmer	Tobocman
Cheeks	Huizenga	Palsrok	Vagnozzi
Condino	Hummel	Pappageorge	Van Regenmorter
Daniels	Hune	Pastor	Walker
Dennis	Hunter	Plakas	Ward
DeRossett	Jamnick	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

Rep. Richardville moved that Rule 48 be suspended.

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

House Bill No. 5873, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 310 (MCL 257.310), as amended by 2003 PA 152.

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

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

Rep. DeRossett moved to amend the bill as follows:

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

"Enacting section 1. This amendatory act takes effect January 1, 2006."

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

Rep. Gleason 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. 5873, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 310 (MCL 257.310), as amended by 2003 PA 152.

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

Roll Call No. 988

Yeas—92

Accavitti	Emmons	LaSata	Sak
Acciavatti	Farhat	Law	Shaffer
Adamini	Farrah	Lipsey	Sheen
Amos	Gaffney	Meisner	Sheltrown
Anderson	Garfield	Meyer	Smith
Bieda	Gielegthem	Milosch	Spade
Bisbee	Gillard	Minore	Stahl
Bradstreet	Gleason	Moolenaar	Stakoe
Brandenburg	Hager	Murphy	Steil
Brown	Hart	Newell	Stewart
Byrum	Hood	Nitz	Tabor
Casperson	Hoogendyk	Nofs	Taub
Caswell	Hopgood	O'Neil	Tobocman
Caul	Howell	Palmer	Vagnozzi
Cheeks	Huizenga	Palsrok	Van Regenmorter
Condino	Hummel	Pappageorge	Voorhees
Daniels	Hune	Pastor	Walker
Dennis	Hunter	Plakas	Ward
DeRossett	Julian	Pumford	Waters
Dillon	Koetje	Richardville	Wenke
Drolet	Kolb	Rivet	Whitmer
Ehardt	Kooiman	Robertson	Wojno
Elkins	LaJoy	Rocca	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.

Reps. Anderson, Bisbee, DeRossett, Dillon, Elkins, Farhat, Kolb, Kooiman, LaJoy, Law, Moolenaar, Nofs, Pappageorge, Rivet, Stewart, Taub, Ward, Wojno were named co-sponsors of the bill.

Second Reading of Bills**House Bill No. 5312, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by amending the title, as amended by 1996 PA 434, and by adding section 43540a.

The bill was read a second time.

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

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills**House Bill No. 5312, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by amending the title, as amended by 1996 PA 434, and by adding section 43540a.

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

Roll Call No. 989**Yeas—87**

Accavitti	Farhat	Law	Sheltrown
Acciavatti	Farrah	Lipsey	Shulman
Adamini	Gaffney	Meisner	Smith
Amos	Garfield	Meyer	Spade
Anderson	Gielegem	Milosch	Stahl
Bieda	Gillard	Minore	Stakoe
Bisbee	Gleason	Moolenaar	Steil
Bradstreet	Hager	Newell	Stewart
Brandenburg	Hart	Nitz	Tabor
Brown	Hood	Nofs	Taub
Byrum	Hoogendyk	O'Neil	Tobocman
Casperson	Hopgood	Palsrok	Vagnozzi
Caswell	Howell	Pappageorge	Van Regenmorter
Caul	Hummel	Pastor	Voorhees
Condino	Hune	Pumford	Walker
Daniels	Hunter	Richardville	Ward
Dennis	Julian	Rivet	Waters
DeRossett	Koetje	Robertson	Wenke
Dillon	Kolb	Rocca	Wojno
Drolet	Kooiman	Sak	Woodward

Elkins
Emmons

LaJoy
LaSata

Shaffer
Sheen

Woronchak

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 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by amending the title, as amended by 1996 PA 434, and by adding sections 43540a and 43540c.

The motion prevailed.

The House agreed to the title as amended.

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

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

Second Reading of Bills

The House returned to the consideration of

Senate Bill No. 790, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding part 173.

(The bill was considered earlier today, see today’s Journal, p. 2661.)

The question being on the adoption of the amendments offered previously by Rep. Law,

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

Roll Call No. 990

Yeas—32

Accavitti
Acciavatti
Anderson
Bieda
Byrum
Caul
Cheeks
Daniels

Dennis
Dillon
Farhat
Gieleghem
Gleason
Hopgood
Hunter
Jamnick

Kolb
Law
Lipsey
Meisner
Murphy
Nofs
O’Neil
Pumford

Smith
Stewart
Tobocman
Vagnozzi
Waters
Whitmer
Wojno
Woodward

Nays—56

Adamini
Amos
Bisbee
Brandenburg
Brown
Casperson
Caswell
Condino
DeRossett
Drolet

Garfield
Gillard
Hager
Hart
Hoogendyk
Howell
Huizenga
Hummel
Hune
Julian

Milosch
Moolenaar
Newell
Nitz
Palmer
Palsrok
Pappageorge
Pastor
Richardville
Rivet

Sheen
Sheltrown
Shulman
Spade
Stahl
Stakoe
Steil
Tabor
Taub
Van Regenmorter

Ehardt	Koetje	Robertson	Voorhees
Elkins	Kooiman	Rocca	Walker
Emmons	LaJoy	Sak	Ward
Gaffney	LaSata	Shaffer	Woronchak

In The Chair: Julian

Rep. Ruth Johnson moved to amend the bill as follows:

1. Amend page 4, line 18, after “**department**” by striking out “**shall**” and inserting “**may**”.

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

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

The motion prevailed.

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

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

Rep. Reeves entered the House Chambers.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 790, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding part 173.

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

Roll Call No. 991

Yeas—57

Acciavatti	Hart	Newell	Shulman
Amos	Hoogendyk	Nitz	Spade
Bisbee	Howell	Nofs	Stahl
Bradstreet	Huizenga	Palmer	Stakoe
Brandenburg	Hummel	Palsrok	Steil
Casperson	Hune	Pappageorge	Stewart
Caswell	Julian	Pastor	Tabor
Caul	Koetje	Pumford	Taub
DeRossett	Kooiman	Richardville	Van Regenmorter
Drolet	LaJoy	Robertson	Voorhees
Ehardt	LaSata	Rocca	Walker
Farhat	Meyer	Sak	Ward
Gaffney	Milosch	Shaffer	Wenke
Garfield	Moolenaar	Sheen	Woronchak
Hager			

Nays—38

Accavitti	Dillon	Kolb	Rivet
Adamini	Elkins	Law	Sheltrown
Anderson	Farrah	Lipsey	Smith

Bieda	Gielegghem	Meisner	Tobocman
Brown	Gillard	Minore	Vagnozzi
Byrum	Gleason	Murphy	Waters
Cheeks	Hood	O'Neil	Whitmer
Condino	Hopgood	Plakas	Wojno
Daniels	Hunter	Reeves	Woodward
Dennis	Jamnick		

In The Chair: Julian

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

“An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts,”

The House agreed to the full title.

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

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

Second Reading of Bills

Senate Bill No. 854, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding part 174.

The bill was read a second time.

Rep. Law moved to amend the bill as follows:

1. Amend page 2, line 25, after “unless” by inserting “Senate Bill No. 174 and”.

2. Amend page 2, line 25, after “Legislature” by striking out “is” and inserting “are”.

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

Rep. Gielegghem moved to amend the bill as follows:

1. Amend page 1, line 8, after “**The**” by striking out “**office**” and inserting “**cubicle**”.

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

Rep. Gielegghem demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 992

Yeas—33

Accavitti	Dillon	Hunter	Reeves
Adamini	Drolet	Kolb	Sak
Anderson	Elkins	Lipse	Smith
Bieda	Farrah	Meisner	Tobocman
Bradstreet	Gielegghem	Minore	Vagnozzi
Byrum	Gillard	Murphy	Waters
Cheeks	Gleason	O'Neil	Whitmer
Condino	Hopgood	Plakas	Woodward
Dennis			

Nays—55

Acciavatti	Huizenga	Nofs	Spade
Amos	Hummel	Palmer	Stahl
Bisbee	Hune	Palsrok	Stakoe
Brandenburg	Julian	Pappageorge	Steil
Caswell	Koetje	Pastor	Stewart
Caul	Kooiman	Pumford	Tabor
DeRossett	LaJoy	Richardville	Taub
Farhat	LaSata	Rivet	Van Regenmorter
Gaffney	Law	Robertson	Voorhees
Garfield	Meyer	Rocca	Walker
Hager	Milosch	Shaffer	Ward
Hart	Moolenaar	Sheen	Wenke
Hoogendyk	Newell	Sheltrown	Woronchak
Howell	Nitz	Shulman	

In The Chair: Julian

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

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

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

Senate Bill No. 854, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 174.

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. 993**Yeas—51**

Acciavatti	Hart	Newell	Stahl
Amos	Hoogendyk	Nitz	Stakoe
Bisbee	Howell	Nofs	Steil
Brandenburg	Huizenga	Palsrok	Stewart
Casperson	Hummel	Pappageorge	Tabor
Caswell	Hune	Pastor	Taub
Caul	Koetje	Pumford	Van Regenmorter
DeRossett	Kooiman	Richardville	Voorhees
Ehardt	LaJoy	Robertson	Walker
Farhat	LaSata	Rocca	Ward
Gaffney	Meyer	Shaffer	Wenke
Garfield	Milosch	Sheen	Woronchak
Hager	Moolenaar	Shulman	

Nays—44

Accavitti	Dillon	Julian	Rivet
Adamini	Drolet	Kolb	Sak
Anderson	Elkins	Law	Sheltrown

Bieda	Farrah	Lipsey	Smith
Bradstreet	Gielegem	Meisner	Spade
Brown	Gillard	Minore	Tobocman
Byrum	Gleason	Murphy	Vagnozzi
Cheeks	Hood	O'Neil	Waters
Condino	Hopgood	Palmer	Whitmer
Daniels	Hunter	Plakas	Wojno
Dennis	Jamnick	Reeves	Woodward

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

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.

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

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

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

The motion prevailed.

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

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

Rep. Palmer moved that Reps. Shackleton and Emmons be excused temporarily from today's session. The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 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.

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

Roll Call No. 994

Yeas—93

Accavitti	Farrah	Law	Sheen
Acciavatti	Gaffney	Lipsey	Sheltrown
Adamini	Garfield	Meisner	Shulman
Amos	Gielegem	Milosch	Smith
Anderson	Gillard	Minore	Spade
Bieda	Gleason	Moolenaar	Stahl
Bisbee	Hager	Newell	Stakoe
Bradstreet	Hart	Nitz	Steil

Brandenburg	Hood	Nofs	Stewart
Brown	Hoogendyk	O'Neil	Tabor
Byrum	Hopgood	Palmer	Taub
Casperson	Howell	Palsrok	Tobocman
Caswell	Huizenga	Pappageorge	Vagnozzi
Caul	Hummel	Pastor	Van Regenmorter
Cheeks	Hune	Plakas	Voorhees
Condino	Hunter	Pumford	Walker
Daniels	Jamnack	Reeves	Ward
Dennis	Julian	Richardville	Waters
DeRossett	Koetje	Rivet	Wenke
Dillon	Kolb	Robertson	Whitmer
Drolet	Kooiman	Rocca	Wojno
Ehardt	LaJoy	Sak	Woodward
Elkins	LaSata	Shaffer	Woronchak
Farhat			

Nays—0

In The Chair: Julian

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

“An act to revise, consolidate, 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,”

The House agreed to the full title.

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

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

Announcement by the Clerk of Printing and Enrollment

The Clerk announced the enrollment printing and presentation to the Governor on Thursday, December 2, for her approval of the following bills:

Enrolled House Bill No. 5336 at 10:05 a.m.

Enrolled House Bill No. 5347 at 10:07 a.m.

Enrolled House Bill No. 5529 at 10:09 a.m.

Enrolled House Bill No. 6230 at 10:11 a.m.

The Clerk announced that the following bills had been printed and placed upon the files of the members on Thursday, December 2:

House Bill Nos. 6359 6360 6361 6362 6363

The Clerk announced that the following Senate bills had been received on Thursday, December 2:

Senate Bill Nos. 478 823 929 930 931 1485

By unanimous consent the House returned to the order of

Messages from the Senate

House Bill No. 5656, entitled

A bill to amend 1984 PA 431, entitled “The management and budget act,” (MCL 18.1101 to 18.1594) by adding section 237c.

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. 5844, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 508 (MCL 206.508), as amended by 1990 PA 283.

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. 4880, entitled

A bill to provide for the exemption of certain manufactured housing property from certain taxes; to levy and collect a state specific tax upon certain manufactured housing property; to provide for the disposition of the state specific tax; to prescribe the powers and duties of certain local government officials; to provide penalties; and to repeal acts and parts of acts.

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

The Senate has passed the bill as substituted (S-3) and ordered that it be given immediate effect.

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

House Bill No. 5415, entitled

A bill 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 4 (MCL 207.554), as amended by 1999 PA 140.

The Senate has amended the bill as follows:

1. Amend page 4, line 2, after "**district**" by inserting "**as determined by the tax records in the office of the assessor or the treasurer of the local tax collecting unit in which the property is located**".

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

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

House Bill No. 5645, entitled

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

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

The Senate has passed the bill as substituted (S-1) and ordered that it be given immediate effect.

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

House Bill No. 6101, entitled

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

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 authorize the state administrative board to convey certain parcels of state owned property in Branch county and Berrien county; to prescribe conditions for the conveyances; and to provide for disposition of the revenue from the conveyances.

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

Senate Bill No. 478, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 2a (MCL 211.2a), as amended by 1982 PA 539.

The Senate has passed the bill.

The bill was read a first time by its title.

Pending the reference of the bill to a committee,

Rep. Richardville moved that Rules 44 and 45 be suspended.

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

Rep. Richardville moved that the bill be placed on the order of Second Reading of Bills and laid over one day.

The motion prevailed.

Senate Bill No. 823, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 504, 807, 808, 810a, and 821 (MCL 600.504, 600.807, 600.808, 600.810a, and 600.821), sections 807, 808, and 821 as amended by 2003 PA 40 and sections 504 and 810a as amended by 2002 PA 715.

The Senate has passed the bill.

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

Senate Bill No. 929, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 3140, 3240, 6062, and 6066 (MCL 600.3140, 600.3240, 600.6062, and 600.6066), section 3240 as amended by 2000 PA 380; and to repeal acts and parts of acts.

The Senate has passed the bill.

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

Senate Bill No. 930, entitled

A bill to amend 1899 PA 188, entitled "Michigan estate tax act," by amending section 3 (MCL 205.203), as amended by 1993 PA 54.

The Senate has passed the bill.

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

Senate Bill No. 931, entitled

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," by amending sections 48i and 49j (MCL 125.1448i and 125.1449j), section 48i as added by 1981 PA 173 and section 49j as amended by 1993 PA 221.

The Senate has passed the bill.

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

Senate Bill No. 1485, entitled

A bill to amend 1951 PA 33, entitled "An act to provide police and fire protection for townships and for certain areas in townships, certain incorporated villages, and cities under 15,000 population; to authorize contracting for fire and police protection; to authorize the purchase of fire and police equipment, and the maintenance and operation of the equipment; to provide for defraying the cost of the equipment; to authorize the creation of special assessment districts and the levying and collecting of special assessments; to authorize the issuance of special assessment bonds in anticipation of the collection of special assessments and the advancement of the amount necessary to pay such bonds, and to provide for reimbursement for such advances by reassessment if necessary; to authorize the collection of fees for certain emergency services in townships and other municipalities; to authorize the creation of administrative boards and to prescribe their powers and duties; to provide for the appointment of traffic officers and to prescribe their powers and duties; and to repeal certain acts and parts of acts," by amending the title and section 10 (MCL 41.810), the title as amended by 1990 PA 102.

The Senate has passed the bill.

The bill was read a first time by its title.

Pending the reference of the bill to a committee,

Rep. Richardville moved that Rules 44 and 45 be suspended.

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

Rep. Richardville moved that the bill be placed on the order of Second Reading of Bills and laid over one day.

The motion prevailed.

Second Reading of Bills**House Bill No. 5790, entitled**

A bill to amend 1972 PA 239, entitled "McCauley-Traxler-Law-Bowman-McNeely lottery act," by amending sections 11 and 23 (MCL 432.11 and 432.23), as amended by 1996 PA 167.

The bill was read a second time.

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

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

Rep. Spade moved to amend the bill as follows:

1. Amend page 7, line 20, after “1963” by striking out the balance of the sentence and inserting a period.

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

Rep. Spade 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. 5790, entitled

A bill to amend 1972 PA 239, entitled “McCauley-Traxler-Law-Bowman-McNeely lottery act,” by amending sections 11 and 23 (MCL 432.11 and 432.23), as amended by 1996 PA 167.

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

Roll Call No. 995

Yeas—71

Accavitti	Elkins	Lipsey	Sheltrown
Acciavatti	Farhat	Meisner	Shulman
Adamini	Farrah	Minore	Spade
Amos	Gaffney	Murphy	Stakoe
Anderson	Garfield	Nitz	Steil
Bieda	Gieleghem	Nofs	Stewart
Brandenburg	Gillard	O’Neil	Tabor
Brown	Gleason	Palsrok	Tobocman
Byrum	Hood	Pappageorge	Vagnozzi
Casperson	Hopgood	Pastor	Walker
Caul	Howell	Plakas	Ward
Cheeks	Hunter	Pumford	Waters
Condino	Jamnack	Reeves	Wenke
Daniels	Julian	Richardville	Whitmer
Dennis	Kolb	Rivet	Wojno
DeRossett	LaJoy	Robertson	Woodward
Dillon	LaSata	Rocca	Woronchak
Ehardt	Law	Sak	

Nays—23

Bisbee	Hoogendyk	Milosch	Smith
Bradstreet	Huizenga	Moolenaar	Stahl
Caswell	Hummel	Newell	Taub
Drolet	Hune	Palmer	Van Regenmorter
Hager	Koetje	Shaffer	Voorhees
Hart	Kooiman	Sheen	

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 1972 PA 239, entitled “McCauley-Traxler-Law-Bowman-McNeely lottery act,” by amending sections 23, 41, and 43 (MCL 432.23, 432.41, and 432.43), section 23 as amended by 2004 PA 272 and sections 41 and 43 as amended by 1997 PA 72.

The motion prevailed.

The House agreed to the title as amended.

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

Reps. Daniels, Reeves, Stewart, O'Neil, Rocca, Pappageorge, Jamnick, DeRossett, Lipsey, Murphy, Julian, Rivet, Adamini, Pastor, Hopgood, Law, Brandenburg, Vagnozzi, Stakoe, Byrum, Sak, Farhat, Elkins and Dillon were named co-sponsors of the bill.

Rep. LaSata moved that Rep. Caul be excused temporarily from today's session.
The motion prevailed.

Rep. Sheen moved that Rep. Hoogendyk be excused from the balance of today's session.
The motion prevailed.

By unanimous consent the House returned to the order of

Messages from the Senate

House Bill No. 6029, entitled

A bill to amend 1917 PA 273, entitled "An act to regulate and license pawnbrokers in certain governmental units of this state; and to prescribe certain powers and duties of certain local governmental units and state agencies," by amending sections 9 and 11 (MCL 446.209 and 446.211), as amended by 1998 PA 233.

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

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

A bill to amend 1917 PA 273, entitled "An act to regulate and license pawnbrokers in certain governmental units of this state; and to prescribe certain powers and duties of certain local governmental units and state agencies," by amending sections 1, 9, 11, and 13 (MCL 446.201, 446.209, 446.211, and 446.213), section 1 as amended by 2002 PA 469 and sections 9 and 11 as amended by 1998 PA 233.

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

Rep. Richardville moved that Rule 45 be suspended.

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

Rep. Waters moved to reconsider the vote by which the House suspended Rule 45.

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

Rep. Waters demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 996

Yeas—37

Accavitti	Dillon	Jamnick	Sak
Adamini	Elkins	Kolb	Sheltrown
Anderson	Farrah	Law	Smith
Bieda	Gielegem	Meisner	Spade
Brown	Gillard	Minore	Tobocman
Byrum	Gleason	Murphy	Vagnozzi
Cheeks	Hood	O'Neil	Waters
Condino	Hopgood	Plakas	Wojno
Daniels	Hunter	Reeves	Woodward
Dennis			

Nays—51

Acciavatti	Hager	Newell	Shulman
Amos	Hart	Nitz	Stahl
Bisbee	Howell	Nofs	Stakoe
Bradstreet	Huizenga	Palmer	Steil
Brandenburg	Hummel	Palsrok	Stewart
Casperson	Hune	Pappageorge	Tabor
Caswell	Julian	Pastor	Taub
DeRossett	Koetje	Pumford	Van Regenmorter
Drolet	Kooiman	Richardville	Voorhees
Ehardt	LaJoy	Robertson	Walker
Farhat	LaSata	Rocca	Ward
Gaffney	Milosch	Shaffer	Wenke
Garfield	Moolenaar	Sheen	

In The Chair: Julian

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

The substitute (S-1) was not concurred in, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 997**Yeas—16**

Accavitti	Drolet	Hart	Smith
Byrum	Elkins	Hunter	Tobocman
Cheeks	Gillard	Murphy	Waters
Condino	Gleason	Sak	Wojno

Nays—69

Acciavatti	Hager	Moolenaar	Sheltrown
Adamini	Hopgood	Newell	Shulman
Amos	Howell	Nitz	Spade
Anderson	Huizenga	Nofs	Stahl
Bieda	Hummel	O'Neil	Stakoe
Bisbee	Hune	Palmer	Steil
Bradstreet	Jamnick	Palsrok	Stewart
Brandenburg	Julian	Pappageorge	Tabor
Casperson	Koetje	Pastor	Taub
Caswell	Kooiman	Plakas	Vagnozzi
Daniels	LaJoy	Pumford	Van Regenmorter
DeRossett	LaSata	Richardville	Voorhees
Dillon	Law	Rivet	Walker
Ehardt	Lipsey	Robertson	Ward
Farhat	Meisner	Rocca	Wenke
Farrar	Milosch	Shaffer	Woodward
Gaffney	Minore	Sheen	Woronchak
Garfield			

In The Chair: Julian

Second Reading of Bills

House Bill No. 5989, entitled

A bill to amend 1927 PA 372, entitled “An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act,” by amending section 51 (MCL 28.4251), as amended by 2002 PA 719.

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

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

Rep. DeRossett moved to amend the bill as follows:

1. Amend page 2, line 19, after the first “**the**” by striking out “**30-day**” and inserting “**60-day**”.
2. Amend page 2, line 22, by striking out all of subsection (5).

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5989, entitled

A bill to amend 1927 PA 372, entitled “An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act,” by amending section 51 (MCL 28.4251), as amended by 2002 PA 719.

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

Roll Call No. 998

Yeas—77

Accavitti	Farhat	Meisner	Sheen
Acciavatti	Farrah	Milosch	Sheltrown
Adamini	Gaffney	Moolenaar	Shulman
Amos	Garfield	Newell	Spade
Anderson	Gielegem	Nitz	Stahl
Bieda	Gillard	Nofs	Stakoe
Bisbee	Gleason	O’Neil	Steil
Bradstreet	Hager	Palmer	Stewart
Brandenburg	Hart	Palsrok	Tabor
Brown	Hopgood	Pappageorge	Taub
Byrum	Howell	Pastor	Van Regenmorter
Casperson	Huizenga	Plakas	Voorhees
Caswell	Hummel	Pumford	Walker

Daniels	Hune	Richardville	Ward
Dennis	Julian	Rivet	Waters
DeRossett	Koetje	Robertson	Wenke
Dillon	Kooiman	Rocca	Wojno
Drolet	LaJoy	Sak	Woodward
Ehardt	LaSata	Shaffer	Woronchak
Elkins			

Nays—14

Cheeks	Kolb	Murphy	Tobocman
Condino	Law	Reeves	Vagnozzi
Hood	Lipsey	Smith	Whitmer
Hunter	Minore		

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. 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.

The bill was read a second time.

Rep. Minore 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. 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.

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

Roll Call No. 999**Yeas—69**

Accavitti	Gaffney	Meisner	Sheltrown
Acciavatti	Gieleghem	Minore	Shulman
Amos	Gillard	Murphy	Spade
Anderson	Gleason	Newell	Stakoe

Bieda	Hager	Nitz	Steil
Brandenburg	Hart	Nofs	Stewart
Brown	Hood	O'Neil	Tabor
Byrum	Hopgood	Palsrok	Tobocman
Caswell	Howell	Pappageorge	Vagnozzi
Cheeks	Hunter	Plakas	Van Regenmorter
Condino	Jamnack	Pumford	Walker
Daniels	Julian	Reeves	Ward
Dennis	Koetje	Richardville	Waters
DeRossett	Kolb	Rivet	Whitmer
Dillon	LaSata	Rocca	Wojno
Elkins	Law	Sak	Woodward
Farhat	Lipsey	Shaffer	Woronchak
Farrah			

Nays—18

Bisbee	Hummel	Moolenaar	Sheen
Bradstreet	Hune	Palmer	Stahl
Casperson	Kooiman	Pastor	Taub
Drolet	LaJoy	Robertson	Voorhees
Garfield	Milosch		

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. Daniels, Jamnick, DeRossett, Sak and Gillard were named co-sponsors of the bill.

Second Reading of Bills

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.

The bill was read a second time.

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

The motion prevailed.

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

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

Rep. Palmer moved that Rep. Huizenga 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. 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.

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

Roll Call No. 1000**Yeas—66**

Accavitti	Farhat	Law	Shaffer
Acciavatti	Farrah	Lipsey	Sheltrown
Adamini	Gaffney	Meisner	Smith
Anderson	Gielegem	Minore	Spade
Bieda	Gillard	Murphy	Stakoe
Brandenburg	Gleason	Newell	Steil
Brown	Hager	Nitz	Stewart
Byrum	Hart	Nofs	Tobocman
Caswell	Hood	O'Neil	Vagnozzi
Cheeks	Hopgood	Palsrok	Walker
Condino	Howell	Pappageorge	Ward
Daniels	Hunter	Plakas	Waters
Dennis	Jamnick	Pumford	Whitmer
DeRossett	Julian	Rivet	Wojno
Dillon	Koetje	Rocca	Woodward
Ehardt	Kolb	Sak	Woronchak
Elkins	LaSata		

Nays—20

Bisbee	Hune	Palmer	Stahl
Casperson	Kooiman	Pastor	Tabor
Drolet	LaJoy	Robertson	Taub
Garfield	Milosch	Sheen	Van Regenmorter
Hummel	Moolenaar	Shulman	Voorhees

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. Daniels, Rocca, DeRossett, Richardville, Dennis, Bieda, Amos, Sak and Dillon were named co-sponsors of the bill.

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Committee on Higher Education, by Rep. Voorhees, Chair, reported

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.

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. Voorhees, Hart, LaSata and Stakoe

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, December 2, 2004

Present: Reps. Voorhees, Hart, LaSata, Stakoe and Dennis

Absent: Reps. Hood and Smith

Excused: Reps. Hood and Smith

Notices

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Education from further consideration of **Senate Bill No. 1153**.

Rep. Palmer

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Education from further consideration of **Senate Bill No. 1154**.

Rep. Palmer

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Education from further consideration of **Senate Bill No. 1155**.

Rep. Palmer

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Education from further consideration of **Senate Bill No. 1156**.

Rep. Palmer

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Education from further consideration of **Senate Bill No. 1157**.

Rep. Palmer

Introduction of Bills

Rep. Ward introduced

House Bill No. 6364, entitled

A bill to amend 1986 PA 54, entitled "Building officials and inspectors registration act," by amending the title and sections 2, 3, 4, 6, 7, 8, 10, 12, and 13 (MCL 338.2302, 338.2303, 338.2304, 338.2306, 338.2307, 338.2308, 338.2310, 338.2312, and 338.2313), section 3 as amended by 1998 PA 50, and by adding sections 2a, 8a, 8b, 8c, 8d, 8e, 8f, and 8g; and to repeal acts and parts of acts.

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

Reps. LaSata, Plakas and Stahl introduced

House Bill No. 6365, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 21513 (MCL 333.21513), as amended by 2002 PA 125.

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

Rep. Robertson introduced

House Bill No. 6366, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 90h. The bill was read a first time by its title and referred to the Committee on Criminal Justice.

Rep. Robertson introduced

House Bill No. 6367, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16d of chapter XVII (MCL 777.16d), as amended by 2002 PA 269.

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



Rep. Milosch moved that the House adjourn.

The motion prevailed, the time being 6:35 p.m.

The Speaker Pro Tempore declared the House adjourned until Tuesday, December 7, at 1:00 p.m.

GARY L. RANDALL
Clerk of the House of Representatives

