

No. 77
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House of Representatives
92nd Legislature
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House Chamber, Lansing, Tuesday, October 21, 2003.

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	Meyer—present	Sheen—present
Acciavatti—present	Gieleghem—present	Middaugh—present	Sheltrown—present
Adamini—present	Gillard—present	Milosch—present	Shulman—present
Amos—present	Gleason—present	Minore—present	Smith—present
Anderson—present	Hager—present	Moolenaar—present	Spade—present
Bieda—present	Hardman—present	Mortimer—present	Stahl—present
Bisbee—e/d/s	Hart—present	Murphy—present	Stakoe—present
Bradstreet—present	Hood—present	Newell—present	Stallworth—present
Brandenburg—present	Hoogendyk—present	Nitz—present	Steil—present
Brown—present	Hopgood—present	Nofs—present	Stewart—present
Byrum—present	Howell—present	O’Neil—present	Tabor—present
Casperson—present	Huizenga—present	Paletko—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	Jamnick—present	Pastor—present	Vander Veen—present
Condino—present	Johnson, Rick—present	Phillips—excused	Voorhees—present
Daniels—present	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
Gaffney—present	Meisner—present		

e/d/s = entered during session

Rep. Scott Shackleton, from the 107th District, offered the following invocation:

“Our Father, who art in heaven, Hallowed be Thy name. Thy kingdom come. Thy will be done on earth, as it is in heaven. Give us this day our daily bread. And forgive us our trespasses, as we forgive those who trespass against us. And lead us not into temptation, but deliver us from evil: For Thine is the kingdom, and the power, and the glory, forever. Amen.”

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

Motions and Resolutions

Reps. Meyer, Byrum, Sheltroun, Julian, Spade, Rivet, Gillard, Stahl, Ehardt, Law, Nitz, Garfield, Brown, Hager, Elkins, Shackleton, DeRossett, Williams, Emmons, Hune, Casperon and Walker offered the following resolution:

House Resolution No. 151.

A resolution to urge the United States Trade Representative to refrain from agreeing to any provisions in any bilateral or regional negotiations that are detrimental to United States sugar policy or that threaten the United States sugar industry.

Whereas, The beet sugar industry has been a contributor to Michigan’s economy for over 100 years; and

Whereas, The Monitor Sugar Company and Michigan Sugar Company, a grower-owned cooperative, contribute \$300 million in base economic impact to the local and state economy and provide 500 full-time and 1,800 part-time jobs; and

Whereas, Michigan’s 2,000 growers grow sugar beets on 190,000 acres in 18 counties, and in the year 2002 produced 900 million pounds of pure sugar—approximately 11 percent of domestic sugar production; and

Whereas, Sugar beets provide an important value-added element to Michigan agriculture. It is also significant that this is an alternative crop, different from others produced in Michigan that are already in surplus; and

Whereas, The cumulative import potential of the sugar-exporting Free Trade Agreement is 27 million metric tons—three times the United States domestic consumption; and

Whereas, Eliminating the tariff rate quota of the United States sugar program would render this no-cost program inoperable, and doing so would run counter to the administration’s commitment to exclude domestic support programs from these regional and bilateral free trade agreements, and contrary to the will of Congress; now, therefore, be it

Resolved by the House of Representatives, That we urge the United States Trade Representative not to agree to any provisions in any bilateral or regional negotiations that are detrimental to United States sugar policy or that threaten the United States sugar industry; and be it further

Resolved, That copies of this resolution be transmitted to the Office of the United States Trade Representative.

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.

Messages from the Senate

The Speaker laid before the House

House Bill No. 4360, entitled

A bill to amend 1978 PA 33, entitled “An act to prohibit the dissemination, exhibiting, or displaying of certain sexually explicit matter to minors; to prohibit certain misrepresentations facilitating the dissemination of sexually explicit matter to minors; to provide penalties; to provide for declaratory judgments and injunctive relief in certain instances; to impose certain duties upon prosecuting attorneys and the circuit court; to preempt local units of government from proscribing certain conduct; and to repeal certain acts and parts of acts,” by amending sections 1, 3, 5, 6, and 7 (MCL 722.671, 722.673, 722.675, 722.676, and 722.677), sections 3, 5, 6, and 7 as amended by 1999 PA 33; and to repeal acts and parts of acts.

(The bill was received from the Senate on October 15, with substitute (S-1), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until October 16, see House Journal No. 75, p. 1908.)

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

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

Roll Call No. 559**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
Bradstreet	Hart	Murphy	Stakoe
Brandenburg	Hood	Newell	Steil
Brown	Hoogendyk	Nitz	Stewart
Byrum	Hopgood	Nofs	Tabor
Casperson	Howell	O'Neil	Taub
Caswell	Huizenga	Paletko	Tobocman
Caul	Hummel	Palmer	Vagnozzi
Cheeks	Hune	Palsrok	Van Regenmorter
Clack	Hunter	Pappageorge	Vander Veen
Condino	Jamnack	Pastor	Voorhees
Daniels	Johnson, Rick	Plakas	Walker
Dennis	Johnson, Ruth	Pumford	Ward
DeRoche	Julian	Reeves	Waters
DeRossett	Koetje	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 as amended.

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

The Speaker laid before the House

House Bill No. 5037, entitled

A bill to amend 1992 PA 234, entitled "The judges retirement act of 1992," by amending section 512 (MCL 38.2512), as added by 2002 PA 675.

(The bill was received from the Senate on October 16, with amendments, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 76, p. 1925.)

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

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

Roll Call No. 560**Yeas—105**

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

Nays—0

In The Chair: Julian

The House agreed to the full title of the bill.

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

Second Reading of Bills**Senate Bill No. 725, entitled**

A bill to amend 1947 PA 359, entitled "The charter township act," by amending section 27 (MCL 42.27), as amended by 1988 PA 82.

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. 725, entitled**

A bill to amend 1947 PA 359, entitled "The charter township act," by amending section 27 (MCL 42.27), as amended by 1988 PA 82.

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

Roll Call No. 561**Yeas—108**

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

Nays—0

In The Chair: Julian

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

“An act to authorize the incorporation of charter townships; to provide a municipal charter therefor; to prescribe the powers and functions thereof; and to prescribe penalties and provide remedies.”

The House agreed to the full title.

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

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

Rep. Bisbee entered the House Chambers.

Second Reading of Bills**House Bill No. 5156, entitled**

A bill to amend 1909 PA 279, entitled “The home rule city act,” (MCL 117.1 to 117.38) by adding section 36a.

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

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

Rep. McConico moved to amend the bill as follows:

1. Amend page 1, line 4, after “**issue**” by inserting “**financial recovery**”.
2. Amend page 1, line 6, after “**Any**” by inserting “**financial recovery**”.
3. Amend page 1, line 10, after “**Any**” by inserting “**financial recovery**”.
4. Amend page 2, following line 3, by inserting:

“(5) **This section does not apply to municipal securities as defined under section 103 of the revised municipal finance act, 2001 PA 34, MCL 141.2103.**”.

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

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

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

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

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

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

The motion prevailed.

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

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

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

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5156, entitled

A bill to amend 1909 PA 279, entitled “The home rule city act,” (MCL 117.1 to 117.38) by adding section 36a.

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

Roll Call No. 562

Yeas—82

Accavitti	Gaffney	Lipsey	Shulman
Acciavatti	Garfield	McConico	Smith
Adamini	Gielegem	Meisner	Spade
Amos	Gillard	Milosch	Stakoe
Anderson	Gleason	Minore	Stallworth
Bieda	Hager	Moolenaar	Stewart
Brown	Hardman	Murphy	Tabor
Byrum	Hart	Newell	Tobocman
Casperson	Hood	O’Neil	Vagnozzi
Cheeks	Hopgood	Paletko	Vander Veen
Clack	Howell	Palmer	Voorhees
Condino	Hummel	Pastor	Ward
Daniels	Hune	Plakas	Waters
Dennis	Hunter	Pumford	Wenke
DeRossett	Jamnack	Reeves	Whitmer
Drolet	Johnson, Rick	Richardville	Williams
Ehardt	Johnson, Ruth	Rocca	Wojno
Elkins	Julian	Sak	Woodward
Emmons	Kolb	Shackleton	Woronchak
Farhat	LaJoy	Sheltrown	Zelenko
Farrah	Law		

Nays—26

Bisbee	Huizenga	Nitz	Sheen
Bradstreet	Koetje	Nofs	Stahl
Brandenburg	Kooiman	Palsrok	Steil
Caswell	LaSata	Pappageorge	Taub
Caul	Meyer	Robertson	Van Regenmorter
DeRoche	Middaugh	Shaffer	Walker
Hoogendyk	Mortimer		

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. 4938, entitled**

A bill to provide for the qualification, appointment, and regulation of notaries; to provide for the levy, assessment, and collection of certain service charges and fees and to provide for their disposition; to create certain funds for certain purposes; to provide for liability for certain persons; to provide for the admissibility of certain evidence; to prescribe powers and duties of certain state agencies and local officers; to provide for remedies and penalties; and to repeal acts and parts of acts.

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

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

Reps. Accavitti and Ward moved to amend the bill as follows:

1. Amend page 9, following line 19, by inserting:

“(5) The secretary shall annually file a report regarding the balance of the fund at the time of the report and a detailed account of the expenditures in the preceding fiscal year. This report shall be sent to the speaker of the house of representatives, the minority leader of the house of representatives, the majority leader of the senate, and the minority leader of the senate.”.

2. Amend page 29, line 9, after “Sec. 51.” by striking out “(1)”.

3. Amend page 29, line 20, by striking out all of subsection (2).

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

Rep. Koetje moved to amend the bill as follows:

1. Amend page 6, line 6, after “of” by striking out “\$25,000.00” and inserting “\$10,000.00”.

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

Rep. DeRossett moved to amend the bill as follows:

1. Amend page 8, line 14, after “secretary” by striking out “may” and inserting “shall”.

2. Amend page 8, line 21, after “applicant.” by inserting “The secretary may also request a criminal records check through the federal bureau of investigation. The applicant shall pay for the cost of the checks required by this subsection.”.

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

Rep. DeRossett moved to amend the bill as follows:

1. Amend page 5, following line 15, by inserting:

“(e) Has not filed for protection under the bankruptcy code and has not been subject to any property foreclosure. The secretary may promulgate rules to administer this subdivision.” and relettering the remaining subdivisions.

2. Amend page 8, following line 7, by inserting:

“(h) A declaration that the applicant has not filed for protection under the bankruptcy code and has not been subject to any property foreclosure.”.

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4938, entitled

A bill to provide for the qualification, appointment, and regulation of notaries; to provide for the levy, assessment, and collection of certain service charges and fees and to provide for their disposition; to create certain funds for certain purposes; to provide for liability for certain persons; to provide for the admissibility of certain evidence; to prescribe powers and duties of certain state agencies and local officers; to provide for remedies and penalties; and to repeal acts and parts of acts.

The bill was read a third time.

The question being on the passage of the bill,

Rep. DeRossett moved to reconsider the vote by which the House placed the bill on the order of Third Reading of Bills.

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

Second Reading of Bills

House Bill No. 4938, entitled

A bill to provide for the qualification, appointment, and regulation of notaries; to provide for the levy, assessment, and collection of certain service charges and fees and to provide for their disposition; to create certain funds for certain purposes; to provide for liability for certain persons; to provide for the admissibility of certain evidence; to prescribe powers and duties of certain state agencies and local officers; to provide for remedies and penalties; and to repeal acts and parts of acts.

Rep. DeRossett moved to reconsider the vote by which the House did not adopt the amendments offered previously by Rep. DeRossett.

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

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

Rep. DeRossett demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 563

Yeas—16

Anderson	Gaffney	Johnson, Ruth	Pumford
Bradstreet	Gillard	Law	Sheltrown
DeRossett	Hart	Nofs	Stakoe
Elkins	Hune	Paletko	Vagnozzi

Nays—89

Accavitti	Gleason	Middaugh	Smith
Acciavatti	Hager	Milosch	Spade
Amos	Hardman	Minore	Stahl
Bieda	Hood	Moolenaar	Stallworth

Bisbee	Hoogendyk	Mortimer	Steil
Brandenburg	Hopgood	Murphy	Stewart
Brown	Howell	Newell	Tabor
Byrum	Huizenga	Nitz	Taub
Casperson	Hummel	O'Neil	Tobocman
Caswell	Hunter	Palmer	Van Regenmorter
Caul	Jamnack	Palsrok	Vander Veen
Cheeks	Johnson, Rick	Pappageorge	Voorhees
Condino	Julian	Pastor	Walker
Daniels	Koetje	Reeves	Ward
Dennis	Kolb	Richardville	Waters
DeRoche	Kooiman	Robertson	Wenke
Drolet	LaJoy	Rocca	Whitmer
Ehardt	LaSata	Sak	Williams
Emmons	Lipsey	Shackleton	Wojno
Farhat	McConico	Shaffer	Woodward
Farrah	Meisner	Sheen	Woronchak
Garfield	Meyer	Shulman	Zelenko
Gielegem			

In The Chair: Julian

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

The motion prevailed.

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

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

Rep. Hood moved that Rep. Clack be excused temporarily from today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4938, entitled

A bill to provide for the qualification, appointment, and regulation of notaries; to provide for the levy, assessment, and collection of certain service charges and fees and to provide for their disposition; to create certain funds for certain purposes; to provide for liability for certain persons; to provide for the admissibility of certain evidence; to prescribe powers and duties of certain state agencies and local officers; to provide for remedies and penalties; and to repeal acts and parts of acts.

The question being on the passage of the bill,

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

Roll Call No. 564

Yeas—80

Accavitti	Gielegem	Lipsey	Sheen
Acciavatti	Gleason	McConico	Sheltrown
Amos	Hager	Meisner	Shulman
Anderson	Hardman	Minore	Smith
Brandenburg	Hart	Moolenaar	Spade
Brown	Hood	Murphy	Stahl
Byrum	Hoogendyk	Newell	Stakoe

Casperson	Hopgood	Nitz	Tabor
Caswell	Howell	Nofs	Taub
Cheeks	Huizenga	Palmer	Tobocman
Condino	Hummel	Palsrok	Vagnozzi
Dennis	Hune	Pastor	Vander Veen
DeRoche	Hunter	Pumford	Voorhees
Drolet	Jamnick	Reeves	Walker
Ehardt	Johnson, Rick	Richardville	Ward
Emmons	Julian	Rivet	Waters
Farhat	Kolb	Robertson	Wenke
Farrah	Kooiman	Rocca	Whitmer
Gaffney	LaJoy	Sak	Williams
Garfield	Law	Shaffer	Woronchak

Nays—28

Adamini	Elkins	Milosch	Stallworth
Bieda	Gillard	Mortimer	Steil
Bisbee	Johnson, Ruth	O'Neil	Stewart
Bradstreet	Koetje	Paletko	Van Regenmorter
Caul	LaSata	Pappageorge	Wojno
Daniels	Meyer	Plakas	Woodward
DeRossett	Middaugh	Shackleton	Zelenko

In The Chair: Julian

The House agreed to the title of the bill.

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

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

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

“Mr. Speaker and members of the House:

I voted against House Bill 4938 as passed by the House of Representatives for the following reasons:

In the uncertain economic times, I do not believe that it is wise to increase fees.

This bill strips Legislative authority from the current process.”

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

“Mr. Speaker and members of the House:

First of all, I appreciate the hard work the sponsor put into this bill, and I find many provisions that I believe would be good changes to the law. In the final analysis, however, I felt I that I should vote against this bill because I feel that it took too much legislative authority from the current process. Thank you.”

Second Reading of Bills

House Bill No. 5027, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 82106, 82109, 82110, and 82118 (MCL 324.82106, 324.82109, 324.82110, and 324.82118), section 82106 as amended by

1998 PA 297, section 82109 as added by 1995 PA 58, section 82110 as amended by 2001 PA 16, and section 82118 as amended by 2001 PA 15.

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

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

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

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

Rep. Pastor 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. 5027, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 82106, 82109, 82110, and 82118 (MCL 324.82106, 324.82109, 324.82110, and 324.82118), section 82106 as amended by 1998 PA 297, section 82109 as added by 1995 PA 58, section 82110 as amended by 2001 PA 16, and section 82118 as amended by 2001 PA 15.

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

Roll Call No. 565

Yeas—109

Accavitti	Garfield	Meisner	Sheen
Acciavatti	Gieleghem	Meyer	Sheltrown
Adamini	Gillard	Middaugh	Shulman
Amos	Gleason	Milosch	Smith
Anderson	Hager	Minore	Spade
Bieda	Hardman	Moolenaar	Stahl
Bisbee	Hart	Mortimer	Stakoe
Bradstreet	Hood	Murphy	Stallworth
Brandenburg	Hoogendyk	Newell	Steil
Brown	Hopgood	Nitz	Stewart
Byrum	Howell	Nofs	Tabor
Casperson	Huizenga	O'Neil	Taub
Caswell	Hummel	Paletko	Tobocman
Caul	Hune	Palmer	Vagnozzi
Cheeks	Hunter	Palsrok	Van Regenmorter
Clack	Jamnick	Pappageorge	Vander Veen
Condino	Johnson, Rick	Pastor	Voorhees
Daniels	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			

Nays—0

In The Chair: Julian

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

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

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 82101, 82106, 82107, and 82109 (MCL 324.82101, 324.82106, 324.82107, and 324.82109), section 82101 as amended by 2003 PA 43, section 82106 as amended by 1998 PA 297, and sections 82107 and 82109 as added by 1995 PA 58.

The motion prevailed.

The House agreed to the title as amended.

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

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

Reps. Hardman, McConico, Stewart, DeRossett, Richardville, Bisbee, Voorhees, Julian, Vander Veen, Sheltroun, Adamini, Brown, Palmer, Paletko, LaJoy, Law, Acciavatti, Taub, Stakoe, Hune, Gleason, Caswell, Wenke, Ward, Sak, Stahl, Huizenga, Farhat, Elkins, Moolenaar, Gillard, Casperson and Mortimer were named co-sponsors of the bill.

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

The motion prevailed.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Koetje, Casperson, Ehardt, Farhat, Kooiman, Meyer, Pappageorge, Pastor, Richardville, Sak, Shaffer, Spade, Vagnozzi, Van Regenmorter, Vander Veen, Accavitti, Caswell, Gillard, Julian, Palmer, Rivet, Sheltroun, Shulman, Steil, Voorhees, Wojno, Adamini, Bieda, Dennis, DeRossett, Elkins, Garfield, Gielegem, Gleason, Hager, Howell, Huizenga, LaJoy, Lipsey, McConico, Murphy, Newell, Nitz, O’Neil, Paletko, Zelenko, Brandenburg, Brown and Shackleton offered the following resolution:

House Resolution No. 152.

A resolution honoring Bishop Robert J. Rose upon his retirement as Bishop of the Diocese of Grand Rapids.

Whereas, It is a distinct honor and privilege to join with clergy, priests, and parishioners throughout Michigan in conveying our heartfelt gratitude and appreciation to Bishop Robert J. Rose for his spiritual leadership as Bishop of the Diocese of Grand Rapids; and

Whereas, The Vatican announced on October 13, 2003, that Pope John Paul II had accepted the request for retirement of the Most Reverend Bishop Robert J. Rose as Bishop of the Diocese of Grand Rapids; and

Whereas, Bishop Rose was ordained a priest on December 21, 1955, in Rome. He was appointed to the faculty of St. Joseph Seminary in 1956. From 1971-1977, he served as rector of St. John’s Provincial Seminary in Plymouth, Michigan, where during his tenure the seminary was accredited by the Association of Theological Schools and North Central Accreditation. In 1977, Bishop Rose returned to the diocese to minister as pastor of Sacred Heart Parish in Muskegon Heights, where he remained until 1981; and

Whereas, Bishop Rose was ordained a bishop on December 6, 1981, and served as the Bishop of the Diocese of Gaylord until his appointment as Bishop of the Diocese of Grand Rapids in August 1989, a position he accepted with humility in service to our Lord and His people; and

Whereas, Bishop Robert Rose has provided spiritual guidance to over 160,000 west Michigan Catholics. He has touched the lives of all who have been blessed by his ministry and guidance; and

Whereas, Through his faithful service to the Lord, Bishop Robert Rose has accomplished many great achievements as the Bishop of the Diocese of Grand Rapids including the first diocesan Pastoral Assembly in 1995, which identified five specific diocesan goals that focus on family, vocation, and justice; establishing the Catholic Foundation of West Michigan; the regionalization of Hispanic Ministry in the diocese and developing lay leadership programs for English and Spanish speaking laity; initiating diocesan support in ecumenical and civic activities, including the “Institute on the Healing of Racism,” the Grand Rapids “Summit on Racism” and the Greater Grand Rapids Community Marriage Policy; launching the successful “In the Name of the Lord” fundraising campaign, the diocese’s largest-ever fund drive, which raised more than \$19 million to fund the Bishop’s Fund for Catholic Education, the restoration of the Cathedral

of St. Andrew and remodeling of St. Henry Spirituality and Ministry Center. He also expanded the coverage of the televised Mass, which includes the full Mass and the program *Catholic Outlook*; and

Whereas, People throughout the Diocese of Grand Rapids have been truly blessed by the ministry, spiritual leadership, wisdom, and friendship of Bishop Rose. Many are grateful for his wise counsel, comforting presence, consoling sensitivity, and faithful generous spirit. He will always be a permanent and significant part of the history of the Diocese of Grand Rapids; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body offer our sincere gratitude and appreciation to Bishop Robert J. Rose for the spiritual leadership and inspiration he has provided to the members of the Diocese of Grand Rapids, encouraging all to strengthen their faith and to serve the Lord through service to their neighbor, community, and to all humanity; now, therefore, be it further

Resolved, That as Bishop Robert J. Rose, the Bishop of the Diocese of Grand Rapids, enters into retirement, may he know that he will remain in our hearts and in our prayers. May God bless him.

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.

Reports of Standing Committees

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

House Bill No. 4131, entitled

A bill to abolish the right of dower.

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.

Favorable Roll Call

To Report Out:

Yeas: Reps. Howell, LaSata, Van Regenmorter, Voorhees, Gaffney, Garfield, Lipsey, Bieda, Condino and Smith

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, October 21, 2003, at 9:00 a.m.

Present: Reps. Howell, LaSata, Van Regenmorter, Bradstreet, Koetje, Voorhees, Gaffney, Garfield, Wenke, Lipsey, Adamini, Bieda, Condino and Smith

Absent: Rep. Pappageorge

Excused: Rep. Pappageorge

The Committee on Commerce, by Rep. DeRoche, Vice-Chair, reported

House Bill No. 4695, entitled

A bill to amend 1851 PA 156, entitled "An act to define the powers and duties of the county boards of commissioners of the several counties, and to confer upon them certain local, administrative and legislative powers; and to prescribe penalties for the violation of the provisions of this act," by amending section 12a (MCL 46.12a), as amended by 2002 PA 730.

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.

Favorable Roll Call

To Report Out:

Yeas: Reps. DeRoche, Howell, Koetje, Middaugh, Drolet, Palmer, Huizenga, Hune, Milosch, Palsrok, Wenke, Rivet, McConico, Lipsey, Tobocman and Accavitti

Nays: None

The Committee on Commerce, by Rep. DeRoche, Vice-Chair, reported

House Bill No. 4698, entitled

A bill to amend 1978 PA 322, entitled "An act to authorize financial institutions to make electronic funds transfer terminals available to their customers; to protect the privacy and security of customers; to prohibit unfair discrimination among financial institutions and monopolistic practices in the use and availability of electronic funds transfer terminals; to prescribe remedies; and to prescribe penalties," by amending sections 2 and 3 (MCL 488.2 and 488.3).

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.

Favorable Roll Call

To Report Out:

Yeas: Reps. DeRoche, Howell, Koetje, Middaugh, Drolet, Palmer, Huizenga, Hune, Milosch, Palsrok, Wenke, McConico, Lipsey, Murphy and Tobocman

Nays: None

The Committee on Commerce, by Rep. DeRoche, Vice-Chair, reported

House Bill No. 4699, entitled

A bill to amend 1950 (Ex Sess) PA 27, entitled "Motor vehicle sales finance act," by amending section 36 (MCL 492.136).

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

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

Favorable Roll Call

To Report Out:

Yeas: Reps. DeRoche, Howell, Koetje, Middaugh, Drolet, Palmer, Huizenga, Hune, Milosch, Palsrok, Wenke, O'Neil, McConico, Murphy, Tobocman and Accavitti

Nays: None

The Committee on Commerce, by Rep. DeRoche, Vice-Chair, reported

Senate Bill No. 493, entitled

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending section 4 (MCL 445.904), as amended by 2000 PA 432.

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.

Favorable Roll Call

To Report Out:

Yeas: Reps. DeRoche, Howell, Koetje, Middaugh, Drolet, Palmer, Huizenga, Hune, Milosch, Palsrok, Wenke, O'Neil, McConico, Murphy, Tobocman and Accavitti

Nays: None

The Committee on Commerce, by Rep. DeRoche, Vice-Chair, reported

Senate Bill No. 494, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 315a and 376a (MCL 750.315a and 750.376a), as added by 1982 PA 395.

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.

Favorable Roll Call

To Report Out:

Yeas: Reps. DeRoche, Howell, Koetje, Middaugh, Drolet, Palmer, Huizenga, Hune, Milosch, Palsrok, Wenke, O'Neil, McConico, Lipsey, Murphy, Tobocman and Accavitti

Nays: None

The Committee on Commerce, by Rep. DeRoche, Vice-Chair, reported

Senate Bill No. 495, entitled

A bill to amend 1973 PA 43, entitled "An act to permit associations, institutions and credit unions to process or handle food stamps; and to prescribe powers and duties," by amending section 1 (MCL 400.171).

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.

Favorable Roll Call

To Report Out:

Yeas: Reps. DeRoche, Howell, Koetje, Middaugh, Drolet, Palmer, Huizenga, Hune, Milosch, Palsrok, Wenke, O'Neil, McConico, Lipsey, Murphy, Tobocman and Accavitti

Nays: None

The Committee on Commerce, by Rep. DeRoche, Vice-Chair, reported

Senate Bill No. 496, entitled

A bill to provide for the organization, operation, regulation, and supervision of credit unions; to prescribe the powers and duties of credit unions; to prescribe the powers and duties of certain state agencies and officials; to prescribe penalties, civil sanctions, and remedies; and to repeal acts and parts of acts.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

To Report Out:

Yeas: Reps. DeRoche, Howell, Koetje, Middaugh, Drolet, Palmer, Huizenga, Hune, Milosch, Palsrok, Wenke, O'Neil, McConico, Murphy and Tobocman

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, October 21, 2003, at 10:30 a.m.

Present: Reps. DeRoche, Howell, Koetje, Middaugh, Drolet, Palmer, Huizenga, Hune, Milosch, Palsrok, Wenke, Rivet, O'Neil, McConico, Lipsey, Murphy, Tobocman and Accavitti

Absent: Rep. Bisbee

Excused: Rep. Bisbee

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

House Bill No. 4659, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20906 (MCL 333.20906), as amended by 2000 PA 375.

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.

Favorable Roll Call

To Report Out:

Yeas: Reps. Ehardt, Vander Veen, Ruth Johnson, Rocca, Hart, Woronchak, Van Regenmorter, Robertson, Gaffney, Ward, Adamini, Hardman, O'Neil, Gillard and Clack

Nays: None

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

Senate Bill No. 50, entitled

A bill to regulate certain health clubs with respect to potential medical emergencies; and to provide for civil sanctions.

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.

Favorable Roll Call

To Report Out:

Yeas: Reps. Ehardt, Vander Veen, Rocca, Hart, Woronchak, Van Regenmorter, Robertson, Ward, Adamini, Wojno, Hardman, O'Neil, Gillard and Clack

Nays: None

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, October 21, 2003, at 10:30 a.m.

Present: Reps. Ehardt, Vander Veen, Ruth Johnson, Rocca, Hart, Woronchak, Van Regenmorter, Robertson, Gaffney, Ward, Adamini, Wojno, Hardman, O'Neil, Gillard and Clack

Absent: Rep. Hune

Excused: Rep. Hune

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: Tuesday, October 21, 2003, at 9:00 a.m.

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, October 21, 2003, at 10:30 a.m.

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

Announcement by the Clerk of Printing and Enrollment

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

Senate Bill Nos. 772 773 774 775 776 778

The Clerk announced that the following bills had been printed and placed upon the files of the members on Friday, October 17:

House Bill Nos. 5181 5182 5183 5184

The Clerk announced the enrollment printing and presentation to the Governor on Tuesday, October 21, for her approval of the following bills:

Enrolled House Bill No. 4601 at 9:58 a.m.

Enrolled House Bill No. 4790 at 10:00 a.m.

The Clerk announced that the following Senate bills had been received on Tuesday, October 21:

Senate Bill Nos. 337 338 339 476 742

By unanimous consent the House returned to the order of

Messages from the Senate

House Bill No. 4895, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.1100) by adding section 67.

The Senate has amended the bill as follows:

1. Amend page 1, line 2, after "**James**" by inserting "**M.**".

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

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

Senate Bill No. 337, entitled

A bill to amend 1917 PA 167, entitled "Housing law of Michigan," (MCL 125.401 to 125.543) by adding section 82a.

The Senate has passed the bill.

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

Senate Bill No. 338, 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 sections 1 and 29 (MCL 125.1651 and 125.1679), section 1 as amended by 2003 PA 136 and section 29 as amended by 2001 PA 68.

The Senate has passed the bill.

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

Senate Bill No. 339, entitled

A bill to amend 1970 PA 169, entitled "Local historic districts act," by amending sections 1a and 5 (MCL 399.201a and 399.205), as amended by 2001 PA 67.

The Senate has passed the bill.

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

Senate Bill No. 476, entitled

A bill to amend 1989 PA 24, entitled "The district library establishment act," by amending section 25 (MCL 397.195), as amended by 2002 PA 540; and to repeal acts and parts of acts.

The Senate has passed the bill.

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

Senate Bill No. 742, entitled

A bill to amend 1972 PA 230, entitled "Stille-DeRossett-Hale single state construction code act," (MCL 125.1501 to 125.1531) by adding section 4c.

The Senate has passed the bill.

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

Notices

I hereby give notice that on the next legislative session day I will move to reconsider the vote by which the House passed **Senate Bill No. 725**.

Rep. Richardville

Messages from the Governor

Date: October 17, 2003

Time: 10:05 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4632 (Public Act No. 182, I.E.), being

An act to amend 1931 PA 328, entitled “An act to revise, consolidate, codify and add to the statutes relating to crimes; to define crimes and prescribe the penalties therefor; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending section 394 (MCL 750.394).

(Filed with the Secretary of State October 17, 2003, at 11:20 a.m.)

Date: October 17, 2003

Time: 10:08 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4633 (Public Act No. 183, I.E.), being

An act to amend 1927 PA 175, entitled “An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending section 16s of chapter XVII (MCL 777.16s), as amended by 2000 PA 279.

(Filed with the Secretary of State October 17, 2003, at 11:22 a.m.)

Date: October 17, 2003

Time: 10:10 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4457 (Public Act No. 184, I.E.), being

An act to amend 1949 PA 300, entitled “An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a

violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date," by amending section 676 (MCL 257.676), as amended by 1980 PA 518.

(Filed with the Secretary of State October 17, 2003, at 11:24 a.m.)

Date: October 17, 2003

Time: 10:12 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4715 (Public Act No. 185, I.E.), being

An act to amend 1966 PA 189, entitled "An act to provide procedures for making complaints for, obtaining, executing and returning search warrants; and to repeal certain acts and parts of acts," by amending section 1 (MCL 780.651), as amended by 2002 PA 506.

(Filed with the Secretary of State October 17, 2003, at 11:26 a.m.)

Date: October 17, 2003

Time: 10:20 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4967 (Public Act No. 187, I.E.), being

An act to amend 1965 PA 261, entitled "An act to authorize the creation and to prescribe the powers and duties of county and regional parks and recreation commissions; and to prescribe the powers and duties of county boards of commissioners with respect to county and regional parks and recreation commissions," by amending section 1 (MCL 46.351), as amended by 2000 PA 496.

(Filed with the Secretary of State October 17, 2003, at 11:30 a.m.)

The following message from the Governor was received October 20, 2003 and read:

EXECUTIVE ORDER

No. 2003 - 19

MICHIGAN STRATEGIC FUND

TECHNOLOGY TRI-CORRIDOR STEERING COMMITTEE

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

WHEREAS, a health and aging steering committee was authorized under Section 418 of 1999 PA 120 to provide advice and oversight of an initiative to support basic and applied research in health-related areas, with emphasis on issues related to aging;

WHEREAS, the committee authorized under Section 418 of 1999 PA 120 was designated as the "Life Sciences Corridor Board" under Executive Order 2000-3;

WHEREAS, a life sciences and technology tri-corridor committee is authorized under Section 410 of 2003 PA 169 to provide advice and oversight of an initiative to support research and commercialization, including all potential business commercialization opportunities, in life sciences, homeland security, and automotive technologies;

WHEREAS, in order to fully utilize the input and expertise of the many and varied individuals interested in serving on a life sciences and technology tri-corridor committee, it is necessary for the members of such a committee appointed by the Governor to serve terms of limited duration;

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

I. TECHNOLOGY TRI-CORRIDOR STEERING COMMITTEE

A. The committee authorized under Section 410 of 2003 PA 169 is created within the Michigan Strategic Fund and shall be known as the "Technology Tri-Corridor Steering Committee" ("Committee").

B. The Committee shall consist of 19 members, including the 3 ex officio members of the Committee required under Section I.C, and 16 members appointed by the Governor under Section I.D.

C. The following persons, or their designated alternate representatives, shall serve as ex officio members of the Committee:

1. The Chief Executive Officer of the Michigan Economic Development Corporation, the public body corporate created under Section 28 of Article VII of the Michigan Constitution of 1963 and the Urban Cooperation Act of 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512, by a contractual interlocal agreement effective April 5, 1999, and subsequently amended, between local participating economic development corporations formed under the Economic Development Corporations Act, 1974 PA 338, MCL 125.1601 to 125.1636, and the Michigan Strategic Fund (“MEDC”).

2. The Director of the Department of Consumer and Industry Services, or, if Executive Order 2003-18 is effective, the Director of the Department of Labor and Economic Growth.

3. The State Treasurer.

D. In addition to the ex officio members of the Committee under Section I.C, the Governor shall appoint the following as members of the Committee:

1. A member representing Michigan State University.

2. A member representing the University of Michigan.

3. A member representing Wayne State University.

4. For the fiscal year beginning October 1, 2003, and ending on September 30, 2004, a member representing Western Michigan University.

5. A member representing the Van Andel Institute (VAI), a Michigan charitable trust (MICS 13607).

6. A member nominated by the Speaker of the Michigan House of Representatives.

7. A member nominated by the Majority Leader of the Michigan Senate.

8. 2 members actively engaged in the life sciences sector.

9. 2 members actively engaged in the homeland security sector.

10. 2 members actively engaged in the automotive technology sector.

11. 3 members, which may include, without limitation, members from the private sector, the public sector, or Michigan universities other than Michigan State University, the University of Michigan, Wayne State University, or, in the fiscal year ending September 30, 2004, Western Michigan University.

12. After September 30, 2004, an additional member, which may include, without limitation, a member from the private sector, public sector, or a Michigan university other than Michigan State University, the University of Michigan, or Wayne State University.

E. Of the members initially appointed by the Governor, 5 members shall be appointed for a term expiring on September 30, 2004, including the member appointed under Section II.D.4; 5 members shall be appointed for terms expiring on September 30, 2005; and 6 members shall be appointed for terms expiring on September 30, 2006. After the initial appointments, members of the Committee shall be appointed to 3-year terms.

F. A vacancy on the Committee 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.

G. The Governor shall designate one of the members of the Committee to serve as the Chairperson of the Technology Tri-Corridor Steering Committee, to serve as Chairperson at the pleasure of the Governor.

II. OPERATIONS OF THE COMMITTEE

A. The Committee shall select a member of the Committee to serve as Vice-Chairperson and a member to serve as Secretary. Staff from the Michigan Strategic Fund or the MEDC shall assist the Secretary with recordkeeping responsibilities.

B. The Committee shall be staffed by personnel from and be assisted by the Michigan Strategic Fund or the MEDC.

C. The Committee may adopt procedures, not inconsistent with Michigan law and this Order, governing its organization and operations. The Committee may establish subcommittees and request public participation on advisory panels as it deems necessary.

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

E. A member of the Committee may designate an alternate member to serve in the absence of the member by filing a written notice of the designation with the Secretary of the Committee.

F. A quorum of the Committee shall consist of 10 members appointed and serving. The business of the Committee shall be conducted by not less than a quorum.

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

H. The Committee may accept donations of labor, services, or other things of value from any public or private agency or person.

I. Members of the Committee shall refer all legal, legislative, and media contacts to the President of the Michigan Strategic Fund, or his or her designee.

III. RESCISSION OF EXECUTIVE ORDER 2000-3

A. The Life Sciences Corridor Board, also known as the “Life Sciences Steering Committee,” created under Executive Order 2000-3 is abolished.

B. Executive Order 2000-3 is rescinded in its entirety.

IV. MISCELLANEOUS

A. All departments, committees, commissioners, or officers of this state or of any political subdivision of this state shall give to the Committee, or to any member or representative of the Committee, any necessary assistance required by the Committee, or any member or representative of the Committee, in the performance of the duties of the Committee so far as is compatible with its, his, or her duties. Free access shall also be given to any books, records, or documents in its, his, or her custody, relating to matters within the scope of inquiry, study, or investigation of the Committee.

B. The invalidity of any portion of this Order shall not affect the validity of the remainder the order.
This Order is effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the State of
Michigan this 16th day of October, 2003.

Jennifer M. Granholm

Governor

By the Governor:

Terri L. Land

Secretary of State

The message was referred to the Clerk.

The following message from the Governor was received October 20, 2003 and read:

EXECUTIVE ORDER

No. 2003 - 20

DEPARTMENT OF EDUCATION DEPARTMENT OF INFORMATION TECHNOLOGY DEPARTMENT OF TREASURY

MICHIGAN EDUCATIONAL ASSESSMENT PROGRAM

EXECUTIVE REORGANIZATION

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

WHEREAS, Article V, Section 2 of the Michigan Constitution of 1963 empowers the Governor to make changes in the organization of the Executive Branch or in the assignment of functions among its units that the Governor considers necessary for efficient administration;

WHEREAS, the Department of Treasury was created as a principal department of state government under Section 75 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.175;

WHEREAS, the Department of Treasury is focused on the collection and investment of state revenue, managing state debt, and providing fiscal oversight of local governments;

WHEREAS, the Department of Education was created as a principal department of state government by Section 300 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.400;

WHEREAS, the Department of Education is focused on improving student achievement and administers state school aid payments and federal grants to Michigan public schools;

WHEREAS, the Michigan Educational Assessment Program was established to provide statewide assessment of the basic skills and educational progress of Michigan students using subject-based tests;

WHEREAS, administration of the Michigan Educational Assessment Program is a function requiring staff with educational content knowledge and expertise to measure and assess the educational progress of students, test development expertise, and other education-related skills conducive to measuring the educational progress of students;

WHEREAS, transferring primary responsibility for devising and administering statewide assessment testing programs to the Department of Education will lead to greater efficiency and accountability, foster greater coordination of educational functions, and result in more consistent programs and policies;

WHEREAS, it is necessary in the interests of efficient administration and effectiveness of government to effect changes in the organization of the Executive Branch of state government;

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

I. DEFINITIONS

A. As used in this Order:

1. "Department of Education" means the principal department of state government created under Section 300 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.400.

2. "Department of Treasury" means the principal department of state government created under Section 75 of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.175.

3. "Merit Award Board" means the board created under Section 4 of the Michigan Merit Award Scholarship Act, 1999 PA 94, MCL 390.1454.

4. "Michigan Educational Assessment Program" or "MEAP" means the Michigan Educational Assessment Program for subject assessment of students, including but not limited to the statewide program of assessment of educational progress and remedial assistance in the basic skills of students in reading, mathematics, language arts, and/or other general subject areas, established under 1970 PA 38, MCL 388.1081 to 388.1086.

5. "State Board of Education" means the board created under Article VIII, Section 3 of the Michigan Constitution of 1963.

6. "Superintendent of Public Instruction" means the principal executive officer of the Department of Education required under Article VIII, Section 3 of the Michigan Constitution of 1963.

7. "Type II Transfer" means that type of transfer as defined in Section 3(b) of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.103(b).

8. "Type III Transfer" means that type of transfer as defined in Section 3(c) of the Executive Organization Act of 1965, 1965 PA 380, MCL 16.103(c).

II. TRANSFER OF MICHIGAN EDUCATIONAL ASSESSMENT PROGRAM (MEAP)

A. All authority, powers, duties, functions, responsibilities, and rule-making authority of the Department of Treasury related to the administration of the Michigan Educational Assessment Program are transferred by Type II Transfer to the Superintendent of Public Instruction, including but not limited to any authority, powers, duties, functions, responsibilities, or rule-making authority under any of the following:

1. Section III of Executive Order 1999-12, MCL 388.995 (codified as Executive Reorganization Order 1999-7).

2. Section 1279a of the Revised School Code, 1976 PA 451, MCL 380.1279a (reporting of suspected MEAP test irregularities).

3. Section 1279c of the Revised School Code, 1976 PA 451, MCL 380.1279c (prohibitions on use of MEAP test).

4. Section 1279d of the Revised School Code, 1976 PA 451, MCL 380.1279d (reporting of suspected MEAP test irregularities).

5. Sections 1 to 6 of 1970 PA 38, MCL 388.1081 to 388.1086 (assessment of educational progress and remedial assistance).

6. Section 104a of The State School Aid Act of 1979, 1979 PA 94, MCL 388.1704a (state assessments administered to high school pupils).

7. Section 951 of 2003 PA 161.

B. All authority, powers, duties, functions, responsibilities, or rule-making authority, if any, of the Michigan Assessment Governing Board, including but not limited to authority, powers, duties, functions, responsibilities, or rule-making authority under Section 104a of The State School Aid Act of 1979, 1979 PA 94, MCL 388.1704a, are transferred by Type III Transfer to the Superintendent of Public Instruction. The Michigan Assessment Governing Board is abolished.

C. All authority, powers, duties, functions, responsibilities and rule-making authority of the Merit Award Board under Sections 4(8), 5(c), and 9(f) of the Michigan Merit Award Scholarship Act, 1999 PA 94, MCL 390.1454(8), 390.1455(c), and 390.1459(f), are transferred by Type II Transfer to the Superintendent of Public Instruction. The Department of Education shall assist the Merit Award Board in the performance of the Board's authority, powers, duties, functions, and responsibilities under the Michigan Merit Award Scholarship Act, 1999 PA 94, MCL 390.1451 to 390.1459.

D. The State Board of Education shall retain its policy-making authority with regard to any statutory authority, power, duty, function, or responsibility transferred under this Section II, if any, on which the administration of such statutory authority, power, duty, function, or responsibility shall be based.

III. IMPLEMENTATION

A. The Department of Information Technology shall provide the Department of Education with management and information processing services related to the authority, powers, duties, functions, and responsibilities transferred under this Order, including but not limited to application development and maintenance; desktop computer support and management; mainframe computer support and management; server support and management; local area network support and management; information technology procurement; information technology-related contract selection and oversight; information technology project management; information technology planning and budget management; and telecommunications services, infrastructure, and security.

B. Nothing in this Executive Order shall be construed to diminish the constitutional authority of the State Board of Education to provide leadership and general supervision over all public education, including adult education and

instructional programs in state institutions, except as to institutions of higher education granting baccalaureate degrees, to serve as the general planning and coordinating body for all public education, or to advise the Legislature as to the financial requirements in connection therewith.

C. The Superintendent of Public Instruction, in consultation with the State Treasurer, shall provide executive direction and supervision for the implementation of all transfers to the Department of Education under this Order. The functions transferred to the Department of Education under this Order shall be administered under the direction and supervision of the Superintendent of Public Instruction to the extent provided in this Order, including but not limited to, all prescribed functions of rule-making, licensing, registration, and the prescription of rules, regulations, standards, and adjudications.

D. All records, personnel, property, and funds used, held, employed, or to be made available to the Department of Treasury for the activities transferred to the Department of Education under this Order are transferred to the Department of Education.

E. Any authority, duties, powers, functions, and responsibilities transferred in this Order and not statutorily mandated may in the future be reorganized to promote efficient administration by the Superintendent of Public Instruction.

F. The Superintendent of Public Instruction, in addition to the other duties and responsibilities given to the Superintendent under this Order, shall be responsible for the oversight and supervision of the employees of the Department of Education and for the operations of the Department of Education. The Superintendent shall also perform other duties and exercise other powers as the Governor or the State Board of Education may prescribe.

G. The Superintendent of Public Instruction may perform a duty or exercise a power conferred by law or executive order upon the Superintendent at the time and to the extent the duty or power is delegated to the Superintendent by law or order.

H. The Superintendent of Public Instruction shall administer the assigned functions transferred by this Order in such ways as to promote efficient administration and shall make internal organizational changes as may be administratively necessary to complete the realignment of responsibilities prescribed by this Order.

I. The Superintendent of Public Instruction may by written instrument delegate a duty or power conferred by law or this Order and the person to whom the duty or power is delegated may perform the duty or exercise the power at the time and to the extent the duty or power is delegated by the Superintendent.

IV. RESCISSION OF EXECUTIVE ORDER 2000-11

A. The MEAP Subject Area Blue Ribbon Advisory Committee for Reading and Writing required and established within the Department of Treasury under Executive Order 2000-11 but never appointed is abolished.

B. The MEAP Subject Area Blue Ribbon Advisory Committee for Math required and established within the Department of Treasury under Executive Order 2000-11 but never appointed is abolished.

C. The MEAP Subject Area Blue Ribbon Advisory Committee for Science required and established within the Department of Treasury under Executive Order 2000-11 but never appointed is abolished.

D. The MEAP Subject Area Blue Ribbon Advisory Committee for Social Studies required and established within the Department of Treasury under Executive Order 2000-11 but never appointed is abolished.

E. Executive Order 2000-11 is rescinded in its entirety.

V. MISCELLANEOUS

A. The State Budget Director shall determine and authorize the most efficient manner possible for handling financial transactions and records in the state's financial management system necessary to implement this Order.

B. All rules, orders, contracts, and agreements relating to the assigned functions lawfully adopted prior to the effective date of this Order shall continue to be effective until revised, amended, or repealed.

C. Any suit, action, or other proceeding lawfully commenced by, against, or before any entity affected by this Order, shall not abate by reason of the taking effect of this Order. Any suit, action, or other proceeding may be maintained by, against, or before the appropriate successor of any entity affected by this Order.

D. The invalidity of any portion of this Order shall not affect the validity of the remainder of the Order, which may be given effect without any invalid portion. Any portion of this Order found invalid by a court or other entity with proper jurisdiction shall be severable from the remaining portions of this Order.

In fulfillment of the requirements under Article V, Section 2, of the Michigan Constitution of 1963, the provisions of this Executive Order are effective Sunday, December 21, 2003 at 12:00 a.m.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 20th day of October, 2003.

Jennifer M. Granholm
Governor

By the Governor:
Terri L. Land
Secretary of State

The message was referred to the Clerk.

Communications from State Officers

The following communication from the Department of Environmental Quality was received and read:

October 8, 2003

Pursuant to the provisions of Section 31712(1) of Public Act 177 of 2003, the Department of Environmental Quality (DEQ) has identified the following geographic areas to be at greatest risk for potential groundwater withdrawal disputes:

- The Saginaw County townships of Fremont, Richland, Lakefield, and Jonesfield.
- Monroe County (all townships).

The justification for this declaration is based on hydrogeological studies completed by the United States Geological Survey through funding provided by the Michigan Legislature.

I would greatly appreciate your assistance in ensuring that this communication be read into the official records of the Senate and the House of Representatives.

If you have any questions, please call me at 517-373-7917.

Sincerely,
Steven E. Chester
Director

The communication was referred to the Clerk.

Introduction of Bills

Reps. Gillard, Sheltroun, O'Neil, Elkins, McConico, Jamnick, Hoogendyk, Tobocman, Gleason, Bieda, Rivet, Pappageorge, Hoppood, Brown, Adamini, Vander Veen, Ward, Byrum, Gielegem, Sak, Plakas, Minore, Whitmer, Zelenko, Lipsey, Dennis, Accavitti, Kolb, Vagnozzi, Gaffney, Wojno, Condino, Clack and Palsrok introduced

House Bill No. 5185, 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 3 (MCL 408.473).

The bill was read a first time by its title and referred to the Committee on Employment Relations, Training and Safety.

Reps. Hood, Sak, Vagnozzi, Bieda, Gleason, Hunter, Dennis, Accavitti, Stallworth and Smith introduced

House Bill No. 5186, entitled

A bill to amend 1985 PA 87, entitled "Crime victim's rights act," by amending sections 2, 19, 20, 20a, 20b, 21, 22, 31, 46, 46a, 48, 61, 77a, 78, 78a, 78b, and 79 (MCL 780.752, 780.769, 780.770, 780.770a, 780.770b, 780.771, 780.772, 780.781, 780.796, 780.796a, 780.798, 780.811, 780.827a, 780.828, 780.828a, 780.828b, and 780.829), sections 2, 19, 21, 31, 46, 46a, 48, 61, 78, and 78a as amended by 2000 PA 503, section 20a as amended by 1998 PA 523, sections 20b, 77a, and 78b as added by 1993 PA 341, and section 79 as added by 1988 PA 21.

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

Reps. Phillips, Lipsey, Brown, Adamini, Whitmer, Woodward, McConico, Hunter, Jamnick, Minore, Kolb, Dennis, Smith, Accavitti, Paletko, Cheeks, Zelenko, Vagnozzi, Pappageorge, Garfield, Wenke, Richardville, Mortimer, Ehardt, Pumford, Byrum, Hart, Gillard, Drolet, Brandenburg, Gaffney, Nofs, Stahl, Sheltroun and Hardman introduced

House Bill No. 5187, entitled

A bill to amend 1998 PA 492, entitled "An act to authorize the state administrative board to convey certain parcels of state owned property in Oakland county and Genesee county; to provide for certain powers and duties of the department of management and budget and certain municipalities in regard to that property; to prescribe conditions for the conveyances; and to provide for disposition of the revenue derived from the conveyances; and to alter certain use restrictions," by amending section 3.

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

Reps. Palsrok, Gaffney, Taub, Wojno, Garfield, Brandenburg, Whitmer, Gillard, Nofs, Amos, Murphy, Farrah, Vagnozzi, Tabor, Rocca, Ward, Howell, Hopgood, Hune, Bisbee, Palmer, Farhat, Richardville, Kooiman, Minore, Newell, Rivet, Hoogendyk, Koetje, Stahl, Sak, Milosch, LaJoy, Acciavatti, Emmons, Shaffer, Robertson, Moolenaar, Drolet, Ruth Johnson, Condino, Elkins, Sheltroun, Hummel, Gielegheem, Accavitti, McConico and Casperson introduced

House Bill No. 5188, entitled

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts," by amending section 10a (MCL 460.10a), as added by 2000 PA 141.

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

Reps. Sheen, Hoogendyk, Newell, Van Regenmorter, Stakoe, Stahl, Casperson, Huizenga, Voorhees, Taub, Vander Veen, Hummel, Garfield, Milosch, Acciavatti, Kooiman, O'Neil, Sak, Middaugh, Brandenburg, Robertson, Hune and Pappageorge introduced

House Bill No. 5189, entitled

A bill to provide for the manner of approval of certain compacts made between this state and an Indian tribe; and to prohibit the construction and operation of casinos by Indian tribes on certain land in this state.

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

Reps. LaJoy, Drolet, Palsrok, Pastor, Casperson, Caswell, Taub, Amos, Emmons, Acciavatti, Milosch, Garfield, Brandenburg, DeRoche, Robertson, Shaffer, Stewart, Meyer, Wenke, Stahl, Tabor, Sheen, Farhat, Shackleton, Stakoe, Huizenga, Mortimer, Nofs, Pappageorge, Howell, Middaugh, Caul, Ruth Johnson, Van Regenmorter, Steil, Voorhees, Hummel, Palmer, Vander Veen, Nitz, Bradstreet, Richardville, Gaffney and Newell introduced

House Bill No. 5190, entitled

A bill to consolidate certain state human resource operations in the department of civil service; to create certain offices; and to impose certain duties and responsibilities on certain state officials and employees.

The bill was read a first time by its title and referred to the Committee on Employment Relations, Training and Safety.

Rep. Nitz introduced

House Bill No. 5191, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 320a and 732 (MCL 257.320a and 257.732), section 320a as amended by 2003 PA 61 and section 732 as amended by 2002 PA 534.

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

Rep. Nitz introduced

House Bill No. 5192, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 80186 (MCL 324.80186), as added by 1995 PA 58.

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

Rep. Pappageorge introduced

House Joint Resolution O, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 54 of article IV, to modify term limits for certain elected state offices.

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

Rep. Richardville moved that the House adjourn.
The motion prevailed, the time being 3:20 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, October 22, at 1:00 p.m.

GARY L. RANDALL
Clerk of the House of Representatives