

No. 77  
STATE OF MICHIGAN  
JOURNAL  
OF THE  
**House of Representatives**  
91st Legislature  
REGULAR SESSION OF 2001

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House Chamber, Lansing, Tuesday, October 30, 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—e/d/s	Lipsey—present	Sanborn—present
Allen—present	George—present	Lockwood—present	Schauer—present
Anderson—present	Gielegem—present	Mans—present	Schermesser—present
Basham—present	Gilbert—present	McConico—present	Scranton—present
Bernero—present	Godchaux—excused	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—present	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—excused	Johnson, Ruth—present	Pumford—present	Veary—present
Daniels—present	Julian—present	Quarles—present	Voorhees—present
Dennis—e/d/s	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

Rev. Dr. Robert Brumfield, Pastor of Oak Grove African Methodist Episcopal Church in Detroit, offered the following invocation:

“God, the Prophets have said of You, that You are a mighty God, a wonderful counselor and that the government shall rest upon Your shoulders and You shall be called the Prince of Peace. It is unto You that we invoke Your presence now and we ask that You would bless this honorable House. We ask that You would move in this place, O God, with Your power and with Your spirit and that You would bring together men and women who have been chosen to lead Your people. Consecrate their minds, O God, that they might do those things which are within Your will. Empower them that Your will become their will and their will is Your will. Bless them, O God, that they might become the leaders that You have chosen them to be for such a time as this. God, we live in a time of uncertainty and, O God, we know that when all other things in our lives seem to be in chaos You are steady and You are sure. Therefore, most gracious God, who from Your throne behold all the dwellers upon earth, we hardly beseech You for Your servants, these legislators, and this great House, that they may always incline to Your will and walk in Your way. May You likewise bless all who are set in authority over us that they may be dedicated to the advancement of Your glory, to the good of Your people, the safety and welfare of this state, of this nation and of this world and that all things may be so ordered and settled by their endeavors. Upon the best and surest foundations that the religious impiety may be established among all who are of this generation and these and all others who are here might be blessed and that the necessity of those that are governed by their actions may be met. And, O God, we beg and humbly submit that all things are done decently and in order and that through this You will be glorified and Your people edified and Your will done upon earth as it is in heaven. We ask Your blessings upon these visitors who have traveled from a foreign, distant land, Uzbekistan. Bless their travels, O Lord. Bless them that they might find the truth in our creed that we are in the land of the free and the home of the brave. Let us find no fear. Let us find assurance in trusting You as we ask in the name of all that is holy. In the name of our Lord, Jesus Christ. Amen.”

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

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

Rep. Van Woerkom moved that Rep. Meyer be excused temporarily from today’s session.  
The motion prevailed.

### Third Reading of Bills

#### 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 third time.

The question being on the passage of the bill,

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

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

The question being on the passage of the bill,

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

#### Roll Call No. 552

#### Yeas—105

Adamini  
Allen  
Anderson

Gielegem  
Gilbert  
Gosselin

Lockwood  
Mans  
McConico

Schauer  
Schermesser  
Scranton

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

### 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 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, and by adding section 121.

The motion prevailed.

The House agreed to the title as amended.

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

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

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Rep. Dennis entered the House Chambers.

### House Bill No. 4887, entitled

A bill to amend 1943 PA 143, entitled "An act to empower boards of county road commissioners to borrow money in anticipation and upon the faith and credit of future receipts of revenues, derived from certain state collected taxes, for the purpose of purchasing road machinery or equipment or for improvement of county highways or for general county road purposes," (MCL 141.251 to 141.254) by adding section 1a.

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

### Roll Call No. 553

### Yeas—107

Adamini	George	Lockwood	Schauer
Allen	Gielegem	Mans	Schermesser

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

**Nays—0**

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Rep. Garza entered the House Chambers.

**House Bill No. 4892, entitled**

A bill to amend 1851 PA 156, entitled "An act to define the powers and duties of the county boards of commissioners of the several counties, and to confer upon them certain local, administrative and legislative powers; and to prescribe penalties for the violation of the provisions of this act," (MCL 46.1 to 46.32) by adding section 11d.

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

**Roll Call No. 554****Yeas—106**

Adamini	Garza	Lipsey	Schauer
Allen	George	Lockwood	Schermesser
Anderson	Gielegem	McConico	Scranton
Basham	Gilbert	Mead	Shackleton
Bernero	Gosselin	Meyer	Sheltrown

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

**Nays—0**

In The Chair: Julian

The House agreed to the title of the bill.

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

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

**House Bill No. 4893, entitled**

A bill to amend 1996 PA 381, entitled "Brownfield redevelopment financing act," (MCL 125.2651 to 125.2672) by adding section 17a.

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

**Roll Call No. 555****Yeas—107**

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

Clark, I.	Johnson, Ruth	Plakas	Vear
Daniels	Julian	Pumford	Voorhees
Dennis	Kilpatrick	Quarles	Waters
DeRossett	Koetje	Raczkowski	Whitmer
DeVuyst	Kolb	Richardville	Williams
DeWeese	Kooiman	Richner	Wojno
Drolet	Kowall	Rison	Woodward
Ehardt	Kuipers	Rivet	Woronchak
Faunce	LaSata	Rocca	Zelenko
Frank	Lemmons	Sanborn	

### Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

### House Bill No. 4894, entitled

A bill to amend 1945 PA 344, entitled “An act to authorize counties, cities, villages and townships of this state to adopt plans to prevent blight and to adopt plans for the rehabilitation of blighted areas; to authorize assistance in carrying out such plans by the acquisition of real property, the improvement of such real property and the disposal of real property in such areas; to prescribe the methods of financing the exercise of these powers; and to declare the effect of this act,” (MCL 125.71 to 125.84) by adding section 7d.

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

### Roll Call No. 556

### Yeas—106

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

**Nays—0**

In The Chair: Julian

The House agreed to the title of the bill.

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

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

**House Bill No. 4895, entitled**

A bill to amend 1954 PA 188, entitled "An act to provide for the making of certain improvements by townships; to provide for paying for the improvements by the issuance of bonds; to provide for the levying of taxes; to provide for assessing the whole or a part of the cost of improvements against property benefited; and to provide for the issuance of bonds in anticipation of the collection of special assessments and for the obligation of the township on the bonds," (MCL 41.721 to 41.738) by adding section 15d.

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

**Roll Call No. 557****Yeas—108**

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

**Nays—0**

In The Chair: Julian

The House agreed to the title of the bill.

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

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

**Senate Bill No. 494, entitled**

A bill to repeal 1895 PA 266, entitled "An act relative to bonds and other obligations, with surety or sureties, and the acceptance as surety thereon of companies qualified to act as such, and the release of such surety, and the safe depositing of assets for which such surety may be liable, and to the charging by fiduciaries of the expense of procuring sureties, and repealing all laws in conflict therewith," (MCL 550.101 to 550.109).

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

**Roll Call No. 558****Yeas—108**

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

**Nays—0**

In The Chair: Julian

The House agreed to the title of the bill.

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

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

**House Bill No. 5005, entitled**

A bill to amend 1984 PA 44, entitled "Motor fuels quality act," by amending sections 3, 4a, 5, 6, 9i, 10a, and 10b (MCL 290.643, 290.644a, 290.645, 290.646, 290.649i, 290.650a, and 290.650b), section 3 as amended by 2000 PA 206, section 4a as added by 1986 PA 127, and sections 5 and 6 as amended and sections 9i, 10a, and 10b as added by 1993 PA 236.

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

**Roll Call No. 559****Yeas—99**

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

**Nays—9**

Bradstreet	Gosselin	Mead	Rocca
Cassis	Johnson, Ruth	Rackowski	Sheltrown
Drolet			

In The Chair: Julian

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

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Rep. Switalski moved that Rep. Rivet be excused temporarily from today's session.  
 The motion prevailed.

**House Bill No. 5211, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 19 (MCL 211.19), as amended by 1996 PA 126.

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

**Roll Call No. 560****Yeas—107**

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

**Nays—0**

In The Chair: Julian

The House agreed to the title of the bill.  
 Rep. Richardville 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. 5146, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20155 (MCL 333.20155), as amended by 2000 PA 171.

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

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

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

The motion prevailed.

**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.

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

The motion prevailed.

**House Bill No. 4937, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 43532 (MCL 324.43532), as amended by 1996 PA 585.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Conservation and Outdoor Recreation (for amendments, see House Journal No. 69, p. 2054),

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

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

The motion prevailed.

**House Bill No. 4896, entitled**

A bill to amend 1909 PA 278, entitled "The home rule village act," (MCL 78.1 to 78.28) by adding section 24d.

Was read a second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Tax Policy,

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

Rep. Pappageorge moved to amend the bill as follows:

1. Amend page 1, line 4, after the second "BOND," by striking out "OR".

2. Amend page 1, line 4, after the third "BOND," by inserting "OR A SHORT-TERM MUNICIPAL SECURITY DESCRIBED IN PART IV OF THE REVISED MUNICIPAL FINANCE ACT, 2001 PA 34, MCL 141.2401 TO 141.2415,".

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

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

The motion prevailed.

**House Bill No. 4897, 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 second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Tax Policy,

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

Rep. Pappageorge moved to amend the bill as follows:

1. Amend page 1, line 4, after the second "BOND," by striking out "OR".

2. Amend page 1, line 4, after the third "BOND," by inserting "OR A SHORT-TERM MUNICIPAL SECURITY DESCRIBED IN PART IV OF THE REVISED MUNICIPAL FINANCE ACT, 2001 PA 34, MCL 141.2401 TO 141.2415,".

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

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

The motion prevailed.

**House Bill No. 4898, entitled**

A bill to amend 1895 PA 3, entitled "The general law village act," (MCL 61.1 to 74.25) by adding section 35a to chapter VIII.

Was read a second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Tax Policy,

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

Rep. Pappageorge moved to amend the bill as follows:

1. Amend page 1, line 5, after the second "BOND," by striking out "OR".

2. Amend page 1, line 5, after the third "BOND," by inserting "OR A SHORT-TERM MUNICIPAL SECURITY DESCRIBED IN PART IV OF THE REVISED MUNICIPAL FINANCE ACT, 2001 PA 34, MCL 141.2401 TO 141.2415,".

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

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

The motion prevailed.

**House Bill No. 4899, entitled**

A bill to amend 1955 PA 233, entitled "An act to provide for the incorporation of certain municipal authorities to acquire, own, extend, improve, and operate sewage disposal systems, water supply systems, and solid waste management systems; to prescribe the rights, powers, and duties thereof; to authorize contracts between such authorities and public corporations; to provide for the issuance of bonds to acquire, construct, extend, or improve the systems; and to prescribe penalties and provide remedies," (MCL 124.281 to 124.294) by adding section 9a.

Was read a second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Tax Policy,

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

Rep. Pappageorge moved to amend the bill as follows:

1. Amend page 1, line 5, after the first "BOND," by striking out "OR".
2. Amend page 1, line 5, after the second "BOND," by inserting "OR A SHORT-TERM MUNICIPAL SECURITY DESCRIBED IN PART IV OF THE REVISED MUNICIPAL FINANCE ACT, 2001 PA 34, MCL 141.2401 TO 141.2415,".

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

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

The motion prevailed.

**House Bill No. 4900, entitled**

A bill to amend 1947 PA 359, entitled "The charter township act," (MCL 42.1 to 42.34) by adding section 14b.

Was read a second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Tax Policy,

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

Rep. Pappageorge moved to amend the bill as follows:

1. Amend page 1, line 4, after the second "BOND," by striking out "OR".
2. Amend page 1, line 5, after "BOND," by inserting "OR A SHORT-TERM MUNICIPAL SECURITY DESCRIBED IN PART IV OF THE REVISED MUNICIPAL FINANCE ACT, 2001 PA 34, MCL 141.2401 TO 141.2415,".

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

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

The motion prevailed.

**House Bill No. 5088, entitled**

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

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Regulatory Reform (for amendments, see House Journal No. 72, p. 2136),

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

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

The motion prevailed.

**House Bill No. 5140, entitled**

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

The bill was read a second time.

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

The motion prevailed.

**House Bill No. 5273, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2950a (MCL 600.2950a), as amended by 1999 PA 268.

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. 73, p. 2158),

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

Rep. Faunce moved to amend the bill as follows:

1. Amend page 11, following line 18, by inserting:

“(29) A COURT SHALL NOT ISSUE A PERSONAL PROTECTION ORDER UNDER THIS SECTION TO RESTRAIN OR ENJOIN AN INDIVIDUAL WHO IS LESS THAN 10 YEARS OF AGE.” and renumbering the remaining subsection.

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

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

The motion prevailed.

#### **House Bill No. 5279, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 15b of chapter IV and section 9a of chapter X (MCL 764.15b and 770.9a), section 15b of chapter IV as amended by 1999 PA 269 and section 9a of chapter X as amended by 1994 PA 195.

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. 73, p. 2158),

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

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

The motion prevailed.

#### **House Bill No. 5152, entitled**

A bill to amend 1996 PA 354, entitled “Savings bank act,” (MCL 487.3101 to 487.3804) by adding section 706a.

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

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

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

The motion prevailed.

By unanimous consent the House returned to the order of

#### **Motions and Resolutions**

Rep. Richardville moved that a respectful message be sent to the Senate requesting the return of **Senate Bill No. 498**.

The motion prevailed.

Reps. Patterson and Jacobs offered the following concurrent resolution:

#### **House Concurrent Resolution No. 47.**

A concurrent resolution prescribing the legislative schedule.

Resolved by the House of Representatives (the Senate concurring), That when the House of Representatives adjourns on Thursday, November 1, 2001, it stand adjourned until Tuesday, November 27, 2001, at 2:00 p.m.; and be it further

Resolved, That when the Senate adjourns on Thursday, November 8, 2001, it stand adjourned until Tuesday, November 27, 2001, at 10:00 a.m.

Pending the reference of the concurrent resolution to a committee,

Rep. Richardville moved that Rule 77 be suspended and the concurrent 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 concurrent resolution,

The concurrent resolution was adopted.

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Rep. Richardville moved that House Committees be given leave to meet during the balance of today's session.

The motion prevailed.

Reps. Kilpatrick, Birkholz, Cassis, Raczkowski, Switalski, Neumann, Pappageorge, Shulman, Spade, Jansen, Richner, Lockwood, Ehardt, Richardville, Jacobs, Zelenko, Schauer, Callahan, Hardman, DeVuyst, Julian, Rivet, Frank, Hansen, Murphy, Clark, Thomas, Dennis, Sheltroun, Jamnick, Sanborn, Schermesser, Scranton, Wojno, Waters, Rich Brown, Lipsey, McConico, Phillips, Adamini, Kolb, Gielegem, Bovin, Lemmons, Newell, DeRossett, Minore, Hale, Anderson and Quarles offered the following resolution:

**House Resolution No. 252.**

A resolution designating November 12-16, 2001, as Youth Appreciation Week in the state of Michigan.

“Bringing out the Best in Kids. Right Here! Right Now!”

Optimist International

Whereas, It is with a deep appreciation for all of the hard work, commitment, and planning this occasion represents that we designate November 12-16, 2001, as Youth Appreciation Week in the state of Michigan. As members of Optimist International gather to celebrate this event and express their confidence, we are proud to add our voice to commend everyone who has worked so hard to make this week possible; and

Whereas, Almost from their beginning, Optimist International’s major focus has been working with youth. Members from all over the world are working towards improving the life of youth through exciting and fun programs, as well as teaching them about the importance of optimism; and

Whereas, Optimist International traces its roots back to 1911, when a group of Buffalo, New York business people began meeting on a regular basis. Optimist International was formed on June 19, 1919, when representatives from 11 Optimist Clubs met in Louisville, Kentucky; and

Whereas, Early Optimist Clubs started day camps and homes for delinquent youth, organized parent-child weekends, and sponsored Junior Optimist Clubs for young people. Since its inception, Optimist International has increased its membership nearly every year. In the 1990’s, the organization began its expansion outside of North America. Presently, there are Optimist Clubs in the United States, Canada, the Caribbean, Mexico, France, Hungary, Russia, Republic of Georgia, Togo, Ukraine, and Nigeria. The latest club was developed in London, England; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body designate November 12-16, 2001, as Youth Appreciation Week in the state of Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to Optimist International as a token of our esteem.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

### Reports of Standing Committees

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

**House Bill No. 4195, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding section 21723.

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 4195** To Report Out:

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

Nays: None.

### COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Voorhees, Chair of the Committee on Senior Health, Security and Retirement, was received and read:

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

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

The Committee on Employment Relations, Training and Safety, by Rep. Gosselin, Chair, reported

**House Bill No. 4460, entitled**

A bill to amend 1978 PA 90, entitled "Youth employment standards act," by amending section 19 (MCL 409.119).

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 4460** To Report Out:

Yeas: Reps. Gosselin, Bisbee, Kuipers, Meyer, Minore, Bernero, Dennis,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Gosselin, Chair of the Committee on Employment Relations, Training and Safety, was received and read:

Meeting held on: Tuesday, October 30, 2001, at 9:00 a.m.,

Present: Reps. Gosselin, Bisbee, Kuipers, Meyer, Minore, Bernero, Dennis.

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

**House Bill No. 5210, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 811k (MCL 257.811k), as added by 2000 PA 73.

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 5210** To Report Out:

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

Nays: None.

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

**House Bill No. 5214, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 260 (MCL 206.260), as amended by 1996 PA 484.

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 5214** To Report Out:

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

Nays: None.

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

**House Bill No. 5215, entitled**

A bill to amend 1980 PA 450, entitled "The tax increment finance authority act," by amending section 26 (MCL 125.1826).

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 5215** To Report Out:

Yeas: Reps. Allen, Bishop, DeVuyst, Koetje, Middaugh, 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, October 30, 2001, at 9:00 a.m.,

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

Absent: Reps. Thomas, Lemmons,

Excused: Reps. Thomas, Lemmons.

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

**House Bill No. 4994, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16186 (MCL 333.16186), as amended by 1993 PA 80.

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 4994** To Report Out:

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

Nays: None.

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

**House Bill No. 5255, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21534.

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 5255** To Report Out:

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

Nays: None.

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

**House Bill No. 5258, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 5652, 5653, 5654, and 5655 (MCL 333.5652, 333.5653, 333.5654, and 333.5655), sections 5652 and 5655 as added by 1996 PA 594 and sections 5653 and 5654 as amended by 2000 PA 58.

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 5258** To Report Out:

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

Nays: None.

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

**House Bill No. 5260, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 7333, 7401, 7403, 7407, 7521, 16204b, 16204c, and 16204d (MCL 333.7333, 333.7401, 333.7403, 333.7407, 333.7521, 333.16204b, 333.16204c, and 333.16204d), section 7333 as amended by 1993 PA 138, sections 7401 and 7403 as amended by 2000 PA 314, section 7407 as amended by 1993 PA 80, section 7521 as amended by 2000 PA 302, section 16204b as added by 1998 PA 422, and sections 16204c and 16204d as added by 1998 PA 423, and by adding section 7333a; and to repeal acts and parts of acts.

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

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

Favorable Roll Call

**HB 5260** To Report Out:

Yeas: Reps. Ehardt, Raczkowski, Bradstreet, George, Ruth Johnson, Rocca, Vander Veen, Woronchak, Neumann, Adamini, Hardman, Williams,

Nays: None.

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

**House Bill No. 5261, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16315 (MCL 333.16315), as added by 1993 PA 138; and to repeal acts and parts of acts.

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 5261** To Report Out:

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

Nays: None.

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

**House Bill No. 5262, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 7104, 7107, and 7109 (MCL 333.7104, 333.7107, and 333.7109), section 7104 as amended by 1994 PA 38 and sections 7107 and 7109 as amended by 1993 PA 80.

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

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

Favorable Roll Call

**HB 5262** To Report Out:

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

Nays: None.

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

**House Bill No. 5266, entitled**

A bill to amend 1972 PA 222, entitled "An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; and to prescribe certain penalties for violations," by amending section 2 (MCL 28.292), as amended by 1999 PA 89.

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 5266** To Report Out:

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

Nays: None.

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, October 30, 2001, at 9:00 a.m.,

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

Absent: Reps. Scranton, Lemmons,

Excused: Reps. Scranton, Lemmons.

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

**House Bill No. 4765, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding sections 27a and 27b to chapter VIII.

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 4765** To Report Out:

Yeas: Reps. Faunce, Kowall, George, Julian, Raczkowski, Sanborn, McConico, Callahan, Rison,

Nays: None.

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

**House Bill No. 5270, entitled**

A bill to amend 1966 PA 189, entitled "An act to provide procedures for making complaints for, obtaining, executing and returning search warrants; and to repeal certain acts and parts of acts," by amending sections 4 and 5 (MCL 780.654 and 780.655).

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

1. Amend page 2, line 23, after "tabulation" by striking out "AND THE AFFIDAVIT".

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

## Favorable Roll Call

**HB 5270** To Report Out:

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

Nays: Reps. McConico, Rison.

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

**House Bill No. 5271, entitled**

A bill to amend 1968 PA 319, entitled "An act to provide a uniform crime reporting system; to provide for the submitting of such report to the department of state police; to require submission of the report by certain police agencies; to require the reporting on wanted persons and stolen vehicles; to require the reporting of information regarding certain persons and unidentified bodies of deceased persons; to prescribe certain powers and duties of law enforcement agencies; and to vest the director of the department of state police with certain authority," by amending section 7 (MCL 28.257).

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 5271** To Report Out:

Yeas: Reps. Faunce, Kowall, DeWeese, George, Julian, Sanborn, McConico, Callahan, O'Neil, Rison,  
Nays: None.

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

**House Bill No. 5272, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 81 and 81a (MCL 750.81 and 750.81a), section 81 as amended by 2000 PA 462 and section 81a as amended by 1999 PA 270.

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 5272** To Report Out:

Yeas: Reps. Faunce, Kowall, George, Julian, Sanborn, McConico, Callahan, O'Neil, Rison,  
Nays: None.

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

**House Bill No. 5274, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 15c of chapter IV (MCL 764.15c), as amended by 1999 PA 269.

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 5274** To Report Out:

Yeas: Reps. Faunce, Kowall, DeWeese, George, Sanborn, McConico, Callahan, O'Neil, Rison,  
Nays: None.

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

**House Bill No. 5275, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9948) by adding sections 2950d, 2950e, 2950f, and 2950g.

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 5275** To Report Out:

Yeas: Reps. Faunce, Kowall, DeWeese, Julian, Sanborn, McConico, Callahan, O'Neil, Rison,  
Nays: None.

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

**House Bill No. 5276, entitled**

A bill to amend 1961 PA 44, entitled "An act to provide for the release of misdemeanor prisoners by giving bond to the arresting officer in certain circumstances not inconsistent with public safety; and to repeal certain acts and parts of acts," by amending section 2a (MCL 780.582a), as added by 1990 PA 308.

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 5276** To Report Out:

Yeas: Reps. Faunce, Kowall, DeWeese, George, Julian, Sanborn, McConico, Callahan, O'Neil, Rison,  
Nays: None.

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

**House Bill No. 5277, entitled**

A bill to amend 1925 PA 289, entitled "An act to create a bureau of criminal identification and records within the department of state police; to require peace officers, persons in charge of certain institutions, and others to make reports respecting juvenile offenses, crimes, and criminals to the state police; to require the fingerprinting of an accused by certain persons; and to provide penalties for violation of this act," by amending sections 2 and 3 (MCL 28.242 and 28.243), section 2 as amended by 1988 PA 40 and section 3 as amended by 1999 PA 266.

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

1. Amend page 1, line 5, after "CONTEMPT" by inserting "UNDER SECTION 2950 OR 2950A OF THE REVISED JUDICATURE ACT OF 1961, 1961 PA 236, MCL 600.2950 AND 600.2950A".

2. Amend page 8, line 15, by striking out all of enacting section 1 and inserting:

"Enacting section 1. This amendatory act takes effect April 1, 2002.

Enacting section 2. This amendatory act does not take effect unless Senate Bill No. 722 or House Bill No. 5282 of the 91st Legislature is enacted into law."

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

## Favorable Roll Call

**HB 5277** To Report Out:

Yeas: Reps. Faunce, Kowall, DeWeese, George, Julian, Sanborn, McConico, Callahan, O'Neil, Rison,  
Nays: None.

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

**House Bill No. 5280, entitled**

A bill to amend 1978 PA 389, entitled "An act to provide for the prevention and treatment of domestic violence; to develop and establish policies, procedures, and standards for providing domestic violence assistance programs and services; to create a domestic violence prevention and treatment board and prescribe its powers and duties; to establish a domestic violence prevention and treatment fund and provide for its use; and to prescribe powers and duties of the family independence agency," (MCL 400.1501 to 400.1511) by adding section 11.

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 5280** To Report Out:

Yeas: Reps. Faunce, Kowall, George, Julian, Raczkowski, Sanborn, McConico, Callahan, Rison,  
Nays: None.

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

**House Bill No. 5282, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16a of chapter IX (MCL 769.16a), as amended by 2000 PA 220.

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

1. Amend page 1, line 10, after "CONTEMPT" by inserting "UNDER SECTION 2950 OR 2950A OF THE REVISED JUDICATURE ACT OF 1961, 1961 PA 236, MCL 600.2950 AND 600.2950A".

2. Amend page 4, line 4, by striking out all of enacting section 1 and inserting:

"Enacting section 1. This amendatory act takes effect April 1, 2002.

Enacting section 2. This amendatory act does not take effect unless Senate Bill No. 721 or House Bill No. 5277 of the 91st Legislature is enacted into law."

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

## Favorable Roll Call

**HB 5282** To Report Out:

Yeas: Reps. Faunce, Kowall, George, Julian, Sanborn, McConico, Callahan, O'Neil, Rison,  
Nays: None.

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

**House Bill No. 5283, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 27b to chapter VIII.

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 5283** To Report Out:

Yeas: Reps. Faunce, Kowall, George, Julian, Raczkowski, Sanborn, Callahan,  
Nays: Reps. McConico, Rison.

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

**House Bill No. 5299, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2950 (MCL 600.2950), as amended by 1999 PA 268.

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

1. Amend page 13, following line 7, by inserting:

"(C) THE RESPONDENT IS A MINOR CHILD LESS THAN 10 YEARS OF AGE.".

2. Amend page 14, following line 2, by inserting:

"Enacting section 1. This amendatory act takes effect April 1, 2002." and renumbering the remaining enacting section.

3. Amend page 14, line 6, by striking out all of line 6 through the balance of the enacting section and inserting:

"(a) Senate Bill No. 729 or House Bill No. 5275.

(b) Senate Bill No. 752 or House Bill No. 5300.

(c) Senate Bill No. 753 or House Bill No. 5301.

(d) Senate Bill No. 754 or House Bill No. 5302.

(e) Senate Bill No. 755 or House Bill No. 5303.

(f) Senate Bill No. 756 or House Bill No. 5304.

(g) Senate Bill No. 757 or House Bill No. 5305.

(h) Senate Bill No. 758 or House Bill No. 5306.".

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

## Favorable Roll Call

**HB 5299** To Report Out:

Yeas: Reps. Faunce, Kowall, DeWeese, George, Julian, Sanborn, McConico, Callahan, O'Neil, Rison,  
Nays: None.

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

**House Bill No. 5300, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2950a (MCL 600.2950a), as amended by 1999 PA 268.

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

1. Amend page 12, following line 21, by inserting:

"Enacting section 1. This amendatory act takes effect April 1, 2002." and renumbering the remaining enacting section.

2. Amend page 12, line 25, by striking out all of line 25 through the balance of the enacting section and inserting:
- “(a) Senate Bill No. 729 or House Bill No. 5275.
  - (b) Senate Bill No. 751 or House Bill No. 5299.
  - (c) Senate Bill No. 753 or House Bill No. 5301.
  - (d) Senate Bill No. 754 or House Bill No. 5302.
  - (e) Senate Bill No. 755 or House Bill No. 5303.
  - (f) Senate Bill No. 756 or House Bill No. 5304.
  - (g) Senate Bill No. 757 or House Bill No. 5305.
  - (h) Senate Bill No. 758 or House Bill No. 5306.”.

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

#### Favorable Roll Call

#### **HB 5300** To Report Out:

Yeas: Reps. Faunce, Kowall, DeWeese, George, Julian, Sanborn, McConico, Callahan, O’Neil, Rison,  
Nays: None.

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

#### **House Bill No. 5301, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 15b of chapter IV (MCL 764.15b), as amended by 1999 PA 269.

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

- 1. Amend page 6, line 24, after “SECTION” by striking out “2950D” and inserting “2950H”.
- 2. Amend page 6, line 25, after “MCL” by striking out “600.2950D” and inserting “600.2950H”.
- 3. Amend page 7, line 6, after “SECTION” by striking out “2950D” and inserting “2950I”.
- 4. Amend page 7, line 7, after “MCL” by striking out “600.2950D” and inserting “600.2950I”.
- 5. Amend page 7, following line 7, by inserting:

“Enacting section 1. This amendatory act takes effect April 1, 2002.” and renumbering the remaining enacting section.

- 6. Amend page 7, line 11, by striking out all of line 11 through the balance of the enacting section and inserting:

- “(a) Senate Bill No. 729 or House Bill No. 5275.
- (b) Senate Bill No. 751 or House Bill No. 5299.
- (c) Senate Bill No. 752 or House Bill No. 5300.
- (d) Senate Bill No. 754 or House Bill No. 5302.
- (e) Senate Bill No. 755 or House Bill No. 5303.
- (f) Senate Bill No. 756 or House Bill No. 5304.
- (g) Senate Bill No. 757 or House Bill No. 5305.
- (h) Senate Bill No. 758 or House Bill No. 5306.”.

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

#### Favorable Roll Call

#### **HB 5301** To Report Out:

Yeas: Reps. Faunce, Kowall, DeWeese, George, Julian, Sanborn, McConico, Callahan, O’Neil, Rison,  
Nays: None.

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

#### **House Bill No. 5302, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 15c of chapter IV (MCL 764.15c), as amended by 1999 PA 269.

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

- 1. Amend page 5, line 14, after “2950” by striking out “OR 2950A”.
- 2. Amend page 5, line 15, after “MCL 600.2950” by striking out “AND 600.2950A”.
- 3. Amend page 5, line 23, after “SECTION” by striking out “2950D” and inserting “2950H”.
- 4. Amend page 5, line 24, after “MCL” by striking out “600.2950D” and inserting “600.2950H”.

5. Amend page 6, line 1, after "SECTION" by striking out "2950D" and inserting "2950I".
6. Amend page 6, line 2, after "MCL" by striking out "600.2950D" and inserting "600.2950I".
7. Amend page 6, following line 2, by inserting:

"Enacting section 1. This amendatory act takes effect April 1, 2002." and renumbering the remaining enacting section.

8. Amend page 6, line 6, by striking out all of line 6 through the balance of the enacting section and inserting:

"(a) Senate Bill No. 729 or House Bill No. 5275.

(b) Senate Bill No. 751 or House Bill No. 5299.

(c) Senate Bill No. 752 or House Bill No. 5300.

(d) Senate Bill No. 753 or House Bill No. 5301.

(e) Senate Bill No. 755 or House Bill No. 5303.

(f) Senate Bill No. 756 or House Bill No. 5304.

(g) Senate Bill No. 757 or House Bill No. 5305.

(h) Senate Bill No. 758 or House Bill No. 5306.".

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

#### Favorable Roll Call

#### **HB 5302** To Report Out:

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

Nays: None.

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

#### **House Bill No. 5303, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2529 (MCL 600.2529), as amended by 1999 PA 268.

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

1. Amend page 1, line 4, after "OR" by striking out "2950D TO 2950G" and inserting "2950H TO 2950L".

2. Amend page 4, line 6, after "MISS" by inserting "A PROCEEDING TO ENFORCE".

3. Amend page 4, line 7, after "SECTIONS" by striking out "2950D TO 2950G" and inserting "2950H TO 2950L".

4. Amend page 5, following line 14, by inserting:

"Enacting section 1. This amendatory act takes effect April 1, 2002." and renumbering the remaining enacting section.

5. Amend page 5, line 18, by striking out all of line 18 through the balance of the enacting section and inserting:

"(a) Senate Bill No. 729 or House Bill No. 5275.

(b) Senate Bill No. 751 or House Bill No. 5299.

(c) Senate Bill No. 752 or House Bill No. 5300.

(d) Senate Bill No. 753 or House Bill No. 5301.

(e) Senate Bill No. 754 or House Bill No. 5302.

(f) Senate Bill No. 756 or House Bill No. 5304.

(g) Senate Bill No. 757 or House Bill No. 5305.

(h) Senate Bill No. 758 or House Bill No. 5306.".

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

#### Favorable Roll Call

#### **HB 5303** To Report Out:

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

Nays: None.

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

#### **House Bill No. 5304, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 22 of chapter XVI (MCL 776.22), as amended by 1994 PA 418.

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

1. Amend page 4, line 12, after "SECTION" by striking out "2950D" and inserting "2950H".

2. Amend page 4, line 13, after "MCL" by striking out "600.2950D" and inserting "600.2950H".
3. Amend page 4, line 16, after "SECTION" by striking out "2950D" and inserting "2950I".
4. Amend page 4, line 17, after "MCL" by striking out "600.2950D" and inserting "600.2950I".
5. Amend page 4, following line 17, by inserting:

"Enacting section 1. This amendatory act takes effect April 1, 2002." and renumbering the remaining enacting section.

6. Amend page 4, line 21, by striking out all of line 21 through the balance of the enacting section and inserting:

"(a) Senate Bill No. 729 or House Bill No. 5275.

(b) Senate Bill No. 751 or House Bill No. 5299.

(c) Senate Bill No. 752 or House Bill No. 5300.

(d) Senate Bill No. 753 or House Bill No. 5301.

(e) Senate Bill No. 754 or House Bill No. 5302.

(f) Senate Bill No. 755 or House Bill No. 5303.

(g) Senate Bill No. 757 or House Bill No. 5305.

(h) Senate Bill No. 758 or House Bill No. 5306.".

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

#### Favorable Roll Call

#### **HB 5304** To Report Out:

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

Nays: None.

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

#### **House Bill No. 5305, entitled**

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending sections 1, 2, 2c, and 14 of chapter XIIA (MCL 712A.1, 712A.2, 712A.2c, and 712A.14), section 1 as amended by 2000 PA 46, section 2 as amended by 2000 PA 55, and sections 2c and 14 as amended by 1998 PA 474.

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

1. Amend page 2, line 3, after "SECTION" by striking out "2950D" and inserting "2950H".

2. Amend page 2, line 4, after "MCL" by striking out "600.2950D" and inserting "600.2950H".

3. Amend page 2, line 13, after "SECTION" by striking out "2950D" and inserting "2950I".

4. Amend page 2, line 14, after "MCL" by striking out "600.2950D" and inserting "600.2950I".

5. Amend page 10, line 21, after "AGE." by inserting "A PERSONAL PROTECTION ORDER SHALL NOT BE ISSUED AGAINST A RESPONDENT WHO IS A MINOR LESS THAN 10 YEARS OF AGE.".

6. Amend page 13, following line 27, by inserting:

"Enacting section 1. This amendatory act takes effect April 1, 2002." and renumbering the remaining enacting section.

7. Amend page 14, line 4, by striking out all of line 4 through the balance of the enacting section and inserting:

"(a) Senate Bill No. 729 or House Bill No. 5275.

(b) Senate Bill No. 751 or House Bill No. 5299.

(c) Senate Bill No. 752 or House Bill No. 5300.

(d) Senate Bill No. 753 or House Bill No. 5301.

(e) Senate Bill No. 754 or House Bill No. 5302.

(f) Senate Bill No. 755 or House Bill No. 5303.

(g) Senate Bill No. 756 or House Bill No. 5304.

(h) Senate Bill No. 758 or House Bill No. 5306.".

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

#### Favorable Roll Call

#### **HB 5305** To Report Out:

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

Nays: None.

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

**House Bill No. 5306, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 15 of chapter IV (MCL 764.15), as amended by 2000 PA 208.

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

1. Amend page 2, line 20, after "COURT" by inserting "OF THIS STATE, ANOTHER STATE, INDIAN TRIBE, OR UNITED STATES TERRITORY".

2. Amend page 5, following line 14, by inserting:

"Enacting section 1. This amendatory act takes effect April 1, 2002." and renumbering the remaining enacting section.

3. Amend page 5, line 18, by striking out all of line 18 through the balance of the enacting section and inserting:

"(a) Senate Bill No. 729 or House Bill No. 5275.

(b) Senate Bill No. 751 or House Bill No. 5299.

(c) Senate Bill No. 752 or House Bill No. 5300.

(d) Senate Bill No. 753 or House Bill No. 5301.

(e) Senate Bill No. 754 or House Bill No. 5302.

(f) Senate Bill No. 755 or House Bill No. 5303.

(g) Senate Bill No. 756 or House Bill No. 5304.

(h) Senate Bill No. 757 or House Bill No. 5305.".

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

Favorable Roll Call

**HB 5306** To Report Out:

Yeas: Reps. Faunce, Kowall, DeWeese, George, 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 30, 2001, at 10:30 a.m.,

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

**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, Tuesday, October 30:

<b>House Bill Nos.</b>	<b>5343</b>	<b>5344</b>	<b>5345</b>	<b>5346</b>	<b>5347</b>	<b>5348</b>	<b>5349</b>	<b>5350</b>	<b>5351</b>	<b>5352</b>	<b>5353</b>	<b>5354</b>	<b>5355</b>
	<b>5356</b>	<b>5357</b>	<b>5358</b>	<b>5359</b>	<b>5360</b>	<b>5361</b>	<b>5362</b>	<b>5363</b>	<b>5364</b>	<b>5365</b>	<b>5366</b>		

By unanimous consent the House returned to the order of

**Messages from the Senate**

**House Bill No. 5092, entitled**

A bill to amend 1933 PA 62, entitled "Property tax limitation act," by amending section 5i (MCL 211.205i), as amended by 1994 PA 190.

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. 4481, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 527a (MCL 206.527a), as amended by 1996 PA 484.

The Senate has substituted (S-2) the bill.

The Senate has passed the bill as substituted (S-2), 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.

**House Bill No. 4548, entitled**

A bill to amend 1992 PA 147, entitled "Neighborhood enterprise zone act," by amending section 10 (MCL 207.780).

The Senate has substituted (S-2) the bill.

The Senate has passed the bill as substituted (S-2), 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.

**Introduction of Bills**

Reps. Bernero, Waters, Lipsey, Rich Brown, Richardville, Van Woerkom, Plakas, Murphy, McConico, George, Anderson, Thomas, Zelenko, Williams, Minore, Phillips, Hager, Vander Veen, Garza, Gielegem, O'Neil, Lockwood and Spade introduced

**House Bill No. 5367, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 411t.

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

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Rep. Bisbee moved that the House adjourn.

The motion prevailed, the time being 4:25 p.m.

Associate Speaker Pro Tempore Julian declared the House adjourned until Wednesday, October 31, at 2:00 p.m.

GARY L. RANDALL

Clerk of the House of Representatives.