

No. 26
STATE OF MICHIGAN
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House of Representatives
91st Legislature
REGULAR SESSION OF 2002

House Chamber, Lansing, Tuesday, March 19, 2002.

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—present
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—present
Bogardus—present	Hansen—present	Murphy—present	Stamas—present
Bovin—present	Hardman—present	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	Hummel—present	Palmer—present	Thomas—present
Brown, Rich—present	Jacobs—present	Pappageorge—present	Toy—present
Callahan—present	Jamnack—present	Patterson—present	Van Woerkom—present
Cassis—present	Jansen—present	Pestka—present	Vander Roest—present
Caul—present	Jelinek—present	Phillips—present	Vander Veen—present
Clark—present	Johnson, Rick—present	Plakas—present	Vear—present
Clarke—present	Johnson, Ruth—present	Pumford—present	Voorhees—present
Daniels—present	Julian—present	Quarles—present	Waters—present
Dennis—present	Koetje—present	Raczkowski—present	Whitmer—present
DeRossett—present	Kolb—present	Reeves—present	Williams—present
DeVuyst—present	Kooiman—present	Richardville—present	Wojno—present
DeWeese—present	Kowall—present	Richner—present	Woodward—present
Drolet—present	Kuipers—present	Rison—present	Woronchak—present
Ehardt—present	LaSata—present	Rivet—present	Zelenko—present
Fauce—present	Lemmons—present	Rocca—present	
Frank—present	Lipsey—present		

e/d/s = entered during session

Rev. Stan Kessler, Pastor of Three Rivers Bible Church in Three Rivers, offered the following invocation:

“Heavenly Father, maker of heaven and earth, we thank You that You have given us this day to live and this day to accomplish Your purposes. Thank You for the many manifold blessings that You give to us—life, health, and families. I thank You most of all for giving us Your son, the Lord Jesus Christ, who would die on the cross for our sins. Thank You for this country with all of its freedoms that You have given to us. Thank You for the heritage of faith that we have preserved for the future. Lord, You know that we have been hard hit in these past months with terrorism attacks and yet I thank You that it has caused us to draw closer to You, to draw closer to one another and to become true patriots again. I thank You for each of those who are serving us today—for the representatives, for their staff, I pray for each of them. Lord, may You bless and strengthen their marriages, their families, bless them in their daily walk and draw them close to You. Today, we come to do the business of running this state. I pray that You would help us to put first things first. Help us to humble ourselves before You, to seek Your wisdom and ask Your blessing and help. You have said in Your word that righteousness exalts a nation, but sin is a disgrace to a people and that God is opposed to the proud, but gives grace to the humble. Humble yourselves in the sight of the Lord and He will lift you up. We do this today—we acknowledge that we need You. I pray that You would bless each leader who is here today, that You would draw them close to Yourself and that You would help us to do Your will. We ask that You would give to each one who has the part ears to hear, a heart to understand, a patient spirit. Bring unity so that they would be guided by Your spirit. Give them then the strength to do Your will. I ask, Lord, that when the session has ended we will be able to look back and we will have sensed that You have been present throughout and that it has been a productive, well-spent time and that we have accomplished what You wanted us to do. We love You, Lord, and we ask Your blessing on this session. In Jesus’ name I pray. Amen.”

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, Wednesday, March 13:

Senate Bill Nos. 1195 1196 1197 1198 1199 1200 1201

The Clerk announced that the following bills had been printed and placed upon the files of the members, Friday, March 15:

House Bill Nos. 5797 5798 5799 5800 5801 5802 5803 5804

The Clerk announced the enrollment printing and presentation to the Governor on Monday, March 18, for his approval of the following bills:

Enrolled House Bill No. 4937 at 11:22 a.m.

Enrolled House Bill No. 5111 at 11:24 a.m.

Enrolled House Bill No. 5113 at 11:26 a.m.

Enrolled House Bill No. 5125 at 11:28 a.m.

Enrolled House Bill No. 5126 at 11:30 a.m.

Enrolled House Bill No. 5145 at 11:32 a.m.

Enrolled House Bill No. 5327 at 11:34 a.m.

Introduction of Bills

Reps. Allen and Rivet introduced

House Bill No. 5805, entitled

A bill to amend 1996 PA 376, entitled “Michigan renaissance zone act,” by amending section 4 (MCL 125.2684), as amended by 2000 PA 259.

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

Reps. Rivet and Allen introduced

House Bill No. 5806, entitled

A bill to amend 1996 PA 376, entitled “Michigan renaissance zone act,” by amending section 6 (MCL 125.2686), as amended by 2000 PA 259.

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

Rep. Shackleton introduced

House Bill No. 5807, entitled

A bill to amend 1990 PA 345, entitled "State survey and remonumentation act," by amending sections 8 and 12 (MCL 54.268 and 54.272), as amended by 1998 PA 5.

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

Reps. Gilbert, DeRossett, Mead, Van Woerkom, Jelinek, Palmer, Voorhees, Middaugh, Hager, Meyer, Ruth Johnson, Vander Veen, Scranton, Rocca, Sheltroun, Rivet, Neumann, Spade, Shackleton, Julian and Newell introduced

House Bill No. 5808, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 36101 and 36106 (MCL 324.36101 and 324.36106), section 36101 as amended by 2000 PA 262 and section 36106 as amended by 1996 PA 233.

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

Rep. Mortimer introduced

House Bill No. 5809, entitled

A bill to amend 1846 RS 14, entitled "Of county officers," by amending section 107 (MCL 55.107), as amended by 2000 PA 116.

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

Reps. Vander Roest, Cassis, Stewart, Mead, Kuipers, Ehardt, Vear, Voorhees, Rocca, Julian, Cameron Brown, Ruth Johnson, Drolet, Hummel and Patterson introduced

House Bill No. 5810, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 31 (MCL 208.31), as amended by 1999 PA 115.

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

Reps. Vander Roest, Stewart, Mead, Spade, Ehardt, Vear, Voorhees, Raczkowski, Julian, Drolet and Lemmons introduced

House Bill No. 5811, entitled

A bill to amend 1846 RS 83, entitled "Of marriage and the solemnization thereof," by amending section 7 (MCL 551.7), as amended by 1983 PA 64.

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

Reps. Vander Roest, Ehardt, Raczkowski, Richardville, Rocca and Lemmons introduced

House Bill No. 5812, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 12541 (MCL 333.12541).

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

Reps. Vander Roest, Mead, Kuipers, Ehardt, Jelinek, Vear, Voorhees, Raczkowski, Richardville, Rocca, Julian, Cameron Brown and Drolet introduced

House Bill No. 5813, 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 Tax Policy.

Reps. George, Gosselin, DeWeese, Tabor and Lemmons introduced

House Bill No. 5814, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 625 (MCL 257.625), as amended by 2000 PA 460.

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

Reps. George, Hummel, Gosselin, Voorhees, Birkholz, Vander Veen, DeWeese, Tabor and Lemmons introduced **House Bill No. 5815, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 703 (MCL 436.1703), as amended by 1999 PA 53.

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

Reps. Richner, Patterson, Tabor, Hummel, Mans and Ruth Johnson introduced

House Bill No. 5816, entitled

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending section 84 (MCL 389.84).

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

By unanimous consent the House returned to the order of

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: March 12, 2002

Time: 4:30 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4672 (Public Act No. 51, I.E.), being

An act to amend 1976 PA 451, entitled "An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, and intermediate school districts; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, and intermediate school districts; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts," (MCL 380.1 to 380.1852) by adding section 1178a.

(Filed with the Secretary of State March 15, 2002, at 11:10 a.m.)

Date: March 14, 2002

Time: 1:00 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5404 (Public Act No. 58, I.E.), being

An act to amend 1976 PA 451, entitled "An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, and intermediate school districts; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, and intermediate school districts; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts," by amending section 442 (MCL 380.442), as amended by 1985 PA 22.

(Filed with the Secretary of State March 15, 2002, at 11:24 a.m.)

Date: March 14, 2002

Time: 1:02 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5405 (Public Act No. 59, I.E.), being

An act to amend 1961 PA 108, entitled "An act to provide for loans by the state of Michigan to school districts for the payment of principal and interest upon school bonds; to prescribe the terms and conditions of the loans and the

conditions upon which levies for bond principal and interest shall be included in computing the amount to be so loaned by the state; to prescribe the powers and duties of the superintendent of public instruction and the state treasurer in relation to such loans; to provide for the repayment of such loans; to provide incentives for repayment of such loans; to provide for other matters in respect to such loans; and to make an appropriation," by amending section 4 (MCL 388.954), as amended by 1992 PA 228.

(Filed with the Secretary of State March 15, 2002, at 11:25 a.m.)

Date: March 14, 2002

Time: 1:04 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5406 (Public Act No. 60, I.E.), being

An act to repeal 1973 PA 12, entitled "An act to provide for emergency financial assistance for school districts; to prescribe certain powers and duties of the intermediate board of education in connection therewith; to provide certain powers and duties of the state board of education in connection therewith; to create an emergency loan revolving fund; and to make an appropriation," (MCL 388.251 to 388.271).

(Filed with the Secretary of State March 15, 2002, at 11:26 a.m.)

Date: March 14, 2002

Time: 1:06 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5407 (Public Act No. 61, I.E.), being

An act to amend 1976 PA 451, entitled "An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, and intermediate school districts; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, and intermediate school districts; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts," by amending section 629 (MCL 380.629), as amended by 1997 PA 152.

(Filed with the Secretary of State March 15, 2002, at 11:28 a.m.)

Date: March 14, 2002

Time: 1:10 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5408 (Public Act No. 62, I.E.), being

An act to amend 1976 PA 451, entitled "An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, and intermediate school districts; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, and intermediate school districts; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts," by amending section 687 (MCL 380.687), as amended by 1995 PA 289.

(Filed with the Secretary of State March 15, 2002, at 11:30 a.m.)

Date: March 14, 2002
Time: 1:12 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5409 (Public Act No. 63, I.E.), being

An act to amend 1976 PA 451, entitled “An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, and intermediate school districts; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, and intermediate school districts; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts,” by amending section 1215 (MCL 380.1215).

(Filed with the Secretary of State March 15, 2002, at 11:31 a.m.)

Date: March 14, 2002
Time: 1:14 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5410 (Public Act No. 64, I.E.), being

An act to amend 1976 PA 451, entitled “An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, and intermediate school districts; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, and intermediate school districts; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts,” by amending section 1216 (MCL 380.1216), as amended by 1992 PA 236.

(Filed with the Secretary of State March 15, 2002, at 11:32 a.m.)

Date: March 14, 2002
Time: 1:22 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5414 (Public Act No. 65, I.E.), being

An act to amend 1976 PA 451, entitled “An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, and intermediate school districts; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, and intermediate school districts; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts,” by amending section 1351a (MCL 380.1351a), as amended by 1997 PA 152.

(Filed with the Secretary of State March 15, 2002, at 11:34 a.m.)

Date: March 14, 2002
Time: 1:30 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5412 (Public Act No. 66, I.E.), being

An act to amend 1976 PA 451, entitled “An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to

provide for the organization, regulation, and maintenance of schools, school districts, public school academies, and intermediate school districts; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, and intermediate school districts; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts," by amending section 1227 (MCL 380.1227), as added by 1995 PA 289.

(Filed with the Secretary of State March 15, 2002, at 11:36 a.m.)

Date: March 14, 2002

Time: 1:32 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5413 (Public Act No. 67, I.E.), being

An act to amend 1976 PA 451, entitled "An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, and intermediate school districts; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, and intermediate school districts; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts," by amending section 1351 (MCL 380.1351), as amended by 1997 PA 152.

(Filed with the Secretary of State March 15, 2002, at 11:38 a.m.)

Date: March 14, 2002

Time: 1:38 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5416 (Public Act No. 68, I.E.), being

An act to amend 1976 PA 451, entitled "An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, and intermediate school districts; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, and intermediate school districts; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts," by amending section 1362 (MCL 380.1362).

(Filed with the Secretary of State March 15, 2002, at 11:40 a.m.)

Date: March 14, 2002

Time: 1:40 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5417 (Public Act No. 69, I.E.), being

An act to amend 1976 PA 451, entitled "An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, and intermediate school districts; to prescribe rights, powers, duties, and privileges of schools, school districts, public

school academies, and intermediate school districts; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts," by amending section 1363 (MCL 380.1363).

(Filed with the Secretary of State March 15, 2002, at 11:42 a.m.)

Date: March 14, 2002

Time: 1:42 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5418 (Public Act No. 70, I.E.), being

An act to amend 1976 PA 451, entitled "An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, and intermediate school districts; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, and intermediate school districts; to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts," by amending section 1731 (MCL 380.1731).

(Filed with the Secretary of State March 15, 2002, at 11:44 a.m.)

Date: March 14, 2002

Time: 1:46 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5419 (Public Act No. 71, I.E.), being

An act to amend 1979 PA 94, entitled "An act to make appropriations to aid in the support of the public schools and the intermediate school districts of the state; to make appropriations for certain other purposes relating to education; to provide for the disbursement of the appropriations; to supplement the school aid fund by the levy and collection of certain taxes; to authorize the issuance of certain bonds and provide for the security of those bonds; to prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to prescribe penalties; and to repeal acts and parts of acts," by amending section 17a (MCL 388.1617a), as amended by 1996 PA 300.

(Filed with the Secretary of State March 15, 2002, at 11:46 a.m.)

Date: March 14, 2002

Time: 1:50 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5420 (Public Act No. 72, I.E.), being

An act to amend 1966 PA 331, entitled "An act to revise and consolidate the laws relating to community colleges; to provide for the creation of community college districts; to provide a charter for such districts; to provide for the government, control and administration of such districts; to provide for the election of a board of trustees; to define the powers and duties of the board of trustees; to provide for the assessment, levy, collection and return of taxes therefor; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending section 122 (MCL 389.122), as amended by 1984 PA 148.

(Filed with the Secretary of State March 15, 2002, at 11:47 a.m.)

Date: March 14, 2002
Time: 1:55 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5423 (Public Act No. 73, I.E.), being

An act to amend 1966 PA 331, entitled “An act to revise and consolidate the laws relating to community colleges; to provide for the creation of community college districts; to provide a charter for such districts; to provide for the government, control and administration of such districts; to provide for the election of a board of trustees; to define the powers and duties of the board of trustees; to provide for the assessment, levy, collection and return of taxes therefor; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” by amending section 144 (MCL 389.144), as amended by 1990 PA 287.

(Filed with the Secretary of State March 15, 2002, at 11:48 a.m.)

Date: March 14, 2002
Time: 2:30 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5119 (Public Act No. 76, I.E.), being

An act to amend 1998 PA 58, entitled “An act to create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state liquor stores; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; and to repeal acts and parts of acts,” by amending section 525 (MCL 436.1525), as amended by 2001 PA 223.

(Filed with the Secretary of State March 15, 2002, at 11:52 a.m.)

The following message from the Governor was received March 14, 2002 and read:

**EXECUTIVE ORDER
No. 2002 - 4**

MICHIGAN COMMISSION ON ASIA IN THE SCHOOLS

DEPARTMENT OF HISTORY, ARTS AND LIBRARIES

WHEREAS, Americans meet both opportunities and challenges in a global community that is increasingly interconnected; and

WHEREAS, Michigan residents and their children, who must compete and thrive in such an interconnected world, will find it crucial to learn about the peoples, the cultures and the economies in Asia, the most rapidly changing region of the world; and

WHEREAS, According to the Asia Society report *Asia in the Schools: Preparing Young Americans for Today's Interconnected World*, most Americans learn very little about Asia in our schools; and

WHEREAS, Defense Department research indicates that the United States is failing to graduate enough students with expertise in foreign language, foreign cultures and the policy concerns of foreign nations—especially Asian countries—to meet the demands of business, government and our universities; and

WHEREAS, While many teachers, administrators and policymakers responsible for elementary and secondary education recognize the need to educate our students about world affairs and other cultures, many schools lack the know-how and support necessary to provide such instruction; and

WHEREAS, Michigan's exports to Asia exceed \$3.2 billion.

NOW, THEREFORE, I, John Engler, Governor of the state of Michigan, pursuant to the powers vested in me by the Constitution of the state of Michigan of 1963 and the laws of the state of Michigan, do hereby order the following:

I. DEFINITIONS

A. "Commission" means the Michigan Commission on Asia in the Schools established by this Executive Order.

B. "Department" means the Department of History, Arts and Libraries, the principal department of state government created by Section 3 of Act No. 63 of the Public Acts of 2001, being Section 399.703 of the Michigan Compiled Laws.

II. ESTABLISHMENT OF THE MICHIGAN COMMISSION ON ASIA IN THE SCHOOLS

A. The Michigan Commission on Asia in the Schools is hereby established within the Department of History, Arts and Libraries as a Type II entity as defined in Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws.

B. The commission shall consist of fifteen (15) members. Members of the commission shall be appointed by the Governor and shall serve during the existence of the commission, which shall complete its work no later than 120 days after the commission's first meeting.

C. Any vacancy on the commission shall be filled in the same manner as the original appointment.

III. CHARGE TO THE COMMISSION

The commission shall be advisory in nature and shall assist the Governor and the Department with the following functions:

A. The commission shall conduct a survey of Michigan's available resources on Asia, both human and material, to examine how these resources could be used to further Michigan's education and business understanding of Asia.

B. The commission shall complete an academic review of current curricular efforts employed to teach students about Asia.

C. The commission shall identify and publish best practices used in schools, school districts, and communities to comprehensively educate Michigan residents on Asia.

IV. OPERATIONS OF THE COMMITTEE

A. The Governor shall designate one (1) member of the commission to serve as chairperson. This member shall serve as chair at the pleasure of the Governor.

B. The commission may adopt procedures, not inconsistent with law and with this Order, governing its organization, operation and procedure.

C. Members of the commission shall not delegate their responsibilities to other persons. A majority of the serving members constitutes a quorum for the transaction of business at a meeting. The commission shall act by a majority vote of its serving members.

D. The commission shall meet at the call of the chairperson and as may be provided in the procedures of the commission. Meetings of the commission may be held at any location within the state of Michigan.

E. The commission may, as appropriate, make inquiries, studies, investigations, hold hearings, and receive comments from the public. The commission may consult with outside experts in order to perform its duties.

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

G. The Department may hire or retain such contractors, sub-contractors, advisors, consultants and agents, and may make and enter into contracts necessary or incidental to the exercise of the performance of the Commission's duties, as the Department Director deems appropriate. Such procurements shall be in accordance with the relevant statutes, rules and procedures of the Department of Management and Budget and the Civil Service Commission.

H. The commission may apply for, receive and expend monies from any source, public or private, including but not limited to, gifts, grants, donations of monies and government appropriations. The commission may also accept donations of labor, services or other things of value from any public or private agency or person.

I. Members of the commission shall refer all legal, legislative and media contacts to the Department.

J. The commission shall be staffed by personnel within the Department and the Executive Office of the Governor.

K. All departments, committees, commissioners or officers of the state or of any political subdivision thereof shall give to the commission, or to any member or representative thereof, any necessary assistance required by the commission, or any member of representative thereof, in the performance of the duties of the commission 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 commission.

Given under my hand and the Great Seal of the state of Michigan this 14th day of March, in the Year of our Lord, Two Thousand Two.

John Engler
Governor

By the Governor:
Candice S. Miller
Secretary of State

[SEAL]

The message was referred to the Clerk.

The following veto message from the Governor was received and read:

Executive Office, Lansing, March 15, 2002

Michigan House of Representatives
State Capitol Building
Lansing, Michigan 48913

Ladies and Gentlemen:

Today I have vetoed and am returning to you herewith, Enrolled House Bill 4022.

Enrolled House Bill 4022 would amend the Michigan Vehicle Code to include township governments in the process for deciding speed limits for county roads. I have always been a supporter of sound traffic engineering science. I am concerned that, under this legislation, objective facts will be ignored in the face of emotional appeals to alter speed limits.

Current statute requires the county road commission and the Department of State Police to jointly determine upon the basis of an engineering and traffic investigation the speed limits on county roadways. This study consists of site visits, speed and traffic volume studies, traffic accident data analysis, and input from local officials. This process produces a consistent, statewide standard.

The process of setting speed limits is often an emotional issue. Traffic accidents that receive intense media coverage frequently spur requests for changes in speed limits, regardless of the actual cause of those accidents. Traffic volume and accident data are two critical factors in determining a realistic speed limit. Emotionally charged decisions regarding changes in speed limits most often result in speed limits set unreasonably low. This tends to undermine legitimate speed limits and enforcement of traffic safety laws.

Furthermore, the current statute allows townships input in the speed limit review process. MCL 257.628(2) allows townships to petition the county road commission to approve proposed changes in speed limits. This language was recently added at the request of townships in PA 167 of 2000. I believe that this new provision should be given more time to address the concerns of Enrolled House Bill 4022.

Lastly, the current process results in adjustments to speed limits by a unanimous agreement of the county road commission and the Michigan State Police. This bill could result in decisions made not on objective fact but by two of the parties in agreement with the third dissenting.

For the above stated reasons, I am returning Enrolled House Bill 4022 without signature.

Sincerely,
John Engler
Governor

The question being on the passage of the bill, the objections of the Governor to the contrary notwithstanding,

Rep. Patterson moved that the bill be re-referred to the Committee on Transportation.
The motion prevailed.

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

House Bill No. 5644, entitled

A bill to make appropriations for the department of consumer and industry services and certain other state purposes for the fiscal year ending September 30, 2003; to provide for the expenditure of those appropriations; to provide for the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

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

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

Rep. Switalski moved to amend the bill as follows:

1. Amend page 31, following line 21, by inserting:

“(3) Of the funds appropriated in part 1 for low-income/energy efficiency assistance, \$27,000,000.00 shall be used to support low-income shutoff protection programs, including the allocation designated in subsection (2), \$6,000,000.00 shall be distributed to support a “Clean Slate” program that would assist Work First clients who are in full compliance with Work First requirements in meeting past due utility bills, \$6,000,000.00 shall be used to support energy efficiency programs, and \$9,000,000.00 shall be distributed to support weatherization programs.”.

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

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

Rep. Patterson 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. 5644, entitled

A bill to make appropriations for the department of consumer and industry services and certain other state purposes for the fiscal year ending September 30, 2003; to provide for the expenditure of those appropriations; to provide for the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

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

Roll Call No. 287

Yeas—106

Adamini	Garza	Lipsey	Rocca
Allen	George	Lockwood	Schauer
Anderson	Gielegem	Mans	Schermesser
Basham	Gilbert	McConico	Scranton
Bernero	Godchaux	Mead	Shackleton
Birkholz	Gosselin	Meyer	Sheltrown
Bisbee	Hager	Middaugh	Shulman
Bishop	Hale	Minore	Spade
Bogardus	Hansen	Mortimer	Stallworth
Bovin	Hardman	Murphy	Stamas
Bradstreet	Hart	Neumann	Stewart
Brown, B.	Howell	Newell	Switalski
Brown, C.	Hummel	O'Neil	Tabor
Brown, R.	Jacobs	Palmer	Thomas
Callahan	Jamnick	Pappageorge	Toy
Cassis	Jansen	Patterson	Van Woerkom
Caul	Jelinek	Pestka	Vander Roest
Clark, I.	Johnson, Rick	Phillips	Vander Veen
Clarke, H.	Johnson, Ruth	Plakas	Voorhees
Daniels	Julian	Pumford	Waters
Dennis	Koetje	Quarles	Whitmer
DeRossett	Kolb	Rackowski	Williams
DeVuyst	Kooiman	Reeves	Wojno
DeWeese	Kowall	Richardville	Woodward
Ehardt	Kuipers	Richner	Woronchak
Faunce	LaSata	Rison	Zelenko
Frank	Lemmons		

Nays—3

Drolet	Rivet	Vear
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In The Chair: Julian

The House agreed to the title of the bill.

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

“Mr. Speaker and members of the House:

I object to cutting the Nursing Home Quality Incentive Grant Program from the CIS budget. The Quality Incentive Grant Program was a program that has successfully worked for years to improve the Quality of care for our Nursing Home residents in our Great State of Michigan. This program gave incentives to our nursing homes to provide quality care. These grants went directly to improve resident care and comfort. Programs such as the Eden program will likely die for lack of funding. Thank you Mr Speaker.”

Second Reading of Bills

House Bill No. 5643, entitled

A bill to make appropriations for the department of career development and the Michigan strategic fund and certain other state purposes for the fiscal year ending September 30, 2003; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agencies.

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

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

Rep. Rivet moved to amend the bill as follows:

1. Amend page 15, following line 12, by inserting:

“Sec. 214. (1) Before privatizing any services or activities currently provided by state employees in the department, a department or agency shall submit to the house and senate appropriations committees a detailed preprivatization cost-benefit analysis. This analysis shall utilize the most accurate, reliable, and objective data available and use the most actuarially sound techniques available to the department or agency. Included in this analysis shall be a detailed estimate of the annual costs that will be insured by the state over the next 5 years if:

a) The service or activity continues to be provided by state employees.

b) The service or activity is privatized. The costs of privatizing these services shall include the costs of all necessary monitoring and oversight of the private entity by the state. It shall use only accurate and up-to-date bids from reputable companies that are properly bonded, so as not to expose the state to any potential future liability or legal causes of action.

(2) The department or agency shall not commence any efforts to privatize the services or activities appropriated under this bill, currently provided by state employees, until the cost-benefit analysis outlined in subsection (1) has been reviewed and approved by both the house and senate appropriations committees and it shows a cost savings of at least 5% over the costs of continuing to provide the service or activity using state employees.”.

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

Rep. Rivet demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 288

Yeas—52

Adamini	Frank	McConico	Schermesser
Anderson	Garza	Murphy	Shackleton
Basham	Gieleghem	Neumann	Sheltrown
Bernero	Hale	O’Neil	Spade
Bogardus	Hansen	Pestka	Stallworth
Bovin	Hardman	Phillips	Switalski
Brown, B.	Jacobs	Plakas	Thomas
Brown, R.	Jamnack	Quarles	Waters
Callahan	Kolb	Reeves	Whitmer
Clark, I.	Lemmons	Rison	Williams
Clarke, H.	Lipsey	Rivet	Wojno

Daniels
Dennis

Lockwood
Mans

Rocca
Schauer

Woodward
Zelenko

Nays—56

Allen
Birkholz
Bisbee
Bishop
Bradstreet
Brown, C.
Cassis
Caul
DeRossett
DeVuyst
DeWeese
Drolet
Ehardt
Faunce

George
Gilbert
Godchaux
Gosselin
Hager
Hart
Howell
Hummel
Jansen
Jelinek
Johnson, Rick
Johnson, Ruth
Julian
Koetje

Kooiman
Kowall
Kuipers
LaSata
Mead
Meyer
Middaugh
Mortimer
Newell
Palmer
Pappageorge
Patterson
Pumford
Rackowski

Richardville
Richner
Scranton
Shulman
Stamas
Stewart
Tabor
Toy
Van Woerkom
Vander Roest
Vander Veen
Vear
Voorhees
Woronchak

In The Chair: Julian

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

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

Rep. Vander Roest moved that Rep. Hart 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. 5643 , entitled

A bill to make appropriations for the department of career development and the Michigan strategic fund and certain other state purposes for the fiscal year ending September 30, 2003; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agencies.

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

Roll Call No. 289

Yeas—107

Adamini
Allen
Anderson
Basham
Bernero
Birkholz
Bisbee
Bishop

Frank
Garza
George
Gielegem
Gilbert
Godchaux
Gosselin
Hager

Lipsey
Lockwood
Mans
McConico
Mead
Meyer
Middaugh
Minore

Schauer
Schermesser
Scranton
Shackleton
Sheltrown
Shulman
Spade
Stallworth

Bogardus	Hale	Mortimer	Stamas
Bovin	Hansen	Murphy	Stewart
Bradstreet	Hardman	Neumann	Switalski
Brown, B.	Howell	Newell	Tabor
Brown, C.	Hummel	O'Neil	Thomas
Brown, R.	Jacobs	Palmer	Toy
Callahan	Jamnick	Pappageorge	Van Woerkom
Cassis	Jansen	Patterson	Vander Roest
Caul	Jelinek	Pestka	Vander Veen
Clark, I.	Johnson, Rick	Phillips	Vear
Clarke, H.	Johnson, Ruth	Plakas	Voorhees
Daniels	Julian	Pumford	Waters
Dennis	Koetje	Quarles	Whitmer
DeRossett	Kolb	Raczkowski	Williams
DeVuyst	Kooiman	Reeves	Wojno
DeWeese	Kowall	Richardville	Woodward
Drolet	Kuipers	Richner	Woronchak
Ehardt	LaSata	Rison	Zelenko
Faunce	Lemmons	Rocca	

Nays—1

Rivet

In The Chair: Julian

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

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

A bill to make appropriations for the department of career development and the Michigan strategic fund and certain other state purposes for the fiscal year ending September 30, 2003; to provide for the expenditure of the appropriations; to provide for the disposition of fees and other income received by the state agencies; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

Second Reading of Bills

House Bill No. 5649, entitled

A bill to make appropriations for the department of military and veterans affairs for the fiscal years ending September 30, 2002 and September 30, 2003; to provide for the expenditure of the appropriations; to provide for certain powers and duties of the department of military and veterans affairs, other state agencies, and local units of government related to the appropriations; and to provide for the preparation of certain reports related to the appropriations.

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

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

Reps. Frank and Raczkowski moved to amend the bill as follows:

1. Amend page 2, following line 23, by inserting:

“Civil air patrol..... 50,000”

and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 16, following line 2, by inserting:

“Sec. 305. The funds appropriated for the civil air patrol in section 102 shall be used for the purchase of search and rescue equipment.”.

The question being on the adoption of the amendments offered by Reps. Frank and Raczkowski, Rep. Frank demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Reps. Frank and Raczkowski,

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

Roll Call No. 290**Yeas—51**

Adamini	Frank	Minore	Spade
Anderson	Garza	Murphy	Stallworth
Basham	Gielegem	Neumann	Switalski
Bernero	Hale	O'Neil	Thomas
Bogardus	Hansen	Pestka	Vander Roest
Bovin	Hardman	Phillips	Vear
Brown, B.	Jacobs	Plakas	Waters
Brown, R.	Jamnick	Quarles	Whitmer
Callahan	Kolb	Raczkowski	Williams
Clark, I.	Lemmons	Rivet	Wojno
Clarke, H.	Lipsey	Schauer	Woodward
Daniels	Lockwood	Schermesser	Zelenko
Dennis	Mans	Sheltrown	

Nays—54

Allen	Gilbert	Kowall	Richner
Birkholz	Godchaux	Kuipers	Rocca
Bisbee	Gosselin	LaSata	Scranton
Bishop	Hager	Mead	Shackleton
Brown, C.	Hart	Meyer	Shulman
Cassis	Howell	Middaugh	Stamas
Caul	Hummel	Mortimer	Stewart
DeRossett	Jansen	Newell	Tabor
DeVuyst	Jelinek	Palmer	Toy
DeWeese	Johnson, Rick	Pappageorge	Van Woerkom
Drolet	Johnson, Ruth	Patterson	Vander Veen
Ehardt	Julian	Pumford	Voorhees
Faunce	Koetje	Richardville	Woronchak
George	Kooiman		

In The Chair: Julian

Rep. Jacobs moved to amend the bill as follows:

1. Amend page 15, following line 22, by inserting:

“Sec. 303. The department shall obtain a new appraisal to determine the fair market value of the Oak Park armory property. The results of that appraisal shall be forwarded to the city of Oak Park. For a period of 60 days following receipt of the appraisal by the city, the city of Oak Park shall have the right to purchase the armory property at a price equal to the appraised value under the appraisal obtained pursuant to this section. Any agreement regarding the sale of the property to the city of Oak Park shall comply with the provisions of section 382 of the Michigan military act, 1967 PA 150, MCL 32.782, and shall include a restriction that the city not receive any remuneration from the subsequent resale of the property to an outside party beyond the purchase price paid by the city and any reasonable expenses incurred by the city in developing the property. If the city has not formally notified the department within 60 days of its decision to purchase the property, the department shall proceed with the sale of the property under the provisions of the Michigan military act, 1967 PA 150, MCL 32.501 to 32.851. Proceeds from the sale of the property shall be

deposited in the Michigan national guard armory construction fund, as provided in section 382a of the Michigan military act, 1967 PA 150, MCL 32.782a.”.

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

Reps. Frank and Raczkowski moved to amend the bill as follows:

- 1. Amend page 2, following line 23, by inserting:

“Civil air patrol..... 25,000”

and adjusting the subtotals, totals, and section 201 accordingly.

- 2. Amend page 16, following line 2, by inserting:

“Sec. 305. The funds appropriated for the civil air patrol in section 102 shall be used for the purchase of search and rescue equipment.”.

The question being on the adoption of the amendments offered by Reps. Frank and Raczkowski,

Rep. Frank demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Reps. Frank and Raczkowski,

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

Roll Call No. 291

Yeas—49

Adamini	Garza	O’Neil	Spade
Anderson	Gielegem	Pestka	Stallworth
Bernero	Hale	Phillips	Switalski
Bogardus	Hansen	Plakas	Thomas
Bovin	Hardman	Raczkowski	Vander Roest
Bradstreet	Jacobs	Rison	Vear
Brown, B.	Kolb	Rivet	Waters
Callahan	Lemmons	Rocca	Whitmer
Clark, I.	Lipsey	Schauer	Williams
Clarke, H.	Minore	Schermesser	Wojno
Daniels	Murphy	Shackleton	Woodward
Dennis	Neumann	Sheltrown	Zelenko
Frank			

Nays—37

Birkholz	Gilbert	Kooiman	Patterson
Bisbee	Godchaux	Kowall	Pumford
Bishop	Hager	LaSata	Richardville
Brown, C.	Jansen	Mead	Shulman
DeRossett	Jelinek	Meyer	Stewart
DeVuyst	Johnson, Rick	Middaugh	Tabor
DeWeese	Johnson, Ruth	Newell	Toy
Drolet	Julian	Palmer	Vander Veen
Faunce	Koetje	Pappageorge	Voorhees
George			

In The Chair: Julian

Rep. Jacobs moved to amend the bill as follows:

- 1. Amend page 15, following line 22, by inserting:

“Sec. 303. The department shall obtain a new appraisal to determine fair market value of the Oak Park armory property. The results of that appraisal shall be forwarded to the city of Oak Park. For a period of 60 days following

receipt of the appraisal by the city, the city of Oak Park shall have the right to purchase the armory property at a price equal to the appraised value under the appraisal obtained pursuant to this section. Any agreement regarding the sale of the property to the city of Oak Park shall comply with the provisions of section 382 of the Michigan military act, 1967 PA 150, MCL 32.782, and shall include a restriction that the city not receive any remuneration from the subsequent resale of the property to an outside party beyond the purchase price paid by the city and any reasonable expenses incurred by the city in developing the property. If the city has not formally notified the department within 60 days of its decision to purchase the property, the department shall proceed with the sale of the property under the provisions of the Michigan military act, 1967 PA 150, MCL 32.501 to 32.851. Proceeds from the sale of the property shall be deposited in the Michigan national guard armory construction fund, as provided in section 382a of the Michigan military act, 1967 PA 150, MCL 32.782a.”.

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

Rep. Jacobs demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 292

Yeas—52

Adamini	Daniels	Lockwood	Schauer
Anderson	Dennis	Mans	Schermesser
Basham	Frank	McConico	Sheltrown
Bernero	Garza	Minore	Spade
Bishop	Gielegem	Murphy	Stallworth
Bogardus	Hale	Neumann	Switalski
Bovin	Hansen	O’Neil	Thomas
Brown, B.	Jacobs	Pestka	Waters
Brown, R.	Jamnick	Phillips	Whitmer
Callahan	Johnson, Ruth	Plakas	Williams
Cassis	Kolb	Raczkowski	Wojno
Clark, I.	Kowall	Reeves	Woodward
Clarke, H.	Lipsey	Rivet	Zelenko

Nays—47

Allen	Hager	Meyer	Shulman
Birkholz	Howell	Middaugh	Stamas
Bisbee	Hummel	Mortimer	Stewart
Bradstreet	Jansen	Newell	Tabor
Brown, C.	Jelinek	Palmer	Toy
Caul	Johnson, Rick	Patterson	Van Woerkom
DeRossett	Julian	Pumford	Vander Roest
DeVuyst	Koetje	Richardville	Vander Veen
Drolet	Kooiman	Richner	Vear
Faunce	Kuipers	Rocca	Voorhees
George	LaSata	Scranton	Woronchak
Gilbert	Mead	Shackleton	

In The Chair: Julian

Rep. Frank moved to reconsider the vote by which the House did not adopt the amendments offered previously by Reps. Frank and Raczkowski.

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

Rep. Frank demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 293**Yeas—49**

Adamini	Frank	Minore	Schermesser
Anderson	Garza	Murphy	Sheltrown
Basham	Gielegghem	Neumann	Spade
Bernero	Hale	O'Neil	Stallworth
Bogardus	Hansen	Pestka	Switalski
Bovin	Jacobs	Phillips	Thomas
Brown, B.	Kolb	Plakas	Waters
Brown, R.	Lemmons	Quarles	Whitmer
Callahan	Lipsey	Reeves	Williams
Clark, I.	Lockwood	Rison	Wojno
Clarke, H.	Mans	Rivet	Woodward
Daniels	McConico	Schauer	Zelenko
Dennis			

Nays—58

Allen	Gilbert	Kuipers	Rocca
Birkholz	Godchaux	LaSata	Scranton
Bisbee	Gosselin	Mead	Shackleton
Bishop	Hager	Meyer	Shulman
Bradstreet	Hart	Middaugh	Stamas
Brown, C.	Howell	Mortimer	Stewart
Cassis	Hummel	Newell	Tabor
Caul	Jansen	Palmer	Toy
DeRossett	Jelinek	Pappageorge	Van Woerkom
DeVuyst	Johnson, Rick	Patterson	Vander Roest
DeWeese	Johnson, Ruth	Pumford	Vander Veen
Drolet	Julian	Rackowski	Vear
Ehardt	Koetje	Richardville	Voorhees
Faunce	Kooiman	Richner	Woronchak
George	Kowall		

In The Chair: Julian

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

The motion prevailed.

Rep. Patterson 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. 5649, entitled**

A bill to make appropriations for the department of military and veterans affairs for the fiscal years ending September 30, 2002 and September 30, 2003; to provide for the expenditure of the appropriations; to provide for certain powers and duties of the department of military and veterans affairs, other state agencies, and local units of government related to the appropriations; and to provide for the preparation of certain reports related to the appropriations.

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

Roll Call No. 294**Yeas—109**

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

Nays—0

In The Chair: Julian

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

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

A bill to make, supplement, and adjust appropriations for the department of military and veterans affairs for the fiscal years ending September 30, 2002 and September 30, 2003; to provide for the expenditure of the appropriations; to provide for certain powers and duties of the department of military and veterans affairs, other state agencies, and local units of government related to the appropriations; and to provide for the preparation of certain reports related to the appropriations.

The motion prevailed.

The House agreed to the title as amended.

Second Reading of Bills**House Bill No. 5650, entitled**

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2003; to provide for the expenditure of those appropriations; to provide for certain reports and the consideration of those reports; to provide for the disposition of other income received by the various state agencies; to provide for the testing of certain persons; to provide for certain emergency powers; and to provide for the powers and duties of certain committees, certain state agencies, and certain employees.

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

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

Rep. Phillips moved to amend the bill as follows:

- 1. Amend page 5, following line 24, by inserting:

“Grant to city of Pontiac 150,000”

and adjusting the subtotals, totals, and section 201 accordingly.

- 2. Amend page 19, following line 6, by inserting:

“FORENSIC SCIENCES

Sec. 704. It is the intent of the legislature that the grant to the city of Pontiac under section 108 be allocated by the city to pay expenses incurred by the city as a result of the annual arts, beats, and eats festival. The city of Pontiac shall provide a report to the department detailing the expenditures made from the money appropriated for the grant. This report shall be forwarded by the department to the house and senate appropriations subcommittees on state police, the house and senate fiscal agencies, and the state budget director following the conclusion of the fiscal year ending September 30, 2003.”.

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

Rep. Schauer moved to amend the bill as follows:

- 1. Amend page 3, line 6, by striking out “8,556,000” and inserting “8,731,000” and adjusting the subtotals, totals, and section 201 accordingly.

- 2. Amend page 18, following line 6, by inserting:

“DEPARTMENTWIDE APPROPRIATIONS

Sec. 271. From the funds appropriated in section 103 for rent and building occupancy charges, funds shall be expended for the necessary rental costs for a state police post in Marshall.”.

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

Rep. Schauer demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 295

Yeas—52

Adamini	Frank	Minore	Schermesser
Anderson	Garza	Mortimer	Sheltrown
Basham	Gielegem	Murphy	Spade
Bernero	Hansen	Neumann	Stallworth
Bogardus	Hardman	O’Neil	Switalski
Bovin	Jacobs	Pestka	Thomas
Brown, B.	Jamnick	Phillips	Vander Roest
Brown, R.	Kolb	Plakas	Waters
Callahan	Lemmons	Quarles	Whitmer
Clark, I.	Lipsey	Reeves	Williams
Clarke, H.	Lockwood	Rison	Wojno
Daniels	Mans	Rivet	Woodward
Dennis	McConico	Schauer	Zelenko

Nays—56

Allen	George	Kooiman	Richner
Birkholz	Gilbert	Kowall	Rocca
Bisbee	Godchaux	Kuipers	Scranton

Bishop	Gosselin	LaSata	Shackleton
Bradstreet	Hager	Mead	Shulman
Brown, C.	Hart	Meyer	Stamas
Cassis	Howell	Middaugh	Stewart
Caul	Hummel	Newell	Tabor
DeRossett	Jansen	Palmer	Toy
DeVuyst	Jelinek	Pappageorge	Van Woerkom
DeWeese	Johnson, Rick	Patterson	Vander Veen
Drolet	Johnson, Ruth	Pumford	Vear
Ehardt	Julian	Rackowski	Voorhees
Faunce	Koetje	Richardville	Woronchak

In The Chair: Julian

Rep. Kolb moved to amend the bill as follows:

1. Amend page 21, following line 10, by inserting:

“(3) The department shall consider colleges, universities, and communities in which colleges and universities are located as a priority for the distribution of available state and federal emergency management funding in order to offset costs associated with homeland security efforts.”.

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

Rep. Kolb demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 296

Yeas—50

Adamini	Frank	McConico	Schauer
Anderson	Garza	Minore	Schermesser
Basham	Gielegem	Murphy	Shackleton
Bernero	Hale	Neumann	Sheltrown
Bogardus	Hansen	O’Neil	Spade
Bovin	Hardman	Pestka	Switalski
Brown, B.	Jacobs	Phillips	Thomas
Brown, R.	Jamnick	Plakas	Waters
Callahan	Kolb	Quarles	Whitmer
Clark, I.	Lemmons	Reeves	Williams
Clarke, H.	Lipsey	Rison	Wojno
Daniels	Lockwood	Rivet	Zelenko
Dennis	Mans		

Nays—58

Allen	Gilbert	Kuipers	Rocca
Birkholz	Godchaux	LaSata	Scranton
Bisbee	Gosselin	Mead	Shulman
Bishop	Hager	Meyer	Stamas
Bradstreet	Hart	Middaugh	Stewart
Brown, C.	Howell	Mortimer	Tabor
Cassis	Hummel	Newell	Toy
Caul	Jansen	Palmer	Van Woerkom
DeRossett	Jelinek	Pappageorge	Vander Roest

DeVuyst	Johnson, Rick	Patterson	Vander Veen
DeWeese	Johnson, Ruth	Pumford	Vear
Drolet	Julian	Raczkowski	Voorhees
Ehardt	Koetje	Richardville	Woodward
Faunce	Kooiman	Richner	Woronchak
George	Kowall		

In The Chair: Julian

Reps. Whitmer and LaSata moved to amend the bill as follows:

1. Amend page 5, line 7, by striking out “7,618,200” and inserting “4,818,200”.
 2. Amend page 5, line 19, by striking out “5,954,300” and inserting “3,154,300”.
 3. Amend page 9, line 9, by striking out “32,949,500” and inserting “32,699,500”.
 4. Amend page 10, line 2, by striking out “450,000” and inserting “200,000” and adjusting the subtotals, totals, and section 201 accordingly.
 5. Amend page 19, line 2, by striking out all of section 503 and inserting:
“Sec. 503. In addition to the funds appropriated for the criminal justice information center division in section 106, \$2,800,000.00 is appropriated from criminal justice information center service fees if Senate Bill No. 928 of the 91st Legislature is enacted into law.”.
 6. Amend page 22, line 15, by striking out all of section 1303 and inserting:
“Sec. 1303. In addition to the funds appropriated for criminal investigations in section 113, \$250,000.00 is appropriated from licensing fees if Senate Bill No. 425 and Senate Bill No. 929 of the 91st Legislature are enacted into law.”.
- The motion prevailed and the amendments were adopted, a majority of the members serving voting therefor.

Rep. Richardville moved to amend the bill as follows:

1. Amend page 22, following line 19, by inserting:
“Sec. 1401. The department of state police shall report by December 1, 2002 to the house and senate appropriations subcommittees on state police and military and veterans affairs and the house and senate fiscal agencies on the status of school bus inspections.”.
- The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Reps. Vander Veen and Lockwood moved to amend the bill as follows:

1. Amend page 17, following line 14, by inserting:
“Sec. 221a. From the funds appropriated in part 1, the department may appropriate up to \$50,000.00 to fund a toll-free hotline in collaboration with the department of education.”.
- The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Phillips moved to amend the bill as follows:

1. Amend page 5, following line 24, by inserting:
“Grant to city of Pontiac 140,000”
- and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 19, following line 6, by inserting:

FORENSIC SCIENCES

Sec. 704. It is the intent of the legislature that the grant to the city of Pontiac under section 108 be allocated by the city to pay expenses incurred by the city as a result of the annual arts, beats, and eats festival. The city of Pontiac shall provide a report to the department detailing the expenditures made from the money appropriated for the grant. This report shall be forwarded by the department to the house and senate appropriations subcommittees on state police, the house and senate fiscal agencies, and the state budget director following the conclusion of the fiscal year ending September 30, 2003.”.

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

Rep. Phillips demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 297**Yeas—49**

Adamini	Daniels	Kowall	Raczkowski
Anderson	Dennis	Lemmons	Reeves
Basham	Garza	Lipsey	Rison
Bernero	Gielegem	Lockwood	Rivet
Bishop	Godchaux	Mans	Schermesser
Bogardus	Gosselin	McConico	Switalski
Bovin	Hale	Minore	Thomas
Brown, B.	Hansen	Murphy	Waters
Brown, R.	Hardman	O'Neil	Whitmer
Callahan	Jacobs	Phillips	Williams
Cassis	Jamnick	Plakas	Woodward
Clark, I.	Kolb	Quarles	Zelenko
Clarke, H.			

Nays—57

Allen	Hart	Middaugh	Shackleton
Birkholz	Howell	Mortimer	Sheltrown
Bisbee	Hummel	Neumann	Shulman
Bradstreet	Jansen	Newell	Spade
Brown, C.	Jelinek	Palmer	Stamas
Caul	Johnson, Rick	Pappageorge	Stewart
DeRossett	Johnson, Ruth	Patterson	Tabor
DeVuyst	Julian	Pestka	Toy
DeWeese	Koetje	Pumford	Van Woerkom
Drolet	Kooiman	Richardville	Vander Roest
Ehardt	Kuipers	Richner	Vander Veen
Faunce	LaSata	Rocca	Vear
George	Mead	Schauer	Voorhees
Gilbert	Meyer	Scranton	Woronchak
Hager			

In The Chair: Julian

Reps. Richardville and Lockwood moved to amend the bill as follows:

1. Amend page 22, following line 19, by inserting:

"MOTOR CARRIER ENFORCEMENT

Sec. 1401. The department shall report to the house and senate appropriations subcommittees on state police and the house and senate fiscal agencies by March 1, 2003 regarding the inspection of school buses and other motor vehicles under section 715a of the Michigan vehicle code, 1949 PA 300, MCL 257.715a, and section 39 of the pupil transportation act, 1990 PA 187, MCL 257.1839. The report shall include the following information regarding inspections conducted in calendar year 2002:

- (a) The number of buses and vehicles inspected by the department.
- (b) The number of buses and vehicles passing and failing inspection.
- (c) The estimated number of buses and vehicles not inspected."

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

Rep. Schauer moved to amend the bill as follows:

1. Amend page 18, following line 6, by inserting:

"DEPARTMENTWIDE APPROPRIATIONS

Sec. 271. From the funds appropriated in section 103 for rent and building occupancy charges, funds shall be expended for necessary rental costs for a state police post in Marshall."

The question being on the adoption of the amendment offered by Rep. Schauer, Rep. Schauer demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 298

Yeas—54

Adamini	Garza	Mortimer	Schermesser
Anderson	Gielegem	Murphy	Sheltrown
Basham	Hale	Neumann	Spade
Bernero	Hansen	O’Neil	Stallworth
Bogardus	Hardman	Pestka	Switalski
Bovin	Jacobs	Phillips	Thomas
Brown, B.	Jamnick	Plakas	Vander Roest
Brown, R.	Kolb	Quarles	Vear
Callahan	Lemmons	Reeves	Waters
Clark, I.	Lipsey	Richardville	Whitmer
Clarke, H.	Lockwood	Rison	Williams
Daniels	Mans	Rivet	Wojno
Dennis	McConico	Schauer	Zelenko
Frank	Minore		

Nays—55

Allen	George	Kooiman	Rocca
Birkholz	Gilbert	Kowall	Scranton
Bisbee	Godchaux	Kuipers	Shackleton
Bishop	Gosselin	LaSata	Shulman
Bradstreet	Hager	Mead	Stamas
Brown, C.	Hart	Meyer	Stewart
Cassis	Howell	Middaugh	Tabor
Caul	Hummel	Newell	Toy
DeRossett	Jansen	Palmer	Van Woerkom
DeVuyst	Jelinek	Pappageorge	Vander Veen
DeWeese	Johnson, Rick	Patterson	Voorhees
Drolet	Johnson, Ruth	Pumford	Woodward
Ehardt	Julian	Rackowski	Woronchak
Faunce	Koetje	Richner	

In The Chair: Julian

Reps. Stamas and Middaugh moved to amend the bill as follows:

- 1. Amend page 17, following line 21, by inserting:

“Sec. 224. The department of state police shall notify the house and senate appropriations subcommittees on state police and military and veterans affairs and the house and senate fiscal agencies not less than 120 days before recommending to close or consolidate any state police posts.”.

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

Rep. Stallworth moved to amend the bill as follows:

- 1. Amend page 5, following line 24, by inserting:

“Grant to city of Detroit..... 721,100”
and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 19, following line 6, by inserting:

“FORENSIC SCIENCES

Sec. 701. It is the intent of the legislature that from the grant to the city of Detroit under section 108 an amount of \$431,400.00 be allocated by the city to supplement the city’s appropriations for the Detroit crime lab and an amount of \$289,700.00 be allocated by the city to the Detroit police special events account. The city of Detroit shall provide a report to the department detailing the expenditures made and the services provided from the money appropriated for the grant. This report shall be forwarded by the department to the house and senate appropriations subcommittees on state police, the house and senate fiscal agencies, and the state budget director by January 15, 2003.”.

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

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

The motion prevailed.

Rep. Patterson 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. 5650, entitled

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2003; to provide for the expenditure of those appropriations; to provide for certain reports and the consideration of those reports; to provide for the disposition of other income received by the various state agencies; to provide for the testing of certain persons; to provide for certain emergency powers; and to provide for the powers and duties of certain committees, certain state agencies, and certain employees.

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

Roll Call No. 299

Yeas—109

Adamini	Garza	Lipsey	Rocca
Allen	George	Lockwood	Schauer
Anderson	Gielegghem	Mans	Schermesser
Basham	Gilbert	McConico	Scranton
Bernero	Godchaux	Mead	Shackleton
Birkholz	Gosselin	Meyer	Sheltrown
Bisbee	Hager	Middaugh	Shulman
Bishop	Hale	Minore	Spade
Bogardus	Hansen	Mortimer	Stallworth
Bovin	Hardman	Murphy	Stamas
Bradstreet	Hart	Neumann	Stewart
Brown, B.	Howell	Newell	Switalski
Brown, C.	Hummel	O’Neil	Tabor
Brown, R.	Jacobs	Palmer	Thomas
Callahan	Jamnack	Pappageorge	Toy
Cassis	Jansen	Patterson	Van Woerkom
Caul	Jelinek	Pestka	Vander Roest
Clark, I.	Johnson, Rick	Phillips	Vander Veen
Clarke, H.	Johnson, Ruth	Plakas	Vear
Daniels	Julian	Pumford	Voorhees
Dennis	Koetje	Quarles	Waters
DeRossett	Kolb	Raczkowski	Whitmer
DeVuyst	Koومان	Reeves	Williams
DeWeese	Kowall	Richardville	Wojno
Drolet	Kuipers	Richner	Woodward
Ehardt	LaSata	Rison	Woronchak
Faunce	Lemmons	Rivet	Zelenko
Frank			

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

Second Reading of Bills**Senate Bill No. 1107, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11, 11f, 11g, 19, 20, 22a, 22b, 24, 26a, 31a, 31d, 32d, 37, 38, 39, 41, 51a, 51c, 53a, 54, 56, 57, 61a, 62, 67, 68, 74, 81, 94, 94a, 96, 98, 99, 107, 108, and 147 (MCL 388.1611, 388.1611f, 388.1611g, 388.1619, 388.1620, 388.1622a, 388.1622b, 388.1624, 388.1626a, 388.1631a, 388.1631d, 388.1632d, 388.1637, 388.1638, 388.1639, 388.1641, 388.1651a, 388.1651c, 388.1653a, 388.1654, 388.1656, 388.1657, 388.1661a, 388.1662, 388.1667, 388.1668, 388.1674, 388.1681, 388.1694, 388.1694a, 388.1696, 388.1698, 388.1699, 388.1707, 388.1708, and 388.1747), sections 11, 11f, 11g, 20, 22a, 22b, 24, 26a, 31a, 31d, 32d, 41, 51a, 51c, 53a, 54, 56, 57, 61a, 62, 67, 68, 74, 81, 94, 94a, 98, 99, 107, and 147 as amended by 2001 PA 121 and sections 19, 37, 38, and 39 as amended and sections 96 and 108 as added by 2000 PA 297, and by adding sections 32i, 34, 39a, 51d, 55, 99a, and 121a; 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 Appropriations,

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

Rep. Meyer moved to amend the bill as follows:

1. Amend page 162, line 19, after "THAN" by striking out "70%" and inserting "89%".
2. Amend page 163, line 5, after "THAN" by striking out "50%" and inserting "88%" and adjusting section 11 and enacting section 1 accordingly.

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

Rep. Jacobs moved to amend the bill as follows:

1. Amend page 139, line 15, after "2002." by inserting "DISTRICTS AND INTERMEDIATE DISTRICTS ARE NOT REQUIRED TO FILE THE REGISTRY OF EDUCATION PERSONNEL REPORT UNTIL AFTER THE FEDERAL RULES ARE PUBLISHED."

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

Rep. Jacobs moved to amend the bill as follows:

1. Amend page 139, line 18, after "DAY" by inserting a comma and "AND \$2.00 FOR EACH EMPLOYEE FOR WHOM DATA IS REQUIRED TO BE REPORTED,".

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

Rep. Hart moved to amend the bill as follows:

1. Amend page 136, line 8, after "SEC. 93." by inserting "(1)".
2. Amend page 136, line 10, after "2002-2003" by striking out the balance of the section and inserting "FOR THE PURPOSES OF THIS SECTION.

(2) FROM THE FUNDS ALLOCATED UNDER SUBSECTION (1), \$500.00 IS ALLOCATED FOR 2002-2003 FOR PILOT PROJECTS ACROSS THIS STATE FOR DEVELOPING WAYS TO USE WIRELESS TECHNOLOGY TO IMPROVE ACADEMIC ACHIEVEMENT. THE MICHIGAN VIRTUAL UNIVERSITY SHALL DESIGNATE DISTRICTS FOR PARTICIPATION IN THE PILOT PROJECTS UNDER THIS SECTION. THE PILOT PROJECTS SHALL BE FUNDED THROUGH PUBLIC-PRIVATE PARTNERSHIPS. IN DESIGNATING DISTRICTS TO PARTICIPATE, THE MICHIGAN VIRTUAL UNIVERSITY SHALL DESIGNATE DISTRICTS REPRESENTING THE GEOGRAPHIC DIVERSITY WITHIN THIS STATE.

(3) FROM THE FUNDS ALLOCATED UNDER SUBSECTION (1), \$500.00 IS ALLOCATED FOR 2002-2003 TO THE INTERACTIVE COMMUNICATIONS AND SIMULATIONS GROUP OF THE UNIVERSITY OF MICHIGAN SCHOOL OF EDUCATION TO INTEGRATE A MICHIGAN CIVICS CURRICULUM AND MICHIGAN CIVICS EDUCATIONAL PROGRAMMING WITH TECHNOLOGY IN THE PUBLIC SCHOOLS."

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

Reps. Thomas and Stallworth moved to amend the bill as follows:

1. Amend page 90, following line 2, by inserting:

“Sec. 33. (1) From the state school aid fund appropriation in section 11, there is allocated an amount not to exceed \$15,000,000.00 for 2001-2002 AND AN AMOUNT NOT TO EXCEED \$14,000,000.00 FOR 2002-2003 to a district that is a qualifying school district under part 5a of the revised school code, MCL 380.371 to 380.376, or that is the subject of intervention under a substantially similar provision of the revised school code. If more than 1 district qualifies for funding under this subsection, the funds shall be allocated on an equal per-pupil basis.

(2) Funds allocated under this section for 2001-2002 are for measures to improve student performance, including, but not limited to, enhanced school security and reading readiness programs. FUNDS ALLOCATED UNDER THIS SECTION FOR 2002-2003 SHALL BE USED BY THE DISTRICT FOR THE SAME PURPOSES AND UNDER THE SAME CONDITIONS AS PROGRAMS DESCRIBED IN SECTION 32D(3) AS IN EFFECT FOR 2000-2001.” and adjusting section 11 and enacting section 1 accordingly.

2. Amend page 185, line 1, after “(2)” by striking out “Sections 22c and 33” and inserting “Section 22c”.

3. Amend page 185, line 2, after “388.1622c” by striking out “and 388.1633, are” and inserting a comma and “is” and adjusting section 11 and enacting section 1 accordingly.

The question being on the adoption of the amendments offered by Reps. Thomas and Stallworth,

Rep. Thomas demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Reps. Thomas and Stallworth,

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

Roll Call No. 300

Yeas—48

Adamini	DeWeese	Mans	Schermesser
Anderson	Garza	McConico	Sheltrown
Basham	Gielegem	Minore	Stallworth
Bernero	Hale	Murphy	Switalski
Bogardus	Hansen	O’Neil	Thomas
Bovin	Hardman	Phillips	Waters
Brown, B.	Jacobs	Plakas	Whitmer
Brown, R.	Jamnick	Quarles	Williams
Callahan	Kolb	Reeves	Wojno
Clark, I.	Lemmons	Richner	Woodward
Clarke, H.	Lipsey	Rison	Woronchak
Daniels	Lockwood	Rivet	Zelenko

Nays—59

Allen	Gilbert	Kuipers	Schauer
Birkholz	Godchaux	LaSata	Scranton
Bisbee	Gosselin	Mead	Shackleton
Bishop	Hager	Meyer	Shulman
Bradstreet	Hart	Middaugh	Spade
Brown, C.	Howell	Mortimer	Stamas
Cassis	Hummel	Newell	Stewart
Caul	Jansen	Palmer	Tabor
Dennis	Jelinek	Pappageorge	Toy
DeRossett	Johnson, Rick	Patterson	Van Woerkom
DeVuyst	Johnson, Ruth	Pestka	Vander Roest
Drolet	Julian	Pumford	Vander Veen
Ehardt	Koetje	Raczkowski	Vear
Faunce	Kooiman	Richardville	Voorhees
George	Kowall	Rocca	

Rep. Plakas moved to amend the bill as follows:

1. Amend page 139, following line 23, by inserting:

“SEC. 94D. THE CENTER FOR EDUCATIONAL PERFORMANCE AND INFORMATION SHALL ENSURE THAT STANDARD AND POOR’S, OR ANY OTHER CONTRACTOR THAT ANALYZES OR REPORTS INFORMATION COLLECTED BY THE CENTER FOR EDUCATIONAL PERFORMANCE AND INFORMATION, PROVIDES ITS ANALYSIS OR OTHER REPORT TO AFFECTED DISTRICTS AND INTERMEDIATE DISTRICTS BEFORE THE ANALYSIS OR REPORT IS RELEASED TO THE NEWS MEDIA OR THE GENERAL PUBLIC.”.

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

Rep. Woronchak moved to amend the bill as follows:

1. Amend page 67, line 18, after “5.75%” by inserting “FOR 2001-2002 AND 11.5% FOR 2002-2003 AND SUBSEQUENT FISCAL YEARS”.

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

Rep. Godchaux moved to amend the bill as follows:

1. Amend page 75, line 7, after “SECTION” by striking out the balance of the subsection and inserting a period.

2. Amend page 89, line 9, after “YEARS.” by striking out the balance of the subsection.

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

Reps. Schauer and Williams moved to amend the bill as follows:

1. Amend page 71, line 8, after “parents.” by inserting “HOWEVER, IF LEGISLATION IS ENACTED ALLOWING THE APPROPRIATION OF MONEY FROM THE COUNTERCYCLICAL BUDGET AND ECONOMIC STABILIZATION FUND FOR THIS PURPOSE, THERE IS APPROPRIATED AN AMOUNT NOT TO EXCEED \$45,000,000.00 FOR 2002-2003 FROM THE COUNTERCYCLICAL BUDGET AND ECONOMIC STABILIZATION FUND FOR THE PURPOSES OF THIS SECTION.” and adjusting section 11 and enacting section 1 accordingly.

The question being on the adoption of the amendment offered by Reps. Schauer and Williams,

Rep. Williams demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Reps. Schauer and Williams,

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

Roll Call No. 301

Yeas—52

Adamini	Ehardt	McConico	Schauer
Anderson	Frank	Minore	Schermesser
Basham	Garza	Mortimer	Sheltrown
Bernero	Gielegem	Murphy	Spade
Bogardus	Hager	Neumann	Stallworth
Bovin	Hansen	O’Neil	Switalski
Brown, B.	Hardman	Pestka	Thomas
Brown, R.	Jacobs	Phillips	Waters
Callahan	Jamnick	Plakas	Whitmer
Clark, I.	Kolb	Quarles	Williams
Clarke, H.	Lipsey	Reeves	Wojno
Daniels	Lockwood	Rison	Woodward
Dennis	Mans	Rivet	Zelenko

Nays—57

Allen	Godchaux	Kuipers	Rocca
Birkholz	Gosselin	LaSata	Scranton
Bisbee	Hale	Lemmons	Shackleton
Bishop	Hart	Mead	Shulman
Bradstreet	Howell	Meyer	Stamas
Brown, C.	Hummel	Middaugh	Stewart

Cassis	Jansen	Newell	Tabor
Caul	Jelinek	Palmer	Toy
DeRossett	Johnson, Rick	Pappageorge	Van Woerkom
DeVuyst	Johnson, Ruth	Patterson	Vander Roest
DeWeese	Julian	Pumford	Vander Veen
Drolet	Koetje	Raczkowski	Vear
Faunce	Kooiman	Richardville	Voorhees
George	Kowall	Richner	Woronchak
Gilbert			

In The Chair: Julian

Rep. Vander Roest moved that Rep. Hart be excused temporarily from today's session.
The motion prevailed.

Rep. Schauer moved to amend the bill as follows:

1. Amend page 84, line 18, after "programs." by inserting "HOWEVER, IF LEGISLATION IS ENACTED ALLOWING THE APPROPRIATION OF MONEY FROM THE COUNTERCYCLICAL BUDGET AND ECONOMIC STABILIZATION FUND FOR THIS PURPOSE, THERE IS APPROPRIATED AN AMOUNT NOT TO EXCEED \$45,000,000.00 FOR 2002-2003 FROM THE COUNTERCYCLICAL BUDGET AND ECONOMIC STABILIZATION FUND FOR THE PURPOSES OF THIS SUBSECTION." and adjusting section 11 and enacting section 1 accordingly.

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

Rep. Schauer demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 302

Yeas—52

Adamini	Frank	Mans	Rivet
Anderson	Garza	McConico	Schauer
Basham	Gielegem	Minore	Schermesser
Bernero	Hager	Murphy	Sheltrown
Bogardus	Hale	Neumann	Spade
Bovin	Hansen	O'Neil	Stallworth
Brown, B.	Hardman	Pestka	Switalski
Brown, R.	Jacobs	Phillips	Thomas
Callahan	Jamnick	Plakas	Whitmer
Clark, I.	Kolb	Quarles	Williams
Clarke, H.	Lemmons	Raczkowski	Wojno
Daniels	Lipsey	Reeves	Woodward
Dennis	Lockwood	Rison	Zelenko

Nays—56

Allen	George	Kuipers	Scranton
Birkholz	Gilbert	LaSata	Shackleton
Bisbee	Godchaux	Mead	Shulman
Bishop	Gosselin	Meyer	Stamas
Bradstreet	Howell	Middaugh	Stewart
Brown, C.	Hummel	Mortimer	Tabor

Cassis	Jansen	Newell	Toy
Caul	Jelinek	Palmer	Van Woerkom
DeRossett	Johnson, Rick	Pappageorge	Vander Roest
DeVuyst	Johnson, Ruth	Patterson	Vander Veen
DeWeese	Julian	Pumford	Vear
Drolet	Koetje	Richardville	Voorhees
Ehardt	Kooiman	Richner	Waters
Faunce	Kowall	Rocca	Woronchak

In The Chair: Julian

Reps. Stallworth and Hardman moved to amend the bill as follows:

1. Amend page 34, following line 5, by inserting:

“SEC. 18E. A DISTRICT THAT IS A SCHOOL DISTRICT OF THE FIRST CLASS UNDER THE REVISED SCHOOL CODE SHALL NOT EXPEND MORE THAN 10% OF ITS GENERAL FUND OPERATING REVENUE FOR BUSINESS AND ADMINISTRATION.”.

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

Rep. Frank moved to amend the bill as follows:

1. Amend page 147, following line 20, by inserting:

“SEC. 99C. FROM THE STATE SCHOOL AID FUND MONEY APPROPRIATED IN SECTION 11, THERE IS ALLOCATED AN AMOUNT NOT TO EXCEED \$3,000,000.00 FOR 2002-2003 FOR PLACING AND MAINTAINING AN AUTOMATED EXTERNAL DEFIBRILLATOR IN EACH HIGH SCHOOL. FROM THIS ALLOCATION, THE DEPARTMENT SHALL PAY EACH DISTRICT AN AMOUNT EQUAL TO \$3,000.00 PER HIGH SCHOOL OPERATED BY THE DISTRICT, AND THE DISTRICT SHALL USE THIS MONEY TO ACQUIRE AND MAINTAIN AN AUTOMATED EXTERNAL DEFIBRILLATOR IN EACH HIGH SCHOOL IT OPERATES.” and adjusting section 11 and enacting section 1 accordingly.

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

Rep. Frank demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 303

Yeas—54

Adamini	Frank	Minore	Schermesser
Anderson	Gielegem	Murphy	Shackleton
Basham	Hale	Neumann	Sheltrown
Bernero	Hansen	O’Neil	Spade
Bogardus	Hardman	Pestka	Stallworth
Bovin	Jacobs	Phillips	Switalski
Brown, B.	Jamnick	Plakas	Thomas
Brown, R.	Kolb	Quarles	Waters
Callahan	Kowall	Reeves	Whitmer
Cassis	Lemmons	Rison	Williams
Clark, I.	Lipsey	Rivet	Wojno
Clarke, H.	Lockwood	Rocca	Woodward
Daniels	Mans	Schauer	Zelenko
Dennis	McConico		

Nays—53

Allen	Gilbert	Kuipers	Richner
Birkholz	Godchaux	LaSata	Scranton

Bisbee	Gosselin	Mead	Shulman
Bishop	Hager	Meyer	Stamas
Bradstreet	Hart	Middaugh	Stewart
Brown, C.	Hummel	Mortimer	Tabor
Caul	Jansen	Newell	Toy
DeRossett	Jelinek	Palmer	Van Woerkom
DeVuyst	Johnson, Rick	Pappageorge	Vander Roest
DeWeese	Johnson, Ruth	Patterson	Vander Veen
Drolet	Julian	Pumford	Vear
Ehardt	Koetje	Raczkowski	Voorhees
Faunce	Kooiman	Richardville	Woronchak
George			

In The Chair: Julian

Rep. Mead moved to amend the bill as follows:

1. Amend page 12, following line 24, by inserting:

“(Z) IF A PUBLIC SCHOOL ACADEMY CLOSES AT THE END OF A SCHOOL YEAR AND DOES NOT REOPEN FOR THE NEXT SCHOOL YEAR, THE DEPARTMENT SHALL ADJUST THE MEMBERSHIP COUNT OF THE DISTRICT IN WHICH A FORMER PUPIL OF THE PUBLIC SCHOOL ACADEMY ENROLLS AND IS IN REGULAR DAILY ATTENDANCE FOR THE NEXT SCHOOL YEAR TO ENSURE THAT THE DISTRICT RECEIVES THE SAME AMOUNT OF MEMBERSHIP AID FOR THE PUPIL AS IF THE PUPIL WERE COUNTED IN THE DISTRICT ON THE SUPPLEMENTAL COUNT DAY OF THE PRECEDING SCHOOL YEAR.”.

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

Rep. Frank moved to amend the bill as follows:

1. Amend page 147, following line 20, by inserting:

“SEC. 99B. FROM THE GENERAL FUND MONEY APPROPRIATED IN SECTION 11, THERE IS ALLOCATED AN AMOUNT NOT TO EXCEED \$100,000.00 FOR 2002-2003 TO THE DEPARTMENT TO CONDUCT A STUDY, IN COOPERATION WITH THE DEPARTMENT OF COMMUNITY HEALTH, OF THE FEASIBILITY OF PLACING A AUTOMATED EXTERNAL DEFIBRILLATOR IN EACH SCHOOL BUILDING IN THIS STATE.” and adjusting section 11 and enacting section 1 accordingly.

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

Rep. Frank demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 304

Yeas—49

Adamini	Frank	Mans	Schauer
Anderson	Garza	Minore	Schermesser
Basham	Gielegem	Murphy	Sheltrown
Bernero	Hale	Neumann	Spade
Bogardus	Hansen	O'Neil	Stallworth
Bovin	Hardman	Pestka	Thomas
Brown, B.	Jacobs	Phillips	Waters
Brown, R.	Jamnick	Plakas	Whitmer
Callahan	Kolb	Quarles	Williams
Clark, I.	Lemmons	Reeves	Wojno
Clarke, H.	Lipsey	Rison	Woodward
Daniels	Lockwood	Rivet	Zelenko
Dennis			

Nays—59

Allen	Gilbert	Kuipers	Scranton
Birkholz	Godchaux	LaSata	Shackleton
Bisbee	Gosselin	Mead	Shulman
Bishop	Hager	Meyer	Stamas
Bradstreet	Hart	Middaugh	Stewart
Brown, C.	Howell	Mortimer	Switalski
Cassis	Hummel	Newell	Tabor
Caul	Jansen	Palmer	Toy
DeRossett	Jelinek	Pappageorge	Van Woerkom
DeVuyst	Johnson, Rick	Patterson	Vander Roest
DeWeese	Johnson, Ruth	Pumford	Vander Veen
Drolet	Julian	Raczkowski	Vear
Ehardt	Koetje	Richardville	Voorhees
Faunce	Kooiman	Richner	Woronchak
George	Kowall	Rocca	

In The Chair: Julian

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

Rep. Patterson 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. 1107, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11, 11f, 11g, 19, 20, 22a, 22b, 24, 26a, 31a, 31d, 32d, 37, 38, 39, 41, 51a, 51c, 53a, 54, 56, 57, 61a, 62, 67, 68, 74, 81, 94, 94a, 96, 98, 99, 107, 108, and 147 (MCL 388.1611, 388.1611f, 388.1611g, 388.1619, 388.1620, 388.1622a, 388.1622b, 388.1624, 388.1626a, 388.1631a, 388.1631d, 388.1632d, 388.1637, 388.1638, 388.1639, 388.1641, 388.1651a, 388.1651c, 388.1653a, 388.1654, 388.1656, 388.1657, 388.1661a, 388.1662, 388.1667, 388.1668, 388.1674, 388.1681, 388.1694, 388.1694a, 388.1696, 388.1698, 388.1699, 388.1707, 388.1708, and 388.1747), sections 11, 11f, 11g, 20, 22a, 22b, 24, 26a, 31a, 31d, 32d, 41, 51a, 51c, 53a, 54, 56, 57, 61a, 62, 67, 68, 74, 81, 94, 94a, 98, 99, 107, and 147 as amended by 2001 PA 121 and sections 19, 37, 38, and 39 as amended and sections 96 and 108 as added by 2000 PA 297, and by adding sections 32i, 34, 39a, 51d, 55, 99a, and 121a; 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. 305**Yeas—97**

Adamini	George	Lockwood	Schauer
Allen	Gielegem	Mans	Schermesser
Anderson	Gilbert	Mead	Scranton
Basham	Godchaux	Meyer	Shackleton
Bernero	Gosselin	Middaugh	Sheltrown
Birkholz	Hager	Mortimer	Shulman
Bisbee	Hansen	Murphy	Spade
Bishop	Hart	Neumann	Stamas
Bovin	Howell	Newell	Stewart
Bradstreet	Hummel	O'Neil	Switalski
Brown, B.	Jacobs	Palmer	Tabor
Brown, C.	Jamnick	Pappageorge	Thomas
Brown, R.	Jansen	Patterson	Toy

Callahan	Jelinek	Pestka	Van Woerkom
Cassis	Johnson, Rick	Phillips	Vander Roest
Caul	Johnson, Ruth	Plakas	Vander Veen
Clarke, H.	Julian	Pumford	Vear
Dennis	Koetje	Quarles	Voorhees
DeRossett	Kolb	Rackowski	Whitmer
DeVuyst	Kooiman	Richardville	Williams
DeWeese	Kowall	Richner	Wojno
Drolet	Kuipers	Rison	Woodward
Ehardt	LaSata	Rivet	Woronchak
Faunce	Lemmons	Rocca	Zelenko
Frank			

Nays—12

Bogardus	Garza	Lipsey	Reeves
Clark, I.	Hale	McConico	Stallworth
Daniels	Hardman	Minore	Waters

In The Chair: Julian

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

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

A bill to amend 1979 PA 94, entitled "An act to make appropriations to aid in the support of the public schools and the intermediate school districts of the state; to make appropriations for certain other purposes relating to education; to provide for the disbursement of the appropriations; to supplement the school aid fund by the levy and collection of certain taxes; to authorize the issuance of certain bonds and provide for the security of those bonds; to prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to prescribe penalties; and to repeal acts and parts of acts," by amending sections 6, 8, 11, 11f, 11g, 18, 18d, 19, 20, 22a, 22b, 24, 26a, 31a, 31d, 32a, 32b, 32c, 32d, 32e, 32f, 32h, 37, 38, 39, 41, 51a, 51c, 53a, 54, 56, 57, 61a, 62, 67, 68, 74, 81, 94, 94a, 96, 98, 99, 101, 105, 107, 108, and 147 (MCL 388.1606, 388.1608, 388.1611, 388.1611f, 388.1611g, 388.1618, 388.1618d, 388.1619, 388.1620, 388.1622a, 388.1622b, 388.1624, 388.1626a, 388.1631a, 388.1631d, 388.1632a, 388.1632b, 388.1632c, 388.1632d, 388.1632e, 388.1632f, 388.1632h, 388.1637, 388.1638, 388.1639, 388.1641, 388.1651a, 388.1651c, 388.1653a, 388.1654, 388.1656, 388.1657, 388.1661a, 388.1662, 388.1667, 388.1668, 388.1674, 388.1681, 388.1694, 388.1694a, 388.1696, 388.1698, 388.1699, 388.1701, 388.1705, 388.1707, 388.1708, and 388.1747), sections 6, 11, 11f, 11g, 20, 22a, 22b, 24, 26a, 31a, 31d, 32a, 32b, 32c, 32d, 32e, 32f, 32h, 41, 51a, 51c, 53a, 54, 56, 57, 61a, 62, 67, 68, 74, 81, 94, 94a, 98, 99, 107, and 147 as amended and section 18d as added by 2001 PA 121, sections 8, 19, 37, 38, 39, 101, and 105 as amended and sections 96 and 108 as added by 2000 PA 297, and section 18 as amended by 1999 PA 119, and by adding sections 18e, 21, 22, 32i, 39a, 51d, 55, 92, 93, 94b, 94c, 94d, 99a, and 121a; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

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

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

Reps. Lipsey, Hale, Hardman, Reeves, Waters, Clark, Daniels and Garza, having reserved the right to explain their protest against the passage of the bill, made the following statement:

"Mr. Speaker and members of the House:

I voted 'no' on SB 1107 because it removes funding for critical educational programs such as the Reading Program, Parental Involvement Grants, Summer School, Counseling Services, and Vocational Education Technical Centers. These programs typically target the neediest children and the impact of these cuts will be felt strongly by these children.

In addition, this budget removes the \$15 million in funding for the Detroit Public School system, which was promised for each year that the appointed Detroit School Reform Board is in place. This is not just funding for Detroit but a way to save funding in the future for the rest of the state. We know that investments in early childhood education result in great savings. By investing in Detroit's schools and in addressing school readiness and reading programs at early ages, the state would save greatly in the future. Unfortunately, that funding was eliminated.

Further, when this budget was originally enacted two years ago, General Fund/General Purpose dollars were removed with the promise that the funds would be restored in FY 2003. This budget breaks that promise, and includes intent language that the funding be restored in FY 2004. If the leadership did not keep their promise this year, how do we know that they will pay attention to intent language next year?

Finally, if education is a priority in this state, then the funding for the critical programs listed above should be found in other budgets and shifted to keep these important programs moving forward."

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

"Mr. Speaker and members of the House:

I am casting a token NO vote on this bill in spite of the fact that it does much for Michigan schools and Michigan students . . . 'his year'. It is, however, a kind of shell game. We are playing with next year's dollars in order to make this election year budget look pretty good. The shoe will fall, however, next year. We are speeding up collection of taxes from next year in order to get through this election year. We are using several questionable sources of money in order to fill the needs this year—without addressing systemic problems. And, finally, we are ignoring some of the greatest needs of the students and schools systems while 'getting by' for this election year. We haven't addressed school infrastructure needs, special education funding, early childhood programs, and many other crying needs this year. We have insisted on keeping our promise of tax cuts, while edging out of our promise of full funding for education needs—especially for those students most in need. It's a good bill on the surface: but it is severely flawed below that glossy and—to some extent—false surface. My NO vote is, I realize, a token protest. In these days of term limits, this bill represents one of the greatest faults of the Legislature: do what you can today—while ignoring the long term needs and interests of the citizens of the state."

Rep. Bogardus, 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 oppose this budget because it is a series of broken promises. Early childhood programs are imperative for children at who face incredible barriers to learning. Such programs actually save the state money. A child who succeeds in school is much more likely to succeed in life and not end up in prison but this bill eliminates programs which would help them achieve their potential. It is unfortunate that this legislature and governor do not value every child equally. Some schools have over \$5000.00 more per year to spend on each child than what is spent on a child in other districts. The programs eliminated were a small step toward lowering that inequity. This budget also relies on bookkeeping tricks which will leave subsequent administrations in a fiscal mess."

Rep. Jacobs moved that Reps. Plakas and Hale be excused temporarily from today's session.
The motion prevailed.

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

The Speaker laid before the House
House Bill No. 5118, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 502, 32503, and 33938 (MCL 324.502, 324.32503, and 324.33938), section 502 as amended by 1998 PA 114 and sections 32503 and 33938 as added by 1995 PA 59, and by adding sections 501a and 61505a.

(The bill was received from the Senate on February 13, with substitute (S-4), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until February 14, see House Journal No. 12, p. 221.)

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

The substitute (S-4) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 306**Yeas—98**

Adamini	Gilbert	McConico	Schauer
Allen	Godchaux	Mead	Schermesser
Anderson	Gosselin	Meyer	Scranton
Basham	Hager	Middaugh	Shackleton
Bernero	Hansen	Minore	Sheltrown
Birkholz	Hardman	Mortimer	Shulman
Bishop	Hart	Murphy	Spade
Bogardus	Howell	Neumann	Stallworth
Bovin	Jacobs	Newell	Stamas
Brown, B.	Jamnick	O'Neil	Stewart
Brown, R.	Jansen	Palmer	Switalski
Callahan	Jelinek	Pappageorge	Thomas
Cassis	Johnson, Rick	Patterson	Toy
Caul	Johnson, Ruth	Pestka	Van Woerkom
Clarke, H.	Julian	Phillips	Vander Roest
Daniels	Koetje	Pumford	Vander Veen
Dennis	Kolb	Quarles	Voorhees
DeRossett	Kooiman	Rackowski	Waters
DeWeese	Kowall	Reeves	Whitmer
Ehardt	Kuipers	Richardville	Williams
Faunce	LaSata	Richner	Wojno
Frank	Lemmons	Rison	Woodward
Garza	Lipsey	Rivet	Woronchak
George	Lockwood	Rocca	Zelenko
Gielegem	Mans		

Nays—8

Bisbee	Brown, C.	Drolet	Tabor
Bradstreet	DeVuyst	Hummel	Vear

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.

Rep. Jacobs moved that Rep. Rison be excused from the balance of today's session.

The motion prevailed.

The Speaker laid before the House

House Bill No. 5674, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 821, 822, and 8148 (MCL 600.821, 600.822, and 600.8148), section 821 as amended by 1998 PA 298 and section 822 as amended by 1998 PA 313, and by adding sections 810a and 8179.

(The bill was received from the Senate on March 13, with substitute (S-1) and title amendment, consideration of which, under the rules, was postponed until March 14, see House Journal No. 24, p. 616.)

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. 307**Yeas—55**

Birkholz	Gilbert	Kowall	Richner
Bisbee	Godchaux	Kuipers	Rocca
Bishop	Gosselin	LaSata	Scranton
Bradstreet	Hager	Mead	Shulman
Brown, C.	Hart	Meyer	Stewart
Cassis	Howell	Middaugh	Tabor
Caul	Hummel	Mortimer	Toy
DeRossett	Jansen	Newell	Van Woerkom
DeVuyst	Jelinek	Palmer	Vander Roest
DeWeese	Johnson, Rick	Pappageorge	Vander Veen
Drolet	Johnson, Ruth	Patterson	Vear
Ehardt	Julian	Pumford	Voorhees
Faunce	Koetje	Raczkowski	Woronchak
George	Kooiman	Richardville	

Nays—52

Adamini	Dennis	Mans	Shackleton
Allen	Frank	McConico	Sheltrown
Anderson	Garza	Minore	Spade
Basham	Gielegem	Murphy	Stallworth
Bernero	Hale	Neumann	Stamas
Bogardus	Hansen	O'Neil	Switalski
Bovin	Hardman	Pestka	Thomas
Brown, B.	Jacobs	Phillips	Waters
Brown, R.	Jamnick	Quarles	Whitmer
Callahan	Kolb	Reeves	Williams
Clark, I.	Lemmons	Rivet	Wojno
Clarke, H.	Lipsey	Schauer	Woodward
Daniels	Lockwood	Schermesser	Zelenko

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.

Reps. Basham, Reeves, Clarke, Hale, Hardman, Bogardus, Callahan, Dennis, Adamini, Clark, Spade, Zelenko, Anderson, Phillips, Lemmons and Murphy, having reserved the right to explain their protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I voted no on the Senate Substitute to HB 5674 because of the piecemeal approach to the legislative process that was used to pass this bill through both Houses.

When this bill was first passed out of the House it affected two judges in one county. Language was added on the Senate floor that increased the scope of the bill significantly. Now, citizens in over a dozen Northern Michigan counties as well as the judges and courts in those counties will be affected. No public hearings or comment were ever held on these changes. Not one judge, nor the Supreme Court, the State Court Administrators Office or judges association has been given the opportunity to provide the legislature with input. Certainly, no citizens were allowed to voice their opinion of these changes either.

The bill is an attack on local control. By denying those affected by the legislation an opportunity to provide input, the bill is nothing more than the state, acting as big brother, once again telling local areas of the state what to do and how to do it.

It is for these reasons that I voted no on HB 5674 (S-1)."

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

"Mr. Speaker and members of the House:

I am voting against House Bill 5674 because it will have a direct negative impact on the court structure for many communities in Northern Michigan. It will, in effect, allow judges that have not been elected by citizens of many counties, including Alcona, Alpena, Montmorency and Iosco Counties to convene both Circuit and District Courts in those areas. These changes in court boundaries will have a drastic negative fiscal impact on basic court operations for those services currently provided by the justice system in these areas. For these reasons I am voting against and voicing my strong opposition to House Bill 5674."

Second Reading of Bills

Senate Bill No. 930, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding chapter LXXXIII-A.

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

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

Rep. McConico moved to amend the bill as follows:

1. Amend page 5, line 21, after "PERSON" by inserting a comma and "KNOWING THE REPORT IS FALSE". The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Reps. Patterson, Faunce, Drolet and Woodward moved to amend the bill as follows:

1. Amend page 1, line 5, after "MEANS" by striking out the balance of the line through line 10 and inserting "A WILLFUL, DELIBERATE, AND PREMEDITATED ACT THAT IS ALL OF THE FOLLOWING:

(i) AN ACT THAT WOULD BE A VIOLENT FELONY UNDER THE LAWS OF THIS STATE, WHETHER OR NOT COMMITTED IN THIS STATE.

(ii) AN ACT THAT THE PERSON KNOWS OR HAS REASON TO KNOW IS DANGEROUS TO HUMAN LIFE.

(iii) AN ACT THAT IS INTENDED TO INTIMIDATE OR COERCE A CIVILIAN POPULATION OR INFLUENCE OR AFFECT THE CONDUCT OF GOVERNMENT OR A UNIT OF GOVERNMENT THROUGH INTIMIDATION OR COERCION."

2. Amend page 2, line 2, after "INJURY" by inserting "OR THAT IS A VIOLATION OF SECTION 349 OR 350".

3. Amend page 2, line 3, by striking out all of subdivision (C) and relettering the remaining subdivisions.

4. Amend page 3, line 21, after "AGAINST" by striking out "A PERSON" and inserting "AN INDIVIDUAL".

5. Amend page 6, line 1, after "effect" by striking out "May 1" and inserting "April 22".

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

Rep. Callahan moved to amend the bill as follows:

1. Amend page 5, line 27, after "BOTH." by inserting "FIVE YEARS AFTER THE ENACTMENT DATE OF THIS CHAPTER, THE ATTORNEY GENERAL'S OFFICE SHALL PROVIDE A REPORT TO THE APPROPRIATE STANDING COMMITTEES OF THE LEGISLATURE ON NATIONAL STATISTICS OF PROSECUTIONS AND CONVICTIONS UNDER STATE TERRORIST STATUTES AS WELL AS ANY RECOMMENDATIONS FOR LEGISLATIVE CHANGES."

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

Rep. Callahan demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 308

Yeas—49

Adamini
Anderson

Frank
Garza

Mans
McConico

Schermesser
Sheltrown

Basham	Gielegem	Minore	Spade
Bernero	Hale	Murphy	Stallworth
Bogardus	Hansen	Neumann	Switalski
Bovin	Hardman	O'Neil	Thomas
Brown, B.	Jacobs	Pestka	Waters
Brown, R.	Jamnick	Phillips	Whitmer
Callahan	Kolb	Quarles	Williams
Clark, I.	Lemmons	Reeves	Wojno
Clarke, H.	Lipsey	Rivet	Woodward
Daniels	Lockwood	Schauer	Zelenko
Dennis			

Nays—58

Allen	Gilbert	Kuipers	Rocca
Birkholz	Godchaux	LaSata	Scranton
Bisbee	Gosselin	Mead	Shackleton
Bishop	Hager	Meyer	Shulman
Bradstreet	Hart	Middaugh	Stamas
Brown, C.	Howell	Mortimer	Stewart
Cassis	Hummel	Newell	Tabor
Caul	Jansen	Palmer	Toy
DeRossett	Jelinek	Pappageorge	Van Woerkom
DeVuyst	Johnson, Rick	Patterson	Vander Roest
DeWeese	Johnson, Ruth	Pumford	Vander Veen
Drolet	Julian	Rackowski	Vear
Ehardt	Koetje	Richardville	Voorhees
Faunce	Kooiman	Richner	Woronchak
George	Kowall		

In The Chair: Julian

Rep. Godchaux moved that Rep. Scranton be excused temporarily from today's session.
The motion prevailed.

Reps. Kolb and Thomas moved to amend the bill as follows:

1. Amend page 6, following line 2, by inserting:

“Enacting section 2. Sections 543a to 543z of the Michigan penal code, 1931 PA 328, MCL 750.543a to 750.543z, are repealed effective May 1, 2005.” and renumbering the remaining enacting section.

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

Reps. Kolb and Thomas moved to amend the bill as follows:

1. Amend page 6, following line 2, by inserting:

“Enacting section 2. Sections 543a to 543z of the Michigan penal code, 1931 PA 328, MCL 750.543a to 750.543z, are repealed effective May 1, 2004.” and renumbering the remaining enacting section.

The question being on the adoption of the amendment offered by Reps. Kolb and Thomas,

Rep. Faunce demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Reps. Kolb and Thomas,

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

Roll Call No. 309**Yeas—75**

Adamini	Ehardt	Kuipers	Rocca
Allen	Frank	LaSata	Schauer
Anderson	Garza	Lemmons	Schermesser
Basham	Gielegem	Lipsey	Stallworth
Bernero	Godchaux	Lockwood	Stewart
Birkholz	Gosselin	McConico	Switalski
Bogardus	Hager	Middaugh	Thomas
Bovin	Hale	Minore	Van Woerkom
Bradstreet	Hansen	Mortimer	Vander Roest
Brown, B.	Hardman	Murphy	Vear
Brown, C.	Hart	O'Neil	Voorhees
Brown, R.	Jacobs	Palmer	Waters
Callahan	Jamnick	Patterson	Whitmer
Clark, I.	Jansen	Pestka	Williams
Clarke, H.	Jelinek	Phillips	Wojno
Daniels	Johnson, Ruth	Quarles	Woodward
Dennis	Julian	Raczkowski	Woronchak
DeWeese	Kolb	Reeves	Zelenko
Drolet	Kowall	Rivet	

Nays—28

Bishop	Gilbert	Mead	Sheltrown
Cassis	Howell	Meyer	Shulman
Caul	Hummel	Neumann	Spade
DeRossett	Johnson, Rick	Newell	Stamas
DeVuyst	Koetje	Pappageorge	Tabor
Faunce	Kooiman	Richardville	Toy
George	Mans	Shackleton	Vander Veen

In The Chair: Julian

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

Rep. Patterson 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. 930, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding chapter LXXXIII-A.

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

Roll Call No. 310**Yeas—106**

Adamini	Frank	Lemmons	Rocca
Allen	Garza	Lipsey	Schauer
Anderson	George	Lockwood	Schermesser
Basham	Gielegem	Mans	Shackleton
Bernero	Gilbert	McConico	Sheltrown
Birkholz	Godchaux	Mead	Shulman
Bisbee	Gosselin	Meyer	Spade
Bishop	Hager	Middaugh	Stallworth

Bogardus	Hale	Minore	Stamas
Bovin	Hansen	Mortimer	Stewart
Bradstreet	Hardman	Murphy	Switalski
Brown, B.	Hart	Neumann	Tabor
Brown, C.	Howell	Newell	Thomas
Brown, R.	Hummel	O'Neil	Toy
Callahan	Jacobs	Palmer	Van Woerkom
Cassis	Jamnick	Pappageorge	Vander Roest
Caul	Jansen	Patterson	Vander Veen
Clark, I.	Jelinek	Pestka	Vear
Clarke, H.	Johnson, Rick	Phillips	Voorhees
Daniels	Johnson, Ruth	Pumford	Waters
Dennis	Julian	Quarles	Whitmer
DeRossett	Koetje	Raczkowski	Williams
DeVuyst	Kolb	Reeves	Wojno
DeWeese	Kooiman	Richardville	Woodward
Drolet	Kowall	Richner	Woronchak
Ehardt	Kuipers	Rivet	Zelenko
Faunce	LaSata		

Nays—0

In The Chair: Julian

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

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

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

The motion prevailed.

The House agreed to the title as amended.

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

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

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, March 20, at 12:00 Noon.

The motion prevailed.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Shulman, Thomas, DeRossett, DeWeese, Vander Roest, Neumann, Julian, Howell, Ehardt, Pappageorge, Mead, Spade, McConico, Bovin, Wojno, Schauer, Richardville, Schermesser, Tabor, Caul, Faunce, Meyer, Van Woerkom, Cassis, Bogardus, Gosselin, Vander Veen, Drolet, Woodward, Zelenko, Toy, Hansen, Mans, Gielegem, Murphy, Bernero, Anderson, Callahan, Jacobs, Koetje, Ruth Johnson, Scranton, Raczkowski, Switalski, and Adamini offered the following resolution:

House Resolution No. 370.

A resolution recognizing May 12th as International Fibromyalgia Awareness Day.

Whereas, Fibromyalgia is a chronic and debilitating pain condition that affects men, women, and children of all ages and ethnic backgrounds worldwide. The number of people who suffer from this disease is now estimated at 10 million in the United States alone; and

Whereas A patient with Fibromyalgia lives with a variety of symptoms. These symptoms include unrelenting fatigue, an inability to achieve restful restorative sleep, severe pain that often doesn't respond to traditional treatments, and problems with cognitive functioning, memory and concentration that limit the ability to think clearly. Other symptoms include irritable bowels, headaches and migraines, and neurological symptoms such as dizziness, vision problems, numbness, noise sensitivity, and impaired coordination; and

Whereas, Currently the cause of Fibromyalgia is still unknown and there is no cure. Existing treatments are limited and severe symptoms can interfere with even basic daily activities. The toll that this illness takes on families, as well as the national economy, is enormous; and

Whereas, Many doctors are inadequately educated about this mysterious and complex disease and it takes an average of five years for a person to get a diagnosis of Fibromyalgia. If a cause and cure are to be found, more vigorous attention from government and medical communities is essential. The Social Security Administration must also recognize this illness and the level of debilitation that often results; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body recognize May 12th as International Fibromyalgia Awareness Day; and further be it

Resolved, That a copy of this resolution is sent to the Michigan Congressional Delegation.

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.

Reps. Hale, Thomas, DeRossett, DeWeese, Vander Roest, Neumann, Julian, Howell, Ehardt, Pappageorge, Mead, Spade, McConico, Bovin, Wojno, Shulman, Rivet, Lipsey, Schauer, Richardville, Schermesser, Caul, Faunce, Van Woerkom, Cassis, Bogardus, Vander Veen, Drolet, Frank, Sheltrown, Woodward, Zelenko, Toy, Hansen, Gielegem, Murphy, Dennis, Bernero, Anderson, Callahan, Jacobs, Scranton, Clark, Plakas, Raczkowski, Switalski and Adamini offered the following resolution:

House Resolution No. 371.

A resolution honoring the Michigan Association of Business Professionals of America for 30 years of outstanding service to secondary and post-secondary students throughout the state.

We are met in a spirit of friendship and goodwill as we prepare for productive lives in business and office careers. We work together to develop professionalism and leadership through Business Professionals of America and pledge our loyalty to our nation.

Whereas, It is with deep appreciation of the significance of this milestone that we commend the Michigan Association of Business Professionals of America as they mark their 30th anniversary. We are proud to recognize the important role that this secondary and post-secondary student organization has played in contributing to the youth of Michigan; and

Whereas, Since 1972, the Michigan Association of Business Professionals of America has grown to include more than 130 chapters, throughout the eight regions in Michigan, comprised of more than 4,700 members. Their mission is to empower the Michigan Association of Business Professionals of America students to succeed in a world-class workforce through the development of leadership, academic, and technological skills; and

Whereas, In looking back over the 30 years of the Michigan Association of Business Professionals of America's history, it is clear that this organization has set its course with a continuing look to the future, while the changes in business technology education continue to evolve. We are grateful for all that the Michigan Association of Business Professionals of American has contributed to the students throughout the state of Michigan; and

Whereas, In addition to competitions, which take place on the regional, state, and national levels, members are involved in numerous leadership and community service projects on the local and state level. Each year, many members participate in the Torch Awards Program, a program that promotes leadership skills, community service, and civic awareness. The Michigan Association of Business Professionals of America has adopted the American Red Cross as its state service organization and the Special Olympics as its national service organization; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body honor the Michigan Association of Business Professionals of America for 30 years of outstanding service to secondary and post-secondary students throughout the state. We salute them on this happy occasion and wish them continued success in the years to come; and be it further

Resolved, That a copy of this resolution be transmitted to the Michigan Association of Business Professionals of America 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.

Reps. Thomas, DeRossett, DeWeese, Vander Roest, Neumann, Howell, Ehardt, Pappageorge, Mead, Spade, McConico, Bovin, Wojno, Shulman, Rivet, Lipsey, Schauer, Richardville, Schermesser, Caul, Cassis, Bogardus, Vander Veen, Drolet, Frank, Sheltroun, Woodward, Zelenko, Toy, Hansen, Gielegem, Murphy, Dennis, Bernero, Anderson, Callahan, Jacobs, Scranton, Clark, Raczkowski, Switalski and Adamini offered the following resolution:

House Resolution No. 372.

A resolution honoring Bernard Kilpatrick upon the occasion of his retirement.

Whereas, It is with deep appreciation for the hard work, dedication, and professionalism that Bernard Kilpatrick has put forth on behalf of the people of Detroit and Wayne County that we offer this expression of our thanks and best wishes in retirement. As the people of Detroit and Wayne County recognize the loyalty and devotion to public service of this conscientious individual, we add our sentiments of gratitude for a job well done; and

Whereas, In his years of service to the people of Detroit and Wayne County, Bernard Kilpatrick has been working in the public arena during an era of great change. As Bernard Kilpatrick well knows, financial pressures and changing expectations have combined to make the recent past a challenging time to work in local government. With the personal sense of duty that Bernard Kilpatrick brings to work each day, he has been able to meet this challenge with enthusiasm and a genuine interest in efficiency in public service. This has been deeply appreciated, both by the citizens and organizations in Detroit that have benefited directly from Bernard Kilpatrick's work, as well as other public servants who have witnessed this fine example; and

Whereas, Bernard Kilpatrick has been married for sixteen years to Bettye Johnson Kilpatrick. He is the proud father of Kwame, Ayanna, Diarra, and Ajene. Two sets of twin grandsons, Jalil and Jelani, and Ade and Amir give their granddad constant delight, as does the newest member of the Kilpatrick family, Jonas Isaiah, who made his entrance into the world in December of 2001. One of the most memorable days of Bernard Kilpatrick's life occurred in November of 2001, when his son, Kwame, was resoundingly elected as the 60th Mayor of the city of Detroit; and

Whereas, There can be little doubt that his years of service to this community and his commitment to Detroit and Wayne County have guaranteed him a place in the hearts of the citizens of his city and county. Benard Kilpatrick will be long remembered for his creative and unique style of building bridges, effecting positive legislative changes, exemplifying true commitment, and his dedication to Detroit and Wayne County. We offer our thanks on this personal milestone; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body honor Bernard Kilpatrick upon the occasion of his retirement. May he enjoy the happiest of retirements; and be it further

Resolved, That a copy of this resolution be transmitted to Bernard Kilpatrick 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.

Reps. Thomas, DeRossett, DeWeese, Vander Roest, Neumann, Howell, Ehardt, Pappageorge, Mead, Spade, McConico, Bovin, Wojno, Shulman, Rivet, Lipsey, Schauer, Richardville, Schermesser, Caul, Faunce, Cassis, Bogardus, Vander Veen, Drolet, Frank, Sheltroun, Woodward, Zelenko, Toy, Hansen, Gielegem, Murphy, Dennis, Bernero, Anderson, Jacobs, Clark, Plakas, Raczkowski, Switalski and Adamini offered the following resolution:

House Resolution No. 373.

A resolution honoring William Leon Johnson upon the occasion of his 90th birthday.

Whereas, It is a genuine pleasure to extend special greetings to William Leon Johnson upon the occasion of his 90th birthday. We are grateful for this opportunity to join with the family and many friends of William Leon Johnson as we honor an individual who truly understands the beauty of life in its challenges and triumphs; and

Whereas, Born on February 14, 1912, William Leon Johnson grew up in a world quite different in many ways from the one we know today. In the span of his lifetime, tremendous cultural, sociological, and technological changes have transpired in Michigan and elsewhere. William Leon Johnson has lived and tasted of life throughout this period and it has given him insight, experience, and wisdom few of us can fully appreciate; and

Whereas, Long ago, Charles Dickens made an observation on aging that often seems applicable to people like William Leon Johnson, who have contributed a great deal to life around them. Charles Dickens said, "Father Time is not always a hard parent, and, though he tarries for none of his children, he often lays his hand lightly on those who have used him well." Surely, William Leon Johnson breathes great meaning into this thought; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body honor William Leon Johnson upon the occasion of his 90th birthday. May the health and happiness his years so richly merit be with him always; and be it further

Resolved, That a copy of this resolution be transmitted to William Leon Johnson 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 Health Policy, by Rep. Ehardt, Chair, reported

House Bill No. 5103, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16105, 16106, 16108, 16109, 16128, 16163, 16174, 16186, 16261, 16323, 16327, 16608, 16624, 17210, and 17221 (MCL 333.16105, 333.16106, 333.16108, 333.16109, 333.16128, 333.16163, 333.16174, 333.16186, 333.16261, 333.16323, 333.16327, 333.16608, 333.16624, 333.17210, and 333.17221), section 16106 as amended by 1997 PA 153, sections 16108 and 16186 as amended and sections 16323 and 16327 as added by 1993 PA 80, section 16109 as amended by 1991 PA 58, section 16174 as amended by 1998 PA 227, sections 16608 and 16624 as amended by 1990 PA 216, and section 17221 as amended by 1993 PA 79.

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

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

Favorable Roll Call

HB 5103 To Report Out:

Yeas: Reps. Ehardt, Raczkowski, Bradstreet, George, Ruth Johnson, Rocca, Scranton, Vander Veen, Neumann, Adamini, Schauer,

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, March 19, 2002, at 9:00 a.m.,

Present: Reps. Ehardt, Raczkowski, Bradstreet, George, Ruth Johnson, Rocca, Scranton, Vander Veen, Neumann, Adamini, Schauer,

Absent: Reps. Woronchak, Garza, Hardman, Williams,

Excused: Reps. Woronchak, Garza, Hardman, Williams.

The Committee on Criminal Justice, by Rep. Faunce, Chair, reported

House Bill No. 5296, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 145c (MCL 750.145c), as amended by 1994 PA 444.

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

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

Favorable Roll Call

HB 5296 To Report Out:

Yeas: Reps. Faunce, Kowall, Bishop, DeWeese, George, Gosselin, Raczkowski, McConico, Callahan, O'Neil, Rison,

Nays: None.

The Committee on Criminal Justice, by Rep. Faunce, Chair, reported

House Bill No. 5297, entitled

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

With the recommendation that the following amendment be adopted and that the bill then pass.

1. Amend page 3, following line 24, by inserting:

"Enacting section 1. This amendatory act takes effect July 1, 2002." and renumbering the remaining enacting section.

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

Favorable Roll Call

HB 5297 To Report Out:

Yeas: Reps. Faunce, Kowall, Bishop, DeWeese, George, Gosselin, Raczkowski, McConico, Callahan, O'Neil, Rison,

Nays: None.

The Committee on Criminal Justice, by Rep. Faunce, Chair, reported

Senate Bill No. 1026, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing section 502 (MCL 750.502).

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

SB 1026 To Report Out:

Yeas: Reps. Faunce, Kowall, Bishop, DeWeese, George, Gosselin, Raczkowski, Callahan, O'Neil, Rison,

Nays: None.

The Committee on Criminal Justice, by Rep. Faunce, Chair, reported

Senate Bill No. 1027, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing section 41 (MCL 750.41).

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

SB 1027 To Report Out:

Yeas: Reps. Faunce, Kowall, Bishop, DeWeese, George, Gosselin, Raczkowski, Callahan, O'Neil, Rison,

Nays: None.

The Committee on Criminal Justice, by Rep. Faunce, Chair, reported

Senate Bill No. 1032, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing section 409 (MCL 750.409).

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

SB 1032 To Report Out:

Yeas: Reps. Faunce, Kowall, Bishop, DeWeese, George, Gosselin, Raczkowski, Callahan, O'Neil, Rison,

Nays: None.

The Committee on Criminal Justice, by Rep. Faunce, Chair, reported

Senate Bill No. 1034, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing section 348 (MCL 750.348).

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

SB 1034 To Report Out:

Yeas: Reps. Faunce, Kowall, Bishop, DeWeese, George, Gosselin, Raczkowski, Callahan, O'Neil, Rison,

Nays: None.

The Committee on Criminal Justice, by Rep. Faunce, Chair, reported

Senate Bill No. 1035, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16q of chapter XVII (MCL 777.16q), as added by 1998 PA 317.

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

SB 1035 To Report Out:

Yeas: Reps. Faunce, Kowall, Bishop, DeWeese, George, Gosselin, Raczkowski, Callahan, O'Neil, Rison,

Nays: None.

The Committee on Criminal Justice, by Rep. Faunce, Chair, reported

Senate Bill No. 1037, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing section 494 (MCL 750.494).

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

SB 1037 To Report Out:

Yeas: Reps. Faunce, Kowall, Bishop, DeWeese, George, Raczkowski, Callahan, O'Neil, Rison,

Nays: None.

The Committee on Criminal Justice, by Rep. Faunce, Chair, reported

Senate Bill No. 1038, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing section 517 (MCL 750.517).

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

SB 1038 To Report Out:

Yeas: Reps. Faunce, Kowall, Bishop, DeWeese, George, Raczkowski, Callahan, O'Neil, Rison,

Nays: None.

The Committee on Criminal Justice, by Rep. Faunce, Chair, reported

Senate Bill No. 1039, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing section 516 (MCL 750.516).

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

SB 1039 To Report Out:

Yeas: Reps. Faunce, Kowall, Bishop, DeWeese, George, Raczkowski, O'Neil, Rison,
Nays: None.

The Committee on Criminal Justice, by Rep. Faunce, Chair, reported

Senate Bill No. 1040, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing section 514 (MCL 750.514).
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

SB 1040 To Report Out:

Yeas: Reps. Faunce, Kowall, Bishop, DeWeese, George, Raczkowski, O'Neil, Rison,
Nays: None.

The Committee on Criminal Justice, by Rep. Faunce, Chair, reported

Senate Bill No. 1042, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing section 513 (MCL 750.513).
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

SB 1042 To Report Out:

Yeas: Reps. Faunce, Kowall, Bishop, DeWeese, George, Raczkowski, Callahan, O'Neil, Rison,
Nays: None.

The Committee on Criminal Justice, by Rep. Faunce, Chair, reported

Senate Bill No. 1043, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16x of chapter XVII (MCL 777.16x), as amended by 2000 PA 473.
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

SB 1043 To Report Out:

Yeas: Reps. Faunce, Kowall, Bishop, DeWeese, George, Gosselin, Raczkowski, Callahan, O'Neil, Rison,
Nays: None.

The Committee on Criminal Justice, by Rep. Faunce, Chair, reported

Senate Bill No. 1044, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing section 179 (MCL 750.179).
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

SB 1044 To Report Out:

Yeas: Reps. Faunce, Kowall, Bishop, DeWeese, George, Gosselin, Raczkowski, Callahan, O'Neil, Rison,
Nays: None.

The Committee on Criminal Justice, by Rep. Faunce, Chair, reported

Senate Bill No. 1045, entitled

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

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

SB 1045 To Report Out:

Yeas: Reps. Faunce, Kowall, Bishop, DeWeese, George, Gosselin, Raczkowski, Callahan, O'Neil, Rison,

Nays: None.

The Committee on Criminal Justice, by Rep. Faunce, Chair, reported

Senate Bill No. 1046, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing section 366 (MCL 750.366).

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

SB 1046 To Report Out:

Yeas: Reps. Faunce, Kowall, DeWeese, George, Gosselin, Raczkowski, Callahan, O'Neil, Rison,

Nays: None.

The Committee on Criminal Justice, by Rep. Faunce, Chair, reported

Senate Bill No. 1047, entitled

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

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

SB 1047 To Report Out:

Yeas: Reps. Faunce, Kowall, Bishop, DeWeese, George, Gosselin, Raczkowski, Callahan, O'Neil, Rison,

Nays: None.

The Committee on Criminal Justice, by Rep. Faunce, Chair, reported

Senate Bill No. 1048, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing section 266 (MCL 750.266).

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

SB 1048 To Report Out:

Yeas: Reps. Faunce, Kowall, Bishop, DeWeese, George, Gosselin, Raczkowski, Callahan, O'Neil, Rison,

Nays: None.

The Committee on Criminal Justice, by Rep. Faunce, Chair, reported

Senate Bill No. 1049, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16n of chapter XVII (MCL 777.16n), as added by 1998 PA 317.

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

SB 1049 To Report Out:

Yeas: Reps. Faunce, Kowall, Bishop, DeWeese, George, Gosselin, Raczkowski, Callahan, O'Neil, Rison,
Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Faunce, Chair of the Committee on Criminal Justice, was received and read:
Meeting held on: Tuesday, March 19, 2002, at 10:30 a.m.,
Present: Reps. Faunce, Kowall, Bishop, DeWeese, George, Gosselin, Raczkowski, McConico, Callahan, O'Neil,
Rison.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Allen, Chair of the Committee on Commerce, was received and read:
Meeting held on: Tuesday, March 19, 2002, at 9:00 a.m.,
Present: Reps. Allen, Bishop, Bisbee, DeVuyst, Gilbert, Koetje, Middaugh, Van Woerkom, Vear, Rivet, Kolb,
Lemmons, Lipsey, McConico, Waters,
Absent: Reps. Howell, Zelenko,
Excused: Reps. Howell, Zelenko.

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, March 19, 2002, at 10:15 a.m.,
Present: Reps. Ruth Johnson, Koetje, Birkholz, DeRossett, DeVuyst, Palmer, Tabor, Kolb, Basham, Gielegem,
Hale.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Voorhees, Chair of the Committee on Senior Health, Security and Retirement, was received and read:
Meeting held on: Tuesday, March 19, 2002, at 10:30 a.m.,
Present: Reps. Voorhees, Woronchak, Cassis, Kuipers, Vear, Williams, Bovin, Spade,
Absent: Rep. Zelenko,
Excused: Rep. Zelenko.

Messages from the Senate**Senate Bill No. 1105, entitled**

A bill to make appropriations for the state institutions of higher education and certain state purposes related to education for the fiscal year ending September 30, 2003; to provide for the expenditures of those appropriations; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

The Senate has amended the House substitute (H-1) as follows:

1. Amend page 9, line 23, by striking out all of section 217.
2. Amend page 19, line 1, by striking out all of section 312 and inserting:

“Sec. 312. From the funds appropriated in part 1 and as provided by law, the Michigan higher education assistance authority shall establish and administer the nursing scholarship program.”

3. Amend page 20, line 10, by striking out all of subsection (2) and renumbering the remaining subsections.

The Senate has concurred in the House substitute (H-1) as amended and ordered that the bill be given immediate effect.

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

Rep. DeWeese moved that the House adjourn.
The motion prevailed, the time being 7:00 p.m.

Associate Speaker Pro Tempore Julian declared the House adjourned until Wednesday, March 20, at 12:00 Noon.

GARY L. RANDALL
Clerk of the House of Representatives.