

No. 82
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House Chamber, Lansing, Thursday, November 29, 2001.

12:00 Noon.

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

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

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

Rep. Jim Plakas, from the 17th District, offered the following invocation:

“Heavenly Father, thank You for Your love. Accept our thanks for the peace that yields this day and the shared faith that makes its continuance likely. Make us strong to do Your work, willing to heed and hear Your will and write on our hearts these words: ‘Use power to help people.’ For we are given power; not to advance our own purposes, nor to make a great show in the world, nor a name. There is but one just use of power and it is to serve people. Help us to remember it, Lord.

Almighty God, we pray the power to discern clearly right from wrong and to allow all our works and actions to be governed thereby and by the laws of this great land. We pray, especially, that our concerns shall be for all of the people, regardless of station, race, religion, or calling. May cooperation be permitted and be the mutual aim of those who, under the concept of our Constitution, hold to differing political beliefs so that all may work for the good of our beloved country, and for Thy glory. Amen.”

Rep. Jacobs moved that Reps. Daniels, Hardman, Kilpatrick, Quarles, Rison, Schauer, Schermesser and Stallworth be excused from today’s session.

The motion prevailed.

Rep. Vander Roest moved that Rep. Koetje be excused from today’s session.

The motion prevailed.

Reports of Standing Committees

The Speaker laid before the House

Senate Concurrent Resolution No. 31.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Agriculture Animal Health Diagnostic Laboratory.

(For text of resolution, see House Journal No. 78, p. 2285.)

(The concurrent resolution was reported by the Committee on Appropriations on November 28, consideration of which was postponed until today under the rules.)

The question being on the adoption of the concurrent resolution,

The Clerk made the following statement:

“Mr. Speaker and members of the House, the lease and exhibits attached to the resolution are available for review by the membership in the Clerk’s office.”

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 648

Yeas—100

Adamini	Faunce	LaSata	Rivet
Allen	Frank	Lemmons	Rocca
Anderson	Garza	Lipsey	Scranton
Basham	George	Lockwood	Shackleton
Bernero	Gielegghem	Mans	Sheltrown
Birkholz	Gilbert	McConico	Shulman
Bisbee	Godchaux	Mead	Spade
Bishop	Gosselin	Meyer	Stamas
Bogardus	Hager	Middaugh	Stewart
Bovin	Hale	Minore	Switalski
Bradstreet	Hansen	Mortimer	Tabor

Brown, B.	Hart	Murphy	Thomas
Brown, C.	Howell	Neumann	Toy
Brown, R.	Hummel	Newell	Van Woerkom
Callahan	Jacobs	O'Neil	Vander Roest
Cassis	Jamnick	Pappageorge	Vander Veen
Caul	Jansen	Patterson	Vear
Clark, I.	Jelinek	Pestka	Voorhees
Clarke, H.	Johnson, Rick	Phillips	Waters
Dennis	Johnson, Ruth	Plakas	Whitmer
DeRossett	Julian	Pumford	Williams
DeVuyst	Kolb	Raczkowski	Wojno
DeWeese	Kooiman	Reeves	Woodward
Drolet	Kowall	Richardville	Woronchak
Ehardt	Kuipers	Richner	Zelenko

Nays—0

In The Chair: Ehardt

The Speaker laid before the House

Senate Concurrent Resolution No. 32.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Community Health Center for Forensic Psychiatry.

(For text of resolution, see House Journal No. 78, p. 2286.)

(The concurrent resolution was reported by the Committee on Appropriations on November 28, consideration of which, under the rules, was postponed until today.)

The question being on the adoption of the concurrent resolution,

The Clerk made the following statement:

“Mr. Speaker and members of the House, the lease and exhibits attached to the resolution are available for review by the membership in the Clerk’s office.”

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 649**Yeas—99**

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

DeVuyst
DeWeese
Drolet
Ehardt

Kolb
Kooiman
Kowall
Kuipers

Reeves
Richardville
Richner
Rivet

Woodward
Woronchak
Zelenko

Nays—0

In The Chair: Ehardt

The Speaker laid before the House

Senate Concurrent Resolution No. 33.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Corrections Multilevel Correctional Facility at Ionia.

(For text of resolution, see House Journal No. 78, p. 2286.)

(The concurrent resolution was reported by the Committee on Appropriations on November 28, consideration of which, under the rules, was postponed until today.)

The question being on the adoption of the concurrent resolution,

The Clerk made the following statement:

“Mr. Speaker and members of the House, the lease and exhibits attached to the resolution are available for review by the membership in the Clerk’s office.”

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 650

Yeas—95

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

Faunce
Frank
Garza
George
Gieleghem
Gilbert
Godchaux
Gosselin
Hager
Hale
Hansen
Hart
Howell
Hummel
Jacobs
Jamnick
Jansen
Jelinek
Johnson, Rick
Johnson, Ruth
Julian
Kolb
Kooiman
Kowall

Kuipers
LaSata
Lockwood
Mans
McConico
Mead
Meyer
Middaugh
Mortimer
Murphy
Neumann
Newell
O’Neil
Pappageorge
Patterson
Pestka
Phillips
Plakas
Pumford
Rackowski
Richardville
Richner
Rivet
Rocca

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

Nays—0

In The Chair: Ehardt

The Speaker laid before the House

House Concurrent Resolution No. 48.

A concurrent resolution to urge the United States Department of Energy and the Nuclear Regulatory Commission to fulfill their obligation to establish a permanent repository for high-level nuclear waste.

(For text of resolution, see House Journal No. 78, p. 2278.)

(The concurrent resolution was reported by the Committee on Energy and Technology on November 28, consideration of which was postponed until today under the rules.)

The question being on the adoption of the concurrent resolution,

Rep. Middaugh demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted, a majority of the members present voting therefor, by yeas and nays, as follows:

Roll Call No. 651

Yeas—96

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

Nays—3

Bogardus

Kolb

Woodward

In The Chair: Ehardt

Third Reading of Bills

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.

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

Roll Call No. 652**Yeas—99**

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

Nays—1

Drolet

In The Chair: Ehardt

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

House Bill No. 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.

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

Roll Call No. 653**Yeas—96**

Adamini	Faunce	LaSata	Rocca
Allen	Frank	Lemmons	Scranton
Anderson	George	Lipsey	Shackleton
Basham	Gielegthem	Lockwood	Sheltrown
Bernero	Gilbert	Mans	Shulman
Birkholz	Godchaux	Mead	Spade

Bisbee	Gosselin	Meyer	Stamas
Bishop	Hager	Middaugh	Stewart
Bogardus	Hale	Mortimer	Switalski
Bovin	Hansen	Murphy	Tabor
Bradstreet	Hart	Neumann	Thomas
Brown, B.	Howell	Newell	Toy
Brown, C.	Hummel	O'Neil	Van Woerkom
Brown, R.	Jacobs	Pappageorge	Vander Roest
Callahan	Jamnick	Patterson	Vander Veen
Cassis	Jansen	Pestka	Vear
Caul	Jelinek	Phillips	Voorhees
Clark, I.	Johnson, Rick	Plakas	Waters
Clarke, H.	Johnson, Ruth	Pumford	Whitmer
Dennis	Julian	Raczkowski	Williams
DeRossett	Kolb	Reeves	Wojno
DeVuyst	Kooiman	Richardville	Woodward
DeWeese	Kowall	Richner	Woronchak
Ehardt	Kuipers	Rivet	Zelenko

Nays—1

Drolet

In The Chair: Ehardt

The House agreed to the title of the bill.

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

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

House Bill No. 5215, entitled

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

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

Roll Call No. 654**Yeas—96**

Adamini	Faunce	Kuipers	Rocca
Allen	Frank	LaSata	Scranton
Anderson	Garza	Lemmons	Shackleton
Basham	George	Lipsey	Sheltrown
Bernero	Gielegghem	Lockwood	Shulman
Birkholz	Gilbert	Mans	Spade
Bisbee	Godchaux	Mead	Stamas
Bishop	Gosselin	Meyer	Stewart
Bogardus	Hager	Middaugh	Switalski
Bovin	Hale	Minore	Tabor
Bradstreet	Hansen	Mortimer	Thomas
Brown, B.	Hart	Murphy	Toy
Brown, C.	Howell	Neumann	Van Woerkom
Brown, R.	Hummel	Newell	Vander Roest
Callahan	Jacobs	O'Neil	Vander Veen
Cassis	Jamnick	Pappageorge	Vear

Caul	Jansen	Patterson	Voorhees
Clark, I.	Jelinek	Pestka	Waters
Clarke, H.	Johnson, Rick	Plakas	Whitmer
Dennis	Johnson, Ruth	Pumford	Williams
DeRossett	Julian	Raczkowski	Wojno
DeVuyst	Kolb	Richardville	Woodward
DeWeese	Kooiman	Richner	Woronchak
Ehardt	Kowall	Rivet	Zelenko

Nays—1

Drolet

In The Chair: Ehardt

The House agreed to the title of the bill.

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

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

House Bill No. 4980, entitled

A bill to name a certain portion of highway I-69 the “Purple Heart Highway”; and to prescribe certain duties of the state transportation department.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion was seconded and the substitute (H-1) 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. 655**Yeas—99**

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

DeWeese
Drolet
Ehardt

Kooiman
Kowall
Kuipers

Richardville
Richner
Rivet

Woronchak
Zelenko

Nays—0

In The Chair: Ehardt

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 2001 PA 142, entitled “Michigan memorial highway act,” (MCL 250.1001 to 250.1100) by adding section 65.

The motion prevailed.

The House agreed to the title as amended.

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

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

House Bill No. 4812, entitled

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

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

Roll Call No. 656

Yeas—97

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

Frank
Garza
George
Gielegem
Gilbert
Godchaux
Gosselin
Hager
Hale
Hansen
Hart
Howell
Hummel
Jacobs
Jamnick
Jansen
Jelinek
Johnson, Rick
Johnson, Ruth
Julian
Kolb
Kooiman
Kowall
Kuipers

LaSata
Lemmons
Lipsey
Lockwood
Mans
Mead
Meyer
Middaugh
Minore
Mortimer
Murphy
Neumann
Newell
O’Neil
Pappageorge
Patterson
Pestka
Phillips
Plakas
Rackowski
Reeves
Richardville
Richner
Rivet

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

Nays—0

In The Chair: Ehardt

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

House Bill No. 5382, entitled

A bill to amend 1962 PA 174, entitled “Uniform commercial code,” by amending section 9201 (MCL 440.9201), as amended by 2000 PA 348.

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

Roll Call No. 657

Yeas—98

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

Nays—0

In The Chair: Ehardt

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

House Bill No. 5357, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 504, 507, 508, 517, 518, 522, and 8121 (MCL 600.504, 600.507, 600.508, 600.517, 600.518, 600.522, and 600.8121), section 504 as amended by 1996 PA 388, section 507 as amended by 1994 PA 138, section 517 as amended by 1990 PA 54, section 518 as amended by 1988 PA 134, section 522 as amended by 1981 PA 182, and section 8121 as amended by 2000 PA 449.

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

Roll Call No. 658**Yeas—80**

Adamini	Frank	LaSata	Rocca
Allen	George	Lipsey	Scranton
Bernero	Gielegem	Lockwood	Shackleton
Birkholz	Gilbert	Mead	Sheltrown
Bisbee	Godchaux	Meyer	Shulman
Bishop	Gosselin	Middaugh	Spade
Bogardus	Hager	Minore	Stamas
Bovin	Hansen	Mortimer	Stewart
Bradstreet	Hart	Neumann	Switalski
Brown, C.	Howell	Newell	Tabor
Brown, R.	Hummel	Pappageorge	Toy
Callahan	Jacobs	Patterson	Van Woerkom
Cassis	Jansen	Pestka	Vander Roest
Caul	Jelinek	Phillips	Vander Veen
DeRossett	Johnson, Rick	Plakas	Vear
DeVuyst	Johnson, Ruth	Pumford	Voorhees
DeWeese	Julian	Rackowski	Whitmer
Drolet	Kooiman	Richardville	Williams
Ehardt	Kowall	Richner	Wojno
Faunce	Kuipers	Rivet	Zelenko

Nays—18

Anderson	Garza	Mans	Thomas
Basham	Hale	Murphy	Waters
Brown, B.	Jamnick	O'Neil	Woodward
Clark, I.	Kolb	Reeves	Woronchak
Clarke, H.	Lemmons		

In The Chair: Ehardt

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 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 517 and 803 (MCL 600.517 and 600.803), section 517 as amended by 1990 PA 54 and section 803 as amended by 1998 PA 55.

The motion prevailed.

The House agreed to the title as amended.

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

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

Second Reading of Bills**House Bill No. 4325, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 451 (MCL 750.451).

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

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

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

The motion prevailed.

House Bill No. 5032, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 145a (MCL 750.145a).

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

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

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

The motion prevailed.

House Bill No. 5033, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16g of chapter XVII (MCL 777.16g), as amended by 2000 PA 279.

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

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

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

The motion prevailed.

House Bill No. 5449, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending sections 448, 449, 450, 451, and 462 (MCL 750.448, 750.449, 750.450, 750.451, and 750.462).

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

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

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

The motion prevailed.

House Bill No. 4860, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 43524 (MCL 324.43524), as amended by 1996 PA 585.

The bill was read a second time.

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

The motion prevailed.

Rep. Patterson moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills**House Bill No. 4860, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 43524 (MCL 324.43524), as amended by 1996 PA 585.

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

Roll Call No. 659**Yeas—58**

Allen
Birkholz
Bisbee
Bishop
Brown, C.
Cassis
Caul
DeRossett

Godchaux
Gosselin
Hager
Hansen
Hart
Howell
Hummel
Jansen

LaSata
Mead
Meyer
Middaugh
Mortimer
Newell
Pappageorge
Patterson

Scranton
Shackleton
Shulman
Spade
Stamas
Stewart
Tabor
Toy

DeVuyst	Jelinek	Phillips	Van Woerkom
DeWeese	Johnson, Rick	Pumford	Vander Roest
Drolet	Johnson, Ruth	Rackowski	Vander Veen
Ehardt	Julian	Richardville	Vear
Faunce	Kooiman	Richner	Voorhees
George	Kowall	Rocca	Woronchak
Gilbert	Kuipers		

Nays—41

Adamini	Clarke, H.	Lipsey	Rivet
Anderson	Dennis	Lockwood	Sheltrown
Basham	Frank	Mans	Switalski
Bernero	Garza	Minore	Thomas
Bogardus	Gielegthem	Murphy	Waters
Bovin	Hale	Neumann	Whitmer
Bradstreet	Jacobs	O'Neil	Williams
Brown, B.	Jamnack	Pestka	Wojno
Brown, R.	Kolb	Plakas	Woodward
Callahan	Lemmons	Reeves	Zelenko
Clark, I.			

In The Chair: Ehardt

The House agreed to the title of the bill.

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

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

Reps. Birkholz, Cassis, Caul, DeRossett, Ehardt, Hager, Howell, Hummel, Jelinek, Julian, Kowall, Kuipers, Meyer, Pappageorge, Pumford, Rackowski, Richardville, Tabor, Toy, Vander Roest, Vander Veen, Vear and Voorhees were named co-sponsors of the bill.

Second Reading of Bills

House Bill No. 5317, entitled

A bill to amend 2000 PA 161, entitled "Michigan education savings program act," by amending sections 2 and 7 (MCL 390.1472 and 390.1477).

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

The substitute (H-2) was not adopted, a majority of the members serving not voting therefor.

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

The motion prevailed.

Rep. Patterson moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5317, entitled

A bill to amend 2000 PA 161, entitled "Michigan education savings program act," by amending sections 2 and 7 (MCL 390.1472 and 390.1477).

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

Roll Call No. 660**Yeas—91**

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

Nays—7

Bogardus	Hale	Rivet	Whitmer
Gielegem	Minore	Switalski	

In The Chair: Ehardt

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 2000 PA 161, entitled "Michigan education savings program act," by amending sections 2, 3, 7, 9, and 10 (MCL 390.1472, 390.1473, 390.1477, 390.1479, and 390.1480).

The motion prevailed.

The House agreed to the title as amended.

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

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

Reps. Rivet and Whitmer, having reserved the right to explain their protest against the passage of the bill, made the following statement:

"Mr. Speaker and members of the House:

I voted no on HB 5317. Although I agree with the technical changes to the legislation, I feel that the penalty allowed for in the Michigan Education Savings Program is necessary and the elimination of the penalty would be ill advised. When families make investments in the Michigan Education Savings Program they know that money is specifically set aside for higher education. Thus they save with a certain amount of caution.

Supporters of this bill have said that this bill will make Michigan's program more competitive with other states programs. I would argue that if citizens of this state feel that another states savings program better fits their needs, they should invest in that program. It is important to have several programs across the country that serve the needs of different types of families. Removing this penalty can only stand to hurt the cause of promoting savings for higher education."

Rep. Patterson moved to suspend that portion of Rule 44 requiring bills to be handed to the Clerk not later than 3:00 p.m. the day prior to calling the House to order.

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

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

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Gielegheem, Drolet, George, Vander Roest, Hansen, Howell, Cassis, Callahan, DeRossett, Anderson, Faunce, Ehardt, Julian, Minore, Voorhees, Shulman, Neumann, Sheltroun, Wojno, Zelenko, Bogardus, Kooiman, Rivet, Reeves, Woodward, Spade, Clarke, Jansen, Jacobs, Mead, Rich Brown, Switalski, Adamini, Jamnick, Kolb, Stewart, Bernero, Hale, Lipsey, Richardville, Scranton, Pappageorge, Richner, Clark, Lockwood, Bovin, Murphy, McConico, Whitmer, Meyer, Van Woerkom, Birkholz, Pestka, Rocca and Phillips offered the following resolution:

House Resolution No. 271.

A resolution congratulating the Chippewa Valley High School football team, upon the occasion of its Michigan Division 2 State Football Championship.

Whereas, It is a pleasure to join with their families, entire school, and all of the Chippewa Valley Schools community in celebrating the achievements of the Big Reds on their wonderful success over the 2001 high school football season. With the fine record this squad attained, which has culminated in a Michigan Division 2 State Football Championship, this group of disciplined student-athletes has generated great pride in bringing the first state championship, in any sport, to their school; and

Whereas, Much to the delight of their loyal fans, the Big Reds have earned the respect of prep sports followers in Macomb county and throughout Michigan with their talent, teamwork, and determination. Winning titles or compiling outstanding records is never a fluke. As opponents have found out all season long, this is a team that brings unity and a positive outlook to all levels of competition. In the face of challenge and pressure, after dropping the first two games of the season, this group of young men maintained their focus on making their dreams come true and accepted nothing less than their best effort. They reeled off 12 straight victories, including five shutouts, to cap their championship season; and

Whereas, Chippewa Valley was also tri-champion of the heralded Macomb Area Conference's Red Division. While anything can happen in a single game, all teams show their true abilities and dedication over a long season or a difficult tournament. What distinguishes the best, however, is the effort that appears in practice, far removed from the excitement of game day. We admire the efforts, team spirit, and preparation of these talented young people; and

Whereas, With a team motto of "Character", this Chippewa Valley squad set its vision on all that is possible. Reflecting the school colors, the team's chant, "Red and White: See the Light" was especially prophetic of the glory it would earn in the Pontiac Silverdome. Indeed, they had a chance to do something special, and they proudly carried out that task; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body congratulate the players, Head Coach Mike Carr, and the other fine coaches of the Chippewa Valley High School football team, upon the occasion of its Michigan Division 2 State Football Championship; and be it further

Resolved, That a copy of this resolution be transmitted to Chippewa Valley High School as a token of our esteem.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Basham, O'Neil, Bob Brown, Bernero, Woodward, Clarke, Hale, Bogardus, Minore, Jamnick, Clark, Dennis, DeRossett, Hansen, Pestka, Plakas, Kolb, Switalski, Neumann, Anderson, Frank, Callahan, Whitmer, Rich Brown, Lockwood, Bovin, Williams, Reeves, Gielegheem, Lipsey, Adamini, Sheltroun, Rivet, Phillips, McConico, Waters, Spade, Zelenko and Thomas offered the following resolution:

House Resolution No. 272.

A resolution to memorialize the Congress of the United States to enact legislation to provide an economic stimulus package to address certain areas of concern for America's working families.

Whereas, The attack on America of September 11, 2001, was a shock to the people of Michigan and the nation; and

Whereas, There is an ongoing military and multidimensional response to terrorism that we strongly support; and

Whereas, The United States faces the potential of a serious recession, having already lost 55,000 manufacturing jobs in Michigan since the beginning of the year. The attack on America may cause the loss of many more jobs in the months to come; and

Whereas, The Congress of the United States has already taken critical action to support affected industries and is proposing additional aid to business; and

Whereas, Congress is considering further economic stimulus measures; and

Whereas, The core goal of an economic stimulus package is the stabilization of communities; and

Whereas, Supporting business to stabilize employment must be a critical part of any economic stimulus package to be adopted by the Congress; and

Whereas, Supporting workers must be included as part of any economic stimulus package to stabilize the economy; and

Whereas, Supporting state and local governments to minimize loss of tax revenue should be a critical part of any economic stimulus package; and

Whereas, The economic stimulus package should include the following provisions: extending federally funded unemployment compensation, where needed, by 26 weeks; aiding workers by improving health care access by paying at least 75 percent of the COBRA health care costs and other health care assistance; aiding workers by fully funding targeted training and worker reemployment programs; and taking other actions to support state and local governments and the services they provide; and

Whereas, If Congress does not address the critical areas in need of economic stimulus, businesses, workers, and state and local governments will face great difficulties and our nation's recovery will be jeopardized; and

Whereas, The economic stimulus package currently under discussion in Congress fails to address adequately the needs of workers in state and local government; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to enact legislation to provide economic stimulus to address certain areas of concern for America's working families. We urge that legislation be crafted to incorporate the following provisions: extending federally funded unemployment compensation, where needed, by 26 weeks; aiding workers by improving health care access by paying at least 75 percent of the COBRA health care costs and other health care assistance; aiding workers by fully funding targeted training and worker reemployment programs; and taking other actions to support state and local governments and the services they provide; and be it further

Resolved, That we respectfully request that the Congress provide aid to affected states to offset revenue deficits; 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 Commerce.

Reps. DeWeese, George, Vander Roest, Hansen, Howell, Cassis, Callahan, DeRossett, Anderson, Faunce, Ehardt, Julian, Minore, Gielegghem, Shulman, Neumann, Zelenko, Bogardus, Kooiman, Woodward, Spade, Clarke, Jansen, Jacobs, Mead, Switalski, Adamini, Jamnick, Kolb, Stewart, Bernero, Hale, Mans, Toy, Richardville, Scranton, Pappageorge, Richner, Clark, Thomas, Lockwood, Vander Veen, Bovin, Murphy, McConico, Whitmer, Meyer, Van Woerkom, Birkholz and Phillips offered the following resolution:

House Resolution No. 273.

A resolution to raise awareness on the global epidemic of AIDS through World AIDS Day and the display of the NAMES Project AIDS Memorial Quilt on December 1, 2001.

Whereas, The global epidemic of HIV infection and AIDS requires a worldwide effort to increase communication, education, and united action to stop the spread of HIV/AIDS; and

Whereas, The Joint United Nations Programme on HIV/AIDS (UNAIDS) observes December 1 of each year as World AIDS Day, a day to expand and strengthen worldwide efforts to stop the spread of HIV/AIDS; and

Whereas, UNAIDS estimates that over 36 million people worldwide are currently living with HIV/AIDS. Young people under the age of 25 account for more than half of all new infections; and

Whereas, The American Association for World Health and the Lansing Area AIDS Network are encouraging a better understanding of the challenge of HIV/AIDS, both nationally and in the state of Michigan, as it recognizes that the number of people diagnosed with HIV and AIDS in the United States continues to increase, with up to 900,000 people in the U.S. now infected; and

Whereas, World AIDS Day and the display of the NAMES Project AIDS Memorial Quilt provides an opportunity to focus local, national, and international attention on HIV infections and AIDS to disseminate information on how to prevent the spread of HIV; and

Whereas, Through the display of the NAMES Project AIDS Memorial Quilt at the Impression 5 Science Museum, all youth and those who influence them are urged to increase their awareness of the risk of HIV/AIDS for themselves. People should be encouraged to use their influence in their families, among their friends, and in Michigan's communities to help stem the tide of the HIV/AIDS pandemic; and

Whereas, The UNAIDS program, World AIDS Day, and the Lansing Area AIDS Network are vital tools in raising local, national, and global awareness of this horrible sickness; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body support the raising of awareness on the global epidemic of AIDS through world AIDS day and the display of the NAMES Project AIDS Memorial Quilt on December 1, 2001. We commend the American Association for World Health for their diligent efforts to cure the world of this harmful disease; and be it further

Resolved, That a copy of this resolution be transmitted to the Lansing Area AIDS Network as a token of our esteem. Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reports of Standing Committees

The Committee on Education, by Rep. Kuipers, Chair, reported

House Bill No. 4990, entitled

A bill to amend 1964 PA 287, entitled "An act to provide for the organization and functions of the state boards of education under the constitutions of 1908 and 1963; to provide for the appointment and functions of the superintendent of public instruction under the constitution of 1963; and to repeal certain acts and parts of acts," by amending section 9a (MCL 388.1009a), as amended by 1983 PA 240.

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 4990 To Report Out:

Yeas: Reps. Kuipers, Meyer, Allen, Bradstreet, DeWeese, Ruth Johnson, Van Woerkom, Voorhees, Hansen, Bogardus, Clark, Gielegghem, Spade, Zelenko,

Nays: None.

The Committee on Education, by Rep. Kuipers, Chair, reported

House Bill No. 4991, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1303 (MCL 380.1303), as amended by 1995 PA 289.

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 4991 To Report Out:

Yeas: Reps. Kuipers, Meyer, Bradstreet, DeWeese, Ruth Johnson, Van Woerkom, Voorhees, Hansen, Bogardus, Clark, Gielegghem, Spade, Zelenko,

Nays: None.

The Committee on Education, by Rep. Kuipers, Chair, reported

House Bill No. 5327, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1165.

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 5327 To Report Out:

Yeas: Reps. Kuipers, Meyer, Allen, Bradstreet, DeWeese, Hart, Ruth Johnson, Van Woerkom, Voorhees, Hansen, Clark, Gielegghem, Spade, Zelenko,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, November 29, 2001, at 9:00 a.m.,

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

Absent: Reps. Hager, McConico,

Excused: Reps. Hager, McConico.

The Committee on Regulatory Reform, by Rep. Rocca, Chair, reported

House Bill No. 5436, entitled

A bill to authorize the state administrative board to convey certain state owned property in Tuscola county; to prescribe conditions for conveyance; to provide for certain powers and duties of the department of management and budget; and to provide for the disposition of revenue derived from the conveyance.

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 5436 To Report Out:

Yeas: Reps. Rocca, Faunce, Garza, Waters, Williams, Wojno,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Rocca, Chair of the Committee on Regulatory Reform, was received and read:

Meeting held on: Thursday, November 29, 2001, at 11:30 a.m.,

Present: Reps. Rocca, Faunce, Richner, Garza, Waters, Williams, Wojno,

Absent: Reps. Scranton, Raczkowski.

The Committee on Conservation and Outdoor Recreation, by Rep. DeVuyst, Chair, reported

House Bill No. 4706, entitled

A bill to amend 1964 PA 170, entitled "An act to make uniform the liability of municipal corporations, political subdivisions, and the state, its agencies and departments, officers, employees, and volunteers thereof, and members of certain boards, councils, and task forces when engaged in the exercise or discharge of a governmental function, for injuries to property and persons; to define and limit this liability; to define and limit the liability of the state when engaged in a proprietary function; to authorize the purchase of liability insurance to protect against loss arising out of this liability; to provide for defending certain claims made against public officers and paying damages sought or awarded against them; to provide for the legal defense of public officers and employees; to provide for reimbursement of public officers and employees for certain legal expenses; and to repeal certain acts and parts of acts," (MCL 691.1401 to 691.1415) by adding section 16.

The committee recommended that the bill be referred to the Committee on Civil Law and the Judiciary.

Favorable Roll Call

HB 4706 To Report Out:

Yeas: Reps. DeVuyst, Tabor, Bradstreet, Voorhees, Callahan, Basham, Garza, Sheltroun,

Nays: None.

The recommendation was concurred in and the bill was referred to the Committee on Civil Law and the Judiciary.

The Committee on Conservation and Outdoor Recreation, by Rep. DeVuyst, Chair, reported

Senate Bill No. 109, entitled

A bill to amend 1964 PA 170, entitled "An act to make uniform the liability of municipal corporations, political subdivisions, and the state, its agencies and departments, officers, employees, and volunteers thereof, and members of certain boards, councils, and task forces when engaged in the exercise or discharge of a governmental function, for

injuries to property and persons; to define and limit this liability; to define and limit the liability of the state when engaged in a proprietary function; to authorize the purchase of liability insurance to protect against loss arising out of this liability; to provide for defending certain claims made against public officers and paying damages sought or awarded against them; to provide for the legal defense of public officers and employees; to provide for reimbursement of public officers and employees for certain legal expenses; and to repeal certain acts and parts of acts,” (MCL 691.1401 to 691.1415) by adding section 16.

The committee recommended that the bill be referred to the Committee on Civil Law and the Judiciary.

Favorable Roll Call

SB 109 To Report Out:

Yeas: Reps. DeVuyst, Tabor, Bradstreet, Voorhees, Callahan, Basham, Garza, Sheltroun,

Nays: None.

The recommendation was concurred in and the bill was referred to the Committee on Civil Law and the Judiciary.

The Committee on Conservation and Outdoor Recreation, by Rep. DeVuyst, Chair, reported

Senate Bill No. 430, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by repealing section 75106 (MCL 324.75106).

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

SB 430 To Report Out:

Yeas: Reps. DeVuyst, Tabor, Bradstreet, Drolet, Kowall, Rocca, Voorhees, Sheltroun,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. DeVuyst, Chair of the Committee on Conservation and Outdoor Recreation, was received and read:

Meeting held on: Thursday, November 29, 2001, at 10:00 a.m.,

Present: Reps. DeVuyst, Tabor, Bradstreet, Drolet, Kowall, Rocca, Voorhees, Callahan, Basham, Garza, Sheltroun.

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

House Bill No. 5216, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending sections 577, 578, 580, 626, 661, 691, 738, 770, 770a, 771, 772, 773, 776, 781, 786, 789, 790, 791, 792, 793, 795, 795a, 796a, 797, 797a, 798b, 798c, and 799a (MCL 168.577, 168.578, 168.580, 168.626, 168.661, 168.691, 168.738, 168.770, 168.770a, 168.771, 168.772, 168.773, 168.776, 168.781, 168.786, 168.789, 168.790, 168.791, 168.792, 168.793, 168.795, 168.795a, 168.796a, 168.797, 168.797a, 168.798b, 168.798c, and 168.799a), section 580 as amended by 1985 PA 160, sections 626 and 797a as amended by 1996 PA 583, section 661 as amended by 1982 PA 2, sections 738 and 786 as amended by 1996 PA 213, section 795 as amended by 1999 PA 218, sections 795a and 796a as amended by 1998 PA 215, section 797 as amended by 1992 PA 8, sections 798b and 798c as amended by 1990 PA 109, and section 799a as amended by 1997 PA 137, and by adding section 17; 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 5216 To Report Out:

Yeas: Reps. Patterson, Richner, Bishop, Cassis, Jamnick, Lemmons,

Nays: None.

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

House Bill No. 5335, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 561 and 696 (MCL 168.561 and 168.696).

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 5335 To Report Out:

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

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, November 29, 2001, at 10:30 a.m.,

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

Absent: Reps. Allen, Quarles,

Excused: Reps. Allen, Quarles.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, November 28, 2001, at 4:05 p.m.,

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, November 29, 2001, at 1:50 p.m.,

Present: Reps. Rick Johnson, Patterson, Meyer, Jacobs, Williams,

Absent: Rep. Kilpatrick,

Excused: Rep. Kilpatrick.

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, November 27:

Senate Bill Nos. 826 827 828

The Clerk announced the enrollment printing and presentation to the Governor on Thursday, November 29, for his approval of the following bill:

Enrolled House Bill No. 4868 at 11:26 a.m.

The Clerk announced that the following bills had been printed and placed upon the files of the members, Thursday, November 29:

House Bill Nos. 5457 5458 5459 5460

The Clerk announced that the following Senate bills had been received on Thursday, November 29:

Senate Bill Nos. 477 486 692 817 819

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

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. The Senate has substituted (S-4) the bill.

The Senate has passed the bill as substituted (S-4), ordered that it be given immediate effect and amended the title to read as follows:

A bill to strongly encourage state agencies and units of local government to exercise their constitutional ability to place the national motto in or on public buildings or land in this state.

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

Senate Bill No. 477, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 3a (MCL 205.93a), as amended by 1998 PA 366.

The Senate has passed the bill.

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

Senate Bill No. 486, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 9 (MCL 208.9), as amended by 1998 PA 539.

The Senate has passed the bill.

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

Senate Bill No. 692, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 36105, 36106, 36109, 36111, and 36206 (MCL 324.36105, 324.36106, 324.36109, 324.36111, and 324.36206), sections 36105 and 36106 as amended by 1996 PA 233, section 36109 as amended by 2000 PA 421, and section 36111 as amended and section 36206 as added by 2000 PA 262.

The Senate has passed the bill.

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

Senate Bill No. 817, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 57d, 57e, 57f, and 57g (MCL 400.57d, 400.57e, 400.57f, and 400.57g), as added by 1995 PA 223, and by adding section 14h.

The Senate has passed the bill.

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

Senate Bill No. 819, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 9101 (MCL 324.9101), as amended by 2000 PA 504.

The Senate has passed the bill.

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

Introduction of Bills

Rep. Hart introduced

House Bill No. 5461, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 57d, 57e, 57f, and 57g (MCL 400.57d, 400.57e, 400.57f, and 400.57g), as added by 1995 PA 223, and by adding section 14h.

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

Reps. Kooiman, Pestka, Adamini, Hart, Kuipers, Shackleton and Jansen introduced

House Bill No. 5462, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 12522 (MCL 333.12522).
The bill was read a first time by its title and referred to the Committee on Commerce.

Reps. Koetje, Kuipers, Sheltroun, Jelinek, Birkholz, Bisbee, Julian, Scranton, Mead and Neumann introduced

House Bill No. 5463, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16s of chapter XVII (MCL 777.16s), as amended by 2000 PA 279.

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

Reps. Cameron Brown, Raczkowski, Mead, Julian, Toy, Vander Roest, Richardville, Middaugh, Voorhees, Birkholz, Basham, Hart, Stewart, Scranton, Spade, Neumann, Faunce, Shackleton, DeWeese, George, Caul, Ehardt and Jansen introduced

House Bill No. 5464, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 270.
The bill was read a first time by its title and referred to the Committee on Tax Policy.

Rep. Bisbee introduced

House Bill No. 5465, entitled

A bill to authorize the state administrative board to convey certain property in Jackson 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. Richner introduced

House Bill No. 5466, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 46, 544c, 552, 590f, 590h, and 759 (MCL 168.46, 168.544c, 168.552, 168.590f, 168.590h, and 168.759), section 544c as amended by 1999 PA 219, section 552 as amended by 1999 PA 220, sections 590f and 590h as added by 1988 PA 116, and section 759 as amended by 1995 PA 261.

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

Reps. Kilpatrick, Thomas, Allen, Lipsey, Wojno, Kolb, McConico, Scranton, Godchaux, Woodward and Reeves introduced

House Bill No. 5467, entitled

A bill to create the Detroit area regional transportation authority and to transfer certain powers of authorities to continue the suburban mobility authority for regional transportation; to prescribe certain powers and duties of the authorities; to provide for the addition and withdrawal of certain local entities from the authority; to provide for the powers and duties of certain state agencies with respect to the authority; to provide for the issuance of bonds and notes; to provide for the state to guarantee payment of certain claims against the authority and give the state a lien in satisfaction of payment; to protect the rights of employees of existing public transportation systems; to provide for the pledge of taxes, revenues, assessments, tax levies, and other funds for bond and note payments; to authorize certain local entities to levy property taxes and make special assessments to fulfill their obligations under certain contracts with the authority; and to repeal acts and parts of acts.

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

Reps. Kilpatrick, Thomas, Allen, Lipsey, Wojno, McConico, Kolb, Scranton, Godchaux, Anderson, Woodward, Switalski and Reeves introduced

House Bill No. 5468, entitled

A bill to amend 1982 PA 432, entitled "Motor bus transportation act," by amending section 4 (MCL 474.104), as amended by 1989 PA 233.

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

Rep. Reeves introduced

House Bill No. 5469, entitled

A bill to amend 1957 PA 261, entitled "Michigan legislative retirement system act," by amending section 50b (MCL 38.1050b), as amended by 1998 PA 501.

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

Reps. Bishop, Kowall, Vander Veen, Cassis, Julian, Kuipers and Raczkowski introduced

House Bill No. 5470, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 6 (MCL 388.1606), as amended by 2000 PA 297.

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

Reps. Jacobs, Stewart, Kolb, Plakas, Hale, Dennis, Lipsey, Murphy, Lockwood, Richner and Godchaux introduced

House Bill No. 5471, entitled

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending section 5o (MCL 28.425o), as added by 2000 PA 381.

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

Rep. Allen introduced

House Bill No. 5472, entitled

A bill to amend 1996 PA 381, entitled "Brownfield redevelopment financing act," by amending section 2 (MCL 125.2652), as amended by 2000 PA 145.

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

Rep. Jelinek introduced

House Bill No. 5473, entitled

A bill to amend 1994 PA 425, entitled "An act to provide for the creation of community swimming pool authorities; to provide powers and duties of the authorities; to provide for the levy of a tax by the authorities; and to provide for the collection and distribution of the tax," by amending section 1 (MCL 123.1061).

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

Rep. DeRossett introduced

House Bill No. 5474, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 7 (MCL 208.7), as amended by 2000 PA 477.

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

Reps. Gilbert and Hager introduced

House Bill No. 5475, entitled

A bill to amend 1993 PA 354, entitled "Railroad code of 1993," by amending section 309 (MCL 462.309).

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

Reps. Hansen, Kolb, Wojno, Sheltrown, Jacobs, Clarke, Lockwood, Pestka, Gielegem and Dennis introduced

House Bill No. 5476, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding section 416c.

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

Reps. Hansen, Kolb, Wojno, Sheltroun, Jacobs, Clarke, Lockwood, Pestka, Gielegem and Dennis introduced
House Bill No. 5477, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3406q.

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

Reps. Cameron Brown, Rocca, Kowall, Bradstreet and Julian introduced

House Bill No. 5478, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 40103 and 40113a (MCL 324.40103 and 324.40113a), section 40103 as amended by 2000 PA 191 and section 40113a as amended by 1997 PA 19; and to repeal acts and parts of acts.

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

Reps. Whitmer, Murphy, Jamnick, Garza, Williams, Zelenko and Bogardus introduced

House Joint Resolution S, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 9 of article II, to narrow the exemption from the power of referendum regarding acts making appropriations.

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

Rep. Stewart introduced

House Joint Resolution T, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 12 of article IV, to provide that the state officers compensation commission's determination of certain salaries and expense allowances become effective only upon approval by the legislature.

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

Rep. Bob Brown moved that the House adjourn.

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

Associate Speaker Pro Tempore Ehardt declared the House adjourned until Tuesday, December 4, at 2:00 p.m.

GARY L. RANDALL
Clerk of the House of Representatives.