

**No. 51**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**91st Legislature**  
**REGULAR SESSION OF 2001**

---

---

House Chamber, Lansing, Tuesday, June 12, 2001.

12:00 Noon.

The House was called to order by Associate Speaker Pro Tempore Julian.

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

|                        |                       |                      |                      |
|------------------------|-----------------------|----------------------|----------------------|
| Adamini—present        | Garza—present         | Lockwood—present     | Schauer—present      |
| Allen—present          | George—present        | Mans—present         | Schermesser—present  |
| Anderson—present       | Gielegem—present      | McConico—present     | Scranton—excused     |
| Basham—present         | Gilbert—present       | Mead—present         | Shackleton—present   |
| Bernero—present        | Godchaux—present      | Meyer—present        | Sheltrown—present    |
| Birkholz—present       | Gosselin—present      | Middaugh—present     | Shulman—present      |
| Bisbee—present         | Hager—present         | Minore—present       | Spade—present        |
| Bishop—present         | Hale—present          | Mortimer—present     | Stallworth—excused   |
| Bogardus—present       | Hansen—present        | Murphy—present       | Stamas—present       |
| Bovin—present          | Hardman—excused       | Neumann—present      | Stewart—present      |
| Bradstreet—present     | Hart—present          | Newell—present       | Switalski—present    |
| Brown, Bob—present     | Howell—present        | O’Neil—present       | Tabor—present        |
| Brown, Cameron—present | Jacobs—present        | Pappageorge—present  | Thomas—present       |
| Brown, Rich—present    | Jamnick—present       | Patterson—present    | Toy—present          |
| Callahan—present       | Jansen—present        | Pestka—present       | Vander Roest—present |
| Cassis—present         | Jelinek—present       | Phillips—present     | Vander Veen—present  |
| Caul—present           | Johnson, Rick—present | Plakas—present       | Van Woerkom—present  |
| Clark—present          | Johnson, Ruth—present | Pumford—present      | Vear—present         |
| Clarke—e/d/s           | Julian—present        | Quarles—present      | Voorhees—present     |
| Daniels—present        | Kilpatrick—present    | Raczowski—present    | Waters—present       |
| Dennis—present         | Koetje—present        | Reeves—present       | Whitmer—present      |
| DeRossett—present      | Kolb—present          | Richardville—present | Williams—present     |
| DeVuyst—present        | Kooiman—present       | Richner—present      | Wojno—present        |
| DeWeese—present        | Kowall—present        | Rison—present        | Woodward—present     |
| Drolet—present         | Kuipers—present       | Rivet—present        | Woronchak—present    |
| Ehardt—present         | LaSata—present        | Rocca—present        | Zelenko—present      |
| Fauce—present          | Lemmons—present       | Sanborn—present      |                      |
| Frank—present          | Lipsey—present        |                      |                      |

e/d/s = entered during session

Rev. Robert L. Moss, Pastor of First Church of God, in St. Joseph offered the following invocation:

“Heavenly Father, we give You thanks for this day and for each man and woman gathered here as servants of the people of our great state. There are so many blessings to thank You for as You have poured Your abundance upon us in Michigan. So we pause just now to give You our heartfelt thanks.

I especially pray for the men and women who have committed their energies to serve as legislators in our state. I lift them up to You in accordance to the promise given in Holy Scripture in James 1: “if you need wisdom—if you want to know what God wants you to do—ask Him, and He will gladly tell You. He will not resent your asking.” (James 1:5 New Living Translation)

So we come to You today, Father, seeking that gift of Divine wisdom for the people gathered in this place. The decisions placed before them are seldom easy. Many voices press conflicting expectations upon each of them. That is why wisdom from above is needed.

We pray that today You will bestow that wisdom upon these legislators, as they seek to do what is right, even as much as they seek to do what is helpful for their constituents.

Father, we must also admit the weakness of our own humanity to You. When we are experiencing prosperity, we fail to thank You as we ought. And, when tough times come, we complain far more than we should. Forgive us, Lord, for failing to keep our eyes upon You in times of abundance as well as in the days of our greatest challenges.

So today we pray not only for those gathered in this room, but for all the citizens of Michigan. Bless those in the factories and on the farms. Give insight to those who serve in the hospitals and universities. Give encouragement to those in business, industry and commerce. Bless our families, our cities, our towns and villages.

Help us, Lord, to heal the breaches that divide us. Help our leaders to guide us in reaching across the racial divide, across cultural misunderstanding, across religious prejudices, and beyond the gaps of misunderstanding caused by our own limited imagination.

Finally, Lord, help each of us to remember to give You thanks every day as we depend upon You as our source and guide. We pray this in Your Holy name. Amen.”

---

Rep. Jacobs moved that Reps. Hardman and Stallworth be excused from today’s session.  
The motion prevailed.

Rep. Vander Roest moved that Rep. Scranton be excused from today’s session.  
The motion prevailed.

Rep. Kilpatrick moved that Rep. Minore be excused temporarily from today’s session.  
The motion prevailed.

Rep. Vander Roest moved that Reps. Sanborn and Shulman be excused temporarily from today’s session.  
The motion prevailed.

### Messages from the Senate

The Speaker laid before the House

#### **House Bill No. 4630, entitled**

A bill to amend 1976 PA 451, entitled “The revised school code,” (MCL 380.1 to 380.1852) by adding section 1294. (The bill was received from the Senate on June 6, with substitute (S-1), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 7, see House Journal No. 49, p. 844.)

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. 266**

#### **Yeas—100**

Allen  
Anderson  
Basham

Frank  
Garza  
George

Lemmons  
Lipse  
Lockwood

Rivet  
Rocca  
Schauer

|            |               |              |              |
|------------|---------------|--------------|--------------|
| Bernero    | Gielegem      | Mans         | Schermesser  |
| Birkholz   | Gilbert       | McConico     | Shackleton   |
| Bisbee     | Godchaux      | Mead         | Sheltrown    |
| Bishop     | Gosselin      | Meyer        | Spade        |
| Bogardus   | Hager         | Middaugh     | Stamas       |
| Bovin      | Hale          | Mortimer     | Stewart      |
| Bradstreet | Hansen        | Murphy       | Switalski    |
| Brown, B.  | Hart          | Neumann      | Tabor        |
| Brown, C.  | Howell        | Newell       | Thomas       |
| Brown, R.  | Jacobs        | O'Neil       | Toy          |
| Callahan   | Jamnick       | Pappageorge  | Van Woerkom  |
| Cassis     | Jansen        | Patterson    | Vander Roest |
| Caul       | Jelinek       | Pestka       | Vander Veen  |
| Clark, I.  | Johnson, Rick | Phillips     | Vear         |
| Daniels    | Johnson, Ruth | Plakas       | Voorhees     |
| Dennis     | Julian        | Pumford      | Waters       |
| DeRossett  | Kilpatrick    | Quarles      | Whitmer      |
| DeVuyst    | Kolb          | Raczkowski   | Williams     |
| DeWeese    | Kooiman       | Reeves       | Wojno        |
| Drolet     | Kowall        | Richardville | Woodward     |
| Ehardt     | Kuipers       | Richner      | Woronchak    |
| Faunce     | LaSata        | Rison        | Zelenko      |

### Nays—1

Koetje

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.

### Third Reading of Bills

#### House Bill No. 4673, entitled

A bill to amend 1953 PA 232, entitled "An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to allow for the operation of certain facilities by private entities; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act," by amending section 65 (MCL 791.265), as amended by 1998 PA 512.

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

#### Roll Call No. 267

#### Yeas—102

|          |          |          |         |
|----------|----------|----------|---------|
| Adamini  | Garza    | Lipsey   | Rocca   |
| Allen    | George   | Lockwood | Sanborn |
| Anderson | Gielegem | Mans     | Schauer |

|            |               |              |              |
|------------|---------------|--------------|--------------|
| Basham     | Gilbert       | McConico     | Schermesser  |
| Bernero    | Godchaux      | Mead         | Shackleton   |
| Birkholz   | Gosselin      | Meyer        | Sheltrown    |
| Bisbee     | Hager         | Middaugh     | Spade        |
| Bishop     | Hale          | Mortimer     | Stamas       |
| Bogardus   | Hansen        | Murphy       | Stewart      |
| Bovin      | Hart          | Neumann      | Switalski    |
| Bradstreet | Howell        | Newell       | Tabor        |
| Brown, B.  | Jacobs        | O'Neil       | Thomas       |
| Brown, C.  | Jamnick       | Pappageorge  | Toy          |
| Brown, R.  | Jansen        | Patterson    | Van Woerkom  |
| Callahan   | Jelinek       | Pestka       | Vander Roest |
| Cassis     | Johnson, Rick | Phillips     | Vander Veen  |
| Caul       | Johnson, Ruth | Plakas       | Vear         |
| Clark, I.  | Julian        | Pumford      | Voorhees     |
| Daniels    | Kilpatrick    | Quarles      | Waters       |
| DeRossett  | Koetje        | Rackowski    | Whitmer      |
| DeVuyst    | Kolb          | Reeves       | Williams     |
| DeWeese    | Kooiman       | Richardville | Wojno        |
| Drolet     | Kowall        | Richner      | Woodward     |
| Ehardt     | Kuipers       | Rison        | Woronchak    |
| Faunce     | LaSata        | Rivet        | Zelenko      |
| Frank      | Lemmons       |              |              |

### Nays—1

Dennis

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Rep. Clarke entered the House Chambers.

### Senate Bill No. 29, entitled

A bill relative to the borrowing of money and the issuance of certain debt and securities; to provide for tax levies and sinking funds; to prescribe powers and duties of certain departments, state agencies, officials, and employees; to impose certain duties, requirements, and filing fees upon political subdivisions of this state; to authorize the issuance of certain debt and securities; to prescribe penalties; and to repeal acts and parts of acts.

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

### Roll Call No. 268

### Yeas—103

|          |        |         |         |
|----------|--------|---------|---------|
| Adamini  | Faunce | LaSata  | Rocca   |
| Allen    | Frank  | Lemmons | Sanborn |
| Anderson | Garza  | Lipsey  | Schauer |

|            |               |              |              |
|------------|---------------|--------------|--------------|
| Basham     | George        | Lockwood     | Schermesser  |
| Bernero    | Gielegem      | Mans         | Shackleton   |
| Birkholz   | Gilbert       | McConico     | Sheltrown    |
| Bisbee     | Godchaux      | Mead         | Spade        |
| Bishop     | Gosselin      | Meyer        | Stamas       |
| Bogardus   | Hager         | Middaugh     | Stewart      |
| Bovin      | Hale          | Mortimer     | Switalski    |
| Bradstreet | Hansen        | Murphy       | Tabor        |
| Brown, B.  | Hart          | Neumann      | Thomas       |
| Brown, C.  | Howell        | Newell       | Toy          |
| Brown, R.  | Jacobs        | Pappageorge  | Van Woerkom  |
| Callahan   | Jamnack       | Patterson    | Vander Roest |
| Cassis     | Jansen        | Pestka       | Vander Veen  |
| Caul       | Jelinek       | Phillips     | Vear         |
| Clark, I.  | Johnson, Rick | Plakas       | Voorhees     |
| Clarke, H. | Johnson, Ruth | Pumford      | Waters       |
| Daniels    | Julian        | Quarles      | Whitmer      |
| Dennis     | Kilpatrick    | Raczkowski   | Williams     |
| DeRossett  | Koetje        | Reeves       | Wojno        |
| DeVuyst    | Kolb          | Richardville | Woodward     |
| DeWeese    | Kooiman       | Richner      | Woronchak    |
| Drolet     | Kowall        | Rison        | Zelenko      |
| Ehardt     | Kuipers       | Rivet        |              |

### Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

Rep. Patterson 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. 4783, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 3355 (MCL 500.3355).

The bill was read a second time.

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

The motion prevailed.

#### House Bill No. 4784, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 3230 (MCL 500.3230).

The bill was read a second time.

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

The motion prevailed.

#### House Bill No. 4819, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 224 (MCL 500.224), as amended by 2000 PA 252; and to repeal acts and parts of acts.

The bill was read a second time.

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

The motion prevailed.

**House Bill No. 4145, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 80163 (MCL 324.80163), as added by 1995 PA 58.

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

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

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

The motion prevailed.

**House Bill No. 4487, entitled**

A bill to amend 1962 PA 174, entitled "Uniform commercial code," by amending section 2201 (MCL 440.2201).

The bill was read a second time.

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

The motion prevailed.

---

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

"Mr. Speaker and members of the House:

I was absent from the Chamber when the vote was taken on Roll Call No. 266. Had I been present, I would have voted 'yea'."

**House Bill No. 4626, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 11104, 11108, 11130, 11135, 12101, 12102, 12103, 12109, and 12112 (MCL 324.11104, 324.11108, 324.11130, 324.11135, 324.12101, 324.12102, 324.12103, 324.12109, and 324.12112), sections 11104 and 11130 as amended by 1998 PA 139 and sections 12101, 12102, 12103, and 12109 as amended by 1998 PA 140, and by adding section 11153.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Conservation and Outdoor Recreation (for amendments, see House Journal No. 48, p. 806),

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

Rep. Mead moved to substitute (H-5) the bill.

The motion prevailed and the substitute (H-5) was adopted, a majority of the members serving voting therefor.

Reps. Basham and Patterson moved to amend the bill as follows:

1. Amend page 9, following line 12, by inserting:

"SEC. 11108A. (1) EXCEPT AS PROVIDED IN SUBSECTION (2), A MUNICIPALITY MAY IMPOSE AN IMPACT FEE OF NOT MORE THAN 5 CENTS PER GALLON ON HAZARDOUS WASTE THAT IS DISPOSED OF IN A MULTISOURCE COMMERCIAL HAZARDOUS WASTE DISPOSAL WELL LOCATED WITHIN THE MUNICIPALITY. HOWEVER, IF THE MULTISOURCE COMMERCIAL HAZARDOUS WASTE DISPOSAL WELL IS LOCATED WITHIN A VILLAGE, THE IMPACT FEE PROVIDED FOR IN THIS SUBSECTION SHALL BE IMPOSED BY THE TOWNSHIP IN AGREEMENT WITH THE VILLAGE. THE IMPACT FEE SHALL BE ASSESSED UNIFORMLY ON ALL HAZARDOUS WASTE ACCEPTED FOR DISPOSAL.

(2) A MUNICIPALITY MAY ENTER INTO AN AGREEMENT WITH THE OWNER OR OPERATOR OF A MULTISOURCE COMMERCIAL HAZARDOUS WASTE DISPOSAL WELL TO ESTABLISH A HIGHER IMPACT FEE THAN THE IMPACT FEE PROVIDED FOR IN SUBSECTION (1).

(3) THE IMPACT FEE IMPOSED UNDER THIS SECTION SHALL BE COLLECTED BY THE OWNER OR OPERATOR OF A MULTISOURCE COMMERCIAL HAZARDOUS WASTE DISPOSAL WELL AND SHALL BE PAID TO THE MUNICIPALITY QUARTERLY BY THE THIRTIETH DAY AFTER THE END OF EACH CALENDAR QUARTER. HOWEVER, THE IMPACT FEE ALLOWED TO BE ASSESSED TO EACH MULTISOURCE COMMERCIAL HAZARDOUS WASTE DISPOSAL WELL UNDER THIS SECTION SHALL BE REDUCED BY ANY AMOUNT OF REVENUE PAID TO OR AVAILABLE TO THE MUNICIPALITY FROM THE MULTISOURCE COMMERCIAL HAZARDOUS WASTE DISPOSAL WELL UNDER THE TERMS OF ANY PREEXISTING AGREEMENTS, INCLUDING, BUT NOT LIMITED TO, CONTRACTS, SPECIAL USE PERMIT CONDITIONS, COURT SETTLEMENT AGREEMENT CONDITIONS, AND TRUSTS.

(4) UNLESS A TRUST FUND IS ESTABLISHED BY A MUNICIPALITY PURSUANT TO SUBSECTION (5), THE REVENUE COLLECTED BY A MUNICIPALITY UNDER SUBSECTION (1) SHALL BE DEPOSITED IN ITS GENERAL FUND TO BE USED FOR ANY PURPOSE THAT PROMOTES THE PUBLIC HEALTH, SAFETY, OR WELFARE OF THE CITIZENS OF THE MUNICIPALITY. HOWEVER, REVENUE COLLECTED PURSUANT TO THIS SECTION SHALL NOT BE USED TO BRING OR SUPPORT A LAWSUIT OR OTHER LEGAL ACTION AGAINST AN OWNER OR OPERATOR OF A MULTISOURCE COMMERCIAL HAZARDOUS WASTE DISPOSAL WELL WHO IS COLLECTING AN IMPACT FEE PURSUANT TO SUBSECTION (3) UNLESS THE OWNER OR OPERATOR OF THE MULTISOURCE COMMERCIAL HAZARDOUS WASTE DISPOSAL WELL HAS INSTITUTED A LAWSUIT OR OTHER LEGAL ACTION AGAINST THE MUNICIPALITY.

(5) THE MUNICIPALITY MAY ESTABLISH A TRUST FUND TO RECEIVE REVENUE COLLECTED PURSUANT TO THIS SECTION. THE TRUST FUND SHALL BE ADMINISTERED BY A BOARD OF TRUSTEES. THE BOARD OF TRUSTEES SHALL CONSIST OF THE FOLLOWING MEMBERS:

(A) THE CHIEF ELECTED OFFICIAL OF THE MUNICIPALITY CREATING THE TRUST FUND.

(B) AN INDIVIDUAL FROM THE MUNICIPALITY APPOINTED BY THE GOVERNING BOARD OF THE MUNICIPALITY.

(C) AN INDIVIDUAL APPROVED BY THE OWNERS OR OPERATORS OF THE MULTISOURCE COMMERCIAL HAZARDOUS WASTE DISPOSAL WELLS WITHIN THE MUNICIPALITY AND APPOINTED BY THE GOVERNING BOARD OF THE MUNICIPALITY.

(6) INDIVIDUALS APPOINTED TO SERVE ON THE BOARD OF TRUSTEES UNDER SUBSECTION (5) (B) AND (C) SHALL SERVE FOR TERMS OF 2 YEARS.

(7) MONEY IN THE TRUST FUND MAY BE EXPENDED, PURSUANT TO A MAJORITY VOTE OF THE BOARD OF TRUSTEES, FOR ANY PURPOSE THAT PROMOTES THE PUBLIC HEALTH, SAFETY, OR WELFARE OF THE CITIZENS OF THE MUNICIPALITY. HOWEVER, REVENUE COLLECTED PURSUANT TO THIS SECTION SHALL NOT BE USED TO BRING OR SUPPORT A LAWSUIT OR OTHER LEGAL ACTION AGAINST AN OWNER OR OPERATOR OF A MULTISOURCE COMMERCIAL HAZARDOUS WASTE DISPOSAL WELL WHO IS COLLECTING AN IMPACT FEE PURSUANT TO SUBSECTION (3) UNLESS THE OWNER OR OPERATOR OF THE MULTISOURCE COMMERCIAL HAZARDOUS WASTE DISPOSAL WELL HAS INSTITUTED A LAWSUIT OR OTHER LEGAL ACTION AGAINST THE MUNICIPALITY.

(8) AS USED IN THIS SECTION, "MULTISOURCE COMMERCIAL HAZARDOUS WASTE DISPOSAL WELL" MEANS THAT TERM AS IT IS DEFINED IN SECTION 62506A."

The question being on the adoption of the amendment offered by Reps. Basham and Patterson,

Rep. Patterson moved that consideration of the bill be postponed for the day.

The motion prevailed.

---

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

The motion prevailed.

Rep. Patterson moved that when the House adjourns today it stand adjourned until Wednesday, June 13, at 12:00 Noon.

The motion prevailed.

By unanimous consent the House returned to the order of

### **Motions and Resolutions**

Reps. Julian, Neumann, Stewart, Thomas, DeRossett, Bovin, Vander Roest, Mead, Ehardt, Zelenko, Bernero, Pappageorge, Raczkowski, LaSata, Sheltrown, Callahan, Lemmons, Adamini, Clark, Phillips, Murphy, Whitmer, Faunce, Vander Veen, Gosselin, Switalski, Cassis, Jacobs, Jansen, Koetje, Spade, Richner, Kooiman, Hansen, Rich Brown, Richardville, Bogardus, Meyer, Van Woerkom, Vear, Shulman, Toy, Tabor, Bishop, Hager, Rivet and Kilpatrick offered the following resolution:

#### **House Resolution No. 150.**

A resolution honoring Bruce Montroy as he retires as President of the Michigan Propane Gas Association.

Whereas, It is a pleasure to join with the family, friends, and colleagues of Bruce Montroy in extending our best wishes upon the occasion of his retirement as President of the Michigan Propane Gas Association. At this milestone in his life, we are proud to recognize all that Bruce Montroy has accomplished, not only throughout his association with Michigan Propane Gas Association, but also in all other aspects of his life; and

Whereas, Over the course of Bruce Montroy's long and productive service with Michigan Propane Gas Association, both as a member and as president, he has contributed to its growth and to the reputation it has developed during this period. In this, Bruce Montroy's personal sense of dedication, integrity, and thoroughness have proven invaluable. His colleagues have come to depend upon this consistency in meeting each task with a positive attitude; and

Whereas, Bruce Montroy is a second-generation gasser with 31 years of experience in the propane industry. He currently serves as the Director of Outside Sales for Bergquist, Inc. An active member of the National Propane Gas Association, Bruce participates in a variety of educational and safety training programs and serves as a CETP instructor throughout the Midwest; and

Whereas, With Bruce Montroy's years of experience, the people who have come to rely upon this enterprise have benefitted enormously. In the months and years to come, the example that Bruce Montroy set in all facets of his career will continue to be of value; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body honor Bruce Montroy as he embarks upon the more leisurely pursuits of retirement. May the future be filled with ample time to enjoy life and the love of family and friends; and be it further

Resolved, That a copy of this resolution be transmitted to Bruce Montroy and his wife Jeanne as a token of our esteem.

Pending the reference of the resolution to a committee,

Rep. Patterson 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 Commerce, by Rep. Allen, Chair, reported

#### **House Bill No. 4491, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1284b (MCL 380.1284b), as added by 1999 PA 141.

Without amendment and with the recommendation that the bill pass.

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

#### Favorable Roll Call

#### **HB 4491** To Report Out:

Yeas: Reps. Allen, Bishop, DeVuyst, Gilbert, Howell, Koetje, Middaugh, Mortimer, Van Woerkom, Vear, Kolb, Lipsey, Waters, Zelenko,

Nays: Rep. Rivet.

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

#### **House Bill No. 4774, entitled**

A bill to amend 1962 PA 174, entitled "Uniform commercial code," by amending section 9311 (MCL 440.9311), as amended by 2000 PA 348.

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

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

#### Favorable Roll Call

#### **HB 4774** To Report Out:

Yeas: Reps. Allen, Bishop, DeVuyst, Gilbert, Howell, Koetje, Middaugh, Mortimer, Van Woerkom, Vear, Kolb, Lipsey, Rivet, Waters, Zelenko,

Nays: None.

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

#### **House Resolution No. 137.**

A resolution to memorialize the Congress of the United States to enact the Steel Revitalization Act of 2001.

(For text of resolution, see House Journal No. 46, p. 766.)

With the recommendation that the resolution be adopted.

The Speaker announced that under Rule 77 the resolution would lie over one day.



## Favorable Roll Call

**HR 137** To Report Out:

Yeas: Reps. Allen, Bishop, Gilbert, Howell, Koetje, Middaugh, Mortimer, Van Woerkom, Vear, Kolb, Lipsey, Rivet, Waters, Zelenko,

Nays: None.

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, June 12, 2001, at 9:00 a.m.,

Present: Reps. Allen, Bishop, DeVuyst, Gilbert, Howell, Koetje, Middaugh, Mortimer, Van Woerkom, Vear, Kolb, Lipsey, Rivet, Waters, Zelenko,

Absent: Reps. Thomas, Lemmons,

Excused: Reps. Thomas, Lemmons.

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

**House Bill No. 4647, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16186 and 16263 (MCL 333.16186 and 333.16263), section 16186 as amended by 1993 PA 80 and section 16263 as amended by 2000 PA 11, and by adding section 16338 and part 186.

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

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

## Favorable Roll Call

**HB 4647** To Report Out:

Yeas: Reps. Ehardt, George, Ruth Johnson, Rocca, Woronchak, Neumann, Adamini, Lemmons, Schauer, Williams,

Nays: Reps. Bradstreet, Vander Veen.

## 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, June 12, 2001, at 9:00 a.m.,

Present: Reps. Ehardt, Bradstreet, George, Ruth Johnson, Rocca, Vander Veen, Woronchak, Neumann, Adamini, Lemmons, Schauer, Williams,

Absent: Reps. Raczkowski, Scranton, Hardman,

Excused: Reps. Raczkowski, Scranton, Hardman.

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

**House Bill No. 4456, entitled**

A bill to provide for the establishment of alternative agricultural production districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of agricultural property; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties.

With the recommendation that substitute (H-2) previously recommended by the Committee on Agriculture and Resource Management not be adopted.

The committee further recommended that the substitute (H-4) be adopted and that the bill then pass.

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

## Favorable Roll Call

**HB 4456** To Report Out:

Yeas: Reps. Ruth Johnson, Koetje, Birkholz, DeRossett, Ehardt, Tabor, Kolb,

Nays: None.

### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, June 12, 2001, at 10:00 a.m.,

Present: Reps. Ruth Johnson, Koetje, Birkholz, DeRossett, DeVuyst, Ehardt, Tabor, Kolb, Basham, Gielegem, Hale.

### Notices

#### Public Hearing

Subcommittee on Townships, County Roads, and Michigan Department of Transportation

Date: Friday, June 15, 2001

Time: 1:00 p.m.

Place: State Office Building, 305 Ludington, Escanaba, Michigan

Rep. Hart,  
Chair

Agenda: Public Act No. 51 of 1951 and any/or all business properly before this subcommittee.

### Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bill had been printed and placed upon the files of the members, Wednesday, June 6:

**Senate Bill No. 522**

The Clerk announced that the following bills had been printed and placed upon the files of the members, Thursday, June 7:

**House Bill Nos. 4913 4914 4915 4916 4917 4918 4919**

The Clerk announced that the following bills and joint resolution had been printed and placed upon the files of the members, Friday, June 8:

**House Bill Nos. 4920 4921 4922 4923 4924 4925 4926 4927 4928 4929 4930**

**House Joint Resolution P**

The Clerk announced the enrollment printing and presentation to the Governor on Monday, June 11, for his approval of the following bills:

**Enrolled House Bill No. 4166 at 1:14 p.m.**

**Enrolled House Bill No. 4429 at 1:16 p.m.**

**Enrolled House Bill No. 4505 at 1:18 p.m.**

### Messages from the Governor

The following messages from the Governor, approving and signing the following bills at the times designated below, were received and read:

Date: June 11, 2001

Time: 3:00 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4409 (Public Act No. 15, 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 section 82118 (MCL 324.82118), as amended by 1996 PA 183.

(Filed with the Secretary of State June 12, 2001, at 9:38 a.m.)

Date: June 11, 2001

Time: 3:02 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4538 (Public Act No. 16, 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 section 82110 (MCL 324.82110), as added by 1995 PA 58.

(Filed with the Secretary of State June 12, 2001, at 9:40 a.m.)

Date: June 11, 2001

Time: 3:05 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4235 (Public Act No. 17, I.E.), being**

An act to designate highway M-109 located in Leelanau county as the "D. H. Day Highway"; and to prescribe the duties of the state transportation department.

(Filed with the Secretary of State June 12, 2001, at 9:42 a.m.)

Date: June 11, 2001

Time: 3:10 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

**Enrolled House Bill No. 4550 (Public Act No. 18, 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 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 675 (MCL 257.675), as amended by 1999 PA 34.

(Filed with the Secretary of State June 12, 2001, at 9:44 a.m.)

### Communications from State Officers

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

June 8, 2001

Enclosed is a copy of the following audit report and/or executive digest:  
 Financial Audit, Including the Provisions  
 of the Single Audit Act, of the  
 State-Funded Judicial Operations  
 October 1, 1998 through September 30, 2000

June 8, 2001

Enclosed is a copy of the following audit report and/or executive digest:  
 Performance Audit of  
 West Michigan Community Mental Health System,  
 an Agency Under Contract with the  
 Department of Community Health  
 June 2001

June 11, 2001

Enclosed is a copy of the following audit report and/or executive digest:  
 Performance Audit of  
 West Shore Community College  
 June 2001

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 House Oversight and Operations.

The following communication from the Secretary of State was received and read:

Notice of Filing  
 Administrative Rules

May 29, 2001

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 10:20 A.M. this date, administrative rule (01-05-03) for the Department of Consumer and Industry Services, Director's Office, entitled "*Abrasive Blasting*", effective 7 days hereafter.

Sincerely,  
 Candice S. Miller  
 Secretary of State  
 Elena L. Beasley, Manager  
 Office of the Great Seal

The communication was referred to the Clerk.

**Introduction of Bills**

Reps. Julian, Raczkowski, Howell, Vander Roest, DeRossett, Gilbert, Richardville, Middaugh, Pappageorge, Woronchak, Mortimer, Newell, Shackleton, Stewart, Pumford, Vander Veen, Voorhees, Vear, Lockwood and Jansen introduced

**House Bill No. 4931, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 803e, 803f, 803j, 803k, 803l, 803n, and 803o (MCL 257.803e, 257.803f, 257.803j, 257.803k, 257.803l, 257.803n, and 257.803o), sections 803e and 803f as amended by 1998 PA 68, sections 803j, 803k, 803n, and 803o as amended by 1999 PA 183, and section 803l as amended by 2000 PA 77.

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

Reps. Sheltroun, Gosselin, Switalski, Rivet, Neumann, Frank, Adamini, Rich Brown and Pestka introduced

**House Bill No. 4932, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 43525a, 43526, 43527, 43533, 43535, 43536, and 43537 (MCL 324.43525a, 324.43526, 324.43527, 324.43533, 324.43535, 324.43536, and 324.43537), section 43525a as added by 1998 PA 291 and sections 43526, 43527, 43533, 43535, 43536, and 43537 as amended by 1996 PA 585.

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

Reps. Lipsey, Rivet, McConico, Rich Brown, Adamini, Bovin, Waters, Sheltroun, Schauer, Patterson, Kolb, Bogardus, Howell, Gielegem, Murphy, Thomas, Bernero, Jacobs, Godchaux and Scranton introduced

**House Bill No. 4933, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 252d (MCL 257.252d), as amended by 2000 PA 76.

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

Reps. Lipsey, Waters, Schauer, Bernero, Kolb, McConico, Bogardus, Murphy, Thomas, Gielegem, Minore, Jacobs, Plakas and Rich Brown introduced

**House Bill No. 4934, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 21766 (MCL 333.21766), as amended by 1994 PA 73, and by adding section 21766a.

The bill was read a first time by its title and referred to the Committee on Senior Health, Security and Retirement.

Rep. Spade introduced

**House Bill No. 4935, entitled**

A bill to require textbook publishers to provide electronic versions of certain instructional materials used in colleges and universities.

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

Reps. Neumann, Lockwood, Jacobs, Whitmer, Rich Brown, Bovin, Schauer, Zelenko, Frank, Callahan, Dennis, Kolb, Raczkowski, DeWeese, Pestka, Adamini, Gielegem, Waters, Hardman, Spade, Rivet, Anderson and Plakas introduced

**House Bill No. 4936, entitled**

A bill to ensure the privacy of health care information; to establish certain rights with regard to health care information; to establish penalties for violations; and to authorize the adoption of rules.

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

Reps. Tabor, Julian, Gosselin, Rocca, Vander Veen, Stamas, Bradstreet, Gielegem, Stewart and Voorhees introduced

**House Bill No. 4937, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 43532 (MCL 324.43532), as amended by 1996 PA 585.

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

Reps. Pappageorge, Patterson, Kowall, Drolet, Allen, Richardville, Birkholz, Middaugh, Pumford, Jelinek, Ruth Johnson, Shackleton, Plakas, Rivet, Switalski, Schauer, Bovin, Woronchak, Faunce, Bradstreet, Gosselin, Kuipers, Raczkowski, Toy, Sanborn, DeVuyst, Godchaux, Stamas, Sheltroun, Jansen, Caul, Rocca, Meyer, Newell, Hansen, Ehardt, Julian and LaSata introduced

**House Bill No. 4938, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 34c (MCL 211.34c), as amended by 2000 PA 415.

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

---

Rep. Mead moved that the House adjourn.

The motion prevailed, the time being 3:30 p.m.

Associate Speaker Pro Tempore Julian declared the House adjourned until Wednesday, June 13, at 12:00 Noon.

GARY L. RANDALL  
Clerk of the House of Representatives.

