

No. 68
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
91st Legislature
REGULAR SESSION OF 2001

House Chamber, Lansing, Wednesday, October 10, 2001.

2:00 p.m.

The House was called to order by Associate Speaker Pro Tempore Julian.

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

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

e/d/s = entered during session

Rep. Steven M. Pestka, from the 76th District, offered the following invocation:

“This is my chosen task to loosen all the bonds that bind men unfairly, to let the oppressed go free and to break every yoke. Share your bread with the hungry. Take the homeless into your home. Clothe the naked when you see him. Do not turn away from people in need. Then, cleansing light shall break forth like the dawn and your wounds shall soon be healed. Your triumph shall go before you and the Lord’s glory shall be your rear guard. Then you shall call and the Lord will answer; you shall cry out and He will say ‘Here I am.’ If you remove from your midst the yoke of oppression, the finger of scorn and the tongue of malice, if you put yourself out for the hungry and relieve the wretched, then shall your light shine in the darkness and your gloom shall be as noonday. The Lord will guide you continually. He will refresh you in dry places, renewing your strength. You shall be like a watered garden like a never-failing spring. And you shall rebuild ancient ruins, restoring old foundations. You shall be known as the builder of broken walls, the restorer of dwelling places. (Isaiah, Old Testament) This is the promise of the Lord.”

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

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

Messages from the Senate

The Speaker laid before the House

House Bill No. 4878, entitled

A bill to consolidate prior acts naming certain Michigan highways; to provide for the naming of certain highways; to prescribe certain duties of the state transportation department; and to repeal acts and parts of acts and certain resolutions.

(The bill was received from the Senate on October 4, with substitute (S-2) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until October 9, see House Journal No. 66, p. 1997.)

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

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

Roll Call No. 484

Yeas—103

Adamini	Faunce	LaSata	Sanborn
Allen	Frank	Lockwood	Schauer
Anderson	Garza	Mans	Scranton
Basham	George	McConico	Shackleton
Bernero	Gielegem	Mead	Sheltrown
Birkholz	Gilbert	Meyer	Shulman
Bisbee	Godchaux	Middaugh	Spade
Bishop	Gosselin	Minore	Stallworth
Bogardus	Hager	Mortimer	Stamas
Bovin	Hale	Murphy	Switalski
Bradstreet	Hansen	Neumann	Tabor
Brown, B.	Hardman	Newell	Thomas
Brown, C.	Howell	O’Neil	Toy
Brown, R.	Hummel	Pappageorge	Van Woerkom
Callahan	Jacobs	Patterson	Vander Roest
Cassis	Jamnick	Pestka	Vander Veen

Caul	Jansen	Phillips	Vear
Clark, I.	Jelinek	Plakas	Voorhees
Clarke, H.	Johnson, Rick	Pumford	Waters
Daniels	Johnson, Ruth	Raczkowski	Whitmer
Dennis	Julian	Reeves	Williams
DeRossett	Koetje	Richardville	Wojno
DeVuyst	Kolb	Richner	Woodward
DeWeese	Kooiman	Rison	Woronchak
Drolet	Kowall	Rivet	Zelenko
Ehardt	Kuipers	Rocca	

Nays—0

In The Chair: Julian

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

Rep. Jacobs moved that Rep. Kilpatrick be excused temporarily from today's session.
The motion prevailed.

Third Reading of Bills**Senate Bill No. 408, entitled**

A bill to amend 1966 PA 346, entitled "State housing development authority act of 1966," by amending section 47 (MCL 125.1447).

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

Roll Call No. 485**Yeas—104**

Adamini	Faunce	LaSata	Rocca
Allen	Frank	Lemmons	Sanborn
Anderson	Garza	Lockwood	Schauer
Basham	George	Mans	Scranton
Bernero	Gielegem	McConico	Shackleton
Birkholz	Gilbert	Mead	Sheltrown
Bisbee	Godchaux	Meyer	Shulman
Bishop	Gosselin	Middaugh	Spade
Bogardus	Hager	Minore	Stamas
Bovin	Hale	Mortimer	Stewart
Bradstreet	Hansen	Murphy	Switalski
Brown, B.	Hardman	Neumann	Tabor
Brown, C.	Howell	Newell	Thomas
Brown, R.	Hummel	O'Neil	Toy
Callahan	Jacobs	Pappageorge	Van Woerkom
Cassis	Jamnack	Patterson	Vander Roest
Caul	Jansen	Pestka	Vander Veen
Clark, I.	Jelinek	Phillips	Vear
Clarke, H.	Johnson, Rick	Plakas	Voorhees

Daniels	Johnson, Ruth	Pumford	Waters
Dennis	Julian	Raczkowski	Whitmer
DeRossett	Koetje	Reeves	Williams
DeVuyst	Kolb	Richardville	Wojno
DeWeese	Kooiman	Richner	Woodward
Drolet	Kowall	Rison	Woronchak
Ehardt	Kuipers	Rivet	Zelenko

Nays—0

In The Chair: Julian

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

“An act to create a state housing development authority; to define the powers and duties of the authority; to establish a housing development revolving fund; to establish a land acquisition and development fund; to establish a rehabilitation fund; to establish a conversion condominium fund; to authorize the making and purchase of loans, deferred payment loans, and grants to qualified developers, sponsors, individuals, mortgage lenders, and municipalities; to establish and provide acceleration and foreclosure procedures; to provide tax exemption; to authorize payments in lieu of taxes by nonprofit housing corporations, consumer housing cooperatives, limited dividend housing corporations, mobile home park corporations, and mobile home park associations; and to prescribe criminal penalties for violations of this act.”.

The House agreed to the full title.

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

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

Senate Bill No. 409, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 11 of chapter XVII (MCL 777.11), as amended by 2000 PA 492.

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

Roll Call No. 486**Yeas—104**

Adamini	Faunce	LaSata	Rocca
Allen	Frank	Lemmons	Sanborn
Anderson	Garza	Lockwood	Schauer
Basham	George	Mans	Scranton
Bernero	Gielegthem	McConico	Shackleton
Birkholz	Gilbert	Mead	Sheltrown
Bisbee	Godchaux	Meyer	Shulman
Bishop	Gosselin	Middaugh	Spade
Bogardus	Hager	Minore	Stamas
Bovin	Hale	Mortimer	Stewart
Bradstreet	Hansen	Murphy	Switalski
Brown, B.	Hardman	Neumann	Tabor
Brown, C.	Howell	Newell	Thomas
Brown, R.	Hummel	O’Neil	Toy
Callahan	Jacobs	Pappageorge	Van Woerkom
Cassis	Jamnick	Patterson	Vander Roest
Caul	Jansen	Pestka	Vander Veen
Clark, I.	Jelinek	Phillips	Vear
Clarke, H.	Johnson, Rick	Plakas	Voorhees
Daniels	Johnson, Ruth	Pumford	Waters
Dennis	Julian	Raczkowski	Whitmer

DeRossett	Koetje	Reeves	Williams
DeVuyst	Kolb	Richardville	Wojno
DeWeese	Kooiman	Richner	Woodward
Drolet	Kowall	Rison	Woronchak
Ehardt	Kuipers	Rivet	Zelenko

Nays—0

In The Chair: Julian

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

“An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act.”.

The House agreed to the full title.

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

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

Senate Bill No. 411, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 13 of chapter XVII (MCL 777.13), as amended by 2000 PA 412.

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

Roll Call No. 487**Yeas—100**

Allen	Frank	Lemmons	Sanborn
Anderson	Garza	Lockwood	Schauer
Basham	George	Mans	Scranton
Bernero	Gielegem	McConico	Shackleton
Birkholz	Gilbert	Mead	Sheltrown
Bisbee	Godchaux	Meyer	Shulman
Bishop	Gosselin	Middaugh	Spade
Bogardus	Hager	Minore	Stamas
Bovin	Hale	Mortimer	Stewart
Bradstreet	Hansen	Murphy	Switalski
Brown, B.	Hardman	Neumann	Tabor
Brown, C.	Howell	Newell	Thomas
Callahan	Hummel	O’Neil	Toy
Cassis	Jacobs	Pappageorge	Van Woerkom
Caul	Jamnick	Patterson	Vander Roest

Clark, I.	Jansen	Pestka	Vander Veen
Clarke, H.	Jelinek	Plakas	Vear
Daniels	Johnson, Rick	Pumford	Voorhees
Dennis	Johnson, Ruth	Raczkowski	Waters
DeRossett	Julian	Reeves	Whitmer
DeVuyst	Koetje	Richardville	Williams
DeWeese	Kooiman	Richner	Wojno
Drolet	Kowall	Rison	Woodward
Ehardt	Kuipers	Rivet	Woronchak
Faunce	LaSata	Rocca	Zelenko

Nays—0

In The Chair: Julian

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

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

A bill to amend 1927 PA 175, entitled “An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending section 13 of chapter XVII (MCL 777.13), as amended by 2001 PA 13.

The motion prevailed.

The House agreed to the title as amended.

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

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

Second Reading of Bills

House Bill No. 4454, entitled

A bill to repeal 1987 PA 248, entitled “Airport parking tax act,” (MCL 207.371 to 207.383).

(The bill was read a second time, substitute (H-2) offered and bill postponed for the day on May 31, see House Journal No. 47, p. 789.)

The question being on the adoption of the substitute (H-2) offered previously by Rep. Patterson,

Rep. Middaugh moved that consideration of the substitute (H-2) be postponed temporarily.

The motion prevailed.

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

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

Rep. Basham moved to amend the bill as follows:

1. Amend page 1, line 3, after the first “of” by striking out “15%” and inserting “30%”.

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

Rep. Basham demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Rep. Basham,
The amendment was not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 488**Yeas—52**

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

Nays—51

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

In The Chair: Julian

Rep. Basham moved to amend the bill as follows:

1. Amend page 1, line 3, after the first "of" by striking out "15%" and inserting "25%".

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

Rep. Basham demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 489**Yeas—53**

Adamini	Garza	Minore	Spade
Anderson	Gielegem	Murphy	Stallworth
Basham	Hale	Neumann	Stewart

Bernero	Hansen	O'Neil	Switalski
Bogardus	Hardman	Pestka	Thomas
Bovin	Jacobs	Phillips	Toy
Brown, B.	Jamnick	Plakas	Waters
Brown, R.	Kilpatrick	Raczkowski	Whitmer
Callahan	Kolb	Reeves	Williams
Clark, I.	Lemmons	Rison	Wojno
Clarke, H.	Lockwood	Rivet	Woodward
Daniels	Mans	Schauer	Woronchak
Dennis	McConico	Sheltrown	Zelenko
Frank			

Nays—53

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

In The Chair: Julian

Rep. Basham moved to amend the bill as follows:

1. Amend page 1, line 3, after the first "of" by striking out "15%" and inserting "20%".

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

Rep. Basham demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 490**Yeas—52**

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

Nays—52

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

In The Chair: Julian

Rep. Basham moved to amend the bill as follows:

1. Amend page 2, line 26, after “FUND” by striking out the balance of the sentence and inserting a period.

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

Rep. Basham demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 491**Yeas—51**

Adamini	Frank	McConico	Stallworth
Anderson	Garza	Minore	Stewart
Basham	Gielegem	Murphy	Switalski
Bernero	Hale	Neumann	Thomas
Bogardus	Hansen	O’Neil	Toy
Bovin	Hardman	Pestka	Waters
Brown, B.	Jacobs	Plakas	Whitmer
Brown, R.	Jamnick	Rackowski	Williams
Callahan	Kilpatrick	Rison	Wojno
Clark, I.	Kolb	Rivet	Woodward
Clarke, H.	Lemmons	Schauer	Woronchak
Daniels	Lockwood	Sheltrown	Zelenko
Dennis	Mans	Spade	

Nays—52

Allen	George	Kooiman	Richner
Birkholz	Gilbert	Kowall	Rocca
Bisbee	Godchaux	Kuipers	Sanborn
Bradstreet	Gosselin	LaSata	Scranton
Brown, C.	Hager	Mead	Shackleton
Cassis	Howell	Meyer	Shulman
Caul	Hummel	Middaugh	Stamas

DeRossett	Jansen	Mortimer	Tabor
DeVuyst	Jelinek	Newell	Van Woerkom
DeWeese	Johnson, Rick	Pappageorge	Vander Roest
Drolet	Johnson, Ruth	Patterson	Vander Veen
Ehardt	Julian	Pumford	Vear
Faunce	Koetje	Richardville	Voorhees

In The Chair: Julian

The question being on the adoption of the substitute (H-2) offered previously by Rep. Patterson, Rep. Patterson withdrew the substitute (H-2).

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

House Bill No. 4761, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," (MCL 388.1601 to 388.1772) by adding section 9.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 4760, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1294. Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Education,

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

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

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

Rep. Kuipers moved to amend the bill as follows:

1. Amend page 5, line 14, after "SCORES" by inserting "OR OTHER PERFORMANCE MEASUREMENTS IDENTIFIED IN THE APPLICATION".

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

Rep. Spade moved that Rep. Mans be excused temporarily from today's session.

The motion prevailed.

Rep. Schauer moved to amend the bill as follows:

1. Amend page 4, line 3, after "APPLICATION." by striking out the balance of the line through "APPLICATION." on line 6.

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

Rep. Schauer demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 492

Yeas—48

Adamini	DeWeese	Lockwood	Schauer
Anderson	Frank	McConico	Sheltrown
Basham	Garza	Minore	Spade

Bernero	Gielegem	Murphy	Stallworth
Bogardus	Hale	Neumann	Switalski
Bovin	Hansen	O'Neil	Thomas
Brown, B.	Hardman	Pestka	Waters
Callahan	Jacobs	Phillips	Whitmer
Clark, I.	Jamnick	Plakas	Williams
Clarke, H.	Kilpatrick	Reeves	Wojno
Daniels	Kolb	Rison	Woodward
Dennis	Lemmons	Rivet	Zelenko

Nays—56

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

In The Chair: Julian

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

House Bill No. 4825, entitled

A bill to amend 1987 PA 231, entitled "An act to create a transportation economic development fund in the state treasury; to prescribe the uses of and distributions from this fund; to create the office of economic development and to prescribe its powers and duties; to prescribe the powers and duties of the state transportation department, state transportation commission, and certain other bodies; and to permit the issuance of certain bonds," by amending section 11 (MCL 247.911), as amended by 1993 PA 149.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Appropriations (for amendment, see House Journal No. 58, p. 1342),

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

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

The motion prevailed.

House Bill No. 4733, entitled

A bill to authorize the board of a school district to award high school diplomas to World War II veterans under certain circumstances; and to prescribe duties and responsibilities of certain state officers and officials.

The bill was read a second time.

Rep. Ehardt 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. Kilpatrick, Jacobs, Daniels, DeWeese, Koetje, Woodward, Sheltroun, Faunce, Zelenko, Whitmer, Lockwood, Hale, Switalski, Thomas, Garza, Gielegem, Kolb, Neumann, Anderson, Rison, Bovin, Dennis, Waters, McConico, Hansen, Schauer, Hardman, Spade, Adamini, Jamnick, Lemmons, Wojno, Bernero, Rich Brown, Clark, Murphy, Ehardt, Rivet, Williams, Vander Roest, Clarke, DeRossett, Raczkowski, Minore, Shackleton, Richner and Birkholz offered the following resolution:

House Resolution No. 218.

A resolution honoring Bishop Lewis E. Evans on his 7th pastoral anniversary.

Whereas, The observance of the 7th anniversary of the service of Bishop Lewis E. Evans is an event of significance far beyond the reaches of Soul Harvest Full Gospel Missionary Baptist Church and the community of Detroit, Michigan. In his long and devoted efforts to offer spiritual and personal guidance to others through the ministry, this dedicated and unselfish individual has touched many lives through the power of faith. Gifts like these are of importance to everyone; and

Whereas, In the years since Bishop Lewis E. Evans came to work with the individuals and families at Soul Harvest Full Gospel Missionary Baptist Church, the congregation has come to highly value all of the talents of this outstanding and effective spiritual leader. Whether helping people celebrate the great turning points in life like weddings and baptisms, or by sharing the sad moments of a loved one's passing, Bishop Lewis E. Evans has brought the peace of deep faith and the hope this faith makes possible in every situation; and

Whereas, Bishop Evans was called to become pastor of his first congregation in 1978. This calling brought him to Jehovah Missionary Baptist Church in Detroit, Michigan, where he was a pastor for 14 years. Bishop Evans instituted a study program which focused on the "Word of God". His outstanding training of other teachers drove this program; and

Whereas, Led by the Holy Spirit, Pastor Evans and his wife, Lynda Camille, organized the Soul Harvest Full Gospel Missionary Baptist Church in May of 1994, with nine loyal ministers of the gospel and fifty-seven faithful followers. In the past four years, his ministry has been greatly blessed. He has a vision for God's people and stands boldly on the side of the Lord. He has prepared himself academically, as well as spiritually, to meet the challenges of this century as a commanding officer in the army of the Lord; and

Whereas, As the family and friends who have witnessed Bishop Lewis E. Evans' good works can attest, the public moments of services and sermons are only part of the presence of Bishop Evans. His private help to the needy, through encouragement, prayer, or putting a person in touch with someone with the resources to help, has constituted a true gift. Through those who have been blessed by these works, the entire community has been enriched; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body honor Bishop Lewis E. Evans as he celebrates his 7th pastoral anniversary. Our great state is blessed that he has chosen Michigan for his heavenly mission; and be it further

Resolved, That a copy of this resolution be transmitted to Bishop Lewis E. Evans as a symbol of our esteem.

Pending the reference of the resolution to a committee,

Rep. Middaugh 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. Switalski, Jacobs, Daniels, Woodward, Sheltroun, Kilpatrick, Zelenko, Whitmer, Lockwood, Hale, Plakas, Thomas, Garza, Gielegem, Kolb, Neumann, Anderson, Scranton, Rison, Callahan, Dennis, Waters, McConico, Hansen, Hardman, Spade, Adamini, Jamnick, Lemmons, Wojno, Bernero, Bogardus, Rich Brown, Clark, Murphy, Ehardt, Rivet, Clarke, DeRossett, Raczkowski, Minore, Shackleton, Pestka and Pappageorge offered the following resolution:

House Resolution No. 219.

A resolution to memorialize the Congress of the United States to recalculate the formulas for reimbursement for Medicare services.

Whereas, While budgetary attentions have been largely focused elsewhere, a crisis in health care for America's senior citizens is looming. Inadequate reimbursement costs for services under Medicare are causing more and more Health Maintenance Organizations to pull out of Michigan. The trend of HMOs closing, however, is a nationwide phenomenon that reflects a serious problem facing the country's health services; and

Whereas, Several major HMOs have left Michigan or announced plans to do so soon. This reflects nationwide statistics that indicate that the number of beneficiaries enrolled in Medicare+Choice (Medicare HMOs) has dropped from 6.4 million to 5.7 million in the last two years alone; and

Whereas, The 1997 move to encourage seniors to join HMOs for health care was a cost-cutting measure. In calculating reimbursement rates for services, decisions were made to try to adjust health services available in areas with fewer facilities. These decisions have contributed to the imbalance facing urban HMO operations, although the overall problem is rooted in inadequate rates of payment for health services; and

Whereas, Although Washington has promised to ease the problem, it has yet to do so. In the meantime, the insufficient payments for services are forcing managed care operations out of business and jeopardizing the health care options for senior citizens. This situation must be remedied as soon as possible; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to recalculate the formulas for reimbursement for Medicare services; and be it further

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

The resolution was referred to the Committee on Insurance and Financial Services.

Reps. Switalski, Jacobs, Daniels, DeWeese, Woodward, Sheltroun, Kilpatrick, Zelenko, Whitmer, Lockwood, Hale, Plakas, Thomas, Garza, Gielegem, Kolb, Neumann, Anderson, Scranton, Rison, Callahan, Dennis, Waters, McConico, Hansen, Hardman, Reeves, Spade, Adamini, Jamnick, Lemmons, Wojno, Bernero, Bogardus, Rich Brown, Clark, Murphy, Ehardt, Rivet, Clarke, DeRossett, Raczkowski, Minore, Shackleton, Pestka and Pappageorge offered the following resolution:

House Resolution No. 220.

A resolution to memorialize the Congress of the United States to adjust the income eligibility levels for Medicaid.

Whereas, With the sweeping and much heralded reforms that were put in place for Medicaid and other human service programs several years ago, the eligibility criteria were changed significantly. While the impact of these reforms has included success stories for some individuals and families, it is time for the country to face the facts that the new system of restricting access to health benefits and other services has also been counterproductive in many instances; and

Whereas, When eligibility standards for Medicaid were set in 1996, the thresholds were based on AFDC criteria and frozen at that level. Since that time, the ability of people to qualify for benefits has eroded steadily, to the point where income eligibility is falling further below the poverty level. As a result of this trend, only half of Americans with incomes below federal poverty guidelines qualify for Medicaid. Generally speaking, men and women who are not elderly and do not have children cannot qualify for Medicaid, no matter how impoverished they are; and

Whereas, To have frozen eligibility criteria is an unrealistic and cruel approach for public policies supposedly helping people most in need. The unexpected consequence of denying more and more people Medicaid breaks faith with those who are—or who may one day become—needy; and

Whereas, While many of the components of the welfare reforms clearly are in need of revisiting and revamping, there is an immediate need to adjust the formula for eligibility for Medicaid to levels that at least include all persons below the federally recognized poverty level. A compassionate nation should not shirk the needs of its citizens; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to adjust the income eligibility levels for Medicaid; and be it further

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

The resolution was referred to the Committee on Family and Children Services.

Reports of Standing Committees

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

House Bill No. 4995, entitled

A bill to amend 1943 PA 184, entitled “Township zoning act,” by amending section 40 (MCL 125.310), as amended by 2000 PA 384, and by adding section 16h.

With the recommendation that the substitute (H-4) 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 4995 To Report Out:

Yeas: Reps. Ruth Johnson, Koetje, Birkholz, DeRossett, Tabor, Kolb, Basham, Gielegem,

Nays: None.

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

House Bill No. 5028, entitled

A bill to amend 1943 PA 183, entitled "County zoning act," by amending section 40 (MCL 125.240), as amended by 2000 PA 385, and by adding section 16h.

With the recommendation that the substitute (H-4) 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 5028 To Report Out:

Yeas: Reps. Ruth Johnson, Koetje, Birkholz, DeRossett, Tabor, Kolb, Basham, Gielegghem,

Nays: None

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

House Bill No. 5029, entitled

A bill to amend 1921 PA 207, entitled "City and village zoning act," by amending section 20 (MCL 125.600), as amended by 2000 PA 383, and by adding section 4f.

With the recommendation that the substitute (H-4) 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 5029 To Report Out:

Yeas: Reps. Ruth Johnson, Koetje, Birkholz, DeRossett, DeVuyst, Tabor, Kolb, Basham, Gielegghem,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, October 9, 2001, at 10:30 a.m.,

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

Absent: Rep. Ehardt,

Excused: Rep. Ehardt.

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

House Bill No. 5022, entitled

A bill to amend 1846 RS 65, entitled "Of alienation by deed, and the proof and recording of conveyances, and the canceling of mortgages," by amending sections 8 and 47 (MCL 565.8 and 565.47), section 8 as amended by 1980 PA 488.

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 5022 To Report Out:

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

Nays: None.

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

House Bill No. 5023, entitled

A bill to amend 1937 PA 103, entitled "An act to prescribe certain conditions relative to the execution of instruments entitled to be recorded in the office of the register of deeds," by amending section 1 (MCL 565.201), as amended by 1996 PA 459.

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

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

Favorable Roll Call

HB 5023 To Report Out:

Yeas: Reps. Birkholz, Hager, Drolet, Gilbert, Hummel, Richardville, Jamnick, Dennis, McConico,
Nays: None.

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

House Bill No. 5024, entitled

A bill to amend 1879 PA 237, entitled "An act to provide for the execution, acknowledgment, and recording of contracts for the sale of land," by amending section 1 (MCL 565.351), as amended by 1991 PA 140.

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 5024 To Report Out:

Yeas: Reps. Birkholz, Hager, Drolet, Gilbert, Hummel, Richardville, Jamnick, Dennis, McConico,
Nays: None.

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

House Bill No. 5025, entitled

A bill to amend 1967 PA 288, entitled "Land division act," by amending section 144 (MCL 560.144).

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 5025 To Report Out:

Yeas: Reps. Birkholz, Hager, Drolet, Gilbert, Hummel, Richardville, Jamnick, Dennis, McConico,
Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, October 9, 2001, at 12:00 Noon,

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

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

House Bill No. 4824, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1212 (MCL 380.1212), as amended by 1993 PA 312.

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 4824 To Report Out:

Yeas: Reps. Shulman, LaSata, Cameron Brown, Caul, Godchaux, Jansen, Jelinek, Kooiman, Mead, Mortimer, Newell, Shackleton, Stamas, Stewart, Vander Roest, Frank, Rich Brown, Lockwood, Pestka, Plakas, 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, October 10, 2001, at 10:30 a.m.,

Present: Reps. Shulman, LaSata, Cameron Brown, Caul, Godchaux, Jansen, Jelinek, Kooiman, Mead, Mortimer, Newell, Shackleton, Stamas, Stewart, Vander Roest, Frank, Rich Brown, Lockwood, Pestka, Plakas, Stallworth, Switalski, Whitmer,

Absent: Reps. Pappageorge, Pumford, Toy, Clarke, Phillips, Reeves,

Excused: Reps. Pappageorge, Pumford, Toy, Clarke, Phillips, Reeves.

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

House Bill No. 4037, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 310 (MCL 257.310), as amended by 1998 PA 226.

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

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

Favorable Roll Call

HB 4037 To Report Out:

Yeas: Reps. Faunce, Kowall, Julian, Sanborn, McConico, Callahan, O'Neil, Rison,

Nays: None.

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

House Bill No. 4690, entitled

A bill to enter into the interstate compact for the supervision of adult offenders; and for related purposes.

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 4690 To Report Out:

Yeas: Reps. Faunce, Kowall, Julian, Sanborn, McConico, Callahan, O'Neil, Rison,

Nays: None.

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

House Bill No. 4859, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7411 (MCL 333.7411), as amended by 1993 PA 169.

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 4859 To Report Out:

Yeas: Reps. Faunce, Kowall, DeWeese, George, Julian, Sanborn,

Nays: Reps. McConico, Rison.

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

House Bill No. 5026, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 231a (MCL 750.231a).

The committee recommended that the bill be referred to the Committee on Conservation and Outdoor Recreation.

Favorable Roll Call

HB 5026 To Report Out:

Yeas: Reps. Faunce, Kowall, Julian, Sanborn, McConico, Callahan, O'Neil, Rison,

Nays: None.

The recommendation was concurred in and the bill was referred to the Committee on Conservation and Outdoor Recreation.

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

House Bill No. 5041, 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.

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

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

Favorable Roll Call

HB 5041 To Report Out:

Yeas: Reps. Faunce, Kowall, Julian, Sanborn, McConico, Callahan, O'Neil, Rison,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Faunce, Chair of the Committee on Criminal Justice, was received and read:

Meeting held on: Tuesday, October 9, 2001, at 10:30 a.m.,

Present: Reps. Faunce, Kowall, DeWeese, George, Julian, Sanborn, McConico, Callahan, O'Neil, Rison,

Absent: Rep. Raczkowski.

The Committee on Transportation, by Rep. George, Vice-Chair, reported

House Bill No. 5027, entitled

A bill to name a certain portion of highway M-69 the "Oscar G. Johnson Memorial Highway"; and to prescribe certain duties of the state transportation department.

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 5027 To Report Out:

Yeas: Reps. Gilbert, George, Drolet, Gosselin, Hummel, Ruth Johnson, Julian, Anderson, Bovin, Jamnick, Murphy,

Nays: None.

The Committee on Transportation, by Rep. George, Vice-Chair, reported

House Bill No. 5039, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 81d.

The committee recommended that the bill be referred to the Committee on Criminal Justice.

Favorable Roll Call

HB 5039 To Report Out:

Yeas: Reps. Gilbert, George, Drolet, Gosselin, Hummel, Ruth Johnson, Julian, Anderson, Bovin, Jamnick, Murphy,

Nays: None.

The recommendation was concurred in and the bill was referred to the Committee on Criminal Justice.

The Committee on Transportation, by Rep. George, Vice-Chair, reported

House Bill No. 5090, entitled

A bill to name a certain portion of highway US-27 the “Veterans Memorial Highway”; and to prescribe certain duties of the state transportation department.

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

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

Favorable Roll Call

HB 5090 To Report Out:

Yeas: Reps. Gilbert, George, Drolet, Gosselin, Hummel, Ruth Johnson, Julian, Anderson, Bovin, Jamnick, Murphy,
Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, October 10, 2001, at 9:00 a.m.,

Present: Reps. Gilbert, George, DeRossett, Drolet, Gosselin, Hummel, Ruth Johnson, Julian, Scranton, Anderson, Bovin, Daniels, Jamnick, Murphy, Neumann,

Absent: Reps. Hart, Schermesser,

Excused: Reps. Hart, Schermesser.

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

House Bill No. 5091, entitled

A bill to allow state agencies and units of local government to place the national motto in public buildings in this state.

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 5091 To Report Out:

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

Nays: None.

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

House Resolution No. 188.

A resolution to condemn violence and bigotry against Arab Americans, American Muslims, and Americans from South Asia.

(For text of resolution, see House Journal No. 63, p. 1942.)

With the recommendation that the following substitute (H-3) be adopted and that the resolution then be adopted.

Substitute for House Resolution No. 188.

A resolution to condemn violence and bigotry against all Americans.

Whereas, Peace-loving people around the globe have joined with Americans of all creeds, colors, and backgrounds in mourning the deaths of thousands of innocent men, women, and children from the terrorist attacks of September 11, 2001. In addition to the profound sorrow and anger felt by our people, some of our fellow citizens and neighbors also face hatred in another form—such as actions of bigotry and violence directed at Arab Americans, American Muslims, Chaldean Americans, and Americans from South Asia because of their religious faith, national heritage, color, appearance, or creed; and

Whereas, There have been several reports of vandalism, threats, and even violence against some Americans based on their religious faith, national heritage, color, appearance, or creed since the terrorist attacks. The injustice of striking out at someone because they may have something in common with the suspected groups responsible for the murders is most disturbing. Violence and threats directed at innocent people are always wrong. Such actions reflect appalling ignorance and intolerance of American culture and the diversity found in the United States, which has come to be known as the great “melting pot”; and

Whereas, Leaders from across the country, including the President and religious leaders from all faiths, have decried threats and violence against Muslims and people from the Mideast and anyone because of their religious faith, national

heritage, color, appearance, or creed as unacceptable and un-American behavior. Indeed, as Archbishop Theodore McCarrick of Washington, D.C., reminded all Americans, "We must seek the guilty and not strike out against the innocent or we become like them who are without moral guidance or direction"; now, therefore, be it

Resolved by the House of Representatives, That we condemn violence and bigotry against all Americans simply because of religious faith, nationality, color, appearance, or creed. We urge state and local law enforcement officials to exert all necessary efforts to protect the civil rights and liberties of our fellow citizens and neighbors.

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

Favorable Roll Call

HR 188 To Report Out:

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

Nays: None.

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

House Concurrent Resolution No. 41.

A concurrent resolution calling for the members of the Michigan Legislature to cut legislator salaries for 2002 to a level 5 percent less than the 2001 salaries, with the difference returned to the state treasury for nonlegislative purposes.

(For text of resolution, see House Journal No. 65, p. 1977.)

The committee recommended that the concurrent resolution be referred to the Committee on Commerce.

Favorable Roll Call

HCR 41 To Report Out:

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

Nays: None.

The recommendation was concurred in and the concurrent resolution was referred to the Committee on Commerce.

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

House Concurrent Resolution No. 42.

A concurrent resolution calling for the members of the Michigan Legislature to freeze their salaries for 2002 at the 2001 level, with the difference returned to the state treasury for nonlegislative purposes.

(For text of resolution, see House Journal No. 65, p. 1977.)

The committee recommended that the concurrent resolution be referred to the Committee on Commerce.

Favorable Roll Call

HCR 42 To Report Out:

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

Nays: None.

The recommendation was concurred in and the concurrent resolution was referred to the Committee on Commerce.

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, October 10, 2001, at 10:30 a.m.,

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, October 9, 2001, at 3:00 p.m.,

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

Absent: Reps. Hart, DeWeese,

Excused: Reps. Hart, DeWeese.

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, October 9, 2001, at 3:15 p.m.,

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

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Sanborn, Chair of the Committee on Insurance and Financial Services, was received and read:

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

Present: Reps. Sanborn, Bisbee, Ehardt, Hager, Julian, Middaugh, Richner, Scranton, Van Woerkom, Wojno, Anderson, Clark, Daniels, Woodward,

Absent: Rep. Schermesser,

Excused: Rep. Schermesser.

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, October 10, 2001, at 10:30 a.m.,

Present: Reps. Cassis, Vear, Drolet, Faunce, Gosselin, Kowall, Meyer, Newell, Richardville, Woronchak, Quarles, Basham, Bob Brown, Hale, Minore,

Absent: Reps. O'Neil, Wojno,

Excused: Reps. O'Neil, Wojno.

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, October 4:

Senate Bill Nos. 687 688 689

The Clerk announced that the following bills had been printed and placed upon the files of the members, Friday, October 5:

Senate Bill Nos. 691 692

The Clerk announced that the following Senate bills had been received on Wednesday, October 10:

Senate Bill Nos. 517 592 604 605

By unanimous consent the House returned to the order of

Messages from the Senate

House Bill No. 4345, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 21773 (MCL 333.21773).

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. 4776, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16131, 16263, and 21720 (MCL 333.16131, 333.16263, and 333.21720), sections 16131 and 16263 as amended by 2000 PA 11, and by adding section 16328 and part 173; and to repeal acts and parts of acts.

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. 4783, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3355 (MCL 500.3355). 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. 4784, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3230 (MCL 500.3230). 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. 4819, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 224 (MCL 500.224), as amended by 2000 PA 252; and to repeal acts and parts of acts.

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. 4774, entitled

A bill to amend 1962 PA 174, entitled "Uniform commercial code," by amending sections 9311 and 9616 (MCL 440.9311 and 440.9616), section 9311 as amended and section 9616 as added by 2000 PA 348.

The Senate has substituted (S-1) the bill.

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

Senate Bill No. 517, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16221 (MCL 333.16221), as amended by 2000 PA 29.

The Senate has passed the bill.

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

Senate Bill No. 592, entitled

A bill to amend 1984 PA 218, entitled "Third party administrator act," by amending sections 14 and 18 (MCL 550.914 and 550.918); and to repeal acts and parts of acts.

The Senate has passed the bill.

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

Senate Bill No. 604, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 2468 and 2662 (MCL 500.2468 and 500.2662).

The Senate has passed the bill.

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

Senate Bill No. 605, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3114 (MCL 500.3114), as amended by 1984 PA 372.

The Senate has passed the bill.

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

Communications from State Officers

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

October 8, 2001

Enclosed is a copy of the following audit report and/or executive digest:
Performance Audit of the
Motor Fuel, IFTA/Motor Carrier,
Tobacco Taxes and Registration Division
Department of Treasury
October 2001

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

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

Introduction of Bills

Reps. DeRossett, Richardville, Jamnick and Lockwood introduced

House Bill No. 5169, entitled

A bill to amend 1987 PA 96, entitled "The mobile home commission act," by amending the title and sections 1, 2, 3, 4, 5, 6, 7, 11, 12, 13, 14, 16, 16a, 17, 18, 21, 22, 23, 24, 25, 27, 28, 28a, 28b, 28c, 29, 30, 30a, 30b, 30c, 30d, 30e, 30f, 30g, 30h, 31, 38, and 43 (MCL 125.2301, 125.2302, 125.2303, 125.2304, 125.2305, 125.2306, 125.2307, 125.2311, 125.2312, 125.2313, 125.2314, 125.2316, 125.2316a, 125.2317, 125.2318, 125.2321, 125.2322, 125.2323, 125.2324, 125.2325, 125.2327, 125.2328, 125.2328a, 125.2328b, 125.2328c, 125.2329, 125.2330, 125.2330a, 125.2330b, 125.2330c, 125.2330d, 125.2330e, 125.2330f, 125.2330g, 125.2330h, 125.2331, 125.2338, and 125.2343), section 28 as amended by 1993 PA 241 and sections 28a, 28b, 28c, and 43 as added and section 38 as amended by 1988 PA 337; and to repeal acts and parts of acts.

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

Reps. Schermesser, DeRossett, Richardville, Lockwood, Ruth Johnson and Jamnick introduced

House Bill No. 5170, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 4704, 5714, 5771, 5773, 5775, 5777, 5779, 5781, 5783, and 5785 (MCL 600.4704, 600.5714, 600.5771, 600.5773, 600.5775, 600.5777, 600.5779, 600.5781, 600.5783, and 600.5785), section 4704 as added by 1988 PA 104, section 5714 as amended by 1990 PA 310, and sections 5771, 5773, 5775, 5777, 5779, 5781, 5783, and 5785 as added by 1988 PA 336.

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

Reps. Richardville, DeRossett and Jamnick introduced

House Bill No. 5171, entitled

A bill to provide for the exemption of certain manufactured housing property from certain taxes; to levy and collect a specific tax upon the owners of certain manufactured housing property; to provide for the disposition of the specific tax; to prescribe the powers and duties of certain local government officials; to provide penalties; and to repeal acts and parts of acts.

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

Reps. Richardville, DeRossett, Ruth Johnson and Jamnick introduced

House Bill No. 5172, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 4aa.

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

Reps. Jamnick, Richardville, DeRossett and Ruth Johnson introduced

House Bill No. 5173, entitled

A bill to amend 1987 PA 96, entitled "The mobile home commission act," by amending the title and sections 30c and 30g (MCL 125.2330c and 125.2330g) and by adding section 30i.

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

Reps. Jamnick, DeRossett, Richardville and Ruth Johnson introduced

House Bill No. 5174, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending sections 3 and 4g (MCL 205.93 and 205.94g), section 3 as amended by 1999 PA 117 and section 4g as added by 1985 PA 66, and by adding section 4w.

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

Reps. Ruth Johnson, DeRossett, Richardville and Jamnick introduced

House Bill No. 5175, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 2a (MCL 211.2a), as amended by 1982 PA 539.

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

Reps. Lockwood, Richardville, Jamnick, Ruth Johnson and DeRossett introduced

House Bill No. 5176, entitled

A bill to amend 1987 PA 96, entitled "The mobile home commission act," by amending section 3 (MCL 125.2303).

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

Reps. Schermesser, Richardville, Lockwood, DeRossett, Jamnick and Ruth Johnson introduced

House Bill No. 5177, entitled

A bill to amend 1987 PA 96, entitled "The mobile home commission act," (MCL 125.2301 to 125.2349) by adding section 7a.

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

Reps. Lockwood, Richardville, DeRossett, Jamnick and Ruth Johnson introduced

House Bill No. 5178, entitled

A bill to amend 1987 PA 96, entitled "The mobile home commission act," by amending section 45 (MCL 125.2345).

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

Reps. Phillips, McConico, Lemmons, Daniels, Kolb, Pumford, Godchaux, Rivet, Bogardus, Minore, Kilpatrick, Woronchak, Bob Brown, Jamnick, Hale, Adamini, Rison, Clark, Rich Brown, Gielegghem, Quarles, Hansen, Stewart, Murphy, Neumann and Thomas introduced

House Bill No. 5179, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 501 and 1311b (MCL 380.501 and 380.1311b), section 501 as amended by 1995 PA 289 and section 1311b as added by 1999 PA 23.

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

Reps. Phillips, Daniels, Bogardus, Minore, Kilpatrick, Hale, Adamini, Clark, Murphy, Neumann, Thomas and McConico introduced

House Bill No. 5180, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 25b (MCL 388.1625b), as added by 2000 PA 297.

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

Rep. Allen introduced

House Bill No. 5181, entitled

A bill to authorize the state administrative board to convey certain property in Grand Traverse county; to prescribe conditions for the conveyance; and to provide for disposition of the revenue from the conveyance.

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

Rep. Kuipers introduced

House Bill No. 5182, entitled

A bill to amend 1956 PA 217, entitled "Electrical administrative act," by amending section 7 (MCL 338.887), as amended by 1992 PA 130.

The bill was read a first time by its title and referred to the Committee on Employment Relations, Training and Safety.

Reps. DeRossett, Richardville, Lockwood, Jamnick and Ruth Johnson introduced

House Bill No. 5183, entitled

A bill to amend 1987 PA 96, entitled "The mobile home commission act," (MCL 125.2301 to 125.2349) by amending the title and by adding sections 26, 26a, 26b, 26c, 26d, and 26e.

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

Reps. Cassis, DeVuyst, Stewart, Pappageorge, Howell, Jelinek, Plakas, Toy, Birkholz, Shackleton and Middaugh introduced

House Bill No. 5184, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 5510 (MCL 324.5510).

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

Reps. LaSata, Julian, Van Woerkom, Ehardt and Toy introduced

House Bill No. 5185, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 952 and 968 (MCL 168.952 and 168.968), section 952 as amended by 1993 PA 137 and section 968 as amended by 1989 PA 26.

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

Reps. Van Woerkom, Pappageorge, Gilbert, Vander Veen, Meyer, Koetje and Ehardt introduced

House Bill No. 5186, entitled

A bill to amend 1953 PA 181, entitled "An act relative to investigations in certain instances of the causes of death within this state due to violence, negligence or other act or omission of a criminal nature or to protect public health; to provide for the taking of statements from injured persons under certain circumstances; to abolish the office of coroner and to create the office of county medical examiner in certain counties; to prescribe the powers and duties of county medical examiners; to prescribe penalties for violations of the provisions of this act; and to prescribe a referendum thereon," by amending section 1 (MCL 52.201).

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

Rep. Birkholz moved that the House adjourn.

The motion prevailed, the time being 4:10 p.m.

Associate Speaker Pro Tempore Julian declared the House adjourned until Thursday, October 11, at 12:00 Noon.

GARY L. RANDALL
Clerk of the House of Representatives.