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**REGULAR SESSION OF 2000**

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House Chamber, Lansing, Thursday, December 14, 2000.

10:00 a.m.

The House was called to order by the Speaker.

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

Allen—present	Frank—present	Kuipers—present	Rivet—present
Baird—present	Garcia—present	LaForge—present	Rocca—present
Basham—excused	Garza—present	LaSata—present	Sanborn—present
Birkholz—present	Geiger—present	Law—present	Schauer—present
Bisbee—present	Gielegem—present	Lemmons—present	Schermesser—present
Bishop—present	Gilbert—present	Lockwood—present	Scott—present
Bogardus—excused	Godchaux—present	Mans—present	Scranton—present
Bovin—present	Gosselin—present	Martinez—present	Shackleton—present
Bradstreet—present	Green—e/d/s	Mead—present	Sheltrown—present
Brater—present	Hager—present	Middaugh—present	Shulman—present
Brewer—present	Hale—present	Minore—present	Spade—present
Brown, Bob—present	Hanley—present	Mortimer—present	Stallworth—present
Brown, Cameron—present	Hansen—present	Neumann—present	Stamas—present
Byl—present	Hardman—present	O’Neil—present	Switalski—present
Callahan—present	Hart—present	Pappageorge—present	Tabor—present
Cassis—present	Howell—present	Patterson—present	Tesanovich—present
Caul—present	Jacobs—present	Perricone—present	Thomas—present
Cherry—present	Jamnick—present	Pestka—present	Toy—present
Clark—present	Jansen—present	Price—present	Vander Roest—present
Clarke—present	Jelinek—present	Prusi—present	Van Woerkom—present
Daniels—present	Jellema—present	Pumford—present	Vaughn—present
DeHart—present	Johnson, Rick—present	Quarles—present	Year—present
Dennis—present	Johnson, Ruth—present	Raczkowski—present	Voorhees—present
DeRossett—present	Julian—present	Reeves—present	Wojno—present
DeVuyst—present	Kelly—present	Richardville—present	Woodward—present
DeWeese—present	Kilpatrick—present	Richner—present	Woronchak—present
Ehardt—present	Koetje—present	Rison—excused	
Faunce—present	Kowall—present		

e/d/s = entered during session

Rep. Thomas Kelly, from the 17th District, offered the following invocation:

“Oh God, how do we thank You for all Your blessings? We who are leaving reflect on Your generosity and for giving us the opportunity to meet new people, make fast friendships and give understanding and take understanding. To the older people who have left before us—their wisdom bestowed upon us. For those who remain and are still to come, we ask You and pray You bestow upon them the understanding and courage to do Your work. In His name, we thank You for being You and taking care of us. Amen.”

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The Speaker called the Speaker Pro Tempore to the Chair.

Rep. Scott moved that Reps. Basham, Rison and Bogardus be excused from today’s session.  
The motion prevailed.

### **Comments and Recommendations**

Rep. Middaugh moved that Rule 82 be suspended.  
The motion prevailed, 3/5 of the members present voting therefor.

Rep. Middaugh moved that the following remarks be printed in the Journal.  
The motion prevailed.

Representative Jellema:

“I would like to take this opportunity and kind of set a standard. I’m looking at my good friend from the most eclectic district who can start his watch going and learn from this. My comments are very brief. It has been a great honor and privilege to serve with all of you. If there is one thing I have learned it is the strength that exists when you get 110 good people together to set about making policy for the state of Michigan. We have probably made some mistakes along the way. I hope that we have all learned from them. If there is a concern I have it is that as I listen to representatives that are new to the process some of them are already looking at the next step which may be running for the Senate, the lower chamber as my good friend calls it. The advice I would have is to keep your eye on this game and make sure you excel at this game before you even think about making another move. This is in some ways a fragile institution. Even in the short period since I have been here which is six years that we are now limited to, I’ve seen some things erode in the way just of common courtesy for one another. I enjoyed most the first two years under a Speaker who encouraged bipartisan relationships and who pointed out an important lesson that all of the good ideas don’t exist on our side of the aisle. I then served under Speaker Hertel who made it clear that all the good ideas don’t exist on that side either but between the two, if there are 110 of us who put our minds to policy, we can make this a much better place. For myself, it has been an honor to be here. I want to save time for Representative Price who, I know because I have served with him, always has, even if he doesn’t have a lot to say, it seems to take him a fair amount of time to just get it out. I know that Representative Byl has worked on a very clever poem in the like. I want to save time so I can listen to those, but just let me say thank you to all of you. I will be watching with a great deal of interest in the things that you undertake and anticipating your success with them because I know that there are some excellent people here. Thank you.”

Rep. Hanley:

“Madam Speaker and members, this is a very emotional day for many of us and please bear with me. I’ve had a very difficult time staying composed as I tried to consider what I had to say on the floor of the House. I was reluctant to do so until I was encouraged to do so by my long time seat mate who sat on my right, my left and behind me over the years, Representative Price. Excuse me Madam Speaker if I use members names today. If it is at all important, it is important because I need to express some gratitude to a lot of people. I just want to first say I’m going to break my good friend, Jon Jellema’s, rule by being probably a little bit long here. Please bear with me and please hope that I don’t break up.

When I first came here six years ago I was really happy to be playing what I called full time baseball. I played sandlot all my life—having been interested in politics and served on a city council. This is nothing less than a triple A league and it is believed that if I had my druthers I would serve then over and above Washington.

When I came here I followed my predecessor, long time, great and well liked, Representative Jim O'Neill, who was a member of the committee on Appropriations and it was my dream to serve on that committee. I requested that committee. However, I was even more fortunate than that. I was the only member of the freshman caucus, when we were in the minority, to be appointed to the vice-chair of the most important committee in the state House, the committee on Urban Policy. I did end up, coincidentally, sitting during my freshman session between the future chair and ranking member of the committee on Appropriations, my good friend, Representative Geiger and, as I said, Representative Price. Two unlikely people in this chamber have an unlikely understanding of the pressures and the responsibilities they've had for the last two years and will be tied together in history. They are the Speaker and myself. We became the first two limited caucus leaders in Michigan history.

Much has been written of the acrimony between the Speaker and myself over the last two years. We have disagreed on many occasions, and not just on policy. I want to say to all of you that if at any time, if unknowingly and despite my best efforts, I said things or took actions that diminished the value of this institution, then I apologize. Please charge these mistakes to my head and not my heart. And to the Speaker, I wish you, your wife Jennifer and your children a joyous holiday season and good health and happiness in the future.

And to the press corps, just one gentle and well meaning word of advice. News happens in this chamber every day. News is an action taken by the legislature which will affect the lives of Michigan citizens. An adversarial relationship between two caucus leaders is not news. Despite romanticized views, which sometimes comes into vogue, it is the rule, not the exception.

As I stand here today, I'm disappointed and sad, because the end my term will mean the end of working with so many wonderful people in this process, and doing such important work. But most of all, as I depart this institution, two words recur over and over in my mind, gratitude and wonder. I am so very grateful to have had this experience.

I'm grateful to my constituents for sending me here. I'm grateful to my family for their support, and the sacrifices they made to provide it. My wife and children have spent many many nights alone as a result of my service. They have endured much in supporting me while I endured difficult and draining times. I'm grateful to my caucus for giving me an exquisite experience and a high honor by making me their leader. It has been the most challenging, most educational and most rewarding job of my life. I'm grateful to the many members of the Republican caucus whom I've had the good fortune to have served with, who have enriched my life in so many ways. I'm grateful that I had the chance to have served with the great members who departed in 1996 and 1998, when term limits swept 64 talented public servants from office. I'm grateful to my staff, the Democratic central staff, the Republican staff. A special thanks to two people who have played a very special role in my experience, and this is not to diminish the roles of other, Tim Kaltenbach, my Chief of Staff and friend for the last two years, and JoAnn Hall, who's been with me from the beginning, and who's been the most wonderful helper any legislator could ever have dreamed of. And I am grateful to the people who keep this place running: the House fiscal agency, the Legislative Service Bureau, the business office and all the maintenance staff, and of course the Clerk and staff, and the Sergeants at Arms, the pages, and all those who I'm sure I've forgotten. Among all the things that have happened to me in the last six years, the most important one was not a product of my service here. I became a parent. As a result of my service, I got to have my son, Nicholas', picture taken with the President of the United States. I'm grateful for that and I feel a sense of wonder.

In the nearly six years I've worked here, I'm proud to say I never walked into this building without remembering what a privilege the people of my district gave me when they elected me their representative. I got to work in a place where the people of Michigan send their representative to speak for them. I got to hear the people's voices by listening to the people they sent here.

My experience here has affirmed to me that there is no substitute for integrity, and that honesty is the best policy. I learned and affirmed that people can have vastly different ideological viewpoints but still be united in their goal to do what is best, and that compromise works. It was confirmed for me that, by and large, people who run for public office are doing so because they believe that people deserve a voice in our system of government. And I gained a deeper appreciation of the fact that representative democracy is the best form of government in the world.

As I look back, it may seem strange to many of you to hear, coming from a leader of a caucus in the most necessarily partisan session in many years, but my greatest accomplishment was to work with Bill Byl, Hubert Price, Jon Jellema, Lynn Martinez, Bill Bobier, Mark Schauer, Paul Hillemonds and Curtis Hertel, and others to establish the House BiPartisan Urban Caucus. Under term limits, with members having less time to establish relationships, bipartisan work will require much more conscious and focused effort, and my fondest hope is that I can look back years from now and see that that caucus still exists, and has helped the people of urban Michigan come closer to realizing their communities' full potential.

At home, I got to solve problems for thousands of constituents in need of a place to turn. I got to bring people together from all over the community to make good things happen for those who are less fortunate among us. My wife and kids aren't here today because she's home preparing for a charity event we've been sponsoring with my friends for the last six years and I will have to leave concluding my speech to go be with them to set up the tables. The proceeds will go to make the holidays brighter for needy children and their families. I'm grateful to be able to do that, and I will always have a sense of wonder that, of all the incredible human beings I've had the chance to work with back home and in my caucus, I got to be their leader.

For all the lowest lows and all the highest highs provided by service in leadership, on the whole this has been a great experience, which seems like a dream already. I take from here friendships, which will last over the years, and fond memories, which will last a lifetime.

I've always said that being an elected official is more than a job, and more than a career; it's a life. It's been a wonderful life for me, and I thank God, my family, my constituents, my caucus and staff, and all of you here on the floor for giving me such a memorable and important experience. God bless you all."

Rep. Geiger:

"Thank you Madam Speaker and members and I do apologize for the Speaker for being casual in my comments. Unfortunately many of my words have been captured by Representative Price—he always gets all of the good words—my dear friend, Representative Price. I do understand he is perusing the dictionary right now for his comments.

I rise, Madame Speaker, not so much to say farewell, because that is difficult for any of us. For those of you that reach this point either next term or the following will realize how difficult this is. I rise more to say thank you to a number of people and offer my gratitude. I do thank every member of this House for allowing me to serve and to be part of a great institution. In particular, I would like to thank 27 members of this chamber who I think have grown together very closely over the past two years. It was indeed an honor and a privilege to be a part of that committee—the committee on Appropriations. Where, I think we really set a tone and a temperament for all of us to observe and take note of. It was a privilege for me to be a part of this process and in my very part of the world of the legislature—that dealing with the appropriations and the policies that stem from those appropriations for the state of Michigan. To be able to be a facilitator for every member of that committee, to become a relevant integral part of this process was indeed a privilege and an honor. I consider everyone of those members my dear friend and they always will be very dear friends.

I would also like to thank some of the people who work so hard and diligently that don't sit in these chairs—our staffs. We have our own policy staffs that work so hard many days simply to try and make us look good. And, what a challenge that has been. But, I do want to thank them. I want to thank the House Fiscal Agency for all of the work that they have done for us because we all know—or those of us who really do clearly understand a bit more of this process—understand how critically important it is that we have the kind of qualified staff and support that we need because we are very new at this. To be considered a grizzled veteran after six years of serving in this chamber is somewhat ironic to me. Without the help of those individuals we would not survive in this chamber.

Additionally, I would like to thank personally, my own staff who has been so loyal and so dedicated to my office and to my district and they deserve not only a great deal of thanks. In particular I want to single out someone who has been in my office since the day I walked in—Carla Garcia which many of you have had the privilege of working with and some have had the misfortune of dealing with. I think many of you know her and understand how devoted she is to this process and to this institution and to the office that she has been asked to work in. Without that staff, I certainly would not have been able to accomplish anything that I really am truly proud of.

I would like to make a couple of comments to the next session, the next legislature. This is just my own personal advice and comment. Individually—and I have made this comment before to new members. Individually, as you look forward to the next term and what it is that you want to accomplish for you personally, for your district, for the state of Michigan. The advice I give is choose your battles carefully. You can't win them all. And, be careful in those choices and then follow through as diligently as you can. Be a strong voice on those issues that are so important to you. Collectively, I would encourage you all to listen to the words of Representative Jellema and understand that there are differences in this chamber but not on every issue and not on every event. I would encourage you to look at the philosophical difference we have as much as partisan differences. Because one lesson I have learned in the past two years of dealing with a variety of opinions and personalities and philosophies is that it is far easier to bridge the gap between philosophical difference and find a common ground than it is to try to break down the barrier of partisan differences. So, many times when you are challenged to try and make progress, set aside your partisan differences and deal with the philosophical differences that are at hand because with that in mind, you can make a difference. And, I can site example after example, after example of how we have been able to do that in this chamber on occasion when we set our mind to it. I am very, very proud to walk out of here and be able to say that I have worked with people who are dramatically miles away from me philosophically, but we have been able to work together and accomplish great things because we have learned how to set those differences aside and decide what is good for the state of Michigan. That speaks well for us as an institution and it speaks highly for us as individuals when we come to grips with that understanding.

I encourage you all to think big, think large and look for the great ideas—then move on those ideas. But move together, not apart. With that, madame Speaker, I thank you and I thank our leadership for bestowing on me the honor and the privilege to serve in a leadership capacity. I hope that I have made a small difference in this state and in this chamber. Thank you very much Madam Speaker."

Rep. Cherry:

“This is a bittersweet moment. When I took office, I knew this moment would come but I did not know that I would come to love the work I have done in this chamber. So while I look forward to a new chapter in my life, I’m also sad to be leaving a place which has brought me such fulfillment and pleasure.

Much has changed since I was a freshman sitting in the back of the chamber with Rep. LaForge and Rep. Griffin. We were members of the cuckoo caucus and harassed by Rep. Mathieu religiously. During this time, I had the opportunity to serve with people who I had heard and read about over years of interest in politics. And I considered myself privileged to learn from them. Many of those who have left, contrary to the image of long serving legislators, loved this institution, loved public service and most of all, loved the people of the state of Michigan. They instilled those of us in our class a strong respect for the purpose and the traditions of this great institution.

I’m now a senior member of the House. I am frustrated by that, because those of us who are leaving do so at the time when we become pretty effective at what we are doing. Even though our terms are up, I don’t think any of us are finished with the work that we came to do. And this institution has experienced a lot of change in the past two years and because of the nature of term limits I believe our relevance in policy making has suffered and is in some jeopardy.

I urge those of you who are staying to preserve the traditions of this House that help to strengthen this branch of government. Most important to me are two guidelines for behavior which I believe must be followed if we are to have credibility. First, in this business your word is all you have. Protect it and honor it. Secondly, respect your colleagues and those who are part of this business even if they don’t serve in this Chamber. Your opponent in one battle may be your friend in the next. Respect the right of every colleague duly elected like you to speak their mind even if you don’t agree. If you live by these two values this Legislature will only be served well.

And as I leave, I want to take just a moment to thank those who have helped me serve the citizens of the 50th district. In my office, Paula Anderson, Dorina Sain and Sue Glynn have provided invaluable service to me. The Democratic staff has always been there for whatever has been needed. And the Republican staff has also been helpful in committee works and on the floor always. LSB, the Fiscal Agency, the Clerks and Sergeants have provided great service. It’s important to realize that the staff who have served us are dedicated public servants who work whatever hours are needed and put up with an awful lot from us.

I believe there is a great need to restructure the employment situation of this Chamber to reward dedication and experience. With term limits it is even more important to have experienced staff so I hope the leadership of this institution takes on the challenge of developing an employment system which encourages staff to continue working in this House.

Most importantly, I must thank the people of the 50th District. I have been honored to have served in the Michigan House of Representatives, representing their interests in this Chamber and I hope I have served them well.

I am reminded of some words expressed to us in our class during our orientation which had great influence on me and I have never forgotten. Mel DeStigter, who was the Clerk of the House during my first term, said. “Remember you are one of 110 people out of almost 10 million citizens who have been chosen to serve here. Never forget that you have been given a great and awesome honor and a great responsibility. You are here to serve the people of this state and you should treasure that carefully.”

In closing, I want you all to know that I have grown to love the House and the people I have had the opportunity to work with. My life has been enriched by this experience and I hope that those of you who follow, find the same joy in the work that you do. Thank you, good luck. It’s been a great ride! Thank you.”

Rep. Byl:

“Before I begin my work here I would like to express my appreciation as everyone else has. To all the great people that I have had a chance to work with, to my staff, Lois and Stacy who have been in so many ways made this job so easy. For the citizens of the 75th District who have sent me here or the colleagues that I have had a chance to work with in committees and on the floor—I’m grateful for the experience. I would like to now continue the tradition that was started by my friend, mentor, predecessor on my committee and partner in crime, Bill Bobier, with apologies to Edgar Allan Poe:

Once upon a midnite dreary, while we labored weak and weary, membership with eyes ableary, ran some bills upon the floor.

As we waited, sometimes napping, roll calls oft our spirits sapping, Senators their jaws aflapping, ’tis Lame Duck and nothing more.

Ah, distinctly I remember, evenings in mid December, when each weary flagging member, did the speaker so implore, Fervently with burdened sorrow, in Lame Duck some time to borrow, to go home by morn tomorrow, ‘Let us leave this wretched floor.’ Quoth the Speaker, ‘Nevermore!’

In debate, one time recalling, points a member found appalling, resorted he in spite to calling, naming fellow colleague: ‘Whore!’

At the mike on Second Reading, good decorum always heeding, Rocky, then the Floor a leading, did the membership implore, ‘Use the “H” word Nevermore!’

At the entry polished, gleaming hordes of special interests teeming, furiously sent notes astreaming to the Reps upon the floor,

Stirr'd the pot, the cauldron perking, now and then their magic working, legislator's purse strings jerking, 'Make amendments, we implore!' Quoth the Lobby, evermore.

On the third floor at our stations, members of Appropriations, parceled out the wealth of nations, special projects by the score,

Vainly did we strive in shielding, favor'd boilerplate afielding. Vigorously his red pen wielding, Cut the pork we did adore, Quoth the Guv'nor, 'Nevermore!'

Afterwards we' fill our bellies, wash it down with beer at Kelly's, watching games upon the tellies, adjourning later to the 'Door'.

Sometimes we behaved so raucous partying with either caucus, later, the results would stalk us, and we'd vow with heads so sore, 'I will do this Nevermore!'

Lest the casual hearer venture, naught but times of fun, adventure, and submit us all to censure, I'd remind of many a chore,

As we struggled in volition to improve our State's condition, and our citizen's position for a better life in store, and our children evermore.

I do hope my worth was tested, sometimes winning, sometimes bested, and found valued, happ'ly rested, knowing work was never o'er.

If I could ask a single favor, I would stay and join the labors of our next years legislators, and aid them meet the tests in store, Quoth term limits, 'Nevermore!'

So my Speaker, fellow members, as I leave this hallowed chamber, long and fondly I'll remember, three terms working on this floor,

Friendships forged and struggles daunting, public policy fomenting, my constituents representing, 'I'll forget this Nevermore, I will love you Evermore!' "

Rep. Price:

"Thank you, Madam Speaker. One better come a little early before everything is said and done. As Rep. Cherry has stated this is a bittersweet moment. Joy on one hand, and looking for the hiatus, it was certainly known that we had only 6 years when we got here. And bitter lose ends, and just loving out. There's a rock-n-roll song, a r&b song, done by the Dells, a R&B group out of the 70s, some of you all know about that. One of my favorite tunes by the Dells is 'The Love We Had Stays On My Mind' and this place will always stay on my mind.

It's been an engaging 6 and a half years, I'm part of a special class. There were 3 of us elected in April of '94.

Rep. Tesanovich from the upper peninsula, Rep. Martinez from right here in Lansing, we are in her district every day, and Rep. Price from the most eclectic district in the Michigan House of Representatives. Rep. Raczkowski tells me he's going to try to steal that, but this 43rd District stays the same. I can give you a little detail, I mean, in a part of my district the average home value is 1 million dollars—I get 13 votes. Auburn Hills is the home of Oakland University according to a bill we adopted, Rep. Geiger. Oakland University is not in Rochester, it's in Auburn Hills, the campus is in Auburn Hills. Rep. Bishop, I know you will carry that forth.

Chrysler-Daimler, Oakland Community College, they are all in Auburn Hills, and Pontiac an older urban community, but not one I'd describe as distressed, I'd describe it as one that is dynamic. Despite the vicissitudes of having General Motors as the principal employer, nobody has ever talked about turning the light off—Pontiac's home for me.

I've got a couple of lose ends I'd like to close, I mean in terms of what I call house cleaning items. I hope that when I come back on January 2nd, that there's some real coffee in the Thatcher Room. So we'll leave that to the new Speaker or the new Majority Floor Leader. That's a lose end. And that we really start engaging in term limits—a dialogue, a serious dialogue on term limits—the efficacy of term limits. We've had a couple years of experience, several years of experience on this, and we ought at least engage in a little dialogue. I don't think it's a positive thing, but I am reminded that there have been some engagements here in this country that we had to once embark down a path for prohibition. Constitutional amendment—it lasted 9 years. American people saw that didn't work and reversed it. I hope ultimately term limits follows the same path, we already have term limits.

I've been fortunate as one representative to really be engaged in a couple of major bi-partisan efforts. We served with Rep. Hanley and Rep. Byl, members of my class that have served in among others the House Bi-Partisan Urban Caucus. We started down a path of, that would result, I believe, in, this state game of fully engaged in a more serious fashion on a comprehensive urban policy. I certainly hope that will continue, it's been a joy to serve on a bi-partisan urban caucus. It's been a joy to serve on the Bi-Partisan, Bi-Cameral Children's Caucus. If we do anything of value in this body, if we are reflective, if we are representative of what's going on out there in the world, we must be more attentive to children—from birth. Everything that we know from early brain science, everything that we know from a study that's been going on in this part of the world, right here in Michigan since 1962, says that every dollar you invest in early childhood education, pays rich dividends in less juvenile services, less prisons, less remedial education, less special education. If we are serious about the debate on how we are going to improve the quality of public education

we must first engage in the investment in early child education. And now is the time. We have begun that path with the Bi-Partisan, Bi-Cameral Children's Caucus.

We have an enormously blessed staff here, and I would join Rep. Geiger in extolling the House Fiscal Agency. They're over there working, I only have 17 days, but they are over there working on one of my last projects as a state representative as we speak. And that has always been the case. And they are available not just to members of the Appropriations, but I would certainly commend their ability to work with each and every legislator in this Chamber. We've been blessed with wonderful policy staff on both sides of the aisle. Both Democrats and Republicans. I have been extraordinarily blessed with capable, hard-working, competent, personal staff. Back home I've had a committee for twenty-six years, I've been an elected official, Rep. Jelinek, for twenty-six years! I, like you, at one time had hair—and it was black!

The Appropriations Committee...having the honor to serve on the Appropriations Committee has been both a joy and a privilege. I think the Committee in these last 2 years, and in previous incarnations, under the chairmanship, (and I've had the honor of serving as ranking member of Appropriations) of Rep. Geiger, has established a standard of commonality. That I hope can be replicated in standing committees and in this body. There is nothing evil about acting in a civil, courteous manner with each other, with civility being the operative conduct of the day. And I would certainly hope that, I think there has been a standard established in the appropriations' process that you look to for some guidance in terms of that achievement of commonality. I want to certainly as an individual who has tried to work hard, I owe a lot to my family. My wife and children, my mother and father who were here with me on that day the 3 of us got sworn in, and are still with us. I know whose shoulders I stand on. I want to thank each and every one of you, for sometimes tolerating my ability to be verbal. I do wish it had been more quiet sometimes, but I might have passed more legislation. I've had an opportunity to get the chance to know each, almost all of you, some interaction, some level of interaction be it legislative or personal. I walk out of here a much better human being, a stronger human being, a human being imbued with the feeling that representative government, despite our differences can work. And it is representative government, sometimes we have to remind ourselves of that. I want to thank you for having had the opportunity to be in this Chamber in these last 6 and a half years. They are days that I will never forget. I will be back. Thank you."

Rep. Green:

"Thank you Madam Speaker for this opportunity to stand and give my formal remarks on this floor.

The last six years have been, without a doubt, six of the greatest years that I have experienced in my life. Very few people ever get a chance to serve their constituents and serve this great state of Michigan in this capacity. I have never taken this job for granted and I have always tried to represent the views of the citizens that I represent in Huron and Tuscola counties.

I came here six years ago with some very conservative values and generally strong feelings about certain issues. I came here believing we could accomplish my agenda quite easily and turn this big ship of Michigan in a different direction. After six years, I have learned a lot about the way things operate in this arena. The first thing I learned was:

1. There are 147 other people here serving with me with their own agenda with the same thought that they want to turn this big ship around too.

2. Everyone here believes in their agenda just as strongly as I do.

3. They were elected from their district because of their beliefs and their district's beliefs.

4. In order to get anything accomplished anywhere in this arena, one must get 56 representatives, 20 senators and just one Governor to go along with you.

After four years of watching and working in the background and learning the ropes, I learned the best way to operate in this arena, even though you strongly disagree with somebody, is to respect them. We are all here trying to do the very best job that we can to represent our constituents. If we can just remember that there are at least two sides to every issue, and oftentimes more, we learn, after six years, to disagree and yet still be friends. Disagree perhaps on some issues, but at the end of the day, still respect each other and the institution.

I would especially like to say thank you to my Agriculture and Resource Committee members. It truly was a good term for agriculture. Thank you for enduring nearly 40 hours of committee time debating the Drain Code and many more hours at home just trying to figure out what was in it. I believe we had a good bill, as the House did, but unfortunately the Senate didn't. We couldn't get those 20 members to go along with us. Please know that you all did a yeoman's job. I am very proud of our committee's record and each and every one of you that served on that committee.

I want to close by thanking my staff. Bonnie Flanders, who just recently got married and left my office. Bonnie was with me most of the time that I was here and she was a great assistant. Julia Nunez, who is now there, has done a great job of filling in. But I can't close without giving a very special thank you to my Chief of Staff, Karen Strickland. As most of you know I ran a lot of big bills this term and Karen orchestrated them all. As legislators we like to take all the credit for everything we do and we also know that there is someone else in the background doing it. If I can claim to have accomplished anything since I have been here I owe it to her. Her patience, patience with constituents, ability

to put thoughts to pen and ability to keep organized everything I did was a chore most could not have done. Thank you Karen!

It's been a great six years folks. If I never ever get to serve anywhere else in this place in any other capacity I can say that this has been the greatest experience of life, and I am a better person for it. Let me close my speech by saying thank you colleagues, thank you for being my friend."

Rep. DeHart:

"I stand before you today with a variety of emotions. PRIDE in being selected not once—not twice—but three times by my friends, family and neighbors to represent them in Lansing. They selected me to be their voice. Quite often, elected officials feel they are the government. How wrong they are! We are not the government. We are employees of the government. Our United States Constitution clearly states—government of the people, by the people, and for the people. The government is the people of this great state. We were simply elected to be their voice. We are the people's emissaries. We are their employees and when we forget that, then we will simply become unemployed. The government, the people will not tolerate our indifference or our feeling of self-importance.

I also stand before you with SADNESS. I have made many friends during my 14-year career in Lansing. I'm not talking only friends who are Democrats but I count many Republicans as good friends. I'm also not talking only Representatives—I have many who I count as friends who are staff, including those who have worked or are currently working in my office – Rebecca Strauss, P.J. Petitpren, Russ Tuttle, Krysta Earhart, Carrie Hebert, and Janine Johnson. Thank you. I know where the real work gets done—it's not when we push our red or green button to vote—rather it's in our offices with the preparation and research our staff does to make us look good. To all my friends, I say thank you. I'm sad because I'll miss you all.

I also stand before you with HOPE. Hope that those of you who will be on this floor next year and in subsequent years will not let this institution suffer because of term limits. To those leaders on the House Floor from both sides of the aisle, I ask you to protect the integrity and tradition of the House of Representatives. To our next Speaker Rick Johnson and Majority Floor Leader Bruce Patterson, don't exclude this side of the aisle simply because you can. Don't exclude the Democrats in talks, negotiations, and actions, which will affect the entire state. Don't cut off debate in committee and on the House Floor because you have 56 plus votes. Don't diminish the voices of the citizens who happen to have elected Democrats.

To the next Democratic Leader Kwame Kilpatrick and Democratic Floor Leader Gilda Jacobs—expect to be out voted because, on most occasions, you will be. But, be ready to keep our friends on the other side of the aisle on their toes. Even though we don't have 56 votes, we have the rules and it is the job—no, it is the responsibility of the minority party to use those rules to their advantage. Read those rules, memorize those rules and let them make up for the disadvantage of our numbers. Most importantly, try to be the voice of reason. Remember, you can't accomplish anything if you cut off communications.

I stand before you THANKFUL for all the experiences I have had among them, the privilege of serving as Associate Speaker Pro Tem and running House sessions. I also want to thank those who have helped me progress over the last six years. To those of you in my class of 1995, Ed Vaughn, Martha Scott, Thomas Kelly, Gerald Law, Sue Rocca, Hubert Price, Jr., Deborah Cherry, Liz Brater, Edward LaForge, Charles Perricone, Lingg Brewer, Lynne Martinez, Laura Baird, William Byl, Michael Green, Terry Geiger, Jon Jellema, Michael Hanley, Michael Prusi, and Paul Tesanovich, we've all celebrated and commiserated. We have had peaks and valleys. We have experienced good times and bad.

To my friend, Democratic Leader Mike Hanley, while we have not always agreed, we have found common ground. The belief in the principles of the Democratic Party and our Democratic caucus. That's one of the wonderful things about our caucus, Mike, we don't goose step and do everything alike. We believe in diversity and we respect our fellow caucus members even when we don't agree.

To Speaker Chuck Perricone—I count you as a good friend and I want to publicly thank you for your help with many matters over the last two years. You have shown me respect and, in turn, respected my views. We have not agreed on many issues but we have agreed to disagree on the differences we couldn't work out.

To my colleagues in our Out-Wayne County Caucus, Representatives Bob Brown, Bill O'Neil, George Mans, Ray Basham, and Gloria Schermesser—don't give up the fight—but, Gloria—don't fight too much. And Tom Kelly—I still have not figured out between Gloria and me—which one is Thelma and which one is Louise?

I'm thankful for my many friends in the Lobbying Corp.—you have been honest in your dealings with me. You have shared your views on the issues—we have agreed on some and disagreed on others. The beauty of our relationship is—you never made demands on me—you simply shared information and accepted my vote with no questions asked.

And finally and most importantly, I want to thank my family. For the many parties I left early from, arrived late to, or missed completely; for the holidays I walked in a parade or worked a civic function; for the school programs I messed because of late night session; for your love; your tolerance; your support; for all the things you have done for me and the understanding you have given me, THANK YOU.

Yes, I stand here with all of these emotions, PRIDE, SADNESS, HOPE, THANKS, and more. And finally, in the words of Charles Dickens' Tiny Tim—God Bless Us Everyone."



Rep. Brater:

“Thank you Madam Speaker. I want to thank the citizens of the 53rd District for the honor and the privilege of serving as their Representative for the past six years in the Michigan House of Representatives. I also want to thank the staff in my office—Pat Niemela and Tina Reynolds for doing all the ground work and being the face of the district for the people that approach my office and for all the excellent and hard work that they did. And, thank you to the many devoted people on the Democratic policy staff and communications staff, and the Republican staff—because I know we have all worked together. And, the House Fiscal Agency for all of your hard work in assistance as we have striven to understand complicated and difficult issues and synthesize state policy solutions. I obviously want to thank my family—my husband, Enoch, and my children, Jessica and Jonathan, for their support and for all of the time that I have had to spend away from home to be with you here in Lansing.

It has been a privilege to get to know the people from all across the state. Although we have not always agreed, we have reached across the aisle, across partisan difference to build personal relationships that can help us see each other’s point of view. I am happy to claim as friends people from both sides of the aisle. I am happy to be able to know that I can go to any part of this great state and find someone I know and can talk to. I appreciate the consideration you have accorded my views even when you did not agree with me as I have tried to represent the views of my constituents.

In particular, I would ask you not to forget the struggles of the state’s most vulnerable citizens—people with mental disabilities—both those in your communities and those who are languishing in our jails and prisons through no fault of their own except that they had the misfortune to be born with a predilection to a brain disorder or a developmental disability. I also ask you to continue to strive to protect the extensive and wonderful natural resources that have been entrusted to our stewardship—the great lakes, the planet’s largest body of fresh water and their many tributaries which we are blessed with here in the state of Michigan.

I wish you all well as you continue to work together to serve the citizens of the state of Michigan. I will miss you. I offer you and pledge you my support as you continue to work together to make Michigan an even greater place to live. Thank you.”

Rep. Martinez:

“Madam Speaker, today I feel like I am graduating from six and a half years in this House and going on to whatever is next. And first, I want first to acknowledge the privilege that it has been to be a member of this House. Serving in this House, we all have had the opportunity to meet people, to go into communities and neighborhoods and to know groups of people who, if we weren’t here we probably would never run into. And, because of that, for each one of us, if we do it right, we are richer and our world is much bigger. That is the privilege it has been for me to be here. First, I want to thank people of the 69th District who gave me the privilege of being their voice in this representative chamber. I want to remind all of you one more time that this chamber is not Lansing—that Lansing is a vast and wonderful community that is much bigger than what we do here. So, don’t call this Lansing until you look around.

Many people have contributed a lot to the work that I have done here. I first and always want to thank my family, my sons, my mother. They are all wonderful to me. Whenever I get scared, they are still the ones who say keep going and I thank them.

We have wonderful staff here. First, I acknowledge and thank my legislative assistant, Martha Miles, who has for nearly the whole time that I have been here and I hope that she is listening to this now. We have also had incredible staff in the House Fiscal Agency, Legislative Service Bureau, our Caucus staffs, and policy staffs. They have done wonderful things for us and this institution truly wouldn’t function without them. The Clerks of the House who haven’t been mentioned yet today, but who keep the record of all the noble and wonderful things that we do in this chamber are surely to be appreciated.

And, I want to thank all of you and every one that I have had the privilege of serving with in this chamber, for the things that I have learned from each one. When I came to this House, I served with members who had been here for 10 and 15 and 20 years and they are the ones who were my original coaches and mentors. When the people who are leaving today are gone there will be no more members in this House who served here in the time when it was acknowledged that it took people 6 years to learn this job. For most of you, you will appreciate when you are standing at this microphone in a few years that your leaving when you just got good. Just remember that.

There have been some wonderful opportunities here that I have especially appreciated, working with the Bi-Partisan, Bi-Cameral Children’s Caucus, working early on with the Bi-Partisan Urban Caucus which I really hope people will reinvigorate next year. It is an important entity. Working with both legislators on both sides of the aisle and with our executive staff to set up programs like enhancing the organ donor list in Michigan and the EPIC program that we just did—those things only work when we really sit down and listen to each other and make it work.

Finally, I would like to perhaps just ask the members of this House one more time—a theme that you have heard recurring—to take a minute every time you are here to respect the institution that this House is. It has been here for more than 175 years now.

I began my service here with some of those members who had served for 10, 15 and 20 years and they knew, better than we do, the importance of relationships on both sides of the aisle and maintaining those bridges of communication.

Perhaps most importantly, I think they had a belief that I don't always see here—that the House of Representatives truly is the seat of democracy and that every person must have a voice here and that this House has a critical role in the balance of power in the State of Michigan. One of the greatest sadness that I have seen here is people's willingness to give up their role as a full and equal branch of government. My hope is that you will take this role of the House seriously and restore the House to the role that most seriously represents the people.

To each of you I extend my sincere best wishes—to those who are staying and those who are graduating to their next endeavors. I am leaving a lot of people who have become good friends and some who have become good antagonists. And, even when we disagreed, I have still known that every one of you were driven by your sincere commitment to serve the people of this State, while holding true to your personal convictions. And I have tried every time to respect and appreciate both our likenesses and our differences, knowing that we all want the best for the people of this state. Making Michigan a powerful force in this new century will require that every one of us has the chance for a success in life and the responsibility to be a contributing member in our civic and economic life, and the right to live, work and raise families in safe and vibrant communities. I know that you will all continue to serve here with great energy and enthusiasm and nobility and it truly has been a privilege to join you here these few years. I wish all of you very well, especially my class who is, like me, doing their swan songs today. Thank you."

Rep. Baird:

"Thank you Madam Speaker and members. Like so many others, I am struck by the wonder of having been elected at all. We all know that we make major sacrifices to get here and we may have clearly partisan districts but, at some level, we had to beat out the competition in a primary or a general. It truly is a unique and rare opportunity among citizens of Michigan to be elected to come here and be their voice. I know that when I talk to people we are never quite as good as they wish we were but we are also not as bad as they fear. I know that in common, we all share a deep commitment to the democratic process because I think all of us have other opportunities aside from this one. I appreciate and respect that about each one of you.

I want to thank the people of my district for electing me. It is a wonderful district to represent—the city of East Lansing and Meridian Township, Okemos and Haslett. I came here after the long service of Representative Lynn Jondahl who was even more liberal than I am. On paper the district doesn't look like it would be that way. I made a conscious decision when I came in to continue that tradition. I decided early on that if that cost me my seat then that was the way it was going to be. I had other things I would go do. What I learned along the way is that people may not agree with you in your district, but if you are direct and honest and you say, given these set of circumstances, this is how I am going to vote they appreciate it anyway. And, as my term in office wore on, I had lots of conservative people in Okemos where I live—a very Republican area, and I happen to live in a very heavily Republican precinct—say to me, 'you know you have been there a long time now and I don't agree with you on everything but I think we need people like you who are willing to make the sacrifice and go down there and do that job.' From that, what I have learned is that there is an opportunity to lead. I would encourage you not to be fearful. Some members of this body have come to me over the years and said, 'you know, I really wish I could do what you do but my district won't allow it.' If that is the case, take an assessment of your life and maybe find a different job. You need to be comfortable with what it is that you are doing and stand for what you believe in and accept the fact that everybody isn't always going to like everything that you do. Explain to them why it is what you have done has happened and I think you will find that people support you. And, if you can't do that probably this isn't the best place for you to be.

I also want to thank my family which is where my real life happens—my husband, George, and our children, Michael, Nicholas and Zoé. They have sacrificed a lot for me to be here. Although, I have to say they also really thoroughly enjoyed it along the way. And, I want to thank my staff, Nancy Bohnett who is a very long-serving member of the democratic staff employee pool and Marcela Westrate who also works in my office. I also want to thank Lisa Dedden and Monique Pointer who staffed the two committees I am the minority vice-chair of; they are very good and often times I think their brain power is my brain power. I am really going to miss having that as I go on to my next endeavor. My next endeavor, of course, is the court—another branch of government. I want you all to know regardless of your political persuasion, you come before me in a court and I am going to treat you fair and impartially. And, in the words of former Representative David Gubow, current Clerk, 'it has been a great ride, I'm glad I took it.' "

Rep. Tesanovich:

"I want to first of all thank my family, the people of the 110th District in the western Upper Peninsula and all of the people who made it possible for me to have this time—six plus years to serve here in the House of Representatives. It has been a great honor. Also, particularly, Kim and Steve in my office and Don who I initially had but he became a lobbyist for more pay—I appreciate all of them.

I have been fortunate to serve in this House in a couple ways that are historical. First of all, I am one of the three that came down during the tie, shared power. To keep that tie and to keep, at the time, co-speakers, co-chairs. The co-speakers at the time were Paul Hillemonds and Curtis Hertel. And it was tough. In my case, out of 22,000 votes cast the night of the election, I was behind from the very first precinct that reported until the very last and my district

encompasses two time zones. I pulled ahead by 49 votes when the very last precinct reported. Of course, immediately the counties canvassed and it went down to 39 so I was apprehensive. My opponent demanded re-count in certain precincts that he thought there might be problems in. After those were hand-counted, my lead went up to 98 but it was kind of scary. When I came down, I remember to be sworn in I felt like it was that old Revolutionary War picture with the guy playing the flute and one guy on a crutch and bloody head and bandaged. But, I remember that is the way I wanted to dress coming down that aisle there as difficult as it was to get down here.

What I have learned, through the historic shared power as well as this last session as the first two years under term limits, is that our strength in this House is our diversity. I look at the people I have served. I work with school teachers, plumber and pipe fitters, attorneys, underground iron ore miner. Our strength is truly in the people that are here in our backgrounds and how we can best represent those nine plus million people around the state of Michigan. I know that is why they call this the people's House, for that very strength.

I just looked in Hubert's dictionary because over the years as I have witnessed what goes on in this chamber and frequently comes the definition or comment this august body. And, I had a good idea of what it meant but I finally looked it up today for the first time and the definition is, 'inspiring awe and reverence, imposing and magnificent'. Hell, I call this the arena. I mean, I have always told people, 'I'll see you in the arena'. We are gladiators here. We battle with words and sentences and ideas and that is what I have enjoyed the most about this—coming here everyday and being invigorated knowing that it was going to be exciting. This chamber has never failed to be that way for me. I know that when I was working in Baraga County and I worked in the courthouse, I was visiting with the county sheriff one day and I asked him—his name is Bob Ketty—and I asked him, 'Bob, why would anyone want to be a police officer in law enforcement?' I said, 'even as a little boy, when little boys are saying gee I want to be a fireman or police officer, I didn't want to be a police officer.' And, he said, 'you know, Paul, we are all addicted to adrenaline'. And I think in politics it is very much that way. We are not apprehending people but we are coming in here—we have people outside those doors that feel very strongly that our actions should follow a certain course on that particular day. We have people back home that are split on many decisions. We have people on this floor that debate and argue vigorously and passionately for the things that they believe in. And, that has always been a source of adrenaline for me. I believe leaving this chamber, in talking with the people that I have worked with over the years, having had the chance to serve with the longest serving member in the history of the state of Michigan—40 years—I was 2 years old when he got in the legislature and served with many, many giants of this legislature before they had to leave—but I think all of them that I have talked to, and for many of us that are leaving, it will be that loss of that adrenaline, that excitement, never knowing what to expect and never a boring moment in this work that we do that I certainly will miss.

As far as the arena, and an august body, I look back at some of the issues that we have dealt with and it has been said that to be in politics in this role that we play is amongst the highest of callings. We have done legislation in this chamber regarding our seniors, our children, health care and education that clearly, at times, I believe that our work was divinely inspired. I have also sat on this floor when we have debated on what the state fungus should be. I recall a debate on an amendment on the community health budget bill that would require any condoms distributed by the Health Department would be in color. So, this is also been compared to sausage making and I believe at times we have done a disservice to sausage makers.

We are all here, we are human beings and we share the same strengths and shortcomings and failings and honors that the people who send us here do and I believe that is our strength. This is an august body. But this is also 110 people that come together to do the best they can, use generally whatever means are at their disposal to achieve what they believe to be honorable goals. All of us doing it individually are hopefully very much like the people that sent us here. I believe that clearly our strength.

I would like to, in closing, extend my appreciation. In my six plus years, six of those years have been on one committee, the Appropriations Committee. Through the years, I was in a tie, but then I was in the minority and the majority and back to the minority. I want to express my deep appreciation for my committee chairs and sub-committee chairs. Also, I have had the opportunity to chair those sub-committees. Through the past six years, within that group of people that I have had the opportunity to work closely with, it really hasn't made a whole lot of difference whether I was in the minority or the majority. I have had the unique and wonderful opportunity to work with some very thoughtful and reflective people who have had an open mind and an open heart and have certainly made my six years very, very wonderful and rewarding. I thank all of you for that. I wish all of you—those that will continue on and those yet to come here—the best. If I can say anything, it is that this is the arena and have fun."

### Quorum Call

Rep. Raczkowski questioned the presence of a quorum and moved that the roll be called and printed in the Journal. The motion prevailed.

The roll was called and the Clerk announced that a quorum was present.

The following is the roll call:

#### Roll Call No. 1117

#### Yeas—98

Allen	Faunce	Kuipers	Sanborn
Baird	Frank	LaForge	Schauer
Birkholz	Garcia	Law	Schermesser
Bisbee	Garza	Lockwood	Scott
Bishop	Geiger	Martinez	Scranton
Bovin	Gielegem	Mead	Shackleton
Bradstreet	Gilbert	Middaugh	Sheltrown
Brater	Godchaux	Minore	Shulman
Brewer	Gosselin	Mortimer	Spade
Brown, B.	Hager	Neumann	Stallworth
Brown, C.	Hale	O'Neil	Stamas
Byl	Hansen	Pappageorge	Switalski
Callahan	Hardman	Patterson	Tabor
Cassis	Hart	Pestka	Tesanovich
Caul	Jacobs	Price	Thomas
Cherry	Jamnack	Prusi	Toy
Clark, I.	Jansen	Pumford	Van Woerkom
Clarke, H.	Jelinek	Quarles	Vander Roest
Daniels	Jellema	Raczkowski	Vaughn
DeHart	Johnson, Rick	Reeves	Vear
Dennis	Johnson, Ruth	Richardville	Voorhees
DeRossett	Julian	Richner	Wojno
DeVuyst	Kelly	Rivet	Woodward
DeWeese	Koetje	Rocca	Woronchak
Ehardt	Kowall		

In The Chair: Scranton

Rep. Vander Roest moved that Rep. LaSata be excused from the balance of today's session. The motion prevailed.

Rep. Scott moved that Rep. Callahan be excused from the balance of today's session. The motion prevailed.

By unanimous consent the House returned to the order of

#### Motions and Resolutions

Reps. Perricone, Hanley, Tesanovich, Shackleton, Spade, Hansen, Kelly, Richardville, Frank, Gosselin, Howell, Raczkowski, Birkholz, Bishop, DeHart, Faunce, Jellema, LaSata, Schermesser, Lockwood, Voorhees, Lemmons, DeVuyst, Middaugh, Van Woerkom, Ehardt, Hager, Julian, Cassis, Tabor, DeRossett, Switalski, Vaughn, Vander Roest, Neumann, LaForge, Jacobs, Prusi, Pappageorge, Jamnick, Caul, Martinez, Mans, Scott, Gielegem, Baird, Callahan,

Minore, Sheltroun, Bovin, Dennis, Woodward, Wojno, Cherry, Rocca, Reeves, Kilpatrick, Brater, Hardman, Jelinek, Schauer, Scranton, Shackleton and Bisbee offered the following resolution:

**House Resolution No. 479.**

A resolution naming the House Office Building.

Whereas, The building has been known as the House Office Building. It is a building where state representatives and their support staff work for all citizens of the state of Michigan. We believe it is altogether fitting to bestow a new name upon this place of brick and mortar that exemplifies the passion, dedication, and sacrifice made every day by those who work there; and

Whereas, Cora Reynolds Anderson, the first female member of the Michigan House of Representatives who was elected in 1924, personified the best attributes of public service including her selfless dedication to her fellow members of the Ojibwa tribe of northern Michigan, pressing for improved health care and educational opportunities for everyone; and

Whereas, The “Lady of the Land”, as she was affectionately called in many newspapers, introduced a bill requiring a uniform system of accounting for township officers and the auditing of their books. She fought against the spread of tuberculosis and organized the first public health service in Baraga County and was instrumental in securing the county’s first public health nurse; and

Whereas, Cora Anderson died on March 11, 1950 after a lifetime of service to the Upper Peninsula and the entire State of Michigan, now, therefore, be it

Resolved that the Michigan House of Representatives, That this legislative body name and dedicate the House Office Building as the Cora Anderson Building and that on December 19, 2000, this building be dedicated to her.

Pending the reference of the resolution to a committee,

Rep. Raczkowski 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.

—

Rep. Spade moved that Rep. Mans be excused temporarily from today’s session.  
The motion prevailed.

Rep. Allen moved that Rep. Rick Johnson be excused temporarily from today’s session.  
The motion prevailed.

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

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

**Third Reading of Bills**

**Senate Bill No. 1172, entitled**

A bill to amend 1967 PA 150, entitled “Michigan military act,” by repealing section 421 (MCL 32.821).

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

**Roll Call No. 1118**

**Yeas—98**

Allen	Frank	LaForge	Sanborn
Baird	Garcia	Law	Schauer
Birkholz	Garza	Lemmons	Schermesser
Bisbee	Geiger	Lockwood	Scott
Bishop	Gielegem	Martinez	Scranton

Bovin	Gilbert	Mead	Shackleton
Bradstreet	Godchaux	Middaugh	Sheltrown
Brater	Gosselin	Minore	Shulman
Brewer	Hager	Mortimer	Spade
Brown, B.	Hale	Neumann	Stallworth
Brown, C.	Hansen	O'Neil	Stamas
Byl	Hardman	Pappageorge	Switalski
Cassis	Hart	Patterson	Tabor
Caul	Howell	Pestka	Tesanovich
Cherry	Jacobs	Price	Thomas
Clark, I.	Jamnick	Prusi	Toy
Clarke, H.	Jansen	Pumford	Van Woerkom
Daniels	Jelinek	Quarles	Vander Roest
DeHart	Jellema	Raczkowski	Vaughn
Dennis	Johnson, Ruth	Reeves	Vear
DeRossett	Julian	Richardville	Voorhees
DeVuyst	Kelly	Richner	Wojno
DeWeese	Koetje	Rivet	Woodward
Ehardt	Kowall	Rocca	Woronchak
Faunce	Kuipers		

### Nays—0

In The Chair: Scranton

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

“An act to provide for the militia of this state and its organization, command, personnel, administration, training, supply, discipline, deployment, employment, and retirement; and to repeal certain acts and parts of acts.”.

The House agreed to the full title.

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

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

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

Rep. Scott moved that Rep. DeHart be excused from the balance of today's session.  
The motion prevailed.

Rep. Green entered the House Chambers.

By unanimous consent the House returned to the order of

### Messages from the Senate

The Speaker laid before the House

#### Senate Bill No. 977, entitled

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2001; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

(The bill was received from the Senate on December 13, with amendments to House substitute (H-1) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 72, p. 2701.)

The question being on concurring in the amendments to the House substitute (H-1) 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. 1119****Yeas—98**

Allen	Garcia	LaForge	Sanborn
Baird	Garza	Law	Schauer
Birkholz	Geiger	Lemmons	Schermesser
Bisbee	Gielegem	Lockwood	Scott
Bishop	Gilbert	Martinez	Scranton
Bovin	Godchaux	Mead	Shackleton
Bradstreet	Gosselin	Middaugh	Sheltrown
Brater	Green	Minore	Shulman
Brewer	Hager	Mortimer	Spade
Brown, B.	Hale	Neumann	Stallworth
Brown, C.	Hansen	O'Neil	Stamas
Byl	Hardman	Pappageorge	Switalski
Cassis	Hart	Patterson	Tabor
Caul	Howell	Pestka	Tesanovich
Cherry	Jacobs	Price	Thomas
Clark, I.	Jamnick	Prusi	Toy
Clarke, H.	Jansen	Pumford	Van Woerkom
Daniels	Jelinek	Quarles	Vander Roest
Dennis	Jellema	Rackowski	Vaughn
DeRossett	Johnson, Rick	Reeves	Vear
DeVuyst	Julian	Richardville	Voorhees
DeWeese	Kelly	Richner	Wojno
Ehardt	Koetje	Rivet	Woodward
Faunce	Kowall	Rocca	Woronchak
Frank	Kuipers		

**Nays—1**

Johnson, Ruth

In The Chair: Scranton

Rep. Rackowski moved that the bill be given immediate effect.  
The motion prevailed, 2/3 of the members serving voting therefor.

The Speaker laid before the House

**House Bill No. 5709, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 61503b and 61503c (MCL 324.61503b and 324.61503c), section 61503b as added by 1999 PA 246 and section 61503c as added by 1999 PA 247.

(The bill was received from the Senate on December 7, with an amendment, title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until December 12, see House Journal No. 70, p. 2625.)

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

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

**Roll Call No. 1120****Yeas—98**

Allen	Garcia	LaForge	Sanborn
Baird	Garza	Law	Schauer
Birkholz	Geiger	Lemmons	Schermesser
Bisbee	Gielegem	Lockwood	Scott
Bishop	Gilbert	Martinez	Scranton
Bovin	Godchaux	Mead	Shackleton
Bradstreet	Hager	Middaugh	Sheltrown
Brater	Hale	Minore	Shulman
Brewer	Hansen	Mortimer	Spade
Brown, B.	Hardman	Neumann	Stallworth
Brown, C.	Hart	O'Neil	Stamas
Byl	Howell	Pappageorge	Switalski
Cassis	Jacobs	Patterson	Tabor
Caul	Jamnick	Pestka	Tesanovich
Cherry	Jansen	Price	Thomas
Clark, I.	Jelinek	Prusi	Toy
Clarke, H.	Jellema	Pumford	Van Woerkom
Daniels	Johnson, Rick	Quarles	Vander Roest
Dennis	Johnson, Ruth	Rackowski	Vaughn
DeRossett	Julian	Reeves	Vear
DeVuyst	Kelly	Richardville	Voorhees
DeWeese	Kilpatrick	Richner	Wojno
Ehardt	Koetje	Rivet	Woodward
Faunce	Kowall	Rocca	Woronchak
Frank	Kuipers		

**Nays—0**

In The Chair: Scranton

The House agreed to the title as amended.

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

The Speaker laid before the House

**House Bill No. 5782, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 11 of chapter XVII (MCL 777.11), as amended by 1999 PA 90.

(The bill was received from the Senate on December 13, with substitute (S-6) and title amendment, consideration of which, under the rules, was postponed until today, see House Journal No. 72, p. 2700.)

The question being on concurring in the substitute (S-6) made to the bill by the Senate,

The substitute (S-6) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1121****Yeas—99**

Allen	Garcia	Kuipers	Sanborn
Baird	Geiger	LaForge	Schauer
Birkholz	Gielegem	Law	Schermesser
Bisbee	Gilbert	Lemmons	Scott
Bishop	Godchaux	Lockwood	Scranton



Bovin	Gosselin	Martinez	Shackleton
Bradstreet	Green	Mead	Sheltrown
Brater	Hager	Middaugh	Shulman
Brewer	Hale	Minore	Spade
Brown, B.	Hansen	Mortimer	Stallworth
Brown, C.	Hardman	Neumann	Stamas
Byl	Hart	O'Neil	Switalski
Cassis	Howell	Pappageorge	Tabor
Caul	Jacobs	Patterson	Tesanovich
Cherry	Jamnick	Pestka	Thomas
Clark, I.	Jansen	Price	Toy
Clarke, H.	Jelinek	Prusi	Van Woerkom
Daniels	Jellema	Pumford	Vander Roest
Dennis	Johnson, Rick	Quarles	Vaughn
DeRossett	Johnson, Ruth	Rackowski	Vear
DeVuyst	Julian	Reeves	Voorhees
DeWeese	Kelly	Richardville	Wojno
Ehardt	Kilpatrick	Richner	Woodward
Faunce	Koetje	Rivet	Woronchak
Frank	Kowall	Rocca	

**Nays—0**

In The Chair: Scranton

The House agreed to the title as amended.

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

The Speaker laid before the House

**House Bill No. 6052, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 411s. (The bill was received from the Senate on December 14, 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. 72, p. 2700.)

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. 1122****Yeas—98**

Allen	Geiger	LaForge	Sanborn
Baird	Gielegem	Law	Schauer
Birkholz	Gilbert	Lemmons	Schermesser
Bisbee	Godchaux	Lockwood	Scott
Bishop	Gosselin	Mead	Scranton
Bovin	Green	Middaugh	Shackleton
Bradstreet	Hager	Minore	Sheltrown
Brater	Hale	Mortimer	Shulman
Brewer	Hansen	Neumann	Spade
Brown, B.	Hardman	O'Neil	Stallworth
Brown, C.	Hart	Pappageorge	Stamas
Byl	Howell	Patterson	Switalski
Cassis	Jacobs	Perricone	Tabor
Caul	Jamnick	Pestka	Tesanovich
Cherry	Jansen	Price	Thomas

Clark, I.	Jelinek	Prusi	Toy
Clarke, H.	Jellema	Pumford	Van Woerkom
Daniels	Johnson, Rick	Quarles	Vander Roest
DeRossett	Johnson, Ruth	Raczkowski	Vaughn
DeVuyst	Julian	Reeves	Vear
DeWeese	Kelly	Richardville	Voorhees
Ehardt	Kilpatrick	Richner	Wojno
Faunce	Koetje	Rivet	Woodward
Frank	Kowall	Rocca	Woronchak
Garcia	Kuipers		

**Nays—0**

In The Chair: Scranton

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.

**Third Reading of Bills****Senate Bill No. 911, entitled**

A bill to amend 1995 PA 279, entitled "Horse racing law of 1995," by amending section 20 (MCL 431.320), as amended by 1997 PA 73.

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

**Roll Call No. 1123****Yeas—79**

Allen	Geiger	Lemmons	Schermesser
Baird	Gielegem	Lockwood	Scott
Bisbee	Gilbert	Martinez	Scranton
Bovin	Godchaux	Mead	Shackleton
Brater	Hale	Minore	Sheltrown
Brewer	Hansen	Mortimer	Shulman
Brown, B.	Hart	Neumann	Spade
Caul	Howell	O'Neil	Stallworth
Cherry	Jacobs	Pappageorge	Stamas
Clark, I.	Jamnick	Patterson	Switalski
Clarke, H.	Jansen	Pestka	Tabor
Daniels	Jelinek	Price	Tesanovich
Dennis	Jellema	Prusi	Thomas
DeRossett	Johnson, Rick	Pumford	Toy
DeVuyst	Julian	Quarles	Vaughn
DeWeese	Kelly	Richardville	Vear
Ehardt	Kilpatrick	Richner	Wojno
Faunce	Kowall	Rivet	Woodward
Frank	LaForge	Rocca	Woronchak
Garza	Law	Schauer	

**Nays—19**

Birkholz	Cassis	Johnson, Ruth	Sanborn
Bishop	Garcia	Koetje	Van Woerkom

Bradstreet  
Brown, C.  
Byl

Gosselin  
Hager  
Hardman

Kuipers  
Middaugh  
Reeves

Vander Roest  
Voorhees

In The Chair: Scranton

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

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

A bill to amend 1995 PA 279, entitled "An act to license and regulate the conducting of horse race meetings in this state with pari-mutuel wagering on the results of horse races and persons involved in horse racing and pari-mutuel gaming activities at such race meetings; to create the office of racing commissioner; to prescribe the powers and duties of the racing commissioner; to prescribe certain powers and duties of the department of agriculture and the director of the department of agriculture; to provide for the promulgation of rules; to provide for the imposition of taxes and fees and the disposition of revenues; to impose certain taxes; to create funds; to legalize and permit the pari-mutuel method of wagering on the results of live and simulcast races at licensed race meetings in this state; to appropriate the funds derived from pari-mutuel wagering on the results of horse races at licensed race meetings in this state; to prescribe remedies and penalties; and to repeal acts and parts of acts," by amending section 20 (MCL 431.320), as amended by 2000 PA 164.

The motion prevailed.

The House agreed to the title as amended.

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

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

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Reps. Hager, Garcia, Ruth Johnson and Voorhees 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 Senate Bill 911 because I believe the Legislature should focus on helping people overcome gambling problems rather than continuing to subsidize the horse racing industry, which contributes to gambling problems. Senate Bill 911 reduces the percentage of the Michigan Agriculture Equine Industry Development Fund that is deposited in the Compulsive Gaming Prevention Fund from 1/10 of 1% to 1/100 of 1% of the total annual wagers. The Compulsive Gaming Prevention Fund is used for the treatment, prevention, education, training, research, and evaluation of pathological gamblers and their families. Approval of this bill sends the message that the Legislature is more interested in subsidizing the horse racing industry than helping people overcome gambling addictions. This position is unacceptable to me, and therefor, I cannot support this bill."

Rep. Cameron Brown, 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:

My no vote on Senate Bill 911 reflects my concern that we not diminish funding for the Compulsive Gaming Prevention Fund by any amount.

I respect those who are involved in the horse racing industry and I only ask that we not reduce funds that help those who are caught in the snares of pathological gambling behavior that is a detriment to family and community."

## Second Reading of Bills

### Senate Bill No. 1208, entitled

A bill to provide review of certain health care coverage adverse determinations made by health carriers; to prescribe eligibility, powers, and duties of certain independent review organizations; to prescribe the powers and duties of certain health carriers; to prescribe the powers and duties of certain persons; to prescribe the powers and duties of certain state officials; to provide for the reporting of certain information; to establish the cancer clinical trials fund; to provide fees; and to provide penalties for violations of this act.

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

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

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

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

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

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

Rep. Julian moved that Reps. Tabor and Godchaux be excused temporarily from today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

**Third Reading of Bills**

**Senate Bill No. 1208, entitled**

A bill to provide review of certain health care coverage adverse determinations made by health carriers; to prescribe eligibility, powers, and duties of certain independent review organizations; to prescribe the powers and duties of certain health carriers; to prescribe the powers and duties of certain persons; to prescribe the powers and duties of certain state officials; to provide for the reporting of certain information; to establish the cancer clinical trials fund; to provide fees; and to provide penalties for violations of this act.

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

**Roll Call No. 1124**

**Yeas—97**

Allen	Garza	LaForge	Rocca
Baird	Geiger	Law	Sanborn
Birkholz	Gielegem	Lemmons	Schauer
Bisbee	Gilbert	Lockwood	Schermesser
Bishop	Gosselin	Martinez	Scott
Bradstreet	Green	Mead	Scranton
Brater	Hager	Middaugh	Shackleton
Brewer	Hale	Minore	Sheltrown
Brown, B.	Hansen	Mortimer	Shulman
Brown, C.	Hardman	Neumann	Spade
Byl	Hart	O'Neil	Stallworth
Cassis	Howell	Pappageorge	Stamas
Caul	Jacobs	Patterson	Switalski
Cherry	Jamnick	Perricone	Tesanovich
Clark, I.	Jansen	Pestka	Thomas
Clarke, H.	Jelinek	Price	Toy
Daniels	Jellema	Prusi	Van Woerkom
Dennis	Johnson, Rick	Pumford	Vander Roest
DeRossett	Johnson, Ruth	Quarles	Vaughn
DeVuyst	Julian	Raczkowski	Vear
DeWeese	Kelly	Reeves	Voorhees
Ehardt	Koetje	Richardville	Wojno
Faunce	Kowall	Richner	Woodward
Frank	Kuipers	Rivet	Woronchak
Garcia			

**Nays—0**

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

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

A bill to amend 2000 PA 251, entitled "An act to provide review of certain health care coverage adverse determinations made by health carriers; to prescribe eligibility, powers, and duties of certain independent review organizations; to prescribe the powers and duties of certain health carriers; to prescribe the powers and duties of certain persons; to prescribe the powers and duties of certain state officials; to provide for the reporting of certain information; to provide fees; and to provide penalties for violations of this act," by amending sections 11, 13, 15, and 23 (MCL 550.1911, 550.1913, 550.1915, and 550.1923).

The motion prevailed.

The House agreed to the title as amended.

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

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

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Rep. DeWeese moved that Rep. DeVuyst be excused temporarily from today's session.

The motion prevailed.

### **Second Reading of Bills**

#### **Senate Bill No. 1205, entitled**

A bill to prescribe a tax on the sale and use of certain types of fuel in motor vehicles on the public roads or highways of this state and on certain other types of gas; to prescribe the manner and the time of collection and payment of this tax and the duties of officials and others pertaining to the payment and collection of this tax; to provide for the licensing of persons involved in the sale, use, or transportation of motor fuel and the collection and payment of the tax imposed by this act; to prescribe fees; to prescribe certain other powers and duties of certain state agencies and other persons; to provide for exemptions and refunds and for the disposition of the proceeds of this tax; to provide for appropriations from the proceeds of this tax; to prescribe remedies and penalties for the violation of this act; and to repeal acts and parts of acts.

(The bill was read a second time and postponed temporarily on December 12, see House Journal No. 71, p. 2630.)

The question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Transportation,

The substitute (H-1) was not adopted, a majority of the members serving not voting therefor.

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

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

Rep. Raczkowski 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**

#### **Senate Bill No. 1205, entitled**

A bill to prescribe a tax on the sale and use of certain types of fuel in motor vehicles on the public roads or highways of this state and on certain other types of gas; to prescribe the manner and the time of collection and payment of this tax and the duties of officials and others pertaining to the payment and collection of this tax; to provide for the licensing of persons involved in the sale, use, or transportation of motor fuel and the collection and payment of the tax imposed by this act; to prescribe fees; to prescribe certain other powers and duties of certain state agencies and other persons; to provide for exemptions and refunds and for the disposition of the proceeds of this tax; to provide for appropriations from the proceeds of this tax; to prescribe remedies and penalties for the violation of this act; 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. 1125****Yeas—83**

Allen	Garcia	Koetje	Richner
Baird	Garza	Kuipers	Rivet
Birkholz	Geiger	LaForge	Schauer
Bisbee	Gielegem	Law	Schermesser
Bovin	Gilbert	Lemmons	Scott
Brater	Green	Lockwood	Scranton
Brewer	Hager	Mead	Shackleton
Brown, B.	Hale	Middaugh	Sheltrown
Brown, C.	Hansen	Minore	Shulman
Byl	Hardman	Mortimer	Spade
Cassis	Hart	Neumann	Stallworth
Caul	Howell	O'Neil	Stamas
Cherry	Jacobs	Pappageorge	Switalski
Clark, I.	Jamnick	Patterson	Tesanovich
Clarke, H.	Jansen	Pestka	Toy
Daniels	Jelinek	Price	Van Woerkom
DeRossett	Jellema	Prusi	Vaughn
DeWeese	Johnson, Rick	Pumford	Vear
Ehardt	Johnson, Ruth	Quarles	Wojno
Faunce	Julian	Reeves	Woodward
Frank	Kelly	Richardville	

**Nays—10**

Bishop	Kowall	Rocca	Vander Roest
Bradstreet	Martinez	Sanborn	Voorhees
Gosselin	Raczkowski		

In The Chair: Scranton

The House agreed to the title of the bill.

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

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

Pending the Third Reading of

**Senate Bill No. 1264, entitled**

A bill to amend 1945 PA 327, entitled "Aeronautics code of the state of Michigan," by amending section 203 (MCL 259.203).

Rep. Raczkowski moved to reconsider the vote by which the House placed the bill on the order of Third Reading of Bills.

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

**Second Reading of Bills****Senate Bill No. 1264, entitled**

A bill to amend 1945 PA 327, entitled "Aeronautics code of the state of Michigan," by amending section 203 (MCL 259.203).

Rep. Raczkowski moved to reconsider the vote by which the House adopted the substitute (H-1) offered previously by the Committee on Transportation.

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

The question being on the adoption of the substitute (H-1) offered previously by the Committee on Transportation, The substitute (H-1) was not adopted, a majority of the members serving not voting therefor.

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

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

Rep. Raczkowski 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

#### Senate Bill No. 1264, entitled

A bill to amend 1945 PA 327, entitled "Aeronautics code of the state of Michigan," by amending section 203 (MCL 259.203).

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

#### Roll Call No. 1126

#### Yeas—97

Allen	Garza	Law	Sanborn
Baird	Geiger	Lemmons	Schauer
Birkholz	Gielegem	Lockwood	Schermesser
Bisbee	Gilbert	Martinez	Scott
Bishop	Gosselin	Mead	Scranton
Bovin	Green	Middaugh	Shackleton
Bradstreet	Hager	Minore	Sheltrown
Brater	Hale	Mortimer	Shulman
Brewer	Hansen	Neumann	Spade
Brown, B.	Hardman	O'Neil	Stallworth
Brown, C.	Howell	Pappageorge	Stamas
Byl	Jacobs	Patterson	Switalski
Cassis	Jamnick	Perricone	Tabor
Caul	Jansen	Pestka	Tesanovich
Cherry	Jelinek	Price	Thomas
Clark, I.	Jellema	Prusi	Toy
Clarke, H.	Johnson, Rick	Pumford	Van Woerkom
Daniels	Johnson, Ruth	Quarles	Vander Roest
Dennis	Julian	Raczkowski	Vaughn
DeRossett	Kelly	Reeves	Vear
DeWeese	Koetje	Richardville	Voorhees
Ehardt	Kowall	Richner	Wojno
Faunce	Kuipers	Rivet	Woodward
Frank	LaForge	Rocca	Woronchak
Garcia			

#### Nays—0

In The Chair: Scranton

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

"An act relating to aeronautics in this state; providing for the development and regulation thereof; creating a state aeronautics commission; prescribing powers and duties; providing for the licensing, or registration, or supervision and control of all aircraft, airports and landing fields, schools of aviation, flying clubs, airmen, aviation instructors, airport managers, manufacturers, dealers, and commercial operation in intrastate commerce; providing for rules pertaining thereto; prescribing a privilege tax for the use of the aeronautical facilities on the lands and waters of this state; providing for the acquisition, development, and operation of airports, landing fields, and other aeronautical facilities by the state and by political subdivisions; providing jurisdiction of crimes, torts, and contracts; providing police powers for those entrusted to enforce this act; providing for civil liability of owners, operators, and others; making

hunting from aircraft unlawful; providing for repair station operators lien; providing for appeals from rules or orders issued by the commission; providing for the transfer from the Michigan board of aeronautics to the aeronautics commission all properties and funds held by the board of aeronautics; providing for a state aeronautics fund and making an appropriation therefor; prescribing penalties; and making uniform the law with reference to state development and regulation of aeronautics.”

The House agreed to the full title.

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

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

### Senate Bill No. 1265, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 71102 (MCL 324.71102), 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. 1127

### Yeas—99

Allen	Garcia	Kuipers	Sanborn
Baird	Garza	LaForge	Schauer
Birkholz	Geiger	Law	Schermesser
Bisbee	Gielegem	Lemmons	Scott
Bishop	Gilbert	Lockwood	Scranton
Bovin	Gosselin	Martinez	Shackleton
Bradstreet	Green	Mead	Sheltrown
Brater	Hager	Middaugh	Shulman
Brewer	Hale	Minore	Spade
Brown, B.	Hansen	Mortimer	Stallworth
Brown, C.	Hardman	Neumann	Stamas
Byl	Hart	O’Neil	Switalski
Cassis	Howell	Pappageorge	Tabor
Caul	Jacobs	Patterson	Tesanovich
Cherry	Jamnick	Pestka	Thomas
Clark, I.	Jansen	Price	Toy
Clarke, H.	Jelinek	Prusi	Van Woerkom
Daniels	Jellema	Pumford	Vander Roest
Dennis	Johnson, Rick	Quarles	Vaughn
DeRossett	Johnson, Ruth	Raczkowski	Vear
DeVuyst	Julian	Reeves	Voorhees
DeWeese	Kelly	Richardville	Wojno
Ehardt	Kilpatrick	Richner	Woodward
Faunce	Koetje	Rivet	Woronchak
Frank	Kowall	Rocca	

### Nays—0

In The Chair: Scranton

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

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

The House agreed to the full title.

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

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



**Senate Bill No. 1266, entitled**

A bill to amend 1980 PA 119, entitled “Motor carrier fuel tax act,” by amending sections 1 and 4 (MCL 207.211 and 207.214), as amended by 1996 PA 584.

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

**Roll Call No. 1128****Yeas—96**

Allen	Garza	Kuipers	Sanborn
Baird	Geiger	LaForge	Schauer
Birkholz	Gielegem	Law	Schermesser
Bisbee	Gilbert	Lemmons	Scott
Bishop	Gosselin	Lockwood	Scranton
Bovin	Green	Martinez	Shackleton
Bradstreet	Hager	Mead	Sheltrown
Brater	Hale	Middaugh	Shulman
Brewer	Hansen	Minore	Spade
Brown, B.	Hardman	Mortimer	Stallworth
Brown, C.	Hart	Neumann	Stamas
Byl	Howell	O’Neil	Switalski
Caul	Jacobs	Pappageorge	Tabor
Cherry	Jamnick	Patterson	Tesanovich
Clark, I.	Jansen	Pestka	Thomas
Clarke, H.	Jelinek	Price	Toy
Daniels	Jellema	Prusi	Van Woerkom
DeRossett	Johnson, Rick	Pumford	Vander Roest
DeVuyst	Johnson, Ruth	Raczkowski	Vaughn
DeWeese	Julian	Reeves	Vear
Ehardt	Kelly	Richardville	Voorhees
Faunce	Kilpatrick	Richner	Wojno
Frank	Koetje	Rivet	Woodward
Garcia	Kowall	Rocca	Woronchak

**Nays—0**

In The Chair: Scranton

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

“An act to prescribe a privilege tax for the use of public roads and highways of this state by motor carriers by imposing a specific tax upon the use of motor fuel within this state; to provide for certain credits against this tax and certain mechanisms for paying, collecting, and enforcing this tax; to provide for the licensing of motor carriers and for exemptions from licensure; to require the keeping and providing for the examination of certain reports; to provide review procedures for the assessment of the tax and revocation of a license; to impose certain duties upon and confer certain powers to certain state departments and agencies; to prescribe certain penalties for the violation of this act; and to make appropriations.”

The House agreed to the full title.

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

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

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Rep. Allen moved that Rep. Rick Johnson be excused temporarily from today’s session.  
The motion prevailed.

Rep. Vander Roest moved that Reps. Tabor and Gosselin be excused temporarily from today's session. The motion prevailed.

By unanimous consent the House returned to the order of  
**Reports of Select Committees**

The Speaker laid before the House the conference report relative to  
**Senate Bill No. 757, entitled**

A bill to amend 1982 PA 295, entitled "Support and parenting time enforcement act," by amending sections 31 and 32 (MCL 552.631 and 552.632), as amended by 1996 PA 301.

(The conference report was received from the Senate on December 7, consideration of which, under the rules, was postponed until December 12, see House Journal No. 70, p. 2620.)

(For conference report, see House Journal No. 70, p. 2620.)

The question being on the adoption of the conference report,

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

**Roll Call No. 1129**

**Yeas—86**

Allen	Garza	Kuipers	Sanborn
Baird	Geiger	Law	Schauer
Birkholz	Gielegem	Lockwood	Schermesser
Bisbee	Gilbert	Martinez	Scott
Bovin	Godchaux	Mead	Scranton
Bradstreet	Green	Middaugh	Shackleton
Brater	Hager	Minore	Sheltrown
Brewer	Hale	Mortimer	Shulman
Brown, B.	Hansen	Neumann	Spade
Brown, C.	Hardman	O'Neil	Stamas
Byl	Hart	Pappageorge	Switalski
Cassis	Howell	Patterson	Tesanovich
Caul	Jacobs	Pestka	Thomas
Cherry	Jamnack	Prusi	Toy
Clark, I.	Jansen	Pumford	Van Woerkom
Clarke, H.	Jelinek	Quarles	Vander Roest
DeRossett	Jellema	Reeves	Vear
DeWeese	Johnson, Ruth	Richardville	Voorhees
Ehardt	Julian	Richner	Wojno
Faunce	Kelly	Rivet	Woodward
Frank	Koetje	Rocca	Woronchak
Garcia	Kowall		

**Nays—8**

Bishop	Kilpatrick	Price	Stallworth
Daniels	LaForge	Raczkowski	Vaughn

In The Chair: Scranton

**Second Reading of Bills**

**Senate Bill No. 1106, entitled**

A bill to amend 1935 PA 140, entitled "An act to prohibit endurance contests known as walkathons and similar endurance contests; to prescribe a penalty for the violation thereof, and to repeal Act No. 65 of the Public Acts of 1933," by amending sections 1 and 2 (MCL 752.161 and 752.162).

The bill was read a second time.

Rep. Raczkowski moved that the bill be placed on the order of Third Reading of Bills.  
 The motion prevailed, a majority of the members voting therefor.  
 Rep. Raczkowski 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**

**Senate Bill No. 1106, entitled**

A bill to amend 1935 PA 140, entitled “An act to prohibit endurance contests known as walkathons and similar endurance contests; to prescribe a penalty for the violation thereof, and to repeal Act No. 65 of the Public Acts of 1933,” by amending sections 1 and 2 (MCL 752.161 and 752.162).

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

**Roll Call No. 1130**

**Yeas—92**

Baird	Garza	Kowall	Sanborn
Birkholz	Geiger	Kuipers	Schauer
Bisbee	Gielegghem	LaForge	Schermesser
Bishop	Gilbert	Law	Scott
Bovin	Godchaux	Lemmons	Scranton
Bradstreet	Gosselin	Lockwood	Shackleton
Brater	Green	Mead	Sheltrown
Brewer	Hager	Middaugh	Shulman
Brown, B.	Hale	Minore	Spade
Brown, C.	Hansen	Mortimer	Stallworth
Byl	Hardman	Neumann	Stamas
Cassis	Hart	O’Neil	Switalski
Caul	Howell	Pappageorge	Tesanovich
Cherry	Jacobs	Patterson	Thomas
Clark, I.	Jamnick	Pestka	Toy
Clarke, H.	Jansen	Price	Van Woerkom
Dennis	Jelinek	Prusi	Vander Roest
DeRossett	Jellema	Pumford	Vaughn
DeWeese	Johnson, Ruth	Raczkowski	Vear
Ehardt	Julian	Reeves	Voorhees
Faunce	Kelly	Richardville	Wojno
Frank	Kilpatrick	Rivet	Woodward
Garcia	Koetje	Rocca	Woronchak

**Nays—0**

In The Chair: Scranton

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

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Rep. Gielegghem moved that Rep. Garza be excused temporarily from today’s session.  
 The motion prevailed.

### Second Reading of Bills

#### Senate Bill No. 1300, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 7 (MCL 208.7), as amended by 1982 PA 376.

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

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

Rep. Cassis moved to amend the bill as follows:

1. Amend page 4, following line 9, by inserting:

"(E) NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION, AMOUNTS RECEIVED BY A TAXPAYER THAT MANAGES REAL PROPERTY OWNED BY THE TAXPAYER'S CLIENT THAT ARE DEPOSITED INTO A SEPARATE ACCOUNT KEPT IN THE NAME OF THE TAXPAYER'S CLIENT AND THAT ARE NOT REIMBURSEMENTS TO THE TAXPAYER AND ARE NOT INDIRECT PAYMENTS FOR MANAGEMENT SERVICES THAT THE TAXPAYER PROVIDES TO THAT CLIENT."

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

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

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

Rep. Raczkowski 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

#### Senate Bill No. 1300, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 7 (MCL 208.7), as amended by 1982 PA 376.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Raczkowski moved to reconsider the vote by which the House placed the bill on the order of Third Reading of Bills.

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

### Second Reading of Bills

#### Senate Bill No. 1300, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 7 (MCL 208.7), as amended by 1982 PA 376.

Rep. Cassis moved to amend the bill as follows:

1. Amend page 4, line 10, by striking out all of enacting section 1 and inserting:

"Enacting section 1. This amendatory act takes effect for tax years that begin after December 31, 2000."

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

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

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

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

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

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Rep. Gielegem moved that Rep. Garza be excused temporarily from today's session.

The motion prevailed.

By unanimous consent the House returned to the order of  
**Third Reading of Bills**

**Senate Bill No. 1300, entitled**

A bill to amend 1975 PA 228, entitled “Single business tax act,” by amending section 7 (MCL 208.7), as amended by 1982 PA 376.

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. 1131**

**Yeas—92**

Allen	Geiger	LaForge	Rocca
Baird	Gielegem	Law	Sanborn
Birkholz	Gilbert	Lemmons	Schauer
Bisbee	Godchaux	Lockwood	Schermesser
Bishop	Green	Martinez	Scott
Bovin	Hager	Mead	Scranton
Bradstreet	Hale	Middaugh	Shackleton
Brater	Hansen	Minore	Sheltrown
Brewer	Hardman	Mortimer	Shulman
Brown, B.	Hart	Neumann	Spade
Brown, C.	Howell	O’Neil	Stallworth
Byl	Jacobs	Pappageorge	Stamas
Cassis	Jamnack	Patterson	Tesanovich
Caul	Jansen	Pestka	Thomas
Cherry	Jelinek	Price	Toy
Clarke, H.	Jellema	Prusi	Van Woerkom
Daniels	Johnson, Ruth	Pumford	Vander Roest
DeRossett	Julian	Quarles	Vaughn
DeWeese	Kelly	Raczkowski	Vear
Ehardt	Kilpatrick	Reeves	Voorhees
Faunce	Koetje	Richardville	Wojno
Frank	Kowall	Richner	Woodward
Garcia	Kuipers	Rivet	Woronchak

**Nays—0**

In The Chair: Scranton

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. Raczkowski moved that the bill be given immediate effect.

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

**Second Reading of Bills**

**Senate Bill No. 1348, entitled**

A bill to create the office of state poet laureate in the executive branch; to provide for the appointment and term of certain state officers; and to impose duties and responsibilities on certain state officers.

The bill was read a second time.

Rep. Raczkowski moved that the bill be placed on the order of Third Reading of Bills.  
The motion prevailed, a majority of the members voting therefor.

Rep. Raczkowski 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**

**Senate Bill No. 1348, entitled**

A bill to create the office of state poet laureate in the executive branch; to provide for the appointment and term of certain state officers; and to impose duties and responsibilities on certain state officers.

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

**Roll Call No. 1132**

**Yeas—78**

Allen	Geiger	Koetje	Rivet
Birkholz	Gielegem	Kowall	Rocca
Bisbee	Gilbert	LaForge	Sanborn
Bovin	Godchaux	Law	Schauer
Brater	Green	Lockwood	Schermesser
Brewer	Hager	Martinez	Scott
Brown, B.	Hale	Mead	Shackleton
Brown, C.	Hansen	Middaugh	Sheltrown
Caul	Hardman	Minore	Spade
Cherry	Howell	Mortimer	Stamas
Clark, I.	Jacobs	Neumann	Switalski
Clarke, H.	Jamnick	O'Neil	Thomas
Daniels	Jansen	Pappageorge	Toy
Dennis	Jelinek	Pestka	Van Woerkom
DeRossett	Jellema	Prusi	Vaughn
DeVuyst	Johnson, Rick	Pumford	Vear
DeWeese	Johnson, Ruth	Raczkowski	Wojno
Ehardt	Julian	Richardville	Woodward
Faunce	Kelly	Richner	Woronchak
Frank	Kilpatrick		

**Nays—16**

Bishop	Garcia	Lemmons	Shulman
Bradstreet	Gosselin	Patterson	Stallworth
Byl	Hart	Reeves	Vander Roest
Cassis	Kuipers	Scranton	Voorhees

In The Chair: Scranton

The House agreed to the title of the bill.

**Second Reading of Bills**

**Senate Bill No. 1346, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 710g (MCL 257.710g), as added by 2000 PA 282.

The bill was read a second time.

Rep. Middaugh moved that the bill be placed on the order of Third Reading of Bills.  
 The motion prevailed, a majority of the members voting therefor.  
 Rep. Middaugh 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**

**Senate Bill No. 1346, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 710g (MCL 257.710g), as added by 2000 PA 282.

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

**Roll Call No. 1133**

**Yeas—97**

Allen	Garcia	Kowall	Rocca
Baird	Geiger	Kuipers	Sanborn
Birkholz	Gielegem	LaForge	Schauer
Bisbee	Gilbert	Law	Schermesser
Bishop	Godchaux	Lemmons	Scott
Bovin	Gosselin	Lockwood	Scranton
Bradstreet	Green	Martinez	Shackleton
Brater	Hager	Mead	Sheltrown
Brewer	Hale	Middaugh	Shulman
Brown, B.	Hansen	Minore	Spade
Brown, C.	Hardman	Mortimer	Stallworth
Byl	Hart	Neumann	Stamas
Cassis	Howell	O'Neil	Switalski
Caul	Jacobs	Pappageorge	Tesanovich
Cherry	Jamnick	Patterson	Thomas
Clark, I.	Jansen	Perricone	Toy
Clarke, H.	Jelinek	Pestka	Van Woerkom
Daniels	Jellema	Price	Vander Roest
Dennis	Johnson, Rick	Prusi	Vaughn
DeRossett	Johnson, Ruth	Pumford	Vear
DeVuyst	Julian	Reeves	Voorhees
DeWeese	Kelly	Richardville	Wojno
Ehardt	Kilpatrick	Richner	Woodward
Faunce	Koetje	Rivet	Woronchak
Frank			

**Nays—0**

In The Chair: Scranton

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

"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 and grant programs; to provide for the appropriation of money for certain grant programs; 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 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.”.

The House agreed to the full title.

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

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

### Second Reading of Bills

#### Senate Bill No. 863, entitled

A bill to amend 1998 PA 386, entitled “Estates and protected individuals code,” by amending sections 1106, 5106, 5313, and 5409 (MCL 700.1106, 700.5106, 700.5313, and 700.5409), section 1106 as amended by 2000 PA 54, section 5313 as amended by 2000 PA 312, and section 5409 as amended by 1998 PA 386.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Family and Civil Law (for amendments, see House Journal No. 67, p. 2447),

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

Rep. Richner moved to amend the bill as follows:

1. Amend page 6, following line 8, following subsection (6), by inserting:

“(7) THIS SECTION AUTHORIZES THE COURT TO APPOINT AS A GUARDIAN, LIMITED OR TEMPORARY GUARDIAN, OR CONSERVATOR UNDER THIS ACT, OR AS A PLENARY GUARDIAN OR PARTIAL GUARDIAN AS THOSE TERMS ARE DEFINED IN SECTION 600 OF THE MENTAL HEALTH CODE, 1974 PA 258, MCL 330.1600, A NONPROFIT CORPORATION INCORPORATED UNDER THE NONPROFIT CORPORATION ACT, 1982 PA 162, MCL 450.2101 TO 450.3192, WHICH CORPORATION’S PRIMARY FUNCTION IS TO PROVIDE FIDUCIARY SERVICES IN THE SAME MANNER AS OTHER FIDUCIARIES UNDER THIS ACT. THE TERMS PROFESSIONAL GUARDIAN AND PROFESSIONAL CONSERVATOR SHALL BE CONSIDERED TO INCLUDE A NONPROFIT CORPORATION THAT IS DESCRIBED IN THIS SUBSECTION. THE COURT SHALL NOT APPOINT A CORPORATION DESCRIBED IN THIS SUBSECTION AS A PERSONAL REPRESENTATIVE OR TRUSTEE.

Sec. 5212. The court may appoint as guardian a person whose appointment serves the minor’s welfare, including a ~~nonprofit corporation~~ PROFESSIONAL GUARDIAN described in section 5106. If the minor is 14 years of age or older, the court shall appoint a person nominated by the minor, unless the court finds the appointment contrary to the minor’s welfare.”.

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

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

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

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

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

Rep. Middaugh 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

#### Senate Bill No. 863, entitled

A bill to amend 1998 PA 386, entitled “Estates and protected individuals code,” by amending sections 1106, 5106, 5313, and 5409 (MCL 700.1106, 700.5106, 700.5313, and 700.5409), section 1106 as amended by 2000 PA 54, section 5313 as amended by 2000 PA 312, and section 5409 as amended by 1998 PA 386.

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

#### Roll Call No. 1134

#### Yeas—99

Allen  
Baird

Garcia  
Geiger

LaForge  
Law

Sanborn  
Schauer



Birkholz	Gielegem	Lemmons	Schermesser
Bisbee	Gilbert	Lockwood	Scott
Bishop	Godchaux	Martinez	Scranton
Bovin	Gosselin	Mead	Shackleton
Bradstreet	Green	Middaugh	Sheltrown
Brater	Hager	Minore	Shulman
Brewer	Hale	Mortimer	Spade
Brown, B.	Hansen	Neumann	Stallworth
Brown, C.	Hardman	O'Neil	Stamas
Byl	Hart	Pappageorge	Switalski
Cassis	Howell	Patterson	Tabor
Caul	Jacobs	Perricone	Tesanovich
Cherry	Jamnick	Pestka	Thomas
Clark, I.	Jansen	Price	Toy
Clarke, H.	Jelinek	Prusi	Van Woerkom
Daniels	Jellema	Pumford	Vander Roest
Dennis	Johnson, Rick	Quarles	Vaughn
DeRossett	Johnson, Ruth	Raczkowski	Vear
DeVuyst	Julian	Reeves	Voorhees
DeWeese	Kelly	Richardville	Wojno
Ehardt	Kilpatrick	Richner	Woodward
Faunce	Koetje	Rivet	Woronchak
Frank	Kowall	Rocca	

### Nays—0

In The Chair: Scranton

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

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

A bill to amend 1998 PA 386, entitled “An act to codify, revise, consolidate, and classify aspects of the law relating to wills and intestacy, relating to the administration and distribution of estates of certain individuals, relating to trusts, and relating to the affairs of certain individuals under legal incapacity; to provide for the powers and procedures of the court that has jurisdiction over these matters; to provide for the validity and effect of certain transfers, contracts, and deposits that relate to death; to provide procedures to facilitate enforcement of certain trusts; and to repeal acts and parts of acts,” by amending sections 1106, 5106, 5212, 5313, and 5409 (MCL 700.1106, 700.5106, 700.5212, 700.5313, and 700.5409), section 1106 as amended by 2000 PA 54 and section 5313 as amended by 2000 PA 312.

The motion prevailed.

The House agreed to the title as amended.

### Second Reading of Bills

#### Senate Bill No. 1180, entitled

A bill to amend 1985 PA 87, entitled “Crime victim’s rights act,” by amending sections 2, 3, 5, 6, 8, 11, 13a, 14, 15, 16, 18a, 19, 21, 31, 32, 35, 36, 38, 39, 41, 41a, 42, 43, 44, 46, 46a, 48, 61, 63, 65, 66, 68, 71, 74, 75, 76, 78, and 78a (MCL 780.752, 780.753, 780.755, 780.756, 780.758, 780.761, 780.763a, 780.764, 780.765, 780.766, 780.768a, 780.769, 780.771, 780.781, 780.782, 780.785, 780.786, 780.788, 780.789, 780.791, 780.791a, 780.792, 780.793, 780.794, 780.796, 780.796a, 780.798, 780.811, 780.813, 780.815, 780.816, 780.818, 780.821, 780.824, 780.825, 780.826, 780.828, and 780.828a), sections 2, 6, 13a, 31, 36, 41a, and 48 as amended by 1998 PA 523, sections 3, 5, 18a, 32, 35, 41, 43, 46, 63, 66, and 78 as amended and section 46a as added by 1993 PA 341, sections 16 and 76 as amended by 1998 PA 232, sections 19 and 78a as amended by 1996 PA 105, sections 38, 39, and 42 as added by 1988 PA 22, section 44 as amended by 1996 PA 562, section 61 as amended by 1996 PA 82, and sections 65, 68, 71, 74, and 75 as added by 1988 PA 21, and by adding sections 16a, 36b, 44a, and 76a.

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

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

Rep. Bishop moved to amend the bill as follows:

1. Amend page 16, line 1, after "enforced" by striking out "BY THE COURT SUA SPONTE, OR".
2. Amend page 43, line 22, after "enforced" by striking out "BY THE COURT SUA SPONTE, OR".
3. Amend page 71, line 17, after "enforced" by striking out "BY THE COURT SUA SPONTE, OR".

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

Rep. Faunce moved to amend the bill as follows:

1. Amend page 9, following line 6, by inserting:

"(4) SUBSECTION (3) SHALL NOT PRECLUDE THE RELEASE OF INFORMATION TO A VICTIM ADVOCACY ORGANIZATION OR AGENCY FOR THE PURPOSE OF PROVIDING VICTIM SERVICES."

2. Amend page 35, following line 5, by inserting:

"(3) SUBSECTION (2) SHALL NOT PRECLUDE THE RELEASE OF INFORMATION TO A VICTIM ADVOCACY ORGANIZATION OR AGENCY FOR THE PURPOSE OF PROVIDING VICTIM SERVICES."

3. Amend page 64, following line 22, by inserting:

"(3) SUBSECTION (2) SHALL NOT PRECLUDE THE RELEASE OF INFORMATION TO A VICTIM ADVOCACY ORGANIZATION OR AGENCY FOR THE PURPOSE OF PROVIDING VICTIM SERVICES."

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

Rep. LaSata moved to amend the bill as follows:

1. Amend page 31, line 4, after "36." by striking out all of subsection (1) and renumbering the remaining subsections.

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

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

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

Rep. Middaugh 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**

#### **Senate Bill No. 1180, entitled**

A bill to amend 1985 PA 87, entitled "Crime victim's rights act," by amending sections 2, 3, 5, 6, 8, 11, 13a, 14, 15, 16, 18a, 19, 21, 31, 32, 35, 36, 38, 39, 41, 41a, 42, 43, 44, 46, 46a, 48, 61, 63, 65, 66, 68, 71, 74, 75, 76, 78, and 78a (MCL 780.752, 780.753, 780.755, 780.756, 780.758, 780.761, 780.763a, 780.764, 780.765, 780.766, 780.768a, 780.769, 780.771, 780.781, 780.782, 780.785, 780.786, 780.788, 780.789, 780.791, 780.791a, 780.792, 780.793, 780.794, 780.796, 780.796a, 780.798, 780.811, 780.813, 780.815, 780.816, 780.818, 780.821, 780.824, 780.825, 780.826, 780.828, and 780.828a), sections 2, 6, 13a, 31, 36, 41a, and 48 as amended by 1998 PA 523, sections 3, 5, 18a, 32, 35, 41, 43, 46, 63, 66, and 78 as amended and section 46a as added by 1993 PA 341, sections 16 and 76 as amended by 1998 PA 232, sections 19 and 78a as amended by 1996 PA 105, sections 38, 39, and 42 as added by 1988 PA 22, section 44 as amended by 1996 PA 562, section 61 as amended by 1996 PA 82, and sections 65, 68, 71, 74, and 75 as added by 1988 PA 21, and by adding sections 16a, 36b, 44a, and 76a.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Jelinek moved that consideration of the bill be postponed temporarily.

The motion prevailed.

By unanimous consent the House returned to the order of

### **Messages from the Senate**

#### **House Bill No. 4766, entitled**

A bill to amend 1964 PA 154, entitled "Minimum wage law of 1964," by amending the title and section 3 (MCL 408.383).

The Senate has substituted (S-7) the bill.

The Senate has passed the bill as substituted (S-7) 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.

Rep. Middaugh moved that Rule 45 be suspended.

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

Reps. DeWeese, Richardville and DeRossett moved to amend the Senate substitute (S-7) as follows:

1. Amend page 2, following line 21, by inserting:

“(4) SUBSECTION (2) SHALL NOT LIMIT A LOCAL PREVAILING WAGE REQUIREMENT OR THE PREVAILING WAGE REQUIREMENTS SET FORTH IN 1965 PA 166, MCL 408.551 TO 408.558. AS USED IN THIS SUBSECTION:

(A) “CONSTRUCTION MECHANIC” MEANS A SKILLED OR UNSKILLED MECHANIC, LABORER, WORKER, HELPER, ASSISTANT, OR APPRENTICE WORKING ON A PROJECT FUNDED IN WHOLE OR IN PART BY A LOCAL UNIT OF GOVERNMENT. CONSTRUCTION MECHANIC DOES NOT INCLUDE EXECUTIVE, ADMINISTRATIVE, PROFESSIONAL, OFFICE, OR CUSTODIAL EMPLOYEES.

(B) “LOCAL PREVAILING WAGE REQUIREMENT” MEANS AN ORDINANCE, RULE, RESOLUTION, OR REGULATION ADOPTED BY A LOCAL UNIT OF GOVERNMENT OR AN EXPRESS PROVISION IN A CONTRACT EXECUTED BETWEEN A LOCAL UNIT OF GOVERNMENT AND A CONTRACTOR FOR A PROJECT THAT REQUIRES OR INVOLVES THE EMPLOYMENT OF 1 OR MORE CONSTRUCTION MECHANICS, OTHER THAN THOSE SUBJECT TO THE JURISDICTION OF THE STATE CIVIL SERVICE COMMISSION, WHICH ORDINANCE, RULE, RESOLUTION, REGULATION, OR CONTRACT PROVISION STATES THAT THE RATES OF WAGES AND FRINGE BENEFITS TO BE PAID TO EACH CLASS OF CONSTRUCTION MECHANIC BY A CONTRACTOR AND ALL SUBCONTRACTORS, SHALL BE NOT LESS THAN THE WAGE AND FRINGE BENEFIT RATES PREVAILING IN THE LOCALITY IN WHICH THE WORK IS TO BE PERFORMED.” and renumbering the remaining subsection.

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

Rep. DeWeese moved to reconsider the vote by which the House did not adopt the amendment offered by Reps. DeWeese, Richardville and DeRossett.

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

The question being on the adoption of the amendment offered by Reps. DeWeese, Richardville and DeRossett,

Rep. DeWeese demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Reps. DeWeese, Richardville and DeRossett,

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

**Roll Call No. 1135**

**Yeas—50**

Brater	Hale	O’Neil	Scott
Brewer	Hansen	Patterson	Sheltrown
Brown, B.	Jacobs	Pestka	Spade
Cherry	Jamnack	Prusi	Stallworth
Clarke, H.	Kilpatrick	Pumford	Switalski
Daniels	LaForge	Quarles	Tesanovich
Dennis	Law	Reeves	Thomas
DeRossett	Lemmons	Richardville	Toy
DeWeese	Lockwood	Rivet	Van Woerkom
Faunce	Martinez	Rocca	Vaughn
Frank	Mead	Schauer	Wojno
Gieleghem	Minore	Schermesser	Woodward
Hager	Neumann		

**Nays—28**

Allen	Garcia	Koetje	Sanborn
Birkholz	Gilbert	Kuipers	Scranton
Bisbee	Gosselin	Middaugh	Shackleton
Bishop	Hart	Mortimer	Shulman
Brown, C.	Jansen	Pappageorge	Stamas
Cassis	Johnson, Rick	Rackowski	Tabor
Ehardt	Julian	Richner	Voorhees

In The Chair: Scranton

Rep. Gielegem moved that Rep. Bovin be excused from the balance of today's session.  
The motion prevailed.

Rep. Dennis moved to amend the Senate substitute (S-7) as follows:

1. Amend page 2, following line 21, following subsection (4), by inserting:

“(5) ANY SOLE PROPRIETORSHIP, FIRM, PARTNERSHIP, ASSOCIATION, CORPORATION, OR OTHER BUSINESS ENTITY THAT RECEIVES ANY FORM OF TAX CREDIT OR FINANCIAL ASSISTANCE FROM A LOCAL UNIT OF GOVERNMENT SHALL ANNUALLY REPORT ALL OF THE FOLLOWING TO THAT LOCAL UNIT OF GOVERNMENT:

(A) THE TOTAL AMOUNT OF FINANCIAL ASSISTANCE OR TAX CREDITS RECEIVED FROM THAT LOCAL UNIT OF GOVERNMENT.

(B) THE TOTAL NUMBER OF NEW JOBS CREATED WITHIN THAT LOCAL UNIT OF GOVERNMENT.

(C) THE WAGES PAID FOR ANY NEW JOBS CREATED WITHIN THAT LOCAL UNIT OF GOVERNMENT.

(D) THE FRINGE BENEFITS PROVIDED FOR ANY NEW JOBS CREATED WITHIN THAT LOCAL UNIT OF GOVERNMENT.

(E) THE TOTAL AMOUNT OF ANY TAX CREDITS OR FINANCIAL ASSISTANCE RECEIVED FROM THIS STATE.

(F) THE TOTAL AMOUNT OF DONATIONS OR ASSISTANCE GIVEN TO LOCAL CHARITABLE ORGANIZATIONS.”.

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

Rep. Dennis demanded the yeas and nays.

The demand was supported.

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

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

#### Roll Call No. 1136

#### Yeas—41

Baird	Hale	O'Neil	Scott
Brater	Hardman	Pestka	Sheltrown
Brewer	Jacobs	Price	Spade
Brown, B.	Jamnick	Prusi	Stallworth
Cherry	Kelly	Quarles	Switalski
Clark, I.	LaForge	Reeves	Tesanovich
Clarke, H.	Lockwood	Rivet	Thomas
Daniels	Martinez	Rocca	Vaughn
Dennis	Minore	Schauer	Wojno
Frank	Neumann	Schermesser	Woodward
Gielegem			

#### Nays—54

Allen	Geiger	Koetje	Richner
Birkholz	Gilbert	Kowall	Sanborn
Bisbee	Godchaux	Kuipers	Scranton
Bishop	Gosselin	Law	Shackleton
Bradstreet	Hager	Mead	Shulman
Brown, C.	Hansen	Middaugh	Stamas
Byl	Hart	Mortimer	Tabor
Cassis	Howell	Pappageorge	Toy
Caul	Jansen	Patterson	Van Woerkom
DeRossett	Jelinek	Perricone	Vander Roest
DeVuyst	Jellema	Pumford	Vear
Ehardt	Johnson, Rick	Rackowski	Voorhees
Faunce	Johnson, Ruth	Richardville	Woronchak
Garcia	Julian		

Rep. Richner moved to amend the Senate substitute (S-7) as follows:

1. Amend page 2, line 16, by striking out all of subsection (3) and renumbering the remaining subsection. The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

Rep. Dennis moved to amend the Senate substitute (S-7) as follows:

1. Amend page 2, following line 21, by inserting the following:

“(4) SUBSECTION (2) SHALL NOT LIMIT A LOCAL PREVAILING WAGE REQUIREMENT. AS USED IN THIS SECTION:

(A) “LOCAL PREVAILING WAGE REQUIREMENT” MEANS AN ORDINANCE, RULE, RESOLUTION, OR REGULATION ADOPTED BY A LOCAL UNIT OF GOVERNMENT OR AN EXPRESS PROVISION IN A CONTRACT EXECUTED BETWEEN A LOCAL UNIT OF GOVERNMENT AND A CONTRACTOR FOR A PROJECT THAT REQUIRES OR INVOLVES THE EMPLOYMENT OF 1 OR MORE CONSTRUCTION MECHANICS, OTHER THAN THOSE SUBJECT TO THE JURISDICTION OF THE STATE CIVIL SERVICE COMMISSION, WHICH ORDINANCE, RULE, RESOLUTION, REGULATION, OR CONTRACT PROVISION STATES THAT THE RATES OF WAGES AND FRINGE BENEFITS TO BE PAID TO EACH CLASS OF CONSTRUCTION MECHANIC BY A CONTRACTOR AND ALL SUBCONTRACTORS, SHALL BE NOT LESS THAN THE WAGE AND FRINGE BENEFIT RATES PREVAILING IN THE LOCALITY IN WHICH THE WORK IS TO BE PERFORMED.

(B) “CONSTRUCTION MECHANIC” MEANS A SKILLED OR UNSKILLED MECHANIC, LABORER, WORKER, HELPER, ASSISTANT, OR APPRENTICE WORKING ON A PROJECT FUNDED IN WHOLE OR IN PART BY A LOCAL UNIT OF GOVERNMENT. CONSTRUCTION MECHANIC DOES NOT INCLUDE EXECUTIVE, ADMINISTRATIVE, PROFESSIONAL, OFFICE, OR CUSTODIAL EMPLOYEES.” and renumbering the remaining subsection.

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

Rep. Dennis demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 1137**

**Yeas—53**

Baird	Gielegem	Minore	Scott
Brater	Hager	Neumann	Sheltrown
Brewer	Hale	O’Neil	Spade
Brown, B.	Hansen	Pestka	Stallworth
Byl	Hardman	Price	Switalski
Cherry	Jacobs	Prusi	Tesanovich
Clark, I.	Jamnick	Quarles	Thomas
Clarke, H.	Kelly	Reeves	Toy
Daniels	Kilpatrick	Richardville	Van Woerkom
Dennis	LaForge	Rivet	Vaughn
DeRossett	Lemmons	Rocca	Wojno
DeWeese	Lockwood	Schauer	Woodward
Faunce	Martinez	Schermesser	Woronchak
Frank			

**Nays—38**

Allen	Gilbert	Julian	Richner
Birkholz	Godchaux	Kuipers	Sanborn
Bisbee	Gosselin	Mead	Scranton
Bishop	Hart	Middaugh	Shackleton
Bradstreet	Howell	Mortimer	Shulman
Brown, C.	Jansen	Pappageorge	Stamas

Cassis	Jelinek	Patterson	Vander Roest
Caul	Jellema	Perricone	Vear
Garcia	Johnson, Rick	Rackowski	Voorhees
Geiger	Johnson, Ruth		

In The Chair: Scranton

Rep. Jacobs moved to reconsider the vote by which the House adopted the amendment offered previously by Rep. Richner.

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

Rep. Richner moved that consideration of the motion be postponed temporarily.

The motion prevailed.

### Second Reading of Bills

#### Senate Bill No. 1064, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 409 (MCL 436.1409) and by adding section 411.

The bill was read a second time.

Rep. Bishop moved to amend the bill as follows:

1. Amend page 4, following line 2, by inserting:

"Sec. 903. (1) The commission or any commissioner or duly authorized agent of the commission designated by the chairperson of the commission, upon due notice and proper hearing, may suspend or revoke any license upon a violation of this act or any of the rules promulgated by the commission under this act. The commission or any commissioner or duly authorized agent of the commission designated by the chairperson of the commission, may assess a penalty of not more than \$300.00 for each violation of this act or rules promulgated under this act, or not more than \$1,000.00 for each violation of section 801(2), in addition to or in lieu of revocation or suspension of the license, which penalty shall be paid to the commission and deposited with the state treasurer and shall be credited to the general fund of the state. The commission shall hold a hearing and order the suspension or revocation of a license if the licensee has been found liable for 3 or more separate violations of section 801(2) which violations occurred on different occasions within a 24-month period UNLESS SUCH VIOLATIONS FOR THE SALE, FURNISHING, OR GIVING ALCOHOLIC LIQUOR TO A MINOR WERE DISCOVERED BY THE LICENSEE AND DISCLOSED TO AN APPROPRIATE LAW ENFORCEMENT AGENCY IMMEDIATELY UPON DISCOVERY.

(2) The commission shall provide a procedure by which a licensee who is aggrieved by any penalty imposed under subsection (1) and any suspension or revocation of a license ordered by the commission, a commissioner, or a duly authorized agent of the commission may request a hearing for the purpose of presenting any facts or reasons to the commission as to why the penalty, suspension, or revocation should be modified or rescinded. Any such request shall be in writing and accompanied by a fee of \$25.00. The commission, after reviewing the record made before a commissioner or a duly authorized agent of the commission, may allow or refuse to allow the hearing in accordance with the commission's rules. The right to a hearing provided in this subsection, however, shall not be interpreted by any court as curtailing, removing, or annulling the right of the commission to suspend or revoke licenses as provided for in this act. A licensee does not have a right of appeal from the final determination of the commission, except by leave of the circuit court. Notice of the order of suspension or revocation of a license or of the assessment of a penalty, or both, shall be given in the manner prescribed by the commission. The suspension or revocation of a license or the assessment of a penalty, or both, by the commission or a duly authorized agent of the commission does not prohibit the institution of a criminal prosecution for a violation of this act. The institution of a criminal prosecution for a violation of this act or the acquittal or conviction of a person for a violation of this act does not prevent the suspension or revocation of a license or the assessment of a penalty, or both, by the commission. In a hearing for the suspension or revocation of a license issued under this act, proof that the defendant licensee or an agent or employee of the licensee demanded and was shown, before furnishing any alcoholic liquor to a minor, a motor vehicle operator or chauffeur license or a registration certificate issued by the federal selective service, or other bona fide documentary evidence of majority and identity of the person, may be offered as evidence in a defense to a proceeding for the

suspension or revocation of a license issued under this act. A licensee who has reason to believe that a minor has used fraudulent identification to purchase alcoholic liquor in violation of section 703 shall file a police report concerning the violation with a local law enforcement agency and shall also present the alleged fraudulent identification to the local law enforcement agency at the time of filing the report if the identification is in the possession of the licensee. The commission may promulgate rules pursuant to the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, regarding the utilization by licensees of equipment designed to detect altered or forged driver licenses, state identification cards, and other forms of identification.

(3) In addition to the hearing commissioners provided for in section 209, the chairperson of the commission may designate not more than 2 duly authorized agents to hear violation cases. A person appointed under this subsection shall be a member in good standing of the state bar of Michigan.

(4) A duly authorized agent who has been designated by the chairperson pursuant to subsection (3) shall have, in the hearing of violation cases, the same authority and responsibility as does a hearing commissioner under this act and the rules promulgated under this act.

(5) A duly authorized agent who has been designated by the chairperson pursuant to subsection (3) shall be ineligible for appointment to the commission for a period of 1 year after the person ceases to serve as a duly authorized agent.”

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

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

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

Rep. Raczkowski 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**

#### **Pending the Third Reading of Senate Bill No. 1064, entitled**

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending section 409 (MCL 436.1409) and by adding section 411.

Rep. Raczkowski moved to reconsider the vote by which the House placed the bill on the order of Third Reading of Bill.

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

### **Second Reading of Bills**

#### **Senate Bill No. 1064, entitled**

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending section 409 (MCL 436.1409) and by adding section 411.

Rep. Raczkowski moved to reconsider the vote by which the House adopted the amendment offered previously by Rep. Bishop.

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

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

Rep. Bishop withdrew the amendment.

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

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

Rep. Raczkowski 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**

#### **Senate Bill No. 1064, entitled**

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending section 409 (MCL 436.1409) and by adding section 411.

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

**Roll Call No. 1138****Yeas—89**

Allen	Garcia	LaForge	Rivet
Baird	Garza	Law	Rocca
Birkholz	Geiger	Lemmons	Sanborn
Bisbee	Gielegem	Lockwood	Schauer
Bishop	Gilbert	Martinez	Schermesser
Brater	Godchaux	Mead	Scott
Brewer	Hager	Middaugh	Scranton
Brown, B.	Hansen	Minore	Shackleton
Brown, C.	Howell	Mortimer	Sheltrown
Byl	Jacobs	Neumann	Shulman
Cassis	Jamnick	O'Neil	Spade
Caul	Jansen	Pappageorge	Stamas
Cherry	Jelinek	Patterson	Switalski
Clark, I.	Jellema	Perricone	Tabor
Clarke, H.	Johnson, Rick	Pestka	Toy
Daniels	Johnson, Ruth	Price	Van Woerkom
Dennis	Julian	Prusi	Vander Roest
DeRossett	Kelly	Pumford	Vaughn
DeVuyst	Kilpatrick	Quarles	Vear
DeWeese	Koetje	Raczkowski	Wojno
Ehardt	Kowall	Richardville	Woodward
Faunce	Kuipers	Richner	Woronchak
Frank			

**Nays—10**

Bradstreet	Hale	Reeves	Thomas
Gosselin	Hardman	Stallworth	Voorhees
Green	Hart		

In The Chair: Scranton

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

“An act to create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state liquor stores; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; and to repeal acts and parts of acts.”.

The House agreed to the full title.

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

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

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



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

The House returned to the consideration of  
**House Bill No. 4766, entitled**

A bill to amend 1964 PA 154, entitled "Minimum wage law of 1964," by amending the title and section 3 (MCL 408.383).

(The bill was considered earlier today, see today's journal, p. 2736.)

The question being on the motion made previously by Rep. Jacobs,

Rep. Jacobs demanded the yeas and nays.

The demand was supported.

The question being on the motion made previously by Rep. Jacobs,

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

**Roll Call No. 1139**

**Yeas—43**

Baird	Hale	Minore	Scott
Brater	Hansen	Neumann	Sheltrown
Brewer	Hardman	O'Neil	Spade
Brown, B.	Jacobs	Pestka	Stallworth
Cherry	Jamnack	Price	Switalski
Clark, I.	Kelly	Prusi	Tesanovich
Daniels	Kilpatrick	Quarles	Thomas
Dennis	LaForge	Reeves	Vaughn
Frank	Lemmons	Rivet	Wojno
Garza	Lockwood	Schauer	Woodward
Gielegem	Martinez	Schermesser	

**Nays—50**

Allen	Garcia	Koetje	Richner
Birkholz	Gilbert	Kowall	Rocca
Bisbee	Godchaux	Kuipers	Sanborn
Bishop	Gosselin	Law	Scranton
Bradstreet	Green	Mead	Shulman
Brown, C.	Hager	Middaugh	Stamas
Cassis	Hart	Mortimer	Toy
Caul	Howell	Pappageorge	Van Woerkom
DeRossett	Jansen	Patterson	Vander Roest
DeVuyst	Jellema	Pumford	Vear
DeWeese	Johnson, Rick	Rackowski	Voorhees
Ehardt	Johnson, Ruth	Richardville	Woronchak
Faunce	Julian		

In The Chair: Scranton

The question being on concurring in the substitute (S-7) made to bill by the Senate,

Rep. Rackowski moved that consideration of the bill be postponed temporarily.

The motion prevailed.

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Rep. LaForge moved that Rep. Kelly be excused from the balance of today's session.

The motion prevailed.

**House Bill No. 4373, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending sections 2, 8, 9f, 14, and 34c (MCL 211.2, 211.8, 211.9f, 211.14, and 211.34c), section 2 as amended by 1993 PA 313, section 8 as amended by 1983 PA 254, section 9f as amended by 1999 PA 20, and section 34c as amended by 1996 PA 476.

The Senate has amended the bill as follows:

1. Amend page 2, line 3, after "DECEMBER 31," by striking out "2001" and inserting "2002".
2. Amend page 2, line 7, after "PROPERTY." by inserting "HOWEVER, BUILDINGS AND IMPROVEMENTS LOCATED ON LEASED REAL PROPERTY SHALL NOT BE TREATED AS REAL PROPERTY UNLESS THEY WOULD BE TREATED AS REAL PROPERTY IF THEY WERE LOCATED ON REAL PROPERTY OWNED BY THE TAXPAYER."
3. Amend page 4, line 4, after "JANUARY 1," by striking out "2002" and inserting "2003".
4. Amend page 4, line 8, after "DECEMBER 31," by striking out "2001" and inserting "2002".
5. Amend page 6, line 11, after "JANUARY 1," by striking out "2002" and inserting "2003".
6. Amend page 6, line 23, after "DECEMBER 31," by striking out "2001" and inserting "2002".
7. Amend page 13, line 23, by striking out "2002" and inserting "2003".
8. Amend page 14, line 13, after "DECEMBER 31," by striking out "2001" and inserting "2002".
9. Amend page 21, line 26, after "JANUARY 1," by striking out "2002" and inserting "2003".
10. Amend page 22, line 6, after "DECEMBER 31," by striking out "2001" and inserting "2002".

The Senate has passed the bill as amended, 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.

Rep. Raczkowski 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. 1140****Yeas—87**

Allen	Geiger	Kowall	Rocca
Baird	Gielegem	Kuipers	Sanborn
Birkholz	Gilbert	Law	Schauer
Bisbee	Godchaux	Lockwood	Scott
Bishop	Gosselin	Mead	Scranton
Brown, B.	Green	Middaugh	Shackleton
Brown, C.	Hager	Minore	Shulman
Byl	Hale	Mortimer	Spade
Cassis	Hansen	Neumann	Stallworth
Caul	Hardman	O'Neil	Stamas
Cherry	Hart	Pappageorge	Switalski
Clark, I.	Howell	Patterson	Tabor
Clarke, H.	Jacobs	Pestka	Tesanovich
Daniels	Jamnack	Price	Thomas
DeRossett	Jansen	Prusi	Toy
DeVuyst	Jelinek	Pumford	Van Woerkom
DeWeese	Jellema	Quarles	Vaughn
Ehardt	Johnson, Rick	Raczkowski	Vear
Faunce	Johnson, Ruth	Reeves	Voorhees
Frank	Julian	Richardville	Woodward
Garcia	Kilpatrick	Richner	Woronchak
Garza	Koetje	Rivet	

**Nays—9**

Bradstreet	LaForge	Schermesser	Vander Roest
Brater	Martinez	Sheltrown	Wojno
Brewer			

In The Chair: Scranton

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.

**House Bill No. 5812, entitled**

A bill to amend 1990 PA 271, entitled "Limousine transportation act," by amending section 7 (MCL 257.1907).

The Senate has amended the bill as follows:

1. Amend page 1, line 4, by inserting "A LIMO CARRIER OF PASSENGERS THAT OPERATES CLASS B LIMOUSINES FOR THE PURPOSE OF PICKING UP PASSENGERS WITHIN A CITY WITH A POPULATION OF 750,000 OR MORE SHALL ALSO COMPLY WITH THE VEHICLE FOR HIRE ORDINANCE OF THAT CITY WITH RESPECT TO THOSE LIMOUSINES. HOWEVER, A LIMO CARRIER OF PASSENGERS MAY REMAIN IN THE CITY DURING A GIVEN TRIP FOR THE SOLE PURPOSE OF PICKING UP THE SAME PASSENGERS THAT THE LIMO CARRIER OF PASSENGERS ORIGINALLY BROUGHT INTO THE CITY ON THAT TRIP."

2. Amend page 2, following line 4, by inserting:

"(2) THE AMENDATORY ACT THAT ADDED THIS SUBSECTION TAKES EFFECT 30 DAYS AFTER A CITY WITH A POPULATION OF 750,000 OR MORE MAKES AVAILABLE BONDS FOR CLASS B LIMOUSINES. THE TOTAL NUMBER OF CLASS B LIMOUSINE BONDS SHALL BE DETERMINED BY THE CITY. HOWEVER, FOR THE FIRST 90 DAYS THE NUMBER OF BONDS TO BE MADE AVAILABLE FOR CLASS B LIMOUSINES SHALL NOT BE LESS THAN 100 OR MORE THAN 200." and renumbering the remaining subsections.

3. Amend page 2, following line 10, by striking out all of subsection (3).

The Senate has passed the bill as amended, 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.

Rep. Raczkowski 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,

Rep. Lemmons moved to amend the Senate amendments as follows:

1. Amend Senate amendment #1, page 1, line 4, after the second "A" by striking out "CITY WITH A POPULATION OF 750,000 OR MORE" and inserting "LOCAL UNIT OF GOVERNMENT".

2. Amend Senate amendment #2, page 2, following line 4, subsection (2) after the first "A" by striking out "CITY WITH A POPULATION OF 750,000 OR MORE" and inserting "LOCAL UNIT OF GOVERNMENT".

3. Amend Senate amendment #2, page 2, following line 4, subsection (2), after "LIMOUSINES." by striking out the balance of the amendment and inserting "AN UNLIMITED NUMBER OF CLASS B LIMOUSINE BONDS SHALL BE MADE AVAILABLE BY THE LOCAL UNIT OF GOVERNMENT."

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

Rep. Lemmons demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 1141**

**Yeas—33**

Brewer	Gielegghem	Neumann	Scott
Brown, B.	Hale	Pestka	Sheltrown
Cherry	Hardman	Price	Stallworth
Clark, I.	Jacobs	Prusi	Switalski
Daniels	Jamnick	Quarles	Tesanovich
Dennis	Kilpatrick	Reeves	Thomas
DeRossett	Lemmons	Rivet	Vaughn
Frank	Minore	Schermesser	Woodward
Garza			

**Nays—58**

Allen	Gilbert	Kowall	Richner
Birkholz	Godchaux	Kuipers	Rocca

Bisbee	Gosselin	Law	Sanborn
Bishop	Green	Lockwood	Scranton
Bradstreet	Hager	Mead	Shackleton
Brown, C.	Hansen	Middaugh	Shulman
Byl	Hart	Mortimer	Spade
Cassis	Howell	O'Neil	Stamas
Caul	Jansen	Pappageorge	Toy
Clarke, H.	Jelinek	Patterson	Van Woerkom
DeVuyst	Jellema	Perricone	Vander Roest
DeWeese	Johnson, Rick	Pumford	Vear
Faunce	Johnson, Ruth	Raczkowski	Voorhees
Garcia	Julian	Richardville	Woronchak
Geiger	Koetje		

In The Chair: Scranton

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. 1142**

**Yeas—63**

Allen	Geiger	Kowall	Richardville
Baird	Gielegem	Kuipers	Schauer
Birkholz	Gilbert	LaForge	Schermesser
Bisbee	Green	Law	Scranton
Bishop	Hager	Lockwood	Shackleton
Brater	Hansen	Martinez	Shulman
Brown, B.	Hardman	Mead	Stamas
Brown, C.	Hart	Middaugh	Tabor
Cassis	Howell	Mortimer	Toy
Caul	Jamnack	O'Neil	Van Woerkom
Clarke, H.	Jansen	Pappageorge	Vander Roest
DeVuyst	Jelinek	Patterson	Vear
DeWeese	Jellema	Perricone	Voorhees
Ehardt	Johnson, Rick	Pumford	Wojno
Faunce	Julian	Quarles	Woronchak
Garcia	Koetje	Raczkowski	

**Nays—22**

Bradstreet	Godchaux	Lemmons	Rivet
Brewer	Gosselin	Neumann	Rocca
Byl	Hale	Price	Sheltrown
Cherry	Jacobs	Prusi	Spade
DeRossett	Johnson, Ruth	Reeves	Tesanovich
Frank	Kilpatrick		

In The Chair: Scranton

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.

**House Bill No. 4392, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” (MCL 257.1 to 257.923) by adding section 682b.

The Senate has amended the bill as follows:

1. Amend page 1, line 1, after “SECTION,” by striking out the balance of the subsection and inserting “AN OPERATOR SHALL NOT PERMIT A PERSON LESS THAN 18 YEARS OF AGE TO RIDE IN THE OPEN BED OF A PICKUP TRUCK ON A HIGHWAY, ROAD, OR STREET IN A CITY, VILLAGE, OR TOWNSHIP AT A SPEED GREATER THAN 15 MILES PER HOUR.”.

2. Amend page 1, line 5, after “THE” by striking out the balance of the line through “PASSENGER” on line 6 and inserting “OPERATOR”.

The Senate has passed the bill as amended 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.

Rep. Raczkowski 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. 1143**

**Yeas—88**

Allen	Garcia	LaForge	Rivet
Baird	Geiger	Law	Rocca
Birkholz	Gielegem	Lemmons	Sanborn
Bradstreet	Gilbert	Lockwood	Schauer
Brater	Godchaux	Martinez	Schermesser
Brewer	Green	Mead	Scott
Brown, B.	Hager	Middaugh	Scranton
Brown, C.	Hale	Minore	Shackleton
Byl	Hansen	Mortimer	Sheltrown
Cassis	Hardman	Neumann	Spade
Caul	Howell	O’Neil	Stallworth
Cherry	Jacobs	Pappageorge	Stamas
Clark, I.	Jamnack	Patterson	Switalski
Clarke, H.	Jansen	Perricone	Tabor
Daniels	Jellema	Pestka	Thomas
Dennis	Johnson, Rick	Price	Toy
DeRossett	Johnson, Ruth	Pumford	Van Woerkom
DeVuyst	Julian	Quarles	Vaughn
DeWeese	Kilpatrick	Raczkowski	Voorhees
Ehardt	Koetje	Reeves	Wojno
Faunce	Kowall	Richardville	Woodward
Frank	Kuipers	Richner	Woronchak

**Nays—11**

Bisbee	Gosselin	Prusi	Vander Roest
Bishop	Hart	Shulman	Vear
Garza	Jelinek	Tesanovich	

In The Chair: Scranton

The House agreed to the full title of the bill.

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

Rep. Scott moved that Rep. Lemmons be excused from the balance of today’s session.  
The motion prevailed.

**House Bill No. 4388, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 1606 (MCL 324.1606), as added by 1995 PA 60; and to repeal acts and parts of acts.

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

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

Rep. Raczkowski moved that Rule 45 be suspended.

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

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

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

**Roll Call No. 1144****Yeas—73**

Allen	Gielegem	Kuipers	Rocca
Birkholz	Gilbert	Law	Sanborn
Bisbee	Godchaux	Lockwood	Schauer
Bishop	Green	Mead	Schermesser
Brown, B.	Hager	Middaugh	Scranton
Brown, C.	Hansen	Minore	Shulman
Byl	Hart	Mortimer	Spade
Cassis	Howell	O'Neil	Stamas
Caul	Jacobs	Pappageorge	Switalski
Cherry	Jamnack	Patterson	Tabor
Clark, I.	Jansen	Perricone	Toy
Clarke, H.	Jelinek	Pestka	Van Woerkom
DeRossett	Jellema	Pumford	Vander Roest
DeVuyst	Johnson, Ruth	Quarles	Vaughn
DeWeese	Julian	Raczkowski	Voorhees
Ehardt	Kilpatrick	Richardville	Wojno
Faunce	Koetje	Richner	Woodward
Garcia	Kowall	Rivet	Woronchak
Geiger			

**Nays—19**

Bradstreet	Garza	Martinez	Shackleton
Brater	Gosselin	Neumann	Sheltrown
Brewer	Hale	Prusi	Stallworth
Daniels	Hardman	Reeves	Tesanovich
Dennis	LaForge	Scott	

In The Chair: Scranton

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.

**House Bill No. 5917, entitled**

A bill to amend 1968 PA 330, entitled "Private security guard act of 1968," by amending the title and sections 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 14, 17, 18, 19, 22, 25, 29, 30, 31, 32, and 33 (MCL 338.1051, 338.1052, 338.1053, 338.1054, 338.1056, 338.1057, 338.1058, 338.1059, 338.1060, 338.1061, 338.1064, 338.1067, 338.1068, 338.1069, 338.1072, 338.1075, 338.1079, 338.1080, 338.1081, 338.1082, and 338.1083), sections 6, 10, 17, and 18 as amended by 1994 PA 326; and to repeal acts and parts of acts.

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

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

Rep. Raczkowski moved that Rule 45 be suspended.

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

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

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

**Roll Call No. 1145****Yeas—96**

Allen	Garcia	Kuipers	Sanborn
Baird	Garza	LaForge	Schauer
Birkholz	Geiger	Law	Schermesser
Bisbee	Gielegem	Lockwood	Scott
Bishop	Gilbert	Martinez	Scranton
Bradstreet	Godchaux	Mead	Shackleton
Brater	Green	Middaugh	Sheltrown
Brewer	Hager	Minore	Shulman
Brown, B.	Hale	Mortimer	Spade
Brown, C.	Hansen	Neumann	Stallworth
Byl	Hardman	O'Neil	Stamas
Cassis	Hart	Pappageorge	Switalski
Caul	Howell	Patterson	Tabor
Cherry	Jacobs	Perricone	Tesanovich
Clark, I.	Jamnack	Pestka	Thomas
Clarke, H.	Jansen	Price	Toy
Daniels	Jelinek	Prusi	Van Woerkom
Dennis	Jellema	Pumford	Vander Roest
DeRossett	Johnson, Rick	Raczkowski	Vaughn
DeVuyst	Johnson, Ruth	Reeves	Vear
DeWeese	Julian	Richardville	Voorhees
Ehardt	Kilpatrick	Richner	Wojno
Faunce	Koetje	Rivet	Woodward
Frank	Kowall	Rocca	Woronchak

**Nays—0**

In The Chair: Scranton

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.

**House Bill No. 5925, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 120a (MCL 750.120a).

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

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

Rep. Raczkowski moved that Rule 45 be suspended.

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

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. 1146****Yeas—96**

Allen	Garza	LaForge	Sanborn
Baird	Gielegem	Law	Schauer
Birkholz	Gilbert	Lockwood	Schermesser
Bisbee	Godchaux	Martinez	Scott
Bishop	Gosselin	Mead	Scranton
Bradstreet	Green	Middaugh	Shackleton
Brater	Hager	Minore	Sheltrown
Brown, B.	Hale	Mortimer	Shulman
Brown, C.	Hansen	Neumann	Spade
Byl	Hardman	O'Neil	Stallworth
Cassis	Hart	Pappageorge	Stamas
Caul	Howell	Patterson	Switalski
Cherry	Jacobs	Perricone	Tabor
Clark, I.	Jamnick	Pestka	Tesanovich
Clarke, H.	Jansen	Price	Thomas
Daniels	Jelinek	Prusi	Toy
Dennis	Jellema	Pumford	Van Woerkom
DeRossett	Johnson, Rick	Quarles	Vander Roest
DeVuyst	Johnson, Ruth	Raczkowski	Vaughn
DeWeese	Julian	Reeves	Vear
Ehardt	Kilpatrick	Richardville	Voorhees
Faunce	Koetje	Richner	Wojno
Frank	Kowall	Rivet	Woodward
Garcia	Kuipers	Rocca	Woronchak

**Nays—1**

Brewer

In The Chair: Scranton

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.

**Comments and Recommendations**

Rep. Raczkowski moved that Rule No. 82 be suspended.

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

Rep. Raczkowski moved that the following remarks be printed in the Journal.

The motion prevailed.

Rep. Vaughn:

“I have spent four terms in the Michigan House of Representatives and this has been a rewarding and educational experience for me. I’m probably the only democrat that never got the support of the democratic party and never got the support of the organized labor. But that’s been my slogan; unbought and unbossed. And in the process, unfunny.

I served one term in 1979-80 and came back six years ago.

Some of the finest people on earth—on both sides of the aisle—have impressed me with their commitment to freedom, justice, equality and humanism.



I am convinced that the notable book, The Aquarian Conspiracy had in mind some of the great people in this chamber. For so many here are committed to what I call, spiritual humanism.

We have come issues in this state that need serious attention—too many Michigan citizens in prison, vestiges of racism continue, health care inequalities, urban sprawl, miseducation, environmental injustice and a plethora of other issues that will require visionary men and women who will fight for good public policy.

I have been honored to occupy for the past two years the desk once occupied by two of the greatest legislators this state has ever produced—Rep. Dominic Jacobetti of Negaunee and Rep. Morris Hood, Jr. of Detroit.

We just ended a heated and contested presidential election. My problem with the election was the disenfranchisement, the blatant disenfranchisement, of black voters in Florida. While that was tragic, the greatest tragedy was and continues to be the lack of attention by Democrats and Republicans to this violation of the Constitutional and Civil Rights of American citizens. But I have always believed that the price, the price, of freedom is eternal vigilance. So, as I leave this august body, I am reminded of what the great abolitionist, Frederick Douglass, once said well over 100 years ago:

‘Those who profess to favor freedom yet deprecate struggle are like men who want crops without plowing up the ground, they want the rain without the thunder and the lighting, they want the ocean without the awful roars of its waters.

This struggle may be a moral one or it may be a physical one or it may be both moral and physical. But, it must be a struggle for power concedes nothing without a demand. It never did and it never will.

Find out how much oppression a people are willing to take and that is the exact amount that will be heaped upon them and they will continue until they are stopped by words or by blows or by both. For the limits of tyrants is prescribed by the endurance of those whom they oppress.’

—Fredrick Douglass

By the way when Frederick Douglass was in his twilight years they asked him what did he plan to do, this great abolitionist, this great fighter. People ask me the same question and I give you the same answer Frederick Douglass gave. What do you plan to do Representative Vaughn? ‘Agitate, agitate, agitate.’

I suppose the words of another spiritual humanist is appropriate here at this time. Anne Frank once said, and I believe her, at the height of her pending death by Hitler’s gestapo—And I paraphrase what she said, ‘In spite of my dilemma, if I look to the stars I know it will all turn out right.’ I believe too that it will all turn out right. Farewell colleagues.”

By unanimous consent the House returned to the order of

#### **Messages from the Senate**

#### **House Bill No. 5928, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 483a. The Senate has substituted (S-2) the bill.

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

Rep. Raczkowski moved that Rule 45 be suspended.

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

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

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

#### **Roll Call No. 1147**

#### **Yeas—93**

Allen	Geiger	Law	Schauer
Baird	Gielegem	Lockwood	Schermesser
Birkholz	Gilbert	Martinez	Scott
Bisbee	Godchaux	Mead	Scranton
Bishop	Gosselin	Middaugh	Shackleton

Bradstreet	Green	Minore	Sheltrown
Brater	Hager	Mortimer	Shulman
Brewer	Hale	Neumann	Spade
Brown, B.	Hansen	Pappageorge	Stallworth
Brown, C.	Hardman	Patterson	Stamas
Cassis	Hart	Perricone	Switalski
Caul	Howell	Pestka	Tabor
Cherry	Jacobs	Price	Tesanovich
Clark, I.	Jansen	Prusi	Thomas
Clarke, H.	Jelinek	Pumford	Toy
Daniels	Jellema	Quarles	Van Woerkom
Dennis	Johnson, Rick	Raczkowski	Vander Roest
DeRossett	Johnson, Ruth	Reeves	Vaughn
DeWeese	Julian	Richardville	Vear
Ehardt	Kilpatrick	Richner	Voorhees
Faunce	Koetje	Rivet	Wojno
Frank	Kowall	Rocca	Woodward
Garcia	Kuipers	Sanborn	Woronchak
Garza			

**Nays—0**

In The Chair: Scranton

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.

**House Bill No. 5929, entitled**

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

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

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

Rep. Raczkowski moved that Rule 45 be suspended.

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

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. 1148****Yeas—92**

Allen	Garcia	Koetje	Sanborn
Baird	Garza	Kowall	Schauer
Birkholz	Geiger	Kuipers	Schermesser
Bisbee	Gielegem	Law	Scott
Bishop	Gilbert	Lockwood	Scranton
Bradstreet	Godchaux	Mead	Shackleton
Brater	Gosselin	Middaugh	Sheltrown
Brewer	Green	Minore	Shulman
Brown, B.	Hager	Mortimer	Spade
Brown, C.	Hale	Neumann	Stallworth
Cassis	Hansen	O'Neil	Stamas
Caul	Hardman	Pappageorge	Switalski
Cherry	Hart	Patterson	Tabor
Clark, I.	Howell	Perricone	Thomas
Clarke, H.	Jacobs	Pestka	Toy

Daniels	Jamnick	Prusi	Van Woerkom
Dennis	Jansen	Pumford	Vander Roest
DeRossett	Jelinek	Quarles	Vaughn
DeVuyst	Jellema	Raczkowski	Vear
DeWeese	Johnson, Rick	Reeves	Voorhees
Ehardt	Johnson, Ruth	Richardville	Wojno
Faunce	Julian	Richner	Woodward
Frank	Kilpatrick	Rocca	Woronchak

### Nays—0

In The Chair: Scranton

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.

### Comments and Recommendations

Rep. Raczkowski moved that Rule No. 82 be suspended.

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

Rep. Raczkowski moved that the following remarks be printed in the Journal.

The motion prevailed.

Rep. Prusi:

“There is a danger in being one of the last ones to partake in something like this because you end up echoing what a lot of eloquent speakers have already enunciated here this afternoon and evening. Like most of the previous speakers I did want to offer some thank yous to a wonderful staff from the Clerks, to the Sergeants, to our fiscal agents, but in particular, to my office staff, Chris Kraft and Lynn Mandy, who, through their efforts, really made me look good back in the District and took care of the business that I was sent down here to do and get all the credit for. We do owe a lot to the folks that work for this institution and work for the state of Michigan. A lot of times, state employees or any governmental employee gets a bad rap because their paychecks are being signed out of taxpayer dollars. People assume they don’t work as hard as someone in the private sector. Anybody that has been around this place knows how hard staff works to earn their paychecks every week.

Representative Vaughn referenced Dominic Jacobetti; that’s the individual I had the distinction of following into this office, the longest serving legislature in Michigan history. If you want to have a tough act to follow go back to Marquette county and try to live up to 40 years of constituent service and chairman of the Appropriations committee. That was a big act to follow.

Every Monday I have a seven hour drive to get down here and that gives me a lot of time to think. Every Monday I come down here full of hope, full of anticipation that we are going to get a lot of things done. Every Thursday I have seven hours to drive home and think back on how my hopes were dashed and my aspirations were crushed. In actuality, that ride home and that ride down here does give me a lot of time to think. I’ve been thinking about a lot of the things I’m going to miss about this place. It’s mostly the people; those of you I’ve had the pleasure and the privilege of serving with, I will miss most of all. I will not miss those seven hour drives which sometimes, in weather like we’ve been having, can turn into an 11 or 12 hour drive. That’s the life I have chose for the last five and a half years. Because I came in a special, I didn’t get to join my class as they were sworn in.

All of us in our respective districts, and they are very diverse and full of variety across this state, are selected by the people to come to Lansing, speak on their behalf, act on their behalf and make public policy. That’s a tremendous honor and an awesome responsibility.

You get down here and all of a sudden people start to refer to you as the honorable or the distinguished. They want to buy you dinner and they want to buy you a drink They talk about how brilliant you are and sometimes people let that puff their ego up a little bit. If there’s one bit of advice I could offer to those of you that are staying here is don’t believe them when they tell you how smart you are. Don’t let your ego get in the way of serious and honest debate over the issues that are going to face you over the next two and four years. We do need to understand that we are here to represent the people of this state and not ourselves and not our own tremendous egos.

Another thing we need to recall and one of the things that I noticed when I first got down here, and, like my classmates and some of the folks that are going to finish up their terms next term, is the civility and the respect that those long serving legislatures had for one another and for the institution that we serve in. I certainly encourage and hope that all of you will do the best you can to restore that civility and bring that respect to this job, to the people that you serve with and the people that you do serve. I think it's critical that that tradition in this House be maintained and hopefully expanded upon. The hour is getting late. We've got a lot of work to do. My remarks are brief and I would just like to paraphrase the state motto that we have up there on the wall. If you seek a pleasant peninsula, it only costs you a dollar fifty to get over the bridge to find one."

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

**House Bill No. 5958, entitled**

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," by amending section 402c (MCL 550.1402c), as added by 1999 PA 228.

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.

Rep. Raczkowski moved that Rule 45 be suspended.

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

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. 1149**

**Yeas—96**

Allen	Geiger	LaForge	Sanborn
Baird	Gielegem	Law	Schauer
Birkholz	Gilbert	Lockwood	Schermesser
Bisbee	Godchaux	Martinez	Scott
Bishop	Gosselin	Mead	Scranton
Bradstreet	Green	Middaugh	Shackleton
Brater	Hager	Minore	Sheltrown
Brewer	Hale	Mortimer	Shulman
Brown, B.	Hansen	Neumann	Spade
Brown, C.	Hardman	O'Neil	Stallworth
Byl	Hart	Pappageorge	Stamas
Cassis	Howell	Patterson	Switalski
Caul	Jacobs	Perricone	Tabor
Clark, I.	Jamnack	Pestka	Tesanovich
Clarke, H.	Jansen	Price	Thomas
Daniels	Jelinek	Prusi	Toy
DeRossett	Jellema	Pumford	Van Woerkom
DeVuyst	Johnson, Rick	Quarles	Vander Roest
DeWeese	Johnson, Ruth	Raczkowski	Vaughn
Ehardt	Julian	Reeves	Vear
Faunce	Kilpatrick	Richardville	Voorhees
Frank	Koetje	Richner	Wojno
Garcia	Kowall	Rivet	Woodward
Garza	Kuipers	Rocca	Woronchak

**Nays—0**

In The Chair: Scranton

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.

**House Bill No. 5959, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 2212b (MCL 500.2212b), as added by 1999 PA 230.

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 1956 PA 218, entitled "An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker's compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to repeal acts and parts of acts; and to provide penalties for the violation of this act," by amending section 2212b (MCL 500.2212b), as added by 1999 PA 230; and to repeal acts and parts of acts.

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

Rep. Raczkowski moved that Rule 45 be suspended.

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

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

Rep. Law moved to amend the Senate substitute (S-1) as follows:

1. Amend page 4, following line 5, following enacting section 1, by inserting:

"Enacting section 2. Section 2074 of the insurance code of 1956, 1956 PA 218, MCL 500.2074, is repealed."

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

Rep. Law demanded the yeas and nays.

The demand was supported.

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

**Point of Order**

Rep. Frank requested a ruling from the Chair regarding the germaneness of the amendment offered by Rep. Law.

The Chair ruled that the amendment is germane.

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

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

**Roll Call No. 1150****Yeas—56**

Allen	Geiger	Mead	Shulman
Bisbee	Gilbert	Mortimer	Spade
Bradstreet	Green	O'Neil	Stallworth
Byl	Hager	Pappageorge	Stamas
Cassis	Hart	Patterson	Switalski
Caul	Howell	Perricone	Tabor
Clarke, H.	Jansen	Pestka	Thomas
Daniels	Jellema	Rackowski	Toy
DeRossett	Johnson, Rick	Richardville	Van Woerkom
DeVuyst	Julian	Richner	Vander Roest
DeWeese	Kilpatrick	Rivet	Vear
Ehardt	Koetje	Sanborn	Voorhees
Faunce	Kowall	Scranton	Wojno
Garcia	Law	Shackleton	Woronchak

**Nays—39**

Baird	Garza	LaForge	Reeves
Birkholz	Gielegem	Lockwood	Rocca
Brater	Godchaux	Martinez	Schauer
Brewer	Hale	Middaugh	Schermesser
Brown, B.	Hansen	Minore	Scott
Brown, C.	Hardman	Neumann	Sheltrown
Cherry	Jacobs	Price	Tesanovich
Clark, I.	Jamnack	Prusi	Vaughn
Dennis	Jelinek	Pumford	Woodward
Frank	Johnson, Ruth	Quarles	

In The Chair: Scranton

The question being on concurring in the Senate substitute (S-1), as amended,

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

**Roll Call No. 1151****Yeas—66**

Allen	Geiger	Lockwood	Shackleton
Bisbee	Gilbert	Mead	Shulman
Bishop	Gosselin	Mortimer	Spade
Bradstreet	Green	O'Neil	Stallworth
Byl	Hager	Pappageorge	Stamas
Cassis	Hardman	Patterson	Switalski
Caul	Hart	Perricone	Tabor
Clark, I.	Howell	Pestka	Thomas
Clarke, H.	Jansen	Rackowski	Toy
Daniels	Jellema	Richardville	Van Woerkom
DeRossett	Johnson, Rick	Richner	Vander Roest
DeVuyst	Julian	Rivet	Vaughn
DeWeese	Kilpatrick	Rocca	Vear
Ehardt	Koetje	Sanborn	Voorhees

Faunce	Kowall	Schermesser	Wojno
Garcia	Kuipers	Scranton	Woronchak
Garza	Law		

**Nays—30**

Baird	Gielegem	LaForge	Pumford
Birkholz	Godchaux	Martinez	Reeves
Brater	Hale	Middaugh	Schauer
Brewer	Hansen	Minore	Scott
Brown, C.	Jacobs	Neumann	Sheltrown
Cherry	Jamnick	Price	Tesanovich
Dennis	Jelinek	Prusi	Woodward
Frank	Johnson, Ruth		

In The Chair: Scranton

The House agreed to the title as amended.

Reps. Birkholz and Pumford, having reserved the right to explain their nay vote, made the following statement:

“Mr. Speaker and members of the House:

I voted no on HB 5959 because I object to the fact that the proposed legislation was not given due process with an open hearing (the Law amendment).”

Rep. Jelinek, having reserved the right to explain his nay vote, made the following statement:

“Mr. Speaker and members of the House:

I voted no on HB 5959 because the Law amendment #3 was adopted. I feel that amendment should not have been added to this bill. It should have been scrutinized on its own merits.”

Rep. Cameron Brown, having reserved the right to explain his nay vote, made the following statement:

“Mr. Speaker and members of the House:

I voted no on HB 5959 not because I don't want podiatrists to be included in continuity of care (the basis of the main body of the bill), but because I can't now support the inclusion of the Law amendment as a rider to this bill without a full and open discussion by the body. No such fair, open and public hearing of the discussion of the issue of allowing insurance company PAC's (the Law amendment) was conducted. This is a flawed process and not the principled legislating that I was charged to uphold by those who elected me in this new era of term limits.”

Reps. Jacobs and Frank, having reserved the right to explain their nay vote, made the following statement:

“Mr. Speaker and members of the House:

I voted no on HB 5959 because the amendment that was added to the bill tonight removes a 43 year ban on insurance companies forming political action committees. This bill was introduced as a bill to provide for continuity of care for podiatrists. I supported that version of the bill and voted for it. However, on the last day of this two year session, this amendment is being slipped into the bill in the middle of the night. If this thirty year ban should be removed, then it should be debated on its own merits. This amendment also violates the Michigan Constitution and the rules of the House of Representatives by changing the purpose of this bill.”

Reps. Middaugh and Ruth Johnson, having reserved the right to explain their nay vote, made the following statement:

“Mr. Speaker and members of the House:

I voted against the passage of HB 5959 because of a last minute amendment that repealed a prohibition for insurance companies to have political action committees. This is an important issue not previously discussed or debated and should not be added without proper public input and deliberation.”

Reps. Minore and Gielegem, having reserved the right to explain their nay vote, made the following statement:  
 “Mr. Speaker and members of the House:

While the content of the bill was originally acceptable, an amendment was added that forces me to protest the amendment and the bill as amended! The addition of the amendment was irrelevant to the content of the bill—and its addition ‘in the dark of night’ represents an insult to the legislative process and to the citizens we represent. (One can only ask what a podiatrist has to do with campaign funds?)

Without prior discussion or review, the amendment turned an insurance bill into a campaign ‘deform’ bill that repealed a long standing prohibition against insurance company PACs—thus dramatically changing both the content of the bill and the climate of campaigns. The result of adoption of the amendment is exactly the opposite of the direction that I believe we ought to be moving to in terms of campaign finance reform.

The amendment appears to violate both the Michigan Constitution & the rules of the Michigan House by changing the purpose of the bill.”

Rep. Dennis, having reserved the right to explain her nay vote, made the following statement:  
 “Mr. Speaker and members of the House:

I voted no on HB 5959 because the amendment that was added to the bill tonight removes a 30 year ban on insurance companies forming political action committees. This bill was introduced as a bill to provide for continuity of care for podiatrists. I supported that version of the bill and voted for it. However, on the last day of this two year session, this amendment is being slipped into the bill in the middle of the night. If this thirty year ban should be removed, then it should be debated on its own merits. This amendment also violates the Michigan Constitution and the rules of the House of Representatives by changing the purpose of this bill.”

By unanimous consent the House returned to the order of  
**Motions and Resolutions**

Rep. Sanborn moved that the Committee on Insurance and Financial Services be discharged from further consideration of **Senate Bill No. 645**.

(For first notice see House Journal No. 72, p. 2701.)

The question being on the motion made by Rep. Sanborn,  
 The motion prevailed.

Rep. Sanborn moved that the Committee on Insurance and Financial Services be discharged from further consideration of **Senate Bill No. 794**.

(For first notice see House Journal No. 72, p. 2702.)

The question being on the motion made by Rep. Sanborn,  
 The motion prevailed.

### Second Reading of Bills

#### **Senate Bill No. 794, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding sections 16240 and 20195.

The bill was read a second time.

Rep. Bob Brown moved to amend the bill as follows:

1. Amend page 1, following “THE PEOPLE OF THE STATE OF MICHIGAN ENACT” by inserting:

“SEC. 6234. (1) EXCEPT AS OTHERWISE PROVIDED IN SECTION 6233 (3), IF A CLIENT OF A RESIDENTIAL PROGRAM FOR THE TREATMENT OF SUBSTANCE ABUSE LICENSED UNDER THIS ARTICLE IS IN THE RESIDENTIAL PROGRAM AS A CONDITION OF PROBATION OR PAROLE OR AS A SENTENCING ALTERNATIVE TO IMPRISONMENT, THE RESIDENTIAL PROGRAM SHALL PROVIDE 24-HOUR-A-DAY ON-SITE STAFF SUPERVISION OF THAT CLIENT.

(2) A LICENSEE UNDER THIS ARTICLE ON THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SECTION MUST BE IN COMPLIANCE WITH SUBSECTION (1) WITHIN 3 MONTHS OF THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SECTION, OR AT THE TIME OF RENEWAL OF THE LICENSEE’S LICENSE UNDER THIS PART, WHICHEVER IS EARLIER.



(3) AN APPLICANT FOR AN INITIAL LICENSE UNDER THIS PART SHALL INCLUDE WITH THE APPLICATION FOR LICENSURE AN AFFIRMATIVE STATEMENT THAT 24-HOUR-A-DAY ON-SITE STAFF SUPERVISION WILL BE PROVIDED IN COMPLIANCE WITH SUBSECTION (1), ALONG WITH A WRITTEN PLAN PROVIDING STAFF SUFFICIENT TO COMPLY WITH SUBSECTION (1).”.

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

Rep. Martinez moved to amend the bill as follows:

1. Amend page 3, following line 3, by inserting:

“(8) AN EXPENSE-INCURRED HOSPITAL, MEDICAL, OR SURGICAL POLICY OR CERTIFICATE DELIVERED, ISSUED FOR DELIVERY, OR RENEWED IN THIS STATE AND A HEALTH MAINTENANCE ORGANIZATION GROUP OR INDIVIDUAL CONTRACT THAT PROVIDES PRESCRIPTION COVERAGE SHALL INCLUDE COVERAGE FOR ANY PRESCRIBED DRUG OR DEVICE APPROVED BY THE UNITED STATES FOOD AND DRUG ADMINISTRATION FOR USE AS A CONTRACEPTIVE. COVERAGE UNDER THIS SUBSECTION SHALL NOT BE SUBJECT TO ANY DOLLAR LIMIT, COPAYMENT, DEDUCTIBLE, OR COINSURANCE PROVISION THAT DOES NOT APPLY TO PRESCRIPTION COVERAGE GENERALLY.”.

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

Rep. Martinez demanded the yeas and nays.

The demand was supported.

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

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

#### Roll Call No. 1152

#### Yeas—32

Brater	Gielegem	LaForge	Schermesser
Brewer	Godchaux	Martinez	Scott
Byl	Hale	Minore	Scranton
Cherry	Hansen	Neumann	Stallworth
Clark, I.	Hardman	Price	Switalski
Clarke, H.	Jacobs	Prusi	Tesanovich
Dennis	Jamnick	Quarles	Vaughn
Garza	Kilpatrick	Schauer	Woodward

#### Nays—59

Allen	Geiger	Kuipers	Sanborn
Birkholz	Gilbert	Law	Shackleton
Bisbee	Gosselin	Lockwood	Sheltrown
Bishop	Green	Mead	Shulman
Bradstreet	Hager	Middaugh	Spade
Brown, B.	Hart	Mortimer	Stamas
Brown, C.	Howell	O’Neil	Tabor
Cassis	Jansen	Pappageorge	Toy
Caul	Jelinek	Patterson	Van Woerkom
DeVuyst	Jellema	Pestka	Vander Roest
DeWeese	Johnson, Rick	Pumford	Vear
Ehardt	Johnson, Ruth	Raczkowski	Voorhees
Faunce	Julian	Richardville	Wojno
Frank	Koetje	Richner	Woronchak
Garcia	Kowall	Rocca	

Rep. Raczkowski moved that the bill be placed on the order of Third Reading of Bills.  
The motion prevailed, a majority of the members voting therefor.  
Rep. Raczkowski 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**

**Senate Bill No. 794, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding sections 16240 and 20195.

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

**Roll Call No. 1153**

**Yeas—64**

Allen	Garcia	Kuipers	Rivet
Birkholz	Geiger	Law	Rocca
Bisbee	Gilbert	Lockwood	Sanborn
Bishop	Gosselin	Mead	Shackleton
Bradstreet	Green	Middaugh	Sheltrown
Brown, B.	Hager	Mortimer	Shulman
Brown, C.	Hart	Neumann	Spade
Byl	Howell	O'Neil	Stamas
Cassis	Jansen	Pappageorge	Tabor
Caul	Jelinek	Patterson	Toy
DeRossett	Jellema	Perricone	Van Woerkom
DeVuyst	Johnson, Rick	Pestka	Vander Roest
DeWeese	Johnson, Ruth	Pumford	Vear
Ehardt	Julian	Raczkowski	Voorhees
Faunce	Koetje	Richardville	Wojno
Frank	Kowall	Richner	Woronchak

**Nays—33**

Brater	Godchaux	Martinez	Scott
Brewer	Hale	Minore	Scranton
Cherry	Hansen	Price	Stallworth
Clark, I.	Hardman	Prusi	Switalski
Clarke, H.	Jacobs	Quarles	Tesanovich
Daniels	Jamnick	Reeves	Thomas
Dennis	Kilpatrick	Schauer	Vaughn
Garza	LaForge	Schermesser	Woodward
Gielegem			

In The Chair: Scranton

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

"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.”.

The House agreed to the full title.

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Reps. Martinez, Brater and Jacobs, 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 against Senate Bill 794 for several reasons:

- The bill provides unfair impediments to women who may be unable to afford a separate rider to cover a safe and legal medical procedure.
- The bill requires a woman to plan to have an abortion—something that no woman does. Insurance is meant to cover unexpected problems.
- The bill starts Michigan down a slippery slope—if coverage for one medical procedure can be singled out for separate coverage, what will be the next procedure?
- The optional rider will likely be very costly. Currently, including abortion coverage in an insurance policy is very inexpensive. By making abortion more expensive, abortions may be done later in the pregnancy and therefore be more dangerous.
- The bill raises enormous privacy concerns. Who will ask a woman if she wants the rider? Who will have access to that information?
- Most insurance policies offer optional riders to exclude abortion coverage in exchange for a lower premium. Why do we need these bills?
- A similar law in Rhode Island has already been ruled unconstitutional. Why should Michigan waste taxpayer dollars to defend this legislation?
- These bills are simply the latest assault by this Legislature on a woman’s legal rights.”

Rep. Scranton, 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 SB 794 because of the lack of inclusion of the Martinez amendment denying equal medical prescriptive coverage for women.”

### **Second Reading of Bills**

#### **Senate Bill No. 645, entitled**

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” (MCL 500.100 to 500.8302) by adding section 3407b.

The bill was read a second time.

Rep. Martinez moved to amend the bill as follows:

1. Amend page 3, following line 10, by inserting:

“(8) AN EXPENSE-INCURRED HOSPITAL, MEDICAL, OR SURGICAL POLICY OR CERTIFICATE DELIVERED, ISSUED FOR DELIVERY, OR RENEWED IN THIS STATE AND A HEALTH MAINTENANCE ORGANIZATION GROUP OR INDIVIDUAL CONTRACT THAT PROVIDES PRESCRIPTION COVERAGE SHALL INCLUDE COVERAGE FOR ANY PRESCRIBED DRUG OR DEVICE APPROVED BY THE UNITED STATES FOOD AND DRUG ADMINISTRATION FOR USE AS A CONTRACEPTIVE. COVERAGE UNDER THIS SUBSECTION SHALL NOT BE SUBJECT TO ANY DOLLAR LIMIT, COPAYMENT, DEDUCTIBLE, OR

COINSURANCE PROVISION THAT DOES NOT APPLY TO PRESCRIPTION COVERAGE GENERALLY.” and renumbering the remaining subsection.

The question being on the adoption of the amendment offered by Rep. Martinez, Rep. Martinez demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 1154****Yeas—35**

Brater	Gielegem	LaForge	Scranton
Brewer	Godchaux	Martinez	Shulman
Byl	Hale	Minore	Stallworth
Cherry	Hansen	Price	Switalski
Clark, I.	Hardman	Prusi	Tesanovich
Clarke, H.	Hart	Quarles	Thomas
Daniels	Jacobs	Schauer	Vaughn
Dennis	Jamnack	Schermesser	Woodward
Garza	Kilpatrick	Scott	

**Nays—60**

Allen	Garcia	Kuipers	Rivet
Birkholz	Geiger	Law	Rocca
Bisbee	Gilbert	Lockwood	Sanborn
Bishop	Gosselin	Mead	Shackleton
Bradstreet	Green	Middaugh	Sheltrown
Brown, B.	Hager	Mortimer	Spade
Brown, C.	Howell	Neumann	Stamas
Cassis	Jansen	O’Neil	Tabor
Caul	Jelinek	Pappageorge	Toy
DeRossett	Jellema	Patterson	Van Woerkom
DeVuyst	Johnson, Rick	Perricone	Vander Roest
DeWeese	Johnson, Ruth	Pestka	Vear
Ehardt	Julian	Pumford	Voorhees
Faunce	Koetje	Richardville	Wojno
Frank	Kowall	Richner	Woronchak

In The Chair: Scranton

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

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

Rep. Middaugh 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****Senate Bill No. 645, entitled**

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” (MCL 500.100 to 500.8302) by adding section 3407b.

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

**Roll Call No. 1155****Yeas—60**

Allen	Geiger	Kuipers	Richner
Birkholz	Gilbert	Law	Rivet
Bisbee	Gosselin	Lockwood	Rocca
Bishop	Green	Mead	Sanborn
Bradstreet	Hager	Middaugh	Shackleton
Brown, B.	Hart	Mortimer	Sheltrown
Brown, C.	Howell	Neumann	Shulman
Cassis	Jansen	O'Neil	Spade
Caul	Jelinek	Pappageorge	Tabor
DeRossett	Jellema	Patterson	Van Woerkom
DeVuyst	Johnson, Rick	Perricone	Vander Roest
DeWeese	Johnson, Ruth	Pestka	Vear
Faunce	Julian	Pumford	Voorhees
Frank	Koetje	Rackowski	Wojno
Garcia	Kowall	Richardville	Woronchak

**Nays—33**

Brater	Godchaux	Martinez	Scranton
Brewer	Hale	Minore	Stallworth
Cherry	Hansen	Price	Switalski
Clark, I.	Hardman	Prusi	Tesanovich
Clarke, H.	Jacobs	Quarles	Thomas
Daniels	Jamnick	Reeves	Toy
Dennis	Kilpatrick	Schauer	Vaughn
Garza	LaForge	Scott	Woodward
Gielegem			

In The Chair: Scranton

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

“An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker's compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent

insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to repeal acts and parts of acts; and to provide penalties for the violation of this act.”.

The House agreed to the full title.

Rep. Scranton, 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 SB 645 because of the denial of the Martinez amendment #1 to give equal prescription coverage to women.”

Rep. Reeves, 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:

As much as I detest the act of abortion, this bill is not a statement against the act. This legislation may very well target and punish women who may choose an act which I spiritually believe is wrong. I am opposed to the potential invasion of privacy in a choice which I believe is wrong. However, will my decisions to sin and do wrong against God be exposed to my fellow employees and employer. God Forbid, my sins will remain between my God and who he exposes it to. And guess what, my choices to obey the Spirit of God or not will not affect whether or not I receive the rewards of my labor; such as; employee benefits.

Abortion is a crime against God and humanity. This effort does not prevent the crime it merely falsely targets one aspect of this very specific issue by placing a one inch band aid on a one foot open wound. This is not the way to stop abortion.”

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

**House Bill No. 4828, 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 402d.

The Senate has amended the bill as follows:

1. Amend page 3, following line 9, by inserting:

“Enacting section 2. This amendatory act does not take effect unless all of the following bills of the 90th Legislature are enacted into law:

(a) Senate Bill No. 645.

(b) Senate Bill No. 794.”.

The Senate has passed the bill as amended 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.

Rep. Raczkowski moved that Rule 45 be suspended.

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

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

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

**Roll Call No. 1156**

**Yeas—63**

Allen  
Birkholz  
Bisbee

Garcia  
Geiger  
Gilbert

Kuipers  
Law  
Lockwood

Rivet  
Rocca  
Sanborn

Bishop	Gosselin	Mead	Shackleton
Bradstreet	Green	Middaugh	Sheltrown
Brown, B.	Hager	Mortimer	Shulman
Brown, C.	Hart	Neumann	Spade
Byl	Howell	O'Neil	Stamas
Cassis	Jansen	Pappageorge	Tabor
Caul	Jelinek	Patterson	Van Woerkom
DeRossett	Jellema	Perricone	Vander Roest
DeVuyst	Johnson, Rick	Pestka	Vear
DeWeese	Johnson, Ruth	Pumford	Voorhees
Ehardt	Julian	Raczkowski	Wojno
Faunce	Koetje	Richardville	Woronchak
Frank	Kowall	Richner	

### Nays—31

Brater	Hansen	Price	Stallworth
Clark, I.	Hardman	Prusi	Switalski
Clarke, H.	Jacobs	Quarles	Tesanovich
Daniels	Jamnick	Reeves	Thomas
Dennis	Kilpatrick	Schauer	Toy
Gielegem	LaForge	Schermesser	Vaughn
Godchaux	Martinez	Scott	Woodward
Hale	Minore	Scranton	

In The Chair: Scranton

The House agreed to the full title of the bill.

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

Rep. Reeves, having reserved the right to explain her nay vote, made the following statement:

“Mr. Speaker and members of the House:

As much as I detest the act of abortion, this bill is not a statement against the act. This legislation may very well target and punish women who may choose an act which I spiritually believe is wrong. I am opposed to the potential invasion of privacy in a choice which I believe is wrong. However, will my decisions to sin and do wrong against God be exposed to my fellow employees and employer. God Forbid, my sins will remain between my God and who he exposes it to. And guess what, my choices to obey the Spirit of God or not will not affect whether or not I receive the rewards of my labor; such as; employee benefits.

Abortion is a crime against God and humanity. This effort does not prevent the crime it merely falsely targets one aspect of this very specific issue by placing a one inch bandaid on a one foot open wound. This is not the way to stop abortion.”

### Comments and Recommendations

Rep. Raczkowski moved that Rule No. 82 be suspended.

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

Rep. Raczkowski moved that the following remarks be printed in the Journal.

The motion prevailed.

Rep. LaForge:

“After waiting this long and hearing all the superlative remarks that many of my esteemed colleagues made before I did, it reminds me of a very bad old joke that maybe some young people don’t realize. Elizabeth Taylor’s 7th husband said, ‘I know what to do, but I don’t know how to make it interesting.’

About 2 weeks ago, my wife called Julie Vogel in my office, who has been working with me for the past 6 years, and said, ‘Julie, for six years it’s taken two of us to take care of this guy. What am I going to do when he comes home?’ So a short thank you to the staff which includes Julie Vogel. From the people that sweep the floors around here to those who take care of our computers when we mess up our windows, I have a great appreciation for what they have all done. I am going to depart a little bit from what many members have said because I want to try to do something interesting.

I would hope my colleagues who are carrying on and the new members that come in will put a constitutional amendment on the ballot two years from now to expand term limits to 12 years. I think we’ve learned in the short period of time that we’ve had, 6 years is not enough. We’ve had too much of a turn over and too many people have to go on a very steep learning curve in a very short time. I would recommend 12 years for the simple reason that, through the history of the House and the Senate and the state of Michigan, there’s been approximately a 50 percent turnover every 10 years.

To change the subject, I had a quick phone call 2 months ago in my district service office in Kalamazoo from a young lady, 16 years old, who has had a child but had graduated from high school. She was taking a full class college credit at Kalamazoo Valley Community College The local Family Independence Agency said she has to quit college and go to WorkFirst. I did talk to Bill Kordenbrock at the Family Independence Agency; it’s the only case they’ve had like this in the state of Michigan. He was able to say this is such a different example since here’s a young lady who had made a mistake but had graduated from high school at 16 and was taking full year college credits. She did get an exemption from WorkFirst.

I think you need to take a look at the cities that I represent, and I say this along the I-94 and I-75 corridor in the state of Michigan. It was not our fault that the interstate was built. It was not the fault of the intercity that the suburbs became new economic growth in the state of Michigan. It was not the fault of the minorities and the poor people that live in the cities, that international globalization and economic changes were wrought and we had a downturn in the automotive and manufacturing in the state of Michigan. It’s not their fault. I would hope that you would look at Tanneth and I would hope.

I have asked the Governor, I’ve asked the Family Independence Agency, and I’ve asked the Chamber of Commerce. Representative Woodward has a bill in to have an earned income tax credit put into place in the state of Michigan. I think this would alleviate things like minimum wage laws and minimize things like living wage laws. It would give a real incentive for people who are trying to work their way off of welfare, and for those who are the low income people who are not on welfare, better themselves in society.

The other thing I would like to talk about is being part of the Children’s caucus and working with all of the organizations that work with children in Michigan. I am proud of one thing and that’s not getting a bill passed and that is not becoming a part of the leadership. Along with Representative Godchaux, it’s that small little \$100,000 we put in two years in a row to start the Children’s caucus.

I would hope that those members who are going to stay over and that are in the Children’s caucus, would encourage those new members coming on because I think we’re on the brink of a real progressive and a real positive bipartisan effort to help the children of Michigan. Often times, and I understand, we vote either for tax cuts or vote for protection or for labor unions—and these things fall on both sides of the aisle. But the Children’s caucus and what it means to the future of the state of Michigan cannot be emphasized enough. In my speeches back in the district, I remind people we have 250,000 children in the state of Michigan who live below the poverty line. By any conservative fiduciary measurement, 10% of those children will end up in the criminal justice system. I can guarantee you that if we don’t take care of our children, we will have 650,000 people behind prison bars in another 10 years. I would encourage you to strengthen the Children’s caucus and work with the Senate on this.

Last year I received an e-mail at my home about the United States Congress. They mentioned how many people in Congress were indicted for fraud or for other felonies while in Congress. Another thing I’ve said privately, is that I will take the members of the Michigan State House of Representatives and I will match your integrity, your diligence, your hard work, and your conscientiousness, with the fortune 500 corporations’ CEOs and board of directors in the United States because that is how highly I think of you.

When I move back to Kalamazoo, I will be known as Mr. Ed there, as I am here, and they know which end of the horse I am. One final short comment, Madam Speaker, Representative Howell is extending me honorary membership in the Republican caucus because of my vote on the dove bill. Thank you Madam Speaker.”



By unanimous consent the House returned to the order of  
**Third Reading of Bills**

The House returned to the consideration of  
**Senate Bill No. 1180, entitled**

A bill to amend 1985 PA 87, entitled "Crime victim's rights act," by amending sections 2, 3, 5, 6, 8, 11, 13a, 14, 15, 16, 18a, 19, 21, 31, 32, 35, 36, 38, 39, 41, 41a, 42, 43, 44, 46, 46a, 48, 61, 63, 65, 66, 68, 71, 74, 75, 76, 78, and 78a (MCL 780.752, 780.753, 780.755, 780.756, 780.758, 780.761, 780.763a, 780.764, 780.765, 780.766, 780.768a, 780.769, 780.771, 780.781, 780.782, 780.785, 780.786, 780.788, 780.789, 780.791, 780.791a, 780.792, 780.793, 780.794, 780.796, 780.796a, 780.798, 780.811, 780.813, 780.815, 780.816, 780.818, 780.821, 780.824, 780.825, 780.826, 780.828, and 780.828a), sections 2, 6, 13a, 31, 36, 41a, and 48 as amended by 1998 PA 523, sections 3, 5, 18a, 32, 35, 41, 43, 46, 63, 66, and 78 as amended and section 46a as added by 1993 PA 341, sections 16 and 76 as amended by 1998 PA 232, sections 19 and 78a as amended by 1996 PA 105, sections 38, 39, and 42 as added by 1988 PA 22, section 44 as amended by 1996 PA 562, section 61 as amended by 1996 PA 82, and sections 65, 68, 71, 74, and 75 as added by 1988 PA 21, and by adding sections 16a, 36b, 44a, and 76a.

(The bill was considered earlier today, see today's journal, p. 2736.)

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. 1157**

**Yeas—94**

Allen	Geiger	Lockwood	Schauer
Birkholz	Gielegem	Martinez	Schermesser
Bisbee	Gilbert	Mead	Scott
Bishop	Godchaux	Middaugh	Scranton
Bradstreet	Gosselin	Minore	Shackleton
Brater	Green	Mortimer	Sheltrown
Brewer	Hager	Neumann	Shulman
Brown, B.	Hale	O'Neil	Spade
Brown, C.	Hansen	Pappageorge	Stallworth
Cassis	Hart	Patterson	Stamas
Caul	Howell	Perricone	Switalski
Cherry	Jacobs	Pestka	Tabor
Clark, I.	Jamnick	Price	Tesanovich
Clarke, H.	Jansen	Prusi	Thomas
Daniels	Jelinek	Pumford	Toy
Dennis	Jellema	Quarles	Van Woerkom
DeRossett	Johnson, Rick	Raczkowski	Vander Roest
DeVuyst	Johnson, Ruth	Reeves	Vaughn
DeWeese	Julian	Richardville	Vear
Ehardt	Koetje	Richner	Voorhees
Faunce	Kowall	Rivet	Wojno
Frank	Kuipers	Rocca	Woodward
Garcia	LaForge	Sanborn	Woronchak
Garza	Law		

**Nays—0**

In The Chair: Birkholz

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

"An act to establish the rights of victims of crime and juvenile offenses; to provide for certain procedures; to establish certain immunities and duties; to limit convicted criminals from deriving profit under certain circumstances; to prohibit certain conduct of employers or employers' agents toward victims; and to provide for penalties and remedies,".

The House agreed to the full title.

### Comments and Recommendations

Rep. Middaugh moved that Rule No. 82 be suspended.  
The motion prevailed, 3/5 of the members present voting therefor.

Rep. Middaugh moved that the following remarks be printed in the Journal.  
The motion prevailed.

Rep. Lingg Brewer:

“Continuing with praise of staff mentioned previously by my colleagues, I would like to praise mine. In many respects I have felt that my staff and I alone have gone up against the entire administration, staff, lawyers, legislative liaison and communicators. It was an unequal match, and we were vindicated because we were right!

To carry praise of staff one step further; in a practical way I have never had a better staff: Carmen Minchella, Sherie Davy, and Deb DeLeon are the very best I have ever had. They are in the job market and I highly recommend them to you, they are job hunting.

On the question of retirement, Calvin Coolidge is always quotable, always taciturn, always terse. Shortly after he left the White House, Coolidge was called on to fill out a card to accompany the payment of his annual dues to the National Press Club. He filled in his name and address and then, on the line provided for “Occupation”, he wrote “Retired”. After a moment’s thought, he wrote on the line labeled “Remarks”: “Glad of it.”

I’m not glad of it, I’m kind of sad about it in some intangible and unobjective way that I can’t quite put my finger on. The person that summed it up best, that summed it up as poignantly and as sincerely as anybody, was a representative from the other side of the aisle. Farewells were being given, and the speaker...it was the middle of the night, everybody wanted to go home...the speaker was admonishing everyone to keep their remarks short. The representative in question had been very publicly humiliated about his personal life and had been defeated for re-election. He stood before the microphone and said “Mr. Speaker, I don’t care if the speakers keep their remarks short because if they speak another hour or two, that is another hour or two that I will be able to remain in the Chamber. I don’t feel quite like that, but I miss it and I say goodbye and farewell to all of you. And best of luck to all of you.”

By unanimous consent the House returned to the order of

### Third Reading of Bills

Pending the Third Reading of  
**Senate Bill No. 1432, entitled**

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 3104 (MCL 500.3104), as amended by 1980 PA 445.

Rep. Raczkowski moved to reconsider the vote by which the House placed the bill on the order of Third Reading of Bills.

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

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Associate Speaker Pro Tempore Scranton resumed the Chair.

### Second Reading of Bills

**Senate Bill No. 1432, entitled**

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 3104 (MCL 500.3104), as amended by 1980 PA 445.

Rep. Thomas moved to amend the bill as follows:

1. Amend page 11, following line 21, by inserting:

“(25) AN INSURER SHALL NOT RAISE RATES BASED ON AMENDMENTS TO THIS SUBSECTION MADE BY THE AMENDATORY ACT THAT ADDED THIS SUBSECTION.” and renumbering the remaining subsection.

The question being on the adoption of the amendment offered by Rep. Thomas,  
Rep. Thomas demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 1158****Yeas—43**

Brater	Godchaux	O'Neil	Sheltrown
Brewer	Hale	Pestka	Spade
Brown, B.	Hansen	Price	Stallworth
Cherry	Hardman	Prusi	Switalski
Clark, I.	Jacobs	Quarles	Tesanovich
Clarke, H.	Jamnick	Reeves	Thomas
Daniels	Kilpatrick	Rivet	Vaughn
Dennis	LaForge	Schauer	Wojno
Frank	Lockwood	Schermesser	Woodward
Garza	Minore	Scott	Woronchak
Gielegem	Neumann	Scranton	

**Nays—51**

Allen	Geiger	Koetje	Richner
Birkholz	Gilbert	Kowall	Rocca
Bisbee	Gosselin	Kuipers	Sanborn
Bishop	Green	Law	Shackleton
Bradstreet	Hager	Mead	Shulman
Brown, C.	Hart	Middaugh	Stamas
Cassis	Howell	Mortimer	Tabor
Caul	Jansen	Pappageorge	Toy
DeRossett	Jelinek	Patterson	Van Woerkom
DeVuyst	Jellema	Perricone	Vander Roest
DeWeese	Johnson, Rick	Pumford	Vear
Ehardt	Johnson, Ruth	Raczkowski	Voorhees
Garcia	Julian	Richardville	

In The Chair: Scranton

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

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

Rep. Raczkowski 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****Senate Bill No. 1432, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3104 (MCL 500.3104), as amended by 1980 PA 445.

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

**Roll Call No. 1159****Yeas—55**

Allen	Geiger	Kowall	Rocca
Birkholz	Gilbert	Kuipers	Sanborn
Bisbee	Gosselin	Law	Scranton
Bishop	Green	Mead	Shackleton
Bradstreet	Hager	Middaugh	Shulman
Brown, C.	Hart	Mortimer	Stamas
Byl	Howell	O'Neil	Tabor
Cassis	Jansen	Pappageorge	Toy
Caul	Jelinek	Patterson	Van Woerkom
DeRossett	Jellema	Perricone	Vander Roest
DeVuyst	Johnson, Rick	Pumford	Vear
DeWeese	Johnson, Ruth	Raczkowski	Voorhees
Ehardt	Julian	Richardville	Woronchak
Faunce	Koetje	Richner	

**Nays—39**

Brater	Gielegem	Minore	Sheltrown
Brewer	Hale	Neumann	Spade
Brown, B.	Hansen	Pestka	Stallworth
Cherry	Hardman	Price	Switalski
Clark, I.	Jacobs	Prusi	Tesanovich
Clarke, H.	Jamnick	Quarles	Thomas
Daniels	Kilpatrick	Rivet	Vaughn
Dennis	LaForge	Schauer	Wojno
Frank	Lockwood	Schermesser	Woodward
Garza	Martinez	Scott	

In The Chair: Scranton

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

“An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker’s compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent

insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to repeal acts and parts of acts; and to provide penalties for the violation of this act.”.

The House agreed to the full title.

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

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

### Second Reading of Bills

#### Senate Bill No. 830, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 9 (MCL 211.9), as amended by 1996 PA 582.

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

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

Rep. Green moved to amend the bill as follows:

1. Amend page 3, line 12, after “livestock,” by inserting “RAISING OR GROWING OF GRAINS, FRUITS, VEGETABLES, BEDDING PLANTS AND NURSERY STOCK,”.

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

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

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

Rep. Raczkowski 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

#### Senate Bill No. 830, entitled

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 9 (MCL 211.9), as amended by 1996 PA 582.

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

#### Roll Call No. 1160

#### Yeas—95

Allen	Geiger	LaForge	Schauer
Birkholz	Gielegem	Law	Schermesser
Bisbee	Gilbert	Lockwood	Scott
Bishop	Godchaux	Martinez	Scranton
Bradstreet	Gosselin	Mead	Shackleton
Brater	Green	Middaugh	Sheltrown
Brown, B.	Hager	Minore	Shulman
Brown, C.	Hale	Mortimer	Spade
Byl	Hansen	Neumann	Stallworth
Cassis	Hardman	O’Neil	Stamas
Caul	Hart	Pappageorge	Switalski
Cherry	Howell	Patterson	Tabor
Clark, I.	Jacobs	Perricone	Tesanovich
Clarke, H.	Jamnack	Pestka	Thomas
Daniels	Jansen	Price	Toy
Dennis	Jelinek	Prusi	Van Woerkom

DeRossett	Jellema	Pumford	Vander Roest
DeVuyst	Johnson, Rick	Quarles	Vaughn
DeWeese	Johnson, Ruth	Raczkowski	Vear
Ehardt	Julian	Richardville	Voorhees
Faunce	Kilpatrick	Richner	Wojno
Frank	Koetje	Rivet	Woodward
Garcia	Kowall	Rocca	Woronchak
Garza	Kuipers	Sanborn	

### Nays—0

In The Chair: Scranton

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

“An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts.”.

The House agreed to the full title.

### Comments and Recommendations

Rep. Raczkowski moved that Rule No. 82 be suspended.

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

Rep. Raczkowski moved that the following remarks be printed in the Journal.

The motion prevailed.

Rep. Scott:

“To my colleagues, thank you for the opportunity to speak this evening. It is late and I will be cognizant of that. It has truly been an honor and a privilege to serve in this House. I am grateful to all of my colleagues on both sides of the aisle. I have truly learned from all of you. We have some wonderful, wonderful people that serve the state of Michigan and I am glad to have been one of them.

I want to thank my staff—Jewel Holly and attorney, Darnell Dickerson and those who have served in between. I have learned from all of them and together I hope we have made a difference.

I have a very challenging district, but after all I am on a mission so it is ok. When I first came to the House of Representatives in 1995, I read in the paper that the Governor was no longer going to fund my college. The oldest college in the state—Highland Park Community College. The Democrats were not in control but I heard someone say that there was a young man across the aisle named Representative Kaza who had an interest in education. And, I looked and I said, ‘he’s not going to help me.’ But let me tell you, I talked to him and he got me some votes on the other side of the aisle and we were able to get enough votes for my college. But the Governor was very adamant about it and vetoed it.

Well, my second challenge came almost immediately. They were going to close my Davison freeway. It was the oldest freeway in the country. People in my district said, ‘oh they are not going to do that, it is the oldest freeway in the country, they can’t close it.’ I said, ‘our college was the oldest college in the state and it is going to close very soon.’ So, they finally understood that it didn’t matter how old it was or how useful it was, that it was going to happen. So I said to my colleagues, its me today and you tomorrow. That has happened so many times. So those of you who will be left here—remember that if you have something that is very dear to you in your district, that means a lot to

your constituents I suggest you continue fighting for it. Because I continued fighting for the Davison. It wasn't a big issue on the floor, but those in transportation understood and we worked on that issue. Now we have the most beautiful freeway in the whole state of Michigan. I will challenge any of you on that. So I am grateful for that.

But there are still many challenges and I brought them to you. I talked about my community not having water. Some didn't listen, some did. It became gouging to citizens and now I think you understand because now the state is going to take over my city. That is a good thing because they really needed some help. It is a little late, but I still think it is coming—Hamtramck. So, you see I have had many, many challenges in my total district. But, with a little help from the state we will be ok.

I want you to remember that we all only have one vote but we have to help each other. It is important that we help all the citizens of this state. They are all very important. I still need my college open so those of you who are left here, I want you to remember that. I am going to be peeping over your shoulders. Since I can still come on the floor, I'll come and peep around and remind you that your college could be next and it is so important that we have those community colleges open. Now we are putting training programs in all over this state so my oldest college in this state should be revived also. So I would hope that you would look upon my district even when I am gone because the person who will come after me will not know the story. You see my dad moved to Highland Park because of that college. He always told me when I was growing up that you must give back. So that is what I am trying to do, give back. We all have to give back. I was fortunate enough to grow up in my district. I didn't grow up in Hamtramck but we shopped there. So, you see it is important to me because they gave to me when I was growing up. So now it is about me giving back. Many of us don't have that opportunity, but I am grateful that I have the opportunity to continue to serve my community.

I want to thank my family for allowing me to serve—especially my grandchildren. My nine year old said she wished that she could be here this evening because she was just two years old when I was campaigning and I remember that last night. My two granddaughters and my daughter and I were out and I told them I was so tired. They said, 'well, just ask God for a little more energy.' So we went out and the little one took the megaphone and said, 'Grandma I want to talk.' I said, 'you can't talk.' She said, 'I'm talking to you.' I said, 'sure.' So she picked up that megaphone and she said, 'vote for Martha Jesus Scott.' I said, 'but it is Martha G. Scott.' She said, 'yes, but you vote for Martha Jesus Scott.' So I thank little Christina tonight because I turned to my daughter and said, 'we're winning tomorrow, this is our omen.' And so, for the next two years, and the next two years, I was reelected to make a difference in that community.

So I am grateful for coming here because there were so many issues that I learned—so many health issues—Osteoporosis. I didn't know that so many people were on kidney machines. So I started a health fair with my district and my church, so that we can educate people more about all of these health issues. So that they can take better care of themselves. I am truly grateful for being in this wonderful House. And, I am grateful to all of you who listened to me. So I am going to miss each and every one of you. But, I will keep each and every one of you in my heart. And that is all the staff, all of those that are here to make a difference in this Capitol—I thank you so much for allowing me this opportunity.

Because of the late hour, I am reminded of what my little granddaughter, the oldest one always says, 'Grandma, you just talk too long.' So I hope that I have not bored you this evening but I do want to remind you that it is about taking care of the least of these—our little ones—the zero through fives and those seniors who made it possible for us to be here. I want to thank Representative Birkholz for allowing me to come to her community about a program about those unborn and some follow through. It didn't matter whether you were poor, middle class or rich, it was about that little baby. It is a program we ought to have all over this state. Because if we take care of them when they are young, we won't have to spend so much money on our prisons. Let them know that we truly care about them and their parents. We can be that support system for them.

So, I say to all of you that it has been truly a joy, an honor and a privilege. Representative Scranton, I'm going to remember the help that you gave me on Highland Park College and you are going to be here so continue to remind me. I thank each and every one of you for this great opportunity. I learned from all of you. So, thank you and God bless each and every one of you. Thank you."

By unanimous consent the House returned to the order of

#### **Messages from the Senate**

#### **House Bill No. 5930, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 122. The Senate has substituted (S-1) the bill.

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

Rep. Raczkowski moved that Rule 45 be suspended.

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

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. 1161****Yeas—89**

Allen	Garcia	LaForge	Sanborn
Birkholz	Gielegem	Law	Schauer
Bisbee	Gilbert	Lockwood	Schermesser
Bishop	Godchaux	Martinez	Scranton
Bradstreet	Gosselin	Mead	Shackleton
Brater	Hager	Middaugh	Sheltrown
Brewer	Hale	Minore	Shulman
Brown, B.	Hansen	Mortimer	Spade
Brown, C.	Hardman	Neumann	Stallworth
Byl	Hart	O'Neil	Stamas
Cassis	Howell	Pappageorge	Switalski
Caul	Jacobs	Patterson	Tabor
Cherry	Jamnack	Perricone	Tesanovich
Clark, I.	Jansen	Pestka	Thomas
Clarke, H.	Jelinek	Prusi	Toy
Daniels	Jellema	Pumford	Van Woerkom
Dennis	Johnson, Rick	Quarles	Vander Roest
DeRossett	Johnson, Ruth	Raczkowski	Vaughn
DeVuyst	Julian	Reeves	Vear
DeWeese	Koetje	Richardville	Voorhees
Ehardt	Kowall	Richner	Wojno
Faunce	Kuipers	Rocca	Woronchak
Frank			

**Nays—0**

In The Chair: Scranton

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.

**House Bill No. 5932, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 119 (MCL 750.119).

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

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

Rep. Raczkowski moved that Rule 45 be suspended.

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

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. 1162****Yeas—93**

Allen	Gielegem	LaForge	Rocca
Birkholz	Gilbert	Law	Sanborn



Bisbee	Godchaux	Lockwood	Schauer
Bishop	Gosselin	Martinez	Scott
Bradstreet	Green	Mead	Scranton
Brater	Hager	Middaugh	Shackleton
Brewer	Hale	Minore	Sheltrown
Brown, B.	Hansen	Mortimer	Shulman
Brown, C.	Hardman	Neumann	Spade
Cassis	Hart	O'Neil	Stallworth
Caul	Howell	Pappageorge	Stamas
Cherry	Jacobs	Patterson	Switalski
Clark, I.	Jamnick	Perricone	Tabor
Clarke, H.	Jansen	Pestka	Tesanovich
Daniels	Jelinek	Price	Toy
Dennis	Jellema	Prusi	Van Woerkom
DeRossett	Johnson, Rick	Pumford	Vander Roest
DeVuyst	Johnson, Ruth	Quarles	Vaughn
DeWeese	Julian	Raczkowski	Vear
Ehardt	Kilpatrick	Reeves	Voorhees
Faunce	Koetje	Richardville	Wojno
Frank	Kowall	Richner	Woodward
Garcia	Kuipers	Rivet	Woronchak
Garza			

### Nays—0

In The Chair: Scranton

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.

### House Bill No. 5931, entitled

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

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

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

Rep. Raczkowski moved that Rule 45 be suspended.

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

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

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

### Roll Call No. 1163

### Yeas—92

Allen	Gilbert	Law	Sanborn
Birkholz	Godchaux	Lockwood	Schauer
Bisbee	Gosselin	Martinez	Schermesser
Bishop	Green	Mead	Scott
Bradstreet	Hager	Middaugh	Scranton
Brater	Hale	Minore	Shackleton
Brewer	Hansen	Mortimer	Sheltrown
Brown, C.	Hardman	Neumann	Shulman
Cassis	Hart	O'Neil	Spade
Caul	Howell	Pappageorge	Stallworth

Clark, I.	Jacobs	Patterson	Stamas
Clarke, H.	Jamnick	Perricone	Switalski
Daniels	Jansen	Pestka	Tabor
Dennis	Jelinek	Price	Tesanovich
DeRossett	Jellema	Prusi	Toy
DeVuyst	Johnson, Rick	Pumford	Van Woerkom
DeWeese	Johnson, Ruth	Quarles	Vander Roest
Ehardt	Julian	Raczkowski	Vaughn
Faunce	Kilpatrick	Reeves	Vear
Frank	Koetje	Richardville	Voorhees
Garcia	Kowall	Richner	Wojno
Garza	Kuipers	Rivet	Woodward
Gielegghem	LaForge	Rocca	Woronchak

### Nays—0

In The Chair: Scranton

The House agreed to the full title of the bill.

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

Rep. Vander Roest moved that Rep. Garcia be excused temporarily from today's session.  
The motion prevailed.

### House Bill No. 5998, entitled

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending sections 54, 57, 61, 62, and 63 (MCL 389.54, 389.57, 389.61, 389.62, and 389.63).

The Senate has substituted (S-5) the bill.

The Senate has passed the bill as substituted (S-5), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1966 PA 331, entitled "An act to revise and consolidate the laws relating to community colleges; to provide for the creation of community college districts; to provide a charter for such districts; to provide for the government, control and administration of such districts; to provide for the election of a board of trustees; to define the powers and duties of the board of trustees; to provide for the assessment, levy, collection and return of taxes therefor; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending sections 14, 17, 21, 34, 37, 41, 42, 43, 54, 57, 61, 62, 63, and 81 (MCL 389.14, 389.17, 389.21, 389.34, 389.37, 389.41, 389.42, 389.43, 389.54, 389.57, 389.61, 389.62, 389.63, and 389.81), section 21 as amended by 1997 PA 147, section 34 as amended by 1982 PA 381, and section 81 as amended by 1984 PA 96, and by adding sections 85, 86, 87, and 88.

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

Rep. Raczkowski moved that Rule 45 be suspended.

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

The question being on concurring in the substitute (S-5) made to the bill by the Senate,

The substitute (S-5) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

### Roll Call No. 1164

### Yeas—89

Allen	Gielegghem	Law	Schermesser
Birkholz	Gilbert	Lockwood	Scott

Bisbee	Godchaux	Martinez	Scranton
Bishop	Gosselin	Mead	Shackleton
Bradstreet	Green	Middaugh	Sheltrown
Brater	Hager	Minore	Shulman
Brown, B.	Hale	Mortimer	Spade
Brown, C.	Hansen	Neumann	Stallworth
Byl	Hart	O'Neil	Stamas
Cassis	Howell	Pappageorge	Switalski
Caul	Jacobs	Patterson	Tabor
Cherry	Jamnick	Perricone	Tesanovich
Clark, I.	Jansen	Pestka	Thomas
Clarke, H.	Jelinek	Prusi	Toy
Dennis	Jellema	Pumford	Van Woerkom
DeRossett	Johnson, Rick	Raczkowski	Vander Roest
DeVuyst	Johnson, Ruth	Richardville	Vaughn
DeWeese	Julian	Richner	Vear
Ehardt	Kilpatrick	Rivet	Voorhees
Faunce	Koetje	Rocca	Wojno
Frank	Kowall	Sanborn	Woodward
Garza	Kuipers	Schauer	Woronchak
Geiger			

**Nays—0**

In The Chair: Scranton

The House agreed to the title as amended.

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

**House Bill No. 5778, entitled**

A bill to amend 1991 PA 190, entitled "An act to provide for the direct deposit of state employee payrolls, state university payments, and state retirement benefit payments into financial institutions; to allow any financial institution to participate in a state employee payroll deduction program; and to prescribe the powers and duties of certain state agencies and officials," by amending sections 2, 3, and 5 (MCL 487.2102, 487.2103, and 487.2105), section 5 as added by 1993 PA 100.

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

The Senate has passed the bill as substituted (S-1) and ordered that it be given immediate effect.

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

Rep. Raczkowski moved that Rule 45 be suspended.

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

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. 1165****Yeas—94**

Allen	Gielegem	Lockwood	Schauer
Birkholz	Gilbert	Martinez	Schermesser
Bisbee	Godchaux	Mead	Scott
Bishop	Gosselin	Middaugh	Scranton
Bradstreet	Green	Minore	Shackleton
Brater	Hager	Mortimer	Sheltrown
Brown, B.	Hale	Neumann	Shulman

Brown, C.	Hansen	O'Neil	Spade
Byl	Hardman	Pappageorge	Stallworth
Cassis	Hart	Patterson	Stamas
Caul	Howell	Perricone	Switalski
Cherry	Jacobs	Pestka	Tabor
Clark, I.	Jamnack	Price	Tesanovich
Clarke, H.	Jansen	Prusi	Thomas
Dennis	Jelinek	Pumford	Toy
DeRossett	Jellema	Quarles	Van Woerkom
DeVuyst	Johnson, Rick	Raczkowski	Vander Roest
DeWeese	Johnson, Ruth	Reeves	Vaughn
Ehardt	Julian	Richardville	Vear
Faunce	Kilpatrick	Richner	Voorhees
Frank	Koetje	Rivet	Wojno
Garcia	Kowall	Rocca	Woodward
Garza	Kuipers	Sanborn	Woronchak
Geiger	Law		

### Nays—0

In The Chair: Scranton

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

#### House Bill No. 6016, entitled

A bill to amend 1965 PA 203, entitled "Commission on law enforcement standards act," by amending section 2 (MCL 28.602), as amended by 1998 PA 237.

The Senate has amended the bill as follows:

1. Amend page 3, line 18, after "BY" by striking out "LAW" and inserting "THE LEGISLATIVE SERGEANT AT ARMS POLICE POWERS ACT".

The Senate has passed the bill as amended, 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.

Rep. Raczkowski moved that Rule 45 be suspended.

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

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

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

#### Roll Call No. 1166

#### Yeas—62

Allen	Garcia	Kuipers	Rocca
Birkholz	Geiger	Law	Sanborn
Bisbee	Gilbert	Mead	Scranton
Bishop	Gosselin	Middaugh	Shulman
Bradstreet	Green	Mortimer	Spade
Brown, B.	Hager	Neumann	Stamas
Brown, C.	Hart	Pappageorge	Switalski
Byl	Howell	Patterson	Tabor
Cassis	Jansen	Perricone	Toy
Caul	Jelinek	Pestka	Van Woerkom
Clarke, H.	Jellema	Pumford	Vander Roest
DeRossett	Johnson, Rick	Reeves	Vear
DeVuyst	Johnson, Ruth	Richardville	Voorhees

DeWeese	Julian	Richner	Wojno
Ehardt	Koetje	Rivet	Woronchak
Faunce	Kowall		

**Nays—27**

Brater	Godchaux	Lockwood	Scott
Cherry	Hale	Martinez	Sheltrown
Clark, I.	Hansen	Minore	Stallworth
Dennis	Hardman	O'Neil	Thomas
Frank	Jacobs	Quarles	Vaughn
Garza	Jamnick	Schauer	Woodward
Gielegem	Kilpatrick	Schermesser	

In The Chair: Scranton

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.

**House Bill No. 6017, entitled**

A bill to commission and confer certain police and arrest powers on certain sergeants at arms and assistant sergeants at arms in the legislative branch; and to prescribe certain duties and responsibilities of certain state employees.

The Senate has amended the bill as follows:

1. Amend page 1, following "THE PEOPLE OF THE STATE OF MICHIGAN ENACT:" by inserting:

"Sec. 1. This act shall be known and may be cited as the "legislative sergeant at arms police powers act"." and renumbering the remaining sections.

2. Amend page 3, following line 4, section 2(2), after the second "arms" by striking out "provided in this act" and inserting "of the house of representatives".

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

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

Rep. Raczkowski 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. 1167****Yeas—65**

Allen	Geiger	Law	Sanborn
Birkholz	Gilbert	Mead	Scranton
Bisbee	Gosselin	Middaugh	Shackleton
Bishop	Green	Mortimer	Shulman
Bradstreet	Hager	Neumann	Spade
Brown, B.	Hart	Pappageorge	Stamas
Brown, C.	Howell	Patterson	Switalski
Byl	Jansen	Perricone	Tabor
Cassis	Jelinek	Pestka	Tesanovich
Caul	Jellema	Pumford	Toy
Clarke, H.	Johnson, Rick	Raczkowski	Van Woerkom
DeRossett	Johnson, Ruth	Reeves	Vander Roest
DeVuyst	Julian	Richardville	Vear
DeWeese	Koetje	Richner	Voorhees
Ehardt	Kowall	Rivet	Wojno

Fauce  
Garcia

Kuipers

Rocca

Woronchak

**Nays—29**Brater  
Clark, I.  
Dennis  
Frank  
Garza  
Gielegem  
Godchaux  
HaleHansen  
Hardman  
Jacobs  
Jamnick  
Kilpatrick  
LaForge  
LockwoodMartinez  
Minore  
O'Neil  
Price  
Prusi  
Quarles  
SchauerSchermesser  
Scott  
Sheltrown  
Stallworth  
Thomas  
Vaughn  
Woodward

In The Chair: Scranton

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

**House Bill No. 5668, entitled**

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending sections 501 and 906 (MCL 436.1501 and 436.1906), section 501 as amended by 1998 PA 416 and section 906 as added by 1998 PA 391.

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 1998 PA 58, entitled "An act to create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state liquor stores; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; and to repeal acts and parts of acts," by amending sections 501, 903, and 906 (MCL 436.1501, 436.1903, and 436.1906), sections 501 and 903 as amended by 1998 PA 416 and section 906 as added by 1998 PA 391.

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

Rep. Raczkowski moved that Rule 45 be suspended.

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

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. 1168****Yeas—90**Allen  
Birkholz  
Bisbee  
Bishop  
BradstreetGeiger  
Gielegem  
Gilbert  
Gosselin  
GreenLaForge  
Law  
Lockwood  
Mead  
MiddaughSchermesser  
Scott  
Scranton  
Shackleton  
Sheltrown

Brater	Hager	Minore	Shulman
Brown, B.	Hale	Mortimer	Spade
Brown, C.	Hansen	Neumann	Stallworth
Byl	Hardman	O'Neil	Stamas
Cassis	Hart	Pappageorge	Switalski
Caul	Howell	Patterson	Tabor
Cherry	Jacobs	Perricone	Tesanovich
Clark, I.	Jamnick	Pestka	Thomas
Clarke, H.	Jansen	Price	Toy
Daniels	Jelinek	Prusi	Van Woerkom
Dennis	Jellema	Pumford	Vander Roest
DeRossett	Johnson, Rick	Raczkowski	Vaughn
DeVuyst	Johnson, Ruth	Reeves	Vear
DeWeese	Julian	Richardville	Voorhees
Ehardt	Kilpatrick	Richner	Wojno
Faunce	Koetje	Rocca	Woodward
Frank	Kowall	Sanborn	Woronchak
Garcia	Kuipers		

### Nays—0

In The Chair: Scranton

The House agreed to the title as amended.

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

### House Bill No. 4812, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 268.

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.

Rep. Raczkowski moved that Rule 45 be suspended.

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

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. 1169

### Yeas—95

Allen	Geiger	LaForge	Schauer
Birkholz	Gielegem	Law	Schermesser
Bisbee	Gilbert	Lockwood	Scott
Bishop	Godchaux	Martinez	Scranton
Bradstreet	Gosselin	Mead	Shackleton
Brater	Green	Middaugh	Sheltrown
Brown, B.	Hager	Minore	Shulman
Brown, C.	Hale	Mortimer	Spade
Byl	Hansen	Neumann	Stallworth
Cassis	Hardman	O'Neil	Stamas
Caul	Hart	Pappageorge	Switalski
Cherry	Howell	Patterson	Tabor
Clark, I.	Jacobs	Perricone	Tesanovich

Clarke, H.	Jamnick	Pestka	Thomas
Daniels	Jansen	Price	Toy
Dennis	Jelinek	Prusi	Van Woerkom
DeRossett	Jellema	Pumford	Vander Roest
DeVuyst	Johnson, Rick	Raczkowski	Vaughn
DeWeese	Johnson, Ruth	Reeves	Vear
Ehardt	Julian	Richardville	Voorhees
Faunce	Kilpatrick	Richner	Wojno
Frank	Koetje	Rivet	Woodward
Garcia	Kowall	Rocca	Woronchak
Garza	Kuipers	Sanborn	

**Nays—0**

In The Chair: Scranton

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.

**House Bill No. 4852, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 267.

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.

Rep. Raczkowski moved that Rule 45 be suspended.

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

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. 1170****Yeas—95**

Allen	Geiger	LaForge	Schauer
Birkholz	Gielegem	Law	Schermesser
Bisbee	Gilbert	Lockwood	Scott
Bishop	Godchaux	Martinez	Scranton
Bradstreet	Gosselin	Mead	Shackleton
Brater	Green	Middaugh	Sheltrown
Brown, B.	Hager	Minore	Shulman
Brown, C.	Hale	Mortimer	Spade
Byl	Hansen	Neumann	Stallworth
Cassis	Hardman	O'Neil	Stamas
Caul	Hart	Pappageorge	Switalski
Cherry	Howell	Patterson	Tabor
Clark, I.	Jacobs	Perricone	Tesanovich
Clarke, H.	Jamnick	Pestka	Thomas
Daniels	Jansen	Price	Toy
Dennis	Jelinek	Prusi	Van Woerkom
DeRossett	Jellema	Pumford	Vander Roest
DeVuyst	Johnson, Rick	Raczkowski	Vaughn
DeWeese	Johnson, Ruth	Reeves	Vear
Ehardt	Julian	Richardville	Voorhees



Faunce	Kilpatrick	Richner	Wojno
Frank	Koetje	Rivet	Woodward
Garcia	Kowall	Rocca	Woronchak
Garza	Kuipers	Sanborn	

**Nays—0**

In The Chair: Scranton

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.

**House Bill No. 4525, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending sections 520a, 520d, and 520e (MCL 750.520a, 750.520d, and 750.520e), section 520a as amended by 1983 PA 158 and sections 520d and 520e as amended by 1996 PA 155, and by adding section 520n.

The Senate has substituted (S-5) the bill.

The Senate has passed the bill as substituted (S-5) and amended the title to read as follows:

A bill to amend 1931 PA 328, entitled “An act to revise, consolidate, codify and add to the statutes relating to crimes; to define crimes and prescribe the penalties therefor; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending sections 520a and 520e (MCL 750.520a and 750.520e), section 520a as amended by 1983 PA 158 and section 520e as amended by 2000 PA 227.

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

Rep. Raczkowski moved that Rule 45 be suspended.

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

The question being on concurring in the substitute (S-5) made to the bill by the Senate,

The substitute (S-5) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1171****Yeas—94**

Allen	Geiger	Lockwood	Schauer
Birkholz	Gielegem	Martinez	Schermesser
Bisbee	Gilbert	Mead	Scott
Bishop	Godchaux	Middaugh	Scranton
Bradstreet	Gosselin	Minore	Shackleton
Brater	Hager	Mortimer	Sheltrown
Brown, B.	Hale	Neumann	Shulman
Brown, C.	Hansen	O’Neil	Spade
Byl	Hardman	Pappageorge	Stallworth
Cassis	Hart	Patterson	Stamas
Caul	Howell	Perricone	Switalski
Cherry	Jacobs	Pestka	Tabor
Clark, I.	Jamnick	Price	Tesanovich
Clarke, H.	Jansen	Prusi	Thomas
Daniels	Jelinek	Pumford	Toy
Dennis	Jellema	Quarles	Van Woerkom
DeRossett	Johnson, Rick	Raczkowski	Vander Roest
DeVuyst	Johnson, Ruth	Reeves	Vaughn
DeWeese	Julian	Richardville	Vear
Ehardt	Koetje	Richner	Voorhees

Faunce  
Frank  
Garcia  
Garza

Kowall  
Kuipers  
LaForge  
Law

Rivet  
Rocca  
Sanborn

Wojno  
Woodward  
Woronchak

**Nays—0**

In The Chair: Scranton

The House agreed to the title as amended.

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

**House Bill No. 4552, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9948) by adding chapter 50b.

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

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

Rep. Raczkowski moved that Rule 45 be suspended.

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

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. 1172**

**Yeas—77**

Allen  
Birkholz  
Bisbee  
Bishop  
Bradstreet  
Brown, B.  
Brown, C.  
Byl  
Cassis  
Caul  
Cherry  
Clark, I.  
Clarke, H.  
Daniels  
DeVuyst  
DeWeese  
Frank  
Garcia  
Garza  
Gielegem

Gilbert  
Green  
Hager  
Hale  
Hansen  
Hardman  
Hart  
Jacobs  
Jamnick  
Jansen  
Jelinek  
Johnson, Rick  
Johnson, Ruth  
Julian  
Koetje  
Kowall  
Kuipers  
LaForge  
Law

Lockwood  
Mead  
Middaugh  
Minore  
Neumann  
O'Neil  
Patterson  
Perricone  
Pestka  
Prusi  
Pumford  
Quarles  
Raczkowski  
Richardville  
Richner  
Rocca  
Sanborn  
Schauer  
Schermesser

Scott  
Scranton  
Shackleton  
Sheltrown  
Shulman  
Spade  
Stallworth  
Stamas  
Switalski  
Tabor  
Toy  
Van Woerkom  
Vander Roest  
Vaughn  
Vear  
Voorhees  
Wojno  
Woodward  
Woronchak

**Nays—0**

In The Chair: Scranton

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.

**House Bill No. 4615, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” (MCL 600.101 to 600.9948) by adding chapter 50b.

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

The Senate has passed the bill as substituted (S-2) and amended the title to read as follows:

A bill to amend 1961 PA 236, entitled “An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts,” (MCL 600.101 to 600.9948) by adding chapter 50B.

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

Rep. Raczkowski moved that Rule 45 be suspended.

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

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

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

**Roll Call No. 1173**

**Yeas—91**

Allen	Gielegem	LaForge	Sanborn
Birkholz	Gilbert	Law	Schauer
Bisbee	Godchaux	Lockwood	Schermesser
Bishop	Gosselin	Mead	Scott
Bradstreet	Green	Middaugh	Scranton
Brater	Hager	Minore	Shackleton
Brown, B.	Hale	Mortimer	Sheltrown
Brown, C.	Hansen	Neumann	Shulman
Byl	Hardman	O’Neil	Spade
Cassis	Hart	Pappageorge	Stamas
Caul	Howell	Patterson	Switalski
Clark, I.	Jacobs	Perricone	Tabor
Clarke, H.	Jamnack	Pestka	Tesanovich
Daniels	Jansen	Price	Toy
Dennis	Jelinek	Prusi	Van Woerkom
DeRossett	Jellema	Pumford	Vander Roest
DeVuyst	Johnson, Rick	Quarles	Vaughn
DeWeese	Johnson, Ruth	Raczkowski	Vear
Ehardt	Julian	Reeves	Voorhees
Faunce	Kilpatrick	Richardville	Wojno
Frank	Koetje	Richner	Woodward
Garcia	Kowall	Rivet	Woronchak
Garza	Kuipers	Rocca	

**Nays—0**

In The Chair: Scranton

The House agreed to the title as amended.

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

**House Bill No. 5669, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 801 (MCL 257.801), as amended by 2000 PA 82.

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.

Rep. Raczkowski moved that Rule 45 be suspended.

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

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. 1174****Yeas—88**

Allen	Geiger	Kowall	Sanborn
Birkholz	Gielegem	Kuipers	Schauer
Bisbee	Gilbert	Law	Schermesser
Bishop	Godchaux	Lockwood	Scott
Bradstreet	Gosselin	Mead	Scranton
Brater	Green	Middaugh	Shackleton
Brown, B.	Hager	Minore	Sheltrown
Brown, C.	Hale	Mortimer	Shulman
Byl	Hansen	Neumann	Spade
Cassis	Hardman	O'Neil	Stamas
Caul	Hart	Pappageorge	Switalski
Clarke, H.	Howell	Patterson	Tabor
Daniels	Jacobs	Perricone	Tesanovich
Dennis	Jamnick	Pestka	Toy
DeRossett	Jansen	Prusi	Van Woerkom
DeVuyst	Jelinek	Pumford	Vander Roest
DeWeese	Jellema	Raczkowski	Vaughn
Ehardt	Johnson, Rick	Reeves	Vear
Faunce	Johnson, Ruth	Richardville	Voorhees
Frank	Julian	Richner	Wojno
Garcia	Kilpatrick	Rivet	Woodward
Garza	Koetje	Rocca	Woronchak

**Nays—0**

In The Chair: Scranton

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.

**House Bill No. 5689, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 20162 and 21799b (MCL 333.20162 and 333.21799b) and by adding sections 21332 and 21716.

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

The Senate has passed the bill as substituted (S-2), ordered that it be given immediate effect and amended the title to read as follows:

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,” by amending sections 20162 and 21799b (MCL 333.20162 and 333.21799b) and by adding sections 21332, 21716, and 21734.

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

Rep. Raczkowski moved that Rule 45 be suspended.

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

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

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

**Roll Call No. 1175**

**Yeas—92**

Allen	Garza	Kowall	Schauer
Birkholz	Geiger	Kuipers	Schermesser
Bisbee	Gielegem	LaForge	Scott
Bishop	Gilbert	Law	Scranton
Bradstreet	Godchaux	Lockwood	Shackleton
Brater	Gosselin	Mead	Sheltrown
Brown, B.	Green	Middaugh	Shulman
Brown, C.	Hager	Minore	Spade
Byl	Hale	Mortimer	Stallworth
Cassis	Hansen	Neumann	Stamas
Caul	Hardman	O’Neil	Switalski
Cherry	Hart	Patterson	Tabor
Clark, I.	Howell	Perricone	Tesanovich
Clarke, H.	Jacobs	Pestka	Thomas
Daniels	Jamnick	Price	Toy
Dennis	Jansen	Prusi	Van Woerkom
DeRossett	Jelinek	Pumford	Vander Roest
DeVuyst	Jellema	Raczkowski	Vaughn
DeWeese	Johnson, Rick	Richardville	Vear
Ehardt	Johnson, Ruth	Richner	Voorhees
Faunce	Julian	Rivet	Wojno
Frank	Kilpatrick	Rocca	Woodward
Garcia	Koetje	Sanborn	Woronchak

**Nays—0**

In The Chair: Scranton

The House agreed to the title as amended.

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

**House Bill No. 6139, entitled**

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

The Senate has amended the bill as follows:

1. Amend page 1, line 2, after “exit” by striking out “131” and inserting “135”.

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

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

Rep. Raczkowski moved that Rule 45 be suspended.

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

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

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

**Roll Call No. 1176****Yeas—90**

Allen	Geiger	Kuipers	Rocca
Birkholz	Gielegem	LaForge	Sanborn
Bisbee	Gilbert	Law	Schauer
Bishop	Godchaux	Lockwood	Schermesser
Bradstreet	Gosselin	Mead	Scranton
Brater	Green	Middaugh	Shackleton
Brown, B.	Hager	Minore	Sheltrown
Brown, C.	Hale	Mortimer	Shulman
Byl	Hansen	Neumann	Spade
Cassis	Hardman	O'Neil	Stallworth
Caul	Hart	Pappageorge	Stamas
Cherry	Howell	Patterson	Switalski
Clark, I.	Jacobs	Perricone	Tabor
Clarke, H.	Jamnick	Pestka	Toy
Daniels	Jansen	Prusi	Van Woerkom
DeRossett	Jelinek	Pumford	Vander Roest
DeVuyst	Jellema	Quarles	Vaughn
DeWeese	Johnson, Rick	Raczkowski	Vear
Ehardt	Johnson, Ruth	Reeves	Voorhees
Faunce	Julian	Richardville	Wojno
Frank	Kilpatrick	Richner	Woodward
Garcia	Koetje	Rivet	Woronchak
Garza	Kowall		

**Nays—0**

In The Chair: Scranton

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

**House Bill No. 6091, entitled**

A bill to amend 1988 PA 234, entitled "Michigan Vietnam veterans memorial act," by amending the title and sections 2 and 5 (MCL 35.1052 and 35.1055), section 5 as amended by 1992 PA 122, and by adding section 5a.

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.

Rep. Raczkowski moved that Rule 45 be suspended.

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

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. 1177****Yeas—91**

Allen	Geiger	Kuipers	Sanborn
Birkholz	Gielegem	LaForge	Schauer
Bisbee	Gilbert	Law	Schermesser
Bishop	Godchaux	Lockwood	Scott
Bradstreet	Gosselin	Mead	Scranton
Brater	Green	Middaugh	Shackleton
Brown, B.	Hager	Minore	Sheltrown
Brown, C.	Hale	Mortimer	Shulman
Byl	Hansen	Neumann	Spade
Cassis	Hardman	O'Neil	Stallworth
Caul	Hart	Pappageorge	Stamas
Cherry	Howell	Patterson	Switalski
Clark, I.	Jacobs	Perricone	Tabor
Clarke, H.	Jamnick	Pestka	Toy
Daniels	Jansen	Prusi	Van Woerkom
DeRossett	Jelinek	Pumford	Vander Roest
DeVuyst	Jellema	Quarles	Vaughn
DeWeese	Johnson, Rick	Rackowski	Vear
Ehardt	Johnson, Ruth	Reeves	Voorhees
Faunce	Julian	Richardville	Wojno
Frank	Kilpatrick	Richner	Woodward
Garcia	Koetje	Rivet	Woronchak
Garza	Kowall	Rocca	

**Nays—0**

In The Chair: Scranton

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.

**House Bill No. 4378, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1531 (MCL 380.1531), as amended by 1995 PA 289.

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.

Rep. Rackowski moved that Rule 45 be suspended.

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

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. 1178****Yeas—95**

Allen	Geiger	LaForge	Schauer
Birkholz	Gielegem	Law	Schermesser
Bisbee	Gilbert	Lockwood	Scott
Bishop	Godchaux	Mead	Scranton

Bradstreet	Gosselin	Middaugh	Shackleton
Brater	Green	Minore	Sheltrown
Brown, B.	Hager	Mortimer	Shulman
Brown, C.	Hale	Neumann	Spade
Byl	Hansen	O'Neil	Stallworth
Cassis	Hardman	Pappageorge	Stamas
Caul	Hart	Patterson	Switalski
Cherry	Howell	Perricone	Tabor
Clark, I.	Jacobs	Pestka	Tesanovich
Clarke, H.	Jamnack	Price	Thomas
Daniels	Jansen	Prusi	Toy
Dennis	Jelinek	Pumford	Van Woerkom
DeRossett	Jellema	Quarles	Vander Roest
DeVuyst	Johnson, Rick	Raczkowski	Vaughn
DeWeese	Johnson, Ruth	Reeves	Vear
Ehardt	Julian	Richardville	Voorhees
Faunce	Kilpatrick	Richner	Wojno
Frank	Koetje	Rivet	Woodward
Garcia	Kowall	Rocca	Woronchak
Garza	Kuipers	Sanborn	

### Nays—0

In The Chair: Scranton

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.

By unanimous consent the House returned to the order of

### Motions and Resolutions

By unanimous consent the House considered **House Resolution No. 447** out of numerical order.

Reps. Birkholz, Allen, Bisbee, Bishop, Bradstreet, Brater, Bob Brown, Cameron Brown, Byl, Cassis, Caul, Cherry, Clarke, Daniels, DeRossett, DeVuyst, DeWeese, Ehardt, Faunce, Frank, Garcia, Geiger, Gielegem, Gilbert, Godchaux, Gosselin, Green, Hager, Hale, Hansen, Hart, Howell, Jacobs, Jamnick, Jelinek, Jellema, Rick Johnson, Ruth Johnson, Julian, Kilpatrick, Koetje, Kowall, Kuipers, LaForge, Law, Lockwood, Mead, Middaugh, Mortimer, Neumann, O'Neil, Pappageorge, Patterson, Pestka, Price, Prusi, Pumford, Quarles, Richardville, Richner, Rivet, Rocca, Sanborn, Schauer, Schermesser, Scott, Scranton, Shackleton, Sheltrown, Shulman, Spade, Stallworth, Stamas, Switalski, Tabor, Tesanovich, Thomas, Toy, Van Woerkom, Vander Roest, Vaughn, Vear, Voorhees, Wojno, Woodward and Woronchak offered the following resolution:

#### House Resolution No. 447.

A resolution of tribute to the Honorable Charles R. Perricone.

Whereas, The members of this legislative body are proud to laud Representative Charles R. Perricone for his memorable tenure of public service as a state lawmaker with the House of Representatives. As the first Speaker to face the new challenges of a term-limited House, Mr. Perricone has demonstrated resolute stewardship in advancing the interests of all of Michigan's citizens, businesses, and institutions; and

Whereas, A graduate of Western Michigan University, where he earned a bachelor's of business administration degree in accountancy (cum laude), Speaker Perricone served as Kalamazoo Township Planning Commissioner and Kalamazoo County Republican Party Treasurer prior to his election to the House in 1994; and

Whereas, Among his many achievements, Speaker Perricone sponsored legislation in 1995 to cut the Single Business Tax for Michigan-based companies and to phase out the Intangibles Tax. The following year, the Speaker authored the principal act within the computer and telecommunications crimes package. More importantly, Speaker Perricone devoted his energies and leadership to advance the learning curve of a legislative body comprised of a larger number of freshmen than had been the case for decades. His vision in this transition has been important to the institution and Michigan's legislative process; now, therefore, be it



Resolved by the House of Representatives, That we offer this expression of our gratitude to Speaker Charles R. Perricone as he brings to a close his three terms of service in this legislative body; and be it further

Resolved, That a copy of this resolution be transmitted to Speaker Perricone as evidence of our admiration and best wishes.

Pending the reference of the resolution to a committee,

Rep. Raczkowski 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.

### Comments and Recommendations

Rep. Raczkowski moved that Rule No. 82 be suspended.

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

Rep. Raczkowski moved that the following remarks be printed in the Journal.

The motion prevailed.

Rep. Perricone:

“This is a day, since it is not quite midnight, that I have thought about a few times. Not in the context of me, but in the context of the people I have served with because we have had some very, very emotional moments when people have departed this esteemed chamber. Sue Munsell I remember was left without a bill when the other chamber left before us that she had worked on for so many months. It was not a pleasant moment and many of us, I’m sure, remember what I am talking about. And then, things like Representative Byl’s piece that I read tonight that is exactly what I would expect of him—very creative and very funny as well. There are a lot of things that I could say. I have thought over the last week, gee how do you boil this down? And, frankly, I don’t know because there is so much that I have gone through in this position and I know that you have gone through. Some of what you have gone through is, of course, probably directly attributable to me.

I do want to say that we have a very large amount of things to be proud of. First, before I go through my list, and I made a list so that I don’t speak too long, I want to apologize for missing a few of the speeches today. That was not my intent. They do mean a tremendous amount to me and I was touched by the fact that everybody stood up today every time someone spoke. That has not always been the case. But, it was on both sides of the aisle today, it was with every speech and that moved me more than what was said, frankly. I was out doing things, like having what you would call my exit interview with the Governor. Working silly things like, the dove bill which in hindsight seems silly compared to so many of the other substantive things we have dealt with.

When I started this term as Speaker, many of you know that my wife went through a very grueling 11 hour operation in early February. I spent three months sleeping on a cot. What many of you don’t know is that I nearly lost her that day. I had to do this job at the same time and you folks were just awesome. We went through a very tough period. Like you, I read about the school rescue plan during the snowstorm. I didn’t know that was coming either. We didn’t plan for it. We didn’t allow for it. We didn’t even think about it. Yet, when it came over from the Senate, with all the things that were going on, we took a bill that we all agreed was important—me may not have agreed on how to do it—and we made it better in this chamber. We did it on a bi-partisan basis and that is when I knew we were going to be ok.

The thing I am most proud looking over the past two years, I have shared with my caucus, we in the House have driven the legislative agenda this term. I hope all of you realize that. You may not like everything that we have done. I know we have probably done at least one thing that everyone in here would disagree with, but we drove the legislative agenda. That has always been my dream. I didn’t know if we could do it. People had told me that you will never raise the profile of the House of Representatives, it doesn’t work that way. But, we did and we did it on a bi-partisan basis. We averaged 95 votes on final passage. That is more than the benchmark that everybody refers to which is of course, share power. You know, back when they voted on things like the anti-strike measure for teachers and other issues. We had more bi-partisan support on final passage than the last four terms. I am very proud of that. We had the first bi-partisan retreat that anyone can remember—including our esteemed Clerk who has been around for almost as long as Frank Kelly. We had the first legislative exchange program. A lot of people thought that it was kind of silly. Why are you doing that, what’s the big deal? But we took rural legislators like me to urban areas that you have to represent when you represent a city area and you have all of these unbelievable burdens that you have to deal with that folks from the out-state area don’t always understand. Now it wasn’t a big group, I think it was 25 to 30. We went to the African American Museum, took a tour of the city, listened to the economic development team and had lunch with the Mayor. But, it was a start. The reason that I kept pushing that—even though I had some people on staff and

members in the House and folks from the other chamber or elsewhere that said, 'don't waste your time you only have so much energy, focus on this, that, or the other thing'—was that I really wanted to establish something that could continue for this chamber that all could benefit from. Because in the era of term limits you don't have enough time to learn everything.

We conquered a lot of controversy. When we came in the prediction on the part of the media, and I think the expectation on the part of much of the public, was that under term limits we would fail. I don't believe, by any measure, that we have failed. Again, there are specific policies that some would disagree with. But, the fact is that this chamber took the toughest votes this term. We had the first vote on capital punishment since 1938. I don't care how people voted, it doesn't matter to me where they are on the issue. The fact of the matter is that you came in and you stood up and you were willing to vote on an issue that you know people talk about almost everyday. That hadn't been done in this chamber since 1938. To me, that is a defining moment that shows the courage of term limited members. We came in during a term where there was a Census, followed by redistricting—I am not going to go into what that means, you know it. We are term limited four years before anybody else feels the impact. Four years! We are not just the guinea pig, we are the experiment here. Four years. The Governor's office, the Senate, the bureaucracy, the lobbyists—they haven't felt term limits. They don't understand it and frankly, they don't understand us. We were all alone. When you come through those doors in the back of the chamber and you are not a part of this team, and this family—and we have become a family, and we fight just like a family and we get along just like a family—if you are not a part of that family, you don't understand term limits. I have tried to explain it. You've tried to explain it. People don't get it and they won't until they experience it. And, that is not going to happen for another two years. So, you are going to have even more of this.

We have made history. Representative Hanley and I were friends before we were elected to these positions. Unfortunately under term limits and with the Census, and redistricting, and the Presidential election, and the federal focus on the state races, and the congressional races and all that goes with it, we didn't have a chance to interact the way that we wanted to interact after we were elected. I have read all the stories about how the relationship has been contentious and how there has been a lot of rhetoric in the chamber. But, I have also talked to a lot of folks that have served under prior Speakers 6, 8, 10, 12 years ago and folks, we haven't held a candle to the battles that took place in the chamber back then and I think you know that. But, the press lives in the here and now. The public lives in the here and now. Most of us are new, so here we are. I regret the fact that term limits started in a Census year—four years before anybody else; in a presidential cycle. And, Mike Hanley and I had to deal with what we had to deal with. The pressures were just as great on me as they were on him. I believe that he had to serve as a Minority Leader with one hand tied behind his back for a lot of different reasons. I regret that. I saw the frustration in his eyes. We've talked about it and it is very unfortunate. It should have been a more pleasant experience for both of us. But, he served with integrity. And, he was honest. And, he was willing to face the challenges. Where he had room, he negotiated and I tried to do the same. It has been a pleasure for me to serve with the folks in this chamber and the members of the leadership team and both the Democratic side of the aisle and the Republican side of the aisle.

Which, takes me to my final point and that is the personal component that we all face in this chamber. I have a lot of great memories. We were talking earlier about the gas tax increase. That is a core issue with me. I don't vote to increase taxes. But, Representative Byl and Representative Jellema got me to vote for a tax increase. I didn't think I ever would but they prevailed. I remember a number of other battles where I threw votes up for things I didn't necessarily believe in but it wasn't necessarily a core issue and I knew that it was important to somebody else. I know that you have done the same. I've seen it and you can feel it. You know what I am talking about. We all grew with the experience that we have faced in here. The most incredibly exhilarating and rewarding thing that I have seen is when I see someone that came in wet behind the ears just like I did. Idealistic just like I was. Ready to change the world. I can't preach like Representative Stallworth does. I wish I could. Or, Representative Vaughn—I'd talk more often if I could speak that well. But, I have had that passion and you come in with that and you are ready to go, ready to tear them up, ready to get it done and then you realize that sometimes this business that we are in isn't real pleasant. And, sometimes the people that you are arguing with are members of your own party. Sometimes the people that you are arguing with are on your own committee. It might even be your seat-mate. It might even be somebody that you are really close to and then you realize that this is very, very difficult.

You've heard me say before that unless you get the 56 votes that all you have had is a good conversation. My fear going into term limits was that with so many people all at once, folks would not realize the importance of getting the 56 votes so that we're not just having a good conversation. I needn't have worried about any of that because people came in and they naturally came together on the issues that mattered.

A very good friend of mine and one of my mentors when I started—the former Representative Mick Middaugh—took me aside one day in my second year. He said, 'you know Charlie, caucus always makes the right decision.' 'The caucus always makes the right decision.' I've thought about that for a long time and I have looked for instances where that wasn't the case. I am very pleased to say, and I am sure that you would say this whether you are a colleague of mine on the Republican caucus or a member of the Democratic caucus—I haven't yet seen a time where that wasn't the case. We actually do think about what we are doing in here. We actually do think about our motivation. When push comes to shove we really do think about the impact on our colleagues before we put up our votes.

I haven't enjoyed a lot of the partisan jousting that has gone on in this chamber. That is not what I came here to do. That is probably one of the reasons that I am not really excited about running for another office. But, when I look back at the incredible policy initiatives that we have tackled as new members, some would say we haven't paid our dues, we shouldn't get those bills. We did it any way—the single business tax phase out, the residency issue—whether you were for or against, that is not my point, the Friday off before Labor Day. All of the issues that you know and I know, whether you supported them or not, it doesn't matter, the veteran legislators couldn't get done. But, we came in with 63 new members and a third term Speaker and we didn't even think about bringing them up on the floor because people were talking about it back home and we had a vote. Look at what we did with utility rates. Look at what we did with phone rates. We couldn't do it with veteran legislators, we tried. We came in and we did it. We did the best we could, but the point is that we got it done.

What I will miss about this position is not the intensity and the roller coaster ride, and I can't begin to tell you the highs and the lows that you go through by the hour, literally, in this position, what I will miss are the individuals in this room. I have a memory of each person. They are all positive, despite some of the disagreements we may have had. And, I will also miss the staff. I think you have realized having served a full term, and those in my class and the second-termers know that staff go through heck working for us. They have to train members when we come in. Many of us didn't supervise staff before we got here. I was one of them. You get here with this staff and they are running the show to a great extent. They have done an awesome, awesome job for 63 new members coming into one chamber for the first time with no blueprint, no guideline. Nobody had done it before. It was just by the seat of our pants and trying to figure out how to get it done. We could not have been as successful as we were without that. I guess I just want to share with you to show that I am supportive of you, what you've done and the depth of my belief in your abilities. One of my good friends said that we are comparable to CEOs and executives. I completely agree. They have not gone through what we have gone through. I went out of my way to make sure that when the Governor asked me who I would like to put on the SOCC Commission, I picked Louie Dodak who I know supports increases in wages; increases in expenses; increases in pay for what the people in this chamber go through. I am very proud of the fact that we restructured salaries for the staff. They are now higher than what they pay in the Senate. It is not because it is the Senate. It is because there are 110 people in this room. That is a lot harder to deal with than 38. They ought to be paid more. I went to the SOCC Commission and I argued for a significant increase in pay for every one of you. I am a conservative Republican. I've seen the letters in my newspapers back home since I did that. But, I believe in it because I believe in you. I feel very good about where this institution is going. I know it is stronger than where we found it. I know it is. I know it is in great hands. And, I am very proud of the two years that you allowed me to serve as Speaker of the House. And, I do realize that they are probably the most exciting two years of my life. Thank you very much."

By unanimous consent the House returned to the order of

### **Messages from the Senate**

#### **House Bill No. 5237, entitled**

A bill to amend 1985 PA 148, entitled "Self-service storage facility act," by amending the title and sections 3, 4, and 5 (MCL 570.523, 570.524, and 570.525).

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 1985 PA 148, entitled "An act to provide for a lien on personal property stored at a self-service storage facility in favor of the owner of the facility; and to provide for enforcement," by amending the title and sections 2, 3, 4, 5, 6, and 7 (MCL 570.522, 570.523, 570.524, 570.525, 570.526, and 570.527).

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

Rep. Raczkowski moved that Rule 45 be suspended.

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

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. 1179**

#### **Yeas—82**

Allen  
Birkholz  
Bisbee

Godchaux  
Gosselin  
Hager

Middaugh  
Minore  
Mortimer

Scott  
Scranton  
Shackleton

Bishop	Hale	Neumann	Sheltrown
Brater	Hansen	O'Neil	Shulman
Brown, B.	Hardman	Pappageorge	Spade
Brown, C.	Hart	Patterson	Stallworth
Byl	Howell	Pestka	Stamas
Cassis	Jamnack	Price	Switalski
Clark, I.	Jansen	Prusi	Tabor
Clarke, H.	Jelinek	Pumford	Tesanovich
Daniels	Jellema	Raczkowski	Thomas
DeRossett	Johnson, Rick	Reeves	Van Woerkom
DeWeese	Julian	Richardville	Vander Roest
Ehardt	Kilpatrick	Richner	Vaughn
Faunce	Koetje	Rivet	Vear
Frank	Kowall	Rocca	Voorhees
Garcia	LaForge	Sanborn	Wojno
Geiger	Law	Schauer	Woodward
Gielegem	Lockwood	Schermesser	Woronchak
Gilbert	Mead		

### Nays—0

In The Chair: Scranton

The House agreed to the title as amended.

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

### House Bill No. 5760, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 20178.

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.

Rep. Raczkowski moved that Rule 45 be suspended.

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

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. 1180

### Yeas—88

Allen	Garza	Kowall	Sanborn
Birkholz	Geiger	Kuipers	Schauer
Bisbee	Gielegem	Law	Scott
Bishop	Gilbert	Lockwood	Scranton
Bradstreet	Godchaux	Mead	Shackleton
Brater	Gosselin	Middaugh	Sheltrown
Brown, B.	Green	Minore	Shulman
Brown, C.	Hager	Mortimer	Spade
Byl	Hansen	Neumann	Stamas
Cassis	Hardman	O'Neil	Switalski
Caul	Hart	Pappageorge	Tabor
Cherry	Howell	Patterson	Tesanovich
Clark, I.	Jacobs	Pestka	Thomas

Clarke, H.	Jamnick	Price	Toy
Dennis	Jansen	Prusi	Van Woerkom
DeRossett	Jelinek	Pumford	Vander Roest
DeVuyst	Jellema	Raczkowski	Vaughn
DeWeese	Johnson, Rick	Reeves	Vear
Ehardt	Johnson, Ruth	Richardville	Voorhees
Faunce	Julian	Richner	Wojno
Frank	Kilpatrick	Rivet	Woodward
Garcia	Koetje	Rocca	Woronchak

**Nays—0**

In The Chair: Scranton

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.

**House Bill No. 5761, entitled**

A bill to amend 1979 PA 218, entitled “Adult foster care facility licensing act,” (MCL 400.701 to 400.737) by adding section 26b.

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.

Rep. Raczkowski moved that Rule 45 be suspended.

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

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. 1181****Yeas—78**

Allen	Gielegem	Law	Sanborn
Birkholz	Godchaux	Lockwood	Schermesser
Bisbee	Green	Mead	Scott
Bishop	Hager	Middaugh	Scranton
Bradstreet	Hale	Minore	Shackleton
Brater	Hansen	Mortimer	Sheltrown
Brown, B.	Hardman	Neumann	Shulman
Brown, C.	Hart	O’Neil	Spade
Byl	Howell	Pappageorge	Stamas
Cassis	Jacobs	Patterson	Switalski
Caul	Jamnick	Pestka	Tabor
Cherry	Jansen	Price	Tesanovich
Clarke, H.	Jelinek	Prusi	Toy
Daniels	Jellema	Pumford	Van Woerkom
DeRossett	Johnson, Rick	Raczkowski	Vander Roest
DeVuyst	Johnson, Ruth	Reeves	Vear
DeWeese	Julian	Richardville	Voorhees
Ehardt	Koetje	Richner	Wojno
Faunce	Kowall	Rocca	Woronchak
Garcia	Kuipers		

**Nays—0**

In The Chair: Scranton

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.

**House Bill No. 5255, entitled**

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1312 (MCL 380.1312), as amended by 1995 PA 289.

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.

Rep. Raczkowski moved that Rule 45 be suspended.

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

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. 1182****Yeas—78**

Allen	Godchaux	Middaugh	Scranton
Birkholz	Gosselin	Mortimer	Sheltrown
Bisbee	Hansen	Neumann	Shulman
Bishop	Hardman	O’Neil	Spade
Bradstreet	Hart	Pappageorge	Stallworth
Brater	Howell	Patterson	Stamas
Brown, B.	Jacobs	Perricone	Switalski
Brown, C.	Jamnick	Price	Tabor
Cassis	Jansen	Prusi	Tesanovich
Caul	Jelinek	Pumford	Thomas
Clarke, H.	Jellema	Quarles	Toy
DeRossett	Johnson, Rick	Raczkowski	Van Woerkom
DeVuyst	Johnson, Ruth	Reeves	Vander Roest
DeWeese	Julian	Richardville	Vaughn
Ehardt	Koetje	Richner	Vear
Faunce	Kowall	Rocca	Voorhees
Garcia	Kuipers	Sanborn	Wojno
Garza	Law	Schermesser	Woodward
Geiger	Lockwood	Scott	Woronchak
Gilbert	Mead		

**Nays—0**

In The Chair: Scranton

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.

**House Bill No. 4596, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 20917; and to repeal acts and parts of acts.

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

The Senate has passed the bill as substituted (S-2), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

Rep. Raczkowski moved that Rule 45 be suspended.

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

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

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

**Roll Call No. 1183****Yeas—83**

Allen	Geiger	LaForge	Scott
Birkholz	Gielegem	Law	Scranton
Bisbee	Gilbert	Lockwood	Shackleton
Bishop	Godchaux	Mead	Sheltrown
Bradstreet	Hager	Middaugh	Shulman
Brater	Hale	Mortimer	Spade
Brown, B.	Hansen	O'Neil	Stamas
Brown, C.	Hardman	Patterson	Switalski
Byl	Hart	Perricone	Tabor
Cassis	Howell	Pestka	Tesanovich
Caul	Jacobs	Price	Thomas
Clark, I.	Jamnack	Prusi	Toy
Clarke, H.	Jansen	Pumford	Van Woerkom
Daniels	Jelinek	Raczkowski	Vander Roest
Dennis	Jellema	Reeves	Vaughn
DeRossett	Johnson, Rick	Richardville	Vear
DeVuyst	Johnson, Ruth	Richner	Voorhees
DeWeese	Julian	Rivet	Wojno
Faunce	Kilpatrick	Rocca	Woodward
Frank	Koetje	Sanborn	Woronchak
Garcia	Kowall	Schermesser	

**Nays—0**

In The Chair: Scranton

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.

**House Bill No. 5549, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 653a.

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

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

Rep. Raczkowski moved that Rule 45 be suspended.

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

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

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

**Roll Call No. 1184****Yeas—80**

Allen	Godchaux	LaForge	Schermesser
Birkholz	Gosselin	Law	Scott
Bisbee	Green	Lockwood	Scranton
Bishop	Hager	Mead	Shackleton
Bradstreet	Hale	Middaugh	Sheltrown
Brater	Hansen	Minore	Shulman
Brown, B.	Hardman	O'Neil	Spade
Brown, C.	Hart	Pappageorge	Stallworth
Cassis	Howell	Patterson	Stamas
Caul	Jacobs	Perricone	Switalski
Clarke, H.	Jamnick	Pestka	Tabor
Daniels	Jansen	Price	Tesanovich
DeRossett	Jelinek	Prusi	Thomas
DeVuyst	Jellema	Pumford	Toy
DeWeese	Johnson, Rick	Raczkowski	Van Woerkom
Ehardt	Johnson, Ruth	Reeves	Vander Roest
Garcia	Julian	Richardville	Vear
Geiger	Koetje	Rivet	Voorhees
Gielegem	Kowall	Rocca	Wojno
Gilbert	Kuipers	Schauer	Woronchak

**Nays—0**

In The Chair: Scranton

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.

**House Bill No. 6015, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 12 of chapter XVII (MCL 777.12), as amended by 2000 PA 279.

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

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

Rep. Raczkowski moved that Rule 45 be suspended.

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

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

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

**Roll Call No. 1185****Yeas—78**

Allen	Geiger	Mead	Scott
Birkholz	Gielegem	Middaugh	Scranton
Bisbee	Gilbert	Minore	Shackleton
Bishop	Godchaux	Mortimer	Sheltrown
Bradstreet	Hager	O'Neil	Shulman
Brater	Hansen	Pappageorge	Spade
Brown, B.	Hart	Patterson	Stallworth
Brown, C.	Howell	Perricone	Stamas



Byl	Jacobs	Pestka	Tabor
Cassis	Jamnick	Price	Tesanovich
Caul	Jansen	Prusi	Thomas
Clark, I.	Jelinek	Pumford	Toy
Clarke, H.	Jellema	Reeves	Van Woerkom
Daniels	Johnson, Rick	Richardville	Vander Roest
DeRossett	Johnson, Ruth	Richner	Vaughn
DeVuyst	Julian	Rivet	Vear
DeWeese	Koetje	Rocca	Voorhees
Ehardt	Kowall	Sanborn	Wojno
Faunce	Kuipers	Schauer	Woodward
Garcia	Lockwood		

**Nays—0**

In The Chair: Scranton

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.

**House Bill No. 6063, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 57i.

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.

Rep. Raczkowski moved that Rule 45 be suspended.

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

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. 1186****Yeas—84**

Allen	Geiger	Kuipers	Sanborn
Birkholz	Gilbert	LaForge	Schauer
Bisbee	Godchaux	Law	Schermesser
Bishop	Gosselin	Lockwood	Scott
Bradstreet	Green	Mead	Scranton
Brater	Hager	Middaugh	Shackleton
Brown, B.	Hale	Minore	Sheltrown
Brown, C.	Hansen	Mortimer	Shulman
Byl	Hart	O'Neil	Spade
Cassis	Howell	Pappageorge	Stamas
Caul	Jacobs	Patterson	Switalski
Clark, I.	Jamnick	Perricone	Thomas
Clarke, H.	Jansen	Pestka	Toy
Daniels	Jelinek	Price	Van Woerkom
DeRossett	Jellema	Prusi	Vander Roest
DeVuyst	Johnson, Rick	Pumford	Vaughn
DeWeese	Johnson, Ruth	Raczkowski	Vear
Ehardt	Julian	Richardville	Voorhees
Faunce	Kilpatrick	Richner	Wojno

Frank  
Garcia

Koetje  
Kowall

Rivet  
Rocca

Woodward  
Woronchak

**Nays—0**

In The Chair: Scranton

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.

**House Bill No. 5736, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21787.

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.

Rep. Raczkowski moved that Rule 45 be suspended.

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

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. 1187**

**Yeas—80**

Allen  
Birkholz  
Bisbee  
Bishop  
Brater  
Brown, B.  
Brown, C.  
Cassis  
Caul  
Cherry  
Dennis  
DeRossett  
DeVuyst  
DeWeese  
Ehardt  
Faunce  
Garcia  
Geiger  
Gilbert  
Godchaux

Gosselin  
Hager  
Hale  
Hansen  
Hart  
Howell  
Jacobs  
Jamnick  
Jansen  
Jelinek  
Jellema  
Johnson, Rick  
Johnson, Ruth  
Julian  
Koetje  
Kowall  
Kuipers  
LaForge  
Law  
Lockwood

Mead  
Middaugh  
Mortimer  
Neumann  
O'Neil  
Pappageorge  
Patterson  
Perricone  
Pestka  
Price  
Prusi  
Pumford  
Raczkowski  
Reeves  
Richardville  
Richner  
Rivet  
Rocca  
Sanborn  
Schauer

Scott  
Scranton  
Shackleton  
Sheltrown  
Shulman  
Spade  
Stallworth  
Stamas  
Switalski  
Tabor  
Thomas  
Toy  
Van Woerkom  
Vander Roest  
Vaughn  
Vear  
Voorhees  
Wojno  
Woodward  
Woronchak

**Nays—0**

In The Chair: Scranton

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.

**House Bill No. 4778, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 309, 310e, 312, 312b, 323b, and 811 (MCL 257.309, 257.310e, 257.312, 257.312b, 257.323b, and 257.811), section 309 as amended by 1996 PA 551, section 310e as amended by 1999 PA 40, section 312b as amended by 1996 PA 345, and section 811 as amended by 1996 PA 387.

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 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 and grant programs; to provide for the appropriation of money for certain grant programs; 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 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 309, 310e, 312, 312b, 323b, 806, and 811 (MCL 257.309, 257.310e, 257.312, 257.312b, 257.323b, 257.806, and 257.811), section 309 as amended by 1996 PA 551, section 310e as amended by 1999 PA 40, section 312b as amended by 1996 PA 345, section 806 as amended by 1995 PA 267, and section 811 as amended by 1996 PA 387.

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

Rep. Raczkowski moved that Rule 45 be suspended.

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

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. 1188****Yeas—83**

Allen	Geiger	LaForge	Scranton
Birkholz	Gilbert	Lockwood	Shackleton
Bisbee	Godchaux	Mead	Sheltrown
Bishop	Gosselin	Middaugh	Shulman
Bradstreet	Hager	Mortimer	Spade
Brater	Hale	Neumann	Stallworth
Brown, B.	Hansen	O'Neil	Stamas
Brown, C.	Hardman	Pappageorge	Switalski
Cassis	Hart	Perricone	Tabor
Caul	Howell	Pestka	Tesanovich
Cherry	Jacobs	Price	Thomas
Clark, I.	Jamnack	Prusi	Toy
Clarke, H.	Jansen	Pumford	Van Woerkom
Daniels	Jelinek	Raczkowski	Vander Roest
DeRossett	Johnson, Rick	Reeves	Vaughn
DeVuyst	Johnson, Ruth	Richardville	Vear
DeWeese	Julian	Richner	Voorhees
Ehardt	Kilpatrick	Rivet	Wojno
Faunce	Koetje	Rocca	Woodward
Frank	Kowall	Sanborn	Woronchak
Garcia	Kuipers	Scott	

**Nays—0**

The House agreed to the title as amended.  
The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

The Speaker resumed the Chair.

By unanimous consent the House returned to the order of  
**Reports of Standing Committees**

The Speaker laid before the House  
**House Resolution No. 402.**

A resolution to urge the Department of Community Health to review the effects of obesity on public health and make recommendations for improvements to state prevention efforts.

(For text of resolution, see House Journal No. 60, p. 2164.)

(The resolution was reported by the Committee on Health Policy on November 9, consideration of which, under the rules, was postponed until November 14.)

The question being on the adoption of the resolution,  
The resolution was adopted.

#### Messages from the Senate

##### **House Bill No. 4779, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 12 of chapter XVII (MCL 777.12), as added by 1998 PA 317.

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

The Senate has passed the bill as substituted (S-2) 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 12 of chapter XVII (MCL 777.12), as amended by 2000 PA 279.

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

Rep. Raczkowski moved that Rule 45 be suspended.

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

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

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

#### Roll Call No. 1189

#### Yeas—89

Allen  
Birkholz

Gielegem  
Gilbert

Kuipers  
Law

Schauer  
Scott

Bisbee	Godchaux	Lockwood	Scranton
Bishop	Gosselin	Mead	Shackleton
Bradstreet	Green	Middaugh	Sheltrown
Brater	Hager	Minore	Shulman
Brown, B.	Hale	Mortimer	Spade
Brown, C.	Hansen	Neumann	Stallworth
Byl	Hardman	Pappageorge	Stamas
Cassis	Hart	Patterson	Switalski
Caul	Howell	Perricone	Tabor
Cherry	Jacobs	Pestka	Tesanovich
Clark, I.	Jamnack	Price	Thomas
Clarke, H.	Jansen	Prusi	Toy
Daniels	Jelinek	Pumford	Van Woerkom
DeRossett	Jellema	Raczkowski	Vander Roest
DeVuyst	Johnson, Rick	Reeves	Vaughn
DeWeese	Johnson, Ruth	Richardville	Vear
Ehardt	Julian	Richner	Voorhees
Faunce	Kilpatrick	Rivet	Wojno
Frank	Koetje	Rocca	Woodward
Garcia	Kowall	Sanborn	Woronchak
Geiger			

### Nays—1

LaForge

In The Chair: Perricone

The House agreed to the title as amended.

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

The Speaker laid before the House

#### **Senate Concurrent Resolution No. 44.**

A concurrent resolution prescribing the legislative schedule.

Resolved by the Senate (the House of Representatives concurring), That when the Legislature adjourns on Thursday, December 14, 2000, it stands adjourned until Wednesday, December 27, 2000, at 11:45 a.m. for the Senate and 11:30 a.m. for the House of Representatives; and be it further

Resolved, That when the Legislature adjourns on Wednesday, December 27, 2000, it stands adjourned without day.

The Senate has adopted the concurrent resolution.

Pending the reference of the concurrent resolution to a committee,

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

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

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted, a majority of the members present voting therefor.

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Rep. Raczkowski moved that pursuant to House Rule 20, the Clerk of the House be authorized to enroll House bills while the House is not in session.

The motion prevailed.

Rep. Raczkowski moved that the House adjourn.

The motion prevailed, the time being 11:57 p.m.

Rep. Raczkowski moved that when the House adjourns today it stand adjourned until Wednesday, December 27, at 11:30 a.m.

The motion prevailed.

The Speaker declared the House adjourned until Wednesday, December 27, at 11:30 a.m.

GARY L. RANDALL  
Clerk of the House of Representatives.