

**No. 47**  
**STATE OF MICHIGAN**  
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**OF THE**  
**House of Representatives**  
**91st Legislature**  
**REGULAR SESSION OF 2002**

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House Chamber, Lansing, Tuesday, May 21, 2002.

2:00 p.m.

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

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

Adamini—present	Garza—present	Lockwood—present	Schauer—present
Allen—present	George—present	Mans—present	Schermesser—excused
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—excused	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—excused	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—excused	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—excused	Woronchak—present
Ehardt—excused	LaSata—present	Rivet—present	Zelenko—present
Faunce—present	Lemmons—present	Rocca—present	
Frank—present	Lipsey—present		

e/d/s = entered during session

Rep. Artina Tinsley Hardman, from the 3rd District, offered the following invocation:

“O God we come today thanking You for all of Your grace and thanking You for Your mercy. God, as I bring this invocation I ask that You come into this House. Although we know it’s the people’s House, we also know, God, that You sent us here to represent Your people. We ask You, Lord, that something that we do on this day will be pleasing in Your sight. We look forward to all the opportunities You have afforded to us and we ask, God, that we will continue to be a blessing to You.”

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Rep. Minore moved that Rep. Bogardus be excused from this week’s session.  
The motion prevailed.

Rep. Minore moved that Reps. Jacobs, Rison and Schermesser be excused from today’s session.  
The motion prevailed.

Rep. Vander Roest moved that Reps. Ehardt and Jelinek be excused from today’s session.  
The motion prevailed.

### Messages from the Senate

The Speaker laid before the House

**House Bill No. 4874, entitled**

A bill to amend 1976 PA 442, entitled “Freedom of information act,” by amending section 13 (MCL 15.243), as amended by 2000 PA 88.

(The bill was received from the Senate on April 17, with substitute (S-4), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until April 18, see House Journal No. 33, p. 1149.)

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

Rep. Stamas moved to amend the Senate substitute (S-4) as follows:

1. Amend page 10, line 1, after “effect” by striking out “May” and inserting “August”.

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

Rep. Stamas moved to amend the Senate substitute (S-4) as follows:

1. Amend page 9, line 8, after “1974.” by striking out the balance of the subsection and inserting “A PUBLIC BODY THAT IS A LOCAL OR INTERMEDIATE SCHOOL DISTRICT OR A PUBLIC SCHOOL ACADEMY SHALL EXEMPT FROM DISCLOSURE DIRECTORY INFORMATION, AS DEFINED BY SECTION 444 OF SUBPART 4 OF PART C OF THE GENERAL EDUCATION PROVISIONS ACT, TITLE IV OF PUBLIC LAW 90-247, 20 U.S.C. 1232g, COMMONLY REFERRED TO AS THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974, REQUESTED FOR THE PURPOSE OF SURVEYS, MARKETING, OR SOLICITATION, UNLESS THAT PUBLIC BODY DETERMINES THAT THE USE IS CONSISTENT WITH THE EDUCATIONAL MISSION OF THE PUBLIC BODY AND BENEFICIAL TO THE AFFECTED STUDENTS. A PUBLIC BODY THAT IS A LOCAL OR INTERMEDIATE SCHOOL DISTRICT OR A PUBLIC SCHOOL ACADEMY MAY TAKE STEPS TO ENSURE THAT DIRECTORY INFORMATION DISCLOSED UNDER THIS SUBSECTION SHALL NOT BE USED, RENTED, OR SOLD FOR THE PURPOSE OF SURVEYS, MARKETING, OR SOLICITATION. BEFORE DISCLOSING THE DIRECTORY INFORMATION, A PUBLIC BODY THAT IS A LOCAL OR INTERMEDIATE SCHOOL DISTRICT OR A PUBLIC SCHOOL ACADEMY MAY REQUIRE THE REQUESTER TO EXECUTE AN AFFIDAVIT STATING THAT DIRECTORY INFORMATION PROVIDED UNDER THIS SUBSECTION SHALL NOT BE USED, RENTED, OR SOLD FOR THE PURPOSE OF SURVEYS, MARKETING, OR SOLICITATION.”.

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

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

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

**Roll Call No. 755****Yeas—102**

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

**Nays—0**

In The Chair: Birkholz

The House agreed to the title as amended.

Reps. Anderson, Basham, Bisbee, Caul, DeRossett, Faunce, Hager, Howell, Jansen, Julian, Koetje, LaSata, Lemmons, Lockwood, Mead, Meyer, Neumann, Palmer, Pestka, Richardville, Schauer, Shackleton, Shulman, Stewart, Vander Roest, Van Woerkom, Voorhees, Wojno and Woodward were named co-sponsors of the bill.

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Rep. Minore moved that Rep. Thomas be excused temporarily from today's session.  
The motion prevailed.

The Speaker laid before the House

**House Bill No. 5850, entitled**

A bill to amend 1987 PA 230, entitled "Municipal health facilities corporations act," by amending sections 401, 406, and 412 (MCL 331.1401, 331.1406, and 331.1412), as amended by 1988 PA 502.

(The bill was received from the Senate on May 15, with substitute (S-2), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until May 16, see House Journal No. 45, p. 1549.)

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

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

**Roll Call No. 756****Yeas—99**

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

**Nays—0**

In The Chair: Birkholz

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.

**Third Reading of Bills****Senate Bill No. 1172, entitled**

A bill to amend 1945 PA 47, entitled "An act to authorize 2 or more cities, townships, and villages, or any combination of cities, townships, and villages, to incorporate a hospital authority for planning, promoting, acquiring, constructing, improving, enlarging, extending, owning, maintaining, and operating 1 or more community hospitals and related buildings or structures and related facilities; to provide for the sale, lease, or other transfer of a hospital owned by a hospital authority to a nonprofit corporation established under the laws of this state for no or nominal monetary consideration; to define hospitals and community hospitals; to provide for changes in the membership therein; to authorize the cities, townships, and villages to levy taxes for community hospital purposes; to provide for the issuance of bonds; to provide for the pledge of assessments; to provide for borrowing money for operation and maintenance and issuing notes for operation and maintenance; to validate elections heretofore held and notes heretofore issued; to validate bonds heretofore issued; to authorize condemnation proceedings; to grant certain powers of a body corporate; to validate and ratify the organization, existence, and membership of entities acting as hospital authorities under the act and the actions taken by hospital authorities and by the members of the hospital authorities; and to prescribe penalties and provide remedies," by amending sections 8 and 8a (MCL 331.8 and 331.8a), section 8a as amended by 1980 PA 104; 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. 757****Yeas—102**

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

**Nays—0**

In The Chair: Birkholz

The House agreed to the title of the bill.

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

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

**Senate Bill No. 1173, entitled**

A bill to amend 1969 PA 38, entitled "Hospital finance authority act," by amending sections 12 and 42 (MCL 331.42 and 331.72), section 12 as amended by 1994 PA 428 and section 42 as amended by 1992 PA 302; 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. 758****Yeas—102**

Adamini	Garza	Lockwood	Rocca
Allen	George	Mans	Schauer
Anderson	Gielegem	McConico	Scranton
Basham	Gilbert	Mead	Shackleton
Bernero	Godchaux	Meyer	Sheltrown
Birkholz	Gosselin	Middaugh	Shulman
Bisbee	Hager	Minore	Spade

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

### Nays—0

In The Chair: Birkholz

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

“An act to create a state hospital finance authority to lend money to nonprofit hospitals and nonprofit health care providers for capital improvements or to refinance hospital, health care, and certain retirement housing indebtedness; to provide for the incorporation of local hospital authorities with power to lend money to nonprofit hospitals and nonprofit health care providers for hospital and health care indebtedness or to refinance hospital, health care, and certain retirement housing indebtedness; to construct, acquire, reconstruct, remodel, improve, add to, enlarge, repair, own, lease, and sell hospital and health care facilities; to finance outstanding hospital, health care, and certain retirement housing indebtedness; to authorize the authorities to borrow money and issue obligations to accomplish the purposes of this act, including the refunding or advance refunding of obligations issued by certain entities; to permit the authorities to enter into loans, contracts, leases, mortgages, and security agreements which may include provisions for the appointment of receivers; to exempt obligations and property of the authorities from taxation; and to provide other rights, powers, and duties of the authorities.”.

The House agreed to the full title.

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

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

### House Bill No. 5927, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending sections 901, 912, 916, 917a, 918, 922, 938, 942, and 943 (MCL 500.901, 500.912, 500.916, 500.917a, 500.918, 500.922, 500.938, 500.942, and 500.943), sections 901 and 943 as amended and section 917a as added by 1994 PA 226, section 922 as amended by 1991 PA 79, and section 942 as amended by 1984 PA 90, and by adding section 902.

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

### Roll Call No. 759

### Yeas—101

Allen	George	Lockwood	Rocca
Anderson	Gielegem	Mans	Schauer
Basham	Gilbert	McConico	Scranton
Bernero	Godchaux	Mead	Shackleton

Birkholz	Gosselin	Meyer	Sheltrown
Bisbee	Hager	Middaugh	Shulman
Bishop	Hale	Minore	Spade
Bovin	Hansen	Mortimer	Stallworth
Bradstreet	Hardman	Murphy	Stamas
Brown, B.	Hart	Neumann	Stewart
Brown, C.	Howell	Newell	Switalski
Brown, R.	Hummel	O'Neil	Tabor
Callahan	Jamnick	Palmer	Toy
Cassis	Jansen	Pappageorge	Van Woerkom
Caul	Johnson, Rick	Patterson	Vander Roest
Clark, I.	Johnson, Ruth	Pestka	Vander Veen
Clarke, H.	Julian	Phillips	Vear
Daniels	Koetje	Plakas	Voorhees
Dennis	Kolb	Pumford	Waters
DeRossett	Kooiman	Quarles	Whitmer
DeVuyst	Kowall	Raczkowski	Williams
DeWeese	Kuipers	Reeves	Wojno
Drolet	LaSata	Richardville	Woodward
Faunce	Lemmons	Richner	Woronchak
Frank	Lipsey	Rivet	Zelenko
Garza			

**Nays—0**

In The Chair: Birkholz

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

**House Bill No. 5889, entitled**

A bill to amend 1955 PA 10, entitled "An act to provide for the registration of historic sites," by amending the title and sections 1 and 2 (MCL 399.151 and 399.152) and by adding sections 3, 4, 5, 6, 7, 8, 9, and 10.

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

**Roll Call No. 760****Yeas—100**

Adamini	George	Lockwood	Schauer
Allen	Gielegem	Mans	Scranton
Anderson	Gilbert	McConico	Shackleton
Basham	Godchaux	Mead	Sheltrown
Bernero	Gosselin	Meyer	Shulman
Birkholz	Hager	Middaugh	Spade
Bisbee	Hale	Minore	Stallworth
Bishop	Hansen	Mortimer	Stamas
Bovin	Hardman	Murphy	Stewart
Bradstreet	Hart	Neumann	Switalski
Brown, B.	Howell	Newell	Tabor
Brown, C.	Hummel	O'Neil	Thomas
Brown, R.	Jamnick	Palmer	Toy
Callahan	Jansen	Pappageorge	Van Woerkom
Cassis	Johnson, Rick	Patterson	Vander Roest

Caul	Johnson, Ruth	Pestka	Vander Veen
Clark, I.	Julian	Phillips	Vear
Clarke, H.	Koetje	Pumford	Voorhees
Dennis	Kolb	Quarles	Waters
DeRossett	Kooiman	Raczkowski	Whitmer
DeVuyst	Kowall	Reeves	Williams
DeWeese	Kuipers	Richardville	Wojno
Faunce	LaSata	Richner	Woodward
Frank	Lemmons	Rivet	Woronchak
Garza	Lipse	Rocca	Zelenko

**Nays—1**

Drolet

In The Chair: Birkholz

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

**House Bill No. 5991, entitled**

A bill to amend 1962 PA 174, entitled "Uniform commercial code," by amending section 9201 (MCL 440.9201), as amended by 2002 PA 18.

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

**Roll Call No. 761****Yeas—102**

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



**Nays—0**

In The Chair: Birkholz

The House agreed to the title of the bill.

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

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

**House Bill No. 5993, entitled**

A bill to provide for and establish possession and ownership rights in special tools for use in the fabrication of metal parts under certain conditions; to require procedures to establish a lien; and to establish and maintain a lien on certain special tools.

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

**Roll Call No. 762****Yeas—102**

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

**Nays—0**

In The Chair: Birkholz

The House agreed to the title of the bill.

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

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

Rep. Minore moved that Rep. Thomas be excused temporarily from today's session.  
The motion prevailed.

**House Bill No. 6043, entitled**

A bill to amend 1975 PA 197, entitled "An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials," (MCL 125.1651 to 125.1681) by adding sections 3d and 3e.

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

**Roll Call No. 763**

**Yeas—101**

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

**Nays—0**

In The Chair: Birkholz

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 1975 PA 197, entitled "An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the

issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials,” (MCL 125.1651 to 125.1681) by adding section 3d.

The motion prevailed.

The House agreed to the title as amended.

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

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

### Second Reading of Bills

#### House Bill No. 5992, entitled

A bill to amend 1933 PA 167, entitled “General sales tax act,” by amending section 3 (MCL 205.53), as amended by 1980 PA 164.

The bill was read a second time.

Rep. Minore moved to amend the bill as follows:

1. Amend page 3, following line 26, by inserting:

“(4) EACH YEAR THE STATE TREASURER SHALL ESTIMATE THE AMOUNT OF REVENUE THAT WAS NOT COLLECTED BECAUSE OF THE ELIMINATION OF THE \$1.00 REGISTRATION FEE AND 60% OF THAT AMOUNT SHALL BE TRANSFERRED FROM THE STATE GENERAL FUND TO THE STATE SCHOOL AID FUND ESTABLISHED IN SECTION 11 OF ARTICLE IX OF THE STATE CONSTITUTION OF 1963.”.

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

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

The motion prevailed.

Rep. Middaugh 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. 5992, entitled

A bill to amend 1933 PA 167, entitled “General sales tax act,” by amending section 3 (MCL 205.53), as amended by 1980 PA 164.

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

#### Roll Call No. 764

#### Yeas—99

Adamini	Frank	Lemmons	Rocca
Allen	Garza	Lipsey	Schauer
Anderson	George	Lockwood	Scranton
Basham	Gielegem	Mans	Shackleton
Bernero	Gilbert	McConico	Sheltrown
Birkholz	Godchaux	Mead	Shulman
Bisbee	Gosselin	Meyer	Spade
Bishop	Hager	Middaugh	Stallworth
Bovin	Hale	Minore	Stamas
Bradstreet	Hansen	Mortimer	Stewart
Brown, B.	Hardman	Murphy	Tabor
Brown, C.	Hart	Neumann	Toy
Brown, R.	Howell	Newell	Van Woerkom
Callahan	Hummel	O’Neil	Vander Roest
Cassis	Jamnick	Palmer	Vander Veen
Caul	Jansen	Pappageorge	Vear

Clark, I.	Johnson, Rick	Patterson	Voorhees
Clarke, H.	Johnson, Ruth	Pestka	Waters
Daniels	Julian	Plakas	Whitmer
Dennis	Koetje	Pumford	Williams
DeRossett	Kolb	Quarles	Wojno
DeVuyst	Kooiman	Raczkowski	Woodward
DeWeese	Kowall	Reeves	Woronchak
Drolet	Kuipers	Richardville	Zelenko
Faunce	LaSata	Richner	

### Nays—2

Rivet Switalski

In The Chair: Birkholz

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

### Second Reading of Bills

#### House Bill No. 5994, entitled

A bill to assert the state's interest in protecting all individuals; and to prescribe responsibilities and procedures in regard to a newborn whose live birth results from an abortion.

The bill was read a second time.

Rep. Patterson moved to amend the bill as follows:

1. Amend page 3, line 24, after "in" by striking out "subsection (3)" and inserting "section 3 of the safe delivery of newborns law, chapter XII of the probate code of 1939, 1939 PA 288, MCL 712.3".

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

Rep. Patterson moved to amend the bill as follows:

1. Amend page 1, line 4, by striking out all of subdivision (a) and inserting:

"(a) "Abortion" means that term as defined in section 17015 of the public health code, 1978 PA 368, MCL 333.17015."

2. Amend page 3, line 1, by striking out all of subsection (2) and inserting:

"(2) If an abortion performed in a hospital setting results in a live birth, the physician attending the abortion shall provide immediate medical care to the newborn, inform the mother of the live birth, and request transfer of the newborn to a resident, on-duty, or emergency room physician who shall provide medical care to the newborn. If an abortion performed in other than a hospital setting results in a live birth, a physician attending the abortion shall provide immediate medical care to the newborn and call 9-1-1 for an emergency transfer of the newborn to a hospital that shall provide medical care to the newborn."

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

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

The motion prevailed.

#### House Bill No. 5995, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 3 of chapter XII (MCL 712.3), as added by 2000 PA 232.

The bill was read a second time.

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

The motion prevailed.

**House Bill No. 5996, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 135 (MCL 750.135), as amended by 2000 PA 233.

The bill was read a second time.

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

The motion prevailed.

**House Bill No. 5997, entitled**

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 8 (MCL 722.628), as amended by 2000 PA 234.

The bill was read a second time.

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

The motion prevailed.

**House Bill No. 6002, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 5b; 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 Tax Policy,

The substitute (H-1) was not adopted, a majority of the members serving not voting therefor.

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

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

Reps. Drolet and Bisbee moved to amend the bill as follows:

1. Amend page 2, line 13, after "MEANS" by striking out "A" and inserting "AN INTERNATIONALLY TELEVISED".

2. Amend page 2, line 15, after "INTERNATIONAL" by striking out "POST SEASON TOURNAMENT OR".

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

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

The motion prevailed.

Rep. Middaugh 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. 6002, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 5b; 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. 765****Yeas—63**

Allen	Gilbert	Lockwood	Scranton
Bernero	Godchaux	Mans	Shackleton
Birkholz	Gosselin	Mead	Shulman
Bisbee	Hager	Meyer	Spade
Bishop	Hart	Middaugh	Stewart
Bradstreet	Howell	Mortimer	Tabor
Brown, C.	Hummel	Neumann	Thomas
Cassis	Jansen	Newell	Toy
Caul	Johnson, Rick	O'Neil	Van Woerkom
Clarke, H.	Johnson, Ruth	Palmer	Vander Roest
DeRossett	Julian	Pappageorge	Vander Veen
DeVuyst	Koetje	Pumford	Vear
DeWeese	Kooiman	Richardville	Voorhees

Drolet  
Faunce  
George

Kowall  
Kuipers  
LaSata

Richner  
Rocca  
Schauer

Woodward  
Woronchak

### Nays—36

Adamini  
Anderson  
Basham  
Bovin  
Brown, B.  
Brown, R.  
Callahan  
Clark, I.  
Daniels

Dennis  
Frank  
Garza  
Gieleghem  
Hale  
Hansen  
Hardman  
Jamnick  
Lemmons

Lipsey  
McConico  
Minore  
Murphy  
Patterson  
Phillips  
Plakas  
Quarles  
Reeves

Sheltrown  
Stallworth  
Stamas  
Switalski  
Waters  
Whitmer  
Williams  
Wojno  
Zelenko

In The Chair: Birkholz

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 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 5b.

The motion prevailed.

The House agreed to the title as amended.

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

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

### Second Reading of Bills

#### Senate Bill No. 991, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 2103, 2111, 2117, 2118, 2121, 2930, and 2930a (MCL 500.2103, 500.2111, 500.2117, 500.2118, 500.2121, 500.2930, and 500.2930a), section 2103 as amended by 2001 PA 147, section 2111 as amended by 1996 PA 98, section 2117 as amended by 2001 PA 25, section 2118 as amended by 1988 PA 43, section 2121 as amended by 1998 PA 26, and section 2930a as amended by 1980 PA 461.

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

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

Rep. Sheltrown moved to amend the bill as follows:

1. Amend page 15, line 15, after "totaling" by striking out "\$1,500.00" and inserting "\$3,000.00".

2. Amend page 15, line 18, after "totaling" by striking out "\$2,000.00" and inserting "\$4,000.00".

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

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

The motion prevailed.

Rep. Middaugh 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. 991, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 2103, 2111, 2117, 2118, 2121, 2930, and 2930a (MCL 500.2103, 500.2111, 500.2117, 500.2118, 500.2121, 500.2930, and 500.2930a), section 2103 as amended by 2001 PA 147, section 2111 as amended by 1996 PA 98, section 2117 as amended by 2001 PA 25, section 2118 as amended by 1988 PA 43, section 2121 as amended by 1998 PA 26, and section 2930a as amended by 1980 PA 461.

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

**Roll Call No. 766****Yeas—75**

Allen	George	Mead	Shackleton
Anderson	Gielegem	Meyer	Sheltrown
Basham	Gilbert	Middaugh	Shulman
Bernero	Godchaux	Mortimer	Spade
Birkholz	Gosselin	Neumann	Stamas
Bisbee	Hager	Newell	Stewart
Bovin	Hart	O'Neil	Switalski
Bradstreet	Howell	Palmer	Tabor
Brown, B.	Hummel	Pappageorge	Toy
Brown, C.	Jansen	Patterson	Van Woerkom
Brown, R.	Johnson, Rick	Pestka	Vander Roest
Cassis	Johnson, Ruth	Pumford	Vander Veen
Caul	Julian	Rackowski	Vear
DeRossett	Koetje	Richardville	Voorhees
DeVuyst	Kooiman	Richner	Whitmer
DeWeese	Kowall	Rivet	Wojno
Drolet	Kuipers	Rocca	Woodward
Faunce	LaSata	Schauer	Woronchak
Frank	Lockwood	Scranton	

**Nays—28**

Adamini	Garza	Lipsey	Quarles
Bishop	Hale	Mans	Reeves
Callahan	Hansen	McConico	Stallworth
Clark, I.	Hardman	Minore	Thomas
Clarke, H.	Jamnick	Murphy	Waters
Daniels	Kolb	Phillips	Williams
Dennis	Lemmons	Plakas	Zelenko

In The Chair: Birkholz

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

“An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the

departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker's compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to repeal acts and parts of acts; and to provide penalties for the violation of this act,".

The House agreed to the full title.

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

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

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

"Mr. Speaker and members of the House:

I voted no on Senate Bill 991 because it continues the perception that redlining occurs and will, in fact, increase the disparities in insurance rates that exists between urban areas and other areas of the state."

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

By unanimous consent the House returned to the order of

#### **Motions and Resolutions**

Reps. Allen, Neumann, Bradstreet, Shackleton and Bisbee offered the following resolution:

#### **House Resolution No. 452.**

A resolution to urge the United States Coast Guard to continue to operate a cutter ship out of Charlevoix.

Whereas, The United States Coast Guard has announced plans to scale back the number of cutter ships serving the Great Lakes. Under this proposal, the three ships, which operate out of Duluth, Port Huron, and Charlevoix, will be reduced to two when the Acacia, which is kept at Charlevoix, is decommissioned in 2005; and

Whereas, The United States Coast Guard Cutter Acacia, built in 1944, provides essential navigational, search and rescue, and other services. Its work tending to nearly 200 navigation aids and keeping channels open by breaking ice is of great importance to commerce and public safety. In addition, there have been occasions when this ship has helped in emergency situations, including missions to maintain services to the population on Beaver Island; and

Whereas, Reducing the number of ships providing buoy tending and ice cutting services by one-third would be a major blow to the individuals and businesses that rely upon the lakes. It is difficult to imagine how the vast areas of the Great Lakes could be covered by only two ships without a serious reduction in services and more difficulties in navigation on the lakes; and

Whereas, Charlevoix's role in lifesaving and promoting safe and efficient transportation on the Great Lakes is well established. The Coast Guard has operated a nautical rescue station in Charlevoix since 1889. The work carried out by the Acacia is an important component of these services and a valued resource for the community and the area. Having such a vessel is important to the area's economy on several levels, including tourism; now, therefore, be it

Resolved by the House of Representatives, That we urge the United States Coast Guard to continue to operate a cutter ship out of Charlevoix when the United States Coast Guard Cutter Acacia is decommissioned in 2005; and be it further

Resolved, That copies of this resolution be transmitted to the United States Coast Guard 9th District Headquarters in Cleveland, the United States Secretary of Transportation, the Commandant of the United States Coast Guard, and the members of the Michigan congressional delegation.

The resolution was referred to the Committee on Commerce.



Reps. Frank, Pappageorge, Raczkowski, DeVuyst, Murphy, Quarles, Sheltroun, Lemmons, Woodward, Waters, Wojno, Lipsey, Bob Brown, McConico, Birkholz, Richner, Drolet, Lockwood, Spade, Minore, Hansen, Richardville, Schauer, Gielegem, Jamnick, Anderson, Plakas, DeRossett, Howell, Faunce, Vander Veen, Voorhees, Toy, Julian, Rocca, Neumann, Kolb, Hager, Shackleton, Koetje, Shulman, Dennis, Stewart, Hale, Clark, Zelenko, Bovin and Rivet offered the following resolution:

**House Resolution No. 453.**

A resolution honoring Jack B. Jonker upon the occasion of his retirement as Conductor and Music Director of the Saginaw Choral Society.

Whereas, It is with sincere appreciation for the manner in which Jack B. Jonker's 24 years of outstanding leadership as Music Director and Conductor of the Saginaw Choral Society has enriched lives throughout the entire community that we join with choral members, friends, and family in giving thanks upon the occasion of his retirement. The counsel, encouragement, and direction that he has shared in all aspects of his life has had a positive influence far beyond the Saginaw Choral Society itself to grace the community at large; and

Whereas, After receiving his bachelor's and master's degrees in music from the University of Michigan, Jack moved to Saginaw where he pursued his career in choral conducting. He became the Conductor of the Saginaw Choral Society in 1977 with 30 singers and a budget of \$1,800. He is now retiring with 110 singers and a budget of \$325,000; and

Whereas, Jack was successful in conducting concerts in Saginaw with guest artists such as, Andy Williams, Dave Brubeck, Tony Bennett, Doc Severinsen, Robert Goulet, Jack Jones, Shirley Jones, Diahann Carroll, Vic Damone, The Osmonds, and The Boys Choir of Harlem. He has also developed educational programs including master classes, workshops, and the Interlochen Scholarship Competition; and

Whereas, While several events and milestones of the Saginaw Choral Society provided obvious evidence of Jack's ambition and commitment, less tangible, but no less important, are the gifts he has provided through the arts to the Saginaw community. Jack has received several art awards over the past years including the Bergstein Award for Teaching Excellence at Delta College, 1998 All-Area Award for Individual Achievement in Saginaw County, and the Leadership Award from the Boy Scouts of Lake Huron Area Council; and

Whereas, Even with his current positions as Vice President of Sales and Market Development for Michigan Virtual University and Conductor and Music Director of the Saginaw Choral Society, Jack still makes time to spend with his wife, Ellen, their children, Karen, Paige, Jacob, and Scot, daughter-in-law, Cora, and his two grandchildren Lauren and Gavin; and

Whereas, With the retirement of Jack Jonker, the members of the Saginaw Choral Society are losing not only a fine conductor, but also a friend. With all that they have shared over the past 24 years, there can be little doubt that his leadership abilities will long continue to be of the greatest value in the years to come for the Saginaw Choral Society; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body honor Jack B. Jonker upon the occasion of his retirement as Conductor and Music Director of the Saginaw Choral Society. We join in extending our thanks for his many talents and contributions to the community of Saginaw; and be it further

Resolved, That a copy of this resolution be transmitted to Jack B. Jonker 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. Adamini, Rich Brown, Pappageorge, Raczkowski, Vander Roest, DeVuyst, Murphy, Quarles, Sheltroun, Lemmons, Woodward, Waters, Wojno, Lipsey, Bob Brown, McConico, Birkholz, Jansen, Richner, Drolet, Lockwood, Spade, Minore, Hansen, Richardville, Schauer, Gielegem, Jamnick, Anderson, Plakas, DeRossett, Howell, Faunce, Vander Veen, Voorhees, Toy, Julian, Rocca, Neumann, Kolb, Hager, Shackleton, Koetje, Shulman, Dennis, Stewart, Hale, Clark, Zelenko, Godchaux, Bovin, Scranton, Frank, Kooiman and Rivet offered the following resolution:

**House Resolution No. 454.**

A resolution honoring Marquette County Habitat for Humanity upon its selection as Affiliate of the Year for Habitat for Humanity of Michigan.

Whereas, It is a distinct pleasure to offer congratulations to Marquette County Habitat for Humanity upon its selection as Affiliate of the Year, selected by the Board of Directors of Habitat for Humanity of Michigan. The members of this organization, being both talented and energetic, have compiled a most impressive record over the past 10 years, illustrated by this most fitting award and symbol of excellence. We commend them for their outstanding efforts and successes they have achieved through sewing together the binding fabrics of our communities; and

Whereas, Michigan has a long tradition of belief in the value of helping others and Marquette County is certainly no exception. In the 10 years since its inception, Marquette County Habitat for Humanity has built 28 homes and is planning an additional six for 2002; and

Whereas, Although founded on the principles of Christian activism, people of all faiths and beliefs are welcome and have participated in helping to improve the standards of living for many thankful families. All homes are built and rehabilitated by utilizing volunteer labor, management expertise, and tax-deductible donations of money, materials, and service. This makes the organization both noble in its vision and its results. Habitat's motto is "a hand up, not a hand out." Through diligent efforts and much caring, Marquette County Habitat for Humanity has contributed significantly to keeping Michigan in a leadership role for caring communities and voluntarism; and

Whereas, Professionally, by receiving this distinguished recognition, Marquette County Habitat for Humanity is being acknowledged for its efforts in various areas. In addition to being honored for their wonderful vision, satisfying accomplishments of helping families improve their circumstances, and their strong long-range potential for community development and leadership, they are being honored for success in developing the most fundamental component of society, which is the overwhelming sense of community. We applaud the dedication and offer our thanks for the manner in which the entire community benefits from all of their hard work; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body honor Marquette County Habitat for Humanity upon its selection as Affiliate of the Year for Habitat for Humanity of Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to the Marquette County Habitat for Humanity as evidence of our respect for their fine exemplary work.

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. Tabor, Pappageorge, Raczkowski, Vander Roest, DeVuyst, Murphy, Quarles, Sheltroun, Woodward, Waters, Wojno, Lipsey, Bob Brown, Birkholz, Jansen, Richner, Gosselin, Drolet, Lockwood, Spade, Hansen, Richardville, Schauer, Gielegem, Jamnick, DeRossett, Howell, Faunce, Vander Veen, Voorhees, Toy, Kowall, Julian, Rocca, Neumann, Kolb, Hager, Shackleton, Koetje, Shulman, Dennis, Hale, Zelenko, Caul, Bovin and Scranton offered the following resolution:

**House Resolution No. 455.**

A resolution honoring Galewood Elementary School's Destination ImagiNation state championship team.

Whereas, It is with great pleasure that we commend the students, teachers, staff, and parents of Galewood Elementary School upon its state championship in the Destination ImagiNation problem-solving competition. This recognition is a well-earned milestone symbolic of the innovation, planning, and personal commitment of many people who share the belief that education is one of the greatest gifts we can give our children; and

Whereas, Attaining the level of excellence reflected at Galewood Elementary School is attributed to a unity of purpose that brings together all the elements of a successful learning environment. By using a team approach, they deal effectively with the wide range of influences necessary to prepare our young people for the challenges of tomorrow; and

Whereas, Galewood Elementary School Principal Theresa Edwards, Charlotte Public Schools Superintendent Carl Ellinger, and all the parents and teachers of Galewood Elementary School realize that a key part of achieving great results is expecting great results. The students have proven this theory by accepting nothing less than their best. Clearly, the fortunate students at Galewood Elementary School are well along the path to a quality education; and

Whereas, We would like to congratulate Galewood Elementary School teacher Susan Milligan, and students Nikole Bayly, Erin Burke, Tess Goering, Lauren Kirkham, Jacob Roys, Gabe Stuber, and Meghan Wilkerson for the role they played in making Galewood Elementary School the Destination ImagiNation state championship team; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body honor Galewood Elementary School's Destination ImagiNation state championship team. We look forward to the continuation of this excellent accomplishment and wish them success at the global finals; and be it further

Resolved, That a copy of this resolution be transmitted to Galewood Elementary School 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. Allen, Bradstreet, Neumann, Shackleton and Bisbee offered the following concurrent resolution:

**House Concurrent Resolution No. 66.**

A concurrent resolution to urge the United States Coast Guard to continue to operate a cutter ship out of Charlevoix.

Whereas, The United States Coast Guard has announced plans to scale back the number of cutter ships serving the Great Lakes. Under this proposal, the three ships, which operate out of Duluth, Port Huron, and Charlevoix, will be reduced to two when the Acacia, which is kept at Charlevoix, is decommissioned in 2005; and

Whereas, The United States Coast Guard Cutter *Acacia*, built in 1944, provides essential navigational, search and rescue, and other services. Its work tending to nearly 200 navigation aids and keeping channels open by breaking ice is of great importance to commerce and public safety. In addition, there have been occasions when this ship has helped in emergency situations, including missions to maintain services to the population on Beaver Island; and

Whereas, Reducing the number of ships providing buoy tending and ice cutting services by one-third would be a major blow to the individuals and businesses that rely upon the lakes. It is difficult to imagine how the vast areas of the Great Lakes could be covered by only two ships without a serious reduction in services and more difficulties in navigation on the lakes; and

Whereas, Charlevoix's role in lifesaving and promoting safe and efficient transportation on the Great Lakes is well established. The Coast Guard has operated a nautical rescue station in Charlevoix since 1889. The work carried out by the *Acacia* is an important component of these services and a valued resource for the community and the area. Having such a vessel is important to the area's economy on several levels, including tourism; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we urge the United States Coast Guard to continue to operate a cutter ship out of Charlevoix when the United States Coast Guard Cutter *Acacia* is decommissioned in 2005; and be it further

Resolved, That copies of this resolution be transmitted to the United States Coast Guard 9th District Headquarters in Cleveland, the United States Secretary of Transportation, the Commandant of the United States Coast Guard, and the members of the Michigan congressional delegation.

The concurrent resolution was referred to the Committee on Commerce.

### Reports of Standing Committees

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

#### **House Bill No. 6066, entitled**

A bill to amend 2001 PA 63, entitled "History, arts, and libraries act," by amending sections 2 and 21 (MCL 399.702 and 399.721) and by adding sections 7 and 22.

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

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

Favorable Roll Call

**HB 6066** To Report Out:

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

Nays: None.

### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, May 21, 2002, at 9:00 a.m.,

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

Absent: Reps. Lemmons, Lipsey,

Excused: Reps. Lemmons, Lipsey.

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

#### **House Bill No. 6062, entitled**

A bill to amend 1987 PA 230, entitled "Municipal health facilities corporations act," by amending section 305 (MCL 331.1305), as amended by 1988 PA 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

**HB 6062** To Report Out:

Yeas: Reps. Birkholz, Hager, Drolet, Gilbert, Gosselin, Hummel, Richardville, Jamnick, Dennis, Minore,

Nays: None.

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, May 21, 2002, at 12:00 Noon,

Present: Reps. Birkholz, Hager, Drolet, Gilbert, Gosselin, Hummel, Richardville, Jamnick, Dennis, Minore,

Absent: Rep. Hardman,

Excused: Rep. Hardman.

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

**Senate Bill No. 926, entitled**

A bill to amend 1999 PA 94, entitled "Michigan merit award scholarship act," by amending sections 5, 6, 7, and 8 (MCL 390.1455, 390.1456, 390.1457, and 390.1458).

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 926** To Report Out:

Yeas: Reps. Shulman, LaSata, Cameron Brown, Caul, Godchaux, Jansen, Kooiman, Mead, Mortimer, Newell, Pappageorge, Pumford, Shackleton, Stamas, Stewart, Toy, Vander Roest, Frank, Rich Brown, Clarke, Lockwood, Murphy, Pestka, Phillips, Plakas, Reeves, Switalski,

Nays: None.

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, May 21, 2002, at 10:30 a.m.,

Present: Reps. Shulman, LaSata, Cameron Brown, Caul, Godchaux, Jansen, Kooiman, Mead, Mortimer, Newell, Pappageorge, Pumford, Shackleton, Stamas, Stewart, Toy, Vander Roest, Frank, Rich Brown, Clarke, Lockwood, Murphy, Pestka, Phillips, Plakas, Reeves, Switalski,

Absent: Reps. Jelinek, Stallworth,

Excused: Reps. Jelinek, Stallworth.

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

**House Bill No. 5163, entitled**

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," by amending section 8 (MCL 28.728), as amended by 1999 PA 85, and by adding section 8c.

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 5163** To Report Out:

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

Nays: None.

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

**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.

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

1. Amend page 5, line 14, after "than" by striking out "\$200.00" and inserting "\$400.00".
2. Amend page 5, line 25, after "than" by striking out "\$500.00" and inserting "\$600.00".
3. Amend page 7, line 24, after the first "than" by striking out "\$200.00" and inserting "\$300.00".
4. Amend page 8, line 1, after the first "than" by striking out "\$200.00" and inserting "\$500.00".
5. Amend page 8, line 10, after the first "than" by striking out "\$500.00" and inserting "\$800.00".

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

## Favorable Roll Call

**HB 5814** To Report Out:

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

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

**House Bill No. 5858, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 503 and 504 (MCL 750.503 and 750.504).

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

1. Amend page 1, line 10, by striking out all of section 504 and inserting:

"Enacting section 1. This amendatory act takes effect January 1, 2003."

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

## Favorable Roll Call

**HB 5858** To Report Out:

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

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

**House Bill No. 5891, entitled**

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," by amending section 8 (MCL 28.728), as amended by 1999 PA 85, and by adding section 8c.

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 5891** To Report Out:

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

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

**House Bill No. 6078, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 5a to chapter IX.

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

1. Amend page 1, line 3, after "OFFENSE," by striking out the balance of the section and inserting "THE COURT MAY ORDER THE DEFENDANT TO PAY THE ACTUAL COSTS OF PROSECUTION."

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

"Enacting section 1. This amendatory act takes effect January 1, 2003."

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

## Favorable Roll Call

**HB 6078** To Report Out:

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

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

**House Bill No. 6079, entitled**

A bill to amend 1931 PA 328, entitled "Michigan penal code," by amending sections 16, 25, 33, 34, 44, 45, 50c, 57, 60, 64, 90c, 113, 114, 123, 125, 138, 140, 149, 150, 151, 153, 172, 173, 183, 184, 191, 192, 197a, 215, 217, 217c, 219, 220, 240, 263, 264, 287, 288, 294, 295, 298, 301, 302, 304, 305, 306, 314, 330, 331, 335, 335a, 354, 359, 368, 371,

375, 389, 393, 404, 407, 408, 410, 411a, 411d, 414, 428, 429, 430, 454, 466, 478, 482, 490a, 492, 502b, 508, 509, 519, 524, 537, 538, 540e, 540f, and 561 (MCL 750.16, 750.25, 750.33, 750.34, 750.44, 750.45, 750.50c, 750.57, 750.60, 750.64, 750.90c, 750.113, 750.114, 750.123, 750.125, 750.138, 750.140, 750.149, 750.150, 750.151, 750.153, 750.172, 750.173, 750.183, 750.184, 750.191, 750.192, 750.197a, 750.215, 750.217, 750.217c, 750.219, 750.220, 750.240, 750.263, 750.264, 750.287, 750.288, 750.294, 750.295, 750.298, 750.301, 750.302, 750.304, 750.305, 750.306, 750.314, 750.330, 750.331, 750.335, 750.335a, 750.354, 750.359, 750.368, 750.371, 750.375, 750.389, 750.393, 750.404, 750.407, 750.408, 750.410, 750.411a, 750.411d, 750.414, 750.428, 750.429, 750.430, 750.454, 750.466, 750.478, 750.482, 750.490a, 750.492, 750.502b, 750.508, 750.509, 750.519, 750.524, 750.537, 750.538, 750.540e, 750.540f, and 750.561), section 50c as added by 1994 PA 336, section 90c as amended by 2001 PA 1, section 125 as amended by 1999 PA 251, sections 215, 371, 524, 537, and 538 as amended by 1991 PA 145, section 217c as added and section 368 as amended by 1998 PA 360, sections 263 and 264 as amended by 1997 PA 155, section 302 as amended by 1989 PA 85, section 375 as amended by 1996 PA 206, section 411a as amended by 2000 PA 370, section 411d as added by 1980 PA 490, section 502b as amended by 1991 PA 44, section 508 as amended by 1990 PA 77, section 540e as amended by 1988 PA 395, and section 540f as added by 1996 PA 333.

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

1. Amend page 2, line 10, after "person" by inserting "WHO".
2. Amend page 8, line 23, after "knowingly" by striking out "permit" and inserting "PERMITS".
3. Amend page 20, line 6, after "who" by striking out "shall".
4. Amend page 66, following line 17, by inserting:

"Enacting section 1. This amendatory act takes effect January 1, 2003."

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

#### Favorable Roll Call

#### **HB 6079** To Report Out:

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

Nays: None.

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

#### **Senate Bill No. 1028, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 503 and 504 (MCL 750.503 and 750.504).

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

1. Amend page 1, line 1, by striking out all of section 503.
2. Amend page 2, following line 8, by inserting:

"Enacting section 1. This amendatory act takes effect January 1, 2003."

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

#### Favorable Roll Call

#### **SB 1028** To Report Out:

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

Nays: None.

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

#### **Senate Bill No. 1275, entitled**

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," by amending sections 2, 5, 5a, 7, 8, 9, and 10 (MCL 28.722, 28.725, 28.725a, 28.727, 28.728, 28.729, and 28.730), sections 2, 5, 7, 8, 9, and 10 as amended and section 5a as added by 1999 PA 85, and by adding section 4a.

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 1275** To Report Out:

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

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, May 21, 2002, at 10:30 a.m.,  
Present: Reps. Faunce, Kowall, Bishop, DeWeese, George, Raczkowski, McConico, Callahan, O'Neil,  
Absent: Rep. Rison,  
Excused: Rep. Rison.

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

**House Bill No. 4851, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.157) by adding section 7gg.  
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 4851** To Report Out:

Yeas: Reps. Ruth Johnson, Koetje, Birkholz, DeRossett, DeVuyst, Palmer, Tabor, Kolb, Basham, Gielegghem, Hale,  
Nays: None.

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

**House Bill No. 4852, entitled**

A bill to provide for the exemption of certain property from certain taxes; to levy and collect a specific tax upon the owners of certain property; to provide for the disposition of the tax; to clarify the ownership of certain parcels of property; to prescribe the powers and duties of certain local government officials; and to provide penalties.

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 4852** To Report Out:

Yeas: Reps. Ruth Johnson, Koetje, Birkholz, DeRossett, DeVuyst, Palmer, Tabor, Kolb, Basham, Gielegghem, Hale,  
Nays: None.

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

**House Bill No. 4853, entitled**

A bill to amend 1855 PA 105, entitled "An act to regulate the disposition of the surplus funds in the state treasury; to provide for the deposit of surplus funds in certain financial institutions; to lend surplus funds pursuant to loan agreements secured by certain commercial, agricultural, or industrial real and personal property; to authorize the loan of surplus funds to certain municipalities; to authorize the participation in certain loan programs; to authorize an appropriation; and to prescribe the duties of certain state agencies," by amending section 4 (MCL 21.144) and by adding section 2e.

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

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

## Favorable Roll Call

**HB 4853** To Report Out:

Yeas: Reps. Ruth Johnson, Koetje, Birkholz, DeRossett, DeVuyst, Palmer, Tabor, Kolb, Basham, Gielegghem, Hale,  
Nays: None.

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

**House Bill No. 5450, entitled**

A bill to provide for the creation of local land banks to assist municipalities in the assembly and clearance of title to property located in the municipality in a coordinated manner; to facilitate the use and development of certain property; to promote economic growth; to prescribe the powers and duties of a land bank; to provide for the creation

and appointment of a board to govern a land bank and to prescribe its powers and duties; to authorize the acquisition, maintenance, and disposal of interests in real and personal property; to authorize the conveyance of certain properties by a municipality or a municipal official to the land bank; to authorize the enforcement of tax liens and the clearing or quieting of title by the land bank; to provide for the distribution and use of revenues collected or received by the land bank; to prescribe powers and duties of certain public entities and state and local officers and agencies; to authorize the transfer and acceptance of property in lieu of taxes and the release of tax liens; to exempt property, income, and operations of a land bank from tax; and to extend protections against certain liabilities to the land bank.

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 5450** To Report Out:

Yeas: Reps. Ruth Johnson, Koetje, Birkholz, DeRossett, DeVuyst, Palmer, Tabor, Kolb, Basham, Gielegem, Hale,  
Nays: None.

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

#### **House Bill No. 5451, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending sections 78i and 131e (MCL 211.78i and 211.131e), section 78i as amended by 2001 PA 101 and section 131e as amended by 1999 PA 123.

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 5451** To Report Out:

Yeas: Reps. Ruth Johnson, Koetje, Birkholz, DeRossett, DeVuyst, Palmer, Tabor, Kolb, Basham, Gielegem, Hale,  
Nays: None.

### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, May 21, 2002, at 10:30 a.m.,

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

#### **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, May 15:

**Senate Bill Nos. 1324 1325 1337**

The Clerk announced the enrollment printing and presentation to the Governor on Friday, May 17, for his approval of the following bills:

**Enrolled House Bill No. 4603 at 2:20 p.m.**

**Enrolled House Bill No. 5661 at 2:22 p.m.**

**Enrolled House Bill No. 5845 at 2:24 p.m.**

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

**House Bill Nos. 6084 6085 6086 6087**

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

**Senate Bill Nos. 929 1313 1314**



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

**Senate Bill No. 929, entitled**

A bill to amend 1965 PA 285, entitled "Private detective license act of 1965," by amending the title and sections 1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 16, 17, 18, 20, 21, 22, 23, 24, 25, 26, 27, 28, and 31 (MCL 338.821, 338.822, 338.823, 338.824, 338.825, 338.826, 338.827, 338.829, 338.830, 338.831, 338.832, 338.833, 338.834, 338.836, 338.837, 338.838, 338.840, 338.841, 338.842, 338.843, 338.844, 338.845, 338.846, 338.847, 338.848, and 338.851).

The Senate has passed the bill.

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

**Senate Bill No. 1313, entitled**

A bill 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," (MCL 388.951 to 388.963) by adding section 3a.

The Senate has passed the bill.

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

**Senate Bill No. 1314, entitled**

A bill to amend 2001 PA 34, entitled "Revised municipal finance act," by amending sections 317, 403, 611, and 701 (MCL 141.2317, 141.2403, 141.2611, and 141.2701).

The Senate has passed the bill.

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

**Communications from State Officers**

The following communication from the Auditor General was received and read:

May 17, 2002

Enclosed is a copy of the following audit report and/or executive digest:

Performance Audit of  
Sewage Funding Needs  
May 2002

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

The communication was referred to the Clerk and the accompanying report referred to the Committee on House Oversight and Operations.

**Introduction of Bills**

Reps. Bernero, Woodward, Gielegem, Sheltroun, Anderson, Jamnick, Minore, Hale, Murphy, Garza, Basham, Schauer, Frank, Mans, Waters, Wojno, Neumann, Bob Brown, Lipsey, Richardville, Spade, Jacobs, Kolb, Schermesser, Plakas, Quarles, Daniels, Adamini and Bovin introduced

**House Bill No. 6088, entitled**

A bill to improve public oversight and accountability of privatization contracts; to provide for certain powers and duties of certain state officers, state agencies, and state employees; to provide for certain duties and responsibilities of certain entities involved with privatization contracts; and to prescribe remedies and penalties.

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

Reps. Bernero, Gielegem, Woodward, Sheltroun, Anderson, Jamnick, Minore, Hale, Murphy, Garza, Basham, Schauer, Frank, Mans, Waters, Wojno, Neumann, Lipsey, Bob Brown, Richardville, Spade, Jacobs, Kolb, Schermesser, Plakas, Quarles, Daniels, Adamini and Bovin introduced

**House Bill No. 6089, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 261 (MCL 18.1261), as amended by 1993 PA 46.

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

Rep. Scranton introduced

**House Bill No. 6090, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 45a.

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

Reps. Shulman and Kowall introduced

**House Bill No. 6091, entitled**

A bill to authorize the state transportation department to convey certain parcels of state owned property in Oakland county; to prescribe conditions for the conveyance; and to provide for disposition of the revenue from the conveyance.

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

Reps. Vander Roest, Patterson, Palmer, Kuipers, Birkholz, Bradstreet, Hager, Shackleton, Stamas, Ruth Johnson, Spade, Murphy, Cameron Brown, Phillips, Richardville and Bishop introduced

**House Bill No. 6092, entitled**

A bill to amend 1991 PA 179, entitled "Michigan telecommunications act," by amending section 305 (MCL 484.2305), as amended by 1995 PA 216.

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

Reps. Mead, Birkholz, Cassis, Stewart, Gosselin, Vander Veen, Vear and Meyer introduced

**House Bill No. 6093, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding sections 217p and 217q.

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

Rep. Scranton introduced

**House Bill No. 6094, entitled**

A bill to amend 1995 PA 279, entitled "Horse racing law of 1995," (MCL 431.301 to 431.336) by adding part 5.

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

Reps. Faunce, Meyer, Kowall, Tabor, Shackleton, Hager, Julian, Gilbert, Rocca, Patterson, LaSata, Kuipers, Vander Roest, Middaugh, Caul, Vander Veen and Howell introduced

**House Bill No. 6095, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 7214, 7401, 7402, 7403, and 7404 (MCL 333.7214, 333.7401, 333.7402, 333.7403, and 333.7404), section 7214 as amended by 1982 PA 352, sections 7401 and 7403 as amended by 2001 PA 236, and sections 7402 and 7404 as amended by 2000 PA 314.

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

Reps. Meyer, Faunce, Kowall, Tabor, Shackleton, Hager, Julian, Gilbert, Rocca, Patterson, LaSata, Kuipers, Vander Roest, Middaugh, Caul, Vander Veen and Howell introduced

**House Bill No. 6096, entitled**

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

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

Reps. Allen, Bradstreet, Shackleton and Neumann introduced

**House Bill No. 6097, entitled**

A bill to amend 1991 PA 179, entitled "Michigan telecommunications act," by amending section 304 (MCL 484.2304), as amended by 2000 PA 295.

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

Reps. Lemmons, McConico and Hardman introduced

**House Bill No. 6098, entitled**

A bill to amend 1972 PA 284, entitled "Business corporation act," (MCL 450.1101 to 450.2098) by adding section 755.

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

Reps. Lemmons, Reeves and Hardman introduced

**House Bill No. 6099, entitled**

A bill to amend 1992 PA 147, entitled "Neighborhood enterprise zone act," by amending section 4 (MCL 207.774), as amended by 2001 PA 93.

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

Reps. Lemmons, McConico and Hardman introduced

**House Bill No. 6100, entitled**

A bill to amend 1953 PA 232, entitled "Corrections code of 1953," by amending section 67 (MCL 791.267), as amended by 1996 PA 565.

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

Reps. Vander Veen, Raczkowski, Pappageorge, Drolet, Caul, Gosselin, Tabor, Kowall, Stewart, Meyer, Ruth Johnson, Voorhees and Toy introduced

**House Bill No. 6101, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 2000 PA 400.

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

Reps. Dennis, Clark, Minore, Bernero, Zelenko, Gielegem, Murphy, Callahan, Lockwood, O'Neil, Mans, Wojno, Woodward, Jamnick, Hansen, Anderson, Daniels, Phillips, McConico, Lipsey, Quarles, Rison, Hale, Schauer, Reeves, Hardman, Waters, Thomas and Lemmons introduced

**House Bill No. 6102, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 2000 PA 400.

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

Reps. Drolet, Gosselin, Ehardt, Kuipers, Meyer, Jelinek, Richner and Vear introduced

**House Bill No. 6103, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 226 and 801 (MCL 257.226 and 257.801), section 226 as amended by 2000 PA 36 and section 801 as amended by 2000 PA 502.

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

Reps. Raczkowski, Bishop, Koetje, Pappageorge, Gosselin, Switalski, Anderson, Bob Brown, Richardville, Rocca, Stewart, George, Vander Veen, Pumford, Jelinek, Drolet, Hummel and Vear introduced

**House Bill No. 6104, entitled**

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," (MCL 28.421 to 28.435) by adding section 5x.

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

Reps. Raczkowski, Bishop and Kowall introduced

**House Bill No. 6105, entitled**

A bill to amend 1975 PA 197, entitled "An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials," by amending sections 1 and 29 (MCL 125.1651 and 125.1679), section 1 as amended by 1997 PA 202 and section 29 as amended by 2001 PA 68.

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

Reps. Bishop, Richardville and Ehardt introduced

**House Bill No. 6106, entitled**

A bill to amend 1970 PA 169, entitled "Local historic districts act," by amending sections 1a and 3 (MCL 399.201a and 399.203), as amended by 2001 PA 67.

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

Rep. Callahan introduced

**House Bill No. 6107, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding sections 57m and 57n.

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

Reps. Howell, Julian, Vander Roest and Vear introduced

**House Bill No. 6108, entitled**

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending section 5j (MCL 28.425j), as added by 2000 PA 381.

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

Reps. Vear, Raczkowski, Howell, Julian, Newell and DeVuyst introduced

**House Bill No. 6109, entitled**

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending section 5l (MCL 28.425l), as added by 2000 PA 381.

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

Reps. Cameron Brown, Toy, Voorhees, Howell, LaSata, Raczkowski, Middaugh, Newell, Palmer, Vear, Rocca, Vander Roest, Julian, Mortimer and DeVuyst introduced

**House Bill No. 6110, entitled**

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain

circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act,” (MCL 28.421 to 28.435) by adding section 5y.

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

Reps. Toy, Julian, Howell, Ruth Johnson, Rocca, Cassis, Cameron Brown, Vander Roest and Vear introduced  
**House Bill No. 6111, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 231 (MCL 750.231), as amended by 1998 PA 510.

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

Reps. Julian, Howell and Vear introduced

**House Bill No. 6112, entitled**

A bill to amend 1927 PA 372, entitled “An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act,” (MCL 28.421 to 28.435) by adding section 5z.

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

Reps. Raczkowski, Howell, Vear, Shackleton and Woronchak introduced

**House Bill No. 6113, entitled**

A bill to amend 1927 PA 372, entitled “An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act,” by amending section 5k (MCL 28.425k), as added by 2000 PA 381.

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

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Rep. Ruth Johnson moved that the House adjourn.

The motion prevailed, the time being 4:55 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, May 22, at 2:00 p.m.

GARY L. RANDALL  
Clerk of the House of Representatives.

