

No. 44
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House Chamber, Lansing, Wednesday, May 23, 2001.

2:00 p.m.

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

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

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

Rev. John Miller, Pastor of the First Congregational Church in Three Oaks, offered the following invocation:

“Gracious and loving God, we are gathered here in a place that is so many things—a place of history, a seat of government, a fellowship and a place of vision. Help us today to see this place as holy ground, a place blessed by You with gifts, abundance, challenges and responses. Help us today to know that You are here in our midst, providing guidance, understanding, peace and strength. Merciful God, the world in which we live and lead relies on our vision—not what we see as much as how we see it. Touch our vision today. May we see the others gathered here as precious and fragile human beings in Your sight. May we approach them with understanding and with the approach we would want for ourselves. May we have a strong vision of our constituents today—those filled with confidence in us and those who challenge our beliefs with their own. May we speak out for those whom we serve. May we speak clearly about needs, desires and dreams that they need to have shared. Great God, who brings order out of chaos, help us to find, understand and nurture a shared vision for our state and its place in the world. Give us eyes to see what can happen here, hearts to share in these tasks, patience to share it together and wonder at Your power and all that is yet to break forth. Give us courage to turn to You in our own weakness and seek Your power and strength in us. With You placed first today, O Lord, we stand together on holy ground, united by our need for all that You offer, humbled by all that You are, and inspired by Your hope and vision for us. May these be the meditations of our hearts today and always. Bless our hearts and the words of our mouths, that they may be acceptable in Your sight, for You are our Rock and our Redeemer. Amen.”

Rep. Jacobs moved that Rep. Rison be excused from today’s session.
The motion prevailed.

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

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

Third Reading of Bills

House Bill No. 4513, entitled

A bill to repeal 1913 PA 184, entitled “An act to regulate the business of selling farm products on commission, providing all commission merchants dealing in farm products shall be licensed, to provide against and punish fraud and deception in the sale of farm products on commission, and defining the duties of the state dairy and food commissioner relative thereto,” (MCL 445.331 to 445.341).

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

Roll Call No. 176

Yeas—105

Adamini	George	Lipsey	Sanborn
Allen	Gielegthem	Lockwood	Schauer
Anderson	Gilbert	Mans	Schermesser
Basham	Godchaux	McConico	Scranton
Bernero	Gosselin	Mead	Shackleton
Birkholz	Hager	Meyer	Sheltrown
Bisbee	Hale	Middaugh	Shulman
Bishop	Hansen	Minore	Spade
Bovin	Hardman	Mortimer	Stallworth
Bradstreet	Hart	Murphy	Stamas
Brown, B.	Howell	Neumann	Stewart
Brown, C.	Jacobs	Newell	Switalski

Brown, R.	Jamnick	O'Neil	Tabor
Callahan	Jansen	Pappageorge	Thomas
Cassis	Jelinek	Patterson	Toy
Caul	Johnson, Rick	Pestka	Van Woerkom
Clark, I.	Johnson, Ruth	Phillips	Vander Roest
Clarke, H.	Julian	Plakas	Vander Veen
Daniels	Kilpatrick	Pumford	Vear
Dennis	Koetje	Quarles	Voorhees
DeRossett	Kolb	Rackowski	Waters
DeVuyst	Kooiman	Reeves	Whitmer
Drolet	Kowall	Richardville	Williams
Ehardt	Kuipers	Richner	Wojno
Faunce	LaSata	Rivet	Woodward
Frank	Lemmons	Rocca	Zelenko
Garza			

Nays—0

In The Chair: Birkholz

The House agreed to the title of the bill.

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

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

House Bill No. 4333, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 5 (MCL 38.1305), as amended by 2000 PA 150.

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

Roll Call No. 177**Yeas—106**

Adamini	Frank	Lemmons	Sanborn
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	Murphy	Stewart
Brown, B.	Hart	Neumann	Switalski
Brown, C.	Howell	Newell	Tabor
Brown, R.	Jacobs	O'Neil	Thomas
Callahan	Jamnick	Pappageorge	Toy
Cassis	Jansen	Patterson	Van Woerkom
Caul	Jelinek	Pestka	Vander Roest
Clark, I.	Johnson, Rick	Phillips	Vander Veen
Clarke, H.	Johnson, Ruth	Plakas	Vear
Daniels	Julian	Pumford	Voorhees
Dennis	Kilpatrick	Rackowski	Waters
DeRossett	Koetje	Reeves	Whitmer

DeVuyst
DeWeese
Drolet
Ehardt
Faunce

Kolb
Kooiman
Kowall
Kuipers
LaSata

Richardville
Richner
Rivet
Rocca

Williams
Wojno
Woodward
Zelenko

Nays—0

In The Chair: Birkholz

The House agreed to the title of the bill.

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

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

House Bill No. 4603, entitled

A bill to amend 1986 PA 255, entitled "Prepaid funeral contract funding act," by amending section 19 (MCL 328.229).

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

Roll Call No. 178

Yeas—106

Adamini
Allen
Anderson
Basham
Bernero
Birkholz
Bisbee
Bishop
Bogardus
Bovin
Bradstreet
Brown, B.
Brown, C.
Brown, R.
Callahan
Cassis
Caul
Clark, I.
Clarke, H.
Daniels
Dennis
DeRossett
DeVuyst
DeWeese
Drolet
Ehardt
Faunce

Frank
Garza
George
Gieleghem
Godchaux
Gosselin
Hager
Hale
Hansen
Hardman
Hart
Howell
Jacobs
Jamnick
Jansen
Jelinek
Johnson, Rick
Johnson, Ruth
Julian
Kilpatrick
Koetje
Kolb
Kooiman
Kowall
Kuipers
LaSata
Lemmons

Lipsey
Lockwood
Mans
McConico
Mead
Meyer
Middaugh
Minore
Mortimer
Murphy
Neumann
Newell
O'Neil
Pappageorge
Patterson
Pestka
Phillips
Plakas
Pumford
Quarles
Raczkowski
Reeves
Richardville
Richner
Rivet
Rocca

Sanborn
Schauer
Schermesser
Scranton
Shackleton
Sheltrown
Shulman
Spade
Stallworth
Stamas
Stewart
Switalski
Tabor
Thomas
Toy
Van Woerkom
Vander Roest
Vander Veen
Vear
Voorhees
Waters
Whitmer
Williams
Wojno
Woodward
Zelenko

Nays—0

In The Chair: Birkholz

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

Rep. Gilbert, under Rule 32(b), made the following statement:

“Mr. Speaker and members of the House:

I did not vote on Roll Call No. 178 because of a possible conflict of interest.”

House Bill No. 4200, entitled

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

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

Roll Call No. 179

Yeas—79

Adamini	Frank	Mans	Schauer
Allen	George	McConico	Schermesser
Anderson	Gielegghem	Mead	Scranton
Basham	Gilbert	Meyer	Shackleton
Bernero	Gosselin	Middaugh	Sheltrown
Birkholz	Hager	Mortimer	Shulman
Bisbee	Hart	Neumann	Spade
Bishop	Howell	Newell	Stamas
Bradstreet	Jansen	O’Neil	Stewart
Brown, B.	Jelinek	Pappageorge	Tabor
Brown, C.	Johnson, Rick	Patterson	Thomas
Brown, R.	Johnson, Ruth	Pestka	Toy
Callahan	Julian	Phillips	Van Woerkom
Cassis	Koetje	Plakas	Vander Roest
Caul	Kooiman	Pumford	Vander Veen
DeRossett	Kowall	Rackowski	Vear
DeVuyst	Kuipers	Richardville	Voorhees
DeWeese	LaSata	Richner	Woodward
Ehardt	Lipsey	Rocca	Zelenko
Faunce	Lockwood	Sanborn	

Nays—26

Bogardus	Godchaux	Kolb	Rivet
Bovin	Hale	Lemmons	Stallworth
Clark, I.	Hansen	Minore	Switalski
Clarke, H.	Hardman	Murphy	Waters
Daniels	Jacobs	Quarles	Whitmer
Dennis	Jamnick	Reeves	Williams
Garza	Kilpatrick		

In The Chair: Birkholz

The House agreed to the title of the bill.

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

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

Reps. Birkholz, Cameron Brown, Cassis, DeRossett, DeWeese, Ehardt, George, Jelinek, Koetje, Kuipers, LaSata, McConico, Mead, Meyer, Middaugh, Pappageorge, Patterson, Pumford, Richner, Rocca, Schauer, Shackleton, Shulman, Vander Roest and Voorhees were named co-sponsors of the bill.

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

The motion prevailed.

Second Reading of Bills

House Bill No. 4610, entitled

A bill to amend 1990 PA 250, entitled "DNA identification profiling system act," by amending section 6 (MCL 28.176), as amended by 2000 PA 30.

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. Faunce moved to amend the bill as follows:

1. Amend page 5, following line 3, by inserting:

"(4) THE COURT SHALL ORDER EACH INDIVIDUAL FOUND RESPONSIBLE FOR OR CONVICTED OF 1 OR MORE CRIMES LISTED IN SUBSECTION (1) TO PAY AN ASSESSMENT OF \$60.00. THE ASSESSMENT REQUIRED UNDER THIS SUBSECTION IS IN ADDITION TO ANY FINE, COSTS, OR OTHER ASSESSMENTS IMPOSED BY THE COURT.

(5) AN ASSESSMENT REQUIRED UNDER SUBSECTION (4) SHALL BE ORDERED UPON THE RECORD, AND SHALL BE LISTED SEPARATELY IN THE ADJUDICATION ORDER, JUDGMENT OF SENTENCE, OR ORDER OR PROBATION.

(6) AFTER REVIEWING A VERIFIED PETITION BY AN INDIVIDUAL AGAINST WHOM AN ASSESSMENT IS IMPOSED, THE COURT MAY SUSPEND PAYMENT OF ALL OR PART OF THE ASSESSMENT IF IT DETERMINES THE INDIVIDUAL IS UNABLE TO PAY THE ASSESSMENT.

(7) THE COURT THAT IMPOSES THE ASSESSMENT PRESCRIBED UNDER SUBSECTION (4) MAY RETAIN 10% OF ALL ASSESSMENTS OR PORTIONS OF ASSESSMENTS COLLECTED FOR COSTS INCURRED UNDER THIS SECTION AND SHALL TRANSMIT THAT MONEY TO ITS FUNDING UNIT. ON THE LAST DAY OF EACH MONTH, THE CLERK OF THE COURT SHALL TRANSMIT THE ASSESSMENTS OR PORTIONS OF ASSESSMENTS COLLECTED AS FOLLOWS:

(A) TWENTY-FIVE PERCENT OF THE ASSESSMENTS OR PORTIONS OF ASSESSMENTS COLLECTED UNDER THIS SECTION TO THE COUNTY TREASURER IN THE COUNTY WHERE THE ASSESSED INDIVIDUAL WAS SENTENCED TO BE USED FOR THE COUNTY SHERIFF.

(B) SIXTY-FIVE PERCENT OF THE ASSESSMENTS OR PORTIONS OF ASSESSMENTS COLLECTED TO THE DEPARTMENT OF TREASURY FOR THE DEPARTMENT'S FORENSIC SCIENCE DIVISION TO DEFRAY THE COSTS ASSOCIATED WITH THE REQUIREMENTS OF DNA PROFILING AND DNA RETENTION PRESCRIBED UNDER THIS ACT.

(8) THE DIRECTOR OF THE DEPARTMENT SHALL ANNUALLY REPORT TO THE STANDING COMMITTEES OF THE SENATE AND HOUSE OF REPRESENTATIVES CONCERNED WITH DNA COLLECTION AND RETENTION ABOUT THE RATE OF SAMPLE COLLECTION BY LAW ENFORCEMENT AGENCIES AND RATE OF COLLECTION OF ASSESSMENTS FROM OFFENDERS AS DESCRIBED IN SUBSECTIONS (4) THROUGH (7)." and renumbering the remaining subsections.

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

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

The motion prevailed.

House Bill No. 4611, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 18k of chapter XIIA (MCL 712A.18k), as amended by 1998 PA 478.

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

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

Rep. Faunce moved to amend the bill as follows:

1. Amend page 4, following line 11, by inserting:

"(3) THE COURT SHALL ORDER EACH INDIVIDUAL FOUND RESPONSIBLE FOR OR CONVICTED OF 1 OR MORE CRIMES LISTED IN SUBSECTION (1) TO PAY AN ASSESSMENT OF \$60.00. THE ASSESSMENT REQUIRED UNDER THIS SUBSECTION IS IN ADDITION TO ANY FINE, COSTS, OR OTHER ASSESSMENTS IMPOSED BY THE COURT.

(4) AN ASSESSMENT REQUIRED UNDER SUBSECTION (3) SHALL BE ORDERED UPON THE RECORD, AND SHALL BE LISTED SEPARATELY IN THE ADJUDICATION ORDER, JUDGMENT OF SENTENCE, OR ORDER OF PROBATION.

(5) AFTER REVIEWING A VERIFIED PETITION BY AN INDIVIDUAL AGAINST WHOM AN ASSESSMENT IS IMPOSED, THE COURT MAY SUSPEND PAYMENT OF ALL OR PART OF THE ASSESSMENT IF IT DETERMINES THE INDIVIDUAL IS UNABLE TO PAY THE ASSESSMENT.

(6) THE COURT THAT IMPOSES THE ASSESSMENT PRESCRIBED UNDER SUBSECTION (3) MAY RETAIN 10% OF ALL ASSESSMENTS OR PORTIONS OF ASSESSMENTS COLLECTED FOR COSTS INCURRED UNDER THIS SECTION AND SHALL TRANSMIT THAT MONEY TO ITS FUNDING UNIT. ON THE LAST DAY OF EACH MONTH, THE CLERK OF THE COURT SHALL TRANSMIT THE ASSESSMENTS OR PORTIONS OF ASSESSMENTS COLLECTED AS FOLLOWS:

(A) TWENTY-FIVE PERCENT OF THE ASSESSMENTS OR PORTIONS OF ASSESSMENTS COLLECTED UNDER THIS SECTION TO THE COUNTY TREASURER IN THE COUNTY WHERE THE ASSESSED INDIVIDUAL WAS SENTENCED TO BE USED FOR THE COUNTY SHERIFF.

(B) SIXTY-FIVE PERCENT OF THE ASSESSMENTS OR PORTIONS OF ASSESSMENTS COLLECTED TO THE DEPARTMENT OF TREASURY FOR THE DEPARTMENT OF STATE POLICE FORENSIC SCIENCE DIVISION TO DEFRAY THE COSTS ASSOCIATED WITH THE REQUIREMENTS OF DNA PROFILING AND DNA RETENTION PRESCRIBED UNDER THE DNA IDENTIFICATION PROFILING SYSTEM ACT, 1990 PA 250, MCL 28.171 TO 28.176.

(7) THE DIRECTOR OF THE DEPARTMENT OF STATE POLICE SHALL ANNUALLY REPORT TO THE STANDING COMMITTEES OF THE SENATE AND HOUSE OF REPRESENTATIVES CONCERNED WITH DNA COLLECTION AND RETENTION ABOUT THE RATE OF SAMPLE COLLECTION BY LAW ENFORCEMENT AGENCIES AND RATE OF COLLECTION OF ASSESSMENTS FROM OFFENDERS AS DESCRIBED IN SUBSECTIONS (3) THROUGH (6)." and renumbering the remaining subsections.

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

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

The motion prevailed.

House Bill No. 4612, entitled

A bill to amend 1953 PA 232, entitled "An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to allow for the operation of certain facilities by private entities; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act," by amending section 33d (MCL 791.233d), as amended by 1996 PA 509.

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

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

Rep. Faunce moved to amend the bill as follows:

1. Amend page 3, following line 7, by inserting:

“(4) AN INDIVIDUAL FOUND RESPONSIBLE FOR OR CONVICTED OF 1 OR MORE CRIMES LISTED IN SUBSECTION (1) SHALL PAY AN ASSESSMENT OF \$60.00. THE DEPARTMENT SHALL TRANSMIT THE ASSESSMENTS OR PORTIONS OF ASSESSMENTS COLLECTED TO THE DEPARTMENT OF TREASURY FOR THE DEPARTMENT OF STATE POLICE FORENSIC SCIENCE DIVISION TO DEFRAY THE COSTS ASSOCIATED WITH THE REQUIREMENTS OF DNA PROFILING AND DNA RETENTION PRESCRIBED UNDER THE DNA IDENTIFICATION PROFILING SYSTEM ACT, 1990 PA 250, MCL 28.171 TO 28.176.” and renumbering the remaining subsections.

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

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

The motion prevailed.

House Bill No. 4698, entitled

A bill to amend 1996 PA 381, entitled “Brownfield redevelopment financing act,” by amending section 15 (MCL 125.2665), as amended by 2000 PA 145.

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

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

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

The motion prevailed.

House Bill No. 4789, entitled

A bill to amend 1980 PA 300, entitled “The public school employees retirement act of 1979,” by amending section 61 (MCL 38.1361), as amended by 1999 PA 68.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Senior Health, Security and Retirement (for amendment, see House Journal No. 43, p. 650),

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

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

The motion prevailed.

Rep. Vander Roest moved that Rep. DeVuyst be excused from the balance of today’s session.

The motion prevailed.

House Bill No. 4448, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 6013 (MCL 600.6013), as amended by 1993 PA 78.

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

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

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

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

Rep. Adamini moved to amend the bill as follows:

1. Amend page 3, line 15, by striking out all of subsection (6) and renumbering the remaining subsections.

2. Amend page 3, line 22, after “A” by inserting “NOTE, BOND, LAND CONTRACT, INSURANCE CONTRACT, WRITTEN WARRANTY, OR A”.

3. Amend page 3, line 25, after “JUDGMENT” by inserting “AT THE RATE OF 12% PER YEAR COMPOUNDED ANNUALLY, UNLESS THE INSTRUMENT SPECIFIES A RATE OF INTEREST. IN THAT CASE, INTEREST SHALL BE CALCULATED”.

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

Rep. Adamini demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 180**Yeas—47**

Adamini	Dennis	Lipsey	Shackleton
Anderson	Frank	Mans	Sheltrown
Basham	Garza	McConico	Spade
Bernero	Gielegthem	Minore	Stallworth
Bogardus	Hale	Neumann	Switalski
Bovin	Hansen	Pestka	Thomas
Brown, B.	Hardman	Phillips	Waters
Brown, R.	Jacobs	Plakas	Williams
Callahan	Jamnick	Reeves	Wojno
Clark, I.	Kilpatrick	Rocca	Woodward
Clarke, H.	Kolb	Schauer	Zelenko
Daniels	Lemmons	Schermesser	

Nays—51

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

In The Chair: Birkholz

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

House Bill No. 4613, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 520m (MCL 750.520m), as amended by 1996 PA 510.

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

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

Rep. Faunce moved to amend the bill as follows:

1. Amend page 5, following line 3, by inserting:

“(6) THE COURT SHALL ORDER EACH PERSON FOUND RESPONSIBLE FOR OR CONVICTED OF 1 OR MORE CRIMES LISTED IN SUBSECTION (1) TO PAY AN ASSESSMENT OF \$60.00. THE ASSESSMENT REQUIRED UNDER THIS SUBSECTION IS IN ADDITION TO ANY FINE, COSTS, OR OTHER ASSESSMENTS IMPOSED BY THE COURT.

(7) AN ASSESSMENT REQUIRED UNDER SUBSECTION (6) SHALL BE ORDERED UPON THE RECORD, AND SHALL BE LISTED SEPARATELY IN THE ADJUDICATION ORDER, JUDGMENT OF SENTENCE, OR ORDER OF PROBATION.

(8) AFTER REVIEWING A VERIFIED PETITION BY A PERSON AGAINST WHOM AN ASSESSMENT IS IMPOSED, THE COURT MAY SUSPEND PAYMENT OF ALL OR PART OF THE ASSESSMENT IF IT DETERMINES THE PERSON IS UNABLE TO PAY THE ASSESSMENT.

(9) THE COURT THAT IMPOSES THE ASSESSMENT PRESCRIBED UNDER SUBSECTION (6) MAY RETAIN 10% OF ALL ASSESSMENTS OR PORTIONS OF ASSESSMENTS COLLECTED FOR COSTS INCURRED UNDER THIS SECTION AND SHALL TRANSMIT THAT MONEY TO ITS FUNDING UNIT. ON THE LAST DAY OF EACH MONTH, THE CLERK OF THE COURT SHALL TRANSMIT THE ASSESSMENTS OR PORTIONS OF ASSESSMENTS COLLECTED AS FOLLOWS:

(A) TWENTY-FIVE PERCENT OF THE ASSESSMENTS OR PORTIONS OF ASSESSMENTS COLLECTED UNDER THIS SECTION TO THE COUNTY TREASURER IN THE COUNTY WHERE THE ASSESSED INDIVIDUAL WAS SENTENCED TO BE USED FOR THE COUNTY SHERIFF.

(B) SIXTY-FIVE PERCENT OF THE ASSESSMENTS OR PORTIONS OF ASSESSMENTS COLLECTED TO THE DEPARTMENT OF TREASURY FOR THE DEPARTMENT OF STATE POLICE FORENSIC SCIENCE DIVISION TO DEFRAY THE COSTS ASSOCIATED WITH THE REQUIREMENTS OF DNA PROFILING AND DNA RETENTION PRESCRIBED UNDER THE DNA IDENTIFICATION PROFILING SYSTEM ACT, 1990 PA 250, MCL 28.171 TO 28.176.

(10) THE DIRECTOR OF THE DEPARTMENT OF STATE POLICE SHALL ANNUALLY REPORT TO THE STANDING COMMITTEES OF THE SENATE AND HOUSE OF REPRESENTATIVES CONCERNED WITH DNA COLLECTION AND RETENTION ABOUT THE RATE OF SAMPLE COLLECTION BY LAW ENFORCEMENT AGENCIES AND RATE OF COLLECTION OF ASSESSMENTS FROM OFFENDERS AS DESCRIBED IN SUBSECTIONS (6) THROUGH (8).” and renumbering the remaining subsection.

The motion prevailed and the amendment 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.

House Bill No. 4614, entitled

A bill to amend 1988 PA 73, entitled “The juvenile facilities act,” by amending section 5a (MCL 803.225a), as amended by 1998 PA 521.

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

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

Rep. Faunce moved to amend the bill as follows:

1. Amend page 4, following line 19, by inserting:

“(5) A JUVENILE FOUND RESPONSIBLE FOR OR CONVICTED OF 1 OR MORE CRIMES LISTED IN SUBSECTION (1) SHALL PAY AN ASSESSMENT OF \$60.00. THE DEPARTMENT SHALL TRANSMIT THE ASSESSMENTS OR PORTIONS OF ASSESSMENTS COLLECTED TO THE DEPARTMENT OF TREASURY FOR THE DEPARTMENT OF STATE POLICE FORENSIC SCIENCE DIVISION TO DEFRAY THE COSTS ASSOCIATED WITH THE REQUIREMENTS OF DNA PROFILING AND DNA RETENTION PRESCRIBED UNDER THE DNA IDENTIFICATION PROFILING SYSTEM ACT, 1990 PA 250, MCL 28.171 TO 28.176.” and renumbering the remaining subsection.

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

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

The motion prevailed.

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

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. DeWeese, Lemmons, LaSata, Spade, Hansen, Bovin, Rivet, Patterson, Richardville, Wojno, Dennis, Bernero, Waters, McConico, Lipsey, Mortimer, Hale, Scranton, Kolb, Adamini, DeRossett, Newell, Jelinek, Julian, Meyer, Schermesser, Switalski, Frank, Jamnick, Thomas, Anderson, Clarke, Schauer, Faunce, Hager, Vander Veen, Shulman, Ruth Johnson, Voorhees, George, Woodward, Jacobs, Van Woerkom, Gosselin, Stewart, Mead, Sanborn, DeVuyst, Kooiman, Bishop, Kilpatrick, Murphy, Caul, Pappageorge, Toy, Birkholz and Vear offered the following resolution:

House Resolution No. 131.

A resolution recognizing May 31, 2001, as World No Tobacco Day.

Whereas, World No Tobacco Day is sponsored by the World Health Organization to call worldwide attention to the impact of tobacco use on the public health. It has been observed annually since 1988 throughout the world; and

Whereas, The mission of the coalition for World No Tobacco Day is to direct attention to the human and economic tolls of the global tobacco epidemic, improve public health by encouraging people not to use tobacco, and motivating users to quit; and

Whereas, The World Health Organization estimates that there are about 1.1 billion smokers in the world, about one-third of the global population aged 15 years and older. More than one million American youth become regular smokers each year, with 12.8% of middle school and 34.8% of high school students currently using some form of tobacco; and

Whereas, Short-term health risks of tobacco use include shortness of breath, increased heart rate, exacerbation of asthma, impotence, infertility, and increased levels of carbon monoxide in the blood. Long-term health risks caused by tobacco use include heart attack, stroke, cancer, and chronic obstructive pulmonary disease; and

Whereas, As a result of the 2000 World No Tobacco Day, awareness of this effort increased by 25% among the total population, 70% among tobacco users, and 17% of those aware of World No Tobacco Day were moved into action such as encouraging someone to quit tobacco use, quitting smoking, or otherwise reducing tobacco use; and

Whereas, The World Health Organization declared second-hand smoke the focal point for 2001 World No Tobacco Day. Second-hand smoke is an established cause of lung cancer in nonsmokers. Exposure to second-hand smoke in the home is a significant cause of respiratory ailments in children and Sudden Infant Death Syndrome; and

Whereas, As recently as 1991, over 90% of the U.S. population, regardless of smoking status, had measurable amounts of a byproduct of cigarette smoke in their bodies, indicating the exposure to second-hand smoke was massive; and

Whereas, The best way to reduce nonsmoker exposure to second-hand smoke, in either public or private places, is to support comprehensive tobacco control programs that reduce youth initiation and promote cessation of smoking among all ages; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body recognize May 31, 2001, as World No Tobacco Day and encourages all Michigan residents to participate by not starting to smoke, attempting to stop smoking, and encouraging others to do the same; and be it further

Resolved, That a copy of this resolution be transmitted to the World Health Organization.

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. Julian, Lemmons, LaSata, Spade, Hansen, Zelenko, Bovin, Rivet, Patterson, Richardville, Wojno, Dennis, Bernero, Waters, McConico, Rich Brown, Lipsey, Minore, Sheltroun, Mortimer, Ehardt, Hale, Scranton, Kolb, Adamini, DeRossett, Newell, Jelinek, Meyer, Schermesser, Switalski, Frank, Jamnick, Hardman, Thomas, Neumann, Anderson, Clarke, Schauer, Mans, Faunce, Hager, Vander Veen, Shulman, Middaugh, Lockwood, Ruth Johnson, Voorhees, George, Raczkowski, Woodward, Jacobs, Van Woerkom, Gosselin, Stewart, Mead, Bisbee, Sanborn, DeVuyst, Kooiman, Bishop, Kilpatrick, DeWeese, Tabor, Murphy, Caul, Pappageorge, Koetje, Toy, Kuipers, Birkholz and Vear offered the following resolution:

House Resolution No. 132.

A resolution proclaiming the week of May 20–26, 2001, as Emergency Medical Services Week in Michigan.

Whereas, Emergency medical services are a vital public service. The members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

Whereas, Access to quality emergency care dramatically improves the survival and recovery rates of those who experience sudden illness or injury; and

Whereas, Emergency medical services providers have traditionally served as the safety net of America's health care system. Approximately two-thirds of all emergency medical services providers are volunteers. The members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

Whereas, Americans benefit daily from the knowledge and skills of these highly trained individuals. Injury prevention and appropriate use of the emergency medical services system will help reduce national health care costs; and

Whereas, It is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body proclaim the week of May 20–26, 2001, as Emergency Medical Services Week in Michigan and encourage communities to observe this week with appropriate programs, ceremonies, and activities.

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. Kilpatrick, Lemmons, LaSata, Spade, Dennis, Garza, Hansen, Zelenko, Bovin, Rivet, Wojno, Waters, McConico, Rich Brown, Lipsey, Minore, Sheltrown, Ehardt, Hale, Kolb, Adamini, DeRossett, Meyer, Schermesser, Switalski, Jamnick, Reeves, Hardman, Thomas, Neumann, Anderson, Clarke, Faunce, Clark, Raczkowski, Woodward, Jacobs, Van Woerkom, Stewart, Bishop, DeWeese, Murphy, Kuipers and Birkholz offered the following resolution:

House Resolution No. 133.

A resolution honoring Tom Joyner.

Whereas, It is with deep appreciation for the hard work, dedication, and professionalism that Tom Joyner and the Tom Joyner Foundation have put forth on behalf of the people of Detroit that we offer this expression of thanks. As the people of Detroit recognize the loyalty and devotion Tom Joyner has shown through his effort to help students continue their education at black colleges, we add our sentiments of gratitude for a job well-done; and

Whereas, His beginnings were very much like many young blacks in the South. During the Montgomery Boycott, there was the "Tuskegee Boycott". Tom Joyner, along with many others, fought for their civil rights . They took their protests into the streets weekly to try and make a difference. One such protest was taken to a local radio station that refused to play black music. The station manager resigned and Tom nominated himself for that position. From that day forward, black music was played on that radio station; and

Whereas, Today, the Tom Joyner Foundation does one thing, it helps students to continue their education. This foundation provides money directly to historical black colleges and universities for the purpose of helping students with financial difficulties complete their education. With the personal sense of duty that Tom Joyner brings to work each day, he has been able to meet the challenges with enthusiasm and a genuine interest in efficiency that is deeply appreciated both by the citizens and organizations in the city of Detroit. Tom Joyner has truly enriched this community and we commend him and express our respect for him; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body join in honoring Tom Joyner and the Tom Joyner Foundation; and be it further

Resolved, That a copy of this resolution be transmitted to Tom Joyner as a token of our respect for his fine work.

Pending the reference of the resolution to a committee,

Rep. Patterson moved that Rule 77 be suspended and the resolution be considered at this time.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on the adoption of the resolution,

The resolution was adopted.

Reports of Standing Committees

The Committee on Civil Law and the Judiciary, by Rep. Howell, Chair, reported

House Bill No. 4788, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 8121, 8123, and 8130 (MCL 600.8121, 600.8123, and 600.8130), section 8121 as amended by 2000 PA 449, section 8123 as amended by 2000 PA 448, and section 8130 as amended by 1988 PA 135.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

HB 4788 To Report Out:

Yeas: Reps. Howell, Richner, Bisbee, Faunce, Koetje, Sanborn, Voorhees, Adamini,

Nays: Reps. Lipsey, Minore, Waters.

The Committee on Civil Law and the Judiciary, by Rep. Howell, Chair, reported

Senate Bill No. 317, entitled

A bill to amend 1982 PA 295, entitled "Support and parenting time enforcement act," by amending the title and sections 3, 14, 26, 26a, 26b, and 27 (MCL 552.603, 552.614, 552.626, 552.626a, 552.626b, and 552.627), the title as

amended by 1996 PA 25, sections 3, 14, 26, 26a, and 26b as amended by 1998 PA 334, and section 27 as amended by 1985 PA 210, and by adding sections 5, 5a, and 5b.

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 317 To Report Out:

Yeas: Reps. Howell, Richner, Bisbee, Faunce, Koetje, Sanborn, Voorhees, Adamini, Lipsey, Minore, Waters,

Nays: None.

The Committee on Civil Law and the Judiciary, by Rep. Howell, Chair, reported

Senate Bill No. 318, entitled

A bill to amend 1846 RS 84, entitled "Of divorce," by amending sections 1, 15, 16, 17, 30, 35, and 36 (MCL 552.1, 552.15, 552.16, 552.17, 552.30, 552.35, and 552.36), sections 15, 16, and 17 as amended by 1996 PA 9; and to repeal acts and parts of acts.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

SB 318 To Report Out:

Yeas: Reps. Howell, Richner, Bisbee, Faunce, Koetje, Sanborn, Voorhees, Adamini, Lipsey, Minore, Waters,

Nays: None.

The Committee on Civil Law and the Judiciary, by Rep. Howell, Chair, reported

Senate Bill No. 319, entitled

A bill to amend 1970 PA 91, entitled "Child custody act of 1970," by amending section 7 (MCL 722.27), as amended by 1999 PA 156; and to repeal acts and parts of acts.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

SB 319 To Report Out:

Yeas: Reps. Howell, Richner, Bisbee, Faunce, Koetje, Sanborn, Voorhees, Adamini, Lipsey, Minore, Waters,

Nays: None.

The Committee on Civil Law and the Judiciary, by Rep. Howell, Chair, reported

Senate Bill No. 320, entitled

A bill to amend 1956 PA 205, entitled "The paternity act," by amending sections 7, 10, and 11 (MCL 722.717, 722.720, and 722.721), section 7 as amended by 1996 PA 308, section 10 as amended by 1996 PA 18, and section 11 as amended by 1990 PA 244; and to repeal acts and parts of acts.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

SB 320 To Report Out:

Yeas: Reps. Howell, Richner, Bisbee, Faunce, Koetje, Sanborn, Voorhees, Adamini, Lipsey, Minore, Waters,

Nays: None.

The Committee on Civil Law and the Judiciary, by Rep. Howell, Chair, reported
Senate Bill No. 321, 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 1996 PA 17; and to repeal acts and parts of acts.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

SB 321 To Report Out:

Yeas: Reps. Howell, Richner, Bisbee, Faunce, Koetje, Sanborn, Voorhees, Adamini, Lipsey, Minore, Waters,

Nays: None.

The Committee on Civil Law and the Judiciary, by Rep. Howell, Chair, reported

Senate Bill No. 322, entitled

A bill to amend 1966 PA 138, entitled "The family support act," by amending section 2 (MCL 552.452), as amended by 1999 PA 158; and to repeal acts and parts of acts.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

SB 322 To Report Out:

Yeas: Reps. Howell, Richner, Bisbee, Faunce, Koetje, Sanborn, Voorhees, Adamini, Lipsey, Minore, Waters,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, May 22, 2001, at 3:26 p.m.,

Present: Reps. Howell, Richner, Bisbee, Faunce, Koetje, Sanborn, Voorhees, Adamini, Lipsey, Minore, Waters.

The Committee on House Oversight and Operations, by Rep. Patterson, Chair, reported

House Bill No. 4226, entitled

A bill to allow the display of the Ten Commandments on public property under certain circumstances.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

HB 4226 To Report Out:

Yeas: Reps. Patterson, Howell, Kuipers,

Nays: Reps. Jacobs, Lipsey.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Patterson, Chair of the Committee on House Oversight and Operations, was received and read:

Meeting held on: Wednesday, May 23, 2001, at 10:30 a.m.,

Present: Reps. Patterson, Howell, Kuipers, Jacobs, Lipsey.

The Committee on Tax Policy, by Rep. Cassis, Chair, reported

House Bill No. 4507, entitled

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

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 4507 To Report Out:

Yeas: Reps. Cassis, Vear, Drolet, Faunce, Gosselin, Kowall, Meyer, Richardville, Quarles, Basham, Bob Brown, Minore, O'Neil, Wojno,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, May 23, 2001, at 10:30 a.m.,

Present: Reps. Cassis, Vear, Drolet, Faunce, Gosselin, Kowall, Meyer, Richardville, Quarles, Basham, Bob Brown, Minore, O'Neil, Wojno,

Absent: Reps. Newell, Woronchak, Hale,

Excused: Reps. Newell, Woronchak, Hale.

The Committee on Transportation, by Rep. Gilbert, Chair, reported

House Bill No. 4759, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 217j.

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

1. Amend page 2, line 18, after "466" by striking out "(request no. S04269' 01 *)".

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

Favorable Roll Call

HB 4759 To Report Out:

Yeas: Reps. Gilbert, George, DeRossett, DeVuyst, Gosselin, Hart, Ruth Johnson, Julian, Bovin, Neumann,

Nays: Reps. Drolet, Scranton, Anderson, Daniels, Jamnick, Schermesser.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, May 23, 2001, at 9:00 a.m.,

Present: Reps. Gilbert, George, DeRossett, DeVuyst, Drolet, Gosselin, Hart, Ruth Johnson, Julian, Scranton, Anderson, Bovin, Daniels, Jamnick, Neumann, Schermesser,

Absent: Rep. Murphy,

Excused: Rep. Murphy.

The Committee on Energy and Technology, by Rep. Bradstreet, Chair, reported

House Bill No. 4080, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 540e (MCL 750.540e), as amended by 1988 PA 395.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

HB 4080 To Report Out:

Yeas: Reps. Bradstreet, Middaugh, Birkholz, Bisbee, Cassis, Howell, Kowall, Richardville, Vander Veen, Rivet, Bovin, Bob Brown, Daniels, Schauer,

Nays: None.

The Committee on Energy and Technology, by Rep. Bradstreet, Chair, reported

House Resolution No. 81.

A resolution to urge the Federal Communications Commission to approve the Michigan Public Service Commission's request for telecommunications number conservation techniques.

(For text of resolution, see House Journal No. 30, p. 422.)

With the recommendation that the following amendment be adopted and that the resolution then be adopted.

1. Amend the fifth Whereas clause, line 3, by striking out "August 1" and inserting "July 17".

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

Favorable Roll Call

HR 81 To Report Out:

Yeas: Reps. Bradstreet, Middaugh, Birkholz, Bisbee, Cassis, Howell, Kowall, Richardville, Vander Veen, Rivet, Bovin, Bob Brown, Daniels, Schauer,

Nays: None.

The Committee on Energy and Technology, by Rep. Bradstreet, Chair, reported

House Concurrent Resolution No. 29.

A concurrent resolution to urge the Federal Communications Commission to approve the Michigan Public Service Commission's request for telecommunications number conservation techniques.

(For text of resolution, see House Journal No. 29, p. 406.)

With the recommendation that the following amendment be adopted and that the concurrent resolution then be adopted.

1. Amend the fifth Whereas clause, line 3, by striking out "August 1" and inserting "July 17".

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

Favorable Roll Call

HCR 29 To Report Out:

Yeas: Reps. Bradstreet, Middaugh, Birkholz, Bisbee, Cassis, Howell, Kowall, Richardville, Vander Veen, Rivet, Bovin, Bob Brown, Daniels, Schauer,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Bradstreet, Chair of the Committee on Energy and Technology, was received and read:

Meeting held on: Wednesday, May 23, 2001, at 9:00 a.m.,

Present: Reps. Bradstreet, Middaugh, Birkholz, Bisbee, Cassis, Howell, Kowall, Richardville, Vander Veen, Rivet, Bovin, Bob Brown, Daniels, Schauer,

Absent: Reps. Bishop, Thomas, Woodward,

Excused: Reps. Bishop, Thomas, Woodward.

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

Senate Bill No. 232, entitled

A bill to make appropriations for the department of career development and the Michigan strategic fund and certain other state purposes for the fiscal year ending September 30, 2002; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agencies.

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 232 To Report Out:

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

Nays: None.

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

Senate Bill No. 233, entitled

A bill to make appropriations for the department of consumer and industry services and certain other state purposes for the fiscal year ending September 30, 2002; to provide for the expenditure of those appropriations; to provide for the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

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 233 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, Clarke, Lockwood, Pestka, Phillips, Plakas, Reeves, Stallworth, Switalski, Whitmer,

Nays: None.

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

Senate Bill No. 234, entitled

A bill to make appropriations for the departments of attorney general, civil rights, civil service, management and budget, state, and treasury, the executive office, and the legislative branch for the fiscal year ending September 30, 2002; to provide for the expenditure of these appropriations; to provide for the funding of certain work projects; to provide for the imposition of certain fees; to establish or continue certain funds, programs, and categories; to transfer certain funds; to prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances for the fiscal year ending September 30, 2002; to prescribe the powers and duties of certain principal executive departments and state agencies, officials, and employees; and to provide for the disposition of fees and other income received by the various principal executive departments and state agencies.

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 234 To Report Out:

Yeas: Reps. Shulman, LaSata, Cameron Brown, Caul, Godchaux, Jansen, Jelinek, Mead, Mortimer, Newell, Pappageorge, Pumford, Shackleton, Stamas, Stewart, Toy, Vander Roest, Frank, Rich Brown, Clarke, Lockwood, Pestka, Phillips, Plakas, Reeves, Stallworth, Switalski, 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: Wednesday, May 23, 2001, 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, Plakas, Reeves, Stallworth, Switalski, Whitmer.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Koetje, Chair of the Committee on Gaming and Casino Oversight, was received and read:

Meeting held on: Wednesday, May 23, 2001, at 9:00 a.m.,

Present: Reps. Koetje, Rocca, Patterson, Callahan,

Absent: Rep. Lemmons,

Excused: Rep. Lemmons.

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, Thursday, May 17:

Senate Bill Nos. 477 478 479

The Clerk announced that the following bills had been printed and placed upon the files of the members, Monday, May 21:

**Senate Bill Nos. 480 481 482 483 484 485 486 487 488 489 490 491 492 493
494 495 496 497 498**

The Clerk announced that the following bills had been printed and placed upon the files of the members, Wednesday, May 23:

House Bill Nos. 4797 4798 4799 4800 4801 4802 4803 4804 4805 4806 4807 4808

The Clerk announced that the following Senate bill had been received on Wednesday, May 23:

Senate Bill No. 152

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

House Bill No. 4409, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 82118 (MCL 324.82118), as amended by 1996 PA 183.

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

The House agreed to the full title.

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

House Bill No. 4538, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 82110 (MCL 324.82110), as added by 1995 PA 58.

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

The House agreed to the full title.

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

Senate Bill No. 152, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 3101 (MCL 324.3101), as amended by 1997 PA 29, and by adding section 3103a.

The Senate has passed the bill.

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

Communications from State Officers

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

April 10, 2001

I am pleased to provide the Michigan Department of Transportation's report on transportation accessibility for seniors and persons with disabilities for Fiscal Year 2000.

The report is being forwarded to the Legislature for their information pursuant to Section 10e (21) of Act 51 of the Public Acts of 1951, as amended.

Sincerely,
Gregory J. Rosine
Director

The communication was referred to the Clerk.

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

Notice of Filing
Administrative Rules

May 1, 2001

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 1:50 P.M. this date, administrative rule (01-05-02) for the Department of Environmental Quality, Drinking Water and Radiological Protection Division, entitled “*Supplying Water to the Public—Part 4.*” effective 15 days hereafter.

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

The communication was referred to the Clerk.

Introduction of Bills

Reps. Shulman and Gielegem introduced

House Bill No. 4809, entitled

A bill to amend 1969 PA 317, entitled “Worker’s disability compensation act of 1969,” by amending section 301 (MCL 418.301), as amended by 1987 PA 28.

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

Reps. Bernero, Waters, Jacobs, Zelenko, Murphy, Whitmer, DeWeese, Rich Brown, Lipsey, Schauer, Mans, O’Neil, Spade, McConico, Phillips, Hardman, Minore and Dennis introduced

House Bill No. 4810, entitled

A bill to amend 1943 PA 240, entitled “State employees’ retirement act,” by amending sections 19, 20, 20g, and 63 (MCL 38.19, 38.20, 38.20g, and 38.63), section 19 as amended by 1998 PA 205, section 20 as amended by 1996 PA 521, section 20g as amended by 1987 PA 241, and section 63 as added by 1996 PA 487.

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

Rep. Hager introduced

House Bill No. 4811, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending sections 5028, 5412, and 7918 (MCL 500.5028, 500.5412, and 500.7918), section 7918 as amended by 1980 PA 41.

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

Rep. Richner introduced

House Bill No. 4812, entitled

A bill to amend 1981 PA 155, entitled “An act to provide for ownership rights in dies, molds, and forms for use in the fabrication of plastic parts under certain conditions and to establish a lien on certain dies, molds, and forms,” by amending sections 1 and 8a (MCL 445.611 and 445.618a), section 8a as added by 1986 PA 103, and by adding sections 9, 10, 10a, 10b, and 10c.

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

Reps. Ruth Johnson, Pappageorge, Birkholz, Voorhees, Gosselin, Raczkowski, Shulman, Scranton, Toy and Julian introduced

House Bill No. 4813, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 319 and 732 (MCL 257.319 and 257.732), as amended by 2000 PA 460.

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

Rep. Neumann moved that the House adjourn.
The motion prevailed, the time being 4:35 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, May 24, at 12:00 Noon.

GARY L. RANDALL
Clerk of the House of Representatives.