

**No. 63**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**91st Legislature**  
**REGULAR SESSION OF 2002**

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House Chamber, Lansing, Tuesday, September 17, 2002.

2:00 p.m.

The House was called to order by the Speaker.

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

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

Rev. Orson Deemer, Pastor of the Dighton Wesleyan Church in Dighton, offered the following invocation:

“Our great and awesome God, we come to You with praise and thanksgiving. We thank You for the blessings that You have given us. You have blessed us with this great land, that stretches from lake to lake. You have blessed us with agriculture and industry to sustain and strengthen us. You have blessed us with freedom. You have blessed us with these men and women who work diligently for the good of the citizens of Michigan. But most importantly, God, we thank You for the blessing of Your Son, Jesus Christ. We thank You for Your sacrifice. We thank You for forgiveness and the assurance of Heaven. We live in uncertain times, Heavenly Father. Terrorists have shown us the ugliness of violence—people have lost their lives and livelihoods because of it, and the economy has shifted. We live in uncertain times, and in uncertain times, we turn to You. We turn to You now, God, and ask for Your blessing on these people. They have come from all over the state to do the work which You have called government to do. We ask that You would bless them with wisdom. We ask You to bless them with the willingness to compromise without losing sight of principle. We ask You to bless them with the courage to stand for right, even when wrong seems better. We ask, Heavenly Father, that You would bless them with the ability to disagree, agreeably. We ask You to bless them with the strength to support and guard life throughout our state. We ask You to bless them with clear-thinking even in heated discussion. We ask You to bless them with the fortitude necessary to look beyond the polls and the press. Oh God, we ask that You would bless them with the compassion to care for the elderly. We ask that You would bless them with the vision to see what is best for future generations. We ask that You would bless them with Your presence as important business is accomplished. None of this is too much for You to provide, and we praise You for that. We ask You to bless them. And now, God, we ask for Your blessing in the Name of Jesus Christ, Your Son. Amen.”

### Motions and Resolutions

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution:  
**House Resolution No. 528.**

A resolution of tribute offered as a memorial for William A. Boos, Jr., former member of the House.

Whereas, It is with great respect for the many ways in which he enriched our state that we offer this expression of our admiration and respect as we mark the passing of William A. Boos, Jr. His service to our country and state, including his service as a member of the House of Representatives, touched many lives. We are proud to join together to offer our condolences to his beloved family; and

Whereas, A native of Detroit who was raised in Saginaw, William Boos earned his bachelor's degree at Michigan State University and his law degree from the Detroit College of Law. During World War II, he served with the Army in the Pacific, in New Guinea. With his return to civilian life, he embarked on a career in the law and public service that was to span many years. He worked for the city of Saginaw and in private practice before becoming a municipal judge. In 1960, he was elected to the first of three terms in the Michigan House of Representatives. His service spanned the state's implementation of a new constitution. Representative Boos also provided significant leadership as the chair of the House Judiciary Committee; and

Whereas, Following his 1966 departure from lawmaking, William Boos channeled his talents to the Public Service Commission before returning to the private sector. In addition to his many accomplishments in the law and public service, Mr. Boos also carried on a family tradition as a very talented musician throughout his life. Clearly, William Boos touched many lives over the years and gave gifts to our state that will long be remembered; now, therefore, be it

Resolved by the House of Representatives, That we offer this expression of our highest tribute to honor the memory of William A. Boos, Jr., a member of this legislative body from 1961 to 1966; and be it further

Resolved, That copies of this resolution be transmitted to the Boos family as evidence of our lasting esteem for his memory.

The question being on the adoption of the resolution,

The resolution was adopted by unanimous standing vote.

By unanimous consent the House considered **House Resolution No. 541** out of numerical order.

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution:  
**House Resolution No. 541.**

A resolution of tribute offered as a memorial for Thomas H. Brown, former member of the House.

Whereas, The members of this legislative body and many others who have worked in the Capitol were saddened to learn of the passing of Thomas H. Brown, who served with great distinction as a lawmaker. His commitment to our state and to his home community earned him the gratitude and respect of those both inside and outside of government; and

Whereas, A veteran of five years of service with the United States Army, Thomas Brown compiled an excellent record of work in local government prior to bringing his talents and insights to Lansing. His wide-ranging responsibilities included his work as a trustee, treasurer, and supervisor in Nankin Township and service as the first mayor of Westland. These experiences, coupled with his involvement in civic and veterans groups, gave him an invaluable grasp of the challenges facing local governments in our state; and

Whereas, First elected to the House of Representatives in 1970, Representative Brown served six consecutive terms. His tenure included difficult financial adjustments for our state and new realities for our entire economy. Representative Brown's calm demeanor and knowledge were especially significant during his years as the chair of the Towns and Counties Committee. Indeed, his unpretentious approach to the work of lawmaking set a standard that was appreciated by members on both sides of the political aisle as well as the people of his district; now, therefore, be it

Resolved by the House of Representatives, That we offer this expression of our highest tribute to honor the memory of Thomas H. Brown, who served as a member of this legislative body from 1971 to 1982; and be it further

Resolved, That copies of this resolution be transmitted to the Brown family as evidence of our sincerest condolences.

The question being on the adoption of the resolution,

The resolution was adopted by unanimous standing vote.

By unanimous consent the House considered **House Resolution No. 542** out of numerical order.

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution:  
**House Resolution No. 542.**

A resolution of tribute offered as a memorial for Matthew McNeely, former member of the House.

Whereas, With the passing of Matthew McNeely, the Michigan House of Representatives has lost a pioneering legislator and our state has lost a truly unselfish community activist. His record of accomplishment as a lawmaker and his ongoing efforts to help others, especially young people in his southwest Detroit neighborhood, will long be remembered and appreciated; and

Whereas, The story of Matt McNeely's life reflects the best qualities of our country and state. Born in Georgia in 1920, Matt McNeely came north to Detroit as a teenager, seeking opportunity. From his earliest job, shining shoes on Woodward Avenue, this dynamic man took his energies to an auto factory and began the civic and labor involvement that marked his life and led him to Lansing and elective responsibilities for 22 years; and

Whereas, First elected in 1964, Representative McNeely earned respect for his insights and commitment. He served as the chair of the House Insurance Committee during a period when this industry was making major changes. With his penchant for hard work, he became a respected leader of the House and was the first African-American elected as the Speaker Pro Tempore. In addition to his significant impact on the legislative process within Michigan, Representative McNeely was prominent in several national public policy groups; and

Whereas, At the heart of Representative McNeely's accomplishments in office and his subsequent achievements in state government and community activities was his deep personal sense of concern for others. His Matt McNeely Neighborhood Foundation symbolizes his devotion to young people. Clearly, citizens of all ages would do well to follow the example of Matt McNeely's public-spirited life; now, therefore, be it

Resolved by the House of Representatives, That we offer this expression of our highest praise to honor the memory of Matt McNeely, a member of this legislative body from 1965 to 1986; and be it further

Resolved, That copies of this resolution be transmitted to the McNeely family as evidence of our sincerest condolences.

The question being on the adoption of the resolution,

The resolution was adopted by unanimous standing vote.

The Speaker called Associate Speaker Pro Tempore Julian to the Chair.

Rep. Jacobs moved that Reps. Hardman and Murphy be excused temporarily from today's session.

The motion prevailed.

### Communications from State Officers

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

I, Candice S. Miller, Secretary of State and Custodian of the Great Seal of the State of Michigan, certify that Fred Durhal, Jr. was elected to fill the vacancy in the 9th State Representative District for a partial term expiring 1-1-2003, as shown by the August 27, 2002 special election returns certified by the Wayne County Board of Canvassers on August 30, 2002 and placed on file in this office.

[SEAL]

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State in the Capital City of Lansing, this thirtieth day of August A.D. 2002.

Candice S. Miller  
Secretary of State

The communication was referred to the Clerk.

Representative-elect Fred Durhal, Jr. took and subscribed the constitutional oath of office which was administered by the Clerk of the House of Representatives, Gary L. Randall. Said oath was filed in the office of the Clerk of the House of Representatives.

Rep. Durhal was assigned seat No. 60.

By unanimous consent the House returned to the order of

**Messages from the Senate**

The Speaker laid before the House

**House Bill No. 5637, entitled**

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.1100) by adding section 85.

(The bill was received from the Senate on June 27, with an amendment, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until July 2, see House Journal No. 59, p. 2285.)

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

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

**Roll Call No. 1040**

**Yeas—105**

Adamini	Frank	Lipsey	Schauer
Allen	Garza	Lockwood	Schermesser
Anderson	George	Mans	Scranton
Basham	Gielegem	McConico	Shackleton
Bernero	Gilbert	Mead	Sheltrown
Birkholz	Godchaux	Meyer	Shulman
Bisbee	Gosselin	Middaugh	Spade
Bishop	Hager	Minore	Stallworth
Bogardus	Hansen	Mortimer	Stamas
Bovin	Hart	Neumann	Stewart
Bradstreet	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	Pumford	Vear
Daniels	Julian	Quarles	Voorhees
Dennis	Koetje	Raczkowski	Waters
DeRossett	Kolb	Reeves	Whitmer
DeVuyst	Kooiman	Richardville	Williams
DeWeese	Kowall	Richner	Wojno
Drolet	Kuipers	Rison	Woodward
Durhal	LaSata	Rivet	Woronchak
Ehardt	Lemmons	Rocca	Zelenko
Faunce			

**Nays—0**

In The Chair: Julian

The House agreed to the full title of the bill.

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

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

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

**House Bill No. 5967, entitled**

A bill to amend 1994 PA 204, entitled "The children's ombudsman act," by amending the title and sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12 (MCL 722.921, 722.922, 722.923, 722.924, 722.925, 722.926, 722.927, 722.928, 722.929, 722.930, 722.931, and 722.932); and to repeal acts and parts of acts.

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

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

Favorable Roll Call

**HB 5967** To Report Out:

Yeas: Reps. Vander Veen, DeWeese, Hager, Tabor, Murphy, Bernero, Garza, Rison,

Nays: Rep. Hart.

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

**Senate Bill No. 1323, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 2803, 2834, 2835, 2848, and 2888 (MCL 333.2803, 333.2834, 333.2835, 333.2848, and 333.2888), section 2835 as amended by 1999 PA 207.

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 1323** To Report Out:

Yeas: Reps. Hart, Vander Veen, DeWeese, Hager, Tabor, Murphy,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, September 17, 2002, at 9:00 a.m.,

Present: Reps. Hart, Vander Veen, DeWeese, Hager, Tabor, Murphy, Bernero, Garza, Rison.

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

**House Bill No. 6239, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 353b.

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 6239** To Report Out:

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

Nays: Rep. Gosselin.

### 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, September 17, 2002, at 10:30 a.m.,

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

- . Rep. Jacobs moved that Rep. Clarke be excused from the balance of today's session.  
The motion prevailed.

### Messages from the Senate

#### House Bill No. 5896, entitled

A bill to amend 1986 PA 281, entitled "An act to encourage local development to prevent conditions of unemployment and promote economic growth; to provide for the establishment of local development finance authorities and to prescribe their powers and duties; to provide for the creation of a board to govern an authority and to prescribe its powers and duties; to provide for the creation and implementation of development plans; to authorize the acquisition and disposal of interests in real and personal property; to permit the issuance of bonds and other evidences of indebtedness by an authority; to prescribe powers and duties of certain public entities and state officers and agencies; to reimburse authorities for certain losses of tax increment revenues; and to authorize and permit the use of tax increment financing," by amending section 12a (MCL 125.2162a), as added by 2000 PA 248.

(The bill was received from the Senate on August 13, with an amendment to the House amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 62, p. 2438.)

The question being on concurring in the amendment made to the House amendment by the Senate,

The Senate amendment to the House amendment was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### Roll Call No. 1041

#### Yeas—105

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

DeWeese  
Durhal  
Ehardt  
Faunce  
Frank

Kowall  
Kuipers  
LaSata  
Lemmons

Richner  
Rison  
Rivet  
Rocca

Wojno  
Woodward  
Woronchak  
Zelenko

### Nays—1

Drolet

In The Chair: Julian

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

Rep. Plakas entered the House Chambers.

### Second Reading of Bills

#### Senate Bill No. 1020, entitled

A bill to amend 1917 PA 74, entitled “An act to fix standards for climax baskets for grapes and other fruits and vegetables, and to fix standards for baskets and other containers for small fruits, berries, and vegetables, and to punish violations of the same,” by amending section 4 (MCL 290.134).

The bill was read a second time.

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

The motion prevailed.

#### House Bill No. 4001, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 17752 (MCL 333.17752).

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

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

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

The motion prevailed.

#### 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.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Criminal Justice (for amendments, see House Journal No. 47, p. 1610),

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

Rep. George moved to amend the bill as follows:

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

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

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

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

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

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

The motion prevailed.

**Senate Bill No. 593, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 15 (MCL 205.65), as amended by 1993 PA 325.

The bill was read a second time.

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

The motion prevailed.

**Senate Bill No. 594, entitled**

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 5 (MCL 205.95).

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 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.

**Senate Bill No. 595, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 451 (MCL 206.451), as amended by 1987 PA 254.

The bill was read a second time.

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

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. 4599, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 172.

(The bill was received from the Senate on June 19, with amendments, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 20, see House Journal No. 57, p. 2139.)

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

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

**Roll Call No. 1042**

**Yeas—95**

Adamini	George	Mans	Schauer
Allen	Gielegem	McConico	Schermesser
Anderson	Gilbert	Mead	Scranton
Basham	Godchaux	Meyer	Shackleton
Bernero	Hager	Middaugh	Sheltrown
Birkholz	Hale	Minore	Shulman
Bishop	Hansen	Mortimer	Spade
Bogardus	Hardman	Neumann	Stamas
Bovin	Hart	Newell	Stewart
Brown, B.	Howell	O'Neil	Switalski
Brown, C.	Jacobs	Pappageorge	Tabor
Brown, R.	Jamnick	Patterson	Thomas



Callahan	Jelinek	Pestka	Toy
Cassis	Johnson, Rick	Phillips	Van Woerkom
Caul	Johnson, Ruth	Plakas	Vander Veen
Clark, I.	Julian	Pumford	Voorhees
Daniels	Koetje	Quarles	Waters
Dennis	Kolb	Raczkowski	Whitmer
DeRossett	Kooiman	Reeves	Williams
DeWeese	Kowall	Richardville	Wojno
Durhal	LaSata	Richner	Woodward
Faunce	Lemmons	Rison	Woronchak
Frank	Lipsey	Rivet	Zelenko
Garza	Lockwood	Rocca	

**Nays—12**

Bisbee	Drolet	Hummel	Palmer
Bradstreet	Ehardt	Jansen	Vander Roest
DeVuyst	Gosselin	Kuipers	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.

The Speaker laid before the House

**House Bill No. 6004, entitled**

A bill to amend 1982 PA 295, entitled "Support and parenting time enforcement act," by amending sections 2, 3, 25a, 25b, and 28 (MCL 552.602, 552.603, 552.625a, 552.625b, and 552.628), section 2 as amended by 1999 PA 160, section 3 as amended by 2001 PA 106, and sections 25a and 25b as added and section 28 as amended by 1998 PA 334, and by adding sections 5c, 25c, 25d, 25e, 25f, 25g, 25h, and 25i.

(The bill was received from the Senate on August 13, with substitute (S-2), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 62, p. 2438.)

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. 1043****Yeas—107**

Adamini	Frank	Lemmons	Rocca
Allen	Garza	Lipsey	Schauer
Anderson	George	Lockwood	Schermesser
Basham	Gielegem	Mans	Scranton
Bernero	Gilbert	McConico	Shackleton
Birkholz	Godchaux	Mead	Sheltrown
Bisbee	Gosselin	Meyer	Shulman
Bishop	Hager	Middaugh	Spade
Bogardus	Hale	Minore	Stallworth
Bovin	Hansen	Mortimer	Stamas
Bradstreet	Hardman	Neumann	Stewart
Brown, B.	Hart	Newell	Switalski
Brown, C.	Howell	O'Neil	Tabor

Brown, R.	Hummel	Palmer	Toy
Callahan	Jacobs	Pappageorge	Van Woerkom
Cassis	Jamnick	Patterson	Vander Roest
Caul	Jansen	Pestka	Vander Veen
Clark, I.	Jelinek	Phillips	Vear
Daniels	Johnson, Rick	Plakas	Voorhees
Dennis	Johnson, Ruth	Pumford	Waters
DeRossett	Julian	Quarles	Whitmer
DeVuyst	Koetje	Raczkowski	Williams
DeWeese	Kolb	Reeves	Wojno
Drolet	Kooiman	Richardville	Woodward
Durhal	Kowall	Richner	Woronchak
Ehardt	Kuipers	Rison	Zelenko
Faunce	LaSata	Rivet	

### Nays—0

In The Chair: Julian

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.

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

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Rep. Jacobs moved that Rep. Thomas be excused temporarily from today's session.

The motion prevailed.

The Speaker laid before the House

#### **House Bill No. 6005, entitled**

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending section 230 (MCL 418.230), as amended by 2000 PA 396.

(The bill was received from the Senate on August 13, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 62, p. 2439.)

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. 1044**

#### **Yeas—106**

Adamini	Frank	Lemmons	Rocca
Allen	Garza	Lipsey	Schauer
Anderson	George	Lockwood	Schermesser
Basham	Gielegem	Mans	Scranton
Bernero	Gilbert	McConico	Shackleton
Birkholz	Godchaux	Mead	Sheltrown
Bisbee	Gosselin	Meyer	Shulman
Bishop	Hager	Middaugh	Spade
Bogardus	Hale	Minore	Stallworth
Bovin	Hansen	Mortimer	Stamas
Bradstreet	Hardman	Neumann	Stewart
Brown, B.	Hart	Newell	Switalski

Brown, C.	Howell	O'Neil	Tabor
Brown, R.	Hummel	Palmer	Toy
Callahan	Jacobs	Pappageorge	Van Woerkom
Cassis	Jamnick	Patterson	Vander Roest
Caul	Jansen	Pestka	Vander Veen
Clark, I.	Jelinek	Phillips	Vear
Daniels	Johnson, Rick	Pumford	Voorhees
Dennis	Johnson, Ruth	Quarles	Waters
DeRossett	Julian	Raczkowski	Whitmer
DeVuyst	Koetje	Reeves	Williams
DeWeese	Kolb	Richardville	Wojno
Drolet	Kooiman	Richner	Woodward
Durhal	Kowall	Rison	Woronchak
Ehardt	Kuipers	Rivet	Zelenko
Faunce	LaSata		

### Nays—0

In The Chair: Julian

The House agreed to the full title of the bill.

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

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

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

### Second Reading of Bills

#### Senate Bill No. 1323, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 2803, 2834, 2835, 2848, and 2888 (MCL 333.2803, 333.2834, 333.2835, 333.2848, and 333.2888), section 2835 as amended by 1999 PA 207.

The bill was read a second time.

Rep. Shackleton moved to substitute (H-3) the bill.

The motion prevailed and the substitute (H-3) was adopted, a majority of the members serving voting therefor.

Rep. Reeves moved to amend the bill as follows:

1. Amend page 5, following line 6, by inserting:

"(C) THE RACE OF THE WOMAN." and relettering the remaining subdivisions.

The motion prevailed and the amendment was 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.

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. 1323, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 2803, 2834, 2835, 2848, and 2888 (MCL 333.2803, 333.2834, 333.2835, 333.2848, and 333.2888), section 2835 as amended by 1999 PA 207.

The bill was read a third time.

The question being on the passage of the bill,

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

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

Rep. Bogardus demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 1045****Yeas—48**

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

**Nays—59**

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

In The Chair: Julian

The question being on the passage of the bill,

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

**Roll Call No. 1046****Yeas—69**

Allen	Frank	Lockwood	Shackleton
Anderson	George	Mans	Sheltrown
Basham	Gielegem	Mead	Shulman
Bernero	Gilbert	Middaugh	Spade
Bisbee	Hager	Mortimer	Stallworth

Bovin	Hardman	Neumann	Stamas
Brown, B.	Hart	O'Neil	Stewart
Brown, C.	Howell	Pappageorge	Switalski
Brown, R.	Hummel	Patterson	Tabor
Callahan	Jelinek	Pestka	Thomas
Cassis	Johnson, Rick	Plakas	Toy
Clark, I.	Julian	Pumford	Van Woerkom
DeRossett	Koetje	Raczkowski	Vear
DeVuyst	Kooiman	Reeves	Voorhees
DeWeese	Kowall	Richardville	Wojno
Durhal	LaSata	Richner	Woodward
Ehardt	Lemmons	Schauer	Woronchak
Faunce			

### Nays—33

Adamini	Godchaux	Kuipers	Schermesser
Birkholz	Gosselin	Lipsey	Scranton
Bishop	Hale	McConico	Vander Roest
Bogardus	Hansen	Meyer	Vander Veen
Bradstreet	Jamnick	Newell	Waters
Caul	Jansen	Palmer	Whitmer
Daniels	Johnson, Ruth	Phillips	Williams
Drolet	Kolb	Rocca	Zelenko
Garza			

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 1978 PA 368, entitled "An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates," by amending sections 2803, 2834, 2835, 2848, 2888, and 20161 (MCL 333.2803, 333.2834, 333.2835, 333.2848, 333.2888, and 333.20161), section 2835 as amended by 1999 PA 207 and section 20161 as amended by 2002 PA 303.

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.

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Rep. Jacobs moved that Rep. Plakas be excused from the balance of 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. 6006, entitled**

A bill to amend 1982 PA 295, entitled "Support and parenting time enforcement act," by amending sections 2, 31, 32, 33, and 35 (MCL 552.602, 552.631, 552.632, 552.633, and 552.635), section 2 as amended by 1999 PA 160, sections 31 and 32 as amended by 2000 PA 442, and sections 33 and 35 as amended by 1998 PA 334.

(The bill was received from the Senate on August 13, with substitute (S-2), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 62, p. 2439.)

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. 1047**

**Yeas—105**

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

**Nays—0**

In The Chair: Julian

The House agreed to the full title of the bill.

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

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

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

The Speaker laid before the House

**House Bill No. 6007, entitled**

A bill to amend 1982 PA 295, entitled "Support and parenting time enforcement act," by amending sections 2, 41, 42, 44, and 45 (MCL 552.602, 552.641, 552.642, 552.644, and 552.645), section 2 as amended by 1999 PA 160, sections 41 and 42 as amended by 1996 PA 25, and sections 44 and 45 as amended by 1998 PA 334, and by adding section 42a.

(The bill was received from the Senate on August 13, with substitute (S-2), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 62, p. 2439.)

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. 1048**

**Yeas—106**

Adamini	Frank	Lemmons	Schauer
Allen	Garza	Lipse	Schermesser
Anderson	George	Lockwood	Scranton
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	Neumann	Switalski
Brown, B.	Hart	Newell	Tabor
Brown, C.	Howell	O'Neil	Thomas
Brown, R.	Hummel	Palmer	Toy
Callahan	Jacobs	Pappageorge	Van Woerkom
Cassis	Jamnack	Patterson	Vander Roest
Caul	Jansen	Pestka	Vander Veen
Clark, I.	Jelinek	Phillips	Vear
Daniels	Johnson, Rick	Pumford	Voorhees
Dennis	Johnson, Ruth	Quarles	Waters
DeRossett	Julian	Rackowski	Whitmer
DeVuyst	Koetje	Richardville	Williams
DeWeese	Kolb	Richner	Wojno
Drolet	Kooiman	Rison	Woodward
Durhal	Kowall	Rivet	Woronchak
Ehardt	Kuipers	Rocca	Zelenko
Faunce	LaSata		

**Nays—0**

In The Chair: Julian

The House agreed to the full title of the bill.

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

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

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

The Speaker laid before the House

**House Bill No. 6009, entitled**

A bill to amend 1982 PA 294, entitled "Friend of the court act," by amending sections 2, 2a, and 17d (MCL 552.502, 552.502a, and 552.517d), section 2 as amended by 1998 PA 63, section 2a as amended by 1999 PA 150, and section 17d as amended by 1996 PA 144, and by adding sections 11a and 11b.

(The bill was received from the Senate on August 13, with substitute (S-2), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 62, p. 2439.)

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. 1049**

**Yeas—107**

Adamini	Frank	Lemmons	Schauer
Allen	Garza	Lipse	Schermesser
Anderson	George	Lockwood	Scranton
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	Neumann	Switalski
Brown, B.	Hart	Newell	Tabor
Brown, C.	Howell	O'Neil	Thomas
Brown, R.	Hummel	Palmer	Toy
Callahan	Jacobs	Pappageorge	Van Woerkom
Cassis	Jamnick	Patterson	Vander Roest
Caul	Jansen	Pestka	Vander Veen
Clark, I.	Jelinek	Phillips	Vear
Daniels	Johnson, Rick	Pumford	Voorhees
Dennis	Johnson, Ruth	Quarles	Waters
DeRossett	Julian	Rackowski	Whitmer
DeVuyst	Koetje	Reeves	Williams
DeWeese	Kolb	Richardville	Wojno
Drolet	Kooiman	Richner	Woodward
Durhal	Kowall	Rison	Woronchak
Ehardt	Kuipers	Rivet	Zelenko
Faunce	LaSata	Rocca	

**Nays—0**

In The Chair: Julian

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.

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



The Speaker laid before the House

**House Bill No. 6010, entitled**

A bill to amend 1982 PA 295, entitled "Support and parenting time enforcement act," by amending section 2 (MCL 552.602), as amended by 1999 PA 160, and by adding section 5d.

(The bill was received from the Senate on August 13, with substitute (S-2), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 62, p. 2440.)

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. 1050**

**Yeas—105**

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

**Nays—1**

Bogardus

In The Chair: Julian

The House agreed to the full title of the bill.

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

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

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

The Speaker laid before the House

**House Bill No. 6011, entitled**

A bill to amend 1982 PA 294, entitled "Friend of the court act," by amending sections 2, 2a, 5, 9, 11, 13, 15, 17, 17b, 17c, and 26 (MCL 552.502, 552.502a, 552.505, 552.509, 552.511, 552.513, 552.515, 552.517, 552.517b, 552.517c, and 552.526), section 2 as amended by 1998 PA 63, sections 2a and 9 as amended by 1999 PA 150, section 5 as amended by 1996 PA 365, section 11 as amended by 1996 PA 266, section 13 as amended by 1996 PA 144, section 17 as amended and sections 17b and 17c as added by 1994 PA 37, and section 26 as amended by 1996 PA 366, and by adding section 5a; and to repeal acts and parts of acts.

(The bill was received from the Senate on August 13, with substitute (S-2), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 62, p. 2440.)

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. 1051**

**Yeas—101**

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

**Nays—2**

Bogardus Phillips

In The Chair: Julian

The House agreed to the full title of the bill.

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

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

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

The Speaker laid before the House

**House Bill No. 6012, entitled**

A bill to amend 1982 PA 295, entitled “Support and parenting time enforcement act,” by amending sections 2, 3, 3a, 4, 5a, 7, 10, 17, 19, 24, 24a, and 26 (MCL 552.602, 552.603, 552.603a, 552.604, 552.605a, 552.607, 552.610, 552.617, 552.619, 552.624, 552.624a, and 552.626), section 2 as amended by 1999 PA 160, sections 3 and 26 as amended and section 5a as added by 2001 PA 106, section 3a as amended by 1996 PA 120, sections 4, 7, 17, and 19 as amended and section 24a as added by 1998 PA 334, and section 24 as added by 1985 PA 210, and by adding section 3c.

(The bill was received from the Senate on August 13, with substitute (S-2), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 62, p. 2440.)

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. 1052**

**Yeas—105**

Adamini	Garza	Lemmons	Schauer
Allen	George	Lipsey	Schermesser
Anderson	Gielegem	Lockwood	Scranton
Basham	Gilbert	Mans	Shackleton
Bernero	Godchaux	McConico	Sheltrown
Birkholz	Gosselin	Mead	Shulman
Bisbee	Hager	Meyer	Spade
Bishop	Hale	Middaugh	Stallworth
Bogardus	Hansen	Minore	Stamas
Bovin	Hardman	Mortimer	Stewart
Bradstreet	Hart	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	Pumford	Vear
Daniels	Johnson, Ruth	Quarles	Voorhees
DeRossett	Julian	Rackowski	Waters
DeVuyst	Koetje	Reeves	Whitmer
DeWeese	Kolb	Richardville	Williams
Drolet	Kooiman	Richner	Wojno
Durhal	Kowall	Rison	Woodward
Ehardt	Kuipers	Rivet	Woronchak
Faunce	LaSata	Rocca	Zelenko
Frank			

**Nays—1**

Phillips

In The Chair: Julian

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.

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

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

Rep. Patterson moved that a respectful message be sent to the Senate requesting the return of **House Bill No. 6073**.  
 The motion prevailed.

### Second Reading of Bills

#### House Bill No. 6239, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 353b.  
 Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Criminal Justice,  
 The substitute (H-2) was adopted, a majority of the members serving voting therefor.

Rep. Gosselin moved to amend the bill as follows:

1. Amend page 1, line 8, after "CONTRACTOR" by inserting "OR AN EMPLOYEE WHO FALSELY DECLARES HIMSELF OR HERSELF TO BE AN INDEPENDENT CONTRACTOR,".

2. Amend page 1, line 9, after "LAW" by inserting a comma.

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

Rep. Gosselin demanded the yeas and nays.

The demand was supported.

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

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

#### Roll Call No. 1053

#### Yeas—14

Allen	Ehardt	Palmer	Toy
Bradstreet	Gosselin	Rackowski	Vander Roest
Caul	Jansen	Stamas	Voorhees
Drolet	Kuipers		

#### Nays—88

Adamini	Gielegem	Lipsey	Schauer
Anderson	Gilbert	Lockwood	Schermesser
Basham	Godchaux	Mans	Scranton
Bernero	Hager	McConico	Shackleton
Birkholz	Hale	Mead	Sheltrown
Bisbee	Hansen	Meyer	Shulman
Bishop	Hardman	Middaugh	Spade
Bovin	Hart	Minore	Stallworth
Brown, B.	Howell	Mortimer	Stewart
Brown, C.	Hummel	Neumann	Switalski
Brown, R.	Jacobs	Newell	Tabor
Callahan	Jamnick	O'Neil	Thomas
Cassis	Jelinek	Pappageorge	Van Woerkom
Clark, I.	Johnson, Rick	Patterson	Vander Veen
DeRossett	Johnson, Ruth	Pestka	Vear
DeVuyst	Julian	Phillips	Waters
DeWeese	Koetje	Pumford	Whitmer
Durhal	Kolb	Quarles	Williams
Faunce	Kooiman	Reeves	Wojno
Frank	Kowall	Richardville	Woodward

Garza  
George

LaSata  
Lemmons

Richner  
Rocca

Woronchak  
Zelenko

In The Chair: Julian

Rep. Richardville 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. 6239, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 353b.  
Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1054**

**Yeas—79**

Adamini	George	Lockwood	Shackleton
Allen	Gielegem	Mans	Sheltrown
Anderson	Gilbert	McConico	Shulman
Basham	Godchaux	Mead	Spade
Bernero	Hager	Minore	Stallworth
Bisbee	Hale	Mortimer	Stamas
Bogardus	Hansen	Neumann	Stewart
Bovin	Hardman	O'Neil	Switalski
Brown, B.	Howell	Pappageorge	Tabor
Brown, R.	Hummel	Patterson	Thomas
Callahan	Jacobs	Pestka	Toy
Cassis	Jamnick	Phillips	Van Woerkom
Caul	Jelinek	Pumford	Waters
Daniels	Johnson, Rick	Richardville	Whitmer
DeRossett	Julian	Richner	Williams
DeWeese	Kolb	Rivet	Wojno
Durhal	Kowall	Rocca	Woodward
Ehardt	LaSata	Schauer	Woronchak
Faunce	Lemmons	Schermesser	Zelenko
Frank	Lipsey	Scranton	

**Nays—21**

Birkholz	Gosselin	Kooiman	Palmer
Bishop	Hart	Kuipers	Vander Roest
Bradstreet	Jansen	Meyer	Vander Veen
Brown, C.	Johnson, Ruth	Middaugh	Vear
DeVuyst	Koetje	Newell	Voorhees
Drolet			

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Reps. Anderson, Bogardus, Caul, Clark, Daniels, DeRossett, Durhal Jr, Faunce, Hardman, Jacobs, Jamnick, Julian, Lemmons, Lipsey, McConico, Minore, Neumann, Pestka, Phillips, Reeves, Rocca, Schauer, Stallworth, Switalski and Zelenko were named co-sponsors of the bill.

Rep. Vander Roest moved that Rep. Raczkowski be excused from the balance of 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. 6017, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 43b.

(The bill was received from the Senate on August 13, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 62, p. 2440.)

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. 1055

#### Yeas—102

Adamini	George	Lipsey	Schauer
Allen	Gielegem	Lockwood	Schermesser
Anderson	Gilbert	Mans	Scranton
Basham	Godchaux	McConico	Shackleton
Bernero	Gosselin	Mead	Sheltrown
Birkholz	Hager	Meyer	Shulman
Bisbee	Hale	Middaugh	Spade
Bishop	Hansen	Minore	Stamas
Bovin	Hardman	Mortimer	Stewart
Bradstreet	Hart	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
Daniels	Johnson, Ruth	Pumford	Voorhees
DeRossett	Julian	Quarles	Waters
DeVuyst	Koetje	Reeves	Whitmer
Drolet	Kolb	Richardville	Williams
Durhal	Kooiman	Richner	Wojno
Ehardt	Kowall	Rison	Woodward
Faunce	Kuipers	Rivet	Woronchak
Frank	LaSata	Rocca	Zelenko
Garza	Lemmons		

**Nays—0**

In The Chair: Julian

The House agreed to the full title of the bill.

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

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

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

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Rep. Vander Roest moved that Rep. DeWeese be excused temporarily from today's session.

The motion prevailed.

The Speaker laid before the House

**House Bill No. 6020, entitled**

A bill to amend 1966 PA 138, entitled "The family support act," by amending the title and sections 2 and 8a (MCL 552.452 and 552.458a), the title as amended by 1990 PA 237, section 2 as amended by 2001 PA 111, and section 8a as added by 1999 PA 158.

(The bill was received from the Senate on August 13, with an amendment, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 62, p. 2440.)

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

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

**Roll Call No. 1056****Yeas—103**

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

**Nays—0**

In The Chair: Julian

The House agreed to the full title of the bill.

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

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

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

The Speaker laid before the House

**Senate Bill No. 749, entitled**

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," by amending sections 451, 455, 459, 461, 465, 469, and 479 (MCL 550.1451, 550.1455, 550.1459, 550.1461, 550.1465, 550.1469, and 550.1479), as added by 1994 PA 40, and by adding sections 480 and 480a; and to repeal acts and parts of acts.

(The bill was received from the Senate on August 13, with an amendment to the House amendments and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 62, p. 2441.)

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

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

**Roll Call No. 1057****Yeas—104**

Adamini	Frank	LaSata	Rocca
Allen	Garza	Lemmons	Schauer
Anderson	George	Lipsey	Schermesser
Basham	Gielegem	Lockwood	Scranton
Bernero	Gilbert	Mans	Shackleton
Birkholz	Godchaux	McConico	Sheltrown
Bisbee	Gosselin	Mead	Shulman
Bishop	Hager	Meyer	Spade
Bogardus	Hale	Middaugh	Stallworth
Bovin	Hansen	Minore	Stamas
Bradstreet	Hardman	Mortimer	Stewart
Brown, B.	Hart	Neumann	Switalski
Brown, C.	Howell	Newell	Tabor
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
Daniels	Johnson, Rick	Phillips	Voorhees
Dennis	Johnson, Ruth	Pumford	Waters
DeRossett	Julian	Quarles	Whitmer
DeVuyst	Koetje	Reeves	Williams
Drolet	Kolb	Richardville	Wojno
Durhal	Kooiman	Richner	Woodward
Ehardt	Kowall	Rison	Woronchak
Faunce	Kuipers	Rivet	Zelenko

**Nays—0**

In The Chair: Julian

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



The Senate requested the return of  
**Senate Bill No. 1316, entitled**

A bill to create and provide for the operation of the Michigan next energy authority; to provide for the creation and appointment of a board to govern the authority and to prescribe its powers and duties; to provide for the powers and duties of the authority; to extend protections against certain liabilities to the authority; to authorize the conveyance of state land and to confer authority and jurisdiction over state land to the authority; to provide for the issuance of certain bonds, notes, and other obligations; to facilitate the use and development of authority property; to promote alternative energy technology and economic growth; to authorize the acquisition, maintenance, and disposal of interests in real and personal property; to provide for the conveyance of land transferred to the authority; to convey state land; and to exempt property, income, and operations of an authority from tax.

Rep. Patterson moved that the request of the Senate be granted.

The motion prevailed.

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

Rep. Sheltroun moved that the Committee on Appropriations be discharged from further consideration of **House Bill No. 5642**.

(For first notice see House Journal No. 62, p. 2442.)

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

Rep. Sheltroun demanded the yeas and nays.

The demand was supported.

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

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

The motion prevailed.

Rep. Neumann moved that the Committee on Appropriations be discharged from further consideration of **House Bill No. 5643**.

(For first notice see House Journal No. 62, p. 2442.)

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

Rep. Neumann demanded the yeas and nays.

The demand was supported.

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

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

The motion prevailed.

Rep. Woodward moved that the Committee on Appropriations be discharged from further consideration of **House Bill No. 5644**.

(For first notice see House Journal No. 62, p. 2442.)

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

Rep. Woodward demanded the yeas and nays.

The demand was supported.

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

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

The motion prevailed.

Rep. Schauer moved that the Committee on Appropriations be discharged from further consideration of **House Bill No. 5650**.

(For first notice see House Journal No. 62, p. 2442.)

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

Rep. Schauer demanded the yeas and nays.

The demand was supported.

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

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

The motion prevailed.

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Rep. Patterson 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**

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution:

#### **House Resolution No. 529.**

A resolution congratulating the team, coaching staff, and ownership of the Detroit Red Wings upon the occasion of their 2002 Stanley Cup Championship.

Whereas, It is a pleasure to join with the Red Wings organization and hockey fans throughout our state in celebrating the achievements of the Detroit Red Wings during the past National Hockey League season. From winning the President's Trophy for the league's best regular season record, to a remarkable playoff run that ended in a Stanley Cup Championship, this Red Wings team demonstrated remarkable teamwork and professionalism every step of the way; and

Whereas, Much to the delight of hockey fans throughout our state, the Red Wings returned Lord Stanley's Cup to Hockeytown after a four year absence. It is the tenth overall Stanley Cup title for this storied organization, the most by any United States-based NHL team. After a 42 year championship drought, the Red Wings have now captured three of the last six Stanley Cups; and

Whereas, No matter what the sport, players and fans everywhere appreciate ownership that is committed to building a winner. Not only have team owners Mike and Marian Ilitch built a winner, but they have sustained the necessary financial commitment to put a perennial contender on the ice year after year. Coupled with General Manager Ken Holland's unparalleled ability to evaluate talent and pull off the necessary deals, the Red Wings are one of the premier organizations in professional sports; and

Whereas, In recent years, the Red Wings have experienced one of the most successful periods in their history. It is no accident that this success has coincided with the tenure of the legendary Scotty Bowman, the finest coach in the NHL, and possibly the greatest coach in all of sports. With the 2002 title, Coach Bowman has won more Stanley Cup championships than any coach in NHL history. It was a bittersweet moment for Detroit's fans when Coach Bowman made it known that he had coached his last game on the night the Red Wings raised the cup in triumph; and

Whereas, Their captain, Steve Yzerman, who played through pain and injury during much of the season and the entire playoffs, personified the character and toughness this Red Wings squad has brought to the ice in recent years. "Stevie Y" has played his entire career in Detroit, and has earned a place as one of the most beloved figures in Michigan sports history; and

Whereas, With nearly all of the team's core players and coaching staff returning, along with some key free agent acquisitions, next season promises to be equally as exciting and promising as this past one. May we be fortunate enough to share a moment like this after next season as well; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body congratulate the team, coaching staff, and ownership of the Detroit Red Wings upon the occasion of their 2002 Stanley Cup Championship; and be it further

Resolved, That a copy of this resolution be transmitted to Detroit Red Wings Organization as a token of our congratulations and appreciation.

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. Kolb, Murphy, Bernero, Hansen, Clark, Jamnick, Lipsey, Schermesser, Wojno, McConico, Thomas, Zelenko, Minore and Rich Brown offered the following resolution:

**House Resolution No. 530.**

A resolution to express concern over the reported reorganization of the Department of Environmental Quality and to urge the governor to make no changes in the department.

Whereas, A significant reorganization has been proposed for the Department of Environmental Quality. The department's director, citing several retirements in key positions, has put forth a plan to restructure this agency, which is the principal state unit charged with safeguarding our water, air, land, and fish and wildlife resources; and

Whereas, Environmental groups and many individual citizens have expressed great concerns over the proposal. These concerns center on fears that the reorganization will jeopardize the effectiveness of programs in place to protect public health and our natural resources. Some have expressed specific objections to the proposed shifting of wetlands protection to the Geological and Land Management Division, moving all toxicologists to the new Environmental Science and Services Division, and the elimination of the Environmental Assistance Division; and

Whereas, Since its creation in 1921 as the Department of Conservation, the agency has sought and incorporated public input and participation on major decisions that could influence the environment. In contrast, this proposed reorganization, announced in July, has been subject to no public comment or review. To make such decisions without the support of key individuals and groups is poor policy, especially when the potential impact is so large; now, therefore, be it

Resolved by the House of Representatives, That we express concern over the reported reorganization of the Department of Environmental Quality and urge the governor to make no changes in the department; and be it further

Resolved, That copies of this resolution be transmitted to the Department of Environmental Quality and the Office of the Governor.

The resolution was referred to the Committee on House Oversight and Operations.

Reps. Mead, Neumann, Cassis, Stamas, Hager, Toy, Birkholz, Shulman, Pappageorge, Voorhees, Kooiman, Koetje, Richner, Shackleton, DeVuyst, Julian, Kuipers, Gosselin, Meyer, Van Woerkom, Faunce, Drolet, Vander Roest, Lemmons, Cameron Brown, Richardville, Ehardt, Murphy, Stewart, Tabor, Palmer, Bishop, Scranton, Spade, Hansen, Gielegem, Jamnick, Anderson, Lipsey, Schermesser, Basham, Wojno, Bovin, Thomas, Zelenko, Switalski, Kolb, Minore, Durhal Jr and Rich Brown offered the following resolution:

**House Resolution No. 531.**

A resolution memorializing fallen firefighters and urging state office buildings to lower their American flag to half-staff during the National Fallen Firefighters Memorial Service in Washington, D.C.

Whereas, Approximately 1,200,000 men and women comprise the American fire and emergency service. The fire and emergency service is considered one of the most dangerous jobs in the United States; and

Whereas, Fire and emergency service personnel respond to over 16 million emergency calls annually, without reservation and with little regard for their personal safety. They are the first to respond to an emergency, whether it involves a fire, medical emergency, spill of hazardous materials, natural disaster, act of terrorism, or a transportation accident; and

Whereas, Approximately one-third of all active fire and emergency personnel suffer debilitating injuries annually and approximately 100 die annually in the line of duty; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body memorialize fallen firefighters and urge state office buildings to lower their American flag to half-staff during the National Fallen Firefighters Memorial Service in Washington, D.C.

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. Reeves, Neumann, Cassis, Hager, Birkholz, Shulman, Pappageorge, Voorhees, Richner, DeVuyst, Julian, Van Woerkom, Faunce, Vander Roest, Lemmons, Hale, Richardville, Ehardt, Murphy, Stewart, Bishop, Scranton, Bernero, Spade, Hansen, Clark, Gielegem, Jamnick, Anderson, Lipsey, Schermesser, Basham, Wojno, McConico, Thomas, Zelenko, Switalski, Kolb, Waters, Quarles, Minore, Durhal Jr and Rich Brown offered the following resolution:

**House Resolution No. 532.**

A resolution honoring the life of the Honorable Brenda M. Scott.

Whereas, It is with a strong sense of admiration for all of the sacrifices she has made on behalf of the people of Detroit that we salute the late Honorable Brenda M. Scott. Her unexpected death marks the end of an era of effectiveness and efficiency in her public service as a City Councilwoman. We acknowledge this conscientious individual and her family with gratitude and confidence that Detroit will long benefit from her service; and

Whereas, In the 9 years since Honorable Brenda M. Scott was first elected to the City Council, the people of Detroit have appreciated the dedication and belief in this community's future that marked all elements of her work. At a time in our history in which local officials face many challenges and changes, the late Honorable Brenda M. Scott responded with energy and a heartfelt concern for the citizens, businesses, and institutions of Detroit; and

Whereas, The Honorable Brenda M. Scott will be remembered for the difficult tasks that had fallen to her as well as her valuable insights into the complexity of our system of self-government. With all that she has given to the people of Detroit, her loved ones can take a great deal of personal pride and satisfaction; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body honor the life of the Honorable Brenda M. Scott. May God continue to strengthen her family, friends, and loved ones during this time of bereavement; and be it further

Resolved, That a copy of this resolution be transmitted to the Honorable Brenda M. Scott's family as a token of our esteem.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Spade, Neumann, Hager, Vander Roest, Lemmons, Cameron Brown, Richardville, Murphy, Bernero, Gielegem, Jamnick, Lipsey, Schermesser, Basham, Wojno, McConico, Bovin, Zelenko, Waters, Minore, Durhal Jr and Rich Brown offered the following resolution:

**House Resolution No. 533.**

A resolution to urge the Michigan Civil Service Commission to rescind its recent requirement that all new hires must use electronic funds transfer to receive their pay.

Whereas, The Michigan Civil Service Commission recently adopted a rule that provides that all new employees hired by the state can only receive their paycheck in electronic format. Contrary to current policies, which have been in place for many years, state employees who join the state work force will not have the option of receiving all or part of their wages in a traditional check. The new requirement, Rule 5-15, effectively reduces the flexibility for workers and their families; and

Whereas, While many people who work for the state, like employees elsewhere, already utilize the electronic transfer option, there are many others who have serious concerns with electronic transfers. Reports of identity theft and computer crimes are worrisome to many who do not feel comfortable with what they feel is an unnecessary risk to their paycheck. Other workers may choose not to sign up for electronic payroll deposit because they want the added flexibility a paper check provides them when they do their banking with more than one institution; and

Whereas, Although there are good reasons for the state to promote electronic transfer for wages, it is wrong for the state to provide no option for its workers. The heavy-handed approach represented by the new rule is not needed and is inconsiderate for employees who have serious objections to electronic funds transfer for their paycheck; now, therefore, be it

Resolved by the House of Representatives, That we urge the Michigan Civil Service Commission to rescind its recent requirement that all new hires must use electronic funds transfer to receive their pay; and be it further

Resolved, That copies of this resolution be transmitted to the Civil Service Commission.

The resolution was referred to the Committee on Employment Relations, Training and Safety.

Reps. DeWeese, Hager, Toy, Shulman, Pappageorge, Voorhees, Kooiman, Koetje, Richner, Shackleton, DeVuyst, Julian, Gosselin, Meyer, Van Woerkom, Faunce, Drolet, Vander Roest, Lemmons, Richardville, Ehardt, Murphy, Tabor, Bishop, Scranton, Bernero, Spade, Gielegem, Jamnick, Anderson, Schermesser, Wojno, Bovin, Zelenko, Switalski and Durhal Jr offered the following resolution:

**House Resolution No. 534.**

A resolution congratulating the Greater Lansing Association of Realtors on 95 years of community service and improving the ability for all to purchase real estate.

Whereas, We recognize the Greater Lansing Association of Realtors for its efforts over the past 95 years for extending the privilege of home ownership to many in the Lansing area and for protecting private property rights for all land owners. They have demonstrated excellence in equal rights standards, fair housing practices, dedication to service, and a profound commitment to the community; and

Whereas, The Greater Lansing Association of Realtors has earned the respect and admiration from their state and national organization for its long history of service and professionalism. Their achievements include receiving, numerous times, the Gold Star Banner Award from the National Association of Real Estate Boards. In 1983, the Greater Lansing Association of Realtors took first place for Private Property Week from the National Association of Realtors as well as an award for their 1983 Make America Better Project; and

Whereas; The Greater Lansing Association of Realtors has actively participated in various social causes to better their community. Their organization has been recognized as a leader in the field of equal housing opportunity. In the

early 1960s, the Greater Lansing Association of Realtors was among the first in their field to create a statement of policy forbidding members from discriminating on the basis of race or creed in the housing market. This policy subsequently became the basis for the Voluntary Affirmative Marketing Agreement with HUD. The Association has also raised funds on numerous occasions for Camp Highfields, Council Against Domestic Assault, the Greater Lansing Housing Coalition, and Habitat for Humanity; and

Whereas; The Greater Lansing Association of Realtors has remained consistently innovative and competitive, creating an example for all in their field. They instituted the electronic access of home keys in 1990 and have remained prominent in the use of technology and training to better serve the greater Lansing area; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body congratulate the Greater Lansing Association of Realtors on 95 years of community service and improving the ability for all to purchase real estate. We commend the Greater Lansing Association of Realtors for its leadership and efforts in this growing field; and be it further

Resolved, That a copy of this resolution be forwarded to the Greater Lansing Association of Realtors, as evidence of our acclamation

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. DeWeese, Middaugh, Hager, Toy, Birkholz, Shulman, Pappageorge, Voorhees, Kooiman, Richner, DeVuyst, Julian, Gosselin, Meyer, Van Woerkom, Faunce, Drolet, Lemmons, Richardville, Ehardt, Murphy, Bernero, Gielegem, Jannick, Basham, Bovin, Zelenko and Durhal Jr offered the following resolution:

**House Resolution No. 535.**

A resolution honoring Tom West upon his retirement.

Whereas, It is with great appreciation of his excellent efforts on behalf of the people of the Great Lakes State that we commend Tom West on the occasion of his retirement from the Office of Governmental Relations. On behalf of his community, colleagues, and staff, we offer our thanks for the time and energy he devoted through the years to the process of governing our state; and

Whereas, Tom West first began his tenure at the Bureau of Workers' and Unemployment Compensation as a student assistant in 1970, bringing with him a diligent work ethic and innovative ideas. His experiences and insights proved to be of vital significance in policy development and helping bring people and organizations together to solve problems with fairness and efficiency. His attention to detail and sensitivity to the needs of this state are deeply appreciated by all who work in the legislative process; and

Whereas, Tom West's record of service with the Bureau of Workers' and Unemployment Compensation committees is marked with many great professional and personal accomplishments. In addition, he has displayed great effectiveness in handling his leadership duties as economic analyst, Unemployment Insurance Research Section supervisor, executive assistant to the director, and most recently, director of governmental relations. Clearly, the people of Michigan have been well served by this diligent and respected leader; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body honor Tom West upon his retirement. He takes with him into retirement a host of memories and institutional knowledge along with the warm wishes of all those fortunate enough to have known him. May his future be filled with more time to enjoy his hobbies, travel, and the company of his family; and be it further

Resolved, That a copy of this resolution be transmitted to Tom West as a token of our appreciation and respect, and as a reflection 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. Patterson, Neumann, Middaugh, Cassis, Hager, Toy, Birkholz, Shulman, Pappageorge, Voorhees, Kooiman, Koetje, Richner, DeVuyst, Julian, Kuipers, Mead, Gosselin, Meyer, Van Woerkom, Faunce, Drolet, Vander Roest, Lemmons, Cameron Brown, Richardville, Ehardt, Tabor, Bishop, Scranton, Spade, Gielegem, Jannick, Schermesser, Basham, Bovin, Zelenko, Switalski and Durhal Jr offered the following resolution:

**House Resolution No. 536.**

A resolution commemorating the week of September 8-14, 2002, as American Heroes Week in the state of Michigan and encouraging academic institutions to educate children about local heroes and role models.

Whereas, On September 11, 2001, and the days that followed, many ordinary Americans showed true heroism by their acts of selflessness, compassion, dedication, courage, and integrity. American Heroes Week is a fitting tribute to the many individuals who displayed altruism, compassion, courage, integrity, dedication, and selflessness during and after the terrorist attacks against the United States which occurred on September 11, 2001. It also commemorates their lives in an inspiring and appropriate way during this period of time in American history; and

Whereas, Many individuals are motivated every day by these traditional American values and have a positive effect on society by encouraging others to act in a similar manner. In communities located throughout Michigan and the United States people embody these values in their daily work, communities, and homes; and

Whereas, Children and adults benefit from learning about individuals in their community who embody values and about what motivates them because children learn and act by examples they experience on a daily basis. They need role models from their local community with whom they can realistically relate; and

Whereas, Inspiring stories about an individual that a child knows or might meet in the community can make a difference in that child's decisions and life. The RARE Foundation, based in Troy, Michigan, has established a program to recognize exceptional people who work in the community and further educate children in the community about such people, and is willing to provide guidance to any community interested in starting such a program; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body commemorate the week of September 8-14, 2002, as American Heroes Week in the state of Michigan and encourage academic institutions to educate children about local heroes and role models. We encourage all communities to adopt programs similar to those adopted by the RARE Foundation to recognize exceptional people who work in the community and further educate children in the community about such people; and be it further

Resolved, That a copy of this resolution be transmitted to the RARE Foundation 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. Meyer, Neumann, Cassis, Hager, Toy, Birkholz, Shulman, Pappageorge, Voorhees, Kooiman, Koetje, Richner, DeVuyst, Julian, Kuipers, Mead, Van Woerkom, Faunce, Vander Roest, Lemmons, Richardville, Ehardt, Murphy, Tabor, Scranton, Spade, Gielegem, Jamnick, Lipsey, Basham, Bovin, Switalski, Minore and Durhal Jr offered the following resolution:

**House Resolution No. 537.**

A resolution designating October 2, 2002, as Aquatic Nuisance Species Awareness Day in Michigan and urging the adoption of Michigan's Aquatic Nuisance Species State Management Plan Update.

Whereas, Michigan's economy depends on its great abundance of freshwater for manufacturing, tourism, fishing, public water supplies, agriculture, and numerous other uses; and

Whereas, The prevention of the introduction of aquatic nuisance species ultimately benefits the state of Michigan. By stopping the introduction of new aquatic nuisance species to begin with, the state of Michigan, business, industry, and citizenry would not need to employ costly methods to control and manage them; and

Whereas, Over 160 nonindigenous aquatic nuisance species have been introduced to the Great Lakes. Species such as the zebra mussel and the sea lamprey, two of the most devastating species introduced, are costing millions of dollars for control efforts; and

Whereas, Michigan has over 3.5 million registered boaters and many other recreational, commercial, and industrial users of over 11,000 lakes and ponds and over 36,000 miles of streams in the state, many of which are impacted by aquatic nuisance species. Aquatic nuisance species awareness is an important first step towards behavior change which prevents the introduction and spread of aquatic nuisance species; and

Whereas, The Aquatic Nuisance Species State Management Plan Update is a fundamental approach to preventing the spread and introduction of aquatic nuisance species in Michigan through multiagency and organization cooperation and coordination. Michigan's Aquatic Nuisance Species State Management Plan Update is an opportunity for government to join forces with business, industry, environmental groups, community organizations, and citizenry at large to take action towards prevention and control of aquatic nuisance species; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body designate October 2, 2002, as Aquatic Nuisance Species Awareness Day in Michigan and urge the adoption of Michigan's Aquatic Nuisance Species State Management Plan Update; and be it further

Resolved, That a copy of this resolution be transmitted to the Michigan Department of Environmental Quality, Michigan Department of Agriculture, Office of the Great Lakes, Great Lakes Commission, International Joint Commission, Michigan Sea Grant, and the Michigan United Conservation Clubs.

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. Richner, Cassis, Hager, Toy, Birkholz, Shulman, Pappageorge, Voorhees, Kooiman, Koetje, Shackleton, DeVuyst, Julian, Kuipers, Mead, Gosselin, Van Woerkom, Faunce, Drolet, Vander Roest, Lemmons, Richardville, Ehardt, Murphy, Bishop, Scranton, Bernero, Spade, Gielegem, Jamnick, Basham, Bovin, Thomas, Zelenko, Switalski, Quarles, Durhal Jr and Rich Brown offered the following resolution:

**House Resolution No. 538.**

A resolution congratulating the Michigan students who participated in the Student Ambassador Program.

Whereas, It is with great pleasure that we commend the teachers, staff, and parents of the students selected as Student Ambassadors for Michigan and the United States. 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 this level of excellence is attributed to a unity of purpose that brings together all the elements of a successful learning environment. By using a team approach, these children dealt effectively with the wide range of influences necessary to prepare them for the challenges of tomorrow; and

Whereas, An integral part of achieving great results is expecting great results and these students proved this theory by accepting nothing less than their best. Clearly, these fortunate students are well along the path to a quality education; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body congratulate the Michigan students who participated in the Student Ambassador Program. We look forward to the continuation of this excellent opportunity; and be it further

Resolved, That a copy of this resolution be transmitted to the Michigan students who participated in the Student Ambassador Program 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, Bovin, Neumann, Cassis, Hager, Birkholz, Shulman, Pappageorge, Kooiman, Koetje, Richner, DeVuyst, Julian, Van Woerkom, Faunce, Drolet, Vander Roest, Lemmons, Richardville, Ehardt, Murphy, Bishop, Bernero, Spade, Gielegem, Jamnick, Anderson, Lipsey, Schermesser, Basham, Wojno, McConico, Thomas, Zelenko, Switalski, Kolb, Waters, Quarles, Minore and Durhal Jr offered the following resolution:

**House Resolution No. 539.**

A resolution honoring Dr. Michael Grossman for receiving the 2002 Family Physician of the Year and for his valuable contributions to the citizens of the Great Lakes State.

Whereas, Dr. Michael Grossman is a practicing physician in Marquette County who goes beyond the call of duty and who has touched countless lives. Due to his exemplary abilities and compassion, he has been named the 2002 Family Physician of the Year by the board of directors of the Michigan Academy of Family Physicians. This is an honor he has truly earned. This designation brings honor to the entire Upper Peninsula community and is appropriate recognition of the excellence demonstrated by Dr. Grossman in every aspect of his work; and

Whereas, Dr. Michael Grossman received his medical degree from the Medical College of Ohio and completed his family practice residency at Saginaw Cooperative Hospitals. He started his practice in the Ishpeming-Negaunee area 22 years ago. He is currently employed by Bell Memorial Hospital and practices at the Teal Lake Medical Center in Negaunee and at Bell Memorial in Ishpeming. He is board certified in family practice and is also the past chief of staff at Bell Memorial Hospital. He resides in Marquette County with his wife Helen, a Negaunee High School chemistry teacher and his two children, Ben and Rachel; and

Whereas, The Marquette County community has long known about the wonderful care Dr. Grossman provides his patients. It is a fitting to recognize Dr. Grossman for his leadership, compassion, and for the respect he shows his patients and their families. There are 1,900 board-certified family care physicians practicing in Michigan. Dr. Grossman is the first Upper Peninsula physician to receive the Family Physician of the Year Award. Dr. Grossman has a

philosophy of not just focusing on the disease a person has, but to look at the whole family situation or all of the circumstances that play a role in the patient's condition. This approach requires Dr. Grossman to be more interactive with his patients; and

Whereas, Dr. Grossman's enthusiasm for medicine is uncontainable and contagious. In recent years he took a leading role with the Janus Project, a physician support group. He was instrumental in acquiring a grant to fund the project and recruited other area physicians from various specialties as well as new residents to commit to this project. It is apparent to all that Dr. Grossman is a compassionate man who cares about his patients, their families, and his community. The Bell Memorial Medical staff and certainly Dr. Grossman's patients appreciate him and his wonderful attitude. We are proud to join with his many admirers in honoring him; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body honor Dr. Michael Grossman for receiving the 2002 Family Physician of the Year Award and for his valuable contributions to the citizens of the Great Lakes State; and be it further

Resolved, That a copy of this resolution be forwarded to him 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. Koetje, Kuipers, VanWoerkom and Kooiman offered the following resolution:

**House Resolution No. 540.**

A resolution to encourage the International Trade Commission to study the effects of steel tariffs on United States companies before the scheduled study in September 2003.

Whereas, In March 2002, the United States enacted a three-year tariff on certain imported steel products, including slab, finished flat products, hot-rolled bar, cold-finished bar, rebar, certain welded tubular products, carbon and alloy fittings and flanges, stainless steel bar, stainless steel rod, stainless steel wire, and tin mill products; and

Whereas, Many Michigan companies that rely on steel for their business have experienced broken contracts, allocation of materials, and immediate price increases of 30 to 50 percent; and

Whereas, The manufacturing of products containing steel, such as automobiles, appliances, and office furniture is an integral part of Michigan's economy; and

Whereas, The inability to obtain steel at a competitive price may cause the loss of critical manufacturing jobs; and

Whereas, The President has asked for anecdotal information regarding the effects of the tariffs on companies throughout the country; and

Whereas, A study by the International Trade Commission would give usable data to the President to determine whether to continue the imposed tariffs; and

Whereas, The International Trade Commission is not required to study the issue until September of 2003; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body encourage the International Trade Commission to conduct an immediate study of the effects of the tariffs on companies throughout the United States of America; and be it further

Resolved, That copies of this resolution be transmitted to the International Trade Commission, the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

The resolution was referred to the Committee on Commerce.

By unanimous consent the House returned to the order of

**Reports of Select Committees**

**First Conference Report**

The Committee of Conference on the matters of difference between the two Houses concerning

**House Bill No. 5467, entitled**

A bill to create the Detroit area regional transportation authority and to transfer certain powers of authorities to continue the suburban mobility authority for regional transportation; to prescribe certain powers and duties of the authorities; to provide for the addition and withdrawal of certain local entities from the authority; to provide for the powers and duties of certain state agencies with respect to the authority; to provide for the issuance of bonds and notes; to provide for the state to guarantee payment of certain claims against the authority and give the state a lien in



satisfaction of payment; to protect the rights of employees of existing public transportation systems; to provide for the pledge of taxes, revenues, assessments, tax levies, and other funds for bond and note payments; to authorize certain local entities to levy property taxes and make special assessments to fulfill their obligations under certain contracts with the authority; and to repeal acts and parts of acts.

Recommends:

First: That the House and Senate agree to the Substitute of the Senate as passed by the Senate, amended to read as follows:

A bill to create the Detroit area regional transportation authority; to transfer certain powers of authorities to the Detroit area regional transportation authority; to provide regional transportation for senior citizens, citizens with disabilities, citizens without the economic means to provide their own personal transportation, and all other citizens; to continue the suburban mobility authority for regional transportation; to prescribe certain powers and duties of the authorities; to provide for the addition and withdrawal of certain local entities from the authority; to provide for the powers and duties of certain state agencies with respect to the authority; to provide for the issuance of bonds and notes; to provide for the state to guarantee payment of certain claims against the authority and give the state a lien in satisfaction of payment; to protect the rights of employees of existing public transportation systems; to provide for the pledge of taxes, revenues, assessments, tax levies, and other funds for bond and note payments; to authorize certain local entities to levy property taxes and make special assessments to fulfill their obligations under certain contracts with the authority; and to repeal acts and parts of acts.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

**ARTICLE I**

Sec. 1. This act shall be known and may be cited as the "Detroit area regional transportation authority act".

Sec. 2. As used in this act:

- (a) "Authority" means the Detroit area regional transportation authority created under this act.
- (b) "Board" means the governing and administrative body of the authority.
- (c) "Chief executive officer" means, with respect to a city, the mayor of the city and, with respect to a county, either the county executive of the county or, for a county not having a county executive, the chairperson of the county board of commissioners. Chief executive officer means, with respect to the authority or SMART, the chief executive officer of the authority or SMART.
- (d) "Comprehensive regional public transportation service plan" means the comprehensive regional public transportation service plan described in section 4(3).
- (e) "Local governmental consortium" means a legal or administrative entity described in section 7 of the urban cooperation act of 1967, 1967 (Ex Sess) PA 7, MCL 124.507, and provided for in an interlocal agreement entered into pursuant to that act between cities, villages, or townships within a county in the region that contains a city with a population of 500,000 or more, and in existence prior to January 1, 2002.
- (f) "Political subdivision" means a county, city, township, village, local governmental consortium, or school district located within the region.
- (g) "Public transportation" means the transportation or conveyance of persons within the region or SMART region by means available to the general public, including, but not limited to, senior citizens, citizens with disabilities, and citizens without the economic means to provide their own personal transportation. Public transportation does not include transportation by automobiles not used for conveyance of the general public as passengers.
- (h) "Public transportation facility" means all property, real and personal, public or private, used for providing public transportation. Public transportation facility includes, but is not limited to, automated guideways, overpasses and skywalks, street railways, buses, tramlines, subways, monorails, rail rapid transit, bus rapid transit, and tunnel, bridge, and parking facilities used in connection with public transportation facilities. Public transportation facility does not include taxis, limousines, state, county, or local roads, highways, ports, airports, motor bus charter services or operations that are not acquired by the authority or SMART, sightseeing services, private intercity bus services, or transportation that is used exclusively for school or church purposes.
- (i) "Region" means Macomb, Monroe, Oakland, Washtenaw, and Wayne counties and those local governmental consortiums, cities, townships, and villages within those counties. Region includes any county or local governmental consortium that becomes a member under section 6. Region does not include any county or local governmental consortium that has withdrawn from the authority under section 5.
- (j) "SMART" means the suburban mobility authority for regional transportation described in section 30.
- (k) "SMART board" means the governing and administrative body of SMART.
- (l) "SMART region" means Oakland, Wayne, Monroe, and Macomb counties and the cities, townships, and villages within those counties. The term does not include any county that has withdrawn from SMART or the cities, townships, or villages within that county.
- (m) "Transit system" means any individual, partnership, corporation, association, municipal corporation, limited liability company, public authority, public benefit agency, unit of government, or any person or entity other than the authority, or SMART that provides public transportation.

## ARTICLE II

Sec. 3. (1) The authority is established, and the initial members of the authority are all counties, cities, townships, and villages within the region.

(2) The authority is an agency and instrumentality of the state and except as provided in this act has all of the powers of a public corporation if exercised for 1 or more of the following purposes:

- (a) Planning public transportation facilities.
- (b) Designing public transportation facilities.
- (c) Constructing public transportation facilities.
- (d) Operating public transportation facilities.
- (e) Administering public transportation facilities.
- (f) Acquiring public transportation facilities.
- (g) Contracting to provide public transportation facilities.
- (h) Maintaining, replacing, improving, and extending public transportation facilities.
- (i) Exercising the powers of a public transportation facility.

(3) The authority shall not have the authority to design, construct, or operate ports or airports. The authority may provide service to and at ports and airports for the purpose of conveying the public to ports and airports.

(4) The authority shall not spend any public funds on political activities.

(5) The authority shall take all reasonable measures to provide regional transportation for senior citizens, citizens with disabilities, and citizens without the economic means to provide their own personal transportation. The authority shall take all reasonable measures to see that regional transportation services for those citizens are the first services provided by the authority and that regional transportation services for those citizens are the last services reduced by the authority if the authority reduces services.

(6) The authority shall take all reasonable measures to provide adequate transportation services to citizens other than senior citizens, citizens with disabilities, or citizens without the economic means to provide their own personal transportation.

Sec. 4. (1) The authority shall provide for public transportation facilities for the region. In providing for public transportation facilities, the authority may exercise the powers enumerated in section 3(2). The authority shall fulfill its obligations under section 3(5), and shall take all reasonable and necessary measures to ensure that it meets its obligations under section 3(5) and (6) in the most cost-effective manner possible.

(2) It is the intent of the legislature that, by October 1, 2002, the board shall become the designated recipient for purposes of receiving federal funds under chapter 53 of title 49 of the United States Code, 49 U.S.C. 5307, 5308, 5309, 5310, 5311, and 5313, and the regulations promulgated under that chapter. As the designated recipient, the board shall apply for federal and state transportation operating and capital assistance grants, and the board may designate the authority, a city with a population of more than 750,000, SMART, and other transit systems not included in a city of more than 750,000 population as subrecipients of federal and state transportation funds. To the extent required by chapter 53 of title 49 of the United States Code, 49 U.S.C. 5307, 5308, 5309, 5310, 5311, and 5313, the board shall execute an agreement conferring on a city with more than 750,000 population, SMART, and other transit systems not included in the city of more than 750,000 population the right to receive and dispense grant funds and containing any other provisions that federal law and regulations require. On behalf of the board, the secretary of the board shall submit in a timely manner the region's application for federal and state transportation funds to the responsible federal and state agencies. The application shall designate the distribution of all capital and operating funds that are paid directly to the authority, a city with a population of more than 750,000, SMART, and the other transit systems not included in a city of more than 750,000 in population. Except as otherwise provided in 1951 PA 51, MCL 247.651 to 247.675, and subject to subsections (5) and (6), if the authority is the recipient of federal or state funds, the chief executive officer of the authority shall remit to a city with a population of more than 750,000, SMART, and the other transit systems not included in the city of more than 750,000 in population their designated distribution of those funds in a manner consistent with the application.

(3) The authority shall develop, implement, and update a comprehensive regional public transportation service plan for providing public transit services in the region. The authority shall present the initial comprehensive regional public transportation service plan to the legislature, the governor, and the state transportation department within 1 year after the selection of the chief executive officer of the authority. In each succeeding year, the authority shall update the comprehensive regional public transportation service plan and present it to the legislature, the governor, and the state transportation department. The comprehensive regional public transportation service plan shall contain all of the following:

- (a) A specific plan for providing regional transportation for senior citizens, citizens with disabilities, and citizens without the economic means to provide their own personal transportation.
- (b) A cost-benefit analysis of the necessity and effectiveness of the proposed plan, including an average cost per mile of services provided and an average cost per rider of services provided.
- (c) An economic impact analysis of the ratio of public dollars expended on public transit services relative to the amount of private dollars invested in the region as a result of public transit services.

(d) A full accounting of all funding sources for the plan and, if any new taxes or special assessments are called for, an analysis of how much each individual taxpayer, participating local municipality, and county will pay versus what they currently pay for mass transit, and an analysis of how much of the tax or special assessment will be returned to the individual taxpayer, local municipality, and county in the form of public transit services.

(e) A discussion of how the plan provides for a fair distribution of services throughout the region.

(f) A discussion of how the specific and identifiable public transportation needs of the region are addressed in the plan.

(g) A discussion of how the plan delivers measurable benefits.

(4) Subject to the availability of funds, the authority shall provide or contract to provide those services that are required for the implementation and execution of the comprehensive regional public transportation service plan. The authority may contract with transportation operators within the region to provide services that the authority considers necessary for implementation and execution of the comprehensive regional public transportation service plan.

(5) This subsection does not apply to any private transit entities that have not contracted with the authority. If the coordination of any of the following functions does not result in the reduction in the number of represented employees employed by SMART or DDOT, the authority shall coordinate all of the following functions between different owners and operators of public transportation facilities within the region relative to transit services:

(a) Service overlap.

(b) Rates.

(c) Routing.

(d) Scheduling.

(e) Any other function that the authority considers necessary to coordinate in order to implement or execute the comprehensive regional transportation service plan.

(6) The authority shall provide notices of its coordination decisions under this section to owners and operators of public transportation facilities in the region. Any owner or operator of a public transportation facility within the region who fails to comply with the authority's notice of coordination decision may be declared ineligible for grant assistance from the authority, and, if the authority declares that the owner or operator is ineligible for grant assistance, shall not receive any transportation operating or capital assistance grants from the authority.

(7) To the extent possible, the authority shall facilitate and encourage connections with other forms of transportation, including, but not limited to, taxicabs.

(8) Within 1 year after the selection of the chief executive officer of the authority, the authority shall present to the legislature, the members of the appropriations committees of the house of representatives and the senate, and the governor its recommendations for legislation to fund the implementation of the comprehensive regional public transportation service plan and for legislation to establish a dedicated funding stream for the authority. The recommendations for legislation shall include an analysis of the availability of funding sources for the dedicated funding stream and the information described in subsection (3).

Sec. 5. (1) Subject to subsection (5), a county in the region with a population of 750,000 or less that chooses not to participate in the authority may withdraw from the authority by a resolution of withdrawal that is approved by a majority vote of the members of the county board of commissioners.

(2) Subject to subsection (5), on January 1, 2005, a county in the region that does not contain a city with a population of more than 750,000, but is a county that has a population of more than 750,000, may withdraw from the authority by meeting both of the following:

(a) Within 60 days, the county board of commissioners by a 2/3 vote adopts a resolution to place the question of withdrawing from the authority on the ballot of the next regularly scheduled November general election in the county. If the county seeking withdrawal under this subsection has an elected executive under 1966 PA 293, MCL 45.501 to 45.521, or 1973 PA 139, MCL 45.551 to 45.573, the county executive may veto the resolution.

(b) A majority of the electorate within each local unit of government within the county approves of the question of withdrawal from the authority at the next regularly scheduled November general election.

(3) Subject to subsection (5), on January 1, 2005, a local governmental consortium may withdraw from the authority by meeting both of the following:

(a) Within 60 days, the governing board of the local governmental consortium by a majority vote adopts a resolution to place the question of withdrawing from the authority on the ballot of the local governmental units in the local governmental consortium.

(b) A majority of the electorate of each local governmental unit within the consortium approves of the question of withdrawal from the authority at the next regularly scheduled November general election.

(4) A county or local governmental consortium that withdraws from the authority shall lose its seat on the board and shall not, except on the unanimous affirmative vote of the board, contract for public transportation services with the authority.

(5) If a county or local governmental consortium elects to withdraw from the authority under this section, both of the following apply:

(a) The county or local governmental consortium shall pay or make provision to pay all of its obligations to the authority. Beginning 60 days after the withdrawing county or local governmental consortium gives notice of its intent to withdraw, the withdrawing county or local governmental consortium shall incur no further obligation to the authority until the withdrawal has been completed. Obligations of a transit system within the withdrawing county or local governmental consortium owed directly to the authority are not obligations of the county or local governmental consortium for purposes of this subsection. After the county or local governmental consortium has withdrawn from the authority, the state transportation department shall reduce the level of state funding to the authority by the amount allocable directly to the withdrawing county or local governmental consortium and transmit those funds directly to the withdrawing county or local governmental consortium.

(b) Any transit system within the withdrawing county or local governmental consortium shall pay or make provision to pay all of its obligations to the authority. After the county or local governmental consortium has withdrawn from the authority, the state transportation department shall reduce the level of state funding to the authority by the amount allocable directly to that transit system and transmit those funds directly to that transit system.

Sec. 6. (1) A county may become a member of the authority if all of the following are met:

(a) Any part of the county is not more than 90 miles from the city limits of a city with a population of more than 750,000.

(b) The county is contiguous to another county that is a member of the authority.

(c) A resolution is adopted by a majority vote of the county board of commissioners of the county requesting membership.

(2) If the county seeking membership under this section has an elected county executive under 1966 PA 293, MCL 45.501 to 45.521, or 1973 PA 139, MCL 45.551 to 45.573, the county executive may veto the resolution. The county board of commissioners for the county seeking membership under this section may override the veto by a 2/3 vote of the county board of commissioners.

Sec. 7. (1) The authority shall be governed by a board that shall consist of the following:

(a) Two members from each city in the region that has a population over 750,000.

(b) Two members from each county in the region that has a population over 750,000 and less than 1,750,000.

(c) One member from each county in the region that has a population of 750,000 or less.

(d) Two members from each county in the region that has a population over 1,750,000 so long as those members are not residents of a city in that county that has a population over 750,000.

(e) One member and 1 alternate from each governmental consortium, selected by a majority vote of its governing board. A member or alternate described in this subdivision is a nonvoting member of the board.

(2) The chief executive officer of each city that is entitled to membership on the board shall select the members to represent the city. The appointment of a board member shall require the concurrence of a majority of the city council. The members that are appointed and approved shall serve on the board at the pleasure of the chief executive officer and can be removed from the board by the chief executive officer at any time. A board member appointed under this subsection shall be a resident of the city that the board member represents.

(3) The chief executive officer of each county that is entitled to membership on the board shall select the member or members to represent the county. The appointment of a board member shall require the concurrence of a majority of the county board of commissioners. The members that are appointed and approved shall serve on the board at the pleasure of the chief executive officer and can be removed from the board by the chief executive officer at any time. A board member appointed under this subsection shall be a resident of the county that the board member represents.

(4) The first board shall be appointed within 30 days after the effective date of this act.

(5) The board shall conduct its first meeting within 60 days after the effective date of this act.

Sec. 8. (1) The board shall do all of the following:

(a) Select and retain a chief executive officer of the authority.

(b) Adopt bylaws and rules and procedures governing the board meetings.

(c) Establish policies to implement day-to-day operation of the authority.

(d) Review and approve the authority's capital and operating budgets to assure that the budgets are reported and administered in accordance with the uniform budgeting and accounting act, 1968 PA 2, MCL 141.421 to 141.440a.

(e) As required by state or federal law to receive or disburse funds to SMART or any transit system in the region, review, or review and approve, the capital or operating budgets of SMART or that transit system.

(f) Conduct an annual audit in accordance with the uniform budgeting and accounting act, 1968 PA 2, MCL 141.421 to 141.440a.

(g) Adopt the comprehensive regional public transportation service plan developed by the authority under section 4.

(h) Develop performance measures of the efficiency and effectiveness of the provision of public transportation services to the region.

(i) Develop and specify uniform data requirements to assess the costs and benefits of public transportation services.

- (j) Formulate procedures for establishing priorities in the allocation of funds for public transportation services.
  - (k) Establish and implement a standardized reporting and accounting system under which transit systems that receive funds directly or indirectly from the authority make quarterly reports on revenues and expenditures and submit annual and proposed budgets to the authority.
    - (l) Establish and implement standards relating to operating efficiency and cost control of transit systems.
    - (m) Establish public transportation policy for the region.
  - (2) Except as otherwise provided in this subsection, the board shall act by a majority vote of its membership that is entitled to vote. A vote for the adoption of bylaws, for the adoption of rules of procedure, or for the transaction of business shall not be effective unless the vote includes at least 1 affirmative vote from a member that represents each city in the authority that has a population of 750,000 or more and at least 1 affirmative vote from each county in the authority immediately contiguous to each city in the authority with a population of 750,000 or more.
  - (3) The board shall meet regularly but not less than quarterly.
  - (4) Except as provided in this subsection, a board member shall not designate another representative to serve in his or her place on the board. Each county and city entitled to membership on the board in the region shall have the ability to appoint 1 alternate to serve if a permanent member is absent from a board meeting. The board shall not engage in proxy voting.
  - (5) The board shall conduct the business that it may perform at meetings held in compliance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275. Public notice of the time, date, and place of the meetings shall be given in the manner required by the open meetings act, 1976 PA 267, MCL 15.261 to 15.275.
  - (6) The board shall appoint a citizens advisory committee that consists of region residents. Forty percent of the committee shall be made up of users of public transportation. At least 25% of the users of public transportation on the committee shall be seniors or persons with disabilities. Two users of public transportation from Wayne county, 2 users of public transportation from Oakland county, 2 users of public transportation from Macomb county, 2 users of public transportation from each city in the authority region that has a population of 750,000 or more, and 1 user of public transportation from each additional member county shall be on the committee. Thirty percent of the committee shall be made up of individuals from organizations representing seniors and persons with disabilities. Thirty percent of the committee shall be made up of individuals representing business, labor, community, and faith-based organizations. The citizens advisory committee shall meet at least on a quarterly basis. The citizens advisory committee may make reports to the board, including recommendations, if any, at each board meeting. The citizens advisory committee shall do all of the following:
    - (a) Review and comment on the comprehensive regional public transportation service plan and all annual updates.
    - (b) Advise the board regarding the coordination of functions between different owners and operators of public transportation facilities within the region.
    - (c) Review and comment on the specialized services coordination plan required by section 10e(4)(c)(i)(A) of 1951 PA 51, MCL 247.660e.
    - (d) Provide recommendations on other matters that concern public transportation in the region.
  - (7) The board shall establish a ridership committee that consists of a representative group of transit system riders who live in the region. The ridership committee shall report their concerns to the board on a regularly scheduled basis.
  - (8) The board may change the name of the authority by a unanimous vote of the members. The board shall notify the state transportation department within 10 days after a name change is implemented.
  - (9) The authority may give assistance to transit systems that are operated within the region by any city or public agency.
  - (10) The board shall employ an independent certified public accounting firm to provide annual financial audits for the authority and to review the audits of SMART and other operators of transit systems that receive funds directly or indirectly from the authority. The cost associated with the audits and reviews required under this subsection shall be the responsibility of the operator of the transit system being audited.
  - (11) The board may elect to become a participating municipality on behalf of all authority employees, including acquired employees under section 17, but only pursuant to section 2c(2) of the municipal employees retirement act of 1984, 1984 PA 427, MCL 38.1502c.
- Sec. 9. The authority may:
- (a) Adopt rules to accomplish the purposes of this act.
  - (b) Plan, acquire, construct, operate, maintain, replace, improve, extend, and contract for transportation facilities within the region. If there is no transit system established or operating public transportation facilities within 10 miles beyond any portion of the region, the authority shall have the powers stated in this subdivision for 10 miles beyond that portion of the region.
  - (c) Acquire and hold, by purchase, lease, grant, gift, devise, bequest, condemnation, or other legal means, real and personal property, including, but not limited to, franchises, easements, and rights-of-way on, under, or above property within the region. If there is no transit system established and operating public transportation facilities within 10 miles beyond any portion of the region, the authority shall have the powers enumerated in this subdivision for 10 miles beyond that portion of the region.

(d) Apply for and accept grants, loans, or contributions from any source. The authority shall use the proceeds of the grants, loans, or contributions solely for the purposes of this act. The authority may do anything within its power to secure the grants, loans, or other contributions.

(e) Sell, lease, or use any property that the authority acquires. For purposes of this subdivision, "use" includes, but is not limited to, the leasing of advertising space and the granting of concessions for the sale of articles or for services.

(f) Grant to public or privately owned utilities the right to use any property that the authority has acquired.

(g) Grant to any other public transportation facility the right to use the property that the authority has acquired.

(h) Contract with, or enter into agreements with, any unit of government including transportation authorities or transit systems located inside or outside the region or private enterprise for service contracts, joint use contracts, and contracts for the construction or operation of any part of the transportation facilities or for any other reason the authority determines is necessary.

(i) Borrow money to finance and perform its powers and duties.

(j) Receive the proceeds of taxes, special assessments, and charges imposed, collected, and returned to the authority under the law.

(k) Exercise all other powers that are necessary, incidental, or convenient for the carrying out of the purposes of this article.

Sec. 10. (1) The authority shall fix rates, fares, tolls, rents, and other charges for the use of public transportation facilities and the services provided by the authority within the region that the authority owns, has contracted for, or operates.

(2) The authority shall give a public notice of its intent to apply for money from the comprehensive transportation fund to the residents of the counties, cities, townships, and villages affected by the local transportation program. The authority shall make the application available for review for 30 days by the residents of the affected counties, cities, townships, and villages. All public comments that the authority receives under this subsection shall be included in its application for comprehensive transportation funds and transmitted to the board and the state transportation department.

(3) The authority shall hold a public meeting annually on the comprehensive regional transportation service plan and all plan updates. The public meeting shall be held before the adoption of the plan or update by the board. A summary of the comments made at the public meeting shall be provided to the board.

(4) The authority shall conduct a public hearing before the implementation of changes to the fares charged for authority services. A transcript of the public hearing shall be transmitted to the board before consideration of proposed fare changes.

Sec. 11. Before any state or federal funds are distributed to the authority, a financial audit of the operations for the fiscal year before the most recently completed fiscal year shall be provided to the department of treasury. The department of treasury may waive this requirement on a temporary basis. Each audit shall be conducted in accordance with sections 6 to 13 of the uniform budgeting and accounting act, 1968 PA 2, MCL 141.426 to 141.433.

Sec. 12. (1) This state guarantees the payment of claims for benefits arising under the worker's disability compensation act of 1969, 1969 PA 317, MCL 418.101 to 418.941, during the time the authority is approved as a self-insured employer if all of the following occur:

(a) The authority ceases to exist or is dissolved.

(b) A successor agency is not created to assume the assets and liabilities and perform the functions of the authority.

(c) The authority is authorized to secure the payment of compensation under section 611(1)(a) of the worker's disability compensation act of 1969, 1969 PA 317, MCL 418.611.

(2) This state shall be entitled to a lien that shall take precedence over all other liens in the amount of all the payment of claims made by this state on behalf of the authority under this section. The lien shall be on the assets of the authority.

Sec. 13. A community or group of communities in the region may create citizen advisory councils to relate concerns to the board on a regularly scheduled basis. Citizen advisory councils shall be composed of members representative of the neighborhoods within the community or group of communities.

Sec. 14. The authority created under this act shall not be dissolved and its powers shall not be diminished except as provided in this act.

Sec. 15. In the exercise of its powers within the region, the authority is exempt from all of the following acts:

(a) The motor carrier act, 1933 PA 254, MCL 475.1 to 479.20.

(b) The motor bus transportation act, 1982 PA 432, MCL 474.101 to 474.141.

(c) The township and village public improvement and public service act, 1923 PA 116, MCL 41.411 to 41.419.

Sec. 16. (1) By March 20, 2003, the board shall select and retain a chief executive officer.

(2) The chief executive officer shall administer the authority in accordance with the comprehensive regional public transportation service plan, the operating budget, the general policy guidelines established by the board, the applicable governmental procedures and policies, and this act. The chief executive officer is responsible for the supervision of all authority employees.

(3) All terms and conditions of the chief executive officer's employment, including length of service, shall be specified in a written contract.

Sec. 17. (1) The authority shall have the right to bargain collectively and enter into agreements with labor organizations.

(2) The authority shall be bound by existing collective bargaining agreements with publicly or privately owned entities that are acquired, purchased, or condemned by the authority. Members and beneficiaries of any pension or retirement system established by the acquired transportation system, and beneficiaries of any of the benefits established by the acquired transportation system shall continue to have rights, privileges, benefits, obligations, and status under the acquired pension or retirement system or benefits. The authority shall assume the obligations of public transportation facilities or transit systems that the authority acquires with regard to all of the following:

- (a) Wages and salaries.
- (b) Hours and working conditions.
- (c) Sick leave and health and welfare benefits.
- (d) Pension or retirement benefits, including retiree health care benefits.

(3) No employee of an acquired transportation system who is transferred to a position with the authority shall, by reason of the transfer, be placed in a worse position with respect to any of the following:

- (a) Worker's compensation.
- (b) Pension.
- (c) Seniority.
- (d) Wages.
- (e) Sick leave.
- (f) Vacation.
- (g) Health and welfare benefits.
- (h) Any other benefits that he or she enjoyed as an employee of the acquired transportation system.

(4) Employees of the acquired transportation system who left the acquired transportation system to enter into military service of the United States shall have the same rights with respect to the authority under 1951 PA 263, MCL 35.351 to 35.356, as they would have had as employees of the acquired transportation system.

(5) For federally funded activities, the authority shall enter into and comply with the arrangements that the U.S. secretary of labor certifies as fair and equitable in compliance with 49 U.S.C. 5333(b).

(6) Before beginning to operate any new transit service or public transportation facility or entering into any contract or other arrangements for the operations of the transit service or public transportation facility, the authority shall extend to the employees providing public transportation services directly for or by contract with the authority, in order of the employee's seniority with the employee's employer, the first opportunity for reasonably comparable employment in any new jobs with respect to the operations for which the employee can qualify after a reasonable training period. The authority shall provide for the first opportunity required under this subsection in any contract to operate a new transit service or public transportation facility. Employers shall comply with all collective bargaining agreements in accordance with the national labor relations act, chapter 372, 49 Stat. 449, and the public employment relations act of 1947, 1947 PA 336, MCL 423.201 to 423.217.

(7) The authority shall contract only with SMART and DDOT for any public transportation or related service that SMART or DDOT offered as of May 22, 2002 unless DDOT or SMART has been declared ineligible for grant assistance under section 4(6) of this act. Nothing in this act requires the authority to provide funds to either DDOT or SMART beyond those received by the authority as the designated recipient under section 4(2).

Sec. 18. (1) The authority shall not levy taxes. Except as otherwise provided in this section, the authority shall not pledge the credit or taxing power of the state or any political subdivision. The authority may pledge the receipts of taxes, special assessments, or charges that the state or a political subdivision collects so long as the receipts of the taxes, special assessments, or charges are returnable and payable by law or contract to the authority. The authority may pledge the pledge of a political subdivision of this state of its full faith and credit in support of its contractual obligations to the authority.

(2) In addition to any other method of financing authorized by law, public transportation facilities may be financed by 1 or more of the following:

- (a) Fares, rates, tolls, and rents.
- (b) Other income or revenue from whatever source available, including, but not limited to, appropriations and contributions and other revenue of the participating counties and political subdivisions in the region.
- (c) Grants, loans, and contributions from federal, state, or other governmental units.
- (d) Grants, contributions, gifts, devises, or bequests from any other source.
- (e) Taxes, special assessments, or charges that are imposed by law and collected by a state or political subdivision and returned or paid to the authority under the law or pursuant to contract.

Sec. 19. (1) The chief executive officer shall prepare and the board shall approve an operating budget and a capital budget for the authority for each fiscal year. Each budget shall be approved by the February 1 immediately preceding the beginning of the fiscal year of the authority.

(2) The chief executive officer shall prepare and the board shall approve a capital program and an operating budget to cover 5 years. The first capital program and operating budgets shall be submitted to the board within 270 days after selection of the chief executive officer of the authority. The chief executive officer shall revise and update the capital program and operating budgets on an annual basis and submit the revised capital program and operating budgets to the board each fiscal year.

(3) The authority shall submit its annual operating and capital budget, financial audits, and construction plans to a regional governmental and coordinating agency if a regional governmental and coordinating agency exists in the region. The submittal shall allow a reasonable time for review and comment.

Sec. 20. (1) Except as otherwise provided in this section and section 21, competitive bids shall be secured before any purchase or sale, by contract or otherwise, is made or before any contract is awarded, or before any contract is renewed, for construction, alteration, supplies, equipment, repairs, maintenance, and the rendering of services to the authority.

(2) Except as otherwise provided in this section, all purchases and sales in excess of \$50,000.00 shall be awarded after advertising in a manner determined by the board and set forth in a written purchasing policy. Bids shall be publicly opened and read aloud at a date, time, and place designated in the invitation to bid. Invitations to bid shall be sent at least 1 week before the bid opening to at least 3 potential bidders who are qualified technically and financially to submit bids, or a memorandum shall be kept on file showing that less than 3 potential bidders who are qualified and responsible exist in the general market area within which it is practicable to obtain quotations.

(3) Except as otherwise provided in this section, written price quotations from at least 3 qualified and responsible vendors shall be obtained for all purchases and sales of \$50,000.00 or less but greater than \$5,000.00, or a memorandum shall be kept on file showing that less than 3 qualified and responsible vendors exist in the market area within which it is practicable to obtain quotations.

(4) Competitive bidding is not required in 1 or more of the following circumstances:

(a) The purchase of unique articles.

(b) The purchase of articles that cannot be obtained in the open market.

(c) Purchases or sales under \$5,000.00.

(d) The rendering of professional services.

(e) An emergency exists that directly and immediately affects service or public health, safety, or welfare and that requires immediate delivery of supplies, materials, equipment, or services as determined under procedures approved and determined by the board.

(5) The board shall expressly approve or deny in advance the purchase of unique articles or articles that cannot be obtained in the open market without competitive bidding if the amount of the purchase in either case is in excess of \$50,000.00.

Sec. 21. Concessions for the sale of products or the rendition of services for a consideration on authority property, and renewal of any of those concessions, shall be awarded by the authority only pursuant to written specifications after competitive bidding to the highest responsible bidder under procedures similar to those required under section 20. The requirement for competitive bidding does not apply to a concession involving the estimated receipt by the authority of less than \$1,000.00 over the period for which the concession is granted.

Sec. 22. (1) The authority may acquire facilities, assets, and rights of existing and operating private or public transportation systems. Except as provided in section 17, no liability, other than for equipment and facilities, shall be assumed or contracted for. Except as otherwise provided in this subsection, the authority shall not be required to comply with any statutory or charter limitations or prerequisites to an acquisition.

(2) If the contract between the authority and the existing and operating private or public transportation system provides only for operation of the existing system by the authority or only for acquisition without consideration, the transaction is not considered a sale of a public utility within any constitutional, statutory, or charter limitation or within any revenue bond ordinance.

(3) If the negotiation between the authority and an existing private or public transportation system does not reach a conclusion, the authority shall notify the owner of the existing private or public transportation system in writing that the matter shall proceed to binding final arbitration under the rules and procedures of the American arbitration association.

Sec. 23. Except as otherwise provided in this section, claims that arise in connection with the authority shall be presented as ordinary claims against a common carrier of passengers for hire. Written notice of any claim based on injury to persons or property shall be served on the authority not later than 60 days after the occurrence that gave rise to the claim. The disposition of the claim shall rest in the discretion of the authority. Claims that may be allowed and final judgment shall be paid from authority funds. Claims against the authority shall only be brought in a court of competent jurisdiction in a county in the region in which the authority principally carries on its functions.

Sec. 24. All counties and other political subdivisions and agencies, public or private, may assist, cooperate with, and contribute services, money, or property in aid of the authority and its purposes.

Sec. 25. The property of the authority and its income and operations are exempt from all taxes of this state or a political subdivision of this state, and the property of the authority is exempt from local zoning.



Sec. 26. Records and other writings prepared, owned, used, in the possession of, or retained by the authority in the performance of an official function shall be available to the public during normal business hours in compliance with the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

Sec. 27. Notwithstanding any other provision of this act, if an emergency financial manager has been appointed for the authority under the local government fiscal responsibility act, 1990 PA 72, MCL 141.1201 to 141.1291, then that emergency financial manager may exercise the authority and responsibilities provided in this act to the extent authorized by the local government fiscal responsibility act, 1990 PA 72, MCL 141.1201 to 141.1291.

Sec. 28. The authority shall prepare and publish a detailed public report and financial statement of its operations at the end of each fiscal year.

Sec. 29. The fiscal year of the authority shall commence October 1 and continue through September 30.

### ARTICLE III

Sec. 30. (1) Beginning October 1, 2002, SMART, established in the metropolitan transportation authorities act of 1967, 1967 PA 204, MCL 124.401 to 124.426, is continued under this article. The chief executive officer of SMART and SMART board serving under that act on October 1, 2002, shall continue as the first chief executive officer of SMART and SMART board under this article. The members of SMART are Oakland, Wayne, Monroe, and Macomb counties.

(2) Subject to subsections (3) and (4), a county with a population of 750,000 or less that chooses not to participate in SMART may withdraw from SMART by a resolution of withdrawal that is approved by a majority vote of the members of the county board of commissioners.

(3) If the county seeking withdrawal under this section has an elected county executive under 1966 PA 293, MCL 45.501 to 45.521, or 1973 PA 139, MCL 45.551 to 45.573, the county executive may veto the resolution. A veto may be overridden by a 2/3 vote of the county board of commissioners from the county seeking to withdraw from SMART.

(4) A county that withdraws from SMART shall lose its seat on the SMART board and shall not, except on the unanimous affirmative vote of the SMART board, contract for public transportation services with SMART.

(5) SMART is an agency and instrumentality of the state and except as provided in this article has all of the powers of a public corporation if exercised for 1 or more of the following purposes:

- (a) Planning public transportation facilities.
- (b) Designing public transportation facilities.
- (c) Constructing public transportation facilities.
- (d) Operating public transportation facilities.
- (e) Administering public transportation facilities.
- (f) Acquiring public transportation facilities.
- (g) Contracting to provide public transportation facilities.
- (h) Maintaining, replacing, improving, and extending public transportation facilities.
- (i) Exercising the powers of a public transportation facility.

(6) If SMART ceases to operate or is dissolved and a successor agency is not created to assume its assets and liabilities, and perform its functions, and if SMART is authorized to secure the payment of compensation under section 611(1)(a) of the worker's disability compensation act of 1969, 1969 PA 317, MCL 418.611, then the state guarantees the payment of claims for benefits arising under the worker's disability compensation act of 1969, 1969 PA 317, MCL 418.101 to 418.941, against SMART during the time they were approved as a self-insured employer. The state shall be entitled to a lien which shall take precedence over all other liens on its portion of the assets of SMART in satisfaction of the payment of claims for benefits under the worker's disability compensation act of 1969, 1969 PA 317, MCL 418.101 to 418.941.

(7) A community or group of communities in the SMART region may create citizens planning and advisory councils to relate their particular concerns to the SMART board on a regularly scheduled basis. These councils shall have memberships representative of the various neighborhoods within those cities.

Sec. 32. (1) The SMART board shall be composed of the chief executive officers of each county in which a city having a population of 750,000 or more is located within the area served by SMART and of all other counties immediately contiguous to that city, and the representative of each chief executive officer to be designated in the sole discretion of, and serve at the sole pleasure of, that chief executive officer. Every county with a population of less than 750,000 that is served by SMART shall have 1 seat on the SMART board. A chief executive officer may designate an alternate to serve in his or her place on the SMART board.

(2) The SMART board by a majority vote shall adopt bylaws and rules of procedure governing its meetings. A majority vote for the adoption of bylaws and rules of procedure and for the transaction of business shall not be effective unless it includes at least 1 vote from each county in which a city having a population of 750,000 or more is located, and at least 1 vote from each county immediately contiguous to that city.

(3) The business of the SMART board shall be conducted at a public meeting of the board held in compliance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275. Public notice of the time, date, and place of the meeting shall be given in the manner required by the open meetings act, 1976 PA 267, MCL 15.261 to 15.275.

(4) Records and other writings prepared, owned, used, in the possession of, or retained by SMART in the performance of an official function shall be available in compliance with the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

(5) SMART may:

(a) Adopt rules to accomplish the purposes of this act.

(b) Plan, acquire, construct, operate, maintain, replace, improve, extend, and contract for transportation facilities within the SMART region. If there is no authority or transit system established or operating public transportation facilities within 10 miles beyond any portion of the SMART region, SMART shall have the powers stated in this subdivision for 10 miles beyond that portion of the SMART region.

(c) Acquire and hold, by purchase, lease, grant, gift, devise, bequest, condemnation, or other legal means, real and personal property, including, but not limited to, franchises, easements, and rights-of-way on, under, or above property within the SMART region. If there is no authority or transit system established and operating public transportation facilities within 10 miles beyond any portion of the SMART region, SMART shall have the powers enumerated in this subdivision for 10 miles beyond that portion of the SMART region.

(d) Apply for and accept grants, loans, or contributions from any source. SMART may use the proceeds of the grants, loans, or contributions for any of the purposes of this act. SMART may do anything within its power to secure the grants, loans, or other contributions.

(e) Sell, lease, or use any property that SMART acquires. For purposes of this subdivision, "use" includes, but is not limited to, the leasing of advertising space and the granting of concessions for the sale of articles or for services.

(f) Grant to public or privately owned utilities the right to use any property that SMART has acquired.

(g) Grant to any other public transportation facility the right to use the property that SMART has acquired.

(h) Contract with any unit of government or private enterprise for service contracts, joint use contracts, and contracts for the construction or operation of any part of the transportation facilities.

(i) Receive the proceeds of taxes, special assessments, and charges imposed, collected, and returned to SMART under the law.

(j) Elect to become a participating municipality for acquired employees under section 34, pursuant to section 2c(2) of the municipal employees retirement act of 1984, 1984 PA 427, MCL 38.1502c.

(k) Exercise all other powers that are necessary, incidental, or convenient for the carrying out of the purposes of this article.

(6) SMART shall not spend any public funds on political activities.

(7) SMART shall take all reasonable measures to provide regional transportation for senior citizens, citizens with disabilities, and citizens without the economic means to provide their own personal transportation. SMART shall take all reasonable measures to see that regional transportation services for those citizens are the first services provided by SMART and that regional transportation services for those citizens are the last services reduced by SMART if SMART reduces services.

(8) SMART may provide adequate transportation services to citizens other than senior citizens, citizens with disabilities, or citizens without the economic means to provide their own personal transportation only to the extent it does not impair or preclude SMART's obligations under subsection (7).

Sec. 33. The SMART board shall do all of the following:

(a) Adopt bylaws and rules and procedures governing the SMART board meetings.

(b) Establish or continue broad policies to implement day-to-day operation of SMART.

(c) Review and approve the capital and operating budgets of SMART to assure that the budgets are reported and administered in accordance with the uniform budgeting and accounting act, 1968 PA 2, MCL 141.421 to 141.440a.

(d) Conduct an annual audit in accordance with the uniform budgeting and accounting act, 1968 PA 2, MCL 141.421 to 141.440a.

(e) Employ a general manager of SMART.

Sec. 34. (1) The SMART board shall appoint a general manager who shall be the chief executive and operating officer of SMART. The general manager shall have management of the properties and business of SMART and its employees. He or she shall direct the enforcement of all resolutions, rules, and regulations of the SMART board, and shall enter into contracts as necessary under the general control of the SMART board. The general manager shall serve at the pleasure of the SMART board.

(2) The general manager shall have the authority to appoint officers, employees, and agents necessary to carry out the purposes of SMART under the general policy direction of the SMART board. The general manager shall classify all the offices, positions, and grades of regular employment required under a merit rating system; except that a maximum of 5% of the employees and officers shall be exempt from the provisions of the merit rating system.

Sec. 35. (1) The general manager shall prepare and the SMART board shall approve a separate operating and capital budget for each fiscal year. These budgets shall be approved at least 30 days before the beginning of each new fiscal year. In addition, capital program and operating budgets shall be prepared to cover periods of 5 years. These shall be revised and updated annually before submission to the SMART board.

(2) SMART shall submit its annual operating and capital budget, financial audits, and construction plans to the authority, far enough in advance of any final approval requirement for the board to have a reasonable time for review, comments, and revision.

Sec. 36. SMART may not levy taxes nor may it pledge the credit or taxing power of the state or any political subdivision except for the pledging of receipts of taxes, special assessments, or charges collected by the state or a political subdivision and returnable or payable by law or by contract to SMART and except for the pledge by a political subdivision of the state of its full faith and credit in support of its contractual obligations to SMART as authorized by law. Transportation facilities shall be financed, in addition to other methods of financing provided by law, by 1 or more of the following methods:

(a) By fares, rates, tolls, and rents.

(b) By other income or revenues from whatever source available, including appropriations or contributions of whatever nature or other revenues of the participating counties and political subdivisions within the geographical boundaries of SMART.

(c) By loans from any public agency and grants, contributions, gifts, devises, or bequests from any source.

(d) By proceeds of taxes, special assessments, or charges imposed pursuant to law and collected by the state or a political subdivision and returned or paid to SMART pursuant to law or contract.

Sec. 37. All claims that may arise in connection with SMART shall be presented as ordinary claims against a common carrier of passengers for hire. Written notice of any claim based upon injury to persons or property shall be served upon SMART no later than 60 days from the occurrence through which such injury is sustained. Disposition of the claim shall rest in the discretion of SMART, and all claims that may be allowed and final judgment obtained shall be paid from SMART funds. Only the courts located in the counties in which SMART principally carries on its function are the proper counties in which to commence and try action against SMART.

Sec. 38. (1) SMART may fix rates, fares, tolls, rents, and other charges for the use of public transportation facilities and the services provided by SMART within the SMART region.

(2) SMART shall give a public notice of its intent to apply for money from the comprehensive transportation fund to the residents of the counties, townships, villages, and cities affected by the local transportation program and shall make its application available for a period of 30 days. All comments received by SMART shall be transmitted to the board, the SMART board, and the state transportation department along with the application for funds.

(3) SMART shall conduct a public hearing before the SMART board implements changes to the fares charged for the services provided by SMART. A transcript of the public hearing shall be transmitted to the SMART board before the consideration of the fare changes.

Sec. 39. (1) SMART may borrow money and issue bonds to finance and to carry out its powers and duties. The bonds shall be payable from and may be issued in anticipation of payment of the proceeds of any of the methods of financing as may be provided by law. A political subdivision within the geographical boundaries of SMART may contract to make payments, appropriations, or contributions to SMART of the proceeds of taxes, special assessments, or charges imposed and collected by the political subdivision or out of any other funds legally available and may pledge its full faith and credit in support of its contractual obligation to SMART. The contractual obligation shall not constitute an indebtedness of a political subdivision within a statutory or charter debt limitation. If SMART has issued bonds in anticipation of payments, appropriations, or contributions to be made to SMART pursuant to contract by a political subdivision having the power to levy and collect ad valorem taxes, the political subdivision may obligate itself by the contract, and thereupon may levy a tax on all taxable property in the political subdivision, which tax as to rate or amount will be as provided in section 6 of article IX of the state constitution of 1963 for contract obligations in anticipation of which bonds are issued, to provide sufficient money to fulfill its contractual obligation to SMART.

(2) The bonds of SMART shall be issued and sold in compliance with the revised municipal finance act, 2001 PA 34, MCL 141.2101 to 141.2821, except that the bonds may be issued for any period of years, not exceeding 40 years.

(3) A political subdivision may advance or deliver property to SMART to finance or carry out its powers and duties. SMART may agree to repay the advances or pay for the property within a period not exceeding 10 years, from the proceeds of its bonds or from other funds legally available to SMART, with or without interest as may be agreed to at the time of advance or repayment. The obligation of SMART to make the payment or repayment may be evidenced by a contract or note that may pledge the full faith and credit of SMART. The contract or note that is evidence of SMART's obligation shall not be an obligation under the revised municipal finance act, 2001 PA 34, MCL 141.2101 to 141.2821.

(4) A political subdivision desiring to enter into a contract under subsection (1) shall authorize, by resolution of its governing body, the execution of the contract, which resolution shall be published in a newspaper of general circulation within the political subdivision, and the contract may be executed without a vote of the electors on the contract upon the expiration of 90 days after the date of the publication unless, within the 90-day period, a petition signed by not less than 5% of the registered electors residing within the limits of the political subdivision is filed with the clerk of the political subdivision requesting a referendum upon the execution of the contract, and in that event the contract shall not be executed until approved by the vote of a majority of the electors of the political subdivision

qualified to vote and voting on the contract at a general or special election to be held not more than 90 days after the filing of the petition.

(5) If the bonds or notes sold by SMART involve the pledge or use of state collected or administered funds, SMART shall seek the approval of the board and the state transportation commission.

(6) Notwithstanding any other provision of this section, SMART shall not issue bonds, nor use the revenues of the sale of bonds, for the construction, reconstruction, maintenance, or operation of a subway unless approved by concurrent resolution by the legislature.

Sec. 40. In the exercise of its powers within the SMART region, SMART is exempt from all of the following acts:

(a) The motor carrier act, 1933 PA 254, MCL 475.1 to 479.20.

(b) The motor bus transportation act, 1982 PA 432, MCL 474.101 to 474.141.

(c) The township and village public improvement and public service act, 1923 PA 116, MCL 41.411 to 41.419.

Sec. 41. (1) SMART shall have the right to bargain collectively and enter into agreements with labor organizations.

(2) SMART shall be bound by existing collective bargaining agreements with publicly or privately owned entities that are acquired, purchased, or condemned by SMART. Members and beneficiaries of any pension or retirement system established by the acquired transportation system, and beneficiaries of any of the benefits established by the acquired transportation system shall continue to have rights, privileges, benefits, obligations, and status under the acquired pension or retirement system or benefits. SMART shall assume the obligations of public transportation facilities or transit systems that SMART acquires with regard to all of the following:

(a) Wages and salaries.

(b) Hours and working conditions.

(c) Sick leave and health and welfare benefits.

(d) Pension or retirement benefits, including retiree health care benefits.

(3) No employee of an acquired transportation system who is transferred to a position with SMART shall, by reason of the transfer, be placed in a worse position with respect to any of the following:

(a) Worker's compensation.

(b) Pension.

(c) Seniority.

(d) Wages.

(e) Sick leave.

(f) Vacation.

(g) Health and welfare benefits.

(h) Any other benefits that he or she enjoyed as an employee of the acquired transportation system.

(4) Employees of the acquired transportation system who left the acquired transportation system to enter into military service of the United States shall have the same rights with respect to SMART under 1951 PA 263, MCL 35.351 to 35.356, as they would have had as employees of the acquired transportation system.

(5) For federally funded activities, SMART shall enter into and comply with the arrangements that the U.S. secretary of labor certifies as fair and equitable in compliance with 49 U.S.C. 5333(b).

(6) Before beginning to operate any new transit service public transportation facility or entering into any contract or other arrangements for the operations of the transit service or public transportation facility, the authority shall extend to the employees providing public transportation services directly for or by contract with the SMART, in order of the employee's seniority with the employee's employer, the first opportunity for reasonably comparable employment in any new jobs with respect to the operations for which the employee can qualify after a reasonable training period. SMART shall provide for the first opportunity required under this subsection in any contract to operate a new transit service or public transportation facility. Employers shall comply with all collective bargaining agreements in accordance with the national labor relations act, chapter 372, 49 Stat. 449, and the public employment relations act of 1947, 1947 PA 336, MCL 423.201 to 423.217.

Sec. 42. (1) Except as otherwise provided in this section and section 43, competitive bids shall be secured before any purchase or sale, by contract or otherwise, is made or before any contract is awarded for construction, alteration, supplies, equipment, repairs, maintenance, and the rendering of services to SMART.

(2) Except as otherwise provided in this section, all purchases and sales in excess of \$50,000.00 shall be awarded after advertising in a manner determined by the SMART board and set forth in a written purchasing policy. Bids shall be publicly opened and read aloud at a date, time, and place designated in the invitation to bid. Invitations to bid shall be sent at least 1 week before the bid opening to at least 3 potential bidders who are qualified technically and financially to submit bids, or a memorandum shall be kept on file showing that less than 3 potential bidders who are qualified and responsible exist in the general market area within which it is practicable to obtain quotations.

(3) Except as otherwise provided in this section, written price quotations from at least 3 qualified and responsible vendors shall be obtained for all purchases and sales of \$50,000.00 or less but greater than \$5,000.00, or a memorandum shall be kept on file showing that less than 3 qualified and responsible vendors exist in the market area within which it is practicable to obtain quotations.

(4) Competitive bidding is not required in 1 or more of the following circumstances:

(a) The purchase of unique articles.

(b) The purchase of articles that cannot be obtained in the open market.

(c) Purchases or sales under \$5,000.00.

(d) The rendering of professional services.

(e) An emergency exists that directly and immediately affects service or public health, safety, or welfare and that requires immediate delivery of supplies, materials, equipment, or services as determined under procedures approved and determined by the SMART board.

(5) The SMART board shall expressly approve or deny in advance the purchase of unique articles or articles that cannot be obtained in the open market without competitive bidding if the amount of the purchase in either case is in excess of \$50,000.00.

Sec. 43. Concessions for the sale of products or the rendition of services for a consideration on SMART property shall be awarded by SMART only pursuant to written specifications after competitive bidding to the highest responsible bidder under procedures similar to those required under section 42. The requirement for competitive bidding does not apply to a concession involving the estimated receipt by SMART of less than \$1,000.00 over the period for which the concession is granted.

Enacting section 1. This act takes effect October 1, 2002.

Enacting section 2. The metropolitan transportation authorities act of 1967, 1967 PA 204, MCL 124.401 to 124.426, is repealed effective October 1, 2002.

Second: That the House and Senate agree to the title of the bill to read as follows:

A bill to create the Detroit area regional transportation authority; to transfer certain powers of authorities to the Detroit area regional transportation authority; to provide regional transportation for senior citizens, citizens with disabilities, citizens without the economic means to provide their own personal transportation, and all other citizens; to continue the suburban mobility authority for regional transportation; to prescribe certain powers and duties of the authorities; to provide for the addition and withdrawal of certain local entities from the authority; to provide for the powers and duties of certain state agencies with respect to the authority; to provide for the issuance of bonds and notes; to provide for the state to guarantee payment of certain claims against the authority and give the state a lien in satisfaction of payment; to protect the rights of employees of existing public transportation systems; to provide for the pledge of taxes, revenues, assessments, tax levies, and other funds for bond and note payments; to authorize certain local entities to levy property taxes and make special assessments to fulfill their obligations under certain contracts with the authority; and to repeal acts and parts of acts.

Jason Allen  
Patricia Godchaux  
Samuel Buzz Thomas  
Conferees for the House

Bill Bullard, Jr.  
Thaddeus G. McCotter  
Conferees for the Senate

The Speaker announced that under Joint Rule 9 the conference report would lie over one day.

#### **House Bill No. 5651, entitled**

A bill to make appropriations for the state transportation department and certain transportation purposes for the fiscal year ending September 30, 2003; to provide for the imposition of fees; to provide for reports; to create certain funds and programs; to prescribe requirements for certain railroad and bus facilities; to prescribe certain powers and duties of certain state departments and officials and local units of government; and to provide for the expenditure of the appropriations.

(For text of conference report, see House Journal No. 62, p. 2421.)

The Senate has adopted the report of the second Committee of Conference and ordered that the bill be given immediate effect.

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

### **Reports of Standing Committees**

The Committee on Senior Health, Security and Retirement, by Rep. Voorhees, Chair, reported

#### **House Bill No. 4376, entitled**

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 4 (MCL 38.1304), as amended by 1997 PA 143, and by adding section 92.

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 4376** To Report Out:

Yeas: Reps. Voorhees, Woronchak, Cassis, Vear, Williams, Bovin, Spade, Zelenko,  
Nays: None.

## 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, September 17, 2002, at 10:30 a.m.,

Present: Reps. Voorhees, Woronchak, Cassis, Vear, Williams, Bovin, Spade, Zelenko,

Absent: Rep. Kuipers,

Excused: Rep. Kuipers.

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

**Senate Bill No. 554, entitled**

A bill to amend 1974 PA 258, entitled "Mental health code," by amending section 100c (MCL 330.1100c), as added by 1995 PA 290.

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 554** To Report Out:

Yeas: Reps. Ehardt, Ruth Johnson, Rocca, Vander Veen, Woronchak, Neumann, Garza, Hardman, Schauer, Williams,  
Nays: None.

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

**Senate Bill No. 555, entitled**

A bill to amend 1974 PA 258, entitled "Mental health code," (MCL 330.1001 to 330.2106) by adding section 204b.

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 555** To Report Out:

Yeas: Reps. Ehardt, Ruth Johnson, Rocca, Vander Veen, Woronchak, Neumann, Adamini, Garza, Hardman, Schauer, Williams,

Nays: None.

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

**Senate Bill No. 556, entitled**

A bill to amend 1974 PA 258, entitled "Mental health code," by amending section 226 (MCL 330.1226), as amended by 2000 PA 273.

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 556** To Report Out:

Yeas: Reps. Ehardt, Ruth Johnson, Rocca, Vander Veen, Woronchak, Neumann, Adamini, Garza, Hardman, Schauer, Williams,

Nays: None.

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

**Senate Bill No. 557, entitled**

A bill to amend 1974 PA 258, entitled "Mental health code," by amending section 222 (MCL 330.1222), as amended by 1995 PA 290.

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 557** To Report Out:

Yeas: Reps. Ehardt, Ruth Johnson, Rocca, Vander Veen, Woronchak, Neumann, Adamini, Garza, Hardman, Schauer, Williams,

Nays: None.

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

**Senate Bill No. 1119, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16621 (MCL 333.16621), as amended by 2000 PA 160.

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 1119** To Report Out:

Yeas: Reps. Ehardt, Bradstreet, George, Ruth Johnson, Woronchak, Neumann, Adamini, Hardman, Schauer, Williams,

Nays: None.

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

**Senate Bill No. 1337, entitled**

A bill to amend 1974 PA 258, entitled "Mental health code," (MCL 330.1001 to 330.2106) by adding section 232b.

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 1337** To Report Out:

Yeas: Reps. Ehardt, Ruth Johnson, Rocca, Vander Veen, Woronchak, Neumann, Garza, Hardman, Schauer, Williams,

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, September 17, 2002, at 9:00 a.m.,

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

Absent: Rep. Raczkowski,

Excused: Rep. Raczkowski.

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

**House Bill No. 5523, entitled**

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each

classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 10c (MCL 247.660c), as amended by 1990 PA 73.

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 5523** To Report Out:

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

Nays: None.

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

#### **House Bill No. 6162, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding sections 2862 and 2882a.

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 6162** To Report Out:

Yeas: Reps. Allen, Bishop, DeVuyst, Gilbert, Middaugh, Van Woerkom, Vear, Rivet, Kolb, Lemmons, Lipsey, McConico, 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, September 17, 2002, at 9:00 a.m.,

Present: Reps. Allen, Bishop, DeVuyst, Gilbert, Middaugh, Van Woerkom, Vear, Rivet, Kolb, Lemmons, Lipsey, McConico, Waters, Zelenko,

Absent: Reps. Bisbee, Howell, Koetje,

Excused: Reps. Bisbee, Howell, Koetje.



The Committee on Appropriations, by Rep. Shulman, Chair, reported  
**Senate Bill No. 287, entitled**

A bill to make, supplement, and adjust appropriations for capital outlay and certain state departments and agencies for the fiscal year ending September 30, 2002; to implement the appropriations within the budgetary process; to authorize certain land transfers; and to provide for the expenditure of appropriations.

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

#### **SB 287** To Report Out:

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

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, September 17, 2002, at 9:00 a.m.,

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

Absent: Reps. Plakas, Stallworth, Switalski,

Excused: Reps. Plakas, Stallworth, Switalski.

#### Notices

September 5, 2002

Mr. Gary L. Randall, Clerk  
Michigan House of Representatives  
State Capitol Building  
Lansing, Michigan 48913

Dear Mr. Clerk:

Please make note in your records that Representative Gloria Schermesser is removed from the Committee on Insurance and Financial Services and is replaced by Representative Fred Durhal, Jr.

Representative William Callahan is removed from the Committee on Criminal Justice and is replaced by Representative Fred Durhal, Jr.

Thank you for your attention to this matter.

Sincerely,  
Rick Johnson  
Speaker of the House

#### **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, July 10:

**Senate Bill Nos. 1381 1382 1383 1384 1385**

The Clerk announced that the following bills had been printed and placed upon the files of the members, Wednesday, August 14:

<b>House Bill Nos.</b>	<b>6245</b>	<b>6246</b>	<b>6247</b>	<b>6248</b>	<b>6249</b>	<b>6250</b>	<b>6251</b>	<b>6252</b>	<b>6253</b>	<b>6254</b>	<b>6255</b>	<b>6256</b>	<b>6257</b>	<b>6258</b>
	<b>6259</b>	<b>6260</b>	<b>6261</b>	<b>6262</b>	<b>6263</b>	<b>6264</b>	<b>6265</b>							

### **Messages from the Governor**

The following message from the Governor was received August 20, 2002 and read:

#### **EXECUTIVE ORDER No. 2002 - 15**

#### **HOSPITAL ADVISORY COMMISSION**

#### **DEPARTMENT OF COMMUNITY HEALTH**

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

WHEREAS, the health and welfare of Michigan's citizens are of paramount importance, and the state has established a variety of effective programs to assist in meeting the health care needs of Michigan's residents; and

WHEREAS, while these successes have been significant, the federal funding of Medicaid is currently inadequate and Medicaid is one of the largest and fastest growing components of the state budget, making it difficult, if not impossible, to increase funding for other priorities; and

WHEREAS, it is the continuing goal of this administration to encourage our health leaders in Michigan to help achieve our most important health care objectives by volunteering their time, effort, expertise, and service; and

WHEREAS, Michigan's hospitals have an integral role in maintaining the health of individuals served within our complex and comprehensive health care system; and

WHEREAS, the need for fiscal restraint and responsible planning are critical to the prudent management of the state's resources in order to continue to pay for the health care needs of our most vulnerable citizens; and

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 establishment of the Hospital Advisory Commission and the following:

#### **I. DEFINITIONS**

As used herein:

A. The "Commission" means the Hospital Advisory Commission established in this Executive Order.

B. The "Department" means the Department of Community Health, the principal department of state government created by Executive Order 1996-1, being Section 330.3101 of the Michigan Compiled Laws.

#### **II. ESTABLISHMENT OF COMMISSION**

A. The Hospital Advisory Commission is established in the Department of Community Health as an advisory body.

B. The Commission shall be composed of seven (7) members who shall be appointed by the Governor, the majority of whom shall represent geographically distributed non-profit hospital systems in Michigan. The Director of the Department of Community Health and the State Budget Director shall serve as an "ex-officio," non-voting members of the Commission.

C. Except as otherwise provided in this subsection, members of the Commission shall hold office for a term of four (4) years. However, of the members initially appointed, two (2) shall hold office for a term of two (2) years, two (2) shall hold office for a term of three (3) years, and three (3) shall hold office for a term of four (4) years.

D. A vacancy on the Commission shall be filled in the same manner as the original appointment.

E. A member appointed to fill a vacancy created other than by expiration of a term shall be appointed for the unexpired term of the member who he or she succeeds in the same manner as the original appointment. A member may be reappointed for additional terms.

F. 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.

#### **III. CHARGE TO THE COMMISSION**

The Commission is advisory in nature and shall act as a statewide advisory body to assist the Director of the Department in assuring hospital access to health care for the uninsured, underinsured, and the Medicaid population.

A. The Commission shall advise the Director on:

1. Mechanisms to increase patient safety and reduce medical errors for hospital patients.

2. The distribution of state Disproportionate Share Hospital funds and other federal funding for hospitals at the request of the Department Director.

3. Development of a partnership between the state and its hospitals to maximize federal funding opportunities for health care.

4. Mechanisms to promote hiring and retention of nurses and other health personnel considered in short supply.

5. Ways to secure additional funds for statewide programs, including mechanisms to increase Michigan's share of federal Medicaid funds.

6. Mechanisms to partner with the state to reduce pharmaceutical expenses.

B. The Commission shall report within one year of the effective date of this order to the Director on:

1. The effects of Medicare funding for hospitals and the relationship of this funding to the Medicaid program.

2. The effects of rising medical malpractice premiums in the health care industry and advise on mechanisms to reduce hospital and health care system costs and liability.

3. The basis of increased utilization trends for hospital services and recommendations on reducing inappropriate utilization of resources.

C. The Commission shall recommend to the Director:

Mechanisms to allow hospitals to more effectively network with the Life Science Corridor.

2. Methods for hospitals to partner with the state in effective wellness and prevention programs.

#### **IV. OPERATIONS OF THE COMMISSION**

A. The Commission may promulgate bylaws, not inconsistent with law and with this Order, governing its organization, operation, and procedure.

B. 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 the majority vote of its serving members.

C. The Commission shall meet at the call of the chairperson and as may be provided in the bylaws of the commission. Meetings of the Commission may be held at any location within the state of Michigan. The Commission shall meet at least semi-annually and may meet by conference call or teleconference.

D. 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.

E. The Commission may establish one or more subcommittees consisting of Commission members to investigate and analyze specific issues, consistent with the charge to the Commission contained in Section III of this Order. The chair of the Commission, or a member of the Commission designated by the chair, shall be a member of each subcommittee established by the Commission. Subcommittees may recommend proposed actions, plans, comments, formulas, measures, reports, or policies to the Commission, consistent with the Commission's charge. The Commission may adopt, reject, or modify recommendations proposed by subcommittees.

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.

H. Subject to appropriations and other applicable law, the Commission may apply for, receive, and expend monies from a 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 as designated by the Director of the Department.

#### **V. MISCELLANEOUS**

A. 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 or 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.

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

The provisions of this Executive Order shall become effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the state of Michigan this 20th day of August, in the Year of our Lord, Two Thousand Two.

John Engler  
Governor

By the Governor:  
Candice S. Miller  
Secretary of State

The message was referred to the Clerk.

The following message from the Governor was received September 11, 2002 and read:

**EXECUTIVE ORDER**  
**No. 2002 - 16**

**MICHIGAN STATE COUNCIL FOR  
INTERSTATE ADULT OFFENDER SUPERVISION  
DEPARTMENT OF CORRECTIONS**

WHEREAS, the supervision and tracking of adult offenders across state lines is necessary to protect the citizens of the state and to prevent crime; and

WHEREAS, Congress, by enacting the Crime Control Act, being 4 U.S.C. Sec. 112 (1965), authorized and encouraged states to enter into compacts for cooperative efforts and mutual assistance in the prevention of crime; and

WHEREAS, the Interstate Compact for the Adult Offender Supervision empowers states to regulate offenders interstate movement, to provide for effective tracking, supervision and rehabilitation of the offender, and to equitably distribute the costs, benefits, and obligations of the compact among the states; and

WHEREAS, Michigan is a party to the Interstate Compact for Adult Offender Supervision, and the Compact requires Michigan to create a State Council.

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**

As used herein:

A. The "Council" means the Council established by this order.

B. The "Department of Corrections" means the principal department of state government created by Act No. 380 of the Public Acts of 1965, being Section 16.375 of the Michigan Compiled Laws.

C. The "Interstate Commission" means the entity created by the Interstate Compact for Adult Offender Supervision.

D. The "Interstate Compact for Adult Offender Supervision" means the compact entered into by the State of Michigan in Section 2 of Act No. 40 of the Public Acts of 2002, being Section 3.1012 of the Michigan Compiled Laws.

**II. MICHIGAN STATE COUNCIL FOR INTERSTATE ADULT OFFENDER SUPERVISION**

A. The Michigan State Council for Interstate Adult Offender Supervision is hereby created pursuant to Act No. 40 of the Public Acts of 2002, being Section 3.1012 of the Michigan Compiled Laws, within the Department of Corrections as a type II advisory body.

B. The Council shall consist of five (5) members as follows:

1. A representative of the legislature selected by the Legislative Council;

2. A representative of the judiciary selected by the Chief Justice of the Michigan Supreme Court;

3. A representative of the executive branch appointed by the Governor;

4. A representative of crime victims appointed by the Governor; and

5. The compact administrator appointed by the Governor in consultation with the legislature and the judiciary.

C. Appointees shall hold office for a term of four (4) years. However, of the appointees initially appointed, the Governor shall designate one (1) of the Governor's appointees to serve a term of one (1) year and one (1) to serve a term of (3) years, and the representative of the legislature shall serve a term of two (2) years.

D. A vacancy on the Council caused by the expiration of a term or by any other cause of termination of membership on the Council shall be filled in the same manner as the original appointment.

E. An appointee appointed to fill a vacancy created other than by expiration of a term shall be appointed for the unexpired term of the appointee who he or she is to succeed in the same manner as the original appointment. An appointee may be reappointed for additional terms.

**III. CHARGE TO THE COUNCIL**

A. The Council shall appoint the compact administrator as its commissioner to serve on the interstate commission.

B. The Council shall exercise oversight and advocacy concerning Michigan's participation in interstate commission activities, including, but not limited to the development of policies concerning operations and procedures of the compact within the state.

**IV. OPERATIONS OF THE COUNCIL**

A. The compact administrator shall direct the operations of the Council.

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

C. Members of the Council 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 Council shall act by a majority vote of its serving members.

D. The Council shall meet at least annually and at the call of the compact administrator as may be provided in the procedures of the Council. Meetings of the Council may be held at any location within the state of Michigan and may meet by conference call or teleconference.

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

F. Members of the Council shall serve without compensation. Members of the Council 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. Members of the Council shall refer all legal, legislative, and media contacts to the Department of Corrections.

H. The Council shall be staffed by personnel within the Department of Corrections.

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

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

The provisions of this Executive Order shall become effective upon filing.

[SEAL]

Given under my hand and the Great Seal of the state of Michigan this 11th day of September, in the Year of our Lord, Two Thousand Two.

John Engler

Governor

By the Governor:

Candice S. Miller

Secretary of State

The message was referred to the Clerk.

### Communications from State Officers

The following communications from the Secretary of State were received and read:

#### Notices of Filing Administrative Rules

July 8, 2002

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 1:20 P.M. this date, administrative rule (02-07-01) for the Department of Consumer and Industry Services, Director's Office, entitled "*Michigan Elevator Rules*", effective 7 days hereafter.

July 11, 2002

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 2:10 P.M. this date, administrative rule (02-07-02) for the Department of History Arts and Libraries, Mackinac Island State Parks Commission, entitled "*General Rules*", effective 7 days hereafter.

July 30, 2002

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 2:24 P.M. this date, administrative rule (02-07-03) for the Department of Consumer and Industry Services, Director's Office, entitled "*Part 1. General Rules Construction Safety Standards*", effective 7 days hereafter.

July 30, 2002

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 2:26 P.M. this date, administrative rule (02-07-04) for the Department of Consumer and Industry Services, Director's Office, entitled "Nonionizing Radiation", effective 7 days hereafter.

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

The communications were referred to the Clerk.

The following communications from the Department of Consumer and Industry Services were received and read:

August 7, 2002

Pursuant to Section 314 of P.A. 119 of 2001, we are enclosing a copy of the following reports:

<u>Type of Report</u>	<u>Facility</u>	<u>Report #</u>	<u>License #</u>
Approval Study Report	W.J. Maxey Boys Training School Woodland Center		CS470245817
Licensing Study Report	Muskegon Co. Child Haven		CS610201319

This report was performed in compliance with the requirements of P.A. 116 of 1973 as amended, and the Administrative Rules for Child Caring Institutions. The report may also be viewed on our web site at the following address: [http://www.cis.state.mi.us/fast/leg\\_rep.htm](http://www.cis.state.mi.us/fast/leg_rep.htm).

If you have any questions regarding this information, please feel free to contact me at 373-3892.

August 23, 2002

Pursuant to Section 314 of P.A. 119 of 2001, we are enclosing a copy of the following reports:

<u>Type of Report</u>	<u>Facility</u>	<u>Report #</u>	<u>License #</u>
Renewal Approval Report	Academy Hall Residential Care Center		CS390200920
Special Investigation Report	Adrian Training School		CS460200931

This report was performed in compliance with the requirements of P.A. 116 of 1973 as amended, and the Administrative Rules for Child Caring Institutions. The report may also be viewed on our web site at the following address: [http://www.cis.state.mi.us/fast/leg\\_rep.htm](http://www.cis.state.mi.us/fast/leg_rep.htm).

If you have any questions regarding this information, please feel free to contact me at 373-3892.

Sincerely,  
John R. Suckow, C.P.A.  
Director, Finance and Administrative Services

The communications were referred to the Clerk.

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

August 15, 2002

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

Financial Audit of the  
Michigan Liquor Control Commission  
Department of Consumer and Industry Services  
October 1, 1999 through September 30, 2001

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.

The following communication from the Emergency Telephone Service Committee was received and read:

August 30, 2002

In compliance with P.A. 78 of 1999, we are pleased to provide this third annual report of the commercial mobile radio service (CMRS) wireless E9-1-1 surcharge conducted by the Emergency Telephone Service Committee (ETSC).

Sincerely,

Paul Rogers, Chair

The communication was referred to the Clerk.

### Introduction of Bills

Reps. DeRossett, Cassis, Pumford, Ehardt, Meyer and Sheltroun introduced

**House Bill No. 6266, entitled**

A bill to amend 1974 PA 198, entitled "An act to provide for the establishment of plant rehabilitation districts and industrial development districts in local governmental units; to provide for the exemption from certain taxes; to levy and collect a specific tax upon the owners of certain facilities; to impose and provide for the disposition of an administrative fee; to provide for the disposition of the tax; to provide for the obtaining and transferring of an exemption certificate and to prescribe the contents of those certificates; to prescribe the powers and duties of the state tax commission and certain officers of local governmental units; and to provide penalties," by amending section 2 (MCL 207.552), as amended by 2002 PA 280.

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

Reps. Shackleton, Allen, Pumford, DeRossett, Van Woerkom, Meyer, Ehardt, Hager, Stamas and Vander Veen introduced

**House Bill No. 6267, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16105, 16106, 16108, 16128, 16163, 16174, 16186, 16261, 16323, 16608, and 20161 (MCL 333.16105, 333.16106, 333.16108, 333.16128, 333.16163, 333.16174, 333.16186, 333.16261, 333.16323, 333.16608, and 333.20161), section 16106 as amended by 1997 PA 153, section 16108 as amended and section 16323 as added by 1993 PA 80, section 16174 as amended by 1998 PA 227, section 16186 as amended by 2002 PA 441, section 16608 as amended by 1990 PA 216, and section 20161 as amended by 2002 PA 303.

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

Reps. LaSata and Mortimer introduced

**House Bill No. 6268, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 109 (MCL 400.109), as amended by 2000 PA 168.

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

Reps. Shulman and Newell introduced

**House Bill No. 6269, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 561.

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

Rep. Patterson introduced

**House Bill No. 6270, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 233a (MCL 257.233a), as amended by 2000 PA 82.

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

Rep. Patterson introduced

**House Bill No. 6271, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 12c of chapter XVII (MCL 777.12c), as added by 2002 PA 34.

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

Reps. Tabor, Meyer, DeRossett, Toy, Richardville, Patterson, Vander Veen, Shackleton, Mortimer, Voorhees, Ehardt, Caul, Howell, DeWeese, Hummel, Julian, Bisbee, Stamas, Pumford, Bradstreet, Birkholz, Allen and Raczkowski introduced

**House Bill No. 6272, entitled**

A bill to make, supplement, and adjust appropriations for the department of consumer and industry services for the fiscal year ending September 30, 2003; to provide for the expenditure of the appropriations; and to prescribe certain conditions for the appropriations.

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

Rep. Stamas introduced

**House Bill No. 6273, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 224.

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

Reps. Anderson, Bovin, Basham, Lipsey, Wojno, Spade, Clark, Phillips, Bogardus, McConico, Garza, Dennis, Minore, Mans, Toy, Godchaux, Scranton and Waters introduced

**House Bill No. 6274, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 627 (MCL 257.627), as amended by 1990 PA 165.

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

Rep. Hart introduced

**House Bill No. 6275, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1345.

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

Reps. Toy, Cassis, Newell, Ruth Johnson, Birkholz, Palmer, Woronchak, Voorhees, Vander Veen, Richardville, Ehardt, Cameron Brown, Meyer, Van Woerkom, Rocca, Caul, Pappageorge, DeRossett and Kooiman introduced

**House Bill No. 6276, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 20 (MCL 388.1620), as amended by 2001 PA 121.

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

Reps. Woronchak, Cassis, Newell, Toy, Birkholz, Palmer, Ruth Johnson, Voorhees, Vander Veen, Richardville, Ehardt, Cameron Brown, Meyer, Van Woerkom, Rocca, Caul, Pappageorge, DeRossett and Kooiman introduced

**House Bill No. 6277, entitled**

A bill to amend 1993 PA 92, entitled "Seller disclosure act," by amending section 7 (MCL 565.957), as amended by 2000 PA 13.

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

Reps. Birkholz, Cassis, Newell, Palmer, Woronchak, Voorhees, Vander Veen, Richardville, Ehardt, Cameron Brown, Meyer, Van Woerkom, Rocca, Caul, Pappageorge, DeRossett and Kooiman introduced

**House Bill No. 6278, entitled**

A bill to amend 1993 PA 330, entitled "State real estate transfer tax act," by amending section 6 (MCL 207.526), as amended by 2000 PA 203.

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

Reps. Ruth Johnson, Cassis, Newell, Toy, Woronchak, Birkholz, Palmer, Vander Veen, Voorhees, Richardville, Ehardt, Cameron Brown, Meyer, Van Woerkom, Rocca, Caul, Pappageorge, DeRossett and Kooiman introduced

**House Bill No. 6279, entitled**

A bill to amend 1973 PA 186, entitled "Tax tribunal act," by amending sections 35, 37, 43, and 62a (MCL 205.735, 205.737, 205.743, and 205.762a), section 35 as amended by 2000 PA 165, section 37 as amended by 1996 PA 505, and section 43 as amended and section 62a as added by 1994 PA 254.

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



Reps. Cassis, Newell, Vander Veen, Richardville, Caul, Shulman, Vear, Pappageorge, Voorhees, Middaugh and Richner introduced

**House Bill No. 6280, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 21734 (MCL 333.21734), as added by 2000 PA 437, and by adding section 21735.

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

Reps. Cassis, Vander Veen, Van Woerkom, DeRossett, Richardville, Caul, Vear, Pappageorge, Voorhees, Middaugh and Richner introduced

**House Bill No. 6281, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 22209 (MCL 333.22209), as amended by 1993 PA 88.

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

Reps. Cassis, Newell, Toy, Ruth Johnson, Birkholz, Palmer, Woronchak, Voorhees, Vander Veen, Richardville, Ehardt, Meyer, Van Woerkom, Rocca, Caul, Pappageorge, DeRossett and Kooiman introduced

**House Bill No. 6282, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1211, 1211d, and 1211e (MCL 380.1211, 380.1211d, and 380.1211e), section 1211 as amended and section 1211e as added by 1994 PA 258 and section 1211d as amended by 1996 PA 69.

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

Reps. Meyer, Cassis, Newell, Woronchak, Birkholz, Palmer, Ruth Johnson, Voorhees, Vander Veen, Richardville, Ehardt, Cameron Brown, Van Woerkom, Rocca, Caul, Pappageorge, DeRossett and Kooiman introduced

**House Bill No. 6283, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending sections 7cc, 7dd, 7u, 24c, 27d, and 120 (MCL 211.7cc, 211.7dd, 211.7u, 211.24c, 211.27d, and 211.120), sections 7cc, 7dd, and 24c as amended and section 27d as added by 1996 PA 476, section 7u as amended by 1994 PA 390, and section 120 as added by 1995 PA 74.

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

Reps. Ruth Johnson, Birkholz, Palmer, Voorhees, Vander Veen, Richardville, Ehardt, Cameron Brown, Meyer, Shulman, Cassis, Van Woerkom, Rocca, Caul, Pappageorge, DeRossett and Kooiman introduced

**House Bill No. 6284, entitled**

A bill to make, supplement, and adjust appropriations for the department of environmental quality for the fiscal year ending September 30, 2003; to provide for the expenditure of the appropriations; and to prescribe certain conditions for the appropriations.

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

Reps. Richardville, Cassis, Newell, Toy, Ruth Johnson, Voorhees, Vander Veen, Ehardt, Cameron Brown, Meyer, Van Woerkom, Rocca, Pappageorge, DeRossett and Kooiman introduced

**House Bill No. 6285, entitled**

A bill to amend 1992 PA 147, entitled "Neighborhood enterprise zone act," by amending section 9 (MCL 207.779), as amended by 2001 PA 217.

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

Reps. Newell, Cassis, Toy, Ruth Johnson, Woronchak, Birkholz, Palmer, Voorhees, Vander Veen, Richardville, Ehardt, Cameron Brown, Meyer, Van Woerkom, Rocca, Caul, Pappageorge, DeRossett and Kooiman introduced

**House Bill No. 6286, entitled**

A bill to amend 2002 PA 27, entitled "An act to establish procedures for municipalities to designate individual lots or structures as blighting; to purchase or condemn blighting property; to transfer blighting property for development; and to repeal acts and parts of acts," by amending section 2 (MCL 125.2802).

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

Reps. Toy, Stewart, Caul, Bovin, Birkholz, DeWeese, Spade, Vander Veen, Kuipers, Dennis, Vear, Ehardt, Cameron Brown, Meyer, Sheltroun, Faunce, Gielegem, Tabor, Shulman, Pappageorge, Plakas, Rocca, Phillips, Allen and Cassis introduced

**House Bill No. 6287, entitled**

A bill to amend 2001 PA 181, entitled "An act to authorize the board of a school district to award high school diplomas to World War II veterans under certain circumstances; and to prescribe duties and responsibilities of certain state officers and officials," by amending the title and section 1 (MCL 35.341).

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

Reps. Toy, Stewart, Caul, Bovin, Birkholz, DeWeese, Spade, Vander Veen, Kuipers, Dennis, Vear, Ehardt, Meyer, Cameron Brown, Sheltroun, Faunce, Gielegem, Allen, Tabor, Shulman, Pappageorge, Plakas, Rocca, Ruth Johnson, Phillips and Cassis introduced

**House Bill No. 6288, entitled**

A bill to amend 2001 PA 181, entitled "An act to authorize the board of a school district to award high school diplomas to World War II veterans under certain circumstances; and to prescribe duties and responsibilities of certain state officers and officials," by amending the title and section 1 (MCL 35.341).

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

Reps. Toy, Stewart, Caul, Birkholz, DeWeese, Vander Veen, Ehardt, Gielegem, Pappageorge, Faunce, Plakas, Rocca, Phillips, Allen and Cassis introduced

**House Bill No. 6289, entitled**

A bill to amend 1969 PA 287, entitled "An act to regulate pet shops, animal control shelters, and animal protection shelters; to establish uniform procedures and minimum requirements for adoption of dogs, cats, and ferrets; and to prescribe penalties and civil fines and to provide remedies," by amending the title and sections 1, 3, 4, 5, 5a, 9b, and 10 (MCL 287.331, 287.333, 287.334, 287.335, 287.335a, 287.339b, and 287.340), the title and section 1 as amended and section 9b as added by 1997 PA 7 and section 5a as added by 1980 PA 214.

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

Rep. DeWeese introduced

**House Bill No. 6290, entitled**

A bill to regulate political activity; to regulate certain candidates and state officials; to require certain financial statements and reports; to prescribe the powers and duties of certain state departments, state and local officials and employees, and other persons; and to prescribe penalties and provide remedies.

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

Rep. Callahan introduced

**House Bill No. 6291, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 176 (MCL 168.176).

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

Rep. Palmer introduced

**House Bill No. 6292, 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 5o (MCL 28.425o), 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.

Rep. Scranton introduced

**House Bill No. 6293, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 48 (MCL 400.48), as amended by 1996 PA 423.

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

Rep. Wojno introduced

**House Bill No. 6294, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 1021, 1043, 1487, 2529, 2530, 2538, 2950, 2950a, 5073, 5078, and 9947 (MCL 600.1021, 600.1043, 600.1487[1], 600.2529, 600.2530, 600.2538, 600.2950, 600.2950a, 600.5073, 600.5078, 600.9947), section 1021 as amended by 2000 PA 56, section 1043 as added by 1996 PA 388, section 1487 as added by 1996 PA 428, section 2529 as amended by 2001 PA 202, section 2530 as amended by 1996 PA 302, section 2538 as amended by 1999 PA 151, section 2950 as amended by 2001 PA 200, section 2950a as amended by 2001 PA 201, section 5073 as added by 2000 PA 419, section 5078 as added by 2000 PA 420, and section 9947 as amended by 1996 PA 374.

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

Rep. Wojno introduced

**House Bill No. 6295, entitled**

A bill to amend 1974 PA 163, entitled "L.E.I.N. policy council act of 1974," by amending section 4 (MCL 28.214), as amended by 2000 PA 320.

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

Rep. Wojno introduced

**House Bill No. 6296, entitled**

A bill to amend 1941 PA 122, entitled "An act to establish a revenue division of the department of treasury; to prescribe its powers and duties as the revenue collection agency of the state; to prescribe certain powers and duties of the state treasurer; to regulate the importation, stamping, and disposition of certain tobacco products; to create the position and to define the powers and duties of the state commissioner of revenue; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," by amending section 28 (MCL 205.28), as amended by 2000 PA 308.

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

Rep. Wojno introduced

**House Bill No. 6297, entitled**

A bill to amend 1956 PA 205, entitled "The paternity act," by amending sections 4, 7b, 8, 9, 19, and 19a (MCL 722.714, 722.717b, 722.718, 722.719, 722.729, and 722.729a), sections 4 and 9 as amended by 1998 PA 113, section 7b as amended by 1996 PA 308, and sections 8 and 19 as amended and section 19a as added by 1999 PA 157.

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

Rep. Wojno introduced

**House Bill No. 6298, entitled**

A bill to amend 1996 PA 310, entitled "Uniform interstate family support act," by amending sections 308 and 312 (MCL 552.1308 and 552.1312), as amended by 1998 PA 65.

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

Rep. Wojno introduced

**House Bill No. 6299, entitled**

A bill to amend 1985 PA 216, entitled "Interstate income withholding act," by amending sections 3, 5, 6, 7, 9, 10, 10a, 11, and 12 (MCL 552.673, 552.675, 552.676, 552.677, 552.679, 552.680, 552.680a, 552.681, and 552.682), sections 3, 5, and 10 as amended and section 10a as added by 1999 PA 154 and sections 6, 7, and 9 as amended by 1996 PA 11.

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

Rep. Wojno introduced

**House Bill No. 6300, entitled**

A bill to amend 1913 PA 379, entitled "An act to facilitate the collection of alimony and support and maintenance for minor children or for children who are 18 years of age or older ordered to be paid in suits for divorce or separate maintenance," by amending sections 2 and 6 (MCL 552.152 and 552.156), section 2 as amended and section 6 as added by 1999 PA 153.

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

Rep. Wojno introduced

**House Bill No. 6301, entitled**

A bill to amend 1971 PA 174, entitled "Office of child support act," by amending sections 1, 3a, 4b, 6, 7, and 9 (MCL 400.231, 400.233a, 400.234b, 400.236, 400.237, and 400.239), section 1 as amended and sections 6, 7, and 9 as added by 1999 PA 161 and section 3a as amended and section 4b as added by 1998 PA 112.

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

Rep. Wojno introduced

**House Bill No. 6302, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 221 (MCL 257.221), as amended by 1998 PA 64.

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

Rep. Wojno introduced

**House Bill No. 6303, entitled**

A bill to amend 1996 PA 236, entitled "Regulated occupation support enforcement act," by amending section 2 (MCL 338.3432).

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

Rep. Wojno introduced

**House Bill No. 6304, entitled**

A bill to amend 1947 PA 261, entitled "An act to authorize the board of supervisors in each of the counties of this state, now or hereafter having a population of 1,000,000 or more, to provide for and fix the compensation and prescribe the powers and duties of certain officers and employees of such county; and to provide for the deposit of funds by all county officers and officials with the county treasurer," by amending section 4 (MCL 45.454).

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

Rep. Wojno introduced

**House Bill No. 6305, entitled**

A bill to amend 1970 PA 91, entitled "Child custody act of 1970," by amending sections 7, 7a, and 9 (MCL 722.27, 722.27a, and 722.29), section 7 as amended by 2001 PA 108, section 7a as amended by 1996 PA 19, and section 9 as amended by 1999 PA 156.

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

Rep. Wojno introduced

**House Bill No. 6306, entitled**

A bill to amend 1966 PA 138, entitled "The family support act," by amending sections 2, 3, 4, 7, and 8a (MCL 552.452, 552.453, 552.454, 552.457, and 552.458a), section 2 as amended by 2001 PA 111, section 3 as amended by 1985 PA 212, and sections 4 and 7 as amended and section 8a as added by 1999 PA 158.

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

Rep. Wojno introduced

**House Bill No. 6307, entitled**

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," by amending section 419a (MCL 550.1419a), as added by 1995 PA 238.

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

Rep. Wojno introduced

**House Bill No. 6308, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3406h (MCL 500.3406h), as added by 1995 PA 237.

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

Rep. Wojno introduced

**House Bill No. 6309, entitled**

A bill to amend 1972 PA 239, entitled "McCauley-Traxler-Law-Bowman-McNeely lottery act," by amending section 32 (MCL 432.32), as amended by 1996 PA 13.

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

Rep. Wojno introduced

**House Bill No. 6310, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 18a and 55a (MCL 400.18a and 400.55a), section 18a as amended by 1996 PA 12 and section 55a as amended by 1980 PA 251.

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

Rep. Wojno introduced

**House Bill No. 6311, entitled**

A bill to amend 1962 PA 60, entitled "An act to provide for the day parole of prisoners in county jails to permit them to be gainfully employed outside the jail or pursue other activities; to provide for the granting of reductions in terms of imprisonment and the regulation thereof; and to provide for the disposition of earnings from such employment," by amending sections 2, 3, 4, and 6 (MCL 801.252, 801.253, 801.254, and 801.256).

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

Rep. Wojno introduced

**House Bill No. 6312, entitled**

A bill to amend 1952 PA 8, entitled "Revised uniform reciprocal enforcement of support act," by amending the title and sections 3a, 12b, 13, 14, 14a, 17, 18, 29, 30, 31, and 31a (MCL 780.153a, 780.162b, 780.163, 780.164, 780.164a, 780.167, 780.168, 780.179, 780.180, 780.181, and 780.181a), the title and sections 3a, 12b, 13, and 30 as amended by 1990 PA 241, sections 14, 18, and 31a as amended and section 14a as added by 1999 PA 155, and section 17 as amended and sections 29 and 31 as added by 1985 PA 172.

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

Rep. Wojno introduced

**House Bill No. 6313, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 165 (MCL 750.165), as amended by 1999 PA 152.

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

Rep. Wojno introduced

**House Bill No. 6314, entitled**

A bill to amend 1968 PA 293, entitled "An act to establish the status of minors; to define the rights and duties of parents; to establish rights and duties to provide support for a child after the child reaches the age of majority under certain circumstances; and to establish the conditions for emancipation of minors," by amending section 3 (MCL 722.3), as amended by 2001 PA 110.

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

Rep. Wojno introduced

**House Bill No. 6315, entitled**

A bill to amend 1846 RS 84, entitled "Of divorce," by amending sections 15, 23, 24, and 45 (MCL 552.15, 552.23, 552.24, and 552.45), section 15 as amended by 2001 PA 107 and section 23 as amended and section 24 as added by 1999 PA 159.

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

Rep. Wojno introduced

**House Bill No. 6316, entitled**

A bill to amend 1995 PA 239, entitled "Group health plan act," by amending section 7 (MCL 550.1807).  
The bill was read a first time by its title and referred to the Committee on Family and Children Services.

Rep. Wojno introduced

**House Bill No. 6317, entitled**

A bill to amend 1982 PA 294, entitled "Friend of the court act," by amending the title and sections 1, 2, 2a, 3, 4, 4a, 4b, 5, 7, 9a, 11, 12, 13, 17, 17d, 17e, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, and 28 (MCL 552.501, 552.502, 552.502a, 552.503, 552.504, 552.504a, 552.504b, 552.505, 552.507, 552.509a, 552.511, 552.512, 552.513, 552.517, 552.517d, 552.517e, 552.518, 552.519, 552.520, 552.521, 552.522, 552.523, 552.524, 552.525, 552.526, 552.527, and 552.528), the title and sections 23, 24, 25, and 26 as amended and sections 4, 4a, and 20 as added by 1996 PA 366, sections 1, 7, 13, and 17d as amended by 1996 PA 144, sections 2 and 18 as amended and section 17e as added by 1998 PA 63, section 2a as amended and section 9a as added by 1999 PA 150, sections 3 and 5 as amended and section 28 as added by 1996 PA 365, section 4b as added by 1998 PA 551, section 11 as amended by 1996 PA 266, section 12 as amended by 1996 PA 276, section 17 as amended by 1994 PA 37, and section 19 as amended by 2001 PA 193.

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

Rep. Wojno introduced

**House Bill No. 6318, entitled**

A bill to amend 1982 PA 295, entitled "Support and parenting time enforcement act," by amending the title and sections 2, 3, 3a, 3b, 4, 7, 7a, 9, 10, 11, 13, 14, 15, 17, 19, 24, 24a, 25, 25b, 26, 26a, 26c, 26d, 28, 30, 31, 32, 33, 37, 41, 42, 44, 45, and 48 (MCL 552.602, 552.603, 552.603a, 552.603b, 552.604, 552.607, 552.607a, 552.609, 552.610, 552.611, 552.613, 552.614, 552.615, 552.617, 552.619, 552.624, 552.624a, 552.625, 552.625b, 552.626, 552.626a, 552.626c, 552.626d, 552.628, 552.630, 552.631, 552.632, 552.633, 552.637, 552.641, 552.642, 552.644, 552.645, and 552.648), the title and sections 3, 14, 26, and 26a as amended by 2001 PA 106, sections 2, 9, 37, and 48 as amended by 1999 PA 160, section 3a as amended by 1996 PA 120, section 3b as added by 1996 PA 367, sections 4, 7, 11, 13, 17, 19, 25, 28, 30, 33, 44, and 45 as amended and sections 24a and 25b as added by 1998 PA 334, section 7a as added by 1996 PA 239, section 24 as added by 1985 PA 210, sections 26c and 26d as added by 1995 PA 236, sections 31 and 32 as amended by 2000 PA 442, and sections 41 and 42 as amended by 1996 PA 25.

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

Rep. DeWeese introduced

**House Bill No. 6319, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 2855 (MCL 333.2855), as amended by 1982 PA 3.

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

Rep. Callahan introduced

**House Bill No. 6320, entitled**

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," (MCL 169.201 to 169.282) by adding section 47a.

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

Rep. Minore introduced

**House Bill No. 6321, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 744 and 931 (MCL 168.744 and 168.931), section 744 as amended by 1995 PA 261 and section 931 as amended by 1996 PA 583.

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

Reps. Rich Brown, Adamini and Bovin introduced

**House Bill No. 6322, entitled**

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each

classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 1a (MCL 247.651a).

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

Rep. Hummel introduced

**House Bill No. 6323, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 1204 (MCL 339.1204), as amended by 1997 PA 97.

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

Rep. Hummel introduced

**House Bill No. 6324, entitled**

A bill to protect and promote children's health; to create the MICHild program; to prescribe the powers and duties of the department of community health; and to prescribe certain duties of certain other state departments, officers, and agencies.

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

Rep. Hummel introduced

**House Bill No. 6325, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 44a (MCL 211.44a), as added by 1993 PA 313.

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

Rep. Hummel introduced

**House Bill No. 6326, entitled**

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding section 409a.

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

Rep. Bisbee introduced

**House Bill No. 6327, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 2409, 2409a, and 2409c (MCL 500.2409, 500.2409a, and 500.2409c), sections 2409 and 2409a as amended by 1993 PA 200 and section 2409c as added by 1986 PA 318.

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

Rep. Middaugh introduced

**House Bill No. 6328, entitled**

A bill to amend 1925 PA 285, entitled "An act to provide for the organization, operation, and supervision of credit unions; to provide for the conversion of a state credit union into a federal credit union or a credit union organized and supervised under the laws of any other state or territory of the United States or any other federally insured depository institution and for the conversion of a federal credit union or a credit union organized and supervised under the laws of any other state or territory of the United States or any other federally insured depository institution into a state credit union; and to provide for the merger of credit unions organized and supervised under the laws of this state, credit unions organized and supervised under the laws of any other state or territory of the United States, and federal credit unions," by amending section 17 (MCL 490.17), as amended by 1992 PA 246.

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

Rep. Hummel introduced

**House Bill No. 6329, entitled**

A bill to amend 1978 PA 232, entitled "An act to permit banks and savings and loan associations to suspend business in the event of an existing or impending emergency; to prescribe the powers and duties of bank and savings and loan association officers and certain state officials; and to declare the legal effect of the suspensions of business authorized by this act," by amending the title and sections 1, 2, 3, 4, 5, and 6 (MCL 487.941, 487.942, 487.943, 487.944, 487.945, and 487.946).

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

Rep. Stallworth introduced

**House Joint Resolution BB, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 8 of article IX, to provide for a tricounty regional sales tax option.

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

Rep. Richardville introduced

**House Joint Resolution CC, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 5 of article XI, to establish a hiring preference for veterans in the classified state civil service.

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

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Rep. Schermesser moved that the House adjourn.

The motion prevailed, the time being 6:55 p.m.

Associate Speaker Pro Tempore Julian declared the House adjourned until Wednesday, September 18, at 2:00 p.m.

GARY L. RANDALL

Clerk of the House of Representatives.