

No. 81
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House of Representatives
92nd Legislature
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House Chamber, Lansing, Wednesday, September 15, 2004.

1:00 p.m.

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

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

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

e/d/s = entered during session

Rep. Mike Nofs, from the 62nd District, offered the following invocation:

“Our Heavenly Father, as we return to this Chamber today, we carry in our hearts the memory of those we lost on September 11th, 2001. Inspired by the faith of these men and women who so bravely answered the call of duty, may we have the courage and integrity to serve our fellow citizens to the very best of our abilities.

Lord, You remind us that with You all things are possible. As we look to the many challenging tasks that lie ahead of us, we know we need Your wisdom and guidance to make the right decisions. We ask You to lead us in the ways of Your truth. Make us Your humble servants and help us to always to remember that in serving others we are really serving You. May Your presence bless our work here today and everyday. We ask these things in the name of Your son, Jesus our Lord. Amen.”

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

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

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

Reports of Select Committees

House Bill No. 5517, entitled

A bill to make, supplement, and adjust appropriations for the departments of attorney general, civil rights, civil service, information technology, management and budget, state, and treasury, the executive office, and the legislative branch for the fiscal year ending September 30, 2005; to provide for the expenditure of these appropriations; to provide for the funding of certain work projects; to provide for the imposition of certain fees; to establish or continue certain funds, programs, and categories; to transfer certain funds; to prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances; to prescribe the powers and duties of certain principal executive departments and state agencies, officials, and employees; and to provide for the disposition of fees and other income received by the various principal executive departments and state agencies.

(For text of second conference report, see House Journal No. 79, p. 2057.)

The Senate has adopted the report of the second Committee of Conference.

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

The Speaker laid before the House the conference report relative to

House Bill No. 5509, entitled

A bill to make appropriations for the department of agriculture for the fiscal year ending September 30, 2005; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to require reports, audits, and plans; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by certain state agencies.

(The conference report was reported by the conference committee on September 9, consideration of which, under the rules, was postponed until today.)

(For conference report, see House Journal No. 80, p. 2176.)

The question being on the adoption of the conference report,

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

Roll Call No. 770

Yeas—105

Accavitti
Acciavatti
Adamini

Garfield
Gielegem
Gillard

Meisner
Meyer
Middaugh

Shaffer
Sheen
Sheltrown

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

Nays—0

In The Chair: Julian

Rep. Tabor entered the House Chambers.

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

Rep. McConico moved that Reps. Cheeks and Reeves be excused temporarily from today's session.
The motion prevailed.

Rep. Brown moved that Rep. Whitmer be excused temporarily from today's session.
The motion prevailed.

Messages from the Senate

The Speaker laid before the House

House Bill No. 5313, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 52706 (MCL 324.52706), as amended by 2002 PA 356, and by adding section 2150a.

(The bill was received from the Senate on September 9, 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. 80, p. 2113.)

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

The substitute (S-2) was not concurred in, a majority of the members serving, not voting therefor, by yeas and nays, as follows:

Roll Call No. 771**Yeas—0****Nays—102**

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

In The Chair: Julian

House Bill No. 4742, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 3 of chapter XI (MCL 771.3), as amended by 2004 PA 219.

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 pursuant to Joint Rule 20, inserted the full title.

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

Rep. Richardville moved that Rule 45 be suspended.

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

The question being on concurring in the substitute (S-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. 772**Yeas—101**

Accavitti	Gaffney	Meyer	Sheen
Acciavatti	Garfield	Middaugh	Sheltrown
Adamini	Gielegem	Milosch	Shulman
Amos	Gillard	Minore	Spade
Anderson	Gleason	Moolenaar	Stahl
Bieda	Hager	Murphy	Stakoe

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

Nays—4

Hardman	Hood	McConico	Smith
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In The Chair: Julian

The House agreed to the full title of the bill.

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

Second Reading of Bills

House Bill No. 5340, entitled

A bill to amend 2002 PA 440, entitled "An act to authorize the state administrative board to convey certain state owned property in Macomb county; to prescribe conditions for the conveyance; and to provide for disposition of the revenue from the conveyance," by amending section 6.

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. Drolet 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. Drolet 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. 5340, entitled

A bill to amend 2002 PA 440, entitled "An act to authorize the state administrative board to convey certain state owned property in Macomb county; to prescribe conditions for the conveyance; and to provide for disposition of the revenue from the conveyance," by amending section 6.

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

Roll Call No. 773**Yeas—100**

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

Nays—6

Hardman	Hunter	Smith	Stallworth
Hood	McConico		

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. 6046, entitled**

A bill to amend 1972 PA 230, entitled "Stille-DeRossett-Hale single state construction code act," by amending section 4 (MCL 125.1504), as amended by 1999 PA 245.

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. Ward moved to amend the bill as follows:

1. Amend page 4, line 9, after "**least**" by striking out "**60**" and inserting "**45**".

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 6046, entitled

A bill to amend 1972 PA 230, entitled "Stille-DeRossett-Hale single state construction code act," by amending section 4 (MCL 125.1504), as amended by 1999 PA 245.

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

Roll Call No. 774

Yeas—106

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

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Richardville moved that Rule 45 be suspended.

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

Rep. Richardville moved that the Committee on Appropriations be discharged from further consideration of **Senate Bill No. 1111**.

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 **Senate Bill No. 1112**.

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

Second Reading of Bills

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

Senate Bill No. 1111, entitled

A bill to amend 1971 PA 140, entitled "Glenn Steil state revenue sharing act of 1971," by amending section 11 (MCL 141.911), as amended by 2004 PA 77.

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 1111, entitled

A bill to amend 1971 PA 140, entitled "Glenn Steil state revenue sharing act of 1971," by amending section 11 (MCL 141.911), as amended by 2004 PA 77.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Rick Johnson moved to substitute (H-1) the bill.

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

The question being on the passage of the bill,

Rep. Pappageorge 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. 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 Veterans Affairs and Homeland Security be discharged from further consideration of **Senate Bill No. 1269**.

(For first notice see House Journal No. 80, p. 2113.)

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.

Third Reading of Bills

The House returned to the consideration of

Senate Bill No. 1111, entitled

A bill to amend 1971 PA 140, entitled "Glenn Steil state revenue sharing act of 1971," by amending section 11 (MCL 141.911), as amended by 2004 PA 77.

(The bill was considered earlier today, see today's Journal p. 2208.)

The question being on the passage of the bill,

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

Roll Call No. 775**Yeas—24**

Acciavatti	Drolet	Koetje	Sheen
Bisbee	Emmons	Kooiman	Shulman
Brandenburg	Gaffney	Newell	Steil
Caswell	Hoogendyk	Nitz	Taub
Caul	Hummel	Palmer	Van Regenmorter
DeRoche	Johnson, Rick	Shaffer	Voorhees

Nays—79

Accavitti	Hager	Milosch	Smith
Adamini	Hardman	Minore	Spade
Amos	Hart	Moolenaar	Stahl
Anderson	Hood	Mortimer	Stakoe
Bieda	Hopgood	Murphy	Stallworth
Brown	Howell	Nofs	Stewart
Byrum	Hune	O'Neil	Tabor
Casperson	Hunter	Palsrok	Tobocman
Cheeks	Jamnick	Pappageorge	Vagnozzi
Clack	Johnson, Ruth	Pastor	Walker
Condino	Julian	Phillips	Ward
Dennis	Kolb	Plakas	Waters
DeRossett	LaJoy	Pumford	Wenke
Ehardt	LaSata	Reeves	Whitmer
Elkins	Law	Richardville	Williams
Farhat	Lipsey	Robertson	Wojno
Farrah	McConico	Rocca	Woodward
Gielegghem	Meisner	Sak	Woronchak
Gillard	Meyer	Shackleton	Zelenko
Gleason	Middaugh	Sheltrown	

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.

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

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

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

Senate Bill No. 1104, entitled

A bill to amend 1971 PA 140, entitled "Glenn Steil state revenue sharing act of 1971," by amending section 13 (MCL 141.913), as amended by 2004 PA 77.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Shulman, Emmons, Caul, Pumford, Shackleton, Kooiman, Newell, Stewart, Acciavatti, Amos, Caswell, Farhat, Hoogendyk, Moolenaar, Pastor, Shaffer, Taub, Walker, Mortimer, Whitmer, Brown, Kolb, Phillips, Plakas, Williams, Sak, Zelenko and O'Neil

Nays: Reps. Reeves, Cheeks and Hunter

Second Reading of Bills

Rep. Richardville moved that Rule 48 be suspended.

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

Senate Bill No. 1104, entitled

A bill to amend 1971 PA 140, entitled "Glenn Steil state revenue sharing act of 1971," by amending section 13 (MCL 141.913), as amended by 2004 PA 77.

The bill was read a second time.

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

The motion prevailed.

Rep. Richardville moved that Rule 48 be suspended.

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

Senate Bill No. 1269, entitled

A bill to establish the military family relief fund in the department of military and veterans affairs to provide assistance to families of certain members of the reserve components of the United States armed forces on active duty; to provide for the distribution of money from the fund; to prescribe the duties and powers of certain agencies and officials; and to provide for appropriations.

The bill was read a second time.

Rep. Sheen moved to amend the bill as follows:

1. Amend page 4, line 18, after "30" by striking out "business".

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 1269, entitled

A bill to establish the military family relief fund in the department of military and veterans affairs to provide assistance to families of certain members of the reserve components of the United States armed forces on active duty;

to provide for the distribution of money from the fund; to prescribe the duties and powers of certain agencies and officials; and to provide for appropriations.

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

Roll Call No. 776**Yeas—106**

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

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Tobocman, Accavitti, Adamini, Anderson, Bieda, Brown, Byrum, Clack, Condino, Dennis, DeRossett, Ehardt, Elkins, Farhat, Farrah, Garfield, Gillard, Gleason, Hood, Hopgood, Koetje, Kooiman, LaSata, Law, Lipsey, Meisner, Minore, Murphy, Nofs, Pappageorge, Phillips, Plakas, Richardville, Rocca, Sak, Sheltrown, Shulman, Smith, Spade, Stallworth, Taub, Vagnozzi, Waters, Wojno, Zelenko and Gaffney offered the following resolution:

House Resolution No. 307.

A resolution recognizing September 15, 2004, through October 15, 2004, as Hispanic Heritage Month in the state of Michigan.

Whereas, Spanish-speaking peoples have brought to our nation the gifts of law, religion, agriculture, art, music, education, technology, architecture, cuisine, theater, and exploration; and

Whereas, Michigan is fortunate to count among its population a large concentration of citizens of Spanish and Latin American descent, including those who have lived in Michigan for generations and those who are new to the Great Lakes State. They have contributed to Michigan's economy and society through their commitment to professions, commerce, family, and the arts; and

Whereas, Time and again throughout our nation's history, Hispanic Americans have faithfully defended the principles of freedom and representational government. Indeed, 41 Hispanic Americans have earned the nation's highest honor, the Congressional Medal of Honor; and

Whereas, During the month spanning from September 15 through October 15, Michigan's Hispanic-American community will celebrate Hispanic Heritage Month through a series of special programs featuring Hispanic history, food, dance, and art; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body recognizes the month of September 15, 2004, through October 15, 2004, as Hispanic Heritage Month in the state of Michigan. We encourage all citizens to recognize and applaud the many contributions made by these individuals to enhance the quality of life in this state.

Pending the reference of the resolution to a committee,

Rep. Richardville moved that Rule 77 be suspended and the resolution be considered at this time.

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Gaffney, Stewart, DeRoche, Nofs, Hart, Sheen, Van Regenmorter, Pastor, Stakoe, Bisbee, Nitz, Caswell, Bradstreet, Newell, Mortimer, Hummel, LaJoy, Ehardt, Amos, Pappageorge, Koetje, Voorhees, Huizenga, Howell, Stahl, Robertson, Shaffer, Casperson, Emmons, Hoogendyk, Steil, Garfield, Farhat, Shulman, Taub, Rick Johnson, Palmer, Ruth Johnson, Vander Veen, Shackleton, DeRossett, Ward, Accavitti, Adamini, Anderson, Bieda, Brown, Byrum, Clack, Condino, Dennis, Elkins, Farrah, Gielegem, Gillard, Gleason, Hood, Hopgood, Kolb, Kooiman, LaSata, Law, Lipsey, Meisner, Minore, Murphy, Phillips, Plakas, Richardville, Rocca, Sak, Sheltroun, Smith, Spade, Stallworth, Tobocman, Vagnozzi, Waters, Wojno and Zelenko offered the following resolution:

House Resolution No. 308.

A resolution congratulating Carly Piper on her outstanding gold medal performance at the 2004 Olympics.

Whereas, We are proud to join the teammates, coaches, family, friends, community members of Grosse Pointe, and the entire state of Michigan in congratulating Carly Piper for an outstanding Women's 4 X 200 Freestyle Relay Olympic gold medal performance. The excellence shown in the sports arena by this talented and hardworking athlete provides an outstanding example of the rewards gained when athleticism is combined effectively with determination and commitment; and

Whereas, A fierce competitor and dedicated team player, Carly Piper brings more than hard work and readiness to each performance. Her inextinguishable energy and will to win each meet is every bit as impressive as her ability to compete; and

Whereas, Carly Piper's career has been highlighted with many achievements, including a 6th place in the 440m freestyle at the 2004 Olympic Trials, 6th place in the 440m freestyle at the 2004 NCAA Championships, and 5th place in the 500 yard freestyle and 6th in the mile at the 2003 NCAA Championships. She was also Big Ten Freshman of the Year in 2002. Her poise under the pressure during intense competition serves as an example to all young people struggling for recognition in any sport; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body congratulate Carly Piper for her outstanding accomplishment as an Olympic athlete. May her determination grow stronger each day, and positively influence her every endeavor in the many years ahead; and be it further

Resolved, That a copy of this resolution be transmitted to Carly Piper as a token of our esteem.

Pending the reference of the resolution to a committee,

Rep. Richardville moved that Rule 77 be suspended and the resolution be considered at this time.

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Murphy, Accavitti, Adamini, Anderson, Bieda, Brown, Byrum, Clack, Condino, Dennis, DeRossett, Ehardt, Elkins, Farhat, Farrah, Garfield, Gielegem, Gillard, Gleason, Hood, Hopgood, Koetje, Kolb, Kooiman, LaSata, Law, Lipsey, Meisner, Minore, Nofs, Pappageorge, Phillips, Plakas, Richardville, Rocca, Sak, Sheltroun, Shulman, Smith, Spade, Stakoe, Stallworth, Steil, Taub, Tobocman, Vagnozzi, Voorhees, Waters, Wojno, Zelenko and Gaffney offered the following resolution:

House Resolution No. 309.

A resolution declaring September 2004 as Prostate Cancer Awareness Month.

Whereas, Prostate cancer is the second most common malignancy in America, behind skin cancer; and

Whereas, The most common risk factor of prostate cancer is age. More than 70 percent of men identified to have prostate cancer are over the age of 65. African-American males have a higher risk of prostate cancer than white males. The risk of prostate cancer rises with the number of close relatives who have this disease; and

Whereas, Prostate cancer is diagnosed every two minutes and forty-five seconds. Every twenty minutes one male dies of prostate cancer; and

Whereas, Research suggests that men can reduce their risk of prostate cancer mortality if awareness is increased and recommended prostate cancer screening guidelines are followed; now, therefore, be it

Resolved by the House of Representative, That the members of this legislative body declare September 2004 as Prostate Cancer Awareness Month.

Pending the reference of the resolution to a committee,

Rep. Richardville moved that Rule 77 be suspended and the resolution be considered at this time.

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Minore, DeRossett, Hune, Vagnozzi, Hopgood, Gielegem, Clack, Jamnick, Robertson, Lipsey, Accavitti, Adamini, Anderson, Bieda, Brown, Byrum, Condino, Dennis, Ehardt, Elkins, Farrah, Garfield, Gillard, Gleason, Hood, Koetje, Kolb, Kooiman, LaSata, Law, Meisner, Murphy, Nofs, Pappageorge, Phillips, Richardville, Rocca, Sak, Sheltroun, Shulman, Smith, Spade, Stakoe, Stallworth, Tobocman, Voorhees, Waters, Wojno and Zelenko offered the following resolution:

House Resolution No. 310.

A resolution declaring September 2004 as College Savings Month in Michigan.

Whereas, As the state of Michigan prepares to compete in the global economy of the 21st century, it is imperative that the children of our state have access to the education and skills that will ensure them success in the future; and

Whereas, Through the hard work and dedication of the families and loved ones of the youth of Michigan, students will have the opportunity to pursue higher education and a chance for educational advancement; and

Whereas, It is extremely important that our state maintain access to postsecondary education, and to encourage parents, family members, friends and neighbors to save for our young people's education; and

Whereas, Federal and state government must continue to encourage savings for the future and provide parents, grandparents, friends and businesses additional opportunities to support the educational needs and goals of our children; and

Whereas, It is in the interest of the state to ensure that the people of Michigan have the opportunity to obtain a postsecondary education and to encourage parents to save for their children's education; and

Whereas, The Michigan Education Trust, a prepaid college tuition plan, was provided by the state of Michigan as a Section 529 Qualified Tuition Plan (QTP), which was passed by our state's legislature through duly enacted laws; and

Whereas, Under the leadership of our current administration, Michigan continues to help families save for college expenses by supporting the Michigan Education Savings Program, which has been named one of the top college savings programs in the nation with over 55,000 accounts totaling almost \$200 million; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body do hereby declare September 2004 as College Savings Month in Michigan.

Pending the reference of the resolution to a committee,

Rep. Richardville moved that Rule 77 be suspended and the resolution be considered at this time.

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

The question being on the adoption of the resolution,

The resolution was adopted.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills and joint resolution had been printed and placed upon the files of the members on Thursday, September 9:

Senate Bill Nos. 1345 1346 1347 1348 1350 1351 1352 1353 1354 1355 1356 1357 1358 1359
1360 1361 1362 1363 1364 1365 1366

Senate Joint Resolution I

The Clerk announced that the following bills had been printed and placed upon the files of the members on Friday, September 10:

House Bill Nos. 6136 6137 6138 6139 6140 6141 6142 6143 6144 6145 6146 6147 6148 6149
6150 6151 6152 6153 6154 6155 6156 6157 6158 6159 6160 6161 6162 6163

6164 6165 6166 6167 6168 6169 6170 6171 6172 6173 6174 6175 6176 6177
 6178 6179 6180 6181 6182 6183 6184 6185 6186 6187 6188 6189 6190 6191
 6192 6193 6194 6195 6196 6197 6198 6199 6200 6201 6202 6203 6204 6205
 6206 6207 6208

The Clerk announced that the following bills had been printed and placed upon the files of the members on Friday, September 10:

**Senate Bill Nos. 1367 1368 1369 1370 1371 1372 1373 1374 1375 1376 1377 1378 1379 1380
 1381 1382**

The Clerk announced the enrollment printing and presentation to the Governor on Tuesday, September 14, for her approval of the following bills:

**Enrolled House Bill No. 5519 at 1:32 p.m.
 Enrolled House Bill No. 5520 at 1:34 p.m.
 Enrolled House Bill No. 5522 at 1:36 p.m.
 Enrolled House Bill No. 5798 at 1:38 p.m.
 Enrolled House Bill No. 5820 at 1:40 p.m.
 Enrolled House Bill No. 5846 at 1:42 p.m.
 Enrolled House Bill No. 6021 at 1:44 p.m.**

The Clerk announced that the following bill had been printed and placed upon the files of the members on Tuesday, September 14:

Senate Bill No. 1391

The Clerk announced the enrollment printing and presentation to the Governor on Wednesday, September 15, for her approval of the following bill:

Enrolled House Bill No. 5517 at 1:55 p.m.

The Clerk announced that the following bills had been printed and placed upon the files of the members on Wednesday, September 15:

Senate Bill Nos. 1383 1384 1385 1386 1387 1388 1389 1390 1392

The Clerk announced that the following Senate bills had been received on Wednesday, September 15:

Senate Bill Nos. 1143 1164 1293 1317 1349

By unanimous consent the House returned to the order of

Messages from the Senate

House Bill No. 5801, entitled

A bill to amend 1952 PA 214, entitled "An act authorizing the Mackinac bridge authority to acquire a bridge connecting the upper and lower peninsulas of Michigan, including causeways, tunnels, roads and all useful related equipment and facilities, including park, parking, recreation, lighting and terminal facilities; extending the corporate existence of the authority; authorizing such authority to enjoy and carry out all powers incident to its corporate objects; authorizing the appropriation and use of state funds for the preliminary purposes of the authority; providing for the payment of the cost of such bridge and in that connection authorizing the authority to issue revenue bonds payable solely from the revenues of the bridge; granting the right of condemnation to the authority; granting the use of state land and property to the authority; making provisions for the payment and security of such bonds and granting certain rights and remedies to the holders thereof; authorizing banks and trust companies to perform certain acts in connection therewith; authorizing the imposition of tolls and charges; authorizing the authority to secure the consent of the United States government to the construction of the bridge and to secure approval of plans, specifications and location of same; authorizing employment of engineers irrespective of whether such engineers have been previously employed to make preliminary inspections or reports with respect to the bridge; authorizing the state highway department to operate and maintain such bridge or to contribute thereto and enter into leases and agreements in connection therewith; exempting such bonds and the property of the authority from taxation; prohibiting competing traffic facilities; authorizing the operation of ferries by the authority; providing for the construction and use of certain buildings; and making an appropriation," by amending section 12 (MCL 254.322), as amended by 2003 PA 176.

The Senate has concurred in the House amendment to the Senate substitute (S-1).

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

House Bill No. 5113, entitled

A bill to amend 1966 PA 293, entitled "An act to provide for the establishment of charter counties; to provide for the election of charter commissioners; to prescribe their powers and duties; to prohibit certain acts of a county board of commissioners after the approval of the election of a charter commission; to prescribe the mandatory and permissive provisions of a charter; to provide for the exercise by a charter county of certain powers whether or not authorized by its charter; and to prescribe penalties and provide remedies," by amending section 4 (MCL 45.504), as amended by 1980 PA 7.

The Senate has amended the bill as follows:

1. Amend page 1, line 9, after "~~25 to~~" by striking out "**Not more than**" and inserting "**17 to**".

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. 5114, entitled

A bill to amend 1966 PA 261, entitled "An act to provide for the apportionment of county boards of commissioners; to prescribe the size of the board; to provide for appeals; to prescribe the manner of election of the members of the county board of commissioners; to provide for compensation of members; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending section 2 (MCL 46.402).

The Senate has amended the bill as follows:

1. Amend page 1, line 8, after "1,000,000" by striking out "**Not more than**" and inserting "**17 to**".

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. 5118, entitled

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

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

The Senate has passed the bill as substituted (S-3), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1978 PA 368, entitled "An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates," (MCL 333.1101 to 333.25211) by adding section 5474c; and to repeal acts and parts of acts.

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

House Bill No. 5802, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 8a, 65, 204a, 208, 303, 306, 307, 309, 310e, 312b, 312e, 312f, 313, 314, 316, 317, 319, 319b, 319c, 320a, 321a, 323c, 708b, 732, 812, and 904 (MCL 257.8a, 257.65, 257.204a, 257.208, 257.303, 257.306, 257.307, 257.309, 257.310e, 257.312b, 257.312e, 257.312f, 257.313, 257.314, 257.316, 257.317, 257.319, 257.319b, 257.319c, 257.320a, 257.321a, 257.323c, 257.708b, 257.732, 257.812, and 257.904), section 8a as amended by 1998 PA 356, sections 65, 319b, 320a, 321a, and 732 as amended by 2004 PA 62, section 204a as amended by 1999 PA 73, section 208 as amended by 1997 PA 100, sections 303 and 319 as amended by 2003 PA 61, sections 306 and 310e as amended by 2004 PA 71, section 307 as amended by 2004 PA 52, sections 309, 312f, 319c, 323c, and 904 as amended by 2002 PA 534, section 312b as amended by 2003 PA 103, sections 312e and 812 as amended by 2003 PA 152, section 313 as amended by 1991 PA 99,

section 314 as amended by 2002 PA 554, section 317 as amended by 1993 PA 359, and section 708b as added by 1991 PA 55; and to repeal acts and parts of acts.

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 1949 PA 300, entitled "An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date," by amending sections 8a, 65, 204a, 208, 208c, 303, 306, 307, 309, 310e, 312b, 312e, 312f, 313, 314, 316, 317, 319, 319b, 319c, 320, 320a, 321a, 323c, 708b, 732, 812, and 904 (MCL 257.8a, 257.65, 257.204a, 257.208, 257.208c, 257.303, 257.306, 257.307, 257.309, 257.310e, 257.312b, 257.312e, 257.312f, 257.313, 257.314, 257.316, 257.317, 257.319, 257.319b, 257.319c, 257.320, 257.320a, 257.321a, 257.323c, 257.708b, 257.732, 257.812, and 257.904), section 8a as amended by 1998 PA 356, sections 65, 319b, 320a, 321a, and 732 as amended by 2004 PA 62, section 204a as amended by 1999 PA 73, sections 208 and 208c as amended by 1997 PA 100, sections 303 and 319 as amended by 2003 PA 61, sections 306 and 310e as amended by 2004 PA 71, section 307 as amended by 2004 PA 52, sections 309, 312f, 319c, 323c, and 904 as amended by 2002 PA 534, section 312b as amended by 2003 PA 103, sections 312e and 812 as amended by 2003 PA 152, section 313 as amended by 1991 PA 99, section 314 as amended by 2002 PA 554, section 317 as amended by 1993 PA 359, section 320 as amended by 1982 PA 310, and section 708b as added by 1991 PA 55; and to repeal acts and parts of acts.

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

Senate Bill No. 1143, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 2891 (MCL 333.2891), as amended by 2001 PA 31.

The Senate has passed the bill.

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

Senate Bill No. 1164, entitled

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

The Senate has passed the bill.

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

Senate Bill No. 1293, entitled

A bill to designate February 6 of each year as Ronald Wilson Reagan day in the state of Michigan.

The Senate has passed the bill.

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

Senate Bill No. 1317, entitled

A bill to create the Ronald Wilson Reagan memorial monument fund commission to govern the Ronald Wilson Reagan memorial monument fund; to prescribe the powers and duties of the commission and certain state departments and officers; to provide for penalties; and to provide for dissolution of the commission.

The Senate has passed the bill.

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

Senate Bill No. 1349, entitled

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

agreements secured by certain commercial, agricultural, or industrial real and personal property; to authorize the loan of surplus funds to certain municipalities; to authorize the participation in certain loan programs; to authorize an appropriation; and to prescribe the duties of certain state agencies," by amending section 2e (MCL 21.142e), as added by 2001 PA 123.

The Senate has passed the bill.

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

Messages from the Governor

The following message from the Governor was received September 14, 2004 and read:

EXECUTIVE ORDER

No. 2004 - 33

DEPARTMENT OF CIVIL RIGHTS

ADVISORY COUNCIL ON ARAB AND CHALDEAN AMERICAN AFFAIRS

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

WHEREAS, under Section 8 of Article V of the Michigan Constitution of 1963, the Governor is responsible for taking care that the law be faithfully executed;

WHEREAS, under Section 8 of Article V of the Michigan Constitution of 1963, each principal department of state government is under the supervision of the Governor unless otherwise provided by the Constitution;

WHEREAS, the religious, ethnic, racial, and cultural diversity of the State of Michigan is one of our state's greatest strengths;

WHEREAS, by working to build "One Michigan" the State of Michigan can help ensure that all of our people have an equal opportunity to pursue their dreams and are welcomed into our inclusive community;

WHEREAS, Michigan's Arab American and Chaldean American communities have contributed significantly to Michigan's culture and economy;

WHEREAS, the creation of an advisory council focused on issues of concern to Michigan's Arab American and Chaldean American communities will advance the building of "One Michigan," and help ensure that Arab Americans and Chaldean Americans are equal participants in our community and our economy;

NOW, THEREFORE, I, Jennifer M. Granholm, Governor of the State of Michigan, by virtue of the power and authority vested in me by the Michigan Constitution of 1963 and Michigan law, order the following:

I. ADVISORY COUNCIL ON ARAB AND CHALDEAN AMERICAN AFFAIRS

A. The Advisory Council on Arab and Chaldean American Affairs ("Council") is created as an advisory body to the Governor and the Director of the Department of Civil Rights ("Director") within the Department of Civil Rights ("Department").

B. The Council shall be composed of 33 members appointed by the Governor. Of the members initially appointed, 11 members shall be appointed for terms expiring on September 30, 2005; 11 members shall be appointed for terms expiring on September 30, 2006; and 11 members shall be appointed for terms expiring on September 30, 2007. After the initial appointments, members of the Council shall be appointed to 4-year terms.

C. A vacancy on the Council occurring other than by expiration of a term shall be filled in the same manner as the original appointment for the balance of the unexpired term.

D. The Director and the Director of the Department of Labor and Economic Growth, or their designees, shall serve as ex officio, non-voting members of the Council.

E. The Governor shall designate a member of the Council to serve as its Chairperson at the pleasure of the Governor. The Governor may designate a member of the Council to serve as its Vice-Chairperson at the pleasure of the Governor.

II. CHARGE TO THE COUNCIL

A. The Council shall act in an advisory capacity to the Governor and the Director, and shall do all of the following:

1. Review and advise the Governor and the Director on the state's policies concerning the Arab American and Chaldean American communities.

2. Review and advise the Governor and the Director of the nature, magnitude, and priorities of the issues facing the Arab American and Chaldean American communities.

3. Monitor, evaluate, investigate, and recommend programs for the betterment of Arab Americans and Chaldean Americans in Michigan.

4. Analyze and recommend policies and programs to advance economic development within the Arab American and Chaldean American communities and related policies and programs to increase exports by Michigan companies.

5. Make recommendations to the Governor and the Director regarding changes in state programs, statutes, regulations, and policies, including, but not limited to, the coordination of state programs serving Arab Americans and Chaldean Americans.

6. Recommend policy and action plans to serve the needs of Arab Americans and Chaldean Americans in Michigan.

7. Recognize the history, accomplishments, and contributions of Michigan's Arab American and Chaldean American communities.

8. Make recommendations to the Governor and the Director regarding methods of overcoming discrimination against Arab Americans and Chaldean Americans.

9. Promote public awareness of Arab and Chaldean culture.

10. Promote equal access to state services.

11. Promote the involvement of Arab Americans and Chaldean Americans in government at all levels.

B. The Council shall also provide other information or advice regarding Arab American and Chaldean American affairs as requested by the Governor or the Director.

C. In addition, the Council shall issue reports that address issues described in this Section II and provide recommendations at times designated by the Governor or the Director.

III. OPERATIONS OF THE COUNCIL

A. The Council shall be staffed by personnel from and assisted by the Department of Civil Rights. Any budgeting, procurement, and related management functions of the Council shall be performed under the direction and supervision of the Director.

B. The Council shall select a Secretary from among its members. Council staff shall assist the Secretary with recordkeeping responsibilities.

C. The Council shall adopt procedures consistent with Michigan law and this Order governing its organization and operations and may establish committees and request public participation on advisory panels as it deems necessary. The Council may also adopt, reject, or modify any recommendations proposed by committees or advisory panels.

D. The Council shall meet at the call of the Chairperson and as may be provided in procedures adopted by the Council.

E. The Council shall act by majority vote of its serving members. A majority of the members of the Council serving constitutes a quorum for the transaction of business of the Council at a meeting.

F. In developing recommendations, the Council may, as appropriate, make inquiries, studies, investigations, hold hearings, and receive comments from the public. The Council may also consult with outside experts in order to perform its duties, including but not limited to experts in the private sector, organized labor, government agencies, and at institutions of higher education.

G. Members of the Council shall serve without compensation but may receive reimbursement for necessary travel and expenses according to relevant statutes and rules and procedures of the Department of Management and Budget and the Civil Service Commission, subject to available appropriations.

H. The Council may hire or retain contractors, sub-contractors, advisors, consultants, and agents, and may make and enter into contracts necessary or incidental to the exercise of the powers of the Council and the performance of its duties as the Chairperson deems advisable and necessary, in accordance with this Order and relevant statutes, rules, and procedures of the Civil Service Commission and the Department of Management and Budget.

I. The Council may accept donations of labor, services, or other things of value from any public or private agency or person. Any donations shall be expended in accordance with applicable laws, rules, and procedures.

J. Members of the Council shall refer all legal, legislative, and media contacts to the Department of Civil Rights.

IV. MISCELLANEOUS

A. Any suit, action, or other proceeding lawfully commenced by, against, or before any entity affected by this Order shall not abate because this Order is effective. Any suit, action, or other proceeding may be maintained by, against, or before the appropriate successor of any entity affected by this Order.

B. The invalidity of any portion of this Order shall not affect the validity of the remainder of the Order.

This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 14th day of September, in the year of our Lord, two thousand and four.

Jennifer M. Granholm
Governor

By the Governor:
Terri L. Land
Secretary of State

The message was referred to the Clerk.

Date: September 9, 2004
Time: 5:00 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5876 (Public Act No. 325, I.E.), being

An act to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts,” by amending sections 3104, 3503, 4105, 6516, 6517, 6521, 8310, 8504, 9112, 11509, 11511, 11512, 11516, 11542, 11703, 11704, 11709, 30104, 30105, 30113, 30304, 30307, 31509, 31512, 32312, 32503, 32515, 35304, 36505, 41702, 41709, 42101, 42501, 42702, 44513, 44517, 45503, 45902, 45903, 45906, 61525, 62509, 63103a, 63103c, 63514, 63524, 63525, 63704, 63708, 72108, 76105, 76109, 76504, and 80159 (MCL 324.3104, 324.3503, 324.4105, 324.6516, 324.6517, 324.6521, 324.8310, 324.8504, 324.9112, 324.11509, 324.11511, 324.11512, 324.11516, 324.11542, 324.11703, 324.11704, 324.11709, 324.30104, 324.30105, 324.30113, 324.30304, 324.30307, 324.31509, 324.31512, 324.32312, 324.32503, 324.32515, 324.35304, 324.36505, 324.41702, 324.41709, 324.42101, 324.42501, 324.42702, 324.44513, 324.44517, 324.45503, 324.45902, 324.45903, 324.45906, 324.61525, 324.62509, 324.63103a, 324.63103c, 324.63514, 324.63524, 324.63525, 324.63704, 324.63708, 324.72108, 324.76105, 324.76109, 324.76504, and 324.80159), sections 3104, 30104, and 32312 as amended by 2003 PA 163, sections 3503, 6521, and 8504 as added by 1995 PA 60, sections 6516 and 6517 as amended by 1996 PA 166, section 8310 as amended by 2002 PA 418, section 9112 as amended by 2000 PA 504, sections 11509 and 11511 as amended by 1996 PA 358, sections 11512 and 11516 as amended by 2003 PA 153, section 11542 as amended by 1996 PA 359, section 30105 as amended by 1999 PA 106, section 30113 as amended by 2004 PA 246, sections 30304, 31509, 31512, 32515, and 35304 as added by 1995 PA 59, section 30307 as amended by 1998 PA 228, section 32503 as amended by 2002 PA 148, section 36505 as amended by 1998 PA 470, section 41702 as amended by 2001 PA 23, sections 41709, 42101, 42501, 44513, 44517, 45503, 45903, 63514, 63525, 63704, and 63708 as added by 1995 PA 57, section 42702 as amended by 2000 PA 191, section 45902 as amended by 1996 PA 200, section 45906 as amended by 2003 PA 270, section 61525 as amended by 1998 PA 303, section 62509 as amended by 1998 PA 467, sections 63103a and 63103c as added by 1997 PA 149, sections 63524 and 76504 as amended by 2001 PA 78, sections 72108 and 80159 as added by 1995 PA 58, and sections 76105 and 76109 as amended by 2001 PA 75, and by adding sections 1301, 1303, 1305, 1307, 1309, and 1311.

(Filed with the Secretary of State September 10, 2004, at 9:02 a.m.)

Communications from State Officers

The following communications from the Auditor General were received and read:

September 8, 2004

Enclosed is a copy of the financial statements, together with the Auditor’s Report, for the Bureau of State Lottery for the six-month period ending March 31, 2004.

If you have questions regarding this report, please call me; Scott M. Strong, C.P.A., Deputy Auditor General; or Mark A. Freeman, C.P.A., Audit Division Administrator for audits of the Bureau of State Lottery.

September 10, 2004

Enclosed is a copy of the following audit report and/or report summary:
Performance Audit of the Statewide Child Support Program,
Family Independence Agency
September 2004

Sincerely,
Thomas H. McTavish, C.P.A.
Auditor General

The communications were referred to the Clerk and the accompanying reports referred to the Committee on Government Operations.

Introduction of Bills

Reps. Accavitti, Condino, Vagnozzi, Anderson, Meisner, Gillard, Elkins, Law, Kolb, Bieda, Tobocman, Gleason, Gaffney and Gielegem introduced

House Bill No. 6209, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 684a. The bill was read a first time by its title and referred to the Committee on Transportation.

Reps. Sheen, Taub, Shaffer, Casperson, Milosch, Tabor, Stahl, Garfield, Drolet, Hummel, Voorhees, Hoogendyk, DeRoche, Bradstreet, Stakoe and Mortimer introduced

House Bill No. 6210, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 8 (MCL 722.628), as amended by 2004 PA 195.

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

Reps. Ehardt, Farhat, Sak, Lipsey and Nitz introduced

House Bill No. 6211, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 506 (MCL 206.506), as amended by 1996 PA 484.

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

Reps. Sak, Drolet, Milosch, Garfield, Spade, Bieda, Clack, Lipsey, Tobocman, Gillard, Howell, Gleason, Voorhees, Wojno, Stakoe, Mortimer, Kolb, Farrah, Dennis, Amos, Rocca, Law, Plakas, Byrum, Hardman, Murphy, Whitmer, O'Neil, Pappageorge, Brown, Richardville, Anderson, Kooiman, McConico, Vagnozzi, Gielegem, Woodward, Elkins, Accavitti, Waters, Minore, Rivet, Jamnick, Meisner and Daniels introduced

House Bill No. 6212, entitled

A bill to designate Firefighters Memorial Day in the state of Michigan.

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

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Richardville moved that Rule 45 be suspended.

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

Rep. Richardville moved that the Committee on Regulatory Reform be discharged from further consideration of **House Bill No. 6208.**

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

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

Second Reading of Bills

Rep. Richardville moved that Rule 48 be suspended.

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

House Bill No. 6208, entitled

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

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 6208, entitled

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

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

Roll Call No. 777

Yeas—106

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

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

By unanimous consent the House returned to the order of

Reports of Standing Committees

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

Senate Bill No. 1323, entitled

A bill to amend 1972 PA 239, entitled "McCauley-Traxler-Law-Bowman-McNeely lottery act," by amending sections 11 and 18 (MCL 432.11 and 432.18), section 11 as amended by 2004 PA 272.

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

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Shulman, Emmons, Caul, Pumford, Kooiman, Newell, Stewart, Acciavatti, Amos, Farhat, Moolenaar, Pastor, Taub, Walker, Mortimer, Whitmer, Brown, Kolb, Phillips, Plakas, Reeves, Williams, Cheeks, Hunter, Sak, Zelenko and O'Neil

Nays: Reps. Caswell, Hoogendyk and Shaffer

Second Reading of Bills

Rep. Richardville moved that Rule 48 be suspended.

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

Senate Bill No. 1323, entitled

A bill to amend 1972 PA 239, entitled "McCauley-Traxler-Law-Bowman-McNeely lottery act," by amending sections 11 and 18 (MCL 432.11 and 432.18), section 11 as amended by 2004 PA 272.

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

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

Rep. Shulman moved to amend the bill as follows:

1. Amend page 3, line 27, after "**However,**" by inserting "**except for advertising that promotes responsible consumption of alcoholic beverages,**".

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills**Senate Bill No. 1323, entitled**

A bill to amend 1972 PA 239, entitled "McCauley-Traxler-Law-Bowman-McNeely lottery act," by amending sections 11 and 18 (MCL 432.11 and 432.18), section 11 as amended by 2004 PA 272.

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

Roll Call No. 778**Yeas—90**

Accavitti	Gillard	Milosch	Sheltrown
Acciavatti	Gleason	Minore	Shulman
Adamini	Hager	Moolenaar	Smith
Amos	Hardman	Mortimer	Spade
Anderson	Hart	Murphy	Stakoe
Bieda	Hood	Newell	Stallworth
Bisbee	Hopgood	Nitz	Steil
Brown	Howell	O'Neil	Stewart
Byrum	Hunter	Palmer	Tabor
Casperson	Jamnick	Palsrok	Taub
Caul	Johnson, Rick	Pappageorge	Tobocman
Cheeks	Julian	Pastor	Vagnozzi
Clack	Koetje	Phillips	Walker
Condino	Kolb	Plakas	Ward
Dennis	Kooiman	Pumford	Waters
DeRossett	LaJoy	Reeves	Wenke
Ehardt	LaSata	Richardville	Whitmer

Elkins	Law	Rivet	Williams
Emmons	Lipsey	Robertson	Wojno
Farhat	McConico	Rocca	Woodward
Farrah	Meisner	Sak	Woronchak
Gaffney	Meyer	Shackleton	Zelenko
Gielegghem	Middaugh		

Nays—16

Bradstreet	Drolet	Hune	Sheen
Brandenburg	Garfield	Johnson, Ruth	Stahl
Caswell	Hoogendyk	Nofs	Van Regenmorter
DeRoche	Hummel	Shaffer	Voorhees

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 and operate a state lottery and to allow state participation in certain lottery-related joint enterprises with other sovereignties; to create a bureau of state lottery and to prescribe its powers and duties; to prescribe certain powers and duties of other state departments and agencies; to license and regulate certain sales agents; to create the state lottery fund; to provide for the distribution of lottery revenues and earnings for certain purposes; to provide for an appropriation; and to provide for remedies and penalties,”

The House agreed to the full title.

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

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

Second Reading of Bills

House Bill No. 5771, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 11701, 11702, 11703, 11704, 11705, 11706, 11707, 11708, 11709, 11710, 11711, 11712, 11713, 11714, 11715, 11716, 11717, 11718, and 11719 (MCL 324.11701, 324.11702, 324.11703, 324.11704, 324.11705, 324.11706, 324.11707, 324.11708, 324.11709, 324.11710, 324.11711, 324.11712, 324.11713, 324.11714, 324.11715, 324.11716, 324.11717, 324.11718, and 324.11719) and by adding sections 11715b, 11715d, 11717b, and 11720.

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

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

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

1. Amend page 11, line 21, after “**on**” by striking out “**an annual**” and inserting “**a quarterly**”.

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5771, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 11701, 11702, 11703, 11704, 11705, 11706, 11707, 11708, 11709, 11710, 11711, 11712, 11713, 11714, 11715,

11716, 11717, 11718, and 11719 (MCL 324.11701, 324.11702, 324.11703, 324.11704, 324.11705, 324.11706, 324.11707, 324.11708, 324.11709, 324.11710, 324.11711, 324.11712, 324.11713, 324.11714, 324.11715, 324.11716, 324.11717, 324.11718, and 324.11719) and by adding sections 11715b, 11715d, 11717b, and 11720.

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

Roll Call No. 779**Yeas—89**

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

Nays—17

Acciavatti	Hoogendyk	Mortimer	Rivet
Drolet	Hummel	Newell	Sheen
Ehardt	Hune	Nofs	Stahl
Emmons	Meyer	Palmer	Taub
Garfield			

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," by amending sections 11701, 11702, 11703, 11704, 11705, 11706, 11707, 11708, 11709, 11710, 11711, 11712, 11713, 11714, 11715, 11716, 11717, 11718, and 11719 (MCL 324.11701, 324.11702, 324.11703, 324.11704, 324.11705, 324.11706, 324.11707, 324.11708, 324.11709, 324.11710, 324.11711, 324.11712, 324.11713, 324.11714, 324.11715, 324.11716, 324.11717, 324.11718, and 324.11719), sections 11703, 11704, and 11709 as amended by 2004 PA 325, and by adding sections 11715b, 11715d, 11717b, and 11720.

The 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. 5772, entitled

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

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5772, entitled

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

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

Roll Call No. 780

Yeas—105

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

Nays—1

Rivet

In The Chair: Julian

The House agreed to the title of the bill.

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

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

By unanimous consent the House returned to the order of
Motions and Resolutions

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

The motion prevailed.

Notices

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Agriculture and Resource Management from further consideration of **Senate Bill No. 1349**.

Rep. Rivet

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

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

House Bill No. 6165, entitled

A bill to amend 1985 PA 106, entitled "State convention facility development act," by amending section 9 (MCL 207.629), as amended by 1993 PA 58.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Ward, Robertson, Stakoe, Wenke, Jamnick and Accavitti

Nays: None

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. 6165, entitled

A bill to amend 1985 PA 106, entitled "State convention facility development act," by amending section 9 (MCL 207.629), as amended by 1993 PA 58.

The bill was read a second time.

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

The motion prevailed.

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

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

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

House Bill No. 6165, entitled

A bill to amend 1985 PA 106, entitled "State convention facility development act," by amending section 9 (MCL 207.629), as amended by 1993 PA 58.

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

Roll Call No. 781**Yeas—104**

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

Nays—2

Caswell

Van Regenmorter

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Reps. Hardman, Waters, McConico, Reeves, Gielegem, Minore, Zelenko, Kolb, Jamnick, Richardville, Lipsey, Cheeks, Smith, Stallworth, Hunter, Hood, Tobocman, Brandenburg, Clack, Condino, Vagnozzi, Hune, Milosch, Sak and Gillard were named co-sponsors of the bill.

Rep. Richardville moved that when the House adjourns today it stand adjourned until Wednesday, September 22, at 10:00 a.m.

The motion prevailed.

By unanimous consent the House returned to the order of

Reports of Standing Committees

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

House Bill No. 6161, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 571 (MCL 400.571), as added by 1999 PA 17.

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. Hager, Stahl, Hart, Voorhees and Sheen

Nays: Reps. Hardman and Clack

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

Senate Bill No. 1319, entitled

A bill to amend 1971 PA 174, entitled "Office of child support act," by amending sections 1, 5, and 6 (MCL 400.231, 400.235, and 400.236), section 1 as amended by 2002 PA 564, section 5 as amended by 1998 PA 112, and section 6 as added by 1999 PA 161.

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. Hager, Stahl, Voorhees, Clack and Elkins

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, September 15, 2004

Present: Reps. Hager, Stahl, Hart, Voorhees, Sheen, Hardman, Clack and Elkins

Absent: Rep. Vander Veen

Excused: Rep. Vander Veen

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

Senate Bill No. 1201, entitled

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

With the recommendation that the bill be referred to the Committee on Land Use and Environment.

Favorable Roll Call

To Report Out:

Yeas: Reps. Bisbee, DeRoche, Howell, Middaugh, Palmer, Hune, Milosch, Palsrok, Rivet, McConico and Tobocman

Nays: Rep. Koetje

The recommendation was concurred in and the bill was referred to the Committee on Land Use and Environment.

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

Senate Bill No. 1202, entitled

A bill to provide for the establishment of a historical neighborhood tax increment finance authority; to prescribe the powers and duties of the authority; to correct and prevent deterioration in neighborhoods and certain other areas; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans and development areas; to promote residential and economic growth; to create a board; to prescribe the powers and duties of the board; to authorize the issuance of bonds and other evidences of

indebtedness; to authorize the use of tax increment financing; to prescribe powers and duties of certain state officials; to provide for rule promulgation; and to provide for enforcement of the act.

With the recommendation that the bill be referred to the Committee on Land Use and Environment.

Favorable Roll Call

To Report Out:

Yeas: Reps. Bisbee, DeRoche, Howell, Middaugh, Palmer, Hune, Milosch, Palsrok, Wenke, Rivet, O'Neil, McConico and Tobocman

Nays: Rep. Koetje

The recommendation was concurred in and the bill was referred to the Committee on Land Use and Environment.

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

Senate Bill No. 1203, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8395 (MCL 600.8395).

With the recommendation that the bill be referred to the Committee on Land Use and Environment.

Favorable Roll Call

To Report Out:

Yeas: Reps. Bisbee, DeRoche, Howell, Middaugh, Palmer, Hune, Milosch, Palsrok, Wenke, Rivet, O'Neil, McConico and Tobocman

Nays: Rep. Koetje

The recommendation was concurred in and the bill was referred to the Committee on Land Use and Environment.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, September 15, 2004

Present: Reps. Bisbee, DeRoche, Howell, Koetje, Middaugh, Palmer, Hune, Milosch, Palsrok, Wenke, Rivet, O'Neil, McConico and Tobocman

Absent: Reps. Drolet, Huizenga, Lipsey, Murphy and Accavitti

Excused: Reps. Drolet, Huizenga, Lipsey, Murphy and Accavitti

The Committee on Government Operations, by Rep. Koetje, Chair, reported

House Bill No. 4206, entitled

A bill to provide for the oversight of the operation of certain water and sewer systems within this state; to create an authority; and to provide for the powers and duties of certain governmental officials and entities.

With the recommendation that the substitute (H-4) to the Senate substitute (S-3) be adopted and that the Senate substitute as substituted be concurred in.

The bill and substitutes were referred to the order of Messages from the Senate and laid over one day.

Favorable Roll Call

To Report Out:

Yeas: Reps. Koetje, Drolet and Howell

Nays: Reps. Tobocman and Lipsey

The Committee on Government Operations, by Rep. Koetje, Chair, reported

House Bill No. 6085, entitled

A bill to amend 1982 PA 415, entitled "Correctional officers' training act of 1982," by amending section 12 (MCL 791.512), as amended by 1989 PA 4.

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. Koetje, Drolet, Howell, Tobocman and Lipsey

Nays: None

The Committee on Government Operations, by Rep. Koetje, Chair, reported

Senate Bill No. 850, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 283a.

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. Koetje, Drolet and Tobocman

Nays: None

The Committee on Government Operations, by Rep. Koetje, Chair, reported

Senate Bill No. 851, entitled

A bill to amend 1978 PA 390, entitled "An act to regulate the time and manner of payment of wages and fringe benefits to employees; to prescribe rights and responsibilities of employers and employees, and the powers and duties of the department of labor; to require keeping of records; to provide for settlement of disputes regarding wages and fringe benefits; to prohibit certain practices by employers; to prescribe penalties and remedies; and to repeal certain acts and parts of acts," by amending section 6 (MCL 408.476).

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. Koetje, Drolet, Howell and Lipsey

Nays: None

The Committee on Government Operations, by Rep. Koetje, Chair, reported

Senate Bill No. 1285, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 252a.

With the recommendation that the bill be referred to the Committee on Land Use and Environment.

Favorable Roll Call

To Report Out:

Yeas: Reps. Koetje, Drolet and Tobocman

Nays: None

The recommendation was concurred in and the bill was referred to the Committee on Land Use and Environment.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Koetje, Chair, of the Committee on Government Operations, was received and read:

Meeting held on: Wednesday, September 15, 2004

Present: Reps. Koetje, Drolet, Howell, Tobocman and Lipsey

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

Senate Bill No. 1105, entitled

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

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

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

Favorable Roll Call

To Report Out:

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

Nays: Rep. Hoogendyk

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, September 15, 2004

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

Absent: Rep. Brandenburg

Excused: Rep. Brandenburg

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

House Bill No. 5645, entitled

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

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

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Ward, Robertson, Stakoe, Wenke, Jamnick and Accavitti

Nays: None

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

House Bill No. 6077, entitled

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

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

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

Favorable Roll Call

To Report Out:

Yeas: Reps. Ward, Robertson, Wenke, Jamnick, Tobocman and Accavitti

Nays: None

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Ward, Chair, of the Committee on Local Government and Urban Policy, was received and read:

Meeting held on: Wednesday, September 15, 2004

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

Absent: Reps. DeRossett and Hager

Excused: Reps. DeRossett and Hager

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

Senate Bill No. 1279, entitled

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

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. Tabor, Milosch, Bradstreet, Ehardt, Richardville, Nitz, Gillard, Farrah, Sheltroun and Accavitti

Nays: None

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

Senate Bill No. 1280, entitled

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

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. Tabor, Milosch, Bradstreet, Ehardt, Richardville, Nitz, Gillard, Farrah, Sheltroun and Accavitti

Nays: None

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

Senate Bill No. 1281, entitled

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

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

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

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, September 15, 2004

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

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

House Bill No. 6168, entitled

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

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

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

Favorable Roll Call

To Report Out:

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

Nays: None

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

House Bill No. 6169, entitled

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

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

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

Favorable Roll Call

To Report Out:

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

Nays: None

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

House Bill No. 6170, entitled

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

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

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

Nays: None

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

House Bill No. 6171, entitled

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

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

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

Favorable Roll Call

To Report Out:

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

Nays: None

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

House Bill No. 6172, entitled

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

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

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

Nays: None

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

House Bill No. 6173, entitled

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

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

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

Favorable Roll Call

To Report Out:

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

Nays: None

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

House Bill No. 6174, entitled

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

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

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

Nays: None

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

House Bill No. 6175, entitled

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

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

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

Nays: None

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

House Bill No. 6176, entitled

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

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

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

Favorable Roll Call

To Report Out:

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

Nays: None

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

House Bill No. 6177, entitled

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

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

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

Nays: None

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

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.

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

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

Favorable Roll Call

To Report Out:

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

Nays: None

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

Senate Bill No. 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.

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

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

Favorable Roll Call

To Report Out:

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

Nays: None

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

Senate Bill No. 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.

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

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

Nays: None

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

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.

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

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

Favorable Roll Call

To Report Out:

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

Nays: None

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

Senate Bill No. 795, entitled

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

With the recommendation that the substitute (H-4) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

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

Nays: None

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

Senate Bill No. 797, entitled

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

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

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

Favorable Roll Call

To Report Out:

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

Nays: None

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

Senate Bill No. 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.

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

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

Favorable Roll Call

To Report Out:

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

Nays: None

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

Senate Bill No. 803, entitled

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

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

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

Favorable Roll Call

To Report Out:

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

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, September 15, 2004

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, September 15, 2004

Present: Reps. Palsrok, Tabor, Meyer and Law

Absent: Reps. Brandenburg, Gleason and Stallworth

Excused: Reps. Brandenburg, Gleason and Stallworth

Rep. LaSata moved that the House adjourn.

The motion prevailed, the time being 4:20 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, September 22, at 10:00 a.m.

GARY L. RANDALL
Clerk of the House of Representatives

