No. 54 STATE OF MICHIGAN

JOURNAL OF THE

House of Representatives

91st Legislature REGULAR SESSION OF 2001

House Chamber, Lansing, Tuesday, June 19, 2001.

12:00 Noon.

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
Allen—present
Anderson—present
Basham—present
Bernero—present
Birkholz—present
Bisbee—present
Bishop—present
Bogardus—present
Bovin—present
Bradstreet—present
Brown, Bob—present
Brown, Cameron—present
Brown, Rich—present
Callahan—present
Cassis—present
Caul—present
Clark—present
Clarke—excused
Daniels—present
Dennis—present
DeRossett—present
DeVuyst—present
DeWeese—present
Drolet—present
Ehardt—present
Faunce—present
Frank—present

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

Schauer—present
Schermesser—present
Scranton—present
Shackleton—present
Sheltrown—present
Shulman—present
Spade—present
Stallworth—present
Stamas—present
Stewart—present
Switalski—present
Tabor—present
Thomas—present
Toy—present
Vander Roest—present
Vander Veen—present
Van Woerkom—present
Vear—present
Voorhees—present
Waters—present
Whitmer—present
Williams—present
Wojno—present
Woodward—present
Woronchak—present
Zelenko—present
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Rev. Jerry Sutton, Pastor of Free Methodist Church in Bad Axe, offered the following invocation:

"Lord, we thank You for the privilege of knowing You. Thank You, Lord, for the privilege of serving You and for serving one another. Lord, as we consider the Scriptures in whatever our capacity is today and whatever work it is that lies ahead of us, our prayer is very simple. We understand that if there is a season there is a reason, and Lord, we thank You for reminding us that You have given us a reason to be born. So Lord, remind us of our purpose today—might we live out that purpose with integrity. And Lord, at the end of our life whenever that will be, might we die without regret. Thank You, Lord, for the honor of knowing You and serving You. Amen."

Rep. Jacobs moved that Reps. Clarke and Garza be excused from today's session. The motion prevailed.

Reports of Standing Committees

The Speaker laid before the House

House Resolution No. 105.

A resolution to urge the United States Secretary of State to increase efforts to urge the People's Republic of China to halt its violation of the human rights of its citizens, specifically the persecution against practitioners of Falun Gong. (For text of resolution, see House Journal No. 36, p. 532.)

(The resolution was reported by the Committee on House Oversight and Operations on June 13, consideration of which, under the rules, was postponed until June 14.)

The question being on the adoption of the resolution,

The resolution was adopted.

The Speaker laid before the House

House Resolution No. 136.

A resolution to memorialize the President and the Congress of the United States to work for the admission of Latvia into NATO.

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

(The resolution was reported by the Committee on House Oversight and Operations on June 13, consideration of which, under the rules, was postponed until June 14.)

The question being on the adoption of the resolution,

The resolution was adopted.

The Speaker laid before the House

House Concurrent Resolution No. 31.

A concurrent resolution to urge the United States Secretary of State to increase efforts to urge the People's Republic of China to halt its violation of the human rights of its citizens, specifically the persecution against practitioners of Falun Gong.

(For text of resolution, see House Journal No. 36, p. 533.)

(The concurrent resolution was reported by the Committee on House Oversight and Operations on June 13, consideration of which, under the rules, was postponed until June 14.)

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

Rep. Stamas moved that Rep. Scranton be excused temporarily from today's session.

The motion prevailed.

Messages from the Senate

The Speaker laid before the House

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.

(The bill was received from the Senate on June 14, 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. 53, p. 933.)

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. 292

Yeas—103

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

Nays-0

In The Chair: Birkholz

The House agreed to the full title of the bill.

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

Rep. Whitmer moved that Rep. Murphy be excused temporarily from today's session. The motion prevailed.

Third Reading of Bills

House Bill No. 4562, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 9205a. Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 293

Yeas-101

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

Navs-1

Hardman

In The Chair: Birkholz

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.

House Bill No. 4799, entitled

A bill to amend 1909 PA 279, entitled "The home rule city act," (MCL 117.1 to 117.38) by adding section 5j. Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 294

Yeas—102

Adamini	George	Lockwood	Schauer
Allen	Gieleghem	Mans	Schermesser

DeRossett

DeVuyst

DeWeese

Anderson Gilbert Basham Godchaux Bernero Gosselin Birkholz Hager Bisbee Hansen **Bishop** Hardman **Bogardus** Hart Bovin Howell Bradstreet Jacobs Brown, B. Jamnick Brown, C. Jansen Brown, R. Jelinek Callahan Johnson, Rick Cassis Johnson, Ruth Caul Julian Clark, I. Kilpatrick **Ouarles Daniels** Koetje Raczkowski

Kolb

Kooiman

Kowall

McConico
Mead
Meyer
Middaugh
Minore
Mortimer
Neumann
Newell
O'Neil
Pappageorge
Patterson
Pestka
Phillips
Plakas
Pumford

Richardville

Richner

Rison

Rivet

Rocca

Sanborn

Shulman Spade Stallworth Stamas Stewart Switalski Tabor **Thomas** Toy Van Woerkom Vander Roest Vander Veen Vear Voorhees Waters Whitmer Williams Wojno

Woodward

Woronchak

Zelenko

Scranton Shackleton

Drolet Kuipers
Ehardt LaSata
Faunce Lemmons
Frank Lipsey

Nays-0

In The Chair: Birkholz

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.

House Bill No. 4879, entitled

A bill to amend 1990 PA 187, entitled "The pupil transportation act," by amending section 33 (MCL 257.1833). Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 295 Yeas—105

Adamini George Lipsey Gieleghem Lockwood Allen Anderson Gilbert Mans Basham Godchaux McConico Bernero Gosselin Mead Birkholz Hager Meyer Hale Middaugh Bisbee **Bishop** Hansen Minore **Bogardus** Hardman Mortimer Bovin Hart Neumann Bradstreet Howell Newell Brown, B. Jacobs O'Neil Brown, C. Jamnick Pappageorge Brown, R. Jansen Patterson

Schauer Schermesser Scranton Shackleton Sheltrown Shulman Spade Stallworth Stamas Stewart Switalski Tabor Thomas Callahan Jelinek Pestka Johnson, Rick **Phillips** Cassis Caul Johnson, Ruth Plakas Pumford Clark, I. Julian **Daniels** Kilpatrick **Ouarles** Koetje Raczkowski Dennis **DeRossett** Kolb Richardville **DeVuyst** Kooiman Richner **DeWeese** Kowall Rison Drolet Kuipers Rivet Ehardt LaSata Rocca Lemmons Sanborn Faunce Frank

Vander Roest Vander Veen Vear Voorhees Waters Whitmer Williams Wojno Woodward Woronchak Zelenko

Van Woerkom

Nays—0

In The Chair: Birkholz

The House agreed to the title of the bill.

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

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

Rep. Reeves entered the House Chambers.

House Bill No. 4771, entitled

A bill to amend 1972 PA 230, entitled "Stille-DeRossett-Hale single state construction code act," by amending section 16 (MCL 125.1516).

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

Roll Call No. 296

Yeas—105

Adamini George Lipsey Lockwood Allen Gieleghem Anderson Gilbert Mans Basham Godchaux McConico Bernero Gosselin Mead Birkholz Hager Meyer Middaugh Bisbee Hale Bishop Hansen Minore **Bogardus** Hardman Mortimer Bovin Hart Neumann Bradstreet Howell Newell Brown, B. O'Neil Jacobs Brown, C. Jamnick Pappageorge Brown, R. Jansen Patterson Callahan Jelinek Pestka Cassis Johnson, Rick **Phillips** Caul Johnson, Ruth Plakas Pumford Clark, I. Julian

Sanborn Schauer Schermesser Scranton Shackleton Sheltrown Shulman Spade Stallworth Stamas Stewart Switalski **Tabor Thomas** Tov Van Woerkom

Vander Roest

Vander Veen

Daniels Kilpatrick **Ouarles** Vear Dennis Koetje Raczkowski Voorhees Kolb Reeves Waters DeRossett **DeVuvst** Kooiman Richardville Whitmer **DeWeese** Kowall Richner Woino Woodward Drolet Kuipers Rison Ehardt LaSata Rivet Woronchak Zelenko Faunce Lemmons Rocca

Frank

Navs-0

In The Chair: Birkholz

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.

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.

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

Roll Call No. 297

Faunce

Frank

Yeas—105

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

Rocca

Lemmons

Nays—0

In The Chair: Birkholz

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

"An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts,".

The House agreed to the full title.

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

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

House Bill No. 4924, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 2103 (MCL 500.2103), as amended by 1990 PA 305.

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

Roll Call No. 298

Yeas—106

Adamini George Allen Gieleghem Anderson Gilbert Basham Godchaux Bernero Gosselin Birkholz Hager Bisbee Hale Bishop Hansen Bogardus Hardman Bovin Hart Bradstreet Howell Brown, B. Jacobs Brown, C. Jamnick Brown, R. Jansen Callahan Jelinek Johnson, Rick Cassis Caul Johnson, Ruth Clark, I. Julian Daniels Kilpatrick Dennis Koetje **DeRossett** Kolb **DeVuyst** Kooiman DeWeese Kowall Drolet **Kuipers** Ehardt LaSata Lemmons Faunce Lipsey Frank

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

Lockwood

Switalski
Tabor
Thomas
Toy
Van Woerkom
Vander Roest
Vander Veen
Vear
Voorhees
Waters
Whitmer
Williams
Wojno
Woodward

Woronchak

Zelenko

Schauer

Scranton

Shackleton

Sheltrown

Stallworth

Shulman

Spade

Stamas

Stewart

Schermesser

Nays-0

In The Chair: Birkholz

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.

House Bill No. 4925, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 82147 (MCL 324.82147), as added by 1995 PA 58.

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

Roll Call No. 299

Yeas-107

Adamini Lockwood George Allen Gieleghem Mans Anderson Gilbert McConico Basham Godchaux Mead Bernero Gosselin Mever Birkholz Hager Middaugh Bisbee Hale Minore Bishop Hansen Mortimer Bogardus Hardman Murphy Bovin Hart Neumann Newell Bradstreet Howell Brown, B. Jacobs O'Neil Brown, C. Jamnick Pappageorge Brown, R. Jansen Patterson Callahan Jelinek Pestka Cassis Johnson, Rick **Phillips** Caul Johnson, Ruth Plakas Clark, I. Pumford Julian Daniels Kilpatrick **Ouarles** Dennis Koetje Raczkowski **DeRossett** Kolb Reeves Richardville **DeVuyst** Kooiman DeWeese Kowall Richner Drolet Kuipers Rison Ehardt LaSata Rivet Faunce Lemmons Rocca Frank Lipsey Sanborn

Schauer Schermesser Scranton Shackleton Sheltrown Shulman Spade Stallworth Stamas Stewart Switalski Tabor Thomas Toy Van Woerkom

Vear Voorhees Waters Whitmer Williams Wojno Woodward Woronchak Zelenko

Vander Roest Vander Veen

Nays—0

In The Chair: Birkholz

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.

House Bill No. 4763, entitled

A bill to amend 1953 PA 232, entitled "An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to

create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to allow for the operation of certain facilities by private entities; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act," by amending section 65 (MCL 791.265), as amended by 1998 PA 512.

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

Roll Call No. 300

Yeas-105

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

Nays-0

In The Chair: Birkholz

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.

House Bill No. 4491, entitled

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

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

Roll Call No. 301

Yeas—57

Adamini Hager Mead Shackleton Allen Howell Meyer Sheltrown Birkholz Jelinek Middaugh Stamas Bradstreet Johnson, Rick Mortimer Switalski Brown, R. Julian Neumann **Tabor** Caul Kilpatrick Newell **Thomas DeRossett** Koetje Pappageorge Toy Van Woerkom DeVuyst Kolb Patterson DeWeese Kooiman Pumford Vander Roest Drolet Kowall Raczkowski Vear Voorhees Ehardt **Kuipers** Richardville Lemmons Richner Waters Faunce Woronchak George Lipsey Rocca Lockwood Gilbert Sanborn Zelenko Gosselin

Navs-49

Anderson Dennis LaSata Schauer Basham Frank Mans Schermesser McConico Bernero Gieleghem Scranton Godchaux Bisbee Minore Shulman Bishop Hale Murphy Spade Bogardus Hansen O'Neil Stallworth Bovin Hardman Pestka Stewart **Phillips** Brown, B. Vander Veen Hart Brown, C. Jacobs Plakas Whitmer Callahan Jamnick Ouarles Williams Reeves Woino Cassis Jansen Clark, I. Johnson, Ruth Woodward Rison Daniels

In The Chair: Birkholz

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.

House Bill No. 4456, entitled

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

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

Roll Call No. 302 Yeas—103

Adamini	George	Lockwood	Schauer
Allen	Gieleghem	Mans	Schermesser
Anderson	Gilbert	McConico	Scranton
Basham	Gosselin	Mead	Shackleton
Bernero	Hager	Meyer	Sheltrown

Birkholz Hale Bisbee Hansen Bishop Hardman Bovin Hart Bradstreet Howell Brown, B. Jacobs Brown, C. Jamnick Brown, R. Jansen Callahan Jelinek Cassis Johnson, Rick Caul Johnson, Ruth Clark, I. Julian Kilpatrick **Daniels** Koetje Dennis **DeRossett** Kolb **DeVuyst** Kooiman DeWeese Kowall Drolet **Kuipers** Ehardt LaSata Faunce Lemmons Frank Lipsey

Middaugh Minore Mortimer Murphy Neumann Newell O'Neil Pappageorge Patterson Pestka **Phillips** Plakas Pumford Raczkowski Reeves Richardville Richner Rison Rivet Rocca

Sanborn

Stallworth
Stamas
Switalski
Tabor
Thomas
Toy
Van Woerkom
Vander Roest
Vander Veen
Vear
Voorhees
Waters
Whitmer
Williams
Woino

Woodward

Woronchak

Zelenko

Shulman

Spade

Nays-1

Godchaux

In The Chair: Birkholz

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

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

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

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.

Second Reading of Bills

Senate Bill No. 206, entitled

A bill to amend 1972 PA 284, entitled "Business corporation act," by amending sections 105, 106, 122, 123, 131, 133, 141, 143, 151, 338, 342a, 344, 404, 405, 407, 413, 488, 489, 521, 525, 563, 564b, 703a, 753, 754, 901, and 1060 (MCL 450.1105, 450.1106, 450.1122, 450.1123, 450.1131, 450.1133, 450.1141, 450.1143, 450.1151, 450.1338, 450.1342a, 450.1344, 450.1404, 450.1405, 450.1407, 450.1413, 450.1488, 450.1489, 450.1521, 450.1525, 450.1563, 450.1564b, 450.1703a, 450.1753, 450.1754, 450.1901, and 450.2060), sections 106, 122, 133, 141, 405, 521, 525, and 563 as amended and sections 342a and 754 as added by 1989 PA 121, section 123 as amended by 1993 PA 357, sections 131, 338, 407, and 1060 as amended by 1993 PA 91, and sections 151, 344, 404, 489, 564b, 703a, and 753 as amended and section 488 as added by 1997 PA 118, and by adding section 406a.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Commerce (for amendment, see House Journal No. 43, p. 648),

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

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

The motion prevailed.

Senate Bill No. 216, entitled

A bill to amend 1962 PA 192, entitled "Professional service corporation act," by amending section 13 (MCL 450.233), as amended by 1990 PA 166.

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. 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 second time.

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

The motion prevailed.

Senate Bill No. 360, entitled

A bill to amend 1909 PA 279, entitled "The home rule city act," (MCL 117.1 to 117.38) by adding section 4o.

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

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. 361, entitled

A bill to amend 1976 PA 267, entitled "Open meetings act," by amending section 2 (MCL 15.262).

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. 4774, entitled

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

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

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

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

The motion prevailed.

Senate Bill No. 373, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 303, 319, 320a, 601b, and 732 (MCL 257.303, 257.319, 257.320a, 257.601b, and 257.732), sections 303, 319, 320a, and 732 as amended by 2000 PA 460, section 601b as added by 1996 PA 320, and by adding section 601c.

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 7, line 17, after the first "SECTION" by striking out "601B(2) OR (3)" and inserting "601B(3)".
- 2. Amend page 7, line 17, after the second "SECTION" by striking out "601C(1) OR (2)" and inserting "601C(2)".
- 3. Amend page 7, line 18, after the second "section" by striking out "653A(3) OR (4)" and inserting "653a(4)".

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

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

Senate Bill No. 374, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 12 of chapter XVII (MCL 777.12), as amended by 2000 PA 459.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Criminal Justice (for amendment, see House Journal No. 52, p. 904),

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.

Senate Bill No. 491, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 4 (MCL 205.94), as amended by 2000 PA 200.

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. 492, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4x (MCL 205.54x), as added by 2000 PA 204.

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.

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

"Mr. Speaker and members of the House:

I was absent from the Chamber when the vote was taken on Roll Call Nos. 293-297. Had I been present, I would have voted 'yea'."

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

Rep. Patterson moved that when the House adjourns today it stand adjourned until Thursday, June 21, at 12:00 Noon. The motion prevailed.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Rivet, Bradstreet, Schauer, Sheltrown, Lockwood, Whitmer, Bovin, Spade, Cassis, Shackleton, Kooiman, Plakas, Neumann, Birkholz, Bogardus, Lemmons, Murphy, Hale, Stewart, Hansen, Dennis, Jacobs, Callahan, Kilpatrick, Faunce, Julian, Van Woerkom, Zelenko, Bernero, Wojno, Lipsey, Adamini, Kolb, Gieleghem, McConico, Rich Brown, LaSata, Thomas, Minore, Meyer, Voorhees, Ehardt, Rison, Daniels, Clark, Vear, Caul, Hardman, Jamnick, Richner, Scranton, Woodward, Phillips, Switalski, Basham and Anderson offered the following resolution:

House Resolution No. 158.

A resolution calling for increased energy conservation and urging the Michigan Public Service Commission to include relevant information in its education materials on gas and electric choice.

Whereas, Every generation seems to need the shock of rising fuel costs to be reminded that many of the traditional sources of our energy are finite in nature and that energy is essential to our nation's future. While the balance of supply and demand is influenced by a wide array of factors, including environmental concerns, economic demands, and international relations, there are many effective steps we can take as individual citizens and businesses to deal with rising energy prices; and

Whereas, At the present time, attention is being focused on rapidly rising gasoline prices. Only a few months ago, natural gas supplies and projected cost increases were the center of concern. California's electricity crisis and rolling blackouts have served to remind us of the vulnerability of our society to any disruption in energy supplies; and

Whereas, With the many factors involved in producing and delivering energy, there are few courses of action available that can make a difference quickly to the supply component of this equation. Conservation practices can bring about an immediate reduction in demand. Even a small percentage of savings can represent a notable quantity of oil, natural gas, or other fuel; and

Whereas, The Michigan Public Service Commission has an opportunity to communicate conservation information through its ongoing efforts to educate Michigan citizens on natural gas choice options. Adding examples, statistics, and hints about conservation to the materials being prepared can help our state and its citizens; and

Whereas, While the long-term challenge of meeting our energy needs includes new investments, new sources of energy, and new technologies, the positive impact that conservation practices can make must not be overlooked. Most observers would likely concede that our level of energy consumption includes considerable waste and inefficiency. Public education programs can serve to remind households and places of business to be more prudent in making sure we use energy wisely. To ignore the real savings that can result from conservation is foolhardy, for we can save resources and money with little more investment than good planning and common sense in our homes, in our schools, and in our places of work; now, therefore, be it

Resolved by the House of Representatives, That we call upon Michigan's citizens and businesses to increase energy conservation efforts; and be it further

Resolved, That we urge the Michigan Public Service Commission to incorporate a strong conservation message in the upcoming public education programs it will be providing on natural gas choice and electric choice; and be it further Resolved, That copies of this resolution be transmitted to the Michigan Public Service Commission.

The resolution was referred to the Committee on Energy and Technology.

Reps. Murphy, Hale, Lemmons, Stewart, Spade, Shulman, Hansen, Dennis, Jacobs, Rivet, Kilpatrick, Schauer, Faunce, Van Woerkom, Hager, Zelenko, Bernero, Wojno, Lipsey, Adamini, Kolb, Gieleghem, McConico, Rich Brown, Frank, Thomas, Minore, Neumann, Meyer, Gosselin, Ehardt, Birkholz, Rison, Bogardus, Daniels, Bovin, Clark, Whitmer, Caul, Waters, Drolet, Hardman, Quarles, Jamnick, Plakas, Kooiman, Richner, Scranton, Woodward, Phillips, Reeves, Switalski, Basham, Lockwood and Pestka offered the following resolution:

House Resolution No. 159.

A resolution commemorating June 19, 2001, as Juneteenth Day in recognition of the annual holiday celebrating the end of slavery in the United States.

Whereas, Juneteenth, also known as Freedom Day or Emancipation Day, is the annual holiday celebrated on June 19th in the United States to commemorate the end of slavery. For more than a century, Juneteenth has been observed mainly in Texas and parts of Arkansas, Louisiana, and Oklahoma. June 19th marks the day in 1865 when word reached African-Americans in Texas that slavery in the United States had been abolished; and

Whereas, News of the proclamation officially reached Texas on June 19, 1865, when a Union general backed by nearly 2,000 troops arrived in the city of Galveston. The general, Gordon Granger, publicly announced that slavery in the United States had ended. Reactions among newly freed slaves ranged from shock and disbelief to jubilant celebration. That day has been known ever since as Juneteenth, a name probably derived from the slang combination of the words June and nineteenth; and

Whereas, Juneteenth celebrations began in Texas in 1866. Within a few years, the recognition of this day had spread to other states and became an annual tradition. Celebrations often open with praying and religious ceremonies and include a reading of the Emancipation Proclamation. A wide range of festivities entertained participants, from music and dancing to contests of physical strength; and

Whereas, Juneteenth symbolizes the end of slavery and has come to symbolize for many African-Americans what the fourth of July symbolizes for all Americans, freedom. It serves as a historical milestone reminding Americans of the triumph of the human spirit over the cruelty of slavery. It honors those African-American ancestors who survived the inhumane institution of bondage, as well as demonstrating pride in the marvelous legacy of resistance and perseverance they left us; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body commemorate June 19, 2001 as Juneteenth Day. We encourage American citizens everywhere to take a moment to reflect upon the millions of African-Americans who were enslaved in this country. This day truly symbolizes a tenet upon which this country was founded, the freedom and equality for all Americans.

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. Bishop, Mead, Hale, Lemmons, Stewart, Spade, Vander Roest, Shulman, Hansen, Dennis, Jacobs, Rivet, Kilpatrick, Faunce, Julian, Van Woerkom, Hager, Pappageorge, Zelenko, Wojno, Lipsey, Adamini, McConico, Rich Brown, LaSata, Thomas, Minore, Neumann, Meyer, Gosselin, Voorhees, Kowall, Koetje, Shackleton, Ehardt, Birkholz, Bogardus, Bovin, Whitmer, Vear, Waters, Jansen, Kuipers, Jamnick, Richner, Woodward, Phillips, Switalski, Basham, Cassis and Anderson offered the following resolution:

House Resolution No. 160.

A resolution honoring Ray Lawson for his outstanding years of service to the students of Rochester Community Schools.

Whereas, It is with deep appreciation for the hard work, dedication, and professionalism that Ray Lawson has put forth on behalf of the students, community, and administration of the Rochester Community Schools that we honor him. As the community of Rochester recognizes the loyalty and devotion to public education of this committed teacher, we add our sentiments of gratitude for a job well done; and

Whereas, In his 54 years of service, Ray Lawson has tirelessly served public education in the Rochester Community Schools in order to improve the instruction and well-being of our children. Through the years, the educational system has changed and evolved. Ray Lawson has responded with enthusiasm and a heartfelt concern for the students of Rochester Community Schools. This has been greatly appreciated, both by the citizens and students that have benefitted directly from Ray Lawson's work; and

Whereas, Ray Lawson has long and faithfully served in leadership roles in state organizations including the Michigan Council of Teacher of English, Michigan Educators Association, Michigan Interscholastic Press Association, and the Michigan Association of the Professions; and

Whereas, There can be little doubt of the personal sense of duty and enthusiasm that Ray Lawson brings to the classroom on a daily basis, and the positive influence and impact on the thousands of students educated by Ray Lawson throughout his compassionate and generous years of serving the students of Rochester Community Schools and the community of Rochester; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body honor Ray Lawson for his outstanding years of service to the students of Rochester Community Schools; and be it further

Resolved, That a copy of this resolution be transmitted to Ray Lawson 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. Hansen, Murphy, Hale, Lemmons, Stewart, Spade, Dennis, Jacobs, Rivet, Callahan, Kilpatrick, Schauer, Zelenko, Bernero, Wojno, Lipsey, Adamini, Kolb, Gieleghem, McConico, Rich Brown, Thomas, Minore, Neumann, Meyer, Rison, Bogardus, Daniels, Bovin, Clark, Whitmer, Waters, Hardman, Quarles, Jamnick, Plakas, Woodward, Phillips, Reeves, Switalski, Basham, Pestka and Anderson offered the following resolution:

House Resolution No. 161.

A resolution to urge the Governor to move the administration of the MEAP test from the Department of Treasury back to the Department of Education.

Whereas, In October 1999, the Governor transferred responsibility for the administration of the Michigan Education Assessment Program from the Department of Education to the Department of Treasury. This transfer was made through Executive Order No. 1999-12 on October 18, 1999. The reorganization order also included the shifting of authority for various functions among these two departments, the Department of Career Development, the State Board of Education, and the Superintendent of Public Instruction; and

Whereas, While there are significant financial considerations with the administration of the Michigan Education Assessment Program, this is clearly an enterprise that is central to education. As a measure of student and school performance, the MEAP tests reflect the work and expertise of educators in development, analysis, and planning. The understanding of classroom management, preparation, and procedures that is within the education community and the Department of Education is vital to the success of the MEAP in fostering progress in our schools; and

Whereas, Recent events serve to illustrate the appropriateness of education professionals handling the various duties related to standardized tests and their evaluation. For both effectiveness and efficiency, the Department of Education should be responsible for the administration of the Michigan Education Assessment Program; now, therefore, be it

Resolved by the House of Representatives, That we urge the Governor to move the administration of the MEAP test from the Department of Treasury back to the Department of Education; and be it further

Resolved, That copies of this resolution be transmitted to the Governor.

The resolution was referred to the Committee on Education.

Reps. Lemmons, Murphy, Hale, Stewart, Spade, Shulman, Hansen, Dennis, Jacobs, Rivet, Kilpatrick, Schauer, Faunce, Vander Veen, Pappageorge, Zelenko, Bernero, Wojno, Lipsey, Adamini, Kolb, Gieleghem, McConico, Rich Brown, Thomas, Minore, Neumann, Meyer, Ehardt, Birkholz, Rison, Bogardus, Daniels, Bovin, Clark, Whitmer, Waters, Hardman, Jamnick, Richner, Woodward, Phillips, Reeves, Switalski and Cassis offered the following resolution:

House Resolution No. 162.

A resolution honoring Dr. Alexa I. Canady upon her retirement.

Whereas, It is with deep appreciation for the hard work, dedication, and professionalism that Dr. Alexa I. Canady has put forth on behalf of the people of the state of Michigan that we honor her upon her retirement. As the people of the state of Michigan recognize the loyalty and devotion to public service of this conscientious individual, we add our sentiments of gratitude for a job well done; and

Whereas, Dr. Alexa I. Canady has been working in the medical field during an era of great change. She has given many years of service to the people of the state of Michigan. As Dr. Alexa I. Canady well knows, financial pressures and changing expectations have combined to make a challenging time to work in medicine. With the personal sense of duty that Dr. Alexa I. Canady brought to work each day, she met these challenges with enthusiasm and a genuine interest in efficiency in health care. This has been deeply appreciated by both the citizens and organizations in the state of Michigan. They have benefited directly from Dr. Alexa I. Canady's work, as well as other doctors who have witnessed this fine example; and

Whereas, Alexa Canady was born in 1950 to Clinton Canady, Jr. and Elizabeth Hortense (Golden) Canady. She and her three brothers grew up with high standards and expectations. Her parents instilled in her a strong belief in community support and the feeling that "Getting up each day is an adventure."; and

Whereas, Alexa Canady's high achievement began in elementary school when she was able to skip the third grade and go right to the fourth grade due to her amazing test scores. Attending the University of Michigan as a math major, she became an editorial page editor for the Michigan Daily. When she become interested in medicine, she was accepted into the University of Michigan Medical School. Although, at first, Alexa Canady was interested in the nervous system, she eventually decided that she "felt at home in neurosurgery". As a surgical intern at Yale-New Haven Hospital and a resident in neurosurgery at the University of Minnesota Hospital, she learned to overcome stress, challenges, and rejection while staying focused on her goal of service to those in need of health care. She overcame the barriers of racism and sexism to achieve this goal; and

Whereas, While on a fellowship in pediatric neurosurgery at the Children's Hospital of Philadelphia, she met her career mentor, Dr. Luis Schut. Dr. Schut taught her to counteract the everyday stress of this profession by having fun. It was a lesson which Dr. Alexa I. Canady learned well. Everyone who has worked with Dr. Canady knows that play is an important part of the health care program, of the therapy, of the practice of medicine, and of getting well. At Children's Hospital of Michigan, Dr. Alexa I. Canady has continued to save lives and make a big difference in the lives of her patients and their families; and

Whereas, Dr. Canady understands and communicates with the people she treats. Indeed, she has stated, "I'm just your friendly neighborhood neurosurgeon and my patients should be able to talk to me as they would anyone on the street.". She is more than this, however, she is the first female African-American neurosurgeon in the United States. Hour Detroit magazine called her "the Jackie Robinson of pediatric neurosurgery". She is nationally acclaimed and world renowned. Dr. Canady has been noted for her 14-hour workdays, her work as a mentor, and the high standards of education she has brought to the residents who have worked with her; and

Whereas, In 1988, Dr. Canady married George Davis, a retired medical corps recruiter for the U.S. Navy. Dr. Alexa I. Canady is now planning to retire with her husband in Florida. Dr. Canady will not be idle. She says, "I'm constitutionally incapable of sitting still.". She plans to write a book on pediatric neurosurgery for pediatricians. We look forward to continued service and great work from Dr. Alexa I. Canady; and

Whereas, There can be little doubt that the record of Dr. Alexa I. Canady in her responsibilities as neurosurgeon over the past years will continue to reap rewards for the people of the state of Michigan. We offer our thanks on this personal milestone; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body join with the citizens of the state of Michigan in honoring Dr. Alexa I. Canady upon her retirement and her many outstanding years in neurosurgery. May she enjoy the happiest of retirements; and be it further

Resolved, That a copy of this resolution be transmitted to Dr. Alexa I. Canady 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. Bradstreet, Gosselin, Vander Veen, Tabor, Rivet, Schauer, Sheltrown, Richardville, Kuipers, Voorhees, Cassis, Kooiman, Shackleton, Drolet, Birkholz, Mead, Hale, Lemmons, Stewart, Spade, Vander Roest, Shulman, Ruth Johnson, Hansen, Jacobs, Callahan, Kilpatrick, Faunce, Julian, Van Woerkom, Hager, Pappageorge, Zelenko, Bernero, Wojno, Lipsey, Adamini, Kolb, Gieleghem, Rich Brown, LaSata, Thomas, Neumann, Meyer, Kowall, Koetje, Ehardt, Bovin, Whitmer, Vear, Caul, Waters, Jansen, Bishop, Jamnick, Richner, Scranton, Switalski and Lockwood offered the following concurrent resolution:

House Concurrent Resolution No. 33.

A concurrent resolution calling for increased energy conservation and urging the Michigan Public Service Commission to include relevant information in its education materials on gas and electric choice.

Whereas, Every generation seems to need the shock of rising fuel costs to be reminded that many of the traditional sources of our energy are finite in nature and that energy is essential to our nation's future. While the balance of supply and demand is influenced by a wide array of factors, including environmental concerns, economic demands, and international relations, there are many effective steps we can take as individual citizens and businesses to deal with rising energy prices; and

Whereas, At the present time, attention is being focused on rapidly rising gasoline prices. Only a few months ago, natural gas supplies and projected cost increases were the center of concern. California's electricity crisis and rolling blackouts have served to remind us of the vulnerability of our society to any disruption in energy supplies; and

Whereas, With the many factors involved in producing and delivering energy, there are few courses of action available that can make a difference quickly to the supply component of this equation. Conservation practices can bring about an immediate reduction in demand. Even a small percentage of savings can represent a notable quantity of oil, natural gas, or other fuel; and

Whereas, The Michigan Public Service Commission has an opportunity to communicate conservation information through its ongoing efforts to educate Michigan citizens on natural gas choice options. Adding examples, statistics, and hints about conservation to the materials being prepared can help our state and its citizens; and

Whereas, While the long-term challenge of meeting our energy needs includes new investments, new sources of energy, and new technologies, the positive impact that conservation practices can make must not be overlooked. Most observers would likely concede that our level of energy consumption includes considerable waste and inefficiency. Public education programs can serve to remind households and places of business to be more prudent in making sure we use energy wisely. To ignore the real savings that can result from conservation is foolhardy, for we can save resources and money with little more investment than good planning and common sense in our homes, in our schools, and in our places of work; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we call upon Michigan's citizens and businesses to increase energy conservation efforts; and be it further

Resolved, That we urge the Michigan Public Service Commission to incorporate a strong conservation message in the upcoming public education programs it will be providing on natural gas choice and electric choice; and be it further Resolved, That copies of this resolution be transmitted to the Michigan Public Service Commission.

The concurrent resolution was referred to the Committee on Energy and Technology.

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, Friday, June 15:

House Bill Nos. 4958 4959 4960 4961 4962 4963 4964 4965

The Clerk announced the enrollment printing and presentation to the Governor on Tuesday, June 19, for his approval of the following bills:

Enrolled House Bill No. 4222 at 12:43 p.m. Enrolled House Bill No. 4223 at 12:45 p.m.

By unanimous consent the House returned to the order of

Messages from the Senate

House Bill No. 4253, entitled

A bill to make appropriations for community colleges and certain state purposes related to education for the fiscal year ending September 30, 2002; to provide for the expenditure of those appropriations; to establish or continue certain funds, programs, and categories; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

The Senate has appointed Senators Gast, Goschka and DeBeaussaert as conferees to join with Reps. Stamas, Kooiman and Pestka.

The bill was referred to the Conference Committee on June 19, 2001.

House Bill No. 4254, entitled

A bill to make appropriations for the department of community health and certain state purposes related to mental health, public health, and medical services for the fiscal year ending September 30, 2002; to make, supplement, and adjust appropriations for certain projects for the fiscal year ending September 30, 2001; to provide for the expenditure of those appropriations; to create funds; to require and provide for reports; to prescribe the powers and duties of certain local and state agencies and departments; and to provide for disposition of fees and other income received by the various state agencies.

The Senate has appointed Senators Gougeon, Schwarz and Smith as conferees to join with Reps. Mortimer, LaSata and Stallworth.

The bill was referred to the Conference Committee on June 19, 2001.

House Bill No. 4255, entitled

A bill to make appropriations for the department of corrections and certain state purposes related to corrections for the fiscal year ending September 30, 2002; to provide for the expenditure of the appropriations; to provide for reports; to provide for the creation of certain advisory committees and boards; to prescribe certain powers and duties of the department of corrections, certain other state officers and agencies, and certain advisory committees and boards; to provide for the collection of certain funds; and to provide for the disposition of fees and other income received by certain state agencies.

The Senate has appointed Senators North, Hoffman and Smith as conferees to join with Reps. LaSata, Newell and Reeves

The bill was referred to the Conference Committee on June 19, 2001.

House Bill No. 4256, entitled

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 2002; to provide for the expenditure of the appropriations; to prescribe the powers and duties of certain state departments, school districts, and other governmental bodies; and to provide for the disposition of fees and other income received by certain legal entities and state agencies.

The Senate has appointed Senators Stille, Bennett and Murphy as conferees to join with Reps. Jelinek, Godchaux and Switalski.

The bill was referred to the Conference Committee on June 19, 2001.

House Bill No. 4257, entitled

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2002; to provide for the expenditure of those appropriations; to create certain funds and accounts; to require certain reports; to prescribe the powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

The Senate has appointed Senators Bennett, Gast and DeBeaussaert as conferees to join with Reps. Mead, Jansen and Rich Brown.

The bill was referred to the Conference Committee on June 19, 2001.

House Bill No. 4258, entitled

A bill to make appropriations for the state institutions of higher education and certain state purposes related to education for the fiscal year ending September 30, 2002; to provide for the expenditures of those appropriations; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

The Senate has appointed Senators Schwarz, McManus and Koivisto as conferees to join with Reps. Caul, Mead and Frank.

The bill was referred to the Conference Committee on June 19, 2001.

House Bill No. 4259, entitled

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2002; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

The Senate has appointed Senators McManus, Gast and Koivisto as conferees to join with Reps. Mead, Jansen and Rich Brown.

The bill was referred to the Conference Committee on June 19, 2001.

Notices

I hereby replace Rep. Adamini with Rep. Hansen Clarke on the conference committee for **Senate Bill No. 236**.

Rick Johnson

Speaker of the House

Messages from the Governor

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

Date: June 17, 2001 Time: 5:04 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4412 (Public Act No. 23, I.E.), being

An act to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts," by amending the part heading to part 417 and sections 41701, 41702, 41703, 41704, 41706, 41707, 41708, 41710, 41712, and 43530 (MCL 324.41701, 324.41702, 324.41703, 324.41704, 324.41706, 324.41707, 324.41708, 324.41710, 324.41712, 324.42714, and 324.43530), sections 41701, 41702, 41703, 41704, 41706, 41707, 41708, 41710, 41712, and 42714 as added by 1995 PA 57 and section 43530 as amended by 1996 PA 585.

(Filed with the Secretary of State June 18, 2001, at 3:30 p.m.)

Date: June 18, 2001 Time: 7:45 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4029 (Public Act No. 25, I.E.), being

An act to amend 1956 PA 218, entitled "An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and

associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker's compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to repeal acts and parts of acts; and to provide penalties for the violation of this act," by amending section 2117 (MCL 500.2117), as amended by 1980 PA 461.

(Filed with the Secretary of State June 19, 2001, at 9:43 a.m.)

Introduction of Bills

Reps. Pumford, Ehardt, Meyer, Bovin and Jelinek introduced

House Bill No. 4966, entitled

A bill to amend 1966 PA 261, entitled "An act to provide for the apportionment of county boards of commissioners; to prescribe the size of the board; to provide for appeals; to prescribe the manner of election of the members of the county board of commissioners; to provide for compensation of members; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending sections 10 and 12 (MCL 46.410 and 46.412), section 12 as amended by 1982 PA 504.

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

Reps. Pumford, Ehardt, Meyer, Bovin and Jelinek introduced

House Bill No. 4967, entitled

A bill to amend 1966 PA 293, entitled "An act to provide for the establishment of charter counties; to provide for the election of charter commissioners; to prescribe their powers and duties; to prohibit certain acts of a county board of commissioners after the approval of the election of a charter commission; to prescribe the mandatory and permissive provisions of a charter; to provide for the exercise by a charter county of certain powers whether or not authorized by its charter; and to prescribe penalties and provide remedies," by amending section 14 (MCL 45.514), as amended by 1982 PA 300.

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

Rep. Callahan introduced

House Bill No. 4968, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 721 (MCL 257.721), as amended by 2000 PA 154.

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

Reps. Bogardus, Scranton, Neumann and Godchaux introduced

House Bill No. 4969, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1284a. The bill was read a first time by its title and referred to the Committee on Education.

Reps. Shackleton, Bovin, Richardville and Allen introduced

House Bill No. 4970, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 15 and 602 (MCL 380.15 and 380.602), as added by 2000 PA 231.

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

Reps. Voorhees, Ehardt, Birkholz, Kuipers, Drolet, Gosselin, Pappageorge, Tabor, Vander Veen, Kooiman and Shackleton introduced

House Bill No. 4971, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 4 (MCL 205.94), as amended by 2000 PA 200. The bill was read a first time by its title and referred to the Committee on Tax Policy.

Reps. Hale, Schermesser, Kilpatrick, Clark, Williams, Neumann, Garza, Bovin, Wojno and Lemmons introduced House Bill No. 4972, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2111c.

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

Reps. Hale, Schermesser, Kilpatrick, Schauer, Clark, Neumann, Williams, Garza, Bovin, Wojno and Lemmons introduced

House Bill No. 4973, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 506b. The bill was read a first time by its title and referred to the Committee on Senior Health, Security and Retirement.

Reps. Hale, Schermesser, Kilpatrick, Clark, Williams, Neumann, Garza, Bovin, Wojno and Lemmons introduced House Bill No. 4974, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 18 of chapter XVII (MCL 777.18), as amended by 2000 PA 304.

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

Reps. Anderson, O'Neil, Schauer, Spade, Rich Brown, Plakas, Bogardus, Pestka, Pappageorge and Lemmons introduced

House Bill No. 4975, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 24 of chapter VII (MCL 767.24), as amended by 2001 PA 6.

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

Reps. Sanborn, Rivet, Richardville, Allen, Kowall, Shackleton, Julian, Toy, Bovin, Raczkowski and Jansen introduced House Bill No. 4976, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," (MCL 205.91 to 205.111) by adding section 4w.

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

Reps. Jelinek, Pumford, Patterson and Pappageorge introduced

House Bill No. 4977, entitled

A bill to amend 1982 PA 455, entitled "The library privacy act," (MCL 397.601 to 397.606) by adding section 5a. The bill was read a first time by its title and referred to the Committee on Civil Law and the Judiciary.

Reps. Reeves, Bovin, Schauer, Adamini, Rivet, Bernero, Hardman, Phillips and Lemmons introduced House Bill No. 4978, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3518.

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

Reps. Reeves, Schermesser, Jacobs, DeWeese, Plakas, Thomas, Bovin, Pappageorge, Gosselin, Kooiman, Anderson, Adamini, Rivet, Phillips, Bernero, Ehardt, Hardman and Lemmons introduced

House Bill No. 4979, entitled

A bill to amend 1978 PA 33, entitled "An act to prohibit the dissemination, exhibiting, or displaying of certain sexually explicit matter to minors; to prohibit certain misrepresentations facilitating the dissemination of sexually explicit matter to minors; to provide penalties; to provide for declaratory judgments and injunctive relief in certain instances; to impose certain duties upon prosecuting attorneys and the circuit court; to preempt local units of government from proscribing certain conduct; and to repeal certain acts and parts of acts," by amending sections 1, 1a, 3, 5, 6, and 7 (MCL 722.671, 722.671a, 722.673, 722.675, 722.676, and 722.677), section 1a as added and sections 3, 5, 6, and 7 as amended by 1999 PA 33.

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

Reps. Ruth Johnson, Lemmons, Bovin and Godchaux introduced

House Joint Resolution Q, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 9 of article II, section 8 of article III, sections 1, 7, 8, 11, 12, 14, 16, 17, 18, 19, 20, 22, 24, 26, 27, 29, 30, 31, 33, 37, 43, 53, and 54 of article IV, sections 2, 3, 6, 7, 13, 18, 20, 25, 26, 28, and 29 of article V, sections 1 and 25 of article VI, section 6 of article VIII, sections 15 and 27 of article IX, section 5 of article X, sections 5 and 7 of article XI, and sections 1 and 3 of article XII; adding section 1a to article IV and a schedule and temporary provisions; and repealing sections 2, 3, 4, 6, and 21 of article IV, to provide for the establishment of a unicameral legislature.

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

By unanimous consent the House returned to the order of

Reports of Standing Committees

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

House Bill No. 4944, entitled

A bill to amend 1913 PA 271, entitled "An act to create the Michigan historical commission; to provide for the appointment of members of the commission; to fix their terms of office, prescribe their powers and duties; to prescribe the powers and duties of certain state agencies and officers; to make an appropriation to carry out the provisions of this act; to provide for the distribution of certain revenue; to provide for the listing and destruction of useless documents, books and papers; and to repeal all acts and parts of acts inconsistent herewith," by amending sections 1, 4a, 6, 7, 7a, 8a, and 10 (MCL 399.1, 399.4a, 399.6, 399.7, 399.7a, 399.8a, and 399.10), section 4a as amended and section 10 as added by 1992 PA 190, sections 6 and 7 as amended by 1984 PA 309, and section 7a as added by 1988 PA 467.

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 4944 To Report Out:

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

Nays: None.

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

House Bill No. 4955, entitled

A bill to amend 1984 PA 152, entitled "Michigan iron industry museum advisory board act," by amending the title and sections 3 and 4 (MCL 399.73 and 399.74), the title and section 3 as amended by 1990 PA 232.

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 4955 To Report Out:

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

Nays: None.

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

House Bill No. 4956, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 76501, 76503, 76504, 76508, 76703, 76901, and 76903 (MCL 324.76501, 324.76503, 324.76504, 324.76508, 324.76703, 324.76901, and 324.76903), as added by 1995 PA 58, and by adding part 779; 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 4956 To Report Out:

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

Nays: None.

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

House Bill No. 4957, entitled

A bill to amend 1998 PA 409, entitled "Michigan freedom trail commission act," by amending sections 2 and 3 (MCL 399.82 and 399.83).

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 4957 To Report Out:

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

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Allen, Chair of the Committee on Commerce, was received and read: Meeting held on: Tuesday, June 19, 2001, at 9:00 a.m.,

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

Absent: Reps. Bishop, Koetje, Thomas, Lemmons, Rivet,

Excused: Reps. Bishop, Koetje, Thomas, Lemmons, Rivet.

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

House Bill No. 4174, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 5735 (MCL 600.5735). 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 4174 To Report Out:

Yeas: Reps. Howell, Richner, Bisbee, Faunce, Koetje, 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, June 19, 2001, at 2:08 p.m.,

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

Absent: Rep. Sanborn, Excused: Rep. Sanborn.

The Committee on Redistricting and Elections, by Rep. Patterson, Chair, reported

House Bill No. 4965, entitled

A bill to divide this state into 110 representative and 38 senatorial districts; and to prescribe the powers and duties of certain state departments and officers.

With the recommendation that the substitute (H-1) be adopted.

Without recommendation as to the passage of the bill.

The bill and substitute shall lie on the table.

Favorable Roll Call

HB 4965 To Report Out:

Yeas: Reps. Patterson, Richner, Allen, Bishop, Cassis, Hart,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Patterson, Chair of the Committee on Redistricting and Elections, was received and read:

Meeting held on: Tuesday, June 19, 2001, at 4:10 p.m.,

Present: Reps. Patterson, Richner, Allen, Bishop, Cassis, Hart, Quarles, Jamnick, Lemmons.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, June 14, 2001, at 1:30 p.m.,

Present: Reps. Kuipers, Allen, Bradstreet, Hager, Hart, Ruth Johnson, Van Woerkom, Voorhees, Hansen, Bogardus, Clark, Gieleghem, McConico, Spade, Zelenko,

Absent: Reps. Meyer, DeWeese, Excused: Reps. Meyer, DeWeese.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Ehardt, Chair of the Committee on Health Policy, was received and read: Meeting held on: Tuesday, June 19, 2001, at 9:00 a.m.,

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

Absent: Rep. Raczkowski, Excused: Rep. Raczkowski.

Rep. Lockwood moved that the House adjourn.

The motion prevailed, the time being 6:25 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, June 21, at 12:00 Noon.