

No. 54
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House Chamber, Lansing, Wednesday, June 5, 2002.

10:00 a.m.

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

Rep. Ron Jelinek, from the 78th District, offered the following invocation:

“We pray for wisdom, integrity and humility to serve this state and its citizens in a way that their needs are met and that they have the opportunity to live their lives in a free democratic society. May we as legislators have the strength to make the difficult decisions that affect all people and that are fair to all people, in order that we all may enjoy a strong Michigan, now and in the future. Amen.”

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

Rep. Jacobs moved that Reps. Lockwood, Plakas, Schermesser and Whitmer be excused from today’s session.
The motion prevailed.

Messages from the Senate

The Senate requested the return of
House Bill No. 5083, entitled

A bill to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” (MCL 333.1101 to 333.25211) by adding section 2217; and to repeal acts and parts of acts.

Rep. Richardville moved that the request of the Senate be granted.
The motion prevailed.

Rep. Rich Brown moved that Rep. Adamini be excused temporarily from today’s session.
The motion prevailed.

Third Reading of Bills

Senate Bill No. 112, entitled

A bill to amend 1967 (Ex Sess) PA 7, entitled “Urban cooperation act of 1967,” by amending sections 2, 3, 4, 10, and 12 (MCL 124.502, 124.503, 124.504, 124.510, and 124.512), section 2 as amended by 1995 PA 108 and section 10 as amended by 1985 PA 10.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Vander Veen moved to amend the bill as follows:

1. Amend page 2, line 13, after “INCLUDES” by striking out the balance of the line through “EXERCISING” on line 14 and inserting “AN INDIAN TRIBE RECOGNIZED BY THE FEDERAL GOVERNMENT BEFORE 2000 THAT EXERCISES”.

The motion was seconded and the amendment 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. 893

Yeas—93

Allen	Frank	Lipse	Rocca
Anderson	Garza	Mans	Schauer
Basham	George	McConico	Shackleton
Bernero	Gielegthem	Mead	Sheltrown
Bisbee	Gilbert	Meyer	Shulman
Bishop	Gosselin	Minore	Spade
Bogardus	Hager	Mortimer	Stallworth
Bovin	Hale	Murphy	Stamas
Bradstreet	Hansen	Neumann	Stewart
Brown, B.	Hardman	Newell	Switalski
Brown, C.	Hart	O’Neil	Tabor
Brown, R.	Howell	Palmer	Thomas
Callahan	Hummel	Pappageorge	Toy
Caul	Jacobs	Patterson	Van Woerkom
Clark, I.	Jamnack	Pestka	Vander Veen
Clarke, H.	Jelinek	Phillips	Vear
Daniels	Johnson, Rick	Pumford	Voorhees
Dennis	Julian	Quarles	Waters
DeRossett	Kolb	Rackowski	Williams
DeVuyst	Kooiman	Richardville	Wojno
DeWeese	Kowall	Richner	Woodward
Drolet	Kuipers	Rison	Woronchak
Ehardt	LaSata	Rivet	Zelenko
Faunce			

Nays—8

Birkholz	Jansen	Koetje	Scranton
Godchaux	Johnson, Ruth	Middaugh	Vander Roest

In The Chair: Ehardt

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

“An act to provide for interlocal public agency agreements; to provide standards for those agreements and for the filing and status of those agreements; to permit the allocation of certain taxes or money received from tax increment financing plans as revenues; to permit tax sharing; to provide for the imposition of certain surcharges; to provide for additional approval for those agreements; and to prescribe penalties and provide remedies.”.

The House agreed to the full title.

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

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

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. 1268**.

The motion prevailed.

By unanimous consent the House considered **House Resolution No. 486** out of numerical order.

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution:
House Resolution No. 486.

A resolution honoring Dave Owens on the occasion of his retirement from the Michigan House of Representatives.

Whereas, It is with deep appreciation for the hard work, dedication, and professionalism that Dave Owens has put forth on behalf of this chamber and Michigan's citizens that we offer this expression of our thanks and best wishes in his retirement. As the members of this legislative body recognize the loyalty and devotion to public service of this conscientious employee, we add our sentiments of gratitude for a job well-done; and

Whereas, Mr. Owens is a devoted husband and father. For 33 years, he has made the daily drive to and from his family farm in Elwell, Michigan, a 125-mile round-trip, so he could be home with his family every evening; and

Whereas, Mr. Owens began working for the House of Representatives as a janitor on May 20, 1969. He was appointed Assistant Sergeant at Arms in March of 1973. In June of 1979, he was appointed as Assistant Postmaster, a position held until April of 1995. At that time, he was appointed Postmaster and charged with the enormous responsibility of overseeing House mail operations for 110 legislators and hundreds of staff members. In addition to his exemplary work, Mr. Owens is one of the most widely recognized and well liked employees ever to serve the House of Representatives; and

Whereas, We wish Dave and his wife Judith our very best as they embark upon a new chapter in their lives. A world-class sheep shearer, Dave will have more time to enter competitions and tend to his chores on the farm. Judith and Dave can also take a few long-overdue vacations; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body honor Dave Owens on the occasion of his retirement from the Michigan House of Representatives. May he enjoy a long, happy, and fulfilling retirement; and be it further

Resolved, That a copy of this resolution be transmitted to Dave Owens and his family as a token of our gratitude and appreciation.

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.

Messages from the Senate

The Speaker laid before the House

House Bill No. 5832, entitled

A bill to amend 1988 PA 466, entitled "Animal industry act," by amending sections 3, 4, 6, 8, 9, 11b, 12, 13a, 14, 16, 19, 22, 30a, 30b, 33, and 44 (MCL 287.703, 287.704, 287.706, 287.708, 287.709, 287.711b, 287.712, 287.713a, 287.714, 287.716, 287.719, 287.722, 287.730a, 287.730b, 287.733, and 287.744), sections 3, 4, 6, 8, 9, 12, 14, 16, 19, 30a, 30b, 33, and 44 as amended and sections 11b and 13a as added by 2000 PA 323 and section 22 as amended by 1996 PA 369; and to repeal acts and parts of acts.

(The bill was received from the Senate on June 4, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 53, p. 1857.)

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 894

Yeas—103

Adamini
Allen
Anderson
Basham
Bernero
Birkholz
Bisbee

Frank
Garza
George
Gielegthem
Gilbert
Godchaux
Gosselin

LaSata
Lemmons
Lipsey
Mans
McConico
Mead
Meyer

Rocca
Schauer
Scranton
Shackleton
Sheltrown
Shulman
Spade

Bishop	Hager	Middaugh	Stallworth
Bogardus	Hale	Minore	Stamas
Bovin	Hansen	Mortimer	Stewart
Bradstreet	Hardman	Murphy	Switalski
Brown, B.	Hart	Neumann	Tabor
Brown, C.	Howell	Newell	Thomas
Brown, R.	Hummel	Palmer	Toy
Callahan	Jacobs	Pappageorge	Van Woerkom
Caul	Jamnick	Patterson	Vander Roest
Clark, I.	Jansen	Pestka	Vander Veen
Clarke, H.	Jelinek	Phillips	Vear
Daniels	Johnson, Rick	Pumford	Voorhees
Dennis	Johnson, Ruth	Quarles	Waters
DeRossett	Julian	Raczkowski	Williams
DeVuyst	Koetje	Reeves	Wojno
DeWeese	Kolb	Richardville	Woodward
Drolet	Kooiman	Richner	Woronchak
Ehardt	Kowall	Rison	Zelenko
Faunce	Kuipers	Rivet	

Nays—0

In The Chair: Ehardt

The House agreed to the full title of the bill.

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

The Speaker laid before the House

House Bill No. 5927, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending sections 901, 912, 916, 917a, 918, 922, 938, 942, and 943 (MCL 500.901, 500.912, 500.916, 500.917a, 500.918, 500.922, 500.938, 500.942, and 500.943), sections 901 and 943 as amended and section 917a as added by 1994 PA 226, section 922 as amended by 1991 PA 79, and section 942 as amended by 1984 PA 90, and by adding section 902.

(The bill was received from the Senate on June 4, with substitute (S-1), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 53, p. 1857.)

The question being on concurring in the substitute (S-1) made to the bill by the Senate,

The substitute (S-1) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 895**Yeas—100**

Adamini	Frank	LaSata	Rivet
Allen	Garza	Lemmons	Rocca
Anderson	George	Lipsey	Schauer
Basham	Gielegghem	Mans	Scranton
Bernero	Gilbert	McConico	Shackleton
Birkholz	Godchaux	Mead	Sheltrown
Bisbee	Gosselin	Meyer	Shulman
Bishop	Hager	Middaugh	Spade
Bogardus	Hale	Minore	Stallworth
Bovin	Hansen	Mortimer	Stamas
Bradstreet	Hardman	Murphy	Stewart
Brown, B.	Hart	Neumann	Switalski

Brown, C.	Howell	Newell	Tabor
Brown, R.	Hummel	Palmer	Toy
Caul	Jacobs	Pappageorge	Van Woerkom
Clark, I.	Jamnick	Patterson	Vander Roest
Clarke, H.	Jansen	Pestka	Vander Veen
Daniels	Jelinek	Phillips	Vear
Dennis	Johnson, Rick	Pumford	Voorhees
DeRossett	Johnson, Ruth	Quarles	Waters
DeVuyst	Julian	Rackowski	Williams
DeWeese	Koetje	Reeves	Wojno
Drolet	Kolb	Richardville	Woodward
Ehardt	Kooiman	Richner	Woronchak
Faunce	Kowall	Rison	Zelenko

Nays—0

In The Chair: Ehardt

The House agreed to the title as amended.

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

Third Reading of Bills

Senate Bill No. 1301, entitled

A bill to amend 1951 PA 51, entitled “An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts,” by amending section 18b (MCL 247.668b), as amended by 1985 PA 201.

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

Roll Call No. 896

Yeas—98

Adamini	Faunce	Lipsey	Rivet
Allen	Frank	Mans	Rocca

Anderson	Garza	McConico	Schauer
Basham	George	Mead	Shackleton
Bernero	Gilbert	Meyer	Sheltrown
Birkholz	Godchaux	Middaugh	Shulman
Bisbee	Gosselin	Minore	Spade
Bishop	Hager	Mortimer	Stallworth
Bogardus	Hale	Murphy	Stamas
Bovin	Hardman	Neumann	Stewart
Bradstreet	Hart	Newell	Switalski
Brown, B.	Howell	O'Neil	Tabor
Brown, C.	Hummel	Palmer	Toy
Brown, R.	Jacobs	Pappageorge	Van Woerkom
Callahan	Jamnick	Patterson	Vander Roest
Caul	Jansen	Pestka	Vander Veen
Clark, I.	Johnson, Ruth	Phillips	Vear
Clarke, H.	Julian	Pumford	Voorhees
Daniels	Koetje	Quarles	Waters
Dennis	Kolb	Rackowski	Williams
DeRossett	Kooiman	Reeves	Wojno
DeVuyst	Kowall	Richardville	Woodward
DeWeese	Kuipers	Richner	Woronchak
Drolet	LaSata	Rison	Zelenko
Ehardt	Lemmons		

Nays—0

In The Chair: Ehardt

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. 116, entitled

A bill to amend 1917 PA 273, entitled “An act to regulate and license pawnbrokers in cities and incorporated villages of this state, having a population of more than 3,000,” by amending the title and sections 1, 2, 3, 5, 6, 8, and 19 (MCL 446.201, 446.202, 446.203, 446.205, 446.206, 446.208, and 446.219), section 5 as amended by 1998 PA 233.

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

Roll Call No. 897**Yeas—100**

Adamini	Garza	LaSata	Rivet
Allen	George	Lemmons	Rocca
Anderson	Gielegghem	Lipsey	Schauer
Basham	Gilbert	Mans	Shackleton
Bernero	Godchaux	McConico	Sheltrown
Birkholz	Gosselin	Mead	Shulman
Bisbee	Hager	Meyer	Spade
Bishop	Hale	Middaugh	Stallworth
Bogardus	Hansen	Minore	Stamas
Bovin	Hardman	Mortimer	Stewart
Brown, B.	Hart	Murphy	Switalski
Brown, C.	Howell	Neumann	Tabor
Brown, R.	Hummel	Newell	Thomas

Callahan	Jacobs	Palmer	Toy
Caul	Jamnick	Pappageorge	Van Woerkom
Clark, I.	Jansen	Patterson	Vander Roest
Clarke, H.	Jelinek	Pestka	Vander Veen
Daniels	Johnson, Rick	Phillips	Vear
Dennis	Johnson, Ruth	Pumford	Voorhees
DeRossett	Julian	Quarles	Waters
DeVuyst	Koetje	Rackowski	Williams
DeWeese	Kolb	Reeves	Wojno
Ehardt	Kooiman	Richardville	Woodward
Faunce	Kowall	Richner	Woronchak
Frank	Kuipers	Rison	Zelenko

Nays—2

Bradstreet Drolet

In The Chair: Ehardt

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. 4527, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 82131 (MCL 324.82131), as added by 1995 PA 58.

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

Roll Call No. 898**Yeas—101**

Adamini	Frank	Lemmons	Rivet
Allen	Garza	Lipsey	Rocca
Anderson	George	Mans	Schauer
Basham	Gielegem	McConico	Shackleton
Bernero	Gilbert	Mead	Sheltrown
Birkholz	Godchaux	Meyer	Shulman
Bisbee	Gosselin	Middaugh	Spade
Bishop	Hager	Minore	Stallworth
Bogardus	Hale	Mortimer	Stamas
Bovin	Hansen	Murphy	Stewart
Bradstreet	Hardman	Neumann	Switalski
Brown, B.	Howell	Newell	Tabor
Brown, C.	Hummel	O’Neil	Thomas
Brown, R.	Jacobs	Palmer	Toy
Callahan	Jamnick	Pappageorge	Van Woerkom
Caul	Jansen	Patterson	Vander Roest
Clark, I.	Jelinek	Pestka	Vander Veen
Clarke, H.	Johnson, Rick	Phillips	Vear
Daniels	Johnson, Ruth	Pumford	Voorhees
Dennis	Julian	Quarles	Waters
DeRossett	Koetje	Rackowski	Williams
DeVuyst	Kolb	Reeves	Wojno

DeWeese
Drolet
Ehardt
Faunce

Kooiman
Kowall
LaSata

Richardville
Richner
Rison

Woodward
Woronchak
Zelenko

Nays—0

In The Chair: Ehardt

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. 4528, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 82123a.

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

Roll Call No. 899

Yeas—104

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

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

LaSata
Lemmons
Lipsey
Mans
McConico
Mead
Meyer
Middaugh
Minore
Mortimer
Murphy
Neumann
Newell
O’Neil
Palmer
Pappageorge
Patterson
Pestka
Phillips
Pumford
Quarles
Rackowski
Reeves
Richardville
Richner
Rison

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

Nays—0

In The Chair: Ehardt

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. 5766, entitled

A bill to amend 1941 PA 122, entitled “An act to establish a revenue division of the department of treasury; to prescribe its powers and duties as the revenue collection agency of the state; to prescribe certain powers and duties of the state treasurer; to regulate the importation, stamping, and disposition of certain tobacco products; to create the position and to define the powers and duties of the state commissioner of revenue; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act,” by amending section 24 (MCL 205.24), as amended by 2001 PA 168.

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

Roll Call No. 900**Yeas—104**

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

Nays—0

In The Chair: Ehardt

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.

Associate Speaker Pro Tempore Julian assumed the Chair.

House Bill No. 4688, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 13101 and 13102 (MCL 333.13101 and 333.13102), as added by 1996 PA 223.

Was read a third time and not passed, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 901**Yeas—53**

Adamini	Frank	LaSata	Shackleton
Allen	Garza	Lipsey	Sheltrown
Anderson	George	Mans	Spade
Bernero	Gilbert	Mead	Stamas
Bisbee	Hager	Meyer	Stewart
Bishop	Hansen	Neumann	Switalski
Bradstreet	Hardman	O’Neil	Tabor
Brown, B.	Hart	Pestka	Toy
Brown, C.	Howell	Reeves	Vander Veen
Brown, R.	Hummel	Richner	Vear
Callahan	Johnson, Rick	Rivet	Waters
Caul	Kooiman	Rocca	Williams
DeVuyst	Kowall	Schauer	Woronchak
DeWeese			

Nays—43

Basham	Hale	McConico	Richardville
Birkholz	Jacobs	Middaugh	Scranton
Bogardus	Jamnick	Minore	Shulman
Clark, I.	Jansen	Mortimer	Stallworth
Clarke, H.	Jelinek	Murphy	Thomas
Daniels	Johnson, Ruth	Newell	Van Woerkom
DeRossett	Julian	Palmer	Vander Roest
Drolet	Koetje	Pappageorge	Voorhees
Faunce	Kolb	Patterson	Woodward
Gielegthem	Kuipers	Pumford	Zelenko
Godchaux	Lemmons	Rackowski	

In The Chair: Julian

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Richardville moved that part of Rule 45 (8)(c) be suspended.
The motion prevailed, 3/5 of the members voting therefor.

Rep. Kuipers moved that the Committee on Education be discharged from further consideration of **House Bill No. 4462**.
The motion prevailed.

Associate Speaker Pro Tempore Ehardt resumed the Chair.

Second Reading of Bills

House Bill No. 4462, entitled

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending section 101 (MCL 388.1701), as amended by 2000 PA 297.

The bill was read a second time.

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

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

Rep. Bogardus moved to amend the bill as follows:

1. Amend page 5, line 12, after “MATERIALS.” by inserting “ANY DAY FOR WHICH PUPIL INSTRUCTION IS NOT PROVIDED, BECAUSE OF CANCELLATION OF SCHOOL BY ORDER OF A LAWFUL AUTHORITY OTHER THAN SCHOOL AUTHORITIES, SHALL BE COUNTED AS A DAY OF PUPIL INSTRUCTION.”.

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

Rep. Bogardus demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 902

Yeas—51

Adamini	Faunce	Lemmons	Rivet
Anderson	Frank	Lipsey	Schauer
Basham	Garza	Mans	Shackleton
Bernero	Gielegthem	Minore	Sheltrown
Bogardus	Godchaux	Murphy	Spade
Bovin	Hager	Neumann	Stallworth
Brown, B.	Hale	O’Neil	Switalski
Brown, R.	Hansen	Pestka	Toy
Callahan	Hardman	Phillips	Waters
Clark, I.	Jacobs	Pumford	Williams
Clarke, H.	Jamnick	Quarles	Wojno
Daniels	Jelinek	Raczkowski	Zelenko
Dennis	Kolb	Reeves	

Nays—42

Allen	George	LaSata	Richner
Birkholz	Gilbert	Mead	Rocca
Bisbee	Gosselin	Meyer	Shulman
Bishop	Hart	Middaugh	Stamas
Bradstreet	Howell	Mortimer	Stewart
Brown, C.	Hummel	Newell	Tabor
Caul	Johnson, Rick	Palmer	Vander Roest
DeRossett	Julian	Pappageorge	Vander Veen
DeVuyst	Koetje	Patterson	Vear
DeWeese	Kooiman	Richardville	Voorhees
Drolet	Kuipers		

Rep. Woodward moved to reconsider the vote by which the House did not adopt the amendment.

The question being on the motion made by Rep. Woodward,

Rep. Woodward demanded the yeas and nays.

The demand was supported.

The question being on the motion made by Rep. Woodward,

The motion did not prevail, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 903**Yeas—47**

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

Nays—55

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

In The Chair: Ehardt

Rep. Bogardus moved to amend the bill as follows:

1. Amend page 5, line 12, after "MATERIALS." by inserting "ANY DAY FOR WHICH PUPIL INSTRUCTION IS NOT PROVIDED, BECAUSE OF CANCELLATION OF SCHOOL BY ORDER OF A LAWFUL AUTHORITY OTHER THAN SCHOOL AUTHORITIES, SHALL BE COUNTED AS A DAY OF PUPIL INSTRUCTION UP TO A TOTAL OF 4 DAYS.".

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

Rep. Bogardus demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 904**Yeas—50**

Adamini	Garza	Murphy	Sheltrown
Anderson	Gielegthem	Neumann	Spade
Basham	Godchaux	O'Neil	Switalski
Bernero	Hansen	Pestka	Thomas
Bogardus	Hardman	Phillips	Toy
Bovin	Jacobs	Quarles	Van Woerkom
Brown, B.	Jamnick	Rackowski	Vander Roest
Brown, R.	Jelinek	Reeves	Waters
Callahan	Kolb	Rison	Williams
Clark, I.	Lemmons	Rivet	Wojno
Clarke, H.	Lipsev	Schauer	Woodward
Dennis	Mans	Scranton	Zelenko
Frank	McConico		

Nays—42

Bisbee	Gilbert	Kuipers	Richardville
Bradstreet	Gosselin	LaSata	Richner
Brown, C.	Hager	Mead	Rocca
Caul	Hart	Meyer	Shulman
DeRossett	Howell	Middaugh	Stamas
DeVuyst	Hummel	Mortimer	Stewart
DeWeese	Johnson, Rick	Newell	Tabor
Drolet	Johnson, Ruth	Palmer	Vander Veen
Ehardt	Koetje	Patterson	Vear
Faunce	Kooiman	Pumford	Voorhees
George	Kowall		

In The Chair: Ehardt

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

The motion prevailed.

Rep. Richardville 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. 4462, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 101 (MCL 388.1701), as amended by 2000 PA 297.

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

Roll Call No. 905**Yeas—96**

Adamini	Frank	Lemmons	Rivet
Allen	Garza	Lipsev	Rocca
Anderson	George	Mans	Schauer
Basham	Gielegthem	Mead	Shackleton

Bernero	Gosselin	Meyer	Sheltrown
Birkholz	Hager	Middaugh	Spade
Bishop	Hale	Minore	Stallworth
Bogardus	Hansen	Mortimer	Stamas
Bovin	Hardman	Murphy	Stewart
Bradstreet	Hart	Neumann	Switalski
Brown, B.	Howell	Newell	Tabor
Brown, C.	Hummel	O'Neil	Thomas
Brown, R.	Jacobs	Palmer	Toy
Callahan	Jamnick	Pappageorge	Van Woerkom
Clark, I.	Jansen	Patterson	Vander Roest
Clarke, H.	Jelinek	Pestka	Vander Veen
Daniels	Johnson, Rick	Phillips	Vear
Dennis	Johnson, Ruth	Pumford	Voorhees
DeRossett	Julian	Quarles	Waters
DeVuyst	Koetje	Raczkowski	Williams
DeWeese	Kolb	Reeves	Wojno
Drolet	Kooiman	Richardville	Woodward
Ehardt	Kowall	Richner	Woronchak
Faunce	Kuipers	Rison	Zelenko

Nays—7

Bisbee	Gilbert	LaSata	Shulman
Caul	Godchaux	Scranton	

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 1979 PA 94, entitled “The state school aid act of 1979,” by amending section 101 (MCL 388.1701), as amended by 2002 PA 191.

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.

Reps. Anderson, Basham, Birkholz, Clarke, DeRossett, Howell, Hummel, Jelinek, Julian, Lemmons, Mead, Richardville, Stallworth and Tabor were named co-sponsors of the bill.

House Bill No. 5824, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending sections 30, 520, and 527a (MCL 206.30, 206.520, and 206.527a), section 30 as amended by 2000 PA 400, section 520 as amended by 1995 PA 245, and section 527a as amended by 2001 PA 169.

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

Roll Call No. 906**Yeas—102**

Adamini	Garza	Lemmons	Rivet
Allen	George	Lipsey	Rocca
Anderson	Gielegghem	Mans	Schauer
Basham	Gilbert	McConico	Shackleton
Bernero	Godchaux	Mead	Sheltrown

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

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 1967 PA 281, entitled "Income tax act of 1967," by amending sections 30 and 527a (MCL 206.30 and 206.527a), section 30 as amended by 2000 PA 400 and section 527a as amended by 2001 PA 169.

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.

Senate Bill No. 1230, entitled

A bill to amend 1972 PA 239, entitled "McCauley-Traxler-Law-Bowman-McNeely lottery act," by amending section 12 (MCL 432.12), as amended by 1998 PA 393.

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

Roll Call No. 907**Yeas—97**

Adamini	George	LaSata	Rivet
Allen	Gielegem	Lemmons	Rocca
Anderson	Gilbert	Lipsey	Schauer
Basham	Godchaux	Mans	Shackleton
Bernero	Gosselin	McConico	Shulman
Birkholz	Hager	Mead	Spade
Bisbee	Hale	Meyer	Stallworth
Bishop	Hansen	Middaugh	Stamas
Bovin	Hardman	Minore	Stewart
Bradstreet	Hart	Mortimer	Switalski
Brown, B.	Howell	Murphy	Tabor

Brown, C.	Hummel	Neumann	Thomas
Brown, R.	Jacobs	Newell	Toy
Callahan	Jamnick	O'Neil	Van Woerkom
Caul	Jansen	Palmer	Vander Roest
Clark, I.	Jelinek	Pappageorge	Vander Veen
Clarke, H.	Johnson, Rick	Patterson	Vear
DeRossett	Johnson, Ruth	Pestka	Voorhees
DeVuyst	Julian	Phillips	Waters
DeWeese	Koetje	Pumford	Williams
Drolet	Kolb	Raczkowski	Wojno
Ehardt	Kooiman	Richardville	Woodward
Faunce	Kowall	Richner	Woronchak
Frank	Kuipers	Rison	Zelenko
Garza			

Nays—1

Bogardus

In The Chair: Ehardt

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

“An act to establish and operate a state lottery and to allow state participation in certain lottery-related joint enterprises with other sovereignties; to create a bureau of state lottery and to prescribe its powers and duties; to prescribe certain powers and duties of other state departments and agencies; to license and regulate certain sales agents; to create the state lottery fund; to provide for the distribution of lottery revenues and earnings for certain purposes; to provide for an appropriation; and to provide for remedies and penalties.”.

The House agreed to the full title.

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

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

House Bill No. 6041, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” (MCL 760.1 to 777.69) by adding section 6d to chapter V.

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

Roll Call No. 908**Yeas—100**

Adamini	Frank	Kuipers	Rivet
Allen	Garza	LaSata	Rocca
Anderson	George	Lemmons	Schauer
Basham	Gielegghem	Lipsey	Scranton
Bernero	Gilbert	Mans	Shackleton
Birkholz	Godchaux	McConico	Sheltrown
Bisbee	Gosselin	Mead	Shulman
Bishop	Hager	Meyer	Spade
Bogardus	Hale	Middaugh	Stallworth
Bovin	Hansen	Minore	Stamas
Bradstreet	Hardman	Mortimer	Stewart
Brown, B.	Hart	Murphy	Switalski
Brown, C.	Howell	Neumann	Tabor
Brown, R.	Hummel	Newell	Thomas

Callahan	Jacobs	O'Neil	Toy
Caul	Jamnick	Palmer	Van Woerkom
Clark, I.	Jansen	Pappageorge	Vander Roest
Clarke, H.	Jelinek	Patterson	Vander Veen
Dennis	Johnson, Rick	Pestka	Vear
DeRossett	Johnson, Ruth	Phillips	Voorhees
DeVuyst	Julian	Pumford	Waters
DeWeese	Koetje	Raczkowski	Wojno
Drolet	Kolb	Reeves	Woodward
Ehardt	Kooiman	Richardville	Woronchak
Faunce	Kowall	Richner	Zelenko

Nays—0

In The Chair: Ehardt

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. McConico moved that Rep. Daniels be excused temporarily from today's session.

The motion prevailed.

House Bill No. 6042, entitled

A bill to amend 1937 PA 144, entitled "Uniform criminal extradition act," by amending sections 6, 15, 16, 18, and 25 (MCL 780.6, 780.15, 780.16, 780.18, and 780.25) and by adding section 23a.

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

Roll Call No. 909

Yeas—101

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

DeRossett	Julian	Pumford	Waters
DeVuyst	Koetje	Rackowski	Williams
DeWeese	Kolb	Reeves	Wojno
Drolet	Kooiman	Richardville	Woodward
Ehardt	Kowall	Richner	Woronchak
Faunce	Kuipers	Rivet	Zelenko
Frank			

Nays—0

In The Chair: Ehardt

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. 928, entitled

A bill to amend 1935 PA 120, entitled “An act to prescribe a method for the fingerprinting of residents of the state, and to provide for the recording and filing thereof by the central records division of the department of state police,” by amending section 3 (MCL 28.273), as added by 1985 PA 175.

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

Roll Call No. 910**Yeas—58**

Allen	Godchaux	LaSata	Richner
Basham	Hager	Mans	Schauer
Bernero	Hart	Mead	Scranton
Birkholz	Howell	Meyer	Shackleton
Bisbee	Hummel	Middaugh	Shulman
Bishop	Jamnick	Mortimer	Spade
Brown, C.	Jansen	Neumann	Stallworth
Callahan	Jelinek	Newell	Stamas
Caul	Johnson, Rick	O’Neil	Stewart
Clarke, H.	Johnson, Ruth	Pappageorge	Switalski
DeRossett	Julian	Patterson	Vander Roest
DeWeese	Koetje	Pestka	Vander Veen
Ehardt	Kooiman	Pumford	Wojno
George	Kowall	Richardville	Woronchak
Gilbert	Kuipers		

Nays—45

Adamini	Frank	McConico	Sheltrown
Anderson	Garza	Minore	Tabor
Bogardus	Gielegem	Murphy	Thomas
Bovin	Gosselin	Palmer	Toy
Bradstreet	Hale	Phillips	Van Woerkom
Brown, B.	Hansen	Quarles	Vear
Brown, R.	Hardman	Rackowski	Voorhees
Clark, I.	Jacobs	Reeves	Waters
Dennis	Kolb	Rison	Williams

DeVuyst
Drolet
Faunce

Lemmons
Lipsey

Rivet
Rocca

Woodward
Zelenko

In The Chair: Ehardt

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. Drolet, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

Government mandates background checks for those who operate certain business, such as daycare centers, nursing homes, and the like. Background checks require fingerprinting. This bill raises the fingerprinting fee, thereby increasing the cost on those employees and businesses that take care of our children and our elderly.

Government, having mandated a regulatory burden on these businesses, now wants to charge them extra when the cost of implementing the regulation increases. If Michigan allowed for capital punishment, we would probably be taking this opportunity to increase fees on the condemned so as to account for the inflated cost of electricity, ammunition, or rope.”

Senate Bill No. 1278, entitled

A bill to amend 1975 PA 228, entitled “Single business tax act,” by amending section 19 (MCL 208.19), as amended by 2001 PA 278.

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

Roll Call No. 911

Yeas—101

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

Garza
George
Gielegem
Gilbert
Godchaux
Gosselin
Hager
Hale
Hansen
Hardman
Hart
Howell
Hummel
Jacobs
Jamnick
Jansen
Jelinek
Johnson, Rick
Johnson, Ruth
Julian
Koetje
Kolb

LaSata
Lemmons
Lipsey
Mans
McConico
Mead
Meyer
Middaugh
Minore
Mortimer
Murphy
Neumann
Newell
O’Neil
Palmer
Pappageorge
Patterson
Pestka
Phillips
Pumford
Rackowski
Reeves

Rocca
Schauer
Scranton
Shackleton
Sheltrown
Shulman
Spade
Stallworth
Stamas
Stewart
Switalski
Tabor
Thomas
Toy
Van Woerkom
Vander Roest
Vander Veen
Vear
Voorhees
Waters
Williams
Wojno

Drolet
Ehardt
Faunce
Frank

Kooiman
Kowall
Kuipers

Richardville
Richner
Rivet

Woodward
Woronchak
Zelenko

Nays—0

In The Chair: Ehardt

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

“An act to provide for the imposition, levy, computation, collection, assessment and enforcement, by lien or otherwise, of taxes on certain commercial, business, and financial activities; to prescribe the manner and times of making certain reports and paying taxes; to prescribe the powers and duties of public officers and state departments; to permit the inspection of records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits, and refunds; to provide penalties; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; and to provide an appropriation.”.

The House agreed to the full title.

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

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

Senate Bill No. 425, entitled

A bill to amend 1968 PA 330, entitled “Private security business and security alarm act,” by amending sections 2, 3, 6, 7, 9, 10, 13, 14, 17, 18, 19, 24, 25, 29, and 31 (MCL 338.1052, 338.1053, 338.1056, 338.1057, 338.1059, 338.1060, 338.1063, 338.1064, 338.1067, 338.1068, 338.1069, 338.1074, 338.1075, 338.1079, and 338.1081), sections 2, 3, 6, 7, 9, 10, 14, 17, 18, 19, 25, 29, and 31 as amended by 2000 PA 411.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Faunce moved to amend the bill as follows:

1. Amend page 17, line 8, after “PROSPECTIVE” by striking out “SECURITY GUARD EMPLOYEES” and inserting “EMPLOYEES WHO ARE DIRECT PROVIDERS OF THE SECURITY BUSINESS”.

2. Amend page 17, line 19, after “EMPLOY” by striking out “AS A SECURITY GUARD AN EMPLOYEE” and inserting “A PERSON WHO IS A DIRECT PROVIDER OF THE SECURITY BUSINESS”.

3. Amend page 18, line 11, by striking out “AS A SECURITY GUARD” and inserting “WHO IS A DIRECT PROVIDER OF THE SECURITY BUSINESS”.

4. Amend page 18, line 26, by striking out “SECURITY GUARD” and inserting “DIRECT PROVIDER OF THE SECURITY BUSINESS”.

The motion was seconded and the amendments were 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. 912

Yeas—92

Adamini
Allen
Basham
Bernero
Birkholz
Bisbee
Bishop
Bogardus
Bovin
Brown, B.
Brown, C.

Garza
George
Gieleghem
Gilbert
Godchaux
Hale
Hansen
Hardman
Hart
Howell
Jacobs

Lemmons
Lipsey
McConico
Mead
Meyer
Middaugh
Minore
Mortimer
Murphy
Neumann
Newell

Rivet
Rocca
Schauer
Scranton
Shackleton
Shulman
Spade
Stallworth
Stamas
Stewart
Switalski

Brown, R.	Jamnick	O'Neil	Tabor
Callahan	Jansen	Pappageorge	Thomas
Caul	Jelinek	Patterson	Toy
Clark, I.	Johnson, Rick	Pestka	Van Woerkom
Clarke, H.	Johnson, Ruth	Phillips	Vander Roest
Dennis	Julian	Pumford	Vander Veen
DeRossett	Koetje	Quarles	Waters
DeVuyst	Kolb	Rackowski	Williams
DeWeese	Kooiman	Reeves	Wojno
Ehardt	Kowall	Richardville	Woodward
Faunce	Kuipers	Richner	Woronchak
Frank	LaSata	Rison	Zelenko

Nays—9

Bradstreet	Hager	Palmer	Vear
Drolet	Hummel	Sheltrown	Voorhees
Gosselin			

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 1968 PA 330, entitled “An act to license and regulate private security guards, private security police, private security guard agencies and security alarm systems servicing, installing, operating, and monitoring; to provide penalties for violations; to protect the general public against unauthorized, unlicensed and unethical operations by individuals engaged in private security activity or security alarm systems sales, installations, service, maintenance, and operations; to establish minimum qualifications for individuals as well as private agencies engaged in the security business and security alarm systems and operations; and to prescribe the powers and duties of the department of state police,” by amending the title and sections 2, 3, 6, 7, 9, 10, 13, 14, 17, 18, 19, 24, 25, 29, and 31 (MCL 338.1052, 338.1053, 338.1056, 338.1057, 338.1059, 338.1060, 338.1063, 338.1064, 338.1067, 338.1068, 338.1069, 338.1074, 338.1075, 338.1079, and 338.1081), the title and sections 2, 3, 6, 7, 9, 10, 14, 17, 18, 19, 25, 29, and 31 as amended by 2000 PA 411.

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.

Rep. Hager, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I oppose passage on this bill due to the fact that that an increase of license for a security alarm system contractor that is a sole proprietor is increased from \$250 to \$1500. I consider this increase excessive.”

Senate Bill No. 927, entitled

A bill to amend 1965 PA 213, entitled “An act to provide for setting aside the conviction in certain criminal cases; to provide for the effect of such action; to provide for the retention of certain nonpublic records and their use; to prescribe the powers and duties of certain public agencies and officers; and to prescribe penalties,” by amending section 1 (MCL 780.621), as amended by 1996 PA 573.

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

Roll Call No. 913**Yeas—97**

Adamini	George	Lemmons	Schauer
Allen	Gielegthem	Lipsey	Scranton
Anderson	Gilbert	Mans	Shackleton
Basham	Godchaux	McConico	Sheltrown
Bernero	Hager	Mead	Shulman
Birkholz	Hale	Meyer	Spade
Bisbee	Hansen	Middaugh	Stallworth
Bishop	Hardman	Minore	Stamas
Bogardus	Hart	Mortimer	Stewart
Bovin	Howell	Murphy	Switalski
Bradstreet	Hummel	Neumann	Tabor
Brown, B.	Jacobs	Newell	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.	Johnson, Ruth	Pumford	Vear
Clarke, H.	Julian	Rackowski	Voorhees
Dennis	Koetje	Reeves	Waters
DeRossett	Kolb	Richardville	Williams
DeVuyst	Kooiman	Richner	Wojno
DeWeese	Kowall	Rison	Woodward
Ehardt	Kuipers	Rivet	Woronchak
Faunce	LaSata	Rocca	Zelenko
Garza			

Nays—3

Drolet Gosselin Palmer

In The Chair: Ehardt

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. 929, entitled

A bill to amend 1965 PA 285, entitled “Private detective license act of 1965,” by amending the title and sections 1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 16, 17, 18, 20, 21, 22, 23, 24, 25, 26, 27, 28, and 31 (MCL 338.821, 338.822, 338.823, 338.824, 338.825, 338.826, 338.827, 338.829, 338.830, 338.831, 338.832, 338.833, 338.834, 338.836, 338.837, 338.838, 338.840, 338.841, 338.842, 338.843, 338.844, 338.845, 338.846, 338.847, 338.848, and 338.851).

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

Roll Call No. 914**Yeas—83**

Adamini	Gilbert	Lemmons	Rivet
Allen	Godchaux	Lipsey	Rocca
Basham	Hager	Mans	Schauer
Bernero	Hale	McConico	Scranton

Birkholz	Hansen	Mead	Shackleton
Bisbee	Hardman	Meyer	Shulman
Bishop	Hart	Middaugh	Spade
Bovin	Howell	Minore	Stallworth
Brown, R.	Jacobs	Mortimer	Stamas
Callahan	Jamnick	Murphy	Stewart
Caul	Jansen	Neumann	Switalski
Clark, I.	Jelinek	O'Neil	Thomas
Clarke, H.	Johnson, Rick	Pappageorge	Toy
Dennis	Johnson, Ruth	Patterson	Van Woerkom
DeRossett	Julian	Pestka	Waters
DeWeese	Koetje	Phillips	Williams
Ehardt	Kolb	Pumford	Wojno
Faunce	Kooiman	Reeves	Woodward
Garza	Kowall	Richardville	Woronchak
George	Kuipers	Richner	Zelenko
Gielegghem	LaSata	Rison	

Nays—18

Anderson	DeVuyst	Palmer	Vander Roest
Bogardus	Drolet	Rackowski	Vander Veen
Bradstreet	Gosselin	Sheltrown	Vear
Brown, B.	Hummel	Tabor	Voorhees
Brown, C.	Newell		

In The Chair: Ehardt

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

“An act to license and regulate private detectives and investigators; to provide penalties for violations; to protect the general public against unauthorized, unlicensed and unethical operations by private detectives and private investigators; and to repeal certain acts and parts of acts.”.

The House agreed to the full title.

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

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

Senate Bill No. 992, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 13p of chapter XVII (MCL 777.13p), as added by 2002 PA 30.

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

Roll Call No. 915**Yeas—96**

Adamini	George	LaSata	Rocca
Allen	Gielegghem	Lemmons	Schauer
Anderson	Gilbert	Lipsey	Scranton
Basham	Godchaux	Mans	Shackleton
Bernero	Gosselin	McConico	Shulman
Birkholz	Hager	Mead	Spade
Bisbee	Hale	Meyer	Stallworth
Bishop	Hansen	Middaugh	Stamas
Bovin	Hardman	Minore	Stewart

Brown, B.	Hart	Mortimer	Switalski
Brown, C.	Howell	Murphy	Tabor
Brown, R.	Hummel	Neumann	Thomas
Callahan	Jacobs	O'Neil	Toy
Caul	Jamnick	Pappageorge	Van Woerkom
Clark, I.	Jansen	Patterson	Vander Roest
Clarke, H.	Jelinek	Pestka	Vander Veen
Dennis	Johnson, Rick	Phillips	Vear
DeRossett	Johnson, Ruth	Pumford	Voorhees
DeVuyst	Julian	Rackowski	Waters
DeWeese	Koetje	Reeves	Williams
Ehardt	Kolb	Richardville	Wojno
Faunce	Kooiman	Richner	Woodward
Frank	Kowall	Rison	Woronchak
Garza	Kuipers	Rivet	Zelenko

Nays—5

Bradstreet	Newell	Palmer	Sheltrown
Drolet			

In The Chair: Ehardt

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

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

The House agreed to the full title.

Rep. 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. 4003, entitled

A bill to regulate the installation, alteration, maintenance, improvement, and inspection of plumbing; to provide certain powers and duties for certain state agencies and departments; to create a plumbing board; to define plumbing and the classification of plumbers and to set standards for those classifications; to provide for the licensing and regulation of classes of plumbers and plumbing contractors; to prescribe fees and the disposition of money derived from those fees; to provide for the promulgation of rules; to prescribe remedies and penalties; and to repeal acts and parts of acts.

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

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

Rep. Scranton moved to amend the bill as follows:

1. Amend page 9, following line 9, by inserting:

“(5) This act does not prevent a person from performing any activities within the scope of licensure under any other licensure act or applicable codes for that licensed professional adopted pursuant to law.”.

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

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

The motion prevailed.

Rep. Richardville 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. 4003, entitled

A bill to regulate the installation, alteration, maintenance, improvement, and inspection of plumbing; to provide certain powers and duties for certain state agencies and departments; to create a plumbing board; to define plumbing and the classification of plumbers and to set standards for those classifications; to provide for the licensing and regulation of classes of plumbers and plumbing contractors; to prescribe fees and the disposition of money derived from those fees; to provide for the promulgation of rules; to prescribe remedies and penalties; and to repeal acts and parts of acts.

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

Roll Call No. 916

Yeas—101

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

Nays—2

Vander Roest

Woronchak

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 regulate the installation, alteration, maintenance, improvement, and inspection of plumbing; to provide certain powers and duties for certain state agencies and departments; to create a plumbing board; to define plumbing, plumbing contractors, and the classification of plumbers and to set standards for those classifications; to provide for the licensing and regulation of classes of plumbers and plumbing contractors; to prescribe fees and the disposition of money derived from those fees; to provide for the promulgation of rules; to prescribe remedies and penalties; and to repeal acts and parts of acts.

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.

Second Reading of Bills**House Bill No. 5947, entitled**

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 44 (MCL 211.44), as amended by 2000 PA 364.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5984, entitled

A bill to amend 1975 PA 238, entitled “Child protection law,” by amending sections 2, 3, and 11 (MCL 722.622, 722.623, and 722.631), section 2 as amended by 2000 PA 45 and section 3 as amended by 2002 PA 10.

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

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

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

The motion prevailed.

Associate Speaker Pro Tempore Julian resumed the Chair.

House Bill No. 6070, entitled

A bill to create and provide for the operation of the Michigan next energy authority; to provide for the creation and appointment of a board to govern the authority and to prescribe its powers and duties; to provide for the powers and duties of the authority; to extend protections against certain liabilities to the authority; to authorize the conveyance of state land and to confer authority and jurisdiction over state land to the authority; to provide for the issuance of certain bonds, notes, and other obligations; to facilitate the use and development of authority property; to promote alternative energy technology and economic growth; to authorize the acquisition, maintenance, and disposal of interests in real and personal property; to provide for the conveyance of land transferred to the authority; to allow for the creation of a center to manage the authority’s land; to convey state land; and to exempt property, income, and operations of an authority from tax.

Was read a second time, and the question being on the adoption of the proposed substitute (H-4) previously recommended by the Committee on Energy and Technology,

The substitute (H-4) was adopted, a majority of the members serving voting therefor.

Reps. Bradstreet and Bob Brown moved to amend the bill as follows:

1. Amend page 20, line 27, after "real" by inserting "property located inside the alternative energy zone".
2. Amend page 21, line 1, after "real" by inserting "property located inside the alternative energy zone".
3. Amend page 21, line 4, after "real" by inserting "property located inside the alternative energy zone".
4. Amend page 21, line 5, after "real" by inserting "property located inside the alternative energy zone".
5. Amend page 24, line 24, after "real" by inserting "property located inside the alternative energy zone".
6. Amend page 24, line 25, after "real" by inserting "property located inside the alternative energy zone".
7. Amend page 25, line 4, after "act." by inserting "The authority may acquire real property located outside the alternative energy zone only by gift or exchange. If the authority acquires real property outside the alternative energy zone by gift or exchange, the authority shall immediately place that real property on the market for sale for the appraised fair market value.".
8. Amend page 25, line 5, after "property" by inserting "located inside the alternative energy zone".
9. Amend page 25, line 7, after "property" by inserting "located inside the alternative energy zone".
10. Amend page 25, line 8, after "property" by inserting "located inside the alternative energy zone".
11. Amend page 35, line 22, after "real" by inserting "property located inside the alternative energy zone".
12. Amend page 35, line 23, after "purpose." by inserting "Real property owned by the authority located outside an alternative energy zone is subject to taxes levied under the general property tax act, 1893 PA 206, MCL 211.1 to 211.157.".
13. Amend page 38, line 11, after "in" by striking out "this act" and inserting "section 22".

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

Rep. Bradstreet moved to amend the bill as follows:

1. Amend page 5, line 6, after "MCL 125.2688a" by inserting a comma and "limited to the land transferred to the authority in section 22 of this act".

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

Reps. Woodward and Bradstreet moved to amend the bill as follows:

1. Amend page 19, line 3, by striking out all of subsection (5) and inserting:

"(5) The chief executive officer and the chief financial officer shall be a resident of this state.".

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

Rep. Woodward moved to amend the bill as follows:

1. Amend page 19, line 5, after "state." by inserting "The salary of the chief executive officer shall not exceed that of the lieutenant governor.".

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

Rep. Woodward demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 917

Yeas—44

Adamini	Daniels	McConico	Rocca
Anderson	Dennis	Middaugh	Sheltrown
Basham	Drolet	Minore	Spade
Bernero	Frank	Mortimer	Stallworth
Bogardus	Garza	Murphy	Switalski
Bovin	Gielegghem	Neumann	Thomas
Brown, B.	Gosselin	Pestka	Waters
Brown, R.	Hale	Raczkowski	Williams
Callahan	Hardman	Reeves	Wojno
Clark, I.	Jacobs	Rison	Woodward
Clarke, H.	Lipsev	Rivet	Zelenko

Nays—56

Allen	Godchaux	Kuipers	Schauer
Birkholz	Hager	LaSata	Scranton
Bisbee	Hansen	Lemmons	Shackleton
Bishop	Hart	Mans	Shulman
Bradstreet	Howell	Mead	Stamas
Brown, C.	Hummel	Meyer	Stewart
Caul	Jansen	Newell	Tabor
DeRossett	Jelinek	O'Neil	Toy
DeVuyst	Johnson, Rick	Palmer	Van Woerkom
DeWeese	Johnson, Ruth	Pappageorge	Vander Roest
Ehardt	Julian	Patterson	Vander Veen
Faunce	Koetje	Pumford	Vear
George	Kooiman	Richardville	Voorhees
Gilbert	Kowall	Richner	Woronchak

In The Chair: Julian

Rep. Woodward moved to amend the bill as follows:

1. Amend page 39, line 17, after “year” by inserting “based on the property’s taxable value in that year”.
2. Amend page 39, line 17, after “lost” by striking out the balance of the line through “211.157,” on line 19 and inserting a comma.
3. Amend page 39, line 23, after “year” by inserting “based on the property’s taxable value in that year”.
4. Amend page 39, line 23 after “lost” by striking out the balance of the line through “211.157,” on line 25 and inserting a comma.
5. Amend page 40, line 2, after “lost” by striking out the balance of the line through “211.157,” on line 4 and inserting a comma.

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

Rep. Woodward demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 918**Yeas—49**

Adamini	Frank	Mans	Schauer
Anderson	Garza	McConico	Sheltrown
Basham	Gielegghem	Middaugh	Spade
Birkholz	Godchaux	Minore	Stallworth
Bogardus	Hale	Murphy	Switalski
Bovin	Hansen	Neumann	Thomas
Brown, B.	Hardman	O'Neil	Vander Roest
Brown, R.	Jacobs	Pestka	Waters
Callahan	Jamnick	Phillips	Williams
Clark, I.	Kolb	Quarles	Wojno
Clarke, H.	Lemmons	Reeves	Woodward
Daniels	Lipsey	Rison	Zelenko
Dennis			

Nays—53

Allen	Gosselin	Kuipers	Rocca
Bisbee	Hager	LaSata	Scranton

Bishop	Hart	Mead	Shackleton
Bradstreet	Howell	Meyer	Shulman
Brown, C.	Hummel	Mortimer	Stamas
Caul	Jansen	Newell	Stewart
DeRossett	Jelinek	Palmer	Tabor
DeVuyst	Johnson, Rick	Pappageorge	Toy
DeWeese	Johnson, Ruth	Patterson	Van Woerkom
Drolet	Julian	Pumford	Vander Veen
Ehardt	Koetje	Rackowski	Vear
Faunce	Kooiman	Richardville	Voorhees
George	Kowall	Richner	Woronchak
Gilbert			

In The Chair: Julian

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

The motion prevailed.

Rep. Richardville 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. 6070, entitled

A bill to create and provide for the operation of the Michigan next energy authority; to provide for the creation and appointment of a board to govern the authority and to prescribe its powers and duties; to provide for the powers and duties of the authority; to extend protections against certain liabilities to the authority; to authorize the conveyance of state land and to confer authority and jurisdiction over state land to the authority; to provide for the issuance of certain bonds, notes, and other obligations; to facilitate the use and development of authority property; to promote alternative energy technology and economic growth; to authorize the acquisition, maintenance, and disposal of interests in real and personal property; to provide for the conveyance of land transferred to the authority; to allow for the creation of a center to manage the authority's land; to convey state land; and to exempt property, income, and operations of an authority from tax.

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

Roll Call No. 919

Yeas—103

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

Clarke, H.	Johnson, Rick	Phillips	Vear
Daniels	Johnson, Ruth	Pumford	Voorhees
Dennis	Julian	Quarles	Waters
DeRossett	Koetje	Rackowski	Williams
DeVuyst	Kolb	Reeves	Wojno
DeWeese	Kooiman	Richardville	Woodward
Ehardt	Kowall	Richner	Woronchak
Faunce	Kuipers	Rison	Zelenko
Frank	LaSata	Rivet	

Nays—1

Drolet

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 create and provide for the operation of the Michigan next energy authority; to provide for the creation and appointment of a board to govern the authority and to prescribe its powers and duties; to provide for the powers and duties of the authority; to extend protections against certain liabilities to the authority; to authorize the conveyance of state land and to confer authority and jurisdiction over state land to the authority; to provide for the issuance of certain bonds, notes, and other obligations; to facilitate the use and development of authority property; to promote alternative energy technology and economic growth; to authorize the acquisition, maintenance, and disposal of interests in real and personal property; to provide for the conveyance of land transferred to the authority; to convey state land; and to exempt property, income, and operations of an authority from tax.

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.

Reps. Basham, Bogardus, Bovin, Bradstreet, Clarke, Garza, Gielegem, Hardman, Jacobs, Jamnick, Jansen, Kolb, Lemmons, McConico, Middaugh, Mortimer, Murphy, Neumann, Pappageorge, Patterson, Rocca, Schauer, Stallworth and Toy were named co-sponsors of the bill.

Rep. Drolet, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

This bill creates yet another illegitimate function for government that will cost more money that we do not have. Alternative energy is a great idea. Entrepreneurs will one day make vast fortunes off of it. Governments, on the other hand, spend money rather than make it. Government has no business mucking around in private business affairs, and THIS government doesn’t even have the money to pay for its present programs, let alone this one.”

Second Reading of Bills

House Bill No. 6071, entitled

A bill to amend 1996 PA 376, entitled “Michigan renaissance zone act,” by amending section 8a (MCL 125.2688a), as amended by 2000 PA 259.

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

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. Richardville 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. 6071, entitled

A bill to amend 1996 PA 376, entitled “Michigan renaissance zone act,” by amending section 8a (MCL 125.2688a), as amended by 2000 PA 259.

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

Roll Call No. 920

Yeas—103

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

Nays—1

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.

Reps. Anderson, Basham, Bovin, Bradstreet, Rich Brown, Clarke, Gielegghem, Hardman, Jacobs, Jamnick, Kolb, Kooiman, Lemmons, McConico, Middaugh, Mortimer, Murphy, Pappageorge, Pestka, Richner, Rocca, Schauer, Stallworth and Stamas were named co-sponsors of the bill.

Second Reading of Bills**House Bill No. 6073, entitled**

A bill to amend 1975 PA 228, entitled “Single business tax act,” (MCL 208.1 to 208.145) by adding section 39e.

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

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

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

The motion prevailed.

Rep. Richardville 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. 6073, entitled**

A bill to amend 1975 PA 228, entitled “Single business tax act,” (MCL 208.1 to 208.145) by adding section 39e.

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

Roll Call No. 921**Yeas—103**

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

Nays—1

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.

Second Reading of Bills

House Bill No. 6074, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” (MCL 211.1 to 211.157) by adding section 9i.
 Was read a second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Energy and Technology,

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

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

The motion prevailed.

Rep. Richardville 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. 6074, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” (MCL 211.1 to 211.157) by adding section 9i.
 Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 922

Yeas—101

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

Nays—3

Bogardus

Newell

Phillips

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. 6075, entitled

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

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

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

Rep. Woodward moved to amend the bill as follows:

1. Amend page 1, line 2, after "30," by striking out "2003" and inserting "2006".

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

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

The motion prevailed.

Rep. Richardville 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. 6075, entitled

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

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

Roll Call No. 923

Yeas—83

Allen	Hager	Mead	Shackleton
Birkholz	Hale	Meyer	Sheltrown
Bisbee	Hansen	Middaugh	Shulman
Bishop	Hart	Mortimer	Spade
Bovin	Howell	Murphy	Stallworth
Bradstreet	Hummel	Neumann	Stamas
Brown, C.	Jacobs	Newell	Stewart
Brown, R.	Jansen	O'Neil	Tabor
Caul	Jelinek	Palmer	Thomas
Clarke, H.	Johnson, Rick	Pappageorge	Toy
Daniels	Johnson, Ruth	Patterson	Van Woerkom
DeRossett	Julian	Pestka	Vander Roest
DeVuyst	Koetje	Pumford	Vander Veen
DeWeese	Kolb	Quarles	Vear
Drolet	Kooiman	Raczkowski	Voorhees
Faunce	Kowall	Reeves	Williams
Frank	Kuipers	Richardville	Wojno
Garza	LaSata	Richner	Woodward
George	Lemmons	Rison	Woronchak
Gilbert	Mans	Rocca	Zelenko
Gosselin	McConico	Schauer	

Nays—20

Adamini	Brown, B.	Godchaux	Phillips
Anderson	Callahan	Hardman	Rivet

Basham
Bernero
Bogardus

Clark, I.
Dennis
Gielegthem

Jamnick
Lipsey
Minore

Scranton
Switalski
Waters

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.

Reps. Clark, Minore, Basham, Dennis, Adamini, Callahan, Hardman and Phillips 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 6075 while this tax break is a good idea, it protects one industry for a small period of time. We also need to protect the school aid fund. In the past, the Governor and the Legislature have had a policy of providing broad tax relief for all Michigan businesses and families. We have also rejected targeted tax cuts for specific industries. This bill is a departure from that policy and would only be in effect for two years.

This bill will also be quite a hit to the school aid fund. Experts have estimated that this bill will result in a reduction of almost \$50 million per year from the school aid fund. In a time when budgets are thin, we should do all we can to protect school funding.”

Rep. Anderson, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I voted no on HB 6075 because while this tax break is a good idea, it protects one industry for a small period of time. We also need to protect the school aid fund. In the past, the Governor and the Legislature have had a policy of providing broad tax relief for all Michigan businesses and families. We have also rejected targeted tax cuts for specific industries. This bill is a departure from that policy and would only be in effect for two years.

This bill will also be a financial hit to the school aid fund. Experts have estimated that this bill will result in a reduction of almost \$50 million per year from the school aid fund. In a time when budgets are thin, we should do all we can to protect school funding.”

Rep. Bogardus, having reserved the right to explain her protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I voted no on HB 6075 because it is potentially a significant loss of revenue for the school aid fund.”

Second Reading of Bills

House Bill No. 6076, entitled

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

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

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

Rep. Woodward moved to amend the bill as follows:

1. Amend page 1, line 2, after “30,” by striking out “2003” and inserting “2006”.

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

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

The motion prevailed.

Rep. Richardville 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. 6076, entitled

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

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

Roll Call No. 924

Yeas—87

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

Nays—14

Adamini	Brown, B.	Jamnick	Rivet
Anderson	Callahan	Lipsey	Scranton
Bernero	Gielegghem	Minore	Switalski
Bogardus	Godchaux		

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.

Reps. Basham, Bovin, Bradstreet, Clarke, Daniels, Hansen, Hardman, Jacobs, Jansen, Kolb, Murphy, Pappageorge, Richner, Rocca, Schauer and Stallworth were named co-sponsors of the bill.

Rep. Bogardus, having reserved the right to explain her protest against the passage of the bill, made the following statement:

"Mr. Speaker and members of the House:

I voted no on HB 6076 because it is potentially a significant loss of revenue for the school aid fund."

Rep. Callahan, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I voted no on HB 6076 while this tax break is a good idea, it protects one industry for a small period of time. We also need to protect the school aid fund. In the past, the Governor and the Legislature have had a policy of providing broad tax relief for all Michigan businesses and families. We have also rejected targeted tax cuts for specific industries. This bill is a departure from that policy and would only be in effect for two years.

This bill will also be quite a hit to the school aid fund. Experts have estimated that this bill will result in a reduction of almost \$50 million per year from the school aid fund. In a time when budgets are thin, we should do all we can to protect school funding.”

By unanimous consent the House returned to the order of

Messages from the Senate

House Bill No. 5466, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending sections 46, 544c, and 590h (MCL 168.46, 168.544c, and 168.590h), section 544c as amended by 1999 PA 219, and section 590h as added by 1988 PA 116.

The Senate has amended the bill as follows:

1. Amend page 9, following line 29, by inserting:

“Sec. 646a. (1) If a local officer is to be elected at a general November election or on the first Monday of April in an odd numbered year, candidates for the local office shall be nominated in the manner provided by law or charter. If the candidates are to be nominated at a fall primary election, the primary shall be held on the same day as is provided by law for holding the county or state primary election ~~prior to such~~ BEFORE THAT election, except as provided in section 646b. If the candidates are to be elected in April, the primary shall be held on the third Monday in February. If candidates for the local office are to be nominated at caucuses, the caucuses shall be held on a date ~~prior to~~ BEFORE the date set for the above mentioned primary election or on the Saturday preceding the day of the primary election as determined by the local legislative body at least 20 days preceding the date of the caucus. If candidates are nominated by filing petitions or affidavits, they shall be filed at a time provided by charter but not later than the date of the primary. If a local primary election is to be held on the same day as ~~any~~ A state or county primary election, the last day for local candidates to file nominating petitions shall be the same as the last date to file petitions for state and county offices. The names of all local candidates and titles of office shall be certified to the county clerk by the local clerk within 5 days after the last day for filing petitions, and certification of nominees shall be made to ~~such~~ THAT clerk within 5 days after the date on which the primary or caucus was held.

(2) If ~~any~~ A local or county ~~questions are~~ QUESTION IS to be voted on at ~~any~~ A primary, special, or general election at which state officers are to be voted for, the ballot wording of the question shall be certified to the local or county clerk at least 70 days ~~prior to such~~ BEFORE THE election. If the wording is certified to a clerk other than the county clerk, the clerk shall certify the ballot wording to the county clerk at least 68 days ~~prior to~~ BEFORE the election. Petitions to place ~~any~~ A county or local ~~questions~~ QUESTION on the ballot at the election shall be filed with the clerk at least 14 days before the date the ballot wording must be certified to the local clerk. FOR THE YEAR 2002, THE CERTIFICATION AND FILING DEADLINES PRESCRIBED BY THIS SUBSECTION DO NOT APPLY TO A LOCAL OR COUNTY BALLOT QUESTION THAT IS REQUIRED TO BE PLACED ON THE BALLOT BY STATE STATUTE.

(3) The provisions of this section apply notwithstanding any provisions of law or charter to the contrary, unless an earlier date for the filing of affidavits or petitions, including nominating petitions, is provided in ~~any~~ A law or charter, in which case the earlier filing date is controlling.”

2. Amend page 10, line 1, by striking out all of enacting section 1.

The Senate has passed the bill as amended, ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1954 PA 116, entitled “An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act,” by amending sections 46, 544c, 590h, and 646a (MCL 168.46, 168.544c, 168.590h, and 168.646a), section 544c as amended by 1999 PA 219, section 590h as added by 1988 PA 116, and section 646a as amended by 1990 PA 7.

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

Rep. Richardville moved that Rule 45 be suspended.

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

The question being on concurring in the amendments made to the bill by the Senate,

The amendments were concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 925

Yeas—74

Adamini	George	Kuipers	Rocca
Allen	Gielegghem	LaSata	Schauer
Birkholz	Gilbert	Lemmons	Scranton
Bisbee	Godchaux	Mans	Shackleton
Bishop	Gosselin	McConico	Sheltrown
Bovin	Hager	Mead	Shulman
Bradstreet	Hansen	Meyer	Stamas
Brown, B.	Hart	Middaugh	Stewart
Brown, C.	Howell	Mortimer	Tabor
Brown, R.	Hummel	Newell	Toy
Caul	Jansen	Palmer	Van Woerkom
Daniels	Jelinek	Pappageorge	Vander Roest
DeRossett	Johnson, Rick	Patterson	Vander Veen
DeVuyst	Johnson, Ruth	Phillips	Vear
DeWeese	Julian	Pumford	Voorhees
Drolet	Koetje	Rackowski	Williams
Ehardt	Kolb	Richardville	Woodward
Faunce	Kooiman	Richner	Woronchak
Garza	Kowall		

Nays—27

Anderson	Dennis	Murphy	Spade
Basham	Frank	Neumann	Switalski
Bernero	Hale	O'Neil	Thomas
Bogardus	Hardman	Quarles	Waters
Callahan	Jacobs	Reeves	Wojno
Clark, I.	Jamnick	Rison	Zelenko
Clarke, H.	Minore	Rivet	

In The Chair: Julian

The House agreed to the title as amended.

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

Third Reading of Bills

Senate Bill No. 920, entitled

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

(The bill was read a third time and postponed temporarily on May 30, see House Journal No. 52, p. 1808.)

The question being on the passage of the bill,

Reps. Rocca and McConico moved to substitute (H-2) the bill.

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

Rep. Rocca moved to amend the bill as follows:

1. Amend page 7, line 9, after the first “the” by striking out the balance of the sentence and inserting “appropriate transportation fund.”.

2. Amend page 7, line 13, by striking out “transportation.” and inserting “management and budget.”.

The motion was seconded and the amendments were 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. 926

Yeas—100

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

Nays—0

In The Chair: Julian

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

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

A bill to authorize the state administrative board to convey certain properties in Branch county and in Wayne county; to prescribe conditions for the conveyances; to provide for disposition of the revenue from the conveyances; and to define the term “undeveloped property” in the Declaration of Restrictions applicable to the Westside Industrial Redevelopment Project U.R. Mich. 1-4 in which the Wayne county property is located; to authorize the state administrative board to transfer certain property between state departments; and to authorize the department of management and budget to dispose of certain buildings.

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.

By unanimous consent the House returned to the order of

Reports of Standing Committees

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

Senate Bill No. 1324, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 806 (MCL 257.806), as amended by 2001 PA 268.

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

SB 1324 To Report Out:

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

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: Wednesday, June 5, 2002, at 8:45 a.m.,

Present: Reps. DeVuyst, Tabor, Bradstreet, Drolet, Kowall, Voorhees, Sheltroun,

Absent: Reps. Rocca, Callahan, Basham, Garza,

Excused: Reps. Rocca, Callahan, Basham, Garza.

Second Reading of Bills

Senate Bill No. 1324, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 806 (MCL 257.806), as amended by 2001 PA 268.

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

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

Rep. Mead moved to amend the bill as follows:

1. Amend page 1, line 9, after "31," by striking out "2005" and inserting "2007".

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

Rep. Pumford moved to amend the bill as follows:

1. Amend page 2, line 8, after "effect" by striking out "90" and inserting "60".

The motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

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

The motion prevailed.

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

Rep. Richardville moved that when the House adjourns today it stand adjourned until Thursday, June 13, at 2:00 p.m.
The motion prevailed.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Thomas, Jacobs, Drolet, Kuipers, Jamnick, Godchaux, Meyer, George, Faunce, Bishop, Bogardus, Adamini, Stewart, Rocca, Hager, Koetje, Richardville, Ehardt, Shulman, Dennis, DeVuyst, Bradstreet, Julian, Vander Roest, Frank, Sheltroun, Woodward, Hale, Toy, Rivet, Lemmons, Waters, Daniels, Anderson, DeRossett, Hansen, Neumann,

Rich Brown, Wojno, Spade, Gielegheem, Minore, Lipsey, McConico, Bovin, Raczkowski, Clark, Stallworth, Kolb, Hardman, Reeves, Murphy, Zelenko, Phillips, Clarke, Bernero, Voorhees, Shackleton, Pappageorge, Switalski, Quarles and Kowall offered the following resolution:

House Resolution No. 475.

A resolution honoring retired Colonel Charles E. McGee, National President of Tuskegee Airmen Incorporated.

Whereas, Charles McGee was born in Cleveland, Ohio, in 1919 and spent his childhood there and in Illinois and Iowa. While attending the University of Illinois, war broke out and he enlisted in the Army. He entered the newly established segregated flight training program at Tuskegee Institute in Alabama. On June 30, 1943, Charles graduated in Class 43-F at Tuskegee Army Field and was commissioned a 2nd Lieutenant with his military pilot wings. He received advanced training north of Detroit at Selfridge Field; and

Whereas, Charles McGee remained on active duty for 30 years and saw combat duty in three wars. During World War II, Charles McGee was shipped to Italy with the 302nd Fighter Squadron, one of four units that comprised the all-black 332nd Fighter Group known as the Red Tails. There he piloted the Bell P-39 Airacobra, the Republic P-47, and the North American P-51 Mustang. In the Korean War, he flew an F-51 Mustang with the 67th Fighter Bomber Squadron. During the Vietnam War, he flew the McDonnell Douglas RF-4C Phantom II with the 16th Tactical Reconnaissance Squadron. His command assignments included the 44th Fighter Bomber Squadron in the Philippines, the 7230th Support Squadron in Italy, and the 16th Tactical Reconnaissance Squadron. He also commanded the Richards-Gebaur Air Force base in Missouri from 1972-1973; and

Whereas, Over the course of his military career, he flew a total of 409 combat missions, logged 6,100 flight hours, and received many decorations. Charles McGee's decorations include the Presidential Unit Citation, the Army Commendation Medal, two Air Force Commendation Medals, 25 Air Medals, Bronze Star, three Distinguished Flying Crosses, and the Legion of Merit with Oak Leaf Cluster. He retired from the United States Air Force on January 31, 1973; and

Whereas, Following his military service, Charles McGee served as vice president for a financial services company, assistant director of administration for the city of Prairie Village, Kansas, and manager of Kansas City Downtown Airport in Missouri. He was active in the Boys and Girls Club of Greater Kansas City, the Disciples of Christ Church, Missouri's Advisory Board and was a life member of the Alpha Phi Alpha Fraternity. He was also a board member of the Tuskegee Airmen, Incorporated since its inception in 1972 and serves as National President;

Whereas, Colonel McGee and his late wife, Frances Edwina Nelson, have three children, Charlene, Ronald, and Yvonne. He recently moved from Kansas City to Bethesda, Maryland, and enjoys his many grandchildren and great-grandchildren; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body honor retired Colonel Charles E. McGee, National President of Tuskegee Airmen Incorporated. May the health and happiness his years so richly merit be with him always; and be it further

Resolved, That a copy of this resolution be transmitted to Charles McGee 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. Bovin, Drolet, Mead, Kuipers, Jamnick, LaSata, Meyer, George, Faunce, Van Woerkom, Bogardus, Thomas, Adamini, Stewart, Rocca, Hager, Koetje, Richardville, Ehardt, Shulman, Dennis, DeVuyst, Bradstreet, Scranton, Julian, Vander Roest, Sheltroun, Woodward, Hale, Toy, Rivet, Lemmons, Waters, Daniels, Anderson, DeRossett, Hansen, Neumann, Jacobs, Rich Brown, Wojno, Spade, Gielegheem, Minore, Lipsey, McConico, Raczkowski, Clark, Stallworth, Kolb, Hardman, Reeves, Murphy, Zelenko, Phillips, Clarke, Bernero, Voorhees, Shackleton, Pappageorge, Switalski and Quarles offered the following resolution:

House Resolution No. 476.

A resolution honoring the Escanaba High School Destination Imagination Team.

Whereas, It is with great pleasure that we commend the students and coach of the Escanaba High School Destination Imagination Team upon placing third in the Destination Imagination Global Finals competition in Knoxville, Tennessee. This recognition is a well-earned milestone symbolic of the innovation, planning, and personal commitment of people who share the belief that education is one of the greatest gifts we can give our children; and

Whereas, The members of the Escanaba High School Destination Imagination Team, coach Vicki Nemeth-Soderberg, and team members, Johanna Franzen, Megan Soderberg, Kathryn O'Donnell, Emily Cousineau, Rebecca Peterson, and Sarah Murray have demonstrated their scholarly skills through excellence in the classroom, intellectual curiosity in pursuit of academic activities outside the traditional classroom, and through an ability to share this development with others; and

Whereas, The members of the Escanaba High School Destination Imagination Team represent some of the best and brightest students from Michigan's high schools. We are proud of the achievements of the Escanaba High School Destination Imagination Team; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body honor the Escanaba High School Destination Imagination Team. We look forward to the continuation of this excellent achievement and offer our best wishes for a bright and prosperous future; and be it further

Resolved, That a copy of this resolution be transmitted to Escanaba 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. Kolb, Jamnick, Godchaux, George, Faunce, Van Woerkom, Bishop, Bogardus, Thomas, Adamini, Stewart, Hager, Koetje, Richardville, Ehardt, Shulman, Dennis, Vander Roest, Frank, Sheltrown, Woodward, Hale, Toy, Rivet, Lemmons, Waters, Daniels, Anderson, DeRossett, Hansen, Neumann, Jacobs, Rich Brown, Wojno, Spade, Gielegem, Minore, Lipsey, McConico, Bovin, Raczkowski, Clark, Hardman, Murphy, Zelenko, Phillips, Clarke, Bernero, Voorhees, Shackleton, Pappageorge, Switalski and Quarles offered the following resolution:

House Resolution No. 477.

A resolution honoring B. Joseph White for his leadership during his tenure as Interim President of the University of Michigan.

Whereas, B. Joseph White is serving as the Interim President of the University of Michigan from January 1, 2002 to July 31, 2002; and

Whereas, B. Joseph White has amassed many University associations within his educational career, including, but not limited to, Associate Dean and Dean of the University of Michigan Business School and faculty member of the Organizational Behavior-Industrial Relations. He also held numerous non-University related positions including, but not limited to, Faculty Associate at the Institute for Social Research and visiting faculty member at the Cranfield School of Management in Cranfield, England; and

Whereas, B. Joseph White earned his Bachelor of Science from Georgetown University School of Foreign Service, his Masters of Business Administration at Harvard Business School, and his Ph.D. at the University of Michigan; and

Whereas, B. Joseph White set up three goals during his interim presidency. Goal I was to maintain momentum on key University initiatives such as the Life Sciences and defense of affirmative action. In the area of Life Sciences, in April of 2002, the University of Michigan broke ground on the new 470,000 square foot Biomedical Science Research Building. The University of Michigan also launched its Center for Genomics and Public Health, one of three funded by the Centers for Disease Control and Prevention, to increase understanding of human genome and its use in public health practices. In the area of affirmative action, B. Joseph White is an eloquent and passionate defender of diversity. Goal II was ensuring that the University was in the best possible condition at the time of the Presidential appointment. B. Joseph White brought life and energy into the University each day with his own vitality and enthusiasm. He enhanced communications with faculty, staff, and students through campus-wide letters and special meetings. He exercised steady and positive leadership throughout the campus community by personal example and in written and oral communications. Goal III was for B. Joseph White to dedicate his service to the memories of the 17 University of Michigan alumni who lost their lives on September 11, 2001. In February of 2002, the School of Public Health created a Bioterrorism Preparedness Center to collaborate with the Michigan Department of Public Health and other state, federal, and municipal agencies to prepare for and prevent effects of bioterrorism; and

Whereas, B. Joseph White has demonstrated genuine interest in the lives, work, and aspirations of individuals; and

Whereas, B. Joseph White has sustained continuity in University leadership with appointments to vacated vice presidential positions. He has an active and direct role in maintaining the financial well-being of the University by creating the Finance and Capital Projects Committee; and

Whereas, B. Joseph White is a champion of environmental efforts and challenged the University to become an exemplary organization in environmental stewardship and built on existing initiatives from recycling to mercury reduction, and launched a new environmental website. B. Joseph White has embraced the idea of Michigan being a leader in the development of alternative energy sources; now, therefore, be it

Resolved by The House of Representatives, That the members of this legislation body honor B. Joseph White for his leadership during his tenure as Interim President of the University of Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to B. Joseph White as a reminder of our great esteem for what he has accomplished throughout his tenure at the University of Michigan and his entire educational career.

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. Schauer, Gosselin, Drolet, Kuipers, Mans, Jamnick, Meyer, George, Faunce, Van Woerkom, Bishop, Bogardus, Thomas, Adamini, Stewart, Rocca, Hager, Koetje, Richardville, Ehardt, Shulman, Dennis, Bradstreet, Scranton, Julian, Vander Roest, Frank, Sheltroun, Woodward, Hale, Toy, Rivet, Lemmons, Waters, Daniels, Anderson, DeRossett, Hansen, Neumann, Jacobs, Rich Brown, Wojno, Spade, Gielegthem, Minore, Lipsey, McConico, Bovin, Raczkowski, Clark, Kolb, Hardman, Murphy, Zelenko, Phillips, Clarke, Bernero, Voorhees, Shackleton, Pappageorge, Switalski and Quarles offered the following resolution:

House Resolution No. 478.

A resolution commemorating the week of June 16-22, 2002, as Father's Day Week in Michigan.

Whereas, Father's Day Week provides an opportunity to honor all men who have embraced the importance of parenthood by willingly assuming the responsibility for the welfare of their children; and

Whereas, Children are our state's most precious and valuable resource, and their welfare is our highest priority. Having a relationship with both parents contributes to the healthy development of children and adds stability and strength to their lives; and

Whereas, We look to the father as a dedicated partner in guiding the children and inspiring in them the importance of morality, self-discipline, and determination. Fathers play a crucial role in the mental, intellectual, physical, and emotional growth of their children and should be recognized for their contributions to their children's future; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body commemorate the week of June 16-22, 2002, as Father's Day Week in Michigan.

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. Schauer, Jamnick, Godchaux, Meyer, Bogardus, Thomas, Adamini, Stewart, Middaugh, Rocca, Koetje, Ehardt, Shulman, Dennis, Vander Roest, Sheltroun, Woodward, Hale, Toy, Rivet, Lemmons, Waters, Daniels, Anderson, DeRossett, Hansen, Neumann, Jacobs, Rich Brown, Wojno, Spade, Gielegthem, Minore, Lipsey, McConico, Bovin, Raczkowski, Clark, Kolb, Hardman, Murphy, Zelenko, Phillips, Clarke, Bernero, Switalski and Quarles offered the following resolution:

House Resolution No. 479.

A resolution honoring the life of Joe H. Stroud.

Whereas, It is with deep sadness that we join the family, friends, and colleagues in honoring the life of Joe H. Stroud. Joe H. Stroud was a gifted and distinguished journalist, personified by his 25 years as editor and senior vice president of the Detroit Free Press, retiring there in 1998. At the time of his death, Joe was the director of the Gerald R. Ford Institute for Public Policy and Service. He unexpectedly passed away on Thursday, May 9, 2002, when he suffered an apparent heart attack just after his arrival at his office at Albion College's Robinson Hall. Joe would have turned 66 years old on June 18, 2002; and

Whereas, Joe H. Stroud was a loving husband to Kathleen Fojtik, father of five children, and grandfather of two; and

Whereas, Albion College President Peter Mitchell, in a statement captured the essence of Joe H. Stroud:

"He was genuinely a great man. This is a tragic loss both to the communications industry of which Joe was a part for so many years, as well as to the higher education community and our campus community. Joe was the quintessential model of merging the best of the liberal arts tradition with the practical and ethical demands of our society. He possessed a keen intellect and a warm heart, and had gained the greatest respect from our faculty, students, and staff. Everyone liked being around Joe Stroud. He had an uncanny knack for capturing movements, emotions, and ideas...which endeared him to the students."

; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body honor the life of Joe H. Stroud; and be it further

Resolved, That a copy of this resolution be transmitted to Joe H. Stroud's family as a token of our respect.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Lemmons, Jamnick, Thomas, Ehardt, Shulman, Sheltroun, Woodward, Hale, Toy, Rivet, Waters, Daniels, Anderson, DeRossett, Hansen, Neumann, Jacobs, Rich Brown, Wojno, Spade, Minore, Lipsey, McConico, Bovin, Clark, Kolb, Hardman, Murphy, Zelenko, Phillips, Clarke, Bernero, Pappageorge, Switalski and Quarles offered the following resolution:

House Resolution No. 480.

A resolution honoring the life of Willie Ruth Elcock.

Whereas, It is with deep appreciation for the hard work, dedication, and professionalism that Willie Ruth Elcock has put forth on behalf of her family and the people of the city of Detroit that we join with her family, friends, and loved

ones in expressing our condolences and sorrow at the passing of this unique individual who was known affectionately as “Ruth” or “Ma”. All whose lives she touched have been blessed by their relationship with this kind and unselfish woman; and

Whereas, Willie Ruth Elcock was born to Morris and Willie Toby on August 26, 1929, in Wetumpka, Alabama. She demonstrated a deep spiritual nature, accepting Christ at an early age at the Spring Chapel Baptist Church in Wetumpka. The family moved to Detroit in 1938 and lived on St. Antoine Street. By the 1940’s, she had joined the Mt. Vernon Missionary Baptist Church and later became one of its oldest standing members. She received her education in the Detroit Public Schools, graduating from Miller High School in 1947. In 1950, Willie Ruth Elcock graduated from the Detroit Institute of Commerce as an executive secretary. Due to the tenor of the times, she was unable to find employment in her field. However, she worked at other jobs and was one of the first African-Americans to operate an elevator at J.L. Hudsons; and

Whereas, A devoted servant of her church, Willie Ruth Elcock served on the Mt. Vernon Usher Board as president for many years. She was a faithful member in good standing for a total of 52 years. She joined the Willing Workers and served as current President for five years. Willie Ruth Elcock was not content to simply sit back while others were involved with service. She was an active member of the Exotics Social Club and Courts of Calanthe, where she served as Worth Counselor of Northern Light CT #502, Grand Worthy Receiver of Deposit for the state of Michigan, and Imperial Madi Sabu Tent #6. She also served as the recording secretary for the National Negro Women’s Counsel; and

Whereas, Willie Ruth Elcock loved cooking, baking, traveling, and babysitting. She was the matriarch of her family and community. Indeed, for a woman like Willie Ruth Elcock, her extended family is the entire community. The legacy of Willie Ruth Elcock is a rich one. While a tragic accident took this exceptional person from us, Willie Ruth Elcock would have left the matter in God’s hands. Our sense of sorrow for having lost a great friend is mingled with our joy at the thought of her bright transition; and

Whereas, Willie Ruth was married to Clarence Elcock, who preceded her in death. They were the proud parents of four wonderful children; Darlene, Beverly, Clarence Desmond, and Carol. In addition to her lovely children, she leaves behind a sister, Mary Scott (Bucy); a brother-in-law, Aubrey Elcock; a sister-in-law, Ann Elcock; two sons-in-law, Rajabu Nakenge and Dannie L. Banks (Boh). She also leaves behind nine grandchildren, three great-grandchildren, nieces, nephews, numerous relatives, and friends; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body honor the life of Willie Ruth Elcock; and be it further

Resolved, That a copy of this resolution be transmitted to the family of Willie Ruth Elcock as a token of our esteem.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Lemmons, Jamnick, George, Faunce, Bishop, Thomas, Rocca, Koetje, Richardville, Ehardt, Shulman, Vander Roest, Sheltrown, Woodward, Hale, Toy, Rivet, Waters, Daniels, Anderson, DeRossett, Hansen, Neumann, Jacobs, Rich Brown, Wojno, Spade, Minore, Lipsey, McConico, Bovin, Raczkowski, Clark, Kolb, Hardman, Reeves, Murphy, Zelenko, Phillips, Clarke, Bernero, Voorhees, Shackleton, Pappageorge, Switalski and Quarles offered the following resolution:

House Resolution No. 481.

A resolution commemorating the William E. Hutchinson Elementary School on the 86th anniversary of its founding.

Whereas, It is with great respect for the role that this outstanding school has played in educating our young people that we join with the people of the city of Detroit in marking the 86th anniversary of the founding of the William E. Hutchinson Elementary School. On behalf of the countless students and families who have been touched by the work that has taken place here, we offer our thanks in celebrating this milestone; and

Whereas, Few activities draw more attention and pressure than those that take place in a school. In seeking to prepare students for the adult world of work, challenge, and responsibility, our schools are, in reality, an extension of a community’s hope and concern for the future. This is no small task. To achieve its lofty goals, an institution like the William E. Hutchinson Elementary School must be focused and unified. The William E. Hutchinson Elementary School has attained its reputation for effectiveness through the hard work and sacrifice of its teachers, staff, and parents who have worked together over the past 86 years; and

Whereas, This exceptional school was named after an exceptional man, William E. Hutchinson, who contributed substantially to the development of early Detroit. Migrating from Canada to Detroit, Mr. Hutchinson founded, with Earl Figley, the Figley-Hutchinson Real Estate Company, one of the largest and most enterprising real estate agencies in the city of Detroit. Hutchinson Elementary was opened in 1916 in what was then St. Clair Heights. It became a Detroit Public School in 1919, when St. Clair Heights was incorporated into the city of Detroit; and

Whereas, Much has changed since William E. Hutchinson Elementary School first opened its doors in 1916. The students who fill the classrooms now face a world in which change will likely take place even faster. While they utilize tools to help them learn what their grandparents could never have imagined, they still need many of the same skills of generations past. These skills include the ability to think clearly, to make decisions based on reason, and to accept the responsibilities we all share as unselfish citizens; and

Whereas, Hutchinson Elementary has many extracurricular and parent involvement programs and services. These include Boy Scouts, Girl Scouts, Camp Fire USA, a Grandparent Support Group through Adult Well Being, the Eagles (the school basketball team), cheerleading, fine arts, dance, etiquette, Project Seed, Omni Arts, Star Base, annual Honors Banquet, and a graduating fifth grade class trip to Cedar Point in Sandusky, Ohio. This excellent school maintains important business and community partnerships with entities like the Eastside Industrial Council, Meijer, Communities in Schools, and Daimler Chrysler. Hutchinson uses the Jostens Learning Lab for programmed instruction in reading and mathematics. Hutchinson Elementary has been selected to be a part of the Warren Conner Development Coalition's Visionaries project; and

Whereas, In May of 2000, two Hutchinson students, Desirae Jemison and Laricia Foster, won an essay contest on how to make the world a better place, sponsored by the Walt Disney Millenium Dreamers and McDonald's. These gifted students served as delegates at a youth convention on improving communities. Hutchinson has a long and impressive legacy to be proud of, not the least of which is its exceptional students and its dedicated teachers and parent volunteers who have served the school tirelessly over many years. They include people such as Mrs. Joan Nardi, Mrs. Willie Mae Gaskin, Julia Shores, Charlene Dyer, Mary Grier, Laura Davis, Joyce Holt, Lucy Turner, and Dorothy Triplett; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body commemorate the William E. Hutchinson Elementary School on the 86th anniversary of its founding. We commend all of the devoted educators, students, parents, and staff who have contributed to its growth in excellence; and be it further

Resolved, That a copy of this resolution be transmitted to the William E. Hutchinson Elementary School as a token of the high esteem in which it is held.

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. Lemmons, Jamnick, Thomas, Ehardt, Shulman, Sheltrown, Woodward, Hale, Rivet, Waters, Daniels, Anderson, DeRossett, Hansen, Neumann, Jacobs, Rich Brown, Wojno, Spade, Minore, Lipsey, McConico, Bovin, Clark, Stallworth, Kolb, Hardman, Reeves, Murphy, Zelenko, Phillips, Clarke, Bernero, Pappageorge, Switalski and Quarles offered the following resolution:

House Resolution No. 482.

A resolution honoring Mary J. Fleming.

Whereas, It is with deep appreciation for the hard work, dedication, and professionalism that Mary J. Fleming has put forth on behalf of the people of the city of Detroit that we offer this expression of our thanks and best wishes. As the people of the city of Detroit recognize the loyalty and devotion to public service of this conscientious individual, we add our sentiments of gratitude for a job well done; and

Whereas, In 35 years of service to the people of the city of Detroit, Mary J. Fleming has been working in the public arena during an era of great change. As Mary J. Fleming well knows, financial pressures and changing expectations have combined to make the recent past a challenging time to work. With the personal sense of duty that Mary J. Fleming brought to work each day, however, she was able to meet this challenge with enthusiasm and a genuine interest in efficiency in public service. This has been deeply appreciated, both by citizens and organizations in the city of Detroit that have benefited directly from Mary J. Fleming's work, as well as other people who have witnessed this fine example; and

Whereas, There can be little doubt that the record of Mary J. Fleming, in her work for Ameritech over the past 35 years, will continue to reap rewards for the people of the city of Detroit. Ms. Fleming joined Ameritech as an operator in 1965, when it was called Michigan Bell Telephone Company. She progressed upward through a series of key management promotions, starting with the position of account executive. Finally, she was promoted to Director of External Relations, where she excelled as a liaison between key stakeholders and Ameritech's top executives in promoting strategic initiatives in the city of Detroit. Ms. Fleming received Ameritech's highest employee award, the Chairman's Award, due to her success in this position. She retired from Ameritech in December of 2000. We offer our thanks on this personal milestone; and

Whereas, Mary J. Fleming adheres to the principle of giving back to her community. She was a mentor to many young people who later went on to successful business and political careers. She has shown dedication and enthusiasm in her work for the Detroit Urban League, Detroit Urban League Guild, Community Services Commission to the National Organization of Black Law Executives, and the Women's Economic Club. She is a life member of the NAACP, a member of the Michigan Democratic Party, and the Vice President of the 15th Democratic Congressional District. Her merit has been recognized in the awards she has received from the National Political Congress of Black Women Organizations. She also received the Woman of the Year Award, Corporate Citizen Award, the WQBH, Drug Free America Award, and the Chairman's Award of Excellence from the Black United Fund; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body honor Mary J. Fleming. May she enjoy the happiest of retirements; and be it further

Resolved, That a copy of this resolution be transmitted to Mary J. Fleming 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. Anderson, Drolet, Kuipers, Jamnick, Meyer, George, Faunce, Bishop, Bogardus, Thomas, Adamini, Stewart, Rocca, Koetje, Richardville, Ehardt, Shulman, Dennis, DeVuyst, Julian, Vander Roest, Frank, Sheltrown, Woodward, Hale, Toy, Rivet, Lemmons, Waters, Daniels, DeRossett, Hansen, Neumann, Jacobs, Rich Brown, Wojno, Spade, Minore, Lipsey, McConico, Bovin, Raczkowski, Clark, Kolb, Hardman, Murphy, Zelenko, Phillips, Clarke, Bernero, Voorhees, Shackleton, Pappageorge, Switalski, Quarles and Kowall offered the following resolution:

House Resolution No. 483.

A resolution honoring Commander Christopher Belmont upon his retirement as Commander of the Bova VFW #9885.

Whereas, It is with a deep sense of pride and appreciation to the noble ideals of our country that we join with the family, many friends, and the membership of the Bova VFW #9885 in saluting Christopher Belmont for his dedication to our veterans and their families. We commend this patriotic man and proudly add our own thanks for his continued contributions in keeping our cherished liberties alive; and

Whereas, A veteran of service with the United States Marine Corp., Corporal Christopher Belmont continued to serve his country even after his formal military duties came to a close. His deep appreciation of both the opportunities and the responsibilities of citizenship in our system of self-government inspired Corporal Belmont to devote an extraordinary amount of time and effort into the programs and goals of the Bova VFW #9885; and

Whereas, Proudly serving his country from April 8, 1968, until April 7, 1974, Corporal Belmont carried out his tour of active duty in Vietnam from September of 1968 until November of 1969. His involvement in Operation Taylor Common in February of 1969 earned him a Bronze Star as a squadron leader; and

Whereas, Corporal Belmont's bravery and commitment to service also earned him three Purple Hearts, a Navy Commendation Medal, Vietnam Service Medal, National Defense Medal, Combat Action Ribbon, Republic of Vietnam Armed Forces Meritorious Unit Citation, Cross of Gallantry, and a Republic of Vietnam Campaign Medal. He is an exemplary example of loyalty and patriotism; and

Whereas, He is a lifetime member of both the Vietnam Veterans of America, Chapter #387 and Bova VFW. Corporal Christopher Belmont held numerous positions including Senior Vice-Commander, Homeboard member, and, until recently, three years as Commander of Bova VFW. He also received the "All-State Commander" award for two consecutive years; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body honor Commander Christopher Belmont upon his retirement from the Bova VFW #9885. His work is a clear indication of the opportunities we share each and every day of using our love of country in order to help our fellow citizens; and be it further

Resolved, That a copy of this resolution be transmitted to Commander Christopher Belmont as a token of our highest esteem for his dedicated service and commitment to America and our veterans.

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. Kolb, Raczkowski, Lipsey, Drolet, Bernero, Lemmons, Minore and Thomas offered the following resolution:

House Resolution No. 484.

A resolution to urge all federal offices to respect the right to due process in the administration of justice, including on immigration matters.

Whereas, The right to due process and equal protection under the law are fundamental tenets of American life. The fifth and fourteenth amendments to the United States Constitution guarantee these rights to all residents of this country, regardless of citizenship or immigration status; and

Whereas, Over the past few months, as our nation has struggled with difficult security issues following the terrorist attacks on the United States, the vital constitutional protections of due process and equal protection have been obscured in several instances. This is a matter of great concern for all who cherish our constitutional freedoms, but most especially for members of certain ethnic groups or faiths who feel they may be victims of racial or religious profiling; and

Whereas, Several communities in Michigan have expressed serious concerns over arrests made and detentions without bonds and without a public accounting of actions taken or the names of those held. These cases are most disturbing to all who hold sacred the fundamental rights articulated in our United States Constitution. The cases that have not allowed for due process and equal protection cause great damage, for they weaken significantly the integrity of our system of justice; now, therefore, be it

Resolved by the House of Representatives, That we urge all federal offices to respect the right to due process in the administration of justice, including on immigration matters; and be it further

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

The resolution was referred to the Committee on House Oversight and Operations.

Reps. Kolb, Jacobs, Lipsey, Bernero, Gieleghem, Minore and Lemmons offered the following resolution:

House Resolution No. 485.

A resolution to urge the Governor to work with the other Great Lakes governors to develop a regional right-to-know compact to standardize the collection and reporting of environmental data.

Whereas, While many solutions to the challenge of protecting the environment are put in place at the state level, problems created by pollution often reach far beyond the borders of a single state. Michigan's location amid four of the five Great Lakes, for example, makes us well aware of the impact that actions elsewhere can have on our state's citizens and ecology. The regional nature of environmental concerns is also readily apparent with regard to air quality; and

Whereas, The Michigan Environmental Council has completed a report on the environmental conditions in the Great Lakes states. The report, entitled "Greening the Governments," notes the progress that the states are making in numerous specific areas and the areas where more work is needed. A key feature of the report is its discussion of the value of bringing information together; and

Whereas, While the Great Lakes states gather and report a variety of environmental information, variations in how the data is prepared and presented is frustrating to citizens, groups, and policymakers with a stake in environmental quality. Without easily compared information, it is more difficult for a person seeking to assess progress in a given area. Good information is the foundation for good decision making; and

Whereas, A regional right-to-know compact among the eight Great Lakes states can be a vital tool for gathering information in a comprehensive and easily understood manner. Michigan should take the lead in developing this regional approach, which will have far-reaching benefits for our state and the entire region; now, therefore, be it

Resolved by the House of Representatives, That we urge the Governor to work with the other Great Lakes governors to develop a regional right-to-know compact to standardize the collection and reporting of environmental data; and be it further

Resolved, That a copy of this resolution be transmitted to the Office of the Governor.

The resolution was referred to the Committee on Land Use and Environment.

Reps. Kolb, Raczkowski, Jacobs, Lipsey, Bernero, Gieleghem, Minore, Bovin, Thomas and Lemmons offered the following concurrent resolution:

House Concurrent Resolution No. 67.

A concurrent resolution to urge the Governor to work with the other Great Lakes governors to develop a regional right-to-know compact to standardize the collection and reporting of environmental data.

Whereas, While many solutions to the challenge of protecting the environment are put in place at the state level, problems created by pollution often reach far beyond the borders of a single state. Michigan's location amid four of the five Great Lakes, for example, makes us well aware of the impact that actions elsewhere can have on our state's citizens and ecology. The regional nature of environmental concerns is also readily apparent with regard to air quality; and

Whereas, The Michigan Environmental Council has completed a report on the environmental conditions in the Great Lakes states. The report, entitled "Greening the Governments," notes the progress that the states are making in numerous specific areas and the areas where more work is needed. A key feature of the report is its discussion of the value of bringing information together; and

Whereas, While the Great Lakes states gather and report a variety of environmental information, variations in how the data is prepared and presented is frustrating to citizens, groups, and policymakers with a stake in environmental quality. Without easily compared information, it is more difficult for a person seeking to assess progress in a given area. Good information is the foundation for good decision making; and

Whereas, A regional right-to-know compact among the eight Great Lakes states can be a vital tool for gathering information in a comprehensive and easily understood manner. Michigan should take the lead in developing this regional approach, which will have far-reaching benefits for our state and the entire region; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we urge the Governor to work with the other Great Lakes governors to develop a regional right-to-know compact to standardize the collection and reporting of environmental data; and be it further

Resolved, That a copy of this resolution be transmitted to the Office of the Governor.

The concurrent resolution was referred to the Committee on Land Use and Environment.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bill had been printed and placed upon the files of the members, Thursday, May 30:

Senate Bill No. 1370

The Clerk announced that the following bills had been printed and placed upon the files of the members, Friday, May 31:

Senate Bill Nos. 1361 1362 1363 1364 1365 1366 1367 1368

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

House Bill Nos. 6157 6158 6159 6160 6161 6162 6163 6164 6165 6166

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Committee on Insurance and Financial Services, by Rep. Richner, Chair, reported

Senate Bill No. 1241, entitled

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

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 1241 To Report Out:

Yeas: Reps. Richner, Ehardt, Hager, Hummel, Middaugh, Scranton, Van Woerkom, Wojno, Anderson, Clark, Woodward,

Nays: None.

The Committee on Insurance and Financial Services, by Rep. Richner, Chair, reported

Senate Bill No. 1242, 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.

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 1242 To Report Out:

Yeas: Reps. Richner, Bisbee, Ehardt, Hager, Hummel, Middaugh, Scranton, Van Woerkom, Wojno, Anderson, Clark, Woodward,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, June 5, 2002, at 9:00 a.m.,

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

Absent: Reps. DeWeese, Daniels, Schermesser,

Excused: Reps. DeWeese, Daniels, Schermesser.

The Committee on Family and Children Services, by Rep. Hart, Chair, reported

House Resolution No. 468.

A resolution to direct the Department of Education and the Family Independence Agency to convene a task force to develop quality after-school programs for all Michigan children.

(For text of resolution, see House Journal No. 52, p. 1822.)

With the recommendation that the following substitute (H-1) be adopted and that the resolution then be adopted.

Substitute for House Resolution No. 468.

A resolution to direct the Department of Education to convene a task force to assess the current state of after-school services in Michigan and develop a plan to ensure quality after-school programs for all Michigan children.

Whereas, Current studies about what happens to unsupervised children indicate that, when left alone, these children have higher absentee rates at school, have lower academic test scores, and exhibit higher levels of fear, stress, nightmares, loneliness, and boredom. In fact, being unsupervised after school doubles the risk that an eighth grader will smoke, drink, or abuse drugs; and

Whereas, Recent data shows that in communities around this state, the violent juvenile crime rate soars in the hours immediately after the school bell rings, and children are most likely to be victims of a violent crime committed by a non-family member on school days between 3 p.m. and 6 p.m.; and

Whereas, Research indicates that children who attend high quality after-school programs have better peer relations, emotional adjustment, conflict resolution skills, grades, and conduct in school compared to their peers who are not in after-school programs; and

Whereas, Children who attend after-school programs spend more time in learning opportunities, academic activities, and enrichment activities and spend less time watching television than their peers; and

Whereas, Children who attend quality after-school programs miss fewer days of school and have better homework completion rates, better school behavior, and higher test scores; and

Whereas, Polls show that 92% of Americans believe there should be organized activities for children and teens during after-school hours; and

Whereas, As working parents can attest, child care concerns are not over once children are old enough to go to school. A parent who is employed full time can be away from home an average of 2,400 hours a year. Children spend less than half of that time in school. If their children participate in a quality school-age care program or another organized out-of-school time activity, parents can rest easy because they know that their children are safe and supervised; now, therefore, be it

Resolved by the House of Representatives, That we direct the Department of Education to convene and chair a task force, to be known as the Michigan After-school Initiative, to develop a plan to ensure quality after-school programs for every school-age child in the state. The Michigan After-school Initiative shall be comprised of other related state agencies and private organizations representing violence prevention organizations, parents, park districts, special needs populations, private foundations, civic and cultural organizations, businesses, manufacturers, community-based youth service providers, law enforcement, education, local voluntary organizations, faith-based communities, health, evaluation, and research institutions, child and youth advocacy groups, alcohol, tobacco, and substance abuse prevention professionals, and mental health interests; and be it further

Resolved, That the activities of the Michigan After-school Initiative shall include (i) an assessment of the state of after-school services in this state, including identification of the number of children and youth served statewide in after-school programs, identification of the number and location of children and youth who are in need of after-school programs, and identification of the various funding streams currently supporting after-school programs, and (ii) the development of a plan for coordinating after-school services and for achieving a goal of making after-school services accessible and affordable for every school-age Michigan child whose parents want such services; and be it further

Resolved, That the Michigan After-school Initiative plan shall include strategies for this state to promote best-practice models for after-school programs and to promote coordination and collaboration of after-school services at the local level; and be it further

Resolved, That the Michigan After-school Initiative shall engage children and youth in development of the plan; and be it further

Resolved, That the Michigan After-school Initiative shall review and report to the Legislature on model programs operating in this state and other states and that the review shall look at program components identified as best-practices and based on proven research; and be it further

Resolved, That the Department of Education may provide, by grant or contract, support to a statewide organization for the development and implementation of the Michigan After-school Initiative plan and assessment, and that funds for the Michigan After-school Initiative shall be sought from the federal government and state human service departments, and that private sponsorship may also be sought; and be it further

Resolved, That the Department of Education shall report to the Governor and Legislature on the Michigan After-school Initiative plan and submit recommendations by December 15, 2002; and be it further

Resolved, That a copy of this resolution be transmitted to the Department of Education.

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

Favorable Roll Call

HR 468 To Report Out:

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

Nays: None.

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, June 5, 2002, at 8:30 a.m.,

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

Absent: Rep. Bernero,

Excused: Rep. Bernero.

The Committee on Tax Policy, by Rep. Vear, Vice-Chair, reported

House Bill No. 6119, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 438.

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

1. Amend page 1, line 1, after "THE" by striking out "2001" and inserting "2002".

2. Amend page 1, line 2, after "THE" by striking out "2001" and inserting "2002".

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

Favorable Roll Call

HB 6119 To Report Out:

Yeas: Reps. Vear, Drolet, Faunce, Gosselin, Kowall, Meyer, Newell, Richardville, Woronchak, Basham, Bob Brown, Hale, Minore, Wojno,

Nays: None.

The Committee on Tax Policy, by Rep. Vear, Vice-Chair, reported

House Bill No. 6120, entitled

A bill to establish the Amanda's fund for breast cancer research in the department of community health; to provide for the distribution of money from the fund; to prescribe the duties and powers of certain agencies and officials; and to provide for appropriations.

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 6120 To Report Out:

Yeas: Reps. Vear, Drolet, Faunce, Gosselin, Kowall, Meyer, Newell, Richardville, Woronchak, Basham, Bob Brown, Hale, Minore, Wojno,

Nays: None.

The Committee on Tax Policy, by Rep. Vear, Vice-Chair, reported

Senate Bill No. 1266, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 18d (MCL 247.668d).

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 1266 To Report Out:

Yeas: Reps. Vear, Drolet, Faunce, Gosselin, Kowall, Meyer, Newell, Woronchak, Basham, Bob Brown, Hale, Minore, Wojno,

Nays: None.

The Committee on Tax Policy, by Rep. Vear, Vice-Chair, reported

Senate Bill No. 1370, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending sections 2 and 3 (MCL 205.92 and 205.93), section 2 as amended by 2000 PA 391 and section 3 as amended by 2002 PA 110, and by adding section 6a; and to repeal acts and parts of acts.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

SB 1370 To Report Out:

Yeas: Reps. Vear, Drolet, Faunce, Gosselin, Kowall, Meyer, Newell, Richardville, Woronchak, Hale, Wojno,

Nays: Rep. Basham.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, June 5, 2002, at 9:00 a.m.,

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

Absent: Reps. Cassis, Quarles, O'Neil,

Excused: Rep. Cassis.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, June 5, 2002, at 9:00 a.m.,

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

Absent: Reps. DeVuyst, McConico.

Messages from the Senate**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 Senate has passed the bill 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. 5758, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 5419 (MCL 324.5419), as added by 2001 PA 165; and to repeal acts and parts of acts.

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

The House agreed to the full title.

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

House Bill No. 5778, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 949 (MCL 600.949), as amended by 1980 PA 69.

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. 5992, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 3 (MCL 205.53), as amended by 1980 PA 164.

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. 6043, entitled

A bill to amend 1975 PA 197, entitled "An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials," (MCL 125.1651 to 125.1681) by adding section 3d.

The Senate has passed the bill and ordered that it be given immediate effect.

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

House Bill No. 6114, entitled

A bill to amend 1909 PA 279, entitled "The home rule city act," (M.C.L. 117.1 to 117.38) by adding section 3a.

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. 4373, entitled

A bill to make, supplement, and adjust appropriations for capital outlay and certain state departments and agencies for the fiscal year ending September 30, 2002; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

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

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and amended the title to read as follows:

A bill to make, supplement, and adjust appropriations for capital outlay and certain state departments and agencies for the fiscal year ending September 30, 2002; to implement the appropriations within the budgetary process; to authorize certain land transfers; to provide for the expenditure of appropriations; and to repeal acts and parts of acts.

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

House Bill No. 4398, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 101 (M.C.L. 388.1701), as amended by 2000 PA 297.

The Senate has substituted (S-3) the bill.

The Senate has passed the bill as substituted (S-3), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1979 PA 94, entitled "An act to make appropriations to aid in the support of the public schools and the intermediate school districts of the state; to make appropriations for certain other purposes relating to education; to provide for the disbursement of the appropriations; to supplement the school aid fund by the levy and collection of certain taxes; to authorize the issuance of certain bonds and provide for the security of those bonds; to prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to prescribe penalties; and to repeal acts and parts of acts," by amending section 101 (M.C.L. 388.1701), as amended by 2002 PA 191.

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

House Bill No. 5279, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 9c and 15a of chapter IV, section 4a of chapter IX, and section 9a of chapter X (MCL 764.9c, 764.15a, 769.4a, and 770.9a), section 9c of chapter IV as amended by 1999 PA 76, section 15a of chapter IV as amended by 1999 PA 269, section 4a of chapter IX as amended by 1994 PA 68, and section 9a of chapter X as amended by 1994 PA 195.

The Senate has substituted (S-3) the bill.

The Senate has passed the bill as substituted (S-3), ordered that it be given immediate effect and amended the title to read as follows:

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

provisions of this act,” by amending section 13 of chapter II, sections 2a and 9c of chapter IV, section 4a of chapter IX, section 9a of chapter X, and sections 1 and 3c of chapter XI (MCL 762.13, 764.2a, 764.9c, 769.4a, 770.9a, 771.1, and 771.3c), section 13 of chapter II as amended by 1994 PA 286, section 9c of chapter IV, section 4a of chapter IX, and section 9a of chapter X as amended by 2001 PA 208, and sections 1 and 3c of chapter XI as amended by 1998 PA 520.

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

House Bill No. 5883, entitled

A bill to amend 1984 PA 431, entitled “The management and budget act,” by amending section 237 (MCL 18.1237), as amended by 1999 PA 8, and by adding section 237b.

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

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1984 PA 431, entitled “An act to prescribe the powers and duties of the department of management and budget; to define the authority and functions of its director and its organizational entities; to authorize the department to issue directives; to provide for the capital outlay program; to provide for the leasing, planning, constructing, maintaining, altering, renovating, demolishing, conveying of lands and facilities; to provide for centralized administrative services such as purchasing, payroll, record retention, data processing, and publishing and for access to certain services; to provide for a system of internal accounting and administrative control for certain principal departments; to provide for an internal auditor in certain principal departments; to provide for certain powers and duties of certain state officers and agencies; to codify, revise, consolidate, classify, and add to the powers, duties, and laws relative to budgeting, accounting, and the regulating of appropriations; to provide for the implementation of certain constitutional provisions; to create funds and accounts; to make appropriations; to prescribe remedies and penalties; to rescind certain executive reorganization orders; to prescribe penalties; and to repeal certain acts and parts of acts,” by amending sections 237, 353c, and 358 (MCL 18.1237, 18.1353c, and 18.1358), section 237 as amended by 1999 PA 8, section 353c as amended by 2001 PA 161, and section 358 as amended by 2000 PA 189, and by adding section 237b.

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

House Bill No. 5928, entitled

A bill to amend 2000 PA 92, entitled “Food law of 2000,” by amending sections 1109, 1119, 3119, 4111, 4117, 6101, 6149, and 7101 (MCL 289.1109, 289.1119, 289.3119, 289.4111, 289.4117, 289.6101, 289.6149, and 289.7101); and to repeal acts and parts of acts.

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

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

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

Senate Bill No. 1232, entitled

A bill to amend 1949 PA 300, entitled “An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,” by amending sections 6, 7a, 212, 306, 307, 309, 312e, 312f, 319, 319b, 319c, 321, 321b, 323c, 667, 667a, 668, 669, 670, 732, 904, and 907 (M.C.L. 257.6, 257.7a, 257.212, 257.306, 257.307, 257.309, 257.312e, 257.312f, 257.319, 257.319b, 257.319c, 257.321, 257.321b, 257.323c, 257.667, 257.667a, 257.668, 257.669, 257.670, 257.732, 257.904, and 257.907), section 6 as amended by 1992 PA 297, sections 7a and 323c as amended by 1991 PA 100, section 212 as amended by 1980 PA 398, section 306 as amended by 1999 PA 40, sections 307, 312f, 319b, and 732 as amended by 2002 PA 259, section 309 as amended by 2000 PA 456, section 312e as amended by 2000 PA 158, section 319 as amended by 2001 PA 159, section 319c as added by 1988 PA 346, section 667a as added by 2000 PA 367, section 668 as amended by 1980 PA 101, section 669 as amended by 1995 PA 248, section 904 as amended by 2000 PA 77, and section 907 as amended by 2001 PA 214, and by adding sections 319g and 669a; and to repeal acts and parts of acts.

The Senate has amended the House substitute (H-1) as follows:

1. Amend page 55, following line 27, section 667a, subsection (6), after “YEARS.” by striking out “HOWEVER, A DIAGNOSTIC REVIEW IS NOT REQUIRED IF THE INITIAL INVESTIGATION OF THE FATALITY INDICATES THAT CONSUMPTION OF ALCOHOL OR A CONTROLLED SUBSTANCE CONTRIBUTED TO THE FATALITY OR THAT THE FATALITY WAS A SUICIDE.”.

The Senate has concurred in the House substitute (H-1) as amended, ordered that the bill be given immediate effect and agreed to the title as amended.

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

Messages from the Governor

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

Date: June 5, 2002

Time: 10:17 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5899 (Public Act No. 417, I.E.), being

An act to amend 1949 PA 300, entitled “An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,” by amending section 801 (MCL 257.801), as amended by 2000 PA 502.

(Filed with the Secretary of State June 5, 2002, at 11:16 a.m.)

Communications from State Officers

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

May 30, 2002

Pursuant to section 38(1) of Act No. 240 of the Public Acts of 1943, I am hereby submitting to the legislature the actuarial valuation for the State Employees’ Retirement System for the fiscal year ended September 30, 2001. This transmittal conforms to the requirement of section 3(1).

Sincerely,
Duane E. Berger
Director

The communication was referred to the Clerk.

Introduction of Bills

Reps. Kolb, O’Neil, Lockwood, Jacobs, Adamini, Gielegghem, Schermesser, Bogardus, Lipsey, Hansen and Lemmons introduced

House Bill No. 6167, entitled

A bill to permit certain employees to receive unpaid leave to attend certain court proceedings; to impose certain duties on certain employers and public officials; and to provide certain remedies.

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

Rep. Kolb introduced

House Bill No. 6168, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 20120a (MCL 324.20120a), as added by 1995 PA 71.

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

Rep. Scranton introduced

House Bill No. 6169, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled “Michigan employment security act,” by amending section 46 (MCL 421.46), as amended by 1995 PA 25.

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

Rep. Scranton introduced

House Bill No. 6170, entitled

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

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

Rep. Scranton introduced

House Bill No. 6171, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 2 (MCL 28.722), as amended by 1999 PA 85.

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

Reps. Murphy, Lemmons, Rivet, Zelenko, Lockwood, Williams and Lipsey introduced

House Bill No. 6172, entitled

A bill to amend 1985 PA 87, entitled “Crime victim’s rights act,” by amending sections 2, 15, 31, 43, 61, and 75 (MCL 780.752, 780.765, 780.781, 780.793, 780.811, and 780.825), as amended by 2000 PA 503.

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

Reps. Bernero, Spade, Gielegghem, Daniels, Basham, Stallworth, Quarles, Rison, Garza, Zelenko, Lipsey and Lemmons introduced

House Bill No. 6173, entitled

A bill to amend 1976 PA 331, entitled “Michigan consumer protection act,” by amending section 3 (MCL 445.903), as amended by 2000 PA 14.

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

Reps. Kolb, Jacobs, Gielegghem, Bernero, Minore, Basham and Lemmons introduced

House Bill No. 6174, entitled

A bill to amend 1951 PA 51, entitled “An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment

and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts,” by amending section 1a (MCL 247.651a).

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

Rep. Patterson introduced

House Bill No. 6175, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 8408 and 8412 (MCL 600.8408 and 600.8412), section 8408 as amended by 1991 PA 192 and section 8412 as amended by 1984 PA 278.

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

Reps. Gosselin, George, DeWeese, Lipsey, Drolet, Stewart, Mead, Toy and Kooiman introduced

House Bill No. 6176, 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.

Reps. Thomas, Kolb, Williams, Spade, Schauer, Gielegghem, Hale, Zelenko and Dennis introduced

House Bill No. 6177, entitled

A bill to amend 1993 PA 92, entitled “Seller disclosure act,” by amending section 7 (MCL 565.957), as amended by 2000 PA 13.

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

Reps. Kolb, Thomas, Spade, Williams, Schauer, Gielegghem, Hale, Zelenko and Dennis introduced

House Bill No. 6178, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding part 55A.

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

Reps. Gielegghem, Kolb, Thomas, Spade, Williams, Schauer, Hale, Zelenko and Dennis introduced

House Bill No. 6179, entitled

A bill to require certain disclosures by sellers of real property.

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

Reps. Gielegghem and Kolb introduced

House Bill No. 6180, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 36101 (MCL 324.36101), as amended by 2000 PA 262, and by adding section 36115a.

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

Rep. Kolb introduced

House Joint Resolution Y, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 9 of article IX, to provide that the use of fuel taxes on vehicles and aircraft for transportation purposes be directed as provided by law.

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

Rep. Lemmons moved that the House adjourn.
The motion prevailed, the time being 5:00 p.m.

Associate Speaker Pro Tempore Julian declared the House adjourned until Thursday, June 13, at 2:00 p.m.

GARY L. RANDALL
Clerk of the House of Representatives.

