

No. 68
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House of Representatives
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House Chamber, Lansing, Tuesday, December 5, 2000.

10:00 a.m.

The House was called to order by the Speaker Pro Tempore.

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—present	Garza—present	LaSata—present	Sanborn—present
Birkholz—present	Geiger—present	Law—present	Schauer—e/d/s
Bisbee—present	Gielegghem—present	Lemmons—e/d/s	Schermesser—e/d/s
Bishop—present	Gilbert—present	Lockwood—e/d/s	Scott—present
Bogardus—present	Godchaux—present	Mans—e/d/s	Scranton—e/d/s
Bovin—present	Gosselin—present	Martinez—present	Shackleton—present
Bradstreet—present	Green—present	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—excused
Brown, Cameron—present	Hansen—present	Neumann—present	Stamas—present
Byl—present	Hardman—e/d/s	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—e/d/s	Thomas—present
Cherry—present	Jamnick—present	Pestka—present	Toy—present
Clark—present	Jansen—present	Price—present	Vander Roest—present
Clarke—e/d/s	Jelinek—present	Prusi—present	Van Woerkom—present
Daniels—e/d/s	Jellema—present	Pumford—present	Vaughn—present
DeHart—present	Johnson, Rick—present	Quarles—present	Vear—present
Dennis—excused	Johnson, Ruth—present	Rackowski—present	Voorhees—present
DeRossett—present	Julian—present	Reeves—present	Wojno—present
DeVuyst—present	Kelly—present	Richardville—present	Woodward—present
DeWeese—present	Kilpatrick—e/d/s	Richner—present	Woronchak—present
Ehardt—present	Koetje—present	Rison—e/d/s	
Faunce—present	Kowall—present		

e/d/s = entered during session

Rep. Pam Godchaux, from the 40th District, offered the following invocation:

“Let us guide each other and support each other as we work our way through the last days of this session. Let us remember those people that we are here representing—both those that we know, we can hear their voices, and those that we cannot. Let us be wise in our decisions and let us not rush—because time is important but better decisions take time. Let it be.”

Rep. Scott moved that Reps. Dennis and Stallworth be excused from today’s session.
The motion prevailed.

Second Reading of Bills

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.

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

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

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

The motion prevailed, 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

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.

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

Roll Call No. 1023

Yeas—94

Allen	Faunce	Kelly	Richardville
Baird	Frank	Koetje	Richner
Basham	Garcia	Kowall	Rivet
Birkholz	Garza	Kuipers	Rocca
Bisbee	Geiger	LaForge	Sanborn
Bishop	Gielegghem	LaSata	Scott
Bogardus	Gilbert	Law	Shackleton
Bovin	Godchaux	Martinez	Sheltrown
Bradstreet	Gosselin	Mead	Shulman
Brater	Green	Middaugh	Spade
Brewer	Hager	Minore	Stamas
Brown, B.	Hale	Mortimer	Switalski
Brown, C.	Hanley	Neumann	Tabor
Byl	Hansen	O’Neil	Tesanovich
Callahan	Hart	Pappageorge	Thomas
Cassis	Howell	Patterson	Toy
Caul	Jacobs	Pestka	Van Woerkom

Cherry	Jamnick	Price	Vander Roest
Clark, I.	Jansen	Prusi	Vear
DeHart	Jelinek	Pumford	Voorhees
DeRossett	Jellema	Quarles	Wojno
DeVuyst	Johnson, Rick	Raczkowski	Woodward
DeWeese	Johnson, Ruth	Reeves	Woronchak
Ehardt	Julian		

Nays—0

In The Chair: Birkholz

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.

Reps. Allen, Baird, Birkholz, Bovin, Bob Brown, Cameron Brown, Byl, Callahan, Cassis, Caul, DeHart, DeVuyst, DeWeese, Frank, Garcia, Gielegheem, Gilbert, Hager, Howell, Jamnick, Jansen, Jelinek, Jellema, Rick Johnson, Ruth Johnson, Kelly, Kowall, Kuipers, Law, Mead, Minore, Neumann, Pappageorge, Patterson, Pestka, Prusi, Pumford, Raczkowski, Richner, Rocca, Scott, Shackleton, Sheltroun, Shulman, Stamas, Tesanovich, Thomas, Toy, Van Woerkom, Vander Roest, Voorhees, Wojno, Woodward and Woronchak were named co-sponsors of the bill.

The Speaker Pro Tempore called Associate Speaker Pro Tempore Patterson to the Chair.

Reps. Daniels, Kilpatrick and Schauer entered the House Chambers.

Second Reading of Bills

House Bill No. 5585, entitled

A bill to amend 1984 PA 44, entitled "Motor fuels quality act," by amending section 4a (MCL 290.644a), as added by 1986 PA 127.

The bill was read a second time.

Rep. Tabor 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

House Bill No. 5585, entitled

A bill to amend 1984 PA 44, entitled "Motor fuels quality act," by amending section 4a (MCL 290.644a), as added by 1986 PA 127.

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

Roll Call No. 1024

Yeas—95

Allen	Faunce	Kelly	Richner
Baird	Frank	Kilpatrick	Rivet

Basham	Garcia	Koetje	Rocca
Birkholz	Garza	Kowall	Sanborn
Bisbee	Geiger	Kuipers	Schauer
Bishop	Gielegthem	LaForge	Scott
Bovin	Gilbert	LaSata	Shackleton
Bradstreet	Godchaux	Law	Sheltrown
Brater	Gosselin	Mead	Shulman
Brewer	Green	Middaugh	Spade
Brown, B.	Hager	Minore	Stamas
Brown, C.	Hale	Mortimer	Switalski
Byl	Hanley	Neumann	Tabor
Callahan	Hansen	O'Neil	Tesanovich
Cassis	Hart	Pappageorge	Thomas
Caul	Howell	Patterson	Toy
Cherry	Jacobs	Pestka	Van Woerkom
Clark, I.	Jamnick	Price	Vander Roest
Daniels	Jansen	Prusi	Vear
DeHart	Jelinek	Pumford	Voorhees
DeRossett	Jellema	Quarles	Wojno
DeVuyst	Johnson, Rick	Raczkowski	Woodward
DeWeese	Johnson, Ruth	Reeves	Woronchak
Ehardt	Julian	Richardville	

Nays—1

Bogardus

In The Chair: Patterson

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.

Rep. Scranton entered the House Chambers.

Second Reading of Bills

House Bill No. 5586, entitled

A bill to amend 1974 PA 181, entitled "An act to provide for the testing, condemnation and disposal of livestock and livestock products; to provide for the testing of certain livestock; to provide for the quarantine of certain livestock; to prescribe the conditions of condemnation; to provide for the indemnification of owners of quarantined or disposed livestock or livestock products; to provide for recovery of the costs of testing, condemnation, disposal, and indemnification; and to prescribe the powers and duties of the department of agriculture," by amending sections 3b and 7 (MCL 287.73b and 287.77); and to repeal acts and parts of acts.

Was read a second time, and the question being on the adoption of the proposed substitute (H-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. DeWeese 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

House Bill No. 5586, entitled

A bill to amend 1974 PA 181, entitled “An act to provide for the testing, condemnation and disposal of livestock and livestock products; to provide for the testing of certain livestock; to provide for the quarantine of certain livestock; to prescribe the conditions of condemnation; to provide for the indemnification of owners of quarantined or disposed livestock or livestock products; to provide for recovery of the costs of testing, condemnation, disposal, and indemnification; and to prescribe the powers and duties of the department of agriculture,” by amending sections 3b and 7 (MCL 287.73b and 287.77); 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. 1025

Yeas—98

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

Nays—0

In The Chair: Patterson

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 repeal 1974 PA 181, entitled “An act to provide for the testing, condemnation and disposal of livestock and livestock products; to provide for the testing of certain livestock; to provide for the quarantine of certain livestock; to prescribe the conditions of condemnation; to provide for the indemnification of owners of quarantined or disposed

livestock or livestock products; to provide for recovery of the costs of testing, condemnation, disposal, and indemnification; and to prescribe the powers and duties of the department of agriculture,” (MCL 287.71 to 287.77).

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.

Second Reading of Bills

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 402c.

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

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

Rep. Martinez moved to amend the bill as follows:

1. Amend page 3, following line 5, by inserting:

“(8) A HEALTH CARE CORPORATION GROUP OR NONGROUP CERTIFICATE 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 motion did not prevail and the amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Hager 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.

Reps. Rison, Clarke and Mans entered the House Chambers.

By unanimous consent the House returned to the order of

Third Reading of Bills

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 402c.

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

Roll Call No. 1026

Yeas—63

Allen	Ehardt	Julian	Richardville
Basham	Faunce	Koetje	Rivet
Birkholz	Frank	Kowall	Rocca
Bisbee	Garcia	Kuipers	Sanborn
Bishop	Geiger	LaSata	Shackleton
Bovin	Gilbert	Mans	Sheltrown
Bradstreet	Gosselin	Mead	Spade
Brown, B.	Green	Middaugh	Stamas

Brown, C.	Hager	Mortimer	Tabor
Byl	Hart	Neumann	Van Woerkom
Callahan	Howell	O'Neil	Vander Roest
Cassis	Jansen	Pappageorge	Vear
Caul	Jelinek	Patterson	Voorhees
DeRossett	Jellema	Pestka	Wojno
DeVuyst	Johnson, Rick	Pumford	Woronchak
DeWeese	Johnson, Ruth	Rackowski	

Nays—35

Baird	Garza	Kilpatrick	Schauer
Bogardus	Gielegem	LaForge	Scott
Brater	Godchaux	Martinez	Scranton
Brewer	Hale	Minore	Switalski
Cherry	Hanley	Price	Tesanovich
Clark, I.	Hansen	Prusi	Thomas
Clarke, H.	Jacobs	Quarles	Toy
Daniels	Jamnick	Reeves	Woodward
DeHart	Kelly	Rison	

In The Chair: Patterson

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

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

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 motion prevailed.

The House agreed to the title as amended.

The Speaker Pro Tempore resumed the Chair.

Second Reading of Bills

Senate Bill No. 1170, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9948) by adding section 2971.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Family and Civil Law (for amendment, see House Journal No. 67, p. 2448),

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

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

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

Rep. Lockwood entered the House Chambers.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 1170, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” (MCL 600.101 to 600.9948) by adding section 2971.

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

Roll Call No. 1027

Yeas—66

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

Nays—33

Baird	Garza	Kilpatrick	Rison
Bogardus	Godchaux	LaForge	Schauer
Brater	Hale	Martinez	Scott
Brewer	Hanley	Minore	Scranton
Cherry	Hansen	Price	Tesanovich
Clark, I.	Jacobs	Prusi	Thomas
Clarke, H.	Jamnick	Quarles	Toy
Daniels	Kelly	Reeves	Woodward
DeHart			

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 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.”.

The House agreed to the full title.

Second Reading of Bills**House Bill No. 4830, 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 second time, and the question being on the adoption of the proposed substitute (H-4) previously recommended by the Committee on Insurance and Financial Services,

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

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. 1028**Yeas—32**

Bogardus	DeHart	Jacobs	Rison
Brater	Garza	Jamnack	Schauer
Brewer	Gielegghem	LaForge	Scott
Byl	Godchaux	Martinez	Scranton
Cherry	Hale	Minore	Switalski
Clark, I.	Hanley	Price	Tesanovich
Clarke, H.	Hansen	Prusi	Thomas
Daniels	Hart	Quarles	Woodward

Nays—64

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

Rep. Gosselin 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. Perricone entered the House Chambers.

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

House Bill No. 4830, 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. 1029

Yeas—65

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

Nays—35

Baird	Garza	Kilpatrick	Schauer
Bogardus	Gielegghem	LaForge	Scott
Brater	Godchaux	Martinez	Scranton
Brewer	Hale	Minore	Switalski
Cherry	Hanley	Price	Tesanovich
Clark, I.	Hansen	Prusi	Thomas
Clarke, H.	Jacobs	Quarles	Toy
Daniels	Jamnack	Reeves	Woodward
DeHart	Kelly	Rison	

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

The motion prevailed.

The House agreed to the title as amended.

Rep. Baird moved that Rep. Hanley be excused temporarily from today’s session.

The motion prevailed.

By unanimous consent the House returned to the order of

Messages from the Senate

The Speaker laid before the House

House Bill No. 5548, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 17015 (MCL 333.17015), as added by 1993 PA 133.

(The bill was received from the Senate on November 29 with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until November 30, see House Journal No. 66, p. 2409.)

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

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

1. Amend page 8, line 7, after “gestation” by inserting a comma and “using curriculum materials from the Michigan model for comprehensive school health education for grade 6, phase IV, lesson 22 in use on January 1, 1992”.

2. Amend page 8, line 14, after “development.” by inserting “THE DEPARTMENT SHALL INCLUDE IN THE INTERNET WEBSITE DEVELOPED AND MAINTAINED UNDER SUBSECTION (11) (G) THE DEPICTIONS, ILLUSTRATIONS, AND PHOTOGRAPHS DESCRIBED IN THIS SUBDIVISION IN A PRINTABLE FORM.”.

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

Rep. LaForge demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 1030

Yeas—32

Baird
Bogardus
Brater
Brewer
Cherry
Clark, I.
Clarke, H.
Daniels

DeHart
Garza
Gielegthem
Godchaux
Hale
Hansen
Jacobs
Jamnick

Kelly
Kilpatrick
LaForge
Lockwood
Mans
Martinez
Minore
Price

Prusi
Schauer
Scott
Scranton
Switalski
Tesanovich
Thomas
Woodward

Nays—62

Allen
Birkholz
Bisbee

Frank
Garcia
Geiger

Kowall
Kuipers
LaSata

Rocca
Sanborn
Shackleton

Bishop	Gilbert	Law	Sheltrown
Bradstreet	Gosselin	Mead	Shulman
Brown, B.	Green	Middaugh	Spade
Brown, C.	Hager	Mortimer	Stamas
Byl	Hart	Neumann	Tabor
Callahan	Howell	Pappageorge	Toy
Cassis	Jansen	Patterson	Van Woerkom
Caul	Jelinek	Pestka	Vander Roest
DeRossett	Jellema	Pumford	Vear
DeVuyst	Johnson, Rick	Raczkowski	Voorhees
DeWeese	Johnson, Ruth	Richardville	Wojno
Ehardt	Julian	Rivet	Woronchak
Faunce	Koetje		

In The Chair: Birkholz

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. 1031

Yeas—68

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

Nays—30

Baird	DeHart	Kilpatrick	Schauer
Bogardus	Garza	LaForge	Scott
Brater	Gielegghem	Martinez	Scranton
Brewer	Godchaux	Minore	Switalski
Cherry	Hale	Price	Tesanovich
Clark, I.	Hansen	Prusi	Thomas
Clarke, H.	Jacobs	Quarles	Woodward
Daniels	Jamnick		

In The Chair: Birkholz

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.

Second Reading of Bills

House Bill No. 4983, 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 second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Insurance and Financial Services,

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

Rep. Bob Brown 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. Schermesser entered the House Chambers.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4983, 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. 1032

Yeas—66

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

Nays—33

Baird	Garza	Kilpatrick	Schauer
Bogardus	Gielegghem	Martinez	Schermesser

Brater
Brewer
Cherry
Clark, I.
Clarke, H.
Daniels
DeHart

Godchaux
Hale
Hansen
Jacobs
Jamnick
Kelly

Minore
Price
Prusi
Quarles
Reeves
Rison

Scott
Scranton
Switalski
Tesanovich
Thomas
Woodward

In The Chair: Birkholz

The House agreed to the title of the bill.

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:

My no vote did not signify approval of an elective abortion, but maintains my position against prioritizing ‘sin’ against God and discrimination based on that sin. When we single out societal wrongs which are also against God and his word, should we then open ourselves to additional wrongs or sins. For example, should a man continue to receive health care benefits for physical or spiritual adultery against God. Should our medical benefits be jeopardized by our disobedience and transgressions against God and man. If I lie, hate, cheat, steal or commit blasphemy will I lose my health benefit. God forbid. We have choices and our choices should not affect what has been given as a result of an employer/employee benefit. Our choices should effect where we spend eternity.”

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

Reps. Hardman and Lemmons entered the House Chambers.

The Speaker Pro Tempore called Associate Speaker Pro Tempore Scranton to the Chair.

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. 1033

Yeas—97

Allen
Baird
Basham
Birkholz
Bisbee
Bishop

Faunce
Frank
Garcia
Garza
Geiger
Gielegthem

Kelly
Koetje
Kowall
Kuipers
LaForge
LaSata

Reeves
Richardville
Rison
Rocca
Sanborn
Schauer

Bogardus	Gilbert	Law	Schermesser
Bovin	Godchaux	Lemmons	Scott
Bradstreet	Gosselin	Lockwood	Scranton
Brater	Green	Mans	Shackleton
Brewer	Hager	Martinez	Sheltrown
Brown, B.	Hale	Mead	Shulman
Brown, C.	Hansen	Middaugh	Spade
Callahan	Hardman	Minore	Stamas
Cassis	Hart	Mortimer	Switalski
Caul	Howell	Neumann	Tabor
Cherry	Jacobs	O'Neil	Tesanovich
Clark, I.	Jamnick	Pappageorge	Toy
Clarke, H.	Jansen	Patterson	Van Woerkom
Daniels	Jelinek	Pestka	Vander Roest
DeHart	Jellema	Price	Vear
DeRossett	Johnson, Rick	Prusi	Voorhees
DeVuyst	Johnson, Ruth	Pumford	Wojno
DeWeese	Julian	Rackowski	Woodward
Ehardt			

In The Chair: Scranton

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

The Senate requested the return of
House Bill No. 4711, entitled

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 section 411 (MCL 750.411).

Rep. Rackowski moved that the Request of the Senate be granted.
The motion prevailed.

Second Reading of Bills

Senate Bill No. 120, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 285.
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. Faunce moved to amend the bill as follows:

1. Amend page 3, line 11, by striking out "January" and inserting "April".

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

Rep. Rackowski 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. Rackowski 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. 120, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 285. Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1034

Yeas—99

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

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 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,”.

The House agreed to the full title.

Rep. Rackowski 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. 885, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 160 of chapter XVII (MCL 777.160), as added by 1998 PA 317.

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

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

Rep. Faunce moved to amend the bill as follows:

1. Amend page 2, line 36, by striking out “January” and inserting “April”.

The motion prevailed and the amendment 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.

Rep. Vander Roest moved that Reps. Raczkowski and Perricone 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. 885, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16o of chapter XVII (MCL 777.16o), as added by 1998 PA 317.

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

Roll Call No. 1035

Yeas—100

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

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 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 160 of chapter XVII (MCL 777.160), as amended by 2000 PA 279.

The motion prevailed.

The House agreed to the title as amended.

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

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

Second Reading of Bills**Senate Bill No. 633, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 411a (MCL 750.411a), as amended by 1996 PA 303.

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

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

Rep. Faunce moved to amend the bill as follows:

1. Amend page 4, line 19, by striking out “January” and inserting “April”.

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. 633, entitled**

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 411a (MCL 750.411a), as amended by 1996 PA 303.

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

Roll Call No. 1036**Yeas—99**

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

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 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.”.

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. 634, entitled**

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16t of chapter XVII (MCL 777.16t), as added by 1998 PA 317.

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

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

Rep. Faunce moved to amend the bill as follows:

1. Amend page 2, line 32, by striking out “January” and inserting “April”.

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

Rep. Faunce moved to amend the bill as follows:

1. Amend page 2, following line 30, by inserting:

"750.411S(2)(A)	PERSON	G	UNLAWFUL POSTING OF MESSAGE	2
750.411S(2)(B)	PERSON	E	UNLAWFUL POSTING OF MESSAGE	
			WITH AGGRAVATING	
			CIRCUMSTANCES	5".

2. Amend page 2, line 33, by striking out all of enacting section 2 and 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. 633.

(b) House Bill No. 6052."

The motion prevailed and the amendments were 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. 634, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16t of chapter XVII (MCL 777.16t), as added by 1998 PA 317.

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

Roll Call No. 1037

Yeas—99

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

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 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 16t of chapter XVII (MCL 777.16t), as amended by 2000 PA 279.

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.

Rep. Scott moved that Rep. Vaughn be excused from the balance of today's session.

The motion prevailed.

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

The motion prevailed.

Second Reading of Bills

Senate Bill No. 635, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 1f of chapter IX (MCL 769.1f), as added by 1998 PA 345.

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

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

Rep. Faunce moved to amend the bill as follows:

1. Amend page 6, line 21, by striking out "January" and inserting "April".

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. 635, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 1f of chapter IX (MCL 769.1f), as added by 1998 PA 345.

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

Roll Call No. 1038**Yeas—101**

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

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

The House agreed to the full title.

Rep. 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. 882, entitled**

A bill to create certain funds; to provide for the operation, investment, and expenditure of certain funds; and to impose certain duties and requirements on certain state officials.

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

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. 882, entitled**

A bill to create certain funds; to provide for the operation, investment, and expenditure of certain funds; and to impose certain duties and requirements on certain state officials.

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

Roll Call No. 1039**Yeas—103**

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

Nays—0

The House agreed to the title of the bill.
 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. 453, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 44 (MCL 211.44), as amended by 1996 PA 57.

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.

Rep. Pappageorge moved that Rep. Jellema be excused temporarily from today's session.
 The motion prevailed.

Rep. Hale moved that Rep. Bogardus 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. 453, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 44 (MCL 211.44), as amended by 1996 PA 57.

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

Roll Call No. 1040

Yeas—99

Allen	Faunce	LaForge	Rivet
Baird	Frank	LaSata	Rocca
Basham	Garcia	Law	Sanborn
Birkholz	Garza	Lemmons	Schauer
Bisbee	Geiger	Lockwood	Schermesser
Bishop	Gielegthem	Mans	Scott
Bovin	Gilbert	Martinez	Scranton
Bradstreet	Godchaux	Mead	Shackleton
Brater	Gosselin	Middaugh	Sheltrown
Brewer	Green	Minore	Shulman
Brown, B.	Hager	Mortimer	Spade
Brown, C.	Hale	Neumann	Stamas
Byl	Hardman	O'Neil	Switalski
Callahan	Hart	Pappageorge	Tabor
Cassis	Howell	Patterson	Tesanovich
Caul	Jacobs	Pestka	Thomas
Cherry	Jamnick	Price	Toy
Clark, I.	Jansen	Prusi	Van Woerkom
Clarke, H.	Jelinek	Pumford	Vander Roest

Daniels	Johnson, Rick	Quarles	Vear
DeHart	Johnson, Ruth	Raczkowski	Voorhees
DeRossett	Julian	Reeves	Wojno
DeVuyst	Koetje	Richardville	Woodward
DeWeese	Kowall	Richner	Woronchak
Ehardt	Kuipers	Rison	

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.

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. 959, entitled

A bill to amend 1985 PA 227, entitled “Shared credit rating act,” by amending the title and sections 1, 3, 5, 6, 7, 8, 16, and 20 (MCL 141.1051, 141.1053, 141.1055, 141.1056, 141.1057, 141.1058, 141.1066, and 141.1070), the title and sections 3 and 8 as amended by 1997 PA 27, section 7 as amended by 2000 PA 118, and section 20 as amended by 1988 PA 316; and to repeal acts and parts of acts.

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. 959, entitled

A bill to amend 1985 PA 227, entitled “Shared credit rating act,” by amending the title and sections 1, 3, 5, 6, 7, 8, 16, and 20 (MCL 141.1051, 141.1053, 141.1055, 141.1056, 141.1057, 141.1058, 141.1066, and 141.1070), the title and sections 3 and 8 as amended by 1997 PA 27, section 7 as amended by 2000 PA 118, and section 20 as amended by 1988 PA 316; and to repeal acts and parts of acts.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

Second Reading of Bills

Senate Bill No. 906, entitled

A bill to amend 1974 PA 300, entitled “Motor vehicle service and repair act,” by amending section 10 (MCL 257.1310). 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. 906, entitled

A bill to amend 1974 PA 300, entitled “Motor vehicle service and repair act,” by amending section 10 (MCL 257.1310).

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

Roll Call No. 1041

Yeas—100

Allen	Ehardt	Koetje	Rison
Baird	Faunce	Kowall	Rivet
Basham	Frank	Kuipers	Rocca
Birkholz	Garcia	LaForge	Sanborn
Bisbee	Garza	LaSata	Schauer
Bishop	Geiger	Law	Schermesser
Bogardus	Gielegthem	Lemmons	Scott
Bovin	Gilbert	Lockwood	Scranton
Bradstreet	Godchaux	Mans	Shackleton
Brater	Gosselin	Martinez	Sheltrown
Brewer	Green	Mead	Shulman
Brown, B.	Hager	Middaugh	Spade
Brown, C.	Hale	Mortimer	Stamas
Byl	Hansen	Neumann	Switalski
Callahan	Hardman	O’Neil	Tabor
Cassis	Hart	Pappageorge	Tesanovich
Caul	Howell	Patterson	Thomas
Cherry	Jacobs	Pestka	Toy
Clark, I.	Jansen	Price	Van Woerkom
Clarke, H.	Jelinek	Prusi	Vander Roest
Daniels	Jellema	Pumford	Vear
DeHart	Johnson, Rick	Rackowski	Voorhees
DeRossett	Johnson, Ruth	Reeves	Wojno
DeVuyst	Julian	Richardville	Woodward
DeWeese	Kelly	Richner	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 regulate the practice of servicing and repairing motor vehicles; to proscribe unfair and deceptive practices; to provide for training and certification of mechanics; to provide for the registration of motor vehicle repair facilities; to provide for enforcement; and to prescribe penalties.”.

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.

Rep. Brewer moved that Reps. Kelly and LaForge be excused temporarily from today's session.
The motion prevailed.

Second Reading of Bills

Senate Bill No. 1324, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 244 (MCL 257.244), as amended by 1992 PA 306.

The bill was read a second time.

Rep. Gilbert moved to amend the bill as follows:

1. Amend page 1, line 8, by striking out all of subsection (2) and inserting: "A PRODUCER OF A VEHICLE SUBCOMPONENT SYSTEM ESSENTIAL TO THE OPERATION OF THE VEHICLE OR THE SAFETY OF AN OCCUPANT MAY OPERATE OR MOVE A MOTOR VEHICLE UPON A STREET OR HIGHWAY SOLELY TO TRANSPORT OR TEST THE SUBCOMPONENT SYSTEM IF THE MOTOR VEHICLE DISPLAYS, IN THE MANNER PRESCRIBED IN SECTION 225, 1 SPECIAL PLATE APPROVED BY THE SECRETARY OF STATE. TO BE ELIGIBLE FOR THE SPECIAL PLATE, THE SUBCOMPONENT SYSTEM PRODUCER MUST BE EITHER A RECOGNIZED SUBCOMPONENT SYSTEM PRODUCER OR MUST BE A SUBCOMPONENT SYSTEM PRODUCER UNDER CONTRACT WITH A VEHICLE MANUFACTURER."

The motion prevailed and the amendment 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. 1324, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 244 (MCL 257.244), as amended by 1992 PA 306.

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

Roll Call No. 1042

Yeas—97

Allen	Ehardt	Kowall	Rison
Baird	Faunce	Kuipers	Rivet
Basham	Frank	LaSata	Rocca
Birkholz	Garcia	Law	Sanborn
Bisbee	Geiger	Lemmons	Schauer
Bishop	Gielegghem	Lockwood	Schermesser
Bogardus	Gilbert	Mans	Scott
Bovin	Godchaux	Martinez	Scranton
Bradstreet	Gosselin	Mead	Shackleton
Brater	Green	Middaugh	Sheltrown
Brewer	Hager	Minore	Shulman
Brown, B.	Hale	Mortimer	Spade

Brown, C.	Hansen	Neumann	Stamas
Byl	Hardman	O'Neil	Switalski
Callahan	Hart	Pappageorge	Tabor
Cassis	Howell	Patterson	Tesanovich
Caul	Jacobs	Pestka	Toy
Cherry	Jamnick	Price	Van Woerkom
Clark, I.	Jansen	Prusi	Vander Roest
Clarke, H.	Jelinek	Pumford	Vear
Daniels	Jellema	Raczkowski	Voorhees
DeHart	Johnson, Rick	Reeves	Wojno
DeRossett	Julian	Richardville	Woodward
DeVuyst	Koetje	Richner	Woronchak
DeWeese			

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.

Rep. Ruth Johnson, under Rule 32(b), made the following statement:

“Mr. Speaker and members of the House:

I did not vote on Roll Call No. 1042 because of a possible conflict of interest.”

Second Reading of Bills

House Bill No. 6153, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 41701, 41702, 41703, 41704, 41706, 41707, 41708, 41710, 41712, and 43530 (MCL 324.41701, 324.41702, 324.41703, 324.41704, 324.41706, 324.41707, 324.41708, 324.41710, 324.41712, and 324.43530), sections 41701, 41702, 41703, 41704, 41706, 41707, 41708, 41710, and 41712 as added by 1995 PA 57 and section 43530 as amended by 1996 PA 585.

The bill was read a second time.

Rep. DeVuyst 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

House Bill No. 6153, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 41701, 41702, 41703, 41704, 41706, 41707, 41708, 41710, 41712, and 43530 (MCL 324.41701, 324.41702, 324.41703, 324.41704, 324.41706, 324.41707, 324.41708, 324.41710, 324.41712, and 324.43530), sections 41701, 41702, 41703, 41704, 41706, 41707, 41708, 41710, and 41712 as added by 1995 PA 57 and section 43530 as amended by 1996 PA 585.

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

Roll Call No. 1043

Yeas—97

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

Nays—1

Bogardus

In The Chair: Scranton

The House agreed to the title of the bill.

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. 1337, entitled

A bill to authorize the state administrative board to convey certain state owned property in Jackson county in exchange for certain other parcels in Jackson county; to prescribe certain conditions for that exchange; and to provide for certain powers and duties of the department of management and budget, the department of corrections, and the attorney general in regard to that exchange.

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

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. 1337, entitled

A bill to authorize the state administrative board to convey certain state owned property in Jackson county in exchange for certain other parcels in Jackson county; to prescribe certain conditions for that exchange; and to provide for certain powers and duties of the department of management and budget, the department of corrections, and the attorney general in regard to that exchange.

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

Roll Call No. 1044

Yeas—102

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

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 authorize the state administrative board to convey certain state owned property in Jackson county in exchange for certain other parcels in Jackson county; to prescribe certain conditions for that exchange; to provide for

certain powers and duties of the department of management and budget, the department of corrections, and the attorney general in regard to that exchange; and to authorize the department of natural resources to convey certain state owned property in the county of Charlevoix.

The motion prevailed.

The House agreed to the title as amended.

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

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

Second Reading of Bills

Senate Bill No. 1365, entitled

A bill to authorize the department of management and budget to convey certain state owned property in the county of Jackson in exchange for certain other property in the county of Jackson.

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.

Rep. Cherry moved that Rep. Bogardus 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. 1365, entitled

A bill to authorize the department of management and budget to convey certain state owned property in the county of Jackson in exchange for certain other property in the county of Jackson.

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

Roll Call No. 1045

Yeas—99

Allen	Faunce	Kowall	Rison
Baird	Frank	Kuipers	Rivet
Basham	Garcia	LaForge	Rocca
Birkholz	Garza	LaSata	Sanborn
Bisbee	Geiger	Law	Schauer
Bishop	Gielegthem	Lemmons	Schermesser
Bovin	Gilbert	Lockwood	Scott
Bradstreet	Godchaux	Mans	Scranton
Brater	Gosselin	Martinez	Shackleton
Brewer	Green	Mead	Sheltrown
Brown, B.	Hager	Middaugh	Shulman
Brown, C.	Hale	Mortimer	Spade
Byl	Hardman	Neumann	Stamas
Callahan	Hart	O'Neil	Switalski
Cassis	Howell	Pappageorge	Tabor
Caul	Jacobs	Patterson	Tesanovich
Cherry	Jamnick	Pestka	Toy
Clark, I.	Jansen	Price	Van Woerkom

Clarke, H.	Jelinek	Prusi	Vander Roest
Daniels	Jellema	Pumford	Vear
DeHart	Johnson, Rick	Quarles	Voorhees
DeRossett	Johnson, Ruth	Raczkowski	Wojno
DeVuyst	Julian	Reeves	Woodward
DeWeese	Kelly	Richardville	Woronchak
Ehardt	Koetje	Richner	

Nays—0

In The Chair: Scranton

The House agreed to the title of the bill.

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. 1341, entitled

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending section 513 (MCL 436.1513), as amended by 1998 PA 416.

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.

Senate Bill No. 859, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” (MCL 257.1 to 257.923) by adding section 667a.

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

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. 859, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” (MCL 257.1 to 257.923) by adding section 667a.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

Second Reading of Bills

House Bill No. 4383, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 10102 and 10104 (MCL 333.10102 and 333.10104).

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. Martinez 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. Gielegghem 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

House Bill No. 4383, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 10102 and 10104 (MCL 333.10102 and 333.10104).

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

Roll Call No. 1046

Yeas—103

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

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.

Second Reading of Bills

House Bill No. 4384, entitled

A bill to amend 1998 PA 386, entitled “Estates and protected individuals code,” by amending sections 1106, 5506, 5507, and 5510 (MCL 700.1106, 700.5506, 700.5507, and 700.5510).

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. Martinez 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

House Bill No. 4384, entitled

A bill to amend 1998 PA 386, entitled “Estates and protected individuals code,” by amending sections 1106, 5506, 5507, and 5510 (MCL 700.1106, 700.5506, 700.5507, and 700.5510).

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

Roll Call No. 1047

Yeas—104

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

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 1998 PA 386, entitled “Estates and protected individuals code,” by amending sections 1106, 5506, 5507, and 5510 (MCL 700.1106, 700.5506, 700.5507, and 700.5510), section 1106 as amended by 2000 PA 54.

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.

Rep. Raczkowski moved that **Senate Bill No. 1341** be placed on its immediate passage.

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

Senate Bill No. 1341, entitled

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending section 513 (MCL 436.1513), as amended by 1998 PA 416.

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

Roll Call No. 1048

Yeas—98

Allen	Frank	LaForge	Rison
Baird	Garcia	LaSata	Rivet
Basham	Geiger	Law	Rocca
Birkholz	Gielegghem	Lemmons	Sanborn
Bisbee	Gilbert	Lockwood	Schermesser
Bishop	Godchaux	Mans	Scott
Bogardus	Green	Martinez	Scranton
Bovin	Hager	Mead	Shackleton
Brater	Hale	Middaugh	Sheltrown
Brewer	Hansen	Minore	Shulman
Brown, C.	Hardman	Mortimer	Spade
Byl	Hart	Neumann	Stamas
Callahan	Howell	O’Neil	Switalski
Cassis	Jacobs	Pappageorge	Tabor
Caul	Jamnick	Patterson	Tesanovich
Cherry	Jansen	Perricone	Thomas
Clark, I.	Jelinek	Pestka	Toy
Clarke, H.	Jellema	Price	Van Woerkom
Daniels	Johnson, Rick	Prusi	Vander Roest
DeHart	Johnson, Ruth	Pumford	Vear
DeRossett	Julian	Quarles	Voorhees
DeVuyst	Kelly	Raczkowski	Wojno
DeWeese	Koetje	Richardville	Woodward
Ehardt	Kowall	Richner	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 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.

Second 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).

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.

Senate Bill No. 764, entitled

A bill to amend 1945 PA 327, entitled “Aeronautics code of the state of Michigan,” by amending sections 9 and 151 (MCL 259.9 and 259.151), as amended by 1996 PA 370.

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

Senate Bill No. 765, entitled

A bill to amend 1921 PA 207, entitled “City and village zoning act,” by amending sections 1, 4, and 20 (MCL 125.581, 125.584, and 125.600), section 1 as amended by 1995 PA 36 and section 20 as added by 1996 PA 571.

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

Senate Bill No. 1292, entitled

A bill to amend 1968 PA 2, entitled “Uniform budgeting and accounting act,” by amending sections 1, 2a, 2b, 2c, 2d, 4, 7, 8, 14, 15, 16, 17, 18, 19, and 20 (MCL 141.421, 141.422a, 141.422b, 141.422c, 141.422d, 141.424, 141.427, 141.428, 141.434, 141.435, 141.436, 141.437, 141.438, 141.439, and 141.440), sections 1 and 7 as amended by 1982 PA 451, sections 2b and 4 as amended by 1996 PA 439, section 2d as amended by 1999 PA 142, section 8 as amended by 1996 PA 400, section 15 as amended by 1981 PA 77, and sections 16 and 17 as amended by 1995 PA 41.

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

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

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

The motion prevailed.

Senate Bill No. 795, entitled

A bill to amend 1978 PA 90, entitled “Youth employment standards act,” by amending section 11 (MCL 409.111), as amended by 1996 PA 499.

The bill was read a second time.

Reps. Green and Rivet moved to amend the bill as follows:

1. Amend page 2, line 12, after “employed” by inserting “in farming operations involved in the production of seed or in agricultural processing”.

2. Amend page 2, line 26, after “The” by inserting “agricultural processing.”

3. Amend page 3, following line 2, by inserting:

“(4) As used in this section:

(a) “Agricultural processing” means the cleaning, sorting, or packaging of fruits or vegetables.

(b) “Farming operations involved in the production of seed” means farming activities and research involved in the production of seed, including plant detasseling, hand-pollination, roguing, or hoeing, and any other similar farming activity required for commercial seed production.”.

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

Rep. Brater moved to amend the bill as follows:

1. Amend page 2, line 23, after “week.” by inserting “HOWEVER, THE MINOR SHALL NOT BE REQUIRED BY AN EMPLOYER TO WORK MORE THAN 48 HOURS DURING ANY WEEK WITHOUT THE CONSENT OF THE MINOR.”.

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.

By unanimous consent the House returned to the order of

Reports of Select Committees

Senate Bill No. 404, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 20902, 20904, 20906, 20908, 20910, 20912, 20915, 20916, 20918, 20919, 20920, 20921, 20923, 20929, 20934, 20950, 20954, 20956, 20958, 20965, 20975, and 20977 (MCL 333.20902, 333.20904, 333.20906, 333.20908, 333.20910, 333.20912, 333.20915, 333.20916, 333.20918, 333.20919, 333.20920, 333.20921, 333.20923, 333.20929, 333.20934, 333.20950, 333.20954, 333.20956, 333.20958, 333.20965, 333.20975, and 333.20977), sections 20902, 20904, 20906, 20908, 20910, 20912, 20915, 20916, 20918, 20923, 20929, 20934, 20950, 20954, 20956, 20958, 20975, and 20977 as added by 1990 PA 179, section 20919 as amended by 1996 PA 192, and sections 20920, 20921, and 20965 as amended by 1997 PA 78.

The Senate has adopted the report of the Committee of Conference.

The Conference Report was read as follows:

Second Conference Report

The Committee of Conference on the matters of difference between the two Houses concerning

Senate Bill No. 404, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 20902, 20904, 20906, 20908, 20910, 20912, 20915, 20916, 20918, 20919, 20920, 20921, 20923, 20929, 20934, 20950, 20954, 20956, 20958, 20965, 20975, and 20977 (MCL 333.20902, 333.20904, 333.20906, 333.20908, 333.20910, 333.20912, 333.20915, 333.20916, 333.20918, 333.20919, 333.20920, 333.20921, 333.20923, 333.20929, 333.20934, 333.20950, 333.20954, 333.20956, 333.20958, 333.20965, 333.20975, and 333.20977), sections 20902, 20904, 20906, 20908, 20910, 20912, 20915, 20916, 20918, 20923, 20929, 20934, 20950, 20954, 20956, 20958, 20975, and 20977 as added by 1990 PA 179, section 20919 as amended by 1996 PA 192, and sections 20920, 20921, and 20965 as amended by 1997 PA 78.

Recommends:

First: That the Senate and House agree to the Substitute of the House as passed by the House, amended to read as follows:

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 20902, 20904, 20906, 20908, 20910, 20912, 20915, 20916, 20918, 20919, 20920, 20921, 20923, 20929, 20934, 20950, 20954, 20956, 20958, 20965, 20975, and 20977 (MCL 333.20902, 333.20904, 333.20906, 333.20908, 333.20910, 333.20912, 333.20915, 333.20916, 333.20918, 333.20919, 333.20920, 333.20921, 333.20923, 333.20929, 333.20934, 333.20950, 333.20954, 333.20956, 333.20958, 333.20965, 333.20975, and 333.20977), sections 20902, 20904, 20906, 20908, 20910, 20912, 20915, 20916, 20918, 20923, 20929, 20934, 20950, 20956, 20958, 20975, and 20977 as added by 1990 PA 179, section 20919 as amended by 1996 PA 192, sections 20920 and 20921 as amended by 1997 PA 78, section 20954 as amended by 2000 PA 314, and section 20965 as amended by 1999 PA 199.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Sec. 20902. (1) "Advanced life support" means patient care that may include any care a paramedic is qualified to provide by paramedic education that meets the educational requirements established by the department under section 20912 or is authorized to provide by the protocols established by the local medical control authority under section 20919 for a paramedic.

(2) "Aircraft transport operation" means a person licensed under this part to provide patient transport, for profit or otherwise, between health facilities using an aircraft transport vehicle.

(3) "Aircraft transport vehicle" means an aircraft that is primarily used or designated as available to provide patient transportation between health facilities and that is capable of providing patient care according to orders issued by the patient's physician.

(4) "Ambulance" means a motor vehicle or rotary aircraft that is primarily used or designated as available to provide transportation and basic life support, limited advanced life support, or advanced life support.

(5) "Ambulance operation" means a person licensed under this part to provide emergency medical services and patient transport, for profit or otherwise.

(6) "Basic life support" means patient care that may include any care an emergency medical technician is qualified to provide by emergency medical technician education that meets the educational requirements established by the department under section 20912 or is authorized to provide by the protocols established by the local medical control authority under section 20919 for an emergency medical technician.

(7) "CLINICAL PRECEPTOR" MEANS AN INDIVIDUAL WHO IS DESIGNATED BY OR UNDER CONTRACT WITH AN EDUCATION PROGRAM SPONSOR FOR PURPOSES OF OVERSEEING THE STUDENTS OF AN EDUCATION PROGRAM SPONSOR DURING THE PARTICIPATION OF THE STUDENTS IN CLINICAL TRAINING.

(8) ~~(7)~~ "Disaster" means an occurrence of imminent threat of widespread or severe damage, injury, or loss of life or property resulting from a natural or man-made cause, including but not limited to, fire, flood, snow, ice, windstorm, wave action, oil spill, water contamination requiring emergency action to avert danger or damage, utility failure, hazardous peacetime radiological incident, major transportation accident, hazardous materials accident, epidemic, air contamination, drought, infestation, or explosion. Disaster does not include a riot or other civil disorder unless it directly results from and is an aggravating element of the disaster.

Sec. 20904. (1) "EDUCATION PROGRAM SPONSOR" MEANS A PERSON, OTHER THAN AN INDIVIDUAL, THAT MEETS THE STANDARDS OF THE DEPARTMENT TO CONDUCT TRAINING AT THE FOLLOWING LEVELS:

(A) MEDICAL FIRST RESPONDER.

(B) EMERGENCY MEDICAL TECHNICIAN.

(C) EMERGENCY MEDICAL TECHNICIAN SPECIALIST.

(D) PARAMEDIC.

(E) EMERGENCY MEDICAL SERVICES INSTRUCTOR-COORDINATOR.

(2) ~~(1)~~ "Emergency" means a condition or situation in which an individual declares a need for immediate medical attention for any individual, or where that need is declared by emergency medical services personnel or a public safety official.

(3) ~~(2)~~ "Emergency medical services instructor-coordinator" means an individual licensed under this part to conduct and instruct emergency medical services education programs.

(4) ~~(3)~~ "Emergency medical services" means the emergency medical services personnel, ambulances, nontransport prehospital life support vehicles, aircraft transport vehicles, medical first response vehicles, and equipment required for transport or treatment of an individual requiring medical first response life support, basic life support, limited advanced life support, or advanced life support.

(5) ~~(4)~~ "Emergency medical services personnel" means a medical first responder, emergency medical technician, emergency medical technician specialist, paramedic, or emergency medical services instructor-coordinator.

(6) ~~(5)~~ "Emergency medical services system" means a comprehensive and integrated arrangement of the personnel, facilities, equipment, services, communications, MEDICAL CONTROL, and organizations necessary to provide emergency medical services AND TRAUMA CARE within a particular geographic region.

(7) ~~(6)~~ "Emergency medical technician" means an individual who is licensed by the department to provide basic life support.

(8) ~~(7)~~ "Emergency medical technician specialist" means an individual who is licensed by the department to provide limited advanced life support.

(9) ~~(8)~~ "Emergency patient" means an individual ~~whose~~ WITH A physical or mental condition ~~is such that the individual is, or may reasonably be suspected or known to be, in imminent danger of loss of life or of significant health impairment.~~ THAT MANIFESTS ITSELF BY ACUTE SYMPTOMS OF SUFFICIENT SEVERITY, INCLUDING, BUT NOT LIMITED TO, PAIN SUCH THAT A PRUDENT LAYPERSON, POSSESSING AVERAGE KNOWLEDGE OF HEALTH AND MEDICINE, COULD REASONABLY EXPECT TO RESULT IN 1 OR ALL OF THE FOLLOWING:

(A) PLACING THE HEALTH OF THE INDIVIDUAL OR, IN THE CASE OF A PREGNANT WOMAN, THE HEALTH OF THE PATIENT OR THE UNBORN CHILD, OR BOTH, IN SERIOUS JEOPARDY.

(B) SERIOUS IMPAIRMENT OF BODILY FUNCTION.

(C) SERIOUS DYSFUNCTION OF A BODY ORGAN OR PART.

(10) "EXAMINATION" MEANS A WRITTEN AND PRACTICAL EVALUATION APPROVED OR DEVELOPED BY THE NATIONAL REGISTRY OF EMERGENCY MEDICAL TECHNICIANS OR OTHER ORGANIZATION WITH EQUIVALENT NATIONAL RECOGNITION AND EXPERTISE IN EMERGENCY MEDICAL SERVICES PERSONNEL TESTING AND APPROVED BY THE DEPARTMENT.

Sec. 20906. (1) "Life support agency" means an ambulance operation, nontransport prehospital life support operation, aircraft transport operation, or medical first response service.

(2) "Limited advanced life support" means patient care that may include any care an emergency medical technician specialist is qualified to provide by emergency medical technician specialist education that meets the educational requirements established by the department under section 20912 or is authorized to provide by the protocols established by the local medical control authority under section 20919 for an emergency medical technician specialist.

(3) "Local governmental unit" means a county, city, village, charter township, or township.

(4) "Medical control" means supervising AND COORDINATING emergency medical services through a medical control authority, AS PRESCRIBED, ADOPTED, AND ENFORCED THROUGH DEPARTMENT-APPROVED PROTOCOLS, within an emergency medical services system.

(5) "Medical control authority" means an organization designated by the department under section ~~20910(1)(k)~~ 20910(1)(G) to provide medical control.

(6) "Medical director" means a physician who is appointed to that position by a medical control authority under section 20918.

(7) "Medical first responder" means an individual who has met the educational requirements of a department approved medical first responder course and who is licensed to provide medical first response life support as part of a medical first response service or as a driver of an ambulance that provides basic life support services only.

(8) "Medical first response life support" means patient care that may include any care a medical first responder is qualified to provide by medical first responder education that meets the educational requirements established by the department under section 20912 or is authorized to provide by the protocols established by the local medical control authority under section 20919 for a medical first responder.

(9) "Medical first response service" means a person licensed by the department to respond under medical control to an emergency scene with a medical first responder and equipment required by the department ~~prior to~~ BEFORE the arrival of an ambulance, and includes a fire suppression agency only ~~when~~ IF it is dispatched for medical first response life support. Medical first response service does not include a law enforcement agency, as defined in section 8 of ~~Act No. 319 of the Public Acts of 1968, being section 28.258 of the Michigan Compiled Laws 1968 PA 319, MCL 28.258,~~ unless the law enforcement agency holds itself out as a medical first response service and the unit responding was dispatched to provide medical first response life support.

(10) "Medical first response vehicle" means a motor vehicle staffed by at least 1 medical first responder and meeting equipment requirements of the department.

Sec. 20908. (1) "Nonemergency patient" means an individual who is transported by stretcher, isolette, cot, or litter but whose physical or mental condition is such that the individual may reasonably be suspected of not being in imminent danger of loss of life or of significant health impairment.

(2) "Nontransport prehospital life support operation" means a person licensed under this part to provide, for profit or otherwise, basic life support, limited advanced life support, or advanced life support at the scene of an emergency.

(3) "Nontransport prehospital life support vehicle" means a motor vehicle that is used to provide basic life support, limited advanced life support, or advanced life support, and is not intended to transport patients.

(4) "ONGOING EDUCATION PROGRAM SPONSOR" MEANS AN EDUCATION PROGRAM SPONSOR THAT PROVIDES CONTINUING EDUCATION FOR EMERGENCY MEDICAL SERVICES PERSONNEL.

(5) ~~(4)~~ "Paramedic" means an individual licensed under this part to provide advanced life support.

(6) ~~(5)~~ "Patient" means an emergency patient or a nonemergency patient.

(7) ~~(6)~~ "Person" means a person as defined in section 1106 or a governmental entity other than an agency of the United States.

(8) "PROFESSIONAL STANDARDS REVIEW ORGANIZATION" MEANS A COMMITTEE ESTABLISHED BY A LIFE SUPPORT AGENCY OR A MEDICAL CONTROL AUTHORITY FOR THE PURPOSE OF IMPROVING THE QUALITY OF MEDICAL CARE.

(9) ~~(7)~~ "Protocol" means a patient care standard, standing orders, policy, or procedure for providing emergency medical services that is established by a medical control authority and approved by the department under section 20919.

~~(8) "State health plan" means the health plan prepared by the state health planning council pursuant to the Michigan health planning and health policy development act, Act No. 323 of the Public Acts of 1978, being sections 325.2001 to 325.2031 of the Michigan Compiled Laws.~~

(10) ~~(9)~~ "Statewide emergency medical services communications system" means a system that integrates each emergency medical services system with a centrally coordinated dispatch and resource coordination facility utilizing the universal emergency telephone number, 9-1-1, when that number is appropriate, or any other designated emergency telephone number, a statewide emergency medical 2-way radio communications network, and linkages with the statewide emergency preparedness communications system.

(11) ~~(10)~~ "Volunteer" means an individual who provides services regulated under this part without expecting or receiving money, goods, or services in return for providing those services, except for reimbursement for expenses necessarily incurred in providing those services.

Sec. 20910. (1) The department shall do all of the following:

(a) Be responsible for the development, coordination, and administration of a statewide emergency medical services system.

(b) Facilitate and promote programs of public information and education concerning emergency medical services.

(c) In case of actual disasters and disaster training drills and exercises, provide emergency medical services resources pursuant to applicable provisions of the Michigan emergency preparedness plan, or as prescribed by the director of emergency services pursuant to the emergency preparedness MANAGEMENT act, ~~Act No. 390 of the Public Acts of 1976, being sections 30.401 to 30.420 of the Michigan Compiled Laws 1976 PA 390, MCL 30.401 TO 30.420.~~

(d) Consistent with the rules of the federal communications commission, plan, develop, coordinate, and administer a statewide emergency medical services communications system.

~~(e) Develop a program of hospital inventory that identifies hospitals as follows:~~

~~(i) Hospitals licensed under part 215 that have established specialty care capabilities.~~

~~(ii) Hospitals licensed under part 215 that meet applicable federal or state standards for the operation of a trauma center.~~

~~(f) Develop criteria for and a program of triennial categorization of emergency department capabilities of hospitals licensed under part 215.~~

~~(g) Assist in the development of the emergency medical services portions of the state health plan and statewide health priorities.~~

(E) ~~(h)~~ Develop and maintain standards of emergency medical services and personnel as follows:

(i) License emergency medical services personnel in accordance with this part.

(ii) License ambulance operations, nontransport prehospital life support operations, and medical first response services in accordance with this part.

~~(iii) At least annually, inspect or provide for the inspection of ambulance operations and nontransport prehospital life support operations in accordance with this part~~ EACH LIFE SUPPORT AGENCY, EXCEPT MEDICAL FIRST RESPONSE SERVICES. AS PART OF THAT INSPECTION, THE DEPARTMENT SHALL CONDUCT RANDOM INSPECTIONS OF LIFE SUPPORT VEHICLES. IF A LIFE SUPPORT VEHICLE IS DETERMINED BY THE DEPARTMENT TO BE OUT OF COMPLIANCE, THE DEPARTMENT SHALL GIVE THE LIFE SUPPORT AGENCY 24 HOURS TO BRING THE LIFE SUPPORT VEHICLE INTO COMPLIANCE. IF THE LIFE SUPPORT VEHICLE IS NOT BROUGHT INTO COMPLIANCE IN THAT TIME PERIOD, THE DEPARTMENT SHALL ORDER THE LIFE SUPPORT VEHICLE TAKEN OUT OF SERVICE UNTIL THE LIFE SUPPORT AGENCY DEMONSTRATES TO THE DEPARTMENT, IN WRITING, THAT THE LIFE SUPPORT VEHICLE HAS BEEN BROUGHT INTO COMPLIANCE.

~~(iv) Promulgate rules to establish and maintain minimum requirements for patient care equipment and safety equipment for ambulances, aircraft transport vehicles, nontransport prehospital life support vehicles, and medical first response vehicles under this part and publish lists of the minimum required equipment. The department shall submit proposed changes in these requirements to the state emergency medical services coordination committee and provide a reasonable time for the committee's review and comment before beginning the rule making process~~ THE REQUIREMENTS FOR LICENSURE OF LIFE SUPPORT AGENCIES, VEHICLES, AND INDIVIDUALS LICENSED UNDER THIS PART TO PROVIDE EMERGENCY MEDICAL SERVICES AND OTHER RULES NECESSARY TO IMPLEMENT THIS PART. THE DEPARTMENT SHALL SUBMIT ALL PROPOSED RULES AND CHANGES TO THE STATE EMERGENCY MEDICAL SERVICES COORDINATION COMMITTEE AND PROVIDE A REASONABLE TIME FOR THE COMMITTEE'S REVIEW AND RECOMMENDATIONS BEFORE SUBMITTING THE RULES FOR PUBLIC HEARING UNDER THE ADMINISTRATIVE PROCEDURES ACT OF 1969.

~~(i) Promulgate rules to establish and maintain vehicle standards for ambulances. The department shall submit the proposed standards and proposed changes to the state emergency medical services coordination committee and provide a reasonable time for the committee's review and comment before beginning the rule making process.~~

(F) ~~(j)~~ Promulgate rules to establish and maintain standards for and regulate the use of descriptive words, phrases, symbols, or emblems that represent or denote that an ambulance operation, nontransport prehospital life support operation, or medical first response service is or may be provided. The department's authority to regulate use of the descriptive devices includes use for the purposes of advertising, promoting, or selling the services rendered by an ambulance operation, nontransport prehospital life support operation, or medical first response service, or by emergency medical services personnel.

(G) ~~(H)~~ Designate a medical control authority as the medical control for emergency medical services for a particular geographic region as provided for under this part.

(H) ~~(I)~~ Develop and implement field studies involving the use of skills, techniques, procedures, or equipment that are not included as part of the standard education for medical first responders, emergency medical technicians, emergency medical technician specialists, or paramedics, if all of the following conditions are met:

(i) The state emergency medical services coordination committee reviews the field study prior to implementation.

(ii) The field study is conducted in an area for which a medical control authority has been approved pursuant to subdivision ~~(H)~~ (G).

(iii) The medical first responders, emergency medical technicians, emergency medical technician specialists, and paramedics participating in the field study receive training for the new skill, technique, procedure, or equipment.

(I) ~~(J)~~ Collect data as necessary to assess the need for and quality of emergency medical services throughout the state PURSUANT TO 1967 PA 270, MCL 331.531 TO 331.533.

~~(J) (n) Conduct an in-depth assessment of the unique needs of rural communities and rural health care agencies concerning the provision of emergency medical services. At a minimum, the assessment shall include an analysis of training programs, medical procedures, recruitment and utilization of volunteers, vehicle and equipment needs, and systems coordination. In conducting the assessment, the department shall solicit and obtain active participation and input from rural communities and rural emergency medical services providers. No later than 18 months after the effective date of this part, the department shall submit a written report detailing its findings and recommendations to the standing committees of the senate and the house of representatives having jurisdiction over public health matters. DEVELOP, WITH THE ADVICE OF THE EMERGENCY MEDICAL SERVICES COORDINATION COMMITTEE, AN EMERGENCY MEDICAL SERVICES PLAN THAT INCLUDES RURAL ISSUES.~~

(K) ~~(L)~~ Develop recommendations for territorial boundaries of medical control authorities that are designed to assure that there exists reasonable emergency medical services capacity within the boundaries for the estimated demand for emergency medical services.

(L) ~~(M)~~ Promulgate other rules to implement this part.

(M) ~~(N)~~ Perform other duties as set forth in this part.

(2) The department may do all of the following:

(a) ~~Promulgate~~ IN CONSULTATION WITH THE EMERGENCY MEDICAL SERVICES COORDINATION COMMITTEE, PROMULGATE rules to require an ambulance operation, nontransport prehospital life support operation, or medical first response service to periodically submit designated records and data for evaluation by the department.

(b) Establish a grant program or contract with a public or private agency, emergency medical services professional association, or emergency medical services coalition to provide training, public information, and assistance to medical control authorities and emergency medical services systems or to conduct other activities as specified in this part.

Sec. 20912. (1) The department shall perform all of the following with regard to educational programs and services:

(a) Review and approve education ~~programs~~ PROGRAM SPONSORS, ONGOING EDUCATION PROGRAM SPONSORS, and curricula for emergency medical services personnel. Approved EDUCATION programs ~~shall have provisions for written and practical examinations~~ and REFRESHER PROGRAMS SHALL BE COORDINATED BY A LICENSED EMERGENCY MEDICAL SERVICES INSTRUCTOR-COORDINATOR COMMENSURATE WITH LEVEL OF LICENSURE. APPROVED PROGRAMS CONDUCTED BY ONGOING EDUCATION PROGRAM SPONSORS shall be coordinated by a licensed emergency medical services instructor-coordinator.

~~(b) Review and approve all ongoing education programs for relicensure of emergency medical services personnel.~~

(B) ~~(c)~~ Maintain a listing of approved ~~emergency medical education programs~~ EDUCATION PROGRAM SPONSORS and licensed emergency medical services instructor-coordinators.

(C) DEVELOP AND IMPLEMENT STANDARDS FOR ALL EDUCATION PROGRAM SPONSORS AND ONGOING EDUCATION PROGRAM SPONSORS BASED UPON CRITERIA RECOMMENDED BY THE EMERGENCY MEDICAL SERVICES COORDINATION COMMITTEE AND DEVELOPED BY THE DEPARTMENT.

(2) AN EDUCATION PROGRAM SPONSOR THAT CONDUCTS EDUCATION PROGRAMS FOR PARAMEDICS AND THAT RECEIVES ACCREDITATION FROM THE JOINT REVIEW COMMITTEE ON EDUCATIONAL PROGRAMS FOR THE EMT-PARAMEDIC OR OTHER ORGANIZATION APPROVED BY THE DEPARTMENT AS HAVING EQUIVALENT EXPERTISE AND COMPETENCY IN THE ACCREDITATION OF PARAMEDIC EDUCATION PROGRAMS IS CONSIDERED APPROVED BY THE DEPARTMENT UNDER SUBSECTION (1)(A) IF THE EDUCATION PROGRAM SPONSOR MEETS BOTH OF THE FOLLOWING REQUIREMENTS:

(A) SUBMITS AN APPLICATION TO THE DEPARTMENT THAT INCLUDES VERIFICATION OF ACCREDITATION DESCRIBED IN THIS SUBSECTION.

(B) MAINTAINS ACCREDITATION AS DESCRIBED IN THIS SUBSECTION.

Sec. 20915. (1) The state emergency medical services coordination committee is created in the department. ~~The~~ SUBJECT TO SUBSECTIONS (3) AND (5), THE director shall appoint the voting members of the committee as follows:

(a) Four representatives from the Michigan HEALTH AND hospital association OR ITS SUCCESSOR ORGANIZATION, at least 1 of whom is from a hospital located in a county with a population of not more than 100,000.

(b) Four representatives from the Michigan chapter of the American college of emergency physicians OR ITS SUCCESSOR ORGANIZATION, at least 1 of whom practices medicine in a county with a population of not more than 100,000.

(c) Three representatives from the Michigan association of ambulance services OR ITS SUCCESSOR ORGANIZATION, at least 1 of whom operates an ambulance service in a county with a population of not more than 100,000.

(d) Three representatives from the Michigan fire chiefs association OR ITS SUCCESSOR ORGANIZATION, at least 1 of whom is from a fire department located in a county with a population of not more than 100,000.

(e) Two representatives from the society of Michigan emergency medical services technician instructor-coordinators OR ITS SUCCESSOR ORGANIZATION, at least 1 of whom works in a county with a population of not more than 100,000.

(f) Two representatives from the Michigan association of emergency medical technicians OR ITS SUCCESSOR ORGANIZATION, at least 1 of whom practices in a county with a population of not more than 100,000.

(g) One representative from the Michigan association of air medical services OR ITS SUCCESSOR ORGANIZATION.

(h) One representative from the Michigan association of emergency medical services systems OR ITS SUCCESSOR ORGANIZATION.

(i) Three representatives from a statewide organization representing labor that deals with emergency medical services, at least 1 of whom represents emergency medical services personnel in a county with a population of not more than 100,000 AND AT LEAST 1 OF WHOM IS A MEMBER OF THE MICHIGAN PROFESSIONAL FIRE FIGHTERS UNION OR ITS SUCCESSOR ORGANIZATION.

~~(j) Two consumers, at least 1 of whom resides in a county with a population of not more than 100,000~~ ONE CONSUMER.

(K) ONE INDIVIDUAL WHO IS AN ELECTED OFFICIAL OF A CITY, VILLAGE, OR TOWNSHIP LOCATED IN A COUNTY WITH A POPULATION OF NOT MORE THAN 100,000.

(2) In addition to the voting members appointed under subsection (1), the following shall serve as ex officio members of the committee without the right to vote:

(a) One representative of the office of health and medical affairs of the department of management and budget, appointed by the ~~department~~ DIRECTOR.

(b) One representative of the department OF CONSUMER AND INDUSTRY SERVICES, APPOINTED BY THE DIRECTOR.

(c) One member of the house of representatives, appointed by the speaker of the house of representatives.

(d) One member of the senate, appointed by the senate majority leader.

(3) The representatives of the organizations described in subsection (1) shall be appointed from among nominations made by each of those organizations.

(4) The voting members shall serve for a term of 3 years. ~~except that of the voting members who are initially appointed to the committee, the director shall designate 6 members to serve 4 year terms, 12 members to serve 3 year terms, and 6 members to serve 2 year terms.~~ A member who is unable to complete a term shall be replaced for the balance of the unexpired term.

(5) At least 1 voting member shall be from a county with a population of not more than 35,000 and at least 1 voting member shall be from a city with a population of not less than 900,000.

(6) The committee shall annually select a voting member to serve as chairperson.

(7) Meetings of the committee are subject to the open meetings act, ~~Act No. 267 of the Public Acts of 1976, being sections 15.261 to 15.275 of the Michigan Compiled Laws~~ 1976 PA 267, MCL 15.261 TO 15.275. Thirteen voting members constitute a quorum for the transaction of business.

(8) The per diem compensation for the voting members and a schedule for reimbursement of expenses shall be as established by the legislature.

Sec. 20916. The state emergency medical services coordination committee CREATED IN SECTION 20915 shall do all of the following:

(a) Meet not less than twice annually at the call of the chairperson or the director.

~~(b) Serve as task force 2 pursuant to section 20126.~~

(B) ~~(c)~~ Provide for the coordination and exchange of information on emergency medical services programs and services.

(C) ~~(d)~~ Act as liaison between organizations and individuals involved in the emergency medical services system.
(D) ~~(e)~~ Make recommendations to the department in the development of a comprehensive statewide emergency medical services program.

(E) ~~(f)~~ Advise the legislature and the department on matters concerning emergency medical services throughout the state.

(F) ~~(g)~~ Provide the department with advisory recommendations on appeals of local medical control decisions ~~ISSUE OPINIONS ON APPEALS OF MEDICAL CONTROL AUTHORITY DECISIONS~~ under section 20919 AND MAKE RECOMMENDATIONS BASED ON THOSE OPINIONS TO THE DEPARTMENT FOR THE RESOLUTION OF THOSE APPEALS.

(G) ~~(h)~~ Participate in educational activities, special studies, and the evaluation of emergency medical services as requested by the director.

(H) ~~(i)~~ Advise the department concerning vehicle standards for ambulances. ~~under section 20910(1)(i).~~

(I) ~~(j)~~ Advise the department concerning minimum patient care equipment lists. ~~as required under section 20910(1)(h).~~

(J) ~~(k)~~ Advise the department on the standards required under section ~~20910(1)(j)~~ 20910(1)(F).

(K) ~~(l)~~ Appoint, with the advice and consent of the department, a statewide quality assurance task force to review and make recommendations to the department concerning approval of medical control authority applications and revisions concerning protocols under section 20919 and field studies under section ~~20910(1)(h)~~ 20910(1)(H), and conduct other quality assurance activities as requested by the director. A majority of the members of the task force shall be individuals who are not currently serving on the committee. The task force shall report its decisions, findings, and recommendations to the committee and the department.

(I) ADVISE THE DEPARTMENT CONCERNING REQUIREMENTS FOR CURRICULUM CHANGES FOR EMERGENCY MEDICAL SERVICES EDUCATIONAL PROGRAMS.

(M) ADVISE THE DEPARTMENT ON MINIMUM STANDARDS THAT EACH LIFE SUPPORT AGENCY MUST MEET FOR LICENSURE UNDER THIS PART.

Sec. 20918. (1) Each hospital licensed under part 215 AND EACH FREESTANDING SURGICAL OUTPATIENT FACILITY LICENSED UNDER PART 208 that operates a service for ~~admitting and~~ treating emergency patients 24 HOURS A DAY, 7 DAYS A WEEK AND MEETS STANDARDS ESTABLISHED BY MEDICAL CONTROL AUTHORITY PROTOCOLS shall be given the opportunity to participate in the ongoing planning and development activities of the local medical control authority designated by the department and shall adhere to protocols for providing services to a patient before care of the patient is transferred to hospital personnel, to the extent that those protocols apply to a hospital OR FREESTANDING SURGICAL OUTPATIENT FACILITY. ~~The department shall complete designation of local medical control authorities not later than December 31, 1991.~~ The department shall designate a medical control authority for each Michigan county or part of a county, except that the department may designate a medical control authority to cover 2 or more counties if the department ~~determines~~ AND AFFECTED MEDICAL CONTROL AUTHORITIES DETERMINE that the available resources would be better utilized with a multiple county medical control authority. In designating a medical control authority, the department shall assure that there is a reasonable relationship between the existing emergency medical services capacity in the geographical area to be served by the medical control authority and the estimated demand for emergency medical services in that area.

(2) A medical control authority shall be administered by the participating hospitals. A MEDICAL CONTROL AUTHORITY SHALL ACCEPT PARTICIPATION IN ITS ADMINISTRATION BY A FREESTANDING SURGICAL OUTPATIENT FACILITY LICENSED UNDER PART 208 IF THE FREESTANDING SURGICAL OUTPATIENT FACILITY OPERATES A SERVICE FOR TREATING EMERGENCY PATIENTS 24 HOURS A DAY, 7 DAYS A WEEK DETERMINED BY THE MEDICAL CONTROL AUTHORITY TO MEET THE APPLICABLE STANDARDS ESTABLISHED BY MEDICAL CONTROL AUTHORITY PROTOCOLS. Subject to subsection (4), the participating hospitals shall appoint an advisory body for the medical control authority that shall include, at a minimum, a representative of each type of ~~emergency medical services provider~~ LIFE SUPPORT AGENCY and each type of emergency medical services personnel functioning within the medical control authority's boundaries.

(3) With the advice of the advisory body of the medical control authority APPOINTED UNDER SUBSECTION (2), ~~the participating hospitals within~~ a medical control authority shall appoint a medical director of the medical control authority. The medical director shall be a physician who is board certified in emergency medicine BY A NATIONAL ORGANIZATION APPROVED BY THE DEPARTMENT, or who practices emergency medicine and is certified in both advanced cardiac life support and advanced trauma life support by a national organization approved by the department, and who meets other standards set forth in department rules. THE MEDICAL DIRECTOR IS RESPONSIBLE FOR MEDICAL CONTROL FOR THE EMERGENCY MEDICAL SERVICES SYSTEM SERVED BY THE MEDICAL CONTROL AUTHORITY.

(4) No more than 10% of the membership of the advisory body of a medical control authority shall be employees of the medical director or of an entity substantially owned or controlled by the medical director.

(5) A designated medical control authority shall operate in accordance with the terms of its designation.

(6) Each life support agency and individual licensed under this part is accountable to the medical control authority in the provision of emergency medical services, AS DEFINED IN PROTOCOLS DEVELOPED BY THE MEDICAL CONTROL AUTHORITY AND APPROVED BY THE DEPARTMENT UNDER THIS PART.

Sec. 20919. (1) A local medical control authority shall establish written protocols for the practice of life support agencies and licensed emergency medical services personnel within its region. The protocols shall be developed and adopted in accordance with procedures established by the department and shall include all of the following:

(a) The acts, tasks, or functions that may be performed by each type of emergency medical services personnel licensed under this part.

(b) Medical protocols to ensure the appropriate dispatching of a life support agency based upon medical need and the capability of the emergency medical services system.

(c) Protocols for complying with the Michigan do-not-resuscitate procedure act, 1996 PA 193, MCL 333.1051 TO 333.1067.

(D) PROTOCOLS DEFINING THE PROCESS, ACTIONS, AND SANCTIONS A MEDICAL CONTROL AUTHORITY MAY USE IN HOLDING A LIFE SUPPORT AGENCY OR PERSONNEL ACCOUNTABLE.

(E) PROTOCOLS TO ENSURE THAT IF THE MEDICAL CONTROL AUTHORITY DETERMINES THAT AN IMMEDIATE THREAT TO THE PUBLIC HEALTH, SAFETY, OR WELFARE EXISTS, APPROPRIATE ACTION TO REMOVE MEDICAL CONTROL CAN IMMEDIATELY BE TAKEN UNTIL THE MEDICAL CONTROL AUTHORITY HAS HAD THE OPPORTUNITY TO REVIEW THE MATTER AT A MEDICAL CONTROL AUTHORITY HEARING. THE PROTOCOLS SHALL REQUIRE THAT THE HEARING IS HELD WITHIN 3 BUSINESS DAYS AFTER THE MEDICAL CONTROL AUTHORITY'S DETERMINATION.

(F) PROTOCOLS TO ENSURE THAT IF MEDICAL CONTROL HAS BEEN REMOVED FROM A PARTICIPANT IN AN EMERGENCY MEDICAL SERVICES SYSTEM, THE PARTICIPANT DOES NOT PROVIDE PREHOSPITAL CARE UNTIL MEDICAL CONTROL IS REINSTATED, AND THAT THE MEDICAL CONTROL AUTHORITY THAT REMOVED THE MEDICAL CONTROL NOTIFIES THE DEPARTMENT WITHIN 1 BUSINESS DAY OF THE REMOVAL.

(G) PROTOCOLS THAT ENSURE A QUALITY IMPROVEMENT PROGRAM IS IN PLACE WITHIN A MEDICAL CONTROL AUTHORITY AND PROVIDES DATA PROTECTION AS PROVIDED IN 1967 PA 270, MCL 331.531 TO 331.533.

(H) PROTOCOLS TO ENSURE THAT AN APPROPRIATE APPEALS PROCESS IS IN PLACE.

(2) A protocol established under this section shall not conflict with the Michigan do-not-resuscitate procedure act, 1996 PA 193, MCL 333.1051 TO 333.1067.

(3) The procedures established by the department for development and adoption of written protocols under this section shall comply with at least all of the following requirements:

(a) At least 60 days before adoption of a protocol, the medical control authority shall circulate a written draft of the proposed protocol to all significantly affected persons within the emergency medical services system served by the medical control authority and submit the written draft to the department for approval.

(b) The department shall review a proposed protocol for consistency with other protocols concerning similar subject matter that have already been established in this state and shall consider any written comments received from interested persons in its review.

(c) Not later than 60 days after receiving a written draft of a proposed protocol from a medical control authority, the department shall provide a written recommendation to the medical control authority with any comments or suggested changes on the proposed protocol. If the department does not respond within 60 days after receiving the written draft, the proposed protocol shall be considered to be approved by the department.

(d) After department approval of a proposed protocol, the medical control authority may formally adopt and implement the protocol.

(e) A medical control authority may establish an emergency protocol necessary to preserve the health or safety of individuals within its jurisdiction in response to a present medical emergency or disaster without following the procedures established by the department under this section for an ordinary protocol. An emergency protocol established under this subdivision ~~shall be~~ IS effective only for a limited time period and ~~shall~~ DOES not take permanent effect unless it is approved according to this subsection.

~~(4) A medical control authority shall provide an opportunity for an affected person to appeal decisions made by the medical control authority. After appeals to a medical control authority have been exhausted, an affected person may apply to the department for a variance from the medical control authority's decision. The department may grant the variance if it determines that the action is appropriate to protect the public health, safety, and welfare. The department shall impose a time limitation and may impose other conditions for the variance.~~ A MEDICAL CONTROL AUTHORITY SHALL PROVIDE AN OPPORTUNITY FOR AN AFFECTED PARTICIPANT IN AN EMERGENCY MEDICAL SERVICES SYSTEM TO APPEAL A DECISION OF THE MEDICAL CONTROL AUTHORITY. FOLLOWING APPEAL, THE MEDICAL CONTROL AUTHORITY MAY AFFIRM, SUSPEND, OR REVOKE ITS ORIGINAL DECISION. AFTER APPEALS TO THE MEDICAL CONTROL AUTHORITY HAVE BEEN EXHAUSTED, THE AFFECTED PARTICIPANT IN AN EMERGENCY MEDICAL SERVICES SYSTEM MAY

APPEAL THE MEDICAL CONTROL AUTHORITY'S DECISION TO THE STATEWIDE EMERGENCY MEDICAL SERVICES COORDINATION COMMITTEE. THE STATEWIDE EMERGENCY MEDICAL SERVICES COORDINATION COMMITTEE SHALL ISSUE AN OPINION ON WHETHER THE ACTIONS OR DECISIONS OF THE MEDICAL CONTROL AUTHORITY ARE IN ACCORDANCE WITH THE DEPARTMENT-APPROVED PROTOCOLS OF THE MEDICAL CONTROL AUTHORITY AND STATE LAW. IF THE STATEWIDE EMERGENCY MEDICAL SERVICES COORDINATION COMMITTEE DETERMINES IN ITS OPINION THAT THE ACTIONS OR DECISIONS OF THE MEDICAL CONTROL AUTHORITY ARE NOT IN ACCORDANCE WITH THE MEDICAL CONTROL AUTHORITY'S DEPARTMENT-APPROVED PROTOCOLS OR WITH STATE LAW, THE EMERGENCY MEDICAL SERVICES COORDINATION COMMITTEE SHALL RECOMMEND THAT THE DEPARTMENT TAKE ANY ENFORCEMENT ACTION AUTHORIZED UNDER THIS CODE.

(5) If adopted in protocols approved by the department, a medical control authority may require life support agencies within its region to meet reasonable additional standards for equipment and personnel, other than medical first responders, that may be more stringent than are otherwise required under this part. If a medical control authority establishes additional standards for equipment and personnel, the medical control authority and the department shall consider the medical and economic impact on the local community, the need for communities to do long-term planning, and the availability of personnel. If either the medical control authority or the department determines that negative medical or economic impacts outweigh the benefits of those additional standards as they affect public health, safety, and welfare, protocols containing those additional standards shall not be adopted.

(6) If a decision of the medical control authority UNDER SUBSECTION (5) is appealed by an affected person, the medical control authority shall make available, in writing, the medical and economic information it considered in making its decision. On appeal, the ~~department~~ STATEWIDE EMERGENCY MEDICAL SERVICES COORDINATION COMMITTEE shall review this information UNDER SUBSECTION (4) and shall issue its findings in writing.

Sec. 20920. (1) A person shall not establish, operate, or cause to be operated an ambulance operation unless the ambulance operation is licensed under this section.

(2) Upon proper application and payment of a \$100.00 fee, the department shall issue a license as an ambulance operation to a person who meets the requirements of this part and the rules promulgated under this part.

(3) An applicant shall specify in the application each ambulance to be operated.

(4) An ambulance operation license shall specify the ambulances licensed to be operated.

(5) An ambulance operation license shall state the level of life support the ambulance operation is licensed to provide. An ambulance operation shall operate in accordance with this part, rules promulgated under this part, and approved ~~local~~ medical control authority protocols and shall not provide life support at a level that exceeds its license or violates approved ~~local~~ medical control authority protocols.

(6) An ambulance operation license may be renewed annually upon application to the department and payment of a \$100.00 renewal fee. Before issuing a renewal license, the department shall determine that the ambulance operation is in compliance with this part, the rules promulgated under this part, and ~~local~~ medical control authority protocols.

(7) Beginning on ~~the effective date of the amendatory act that added this subsection~~ JULY 22, 1997, an ambulance operation that meets all of the following requirements may apply for an ambulance operation upgrade license under subsection (8):

(a) On or before ~~the effective date of the amendatory act that added this subsection~~ JULY 22, 1997, holds an ambulance operation license that designates the ambulance operation either as a transporting basic life support service or as a transporting limited advanced life support service.

(b) Is a transporting basic life support service, that is able to staff and equip 1 or more ambulances for the transport of emergency patients at a life support level higher than basic life support, or is a transporting limited advanced life support service, that is able to staff and equip 1 or more ambulances for the transport of emergency patients at the life support level of advanced life support.

(c) Is owned or operated by or under contract to a local unit of government and providing first-line emergency medical response to that local unit of government on or before ~~the effective date of the amendatory act that added this subsection~~ JULY 22, 1997.

(d) Will provide the services described in subdivision (b) only to the local unit of government described in subdivision (c), and only in response to a 911 call or other call for emergency transport.

(8) An ambulance operation meeting the requirements of subsection (7) that applies for an ambulance operation upgrade license shall include all of the following information in the application provided by the department:

(a) Verification of all of the requirements of subsection (7) including, but not limited to, a description of the staffing and equipment to be used in providing the higher level of life support services.

(b) If the applicant is a transporting basic life support service, a plan of action to upgrade from providing basic life support to providing limited advanced life support or advanced life support to take place over a period of not more than 2 years. If the applicant is a transporting limited advanced life support service, a plan of action to upgrade from providing limited advanced life support to providing advanced life support to take place over a period of not more than 2 years.

(c) The medical control authority protocols for the ambulance operation upgrade license, along with a recommendation from the medical control authority under which the ambulance operation operates that the ambulance operation upgrade license be issued by the department.

(d) Other information required by the department.

(9) The statewide emergency medical services ~~coordinating~~ COORDINATION committee shall review the information described in subsection (8)(c) and make a recommendation to the department as to whether or not an ambulance operation upgrade license should be granted to the applicant.

(10) Upon receipt of a completed application as required under subsection (8), a positive recommendation under subsection (9), and payment of a \$100.00 fee, the department shall issue to the applicant an ambulance operation upgrade license. Subject to subsection (12), the license is valid for 2 years from the date of issuance and is renewable for 1 additional 2-year period. An application for renewal of an ambulance operation upgrade license shall contain documentation of the progress made on the plan of action described in subsection (8)(b). In addition, the medical control authority under which the ambulance operation operates shall annually file with the statewide emergency medical services ~~coordinating~~ COORDINATION committee a written report on the progress made by the ambulance operation on the plan of action described in subsection (8)(b), including, but not limited to, information on training, equipment, and personnel.

(11) If an ambulance operation is designated by its regular license as providing basic life support services, then an ambulance operation upgrade license issued under this section allows the ambulance operation to provide limited advanced life support services or advanced life support services when the ambulance operation is able to staff and equip 1 or more ambulances to provide services at the higher levels. If an ambulance operation is designated by its regular license as providing limited advanced life support services, then an ambulance operation upgrade license issued under this section allows the ambulance operation to provide advanced life support services when the ambulance operation is able to staff and equip 1 or more ambulances to provide services at the higher level. An ambulance operation shall not provide services under an ambulance operation upgrade license unless the medical control authority under which the ambulance operation operates has adopted protocols for the ambulance operation upgrade license regarding quality monitoring procedures, use and protection of equipment, and patient care.

(12) The department may revoke or fail to renew an ambulance operation upgrade license for a violation of this part or a rule promulgated under this part or for failure to comply with the plan of action filed under subsection (8)(b). An ambulance operation that obtains an ambulance operation upgrade license must annually renew its regular license under subsections (2) to (6). An ambulance operation's regular license is not affected by the following:

(a) The fact that the ambulance operation has obtained or renewed an ambulance operation upgrade license.

(b) The fact that an ambulance operation's ambulance operation upgrade license is revoked or is not renewed under this subsection.

(c) The fact that the ambulance operation's ambulance operation upgrade license expires at the end of the second 2-year period prescribed by subsection (10).

(13) ~~Within 3 years after the effective date of the amendatory act that added this subsection~~ BY JULY 22, 2000, the department shall file a written report to the legislature. The department shall include all of the following information in the report:

(a) The number of ambulance operations that were qualified under subsection (7) to apply for an ambulance operation upgrade license under subsection (8) during the 3-year period.

(b) The number of ambulance operations that in fact applied for an ambulance operation upgrade license during the 3-year period.

(c) The number of ambulance operations that successfully upgraded from being a transporting basic life support service to a transporting limited advanced service or a transporting advanced life support service or that successfully upgraded from being a transporting limited advanced life support service to a transporting advanced life support service under an ambulance operation upgrade license.

(d) The number of ambulance operations that failed to successfully upgrade, as described in subdivision (c), under an ambulance operation upgrade license, but that improved their services during the 3-year period.

(e) The number of ambulance operations that failed to successfully upgrade, as described in subdivision (c), under an ambulance operation upgrade license, and that showed no improvement or a decline in their services.

(f) The effect of the amendatory act that added this subsection on the delivery of emergency medical services in this state.

Sec. 20921. (1) An ambulance operation shall do all of the following:

(a) Provide at least 1 ambulance available for response to requests for emergency assistance on a 24-hour-a-day, 7-day-a-week basis in accordance with local medical control authority protocols.

(b) Respond or ensure that a response is provided to each request for emergency assistance originating from within the bounds of its service area.

(c) ~~If the ambulance operation operates under a medical control authority, operate only~~ OPERATE under the direction of ~~that~~ A medical control authority OR THE MEDICAL CONTROL AUTHORITIES WITH JURISDICTION OVER THE AMBULANCE OPERATION.

(d) Notify the department immediately of a change that would alter the information contained on its application for an ambulance operation license or renewal.

(e) Subject to section 20920(7) to (12), provide life support consistent with its license and approved local medical control authority protocols to each emergency patient without prior inquiry into ability to pay or source of payment.

(2) An ambulance operation shall not do 1 or more of the following:

(a) Knowingly provide a person with false or misleading information concerning the time at which an emergency response will be initiated or the location from which the response is being initiated.

(b) Induce or seek to induce any person engaging an ambulance to patronize a long-term care facility, mortuary, or hospital.

(c) Advertise, or permit advertising of, within or on the premises of the ambulance operation or within or on an ambulance, the name or the services of an attorney, accident investigator, nurse, physician, long-term care facility, mortuary, or hospital. If 1 of those persons or facilities owns or operates an ambulance operation, the person or facility may use its business name in the name of the ambulance operation and may display the name of the ambulance operation within or on the premises of the ambulance operation or within or on an ambulance.

(d) Advertise or disseminate information for the purpose of obtaining contracts under a name other than the name of the person holding an ambulance operation license or the trade or assumed name of the ambulance operation.

(e) If the ambulance operation is operating under an ambulance operation upgrade license issued under section 20920(7) to (12), advertise or otherwise hold itself out as a full-time transporting limited advanced life support service or a full-time transporting advanced life support service unless the ambulance operation actually provides those services on a 24-hour-per-day, 7-day-a-week basis.

(3) An ambulance operation shall not operate, attend, or permit an ambulance to be operated while transporting a patient unless the ambulance is, at a minimum, staffed as follows:

(a) If designated as providing basic life support, with at least 1 emergency medical technician and 1 medical first responder.

(b) If designated as providing limited advanced life support, with at least 1 emergency medical technician specialist and 1 emergency medical technician.

(c) If designated as providing advanced life support, with at least 1 paramedic and 1 emergency medical technician.

(4) Except as provided in subsection (5), an ambulance operation shall ensure that an emergency medical technician, an emergency medical technician specialist, or a paramedic is in the patient compartment of an ambulance while transporting an emergency patient.

(5) Subsection (4) does not apply to the transportation of a patient by an ambulance if the patient is accompanied in the patient compartment of the ambulance by an appropriate licensed health professional designated by a physician and after a physician-patient relationship has been established as prescribed in this part or the rules promulgated by the department under this part.

Sec. 20923. (1) Except as provided in section 20924(2), a person shall not operate an ambulance unless the ambulance is licensed under this section and is operated as part of a licensed ambulance operation.

~~(2) Upon proper application and payment of a \$25.00 fee, the department shall issue an ambulance license or annual renewal for an ambulance that meets the requirements of this part and rules promulgated under this part.~~ UPON PROPER APPLICATION AND PAYMENT OF A \$25.00 FEE, THE DEPARTMENT SHALL ISSUE AN AMBULANCE LICENSE, OR ANNUAL RENEWAL OF AN AMBULANCE LICENSE, TO THE AMBULANCE OPERATION. RECEIPT OF THE APPLICATION BY THE DEPARTMENT SERVES AS ATTESTATION TO THE DEPARTMENT BY THE AMBULANCE OPERATION THAT THE AMBULANCE BEING LICENSED OR RENEWED IS IN COMPLIANCE WITH THE MINIMUM STANDARDS REQUIRED BY THE DEPARTMENT. THE INSPECTION OF AN AMBULANCE BY THE DEPARTMENT IS NOT REQUIRED AS A BASIS FOR LICENSE RENEWAL, UNLESS OTHERWISE DETERMINED BY THE DEPARTMENT.

(3) An ambulance operation shall submit an application and fee to the department for each ambulance in service. Each application shall include a certificate of insurance for the ambulance in the amount and coverage required by the department.

(4) Upon purchase BY AN AMBULANCE OPERATION, an ambulance shall meet all vehicle standards established by the department under section ~~20910(1)(i)~~ 20910(E)(iv).

(5) Once licensed for service, an ambulance is not required to meet subsequently modified state vehicle standards during its use by the ambulance operation that obtained the license.

(6) Patient care equipment and safety equipment carried on an ambulance shall meet the minimum requirements prescribed by the department and the approved local medical control authority protocols.

(7) An ambulance shall be equipped with a communications system utilizing frequencies and procedures consistent with the statewide emergency medical services communications system developed by the department.

(8) An ambulance license is not transferable to another ambulance operation.

Sec. 20929. (1) A person shall not operate a nontransport prehospital life support vehicle unless the vehicle is licensed by the department under this section and is operated as part of a licensed nontransport prehospital life support operation.

(2) ~~Upon proper application and payment of a \$25.00 fee, the department shall issue a license or annual renewal for a nontransport prehospital life support vehicle if it meets the requirements of this part and rules promulgated under this part.~~ UPON PROPER APPLICATION AND PAYMENT OF A \$25.00 FEE, THE DEPARTMENT SHALL ISSUE A NONTRANSPORT PREHOSPITAL LIFE SUPPORT VEHICLE LICENSE OR ANNUAL RENEWAL TO THE APPLICANT NONTRANSPORT PREHOSPITAL LIFE SUPPORT OPERATION. RECEIPT OF THE APPLICATION BY THE DEPARTMENT SERVES AS ATTESTATION TO THE DEPARTMENT BY THE NONTRANSPORT PREHOSPITAL LIFE SUPPORT OPERATION THAT THE VEHICLE BEING LICENSED OR RENEWED IS IN COMPLIANCE WITH THE MINIMUM STANDARDS REQUIRED BY THE DEPARTMENT. THE INSPECTION OF A NONTRANSPORT PREHOSPITAL LIFE SUPPORT VEHICLE BY THE DEPARTMENT IS NOT REQUIRED AS A BASIS FOR ISSUING A LICENSURE RENEWAL, UNLESS OTHERWISE DETERMINED BY THE DEPARTMENT.

(3) A nontransport prehospital life support operation shall submit an application and required fee to the department for each vehicle in service. Each application shall include a certificate of insurance for the vehicle in the amount and coverage required by the department.

(4) A nontransport prehospital life support vehicle shall be equipped with a communications system utilizing frequencies and procedures consistent with the statewide emergency medical services communications system developed by the department.

(5) A nontransport prehospital life support vehicle shall be equipped according to the department's minimum equipment list and approved local medical control authority protocols based upon the level of life support the vehicle and personnel are licensed to provide.

Sec. 20934. (1) A person shall not operate an aircraft transport vehicle unless the vehicle is licensed by the department under this section and is operated as part of a licensed aircraft transport operation.

(2) ~~Upon proper application and payment of a \$100.00 fee, the department shall issue a license or annual renewal for an aircraft transport vehicle if it meets the requirements of this part and rules promulgated under this part.~~ UPON PROPER APPLICATION AND PAYMENT OF A \$100.00 FEE, THE DEPARTMENT SHALL ISSUE AN AIRCRAFT TRANSPORT VEHICLE LICENSE OR ANNUAL RENEWAL TO THE APPLICANT AIRCRAFT TRANSPORT OPERATION. RECEIPT OF THE APPLICATION BY THE DEPARTMENT SERVES AS ATTESTATION TO THE DEPARTMENT BY THE AIRCRAFT TRANSPORT OPERATION THAT THE VEHICLE IS IN COMPLIANCE WITH THE MINIMUM STANDARDS REQUIRED BY THE DEPARTMENT. THE INSPECTION OF AN AIRCRAFT TRANSPORT VEHICLE BY THE DEPARTMENT IS NOT REQUIRED AS A BASIS FOR LICENSURE RENEWAL, UNLESS OTHERWISE DETERMINED BY THE DEPARTMENT.

(3) An aircraft transport operation shall submit an application and required fee to the department for each vehicle in service. Each application shall include a certificate of insurance for the vehicle in the amount and coverage required by the department.

(4) An aircraft transport vehicle shall be equipped with a communications system utilizing frequencies and procedures consistent with the statewide emergency medical services communications system developed by the department.

(5) An aircraft transport vehicle shall be equipped according to the department's minimum equipment list based upon the level of life support the vehicle and personnel are licensed to provide.

Sec. 20950. (1) An individual shall not practice or advertise to practice as a medical first responder, emergency medical technician, emergency medical technician specialist, paramedic, or emergency medical services instructor-coordinator unless licensed to do so by the department.

(2) ~~Except as provided in subsection (4), the~~ THE department shall issue a license under this section only to an individual who meets all of the following requirements:

(a) Is 18 years of age or older.

(b) Has successfully completed the appropriate education program approved under section 20912.

(c) ~~Has~~ SUBJECT TO SUBSECTION (3), HAS attained a passing score on the appropriate department prescribed written and practical examinations. EXAMINATION, AS FOLLOWS:

(i) WITHIN 3 YEARS AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBPARAGRAPH, A MEDICAL FIRST RESPONDER SHALL PASS THE WRITTEN EXAMINATION PROCTORED BY THE DEPARTMENT OR THE DEPARTMENT'S DESIGNEE AND A PRACTICAL EXAMINATION APPROVED BY THE DEPARTMENT. THE PRACTICAL EXAMINATION SHALL BE ADMINISTERED BY THE INSTRUCTORS OF THE MEDICAL FIRST RESPONDER COURSE. THE DEPARTMENT OR THE DEPARTMENT'S DESIGNEE MAY ALSO PROCTOR THE PRACTICAL EXAMINATION.

(ii) AN EMERGENCY MEDICAL TECHNICIAN, EMERGENCY MEDICAL TECHNICIAN SPECIALIST, AND A PARAMEDIC SHALL PASS THE WRITTEN EXAMINATION PROCTORED BY THE DEPARTMENT OR THE DEPARTMENT'S DESIGNEE AND A PRACTICAL EXAMINATION PROCTORED BY THE DEPARTMENT OR THE DEPARTMENT'S DESIGNEE.

(iii) THE FEE FOR THE WRITTEN EXAMINATIONS REQUIRED UNDER SUBPARAGRAPHS (i) AND (ii) SHALL BE PAID DIRECTLY TO THE NATIONAL REGISTRY OF EMERGENCY MEDICAL TECHNICIANS OR OTHER ORGANIZATION APPROVED BY THE DEPARTMENT.

(d) Meets other requirements of this part.

(3) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (2)(C)(i), NOT MORE THAN 6 MONTHS AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION, THE DEPARTMENT SHALL REQUIRE FOR PURPOSES OF COMPLIANCE WITH SUBSECTION (2)(C) SUCCESSFUL PASSAGE BY EACH FIRST-TIME APPLICANT OF AN EXAMINATION AS THAT TERM IS DEFINED IN SECTION 20904(10).

(4) ~~(3)~~ The department shall issue a license as an emergency medical services instructor-coordinator only to an individual who meets the requirements of subsection (2) for an emergency medical services instructor-coordinator and at the time of application is currently licensed as an emergency medical technician, emergency medical technician specialist, or paramedic and has at least 3 years' field experience as an emergency medical technician. THE DEPARTMENT SHALL PROVIDE FOR THE DEVELOPMENT AND ADMINISTRATION OF AN EXAMINATION FOR EMERGENCY MEDICAL SERVICES INSTRUCTOR-COORDINATORS.

~~(4) Until December 31, 1992, the department shall issue a medical first responder license to an individual who does not meet the requirement of subsection (2)(b) if the department determines that the individual is performing the functions of a medical first responder on the effective date of this part and meets the other requirements of subsection (2). Beginning on January 1, 1993, the department shall issue a medical first responder license only to an individual who meets all of the requirements of subsection (2).~~

(5) Except as provided by section 20952, a license under this section is effective for 3 years from THE date of issue ISSUANCE unless revoked or suspended by the department.

(6) Except as otherwise provided in subsection ~~(8)~~ (7), an applicant for licensure under this section shall pay ~~a fee for examination or reexamination as follows~~ THE FOLLOWING TRIENNIAL LICENSURE FEES:

- (a) Medical first responder - no fee.
- (b) Emergency medical technician - \$40.00.
- (c) Emergency medical technician specialist - \$60.00.
- (d) Paramedic - \$80.00.
- (e) Emergency medical services instructor-coordinator - \$100.00.

~~(7) The fee under subsection (6) for examination or reexamination shall include initial licensure if the applicant passes the examination or reexamination.~~

(7) ~~(8)~~ If a life support agency certifies to the department that an applicant for licensure under this section will act as a volunteer and if the life support agency does not charge for its services, the department shall not require the applicant to pay the fee required under subsection (6). If the applicant ceases to meet the definition of a volunteer under this part at any time during the effective period of his or her license and is employed as a licensee under this part, the applicant shall at that time pay the fee required under subsection (6).

Sec. 20954. (1) Upon proper application to the department and payment of the renewal fee under subsection (2), the department may renew ~~a license for a medical first responder, emergency medical technician, emergency medical technician specialist, paramedic, or emergency medical services instructor coordinator who meets the requirements of this part and completes required ongoing educational programs approved or developed by the department~~ AN EMERGENCY MEDICAL SERVICES PERSONNEL LICENSE IF THE APPLICANT MEETS THE REQUIREMENTS OF THIS PART AND PROVIDES, UPON REQUEST OF THE DEPARTMENT, VERIFICATION OF HAVING MET ONGOING EDUCATION REQUIREMENTS ESTABLISHED BY THE DEPARTMENT. IF AN APPLICANT FOR RENEWAL FAILS TO PROVIDE THE DEPARTMENT WITH A CHANGE OF ADDRESS, THE APPLICANT SHALL PAY A \$20.00 FEE IN ADDITION TO THE RENEWAL AND LATE FEES REQUIRED UNDER SUBSECTIONS (2) AND (3).

(2) Except as otherwise provided in subsection (5), an applicant for renewal of a license under section 20950 shall pay a renewal fee as follows:

- (a) Medical first responder - no fee.
- (b) Emergency medical technician - \$25.00.
- (c) Emergency medical technician specialist - \$25.00.
- (d) Paramedic - \$25.00.
- (e) Emergency medical services instructor-coordinator - ~~\$50.00~~ \$25.00.

(3) Except as otherwise provided in subsection (5), if an application for renewal under subsection (1) is ~~received by the department~~ POSTMARKED after the date the license expires, the applicant shall pay a late fee in addition to the renewal fee under subsection (2) as follows:

- (A) MEDICAL FIRST RESPONDER - \$50.00.
- (B) ~~(a)~~ Emergency medical technician - \$50.00.
- (C) ~~(b)~~ Emergency medical technician specialist - \$50.00.
- (D) ~~(c)~~ Paramedic - \$50.00.
- (E) ~~(d)~~ Emergency medical services instructor-coordinator - ~~\$100.00~~ \$50.00.

(4) A license or registration shall be renewed by the licensee on or before the expiration date as prescribed by rule. The department shall mail a notice to the licensee at the last known address on file with the department advising of the

time, procedure, and fee for renewal. Failure of the licensee to receive notice under this subsection does not relieve the licensee of the responsibility for renewing his or her license. A license not renewed by the expiration date may be renewed within 60 days of the expiration date upon application, payment of renewal and late renewal fees, and fulfillment of any continued continuing education requirements set forth in rules promulgated under this article. The licensee may continue to practice and use the title during the 60-day period. If a license is not so renewed within 60 days of the expiration date, the license is void. The licensee shall not practice or use the title. An individual may be relicensed within 3 years of the expiration date upon application, payment of the application processing, renewal, and late renewal fees, and fulfillment of any continuing education requirements in effect at the time of the expiration date, or that would have been required had the individual renewed his or her license pursuant to subsection (1). An individual may be relicensed more than 3 years after the expiration date upon application as a new applicant, meeting all licensure requirements in effect at the time of application, taking or retaking and passing any examinations required for initial licensure, and payment of fees required of new applicants.

(5) If a life support agency certifies to the department that an applicant for renewal under this section is a volunteer and if the life support agency does not charge for its services, the department shall not require the applicant to pay the fee required under subsection (2) or a late fee under subsection (3). If the applicant for renewal ceases to meet the definition of a volunteer under this part at any time during the effective period of his or her license renewal and is employed as a licensee under this part, the applicant for renewal shall at that time pay the fee required under subsection (2).

(6) AN INDIVIDUAL SEEKING RENEWAL UNDER THIS SECTION IS NOT REQUIRED TO MAINTAIN NATIONAL REGISTRY STATUS AS A CONDITION OF LICENSE RENEWAL.

Sec. 20956. (1) A medical first responder, an emergency medical technician, an emergency medical technician specialist, or a paramedic shall not provide life support at a level that is inconsistent with his or her education, licensure, ~~or~~ AND approved ~~local~~ medical control authority protocols.

(2) A medical first responder, emergency medical technician, emergency medical technician specialist, or paramedic may perform techniques required in implementing a field study authorized under section ~~20910(1)(I)~~ 20910(1)(H) if he or she receives training for the skill, technique, procedure, or equipment involved in the field study.

Sec. 20958. (1) The department may deny, revoke, or suspend an emergency medical services personnel license upon finding that an applicant or licensee meets 1 or more of the following:

- (a) Is guilty of fraud or deceit in procuring or attempting to procure licensure.
- (b) Has illegally obtained, possessed, used, or distributed drugs.
- (c) Has practiced after his or her license has expired or has been suspended.
- (d) Has knowingly violated, or aided or abetted others in the violation of, this part or rules promulgated under this part.
- (e) Is not performing in a manner consistent with his or her education, ~~or~~ licensure, OR APPROVED MEDICAL CONTROL AUTHORITY PROTOCOLS.
- (f) Is physically or mentally incapable of performing his or her prescribed duties.
- (g) Has been convicted of a criminal offense under sections 520a to 520l of the Michigan penal code, ~~Act No. 328 of the Public Acts of 1931, being sections 750.520a to 750.520l of the Michigan Compiled Laws 1931 PA 328, MCL 750.520A TO 750.520l.~~ A certified copy of the court record is conclusive evidence of the conviction.
- (h) Has been convicted of a misdemeanor or felony reasonably related to and adversely affecting the ability to practice in a safe and competent manner. A certified copy of the court record is conclusive evidence ~~as to~~ OF the conviction.

(2) The department shall provide notice of intent to deny, revoke, or suspend an emergency services personnel license and opportunity for a hearing according to ~~the provisions of~~ section 20166.

Sec. 20965. (1) Unless an act or omission is the result of gross negligence or willful misconduct, the acts or omissions of a medical first responder, emergency medical technician, emergency medical technician specialist, paramedic, ~~or~~ medical director of a medical control authority or his or her designee, OR, SUBJECT TO SUBSECTION (5), AN INDIVIDUAL ACTING AS A CLINICAL PRECEPTOR OF A DEPARTMENT-APPROVED EDUCATION PROGRAM SPONSOR while providing services to a patient outside a hospital, ~~or~~ in a hospital before transferring patient care to hospital personnel, OR IN A CLINICAL SETTING that are consistent with the individual's licensure or additional training required by the ~~local~~ medical control authority INCLUDING, BUT NOT LIMITED TO, SERVICES DESCRIBED IN SUBSECTION (2), OR CONSISTENT WITH AN APPROVED PROCEDURE FOR THAT PARTICULAR EDUCATION PROGRAM do not impose liability in the treatment of a patient on those individuals or any of the following persons:

- (a) The authorizing physician or physician's designee.
- (b) The medical director and individuals serving on the GOVERNING BOARD, advisory body, OR COMMITTEE of the medical control authority AND AN EMPLOYEE OF THE MEDICAL CONTROL AUTHORITY.
- (c) The person providing communications services or lawfully operating or utilizing supportive electronic communications devices.
- (d) The life support agency or an officer, member of the staff, or other employee of the life support agency.

(e) The hospital or an officer, member of the staff, nurse, or other employee of the hospital.

(f) The authoritative governmental unit or units.

(g) Emergency personnel from outside the state.

(H) THE EDUCATION PROGRAM MEDICAL DIRECTOR.

(I) THE EDUCATION PROGRAM INSTRUCTOR-COORDINATOR.

(J) THE EDUCATION PROGRAM SPONSOR AND EDUCATION PROGRAM SPONSOR ADVISORY COMMITTEE.

(K) THE STUDENT OF A DEPARTMENT-APPROVED EDUCATION PROGRAM WHO IS PARTICIPATING IN AN EDUCATION PROGRAM-APPROVED CLINICAL SETTING.

(L) AN INSTRUCTOR OR OTHER STAFF EMPLOYED BY OR UNDER CONTRACT TO A DEPARTMENT-APPROVED EDUCATION PROGRAM FOR THE PURPOSE OF PROVIDING TRAINING OR INSTRUCTION FOR THE DEPARTMENT-APPROVED EDUCATION PROGRAM.

(M) THE LIFE SUPPORT AGENCY OR AN OFFICER, MEMBER OF THE STAFF, OR OTHER EMPLOYEE OF THE LIFE SUPPORT AGENCY PROVIDING THE CLINICAL SETTING DESCRIBED IN SUBDIVISION (K).

(N) THE HOSPITAL OR AN OFFICER, MEMBER OF THE MEDICAL STAFF, OR OTHER EMPLOYEE OF THE HOSPITAL PROVIDING THE CLINICAL SETTING DESCRIBED IN SUBDIVISION (K).

(2) SUBSECTION (1) APPLIES TO SERVICES CONSISTING OF THE USE OF AN AUTOMATED EXTERNAL DEFIBRILLATOR ON AN INDIVIDUAL WHO IS IN OR IS EXHIBITING SYMPTOMS OF CARDIAC DISTRESS.

(3) UNLESS AN ACT OR OMISSION IS THE RESULT OF GROSS NEGLIGENCE OR WILLFUL MISCONDUCT, THE ACTS OR OMISSIONS OF ANY OF THE PERSONS NAMED BELOW, WHILE PARTICIPATING IN THE DEVELOPMENT OF PROTOCOLS UNDER THIS PART, IMPLEMENTATION OF PROTOCOLS UNDER THIS PART, OR HOLDING A PARTICIPANT IN THE EMERGENCY MEDICAL SERVICES SYSTEM ACCOUNTABLE FOR DEPARTMENT-APPROVED PROTOCOLS UNDER THIS PART, DOES NOT IMPOSE LIABILITY IN THE PERFORMANCE OF THOSE FUNCTIONS:

(A) THE MEDICAL DIRECTOR AND INDIVIDUALS SERVING ON THE GOVERNING BOARD, ADVISORY BODY, OR COMMITTEES OF THE MEDICAL CONTROL AUTHORITY OR EMPLOYEES OF THE MEDICAL CONTROL AUTHORITY.

(B) A PARTICIPATING HOSPITAL OR FREESTANDING SURGICAL OUTPATIENT FACILITY IN THE MEDICAL CONTROL AUTHORITY OR AN OFFICER, MEMBER OF THE MEDICAL STAFF, OR OTHER EMPLOYEE OF THE HOSPITAL OR FREESTANDING SURGICAL OUTPATIENT FACILITY.

(C) A PARTICIPATING AGENCY IN THE MEDICAL CONTROL AUTHORITY OR AN OFFICER, MEMBER OF THE MEDICAL STAFF, OR OTHER EMPLOYEE OF THE PARTICIPATING AGENCY.

(D) A NONPROFIT CORPORATION THAT PERFORMS THE FUNCTIONS OF A MEDICAL CONTROL AUTHORITY.

(4) ~~(2) Subsection (1) does~~ SUBSECTIONS (1) AND (3) DO not limit immunity from liability otherwise provided by law for any of the persons listed in ~~subsection~~ SUBSECTIONS (1) AND (3).

(5) THE LIMITATION ON LIABILITY GRANTED TO A CLINICAL PRECEPTOR UNDER SUBSECTION (1) APPLIES ONLY TO AN ACT OR OMISSION OF THE CLINICAL PRECEPTOR RELATING DIRECTLY TO A STUDENT'S CLINICAL TRAINING ACTIVITY OR RESPONSIBILITY WHILE THE CLINICAL PRECEPTOR IS PHYSICALLY PRESENT WITH THE STUDENT DURING THE CLINICAL TRAINING ACTIVITY, AND DOES NOT APPLY TO AN ACT OR OMISSION OF THE CLINICAL PRECEPTOR DURING THAT TIME THAT INDIRECTLY RELATES OR DOES NOT RELATE TO THE STUDENT'S CLINICAL TRAINING ACTIVITY OR RESPONSIBILITY.

Sec. 20975. The department ~~shall~~ MAY promulgate rules to implement this part.

Sec. 20977. (1) ~~Rules~~ EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (2), RULES promulgated to implement former parts 32, 203, or 207 of this act and in effect on ~~the effective date of this section shall~~ JULY 22, 1990 DO NOT continue, ~~to the extent that they do not conflict with this part, and shall be considered as rules promulgated under this part~~ AND ARE CONSIDERED AS RESCINDED.

(2) SUBSECTION (1) DOES NOT APPLY TO RULES THAT HAVE BEEN IDENTIFIED AS BEING APPLICABLE WITHIN 6 MONTHS AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION, AS RECOMMENDED BY THE DEPARTMENT AND APPROVED BY THE STATEWIDE EMERGENCY MEDICAL SERVICES COORDINATION COMMITTEE.

Second: That the Senate and House agree to the title of the bill 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 20902, 20904, 20906, 20908, 20910, 20912, 20915, 20916, 20918, 20919, 20920, 20921, 20923, 20929, 20934, 20950, 20954, 20956, 20958, 20965, 20975, and 20977 (MCL 333.20902, 333.20904, 333.20906, 333.20908, 333.20910, 333.20912, 333.20915, 333.20916, 333.20918, 333.20919, 333.20920, 333.20921, 333.20923, 333.20929, 333.20934, 333.20950, 333.20954, 333.20956, 333.20958, 333.20965, 333.20975, and 333.20977), sections 20902, 20904, 20906, 20908, 20910, 20912, 20915, 20916, 20918, 20923, 20929, 20934, 20950, 20956, 20958, 20975, and 20977 as added by 1990 PA 179, section 20919 as amended by 1996 PA 192, sections 20920 and 20921 as amended by 1997 PA 78, section 20954 as amended by 2000 PA 314, and section 20965 as amended by 1999 PA 199.

Dale Shugars
John J.H. Schwarz, M.D.
Raymond M. Murphy
Conferees for the Senate

Gerald Law
Paul DeWeese
Mark Schauer
Conferees for the House

The Speaker announced that under Joint Rule 9 the second conference report would lie over one day.

Rep. Raczkowski moved pursuant to Joint Rule 9, that the Journal printing requirement be suspended, printed copies of the second conference report having been placed on the members’ desks.

The motion prevailed.

The question being on the adoption of the second conference report,

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

Roll Call No. 1049

Yeas—79

Basham	Faunce	Kilpatrick	Richardville
Birkholz	Frank	Koetje	Richner
Bisbee	Garcia	Kowall	Rison
Bishop	Garza	Kuipers	Rocca
Bogardus	Geiger	LaSata	Sanborn
Bovin	Godchaux	Law	Schauer
Brater	Gosselin	Lemmons	Schermesser
Brown, B.	Green	Lockwood	Scott
Brown, C.	Hager	Mans	Scranton
Byl	Hansen	Mead	Shulman
Cassis	Hardman	Middaugh	Spade
Cherry	Hart	O’Neil	Stamas
Clark, I.	Howell	Pappageorge	Tabor
Clarke, H.	Jacobs	Patterson	Thomas
Daniels	Jamnack	Pestka	Toy
DeHart	Jelinek	Price	Van Woerkom
DeRossett	Jellema	Pumford	Vander Roest
DeVuyst	Johnson, Ruth	Quarles	Voorhees
DeWeese	Julian	Raczkowski	Woodward
Ehardt	Kelly	Reeves	

Nays—23

Allen	Gilbert	Mortimer	Switalski
Bradstreet	Hale	Neumann	Tesanovich
Brewer	Jansen	Prusi	Vear
Callahan	Johnson, Rick	Rivet	Wojno
Caul	LaForge	Shackleton	Woronchak
Gielegem	Martinez	Sheltrown	

In The Chair: Scranton

Reports of Standing Committees

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

House Bill No. 5897, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding section 20188. With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

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

Favorable Roll Call**HB 5897** To Report Out:

Yeas: Reps. Law, DeWeese, DeRossett, Ehardt, Gosselin, Ruth Johnson, Raczkowski, Rocca, Vear, Schauer, Dennis, Jacobs, Neumann, Woodward,

Nays: None.

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

Senate Bill No. 1418, entitled

A bill to amend 1939 PA 280, entitled “The social welfare act,” (MCL 400.1 to 400.119b) by adding section 109g. With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

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

Favorable Roll Call**SB 1418** To Report Out:

Yeas: Reps. Law, DeWeese, DeRossett, Ehardt, Ruth Johnson, Raczkowski, Rocca, Vear, Schauer, Baird, Jacobs, Neumann, Woodward,

Nays: Rep. Dennis.

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

Senate Bill No. 1419, entitled

A bill to amend 1939 PA 280, entitled “The social welfare act,” (MCL 400.1 to 400.119b) by adding section 109f. With the recommendation that the bill pass.

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

Favorable Roll Call**SB 1419** To Report Out:

Yeas: Reps. Law, DeWeese, DeRossett, Ehardt, Ruth Johnson, Raczkowski, Rocca, Vear, Baird, Jacobs, Neumann, Woodward,

Nays: Rep. Dennis.

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

Senate Bill No. 1426, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," by amending section 403 (MCL 550.1403).

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 1426 To Report Out:

Yeas: Reps. Law, DeRossett, Ehardt, Gosselin, Ruth Johnson, Raczkowski, Rocca, Vear, Schauer, Jacobs, Neumann, Woodward,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, November 30, 2000, at 10:30 a.m.,

Present: Reps. Law, DeWeese, DeRossett, Ehardt, Gosselin, Ruth Johnson, Raczkowski, Rocca, Vear, Schauer, Baird, Dennis, Jacobs, Neumann, Woodward,

Absent: Reps. Green, Reeves,

Excused: Reps. Green, Reeves.

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

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.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 1348 To Report Out:

Yeas: Reps. Raczkowski, Howell, Ruth Johnson, Shackleton,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, December 5, 2000, at 9:30 a.m.,

Present: Reps. Raczkowski, Howell, Ruth Johnson, Shackleton, Brewer,

Absent: Reps. Rivet, DeHart,

Excused: Reps. Rivet, DeHart.

The Committee on Insurance and Financial Services, by Rep. Bisbee, Vice-Chair, reported

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.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 1432 To Report Out:

Yeas: Reps. Bisbee, Bishop, DeVuyst, Ehardt, Hager, Rick Johnson, Julian, Richner, Shackleton, Van Woerkom, O'Neil,

Nays: Reps. Clark, Daniels, Hale.

The Committee on Insurance and Financial Services, by Rep. Bisbee, Vice-Chair, reported

Senate Bill No. 1433, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 834 (MCL 500.834), as amended by 1995 PA 274.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 1433 To Report Out:

Yeas: Reps. Bisbee, Bishop, DeVuyst, Ehardt, Hager, Rick Johnson, Julian, Richner, Shackleton, Van Woerkom, O'Neil,

Nays: Reps. Clark, Daniels, Hale.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, December 5, 2000, at 9:00 a.m.,

Present: Reps. Bisbee, Bishop, DeVuyst, Ehardt, Hager, Rick Johnson, Julian, Richner, Shackleton, Van Woerkom, Wojno, Clark, Daniels, Hale, O'Neil, Scott, Thomas,

Absent: Reps. Sanborn, Law, Basham, Bob Brown,

Excused: Reps. Sanborn, Law, Basham, Bob Brown.

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

Senate Bill No. 267, entitled

A bill to amend 1986 PA 182, entitled "State police retirement act of 1986," by amending sections 3, 14, 25, and 26 (MCL 38.1603, 38.1614, 38.1625, and 38.1626), section 3 as amended by 1995 PA 192, section 14 as amended by 1989 PA 191, and section 26 as amended by 1991 PA 53, and by adding sections 13a and 40b.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 267 To Report Out:

Yeas: Reps. Geiger, Jellema, Cameron Brown, Byl, Caul, Godchaux, Jelinek, LaSata, Mead, Mortimer, Pappageorge, Pumford, Scranton, Stamas, Toy, Cherry, Frank, Kelly, Martinez, Pestka, Prusi, Tesanovich,

Nays: None.

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

Senate Bill No. 802, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 32 (MCL 388.1632), as added by 1999 PA 119.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

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

Favorable Roll Call

SB 802 To Report Out:

Yeas: Reps. Geiger, Jellema, Cameron Brown, Byl, Caul, Godchaux, Jelinek, LaSata, Mead, Mortimer, Pappageorge, Pumford, Scranton, Stamas, Toy, Cherry, Frank, Kelly, Martinez, Pestka, Prusi, Tesanovich,
Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Geiger, Chair of the Committee on Appropriations, was received and read:
Meeting held on: Tuesday, December 5, 2000, at 9:00 a.m.,

Present: Reps. Geiger, Jellema, Cameron Brown, Byl, Caul, Godchaux, Jelinek, LaSata, Mead, Mortimer, Pappageorge, Pumford, Scranton, Stamas, Toy, Cherry, Frank, Kelly, Martinez, Pestka, Prusi, Tesanovich,
Absent: Reps. Jansen, Price, Clarke, Stallworth,
Excused: Reps. Jansen, Price, Clarke, Stallworth.

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

House Bill No. 6177, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 303, 319, 320a, 625, 625m, 732, and 904d (MCL 257.303, 257.319, 257.320a, 257.625, 257.625m, 257.732, and 257.904d), sections 303 and 732 as amended by 1999 PA 73, section 319 as amended by 2000 PA 152, section 320a as amended by 1999 PA 40, section 625 as amended by 2000 PA 77, section 625m as amended by 1998 PA 347, and section 904d as amended by 1999 PA 267.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 6177 To Report Out:

Yeas: Reps. Rick Johnson, Gilbert, DeVuyst, Garcia, Hart, Ruth Johnson, Middaugh, Patterson, Shackleton, Tabor, Bovin, Brewer,
Nays: None.

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

Senate Bill No. 1012, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by amending the title and by adding section 230a.

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

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

Favorable Roll Call

SB 1012 To Report Out:

Yeas: Reps. Rick Johnson, Gilbert, DeVuyst, Garcia, Hart, Ruth Johnson, Middaugh, Tabor, Bovin, Brewer, Jamnick, Reeves,
Nays: Rep. Shackleton.

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

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.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

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

Favorable Roll Call

SB 1205 To Report Out:

Yeas: Reps. Rick Johnson, Gilbert, DeVuyst, Hart, Ruth Johnson, Middaugh, Patterson, Tabor, Bovin, Brewer, Jamnick, Reeves,

Nays: Rep. Shackleton.

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

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).

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

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

Favorable Roll Call

SB 1264 To Report Out:

Yeas: Reps. Rick Johnson, Gilbert, DeVuyst, Garcia, Hart, Ruth Johnson, Middaugh, Patterson, Shackleton, Tabor,

Nays: None.

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

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.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 1265 To Report Out:

Yeas: Reps. Rick Johnson, Gilbert, DeVuyst, Garcia, Hart, Ruth Johnson, Middaugh, Patterson, Shackleton, Tabor, Brewer,

Nays: None.

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

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.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 1266 To Report Out:

Yeas: Reps. Rick Johnson, Gilbert, DeVuyst, Garcia, Hart, Ruth Johnson, Middaugh, Patterson, Shackleton, Tabor, Brewer,

Nays: None.

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

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.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 1346 To Report Out:

Yeas: Reps. Rick Johnson, Gilbert, DeVuyst, Garcia, Hart, Middaugh, Patterson, Shackleton, Tabor, Jamnick, Reeves,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, December 5, 2000, at 8:00 a.m.,

Present: Reps. Rick Johnson, Gilbert, DeVuyst, Garcia, Hart, Ruth Johnson, Middaugh, Patterson, Shackleton, Tabor, Bovin, Brewer, Jamnick, Reeves,

Absent: Reps. Kilpatrick, Lemmons, Schermesser,

Excused: Reps. Kilpatrick, Lemmons, Schermesser.

Rep. Switalski moved that Rep. Baird be excused temporarily from today's session.

The motion prevailed.

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.

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.

Senate Bill No. 1433, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 834 (MCL 500.834), as amended by 1995 PA 274.

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.

Senate Bill No. 802, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 32 (MCL 388.1632), as added by 1999 PA 119.

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

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

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

Senate Bill No. 267, entitled

A bill to amend 1986 PA 182, entitled "State police retirement act of 1986," by amending sections 3, 14, 25, and 26 (MCL 38.1603, 38.1614, 38.1625, and 38.1626), section 3 as amended by 1995 PA 192, section 14 as amended by 1989 PA 191, and section 26 as amended by 1991 PA 53, and by adding sections 13a and 40b.

The bill was read a second time.

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

Senate Bill No. 1418, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 109g.

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.

Reps. Schauer, DeWeese and Vander Roest moved to amend the bill as follows:

1. Amend page 2, line 4, after "MEMBERS." by striking out the balance of the subdivision.
2. Amend page 2, line 6, after "(E)" by striking out "FOUR" and inserting "FIVE".
3. Amend page 2, line 9, after "DISTURBANCE," by inserting "INDIVIDUALS WITH SUBSTANCE ABUSE DISORDERS,".
4. Amend page 2, following line 11, by inserting:
"(3) NO MEMBER APPOINTED UNDER SUBSECTION (2)(D) OR (E) SHALL PROVIDE DIRECT SERVICES FOR REIMBURSEMENT UNDER THIS ACT TO AN INDIVIDUAL WHO QUALIFIES FOR SPECIALTY SERVICES." and renumbering the remaining subsections.
5. Amend page 2, line 15, after "YEAR," by striking out "4" and inserting "5".

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

Rep. Schauer moved to amend the bill as follows:

1. Amend page 3, line 6, after "HEALTH" by inserting a comma and "DEVELOPMENTAL DISABILITIES,".

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

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

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

Senate Bill No. 1419, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 109f.

The bill was read a second time.

Rep. Martinez moved to amend the bill as follows:

1. Amend page 1, line 5, after "DISORDER." by inserting "IF THE HEALTH CARE FINANCING ADMINISTRATION APPROVES THE WAIVER REQUESTED BY THE DEPARTMENT FOR MEDICAID-COVERED SPECIALTY SERVICES, INCLUDING MENTAL HEALTH,".

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

Rep. Brater moved to amend the bill as follows:

1. Amend page 1, line 9, after "109G." by inserting "QUALIFIED SPECIALTY PREPAID HEALTH PLANS SHALL BE EXISTING COMMUNITY MENTAL HEALTH SERVICES PROGRAMS OR OTHER NONPROFIT ENTITIES,".

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

Rep. Brater demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 1050**Yeas—63**

Basham	Frank	Mans	Rocca
Birkholz	Garza	Martinez	Schauer
Bogardus	Gielegthem	Mead	Schermesser
Bovin	Hale	Middaugh	Scott
Brater	Hansen	Minore	Scranton
Brewer	Hardman	Neumann	Sheltrown
Brown, B.	Howell	O'Neil	Spade
Byl	Jacobs	Pestka	Switalski
Callahan	Jamnick	Price	Tesanovich
Cherry	Jelinek	Prusi	Thomas
Clark, I.	Jellema	Pumford	Van Woerkom
Clarke, H.	Kelly	Quarles	Vander Roest
Daniels	Kilpatrick	Raczkowski	Wojno
DeHart	LaForge	Reeves	Woodward
Ehardt	Lemmons	Rison	Woronchak
Faunce	Lockwood	Rivet	

Nays—38

Allen	Geiger	Koetje	Richner
Bisbee	Gilbert	Kowall	Sanborn
Bishop	Gosselin	Kuipers	Shackleton
Bradstreet	Green	LaSata	Shulman
Brown, C.	Hager	Law	Stamas
Cassis	Hart	Mortimer	Tabor
Caul	Jansen	Pappageorge	Toy
DeRossett	Johnson, Rick	Patterson	Vear
DeVuyst	Johnson, Ruth	Richardville	Voorhees
Garcia	Julian		

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.

Senate Bill No. 1173, entitled

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending section 230 (MCL 418.230), as amended by 1994 PA 271.

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.

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 second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Appropriations,

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

Rep. Jellema moved to amend the bill as follows:

1. Amend page 1, line 7, after “a” by striking out “beneficial”.

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. Kelly moved that Rep. LaForge be excused temporarily from today’s session.
The motion prevailed.

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

Rep. Raczkowski moved that **Senate Bill No. 764** be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

Senate Bill No. 764, entitled

A bill to amend 1945 PA 327, entitled “Aeronautics code of the state of Michigan,” by amending sections 9 and 151 (MCL 259.9 and 259.151), as amended by 1996 PA 370.

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

Roll Call No. 1051

Yeas—101

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

Rep. Raczkowski moved that **Senate Bill No. 765** be placed on its immediate passage.

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

Senate Bill No. 765, entitled

A bill to amend 1921 PA 207, entitled “City and village zoning act,” by amending sections 1, 4, and 20 (MCL 125.581, 125.584, and 125.600), section 1 as amended by 1995 PA 36 and section 20 as added by 1996 PA 571.

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

Roll Call No. 1052**Yeas—98**

Allen	Frank	LaForge	Rivet
Basham	Garcia	LaSata	Rocca
Birkholz	Geiger	Law	Sanborn
Bisbee	Gielegthem	Lemmons	Schauer
Bishop	Gilbert	Lockwood	Schermesser
Bogardus	Godchaux	Mans	Scott
Bovin	Green	Martinez	Scranton
Bradstreet	Hager	Mead	Shackleton
Brater	Hale	Middaugh	Sheltrown
Brewer	Hardman	Minore	Shulman
Brown, B.	Hart	Mortimer	Spade
Brown, C.	Howell	Neumann	Stamas
Byl	Jacobs	O’Neil	Switalski
Callahan	Jamnick	Pappageorge	Tabor
Cassis	Jansen	Patterson	Tesanovich
Caul	Jelinek	Pestka	Thomas
Cherry	Jellema	Price	Toy
Clark, I.	Johnson, Rick	Prusi	Van Woerkom
Clarke, H.	Johnson, Ruth	Pumford	Vander Roest

DeHart
DeRossett
DeVuyst
DeWeese
Ehardt
Faunce

Julian
Kelly
Kilpatrick
Koetje
Kowall
Kuipers

Quarles
Rackowski
Reeves
Richardville
Richner

Vear
Voorhees
Wojno
Woodward
Woronchak

Nays—0

In The Chair: Scranton

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

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

A bill to amend 1921 PA 207, entitled “An act to provide for the establishment in cities and villages of districts or zones within which the use of land and structures and the height, area, size, and location of buildings may be regulated by ordinance, and for which districts regulations shall be established for the light and ventilation of those buildings, and for which districts or zones the density of population may be regulated by ordinance; to designate the use of certain state licensed residential facilities; to provide by ordinance for the acquisition by purchase, condemnation, or otherwise of private property that does not conform to the regulations and restrictions of the various zones or districts provided; to provide for the administering of this act; to provide for amendments, supplements, or changes in zoning ordinances, zones, or districts; to provide for conflict with the state housing code or other acts, ordinances, or regulations; to provide sanctions for the violation of this act; to authorize the purchase of development rights; to authorize the issuance of bonds and notes; and to provide for special assessments,” by amending sections 4 and 20 (MCL 125.584 and 125.600), section 20 as added by 1996 PA 571, and by adding section 1a.

The motion prevailed.

The House agreed to the title as amended.

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

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

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Committee on Tax Policy, by Rep. Cassis, Chair, reported

House Bill No. 6014, entitled

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

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

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

Favorable Roll Call

HB 6014 To Report Out:

Yeas: Reps. Cassis, Woronchak, Allen, Gilbert, Gosselin, Koetje, Vander Roest, Vear, Quarles, Garza, Jamnick, O’Neil, Switalski,

Nays: Rep. Minore.

The Committee on Tax Policy, by Rep. Cassis, Chair, reported

Senate Bill No. 308, entitled

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

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

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

Favorable Roll Call

SB 308 To Report Out:

Yeas: Reps. Cassis, Woronchak, Allen, Gilbert, Gosselin, Koetje, Vander Roest, Vear, Quarles, Garza, Jamnick, O'Neil, Switalski,

Nays: Rep. Minore.

The Committee on Tax Policy, by Rep. Cassis, Chair, reported

Senate Bill No. 1271, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 484.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

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

Favorable Roll Call

SB 1271 To Report Out:

Yeas: Reps. Cassis, Woronchak, Allen, Gilbert, Gosselin, Koetje, Vander Roest, Vear, Quarles, Minore, O'Neil, Switalski,

Nays: None.

The Committee on Tax Policy, by Rep. Cassis, Chair, reported

Senate Bill No. 1272, entitled

A bill to create incentives to locate and maintain agricultural processing facilities within this state; to create certain funds; to authorize expenditures from the funds; to finance the development of certain facilities; to provide for appropriations; and to prescribe the powers and duties of certain state officials.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

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

Favorable Roll Call

SB 1272 To Report Out:

Yeas: Reps. Cassis, Woronchak, Allen, Gilbert, Gosselin, Koetje, Vander Roest, Vear, Quarles, Minore, O'Neil, Switalski,

Nays: None.

The Committee on Tax Policy, by Rep. Cassis, Chair, reported

Senate Bill No. 1320, entitled

A bill to amend 1973 PA 186, entitled "Tax tribunal act," by amending section 35 (MCL 205.735), as amended by 2000 PA 165.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

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

Favorable Roll Call

SB 1320 To Report Out:

Yeas: Reps. Cassis, Woronchak, Gilbert, Gosselin, Koetje, Vander Roest, Vear, Quarles, Jamnick, Minore, O'Neil, Switalski,

Nays: Rep. Allen.

The Committee on Tax Policy, by Rep. Cassis, Chair, reported

Senate Bill No. 1345, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending sections 35 and 35a (MCL 208.35 and 208.35a), section 35 as amended by 1998 PA 240 and section 35a as amended by 2000 PA 44.

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

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

Favorable Roll Call

SB 1345 To Report Out:

Yeas: Reps. Cassis, Woronchak, Allen, Gilbert, Gosselin, Koetje, Patterson, Vander Roest, Vear, Quarles, Garza, Jamnick, Minore, O'Neil, Switalski,

Nays: None.

The Committee on Tax Policy, by Rep. Cassis, Chair, reported

Senate Bill No. 1380, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding section 35b.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 1380 To Report Out:

Yeas: Reps. Cassis, Woronchak, Allen, Gosselin, Koetje, Vander Roest, Vear, Quarles, Garza, Minore, Switalski,

Nays: None.

The Committee on Tax Policy, by Rep. Cassis, Chair, reported

Senate Bill No. 1382, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 2000 PA 301.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 1382 To Report Out:

Yeas: Reps. Cassis, Woronchak, Gosselin, Koetje, Vander Roest, Vear, Quarles, Garza, Minore, Switalski,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, December 5, 2000, at 8:00 a.m.,

Present: Reps. Cassis, Woronchak, Allen, Faunce, Gilbert, Gosselin, Koetje, Patterson, Vander Roest, Vear, Quarles, Garza, Jamnick, Minore, O'Neil, Switalski,

Absent: Rep. Basham,

Excused: Rep. Basham.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Jellema, DeHart, Hansen, Cameron Brown, LaSata, Voorhees, Hager, Mead, Faunce, LaForge, Scott, Cherry, Kelly, DeRossett, DeVuyst, Allen, Neumann, Ehardt, Howell, Jacobs, Spade, Rivet, Vander Roest, Pappageorge, Raczkowski, Koetje, Toy, Vaughn, Prusi, Bishop, Richardville, Bogardus, Garcia, Jamnick, Birkholz, Vear, Hanley, Schauer, Tesanovich, Minore, Woodward, Kilpatrick, Shulman, Caul, Clarke, Perricone and Julian offered the following resolution:

House Resolution No. 441.

A resolution honoring Thomas L. Kamppinen upon his retirement from the Michigan Department of Environmental Quality, Environmental Assistance Division.

Whereas, It is a great pleasure to extend to Thomas L. Kamppinen this expression of our thanks and best wishes to Tom upon the occasion of his retirement from the Environmental Assistance Division of the Michigan Department of Environmental Quality. It is definitely a privilege to recognize a gentleman who has contributed so much of his time and talents to benefit our environment, specifically our water, in Michigan; and

Whereas, Tom began his career with the State of Michigan on June 24, 1968 as a water quality specialist with the Water Resources Commission. Over the years, Tom has administered several programs, such as the National Pollutant Discharge Elimination System permit program in 1973, the Soil Erosion and Sediment Control Act of 1974, and grants to communities in western and northern Michigan for construction of critical wastewater treatment systems; and

Whereas, In 1985, Tom was appointed to his current position as Chief of the Municipal Facilities section in the Environmental Assistance Division of the Michigan Department of Environmental Quality. During the last fifteen years, Tom has provided guidance and assistance to the legislature to help create and develop clean water legislation that would allow the state to obtain additional federal dollars. Since 1988, the State Revolving Loan Fund, which is overseen by Tom, has awarded over \$1.25 billion in low interest loans to Michigan communities for clean water projects. I personally worked with Tom in 1996 to create the Safe Drinking Water Assistance program, which allowed Michigan communities to obtain low interest federal loans for necessary public water supply systems to assure safe drinking water for the citizens of Michigan; and

Whereas, Tom has been a responsible, good humored, even-tempered, fair minded, loyal, intelligent, and dedicated civil servant for over 31 years. He has worked diligently to serve the citizens of Michigan and to insure that Michigan's environment is protected and safe for future generations. It is a pleasure to join with Tom's family, friends, and co-workers in commending him for his professionalism and his unwavering service. May he know of our respect and warmest wishes for continued happiness; now, therefore, be it

Resolved by the House of Representatives, That we celebrate the retirement of Thomas L. Kamppinen; and be it further

Resolved, That a copy of the resolution be transmitted to Thomas L. Kamppinen as a token of our highest esteem.

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.

Reps. Callahan, DeHart, Hansen, LaSata, Faunce, Wojno, Bob Brown, LaForge, Scott, Cherry, Kelly, DeRossett, Neumann, Gielegghem, Thomas, Ehardt, Jacobs, Spade, Rivet, Bovin, Koetje, Vaughn, Prusi, Bogardus, Rocca, Garcia, Jamnick, Basham, Vear, Hanley, Schauer, Tesanovich, Baird, Woodward, Kilpatrick, Clark, Clarke, Perricone and Julian offered the following resolution:

House Resolution No. 442.

A resolution in appreciation for the support during the 2000 election honoring Walter "Ralph" Mabry.

Whereas, It is a genuine pleasure to extend a special thank you to Mr. Walter "Ralph" Mabry upon this 21st day of December, 2000. We are grateful for this opportunity to join with the family and friends of the Millwrights, Conveyor & Machinery Erectors, and Local Union Number 1102, in honoring this man with the highest integrity; and

Whereas, Mr. Walter "Ralph" Mabry has been a member of Millwrights Local Union Number 1102 for 31 years. The years since have been filled with meeting the responsibilities of organizing and assisting not only the Millwrights Local No. 1102, the Greater Detroit Building Trades, as well as the Michigan Regional Council of Carpenters; and

Whereas, On July 24, 1979, Ralph became a business agent for the Millwrights Local No. 1102. On June 28, 1984, Ralph was elected as Financial Secretary/ Business Manager of Millwrights Local No. 1102; and

Whereas, Ralph then moved on to being elected President of the Greater Detroit Building Trades for a 4-year term on January 22, 1988. Ralph's leadership, concern, and contributions earned him the support to become appointed Executive Secretary-Treasurer of the Michigan Regional Council of Carpenters on May 10, 1996. On May 10, 1997, Mr. Mabry continued another chapter of his life when he was re-elected for another 4-year term; and

Whereas, Serving others is a well-established trait of Walter "Ralph" Mabry. Under Ralph, the Carpenters built well over 100 wheelchair ramps for the citizens all over the state of Michigan; and

Whereas, Ralph has helped hundreds of needy families in Detroit, Michigan during the Christmas holiday seasons, as well assisting in Warren, Michigan. Understanding, unselfish, and untiring in his efforts to help others, Walter "Ralph" Mabry is appreciated with the highest praise; now, therefore, be it

Resolved by the House of Representatives, That we offer thanks to Walter "Ralph" Mabry in appreciation for all of the hard work and dedication in his efforts of the election of 2000. May the health and happiness of his years be with him always; and be it further

Resolved, That a copy of this resolution be transmitted to Mr. Walter "Ralph" Mabry as a token of our appreciation.

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

Reps. Tabor, Jellema, DeHart, Hansen, Sheltroun, Cameron Brown, LaSata, Voorhees, Hager, Mead, Faunce, Reeves, Wojno, LaForge, Cherry, Kelly, Martinez, Van Woerkom, DeRossett, DeVuyst, Allen, Neumann, Gielegem, Ehardt, Howell, Jacobs, Spade, Rivet, Vander Roest, Pappageorge, Raczkowski, Bovin, Koetje, Toy, Vaughn, Prusi, Geiger, Bishop, Richardville, Garcia, Jamnick, Birkholz, Vear, Hanley, Schauer, Tesanovich, Baird, Woodward, Kilpatrick, Scranton, Shulman, Caul, Brater, Clarke, Perricone and Julian offered the following resolution:

House Resolution No. 443.

A resolution honoring the Grand Ledge High School 2000 Division I State Football Champions.

Whereas, It is a pleasure to join with their families, the entire school, and all of Grand Ledge in celebrating the achievements of the Grand Ledge High School 2000 Division I State Football Champions on its wonderful success over the season. With the fine record of 13-1 this squad attained, which has culminated in a state championship, this group of disciplined student-athletes has generated great pride throughout this area of our state; and

Whereas, Much to the delight of their loyal fans, the Comets have also earned the respect of prep sports followers throughout Michigan through their talent, teamwork, and determination. As opponents have found out all season long, this is a team that brings unity and a positive outlook to all levels of competition. In the face of challenge and pressure, this is a group of young people who maintained their focus on making their dreams come true and accepted nothing less than their best effort. This team sustained its focus and overcame what seemed to be insurmountable odds by winning the championship game in the last 53 seconds of the game; and

Whereas, Winning titles or compiling outstanding seasons is never a fluke. While anything can happen in a single game, all teams show their true abilities and dedication over a long season or a difficult tournament. What distinguishes the best, however, is usually the effort that appears in practice, far removed from the excitement of game day. We admire the efforts, team spirit, and preparation of these talented young people. Even though there are many talented individuals on this team, this group of athletes came together and bonded as a team to achieve this ultimate goal; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body congratulate the members and coaches of the Grand Ledge High School Football Team upon the occasion of its 2000 Division I State Football Championship; and be it further

Resolved, That a copy of this resolution be transmitted to the Grand Ledge High School 2000 Division I State Football Champions as a token of our esteem.

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.

THIS RESOLUTION IS OFFERED TO COMPLY WITH MCL § 18.1246.

Reps. Geiger, Jellema, Pumford and Mead offered the following concurrent resolution:

House Concurrent Resolution No. 123.

A concurrent resolution to increase the total project cost of the Department of Agriculture Animal Health Diagnostic Laboratory.

Whereas, The Department of Agriculture Animal Health Diagnostic Laboratory project was authorized in 2000 PA 291 with a total project cost of \$45,000,000; and

Whereas, Pursuant to section 246 of 1984 PA 431, as amended, being MCL § 18.1246, the authorized cost of projects shall only be established or revised by specific reference in a budget act, by concurrent resolution adopted by both houses of the legislature, or inferred by the total amount of any appropriations made to complete plans and construction; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Michigan Legislature recognizes the need to increase the total authorized cost for the Department of Agriculture Animal Health Diagnostic Laboratory project to an amount not to exceed \$58,000,000 (State Building Authority share \$57,999,900 and the State General Fund/General Purpose share \$100) and that the legislature intends to continue to appropriate funds for construction subject to the limitations herein stated, in amounts not to exceed the authorized cost, subject to the ordinary vicissitudes of the legislative process; and be it further

Resolved, That copies of this resolution be transmitted to the State Budget Director, the Director of the Department of Management and Budget, and the Director of Department of Agriculture.

The concurrent resolution was referred to the Committee on Appropriations.

Announcement by the Clerk of Printing and Enrollment

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

Senate Bill Nos. 1434 1435

The Clerk announced the enrollment printing and presentation to the Governor on Friday, December 1, for his approval of the following bills:

Enrolled House Bill No. 5066 at 4:14 p.m.

Enrolled House Bill No. 5296 at 4:16 p.m.

Enrolled House Bill No. 5677 at 4:18 p.m.

The Clerk announced that the following bills had been printed and placed upon the files of the members, Friday, December 1:

House Bill Nos. 6172 6173 6174 6175 6176 6177

The Clerk announced that the following Senate bills had been received on Tuesday, December 5:

Senate Bill Nos. 271 1349 1424

Communications from State Officers

The following communication from the Department of Natural Resources was received and read:

November 29, 2000

We are providing you with a copy of the "Report All Poaching" Annual Report as mandated under Public Act 451 of 1994, Part 435, Section 43555 (4) which instructs the Department of Natural Resources to annually provide the legislature with a report on expenditures from the Wildlife Resource Protection Fund (also attached).

If you have any questions, please contact me at 373-0023.

Sincerely,
M. Carol Bambery
Legislative Liaison

The communication was referred to the Clerk.

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

December 1, 2000

Enclosed is a copy of the following audit report and/or executive digest:

Financial Audit, Including the
Provisions of the Single Audit Act, of the
Department of Environmental Quality
October 1, 1997 through September 30, 1999

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

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

Introduction of Bills

Rep. Ehardt introduced

House Bill No. 6178, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 4 (MCL 38.1304), as amended by 1997 PA 143, and by adding section 92.

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

Rep. Ehardt introduced

House Bill No. 6179, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 85 (MCL 38.1385), as amended by 1998 PA 213.

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

By unanimous consent the House returned to the order of
Second Reading of Bills

Senate Bill No. 1181, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 222a. 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.

Rep. Pappageorge moved that Rep. Geiger 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. 1181, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 222a. Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1053

Yeas—80

Allen	Faunce	Kuipers	Richner
Basham	Frank	LaSata	Rocca
Birkholz	Garcia	Law	Sanborn
Bisbee	Gielegghem	Lemmons	Schermesser
Bishop	Gilbert	Lockwood	Scranton
Bovin	Godchaux	Martinez	Shackleton
Bradstreet	Gosselin	Mead	Sheltrown
Brater	Green	Middaugh	Shulman
Brewer	Hager	Mortimer	Spade
Brown, B.	Hart	Neumann	Stamas
Brown, C.	Howell	O’Neil	Switalski
Byl	Jansen	Pappageorge	Tabor
Cassis	Jelinek	Patterson	Tesanovich
Caul	Jellema	Pestka	Toy
Cherry	Johnson, Rick	Price	Van Woerkom
DeHart	Johnson, Ruth	Prusi	Vander Roest
DeRossett	Julian	Pumford	Vear
DeVuyst	Kilpatrick	Raczkowski	Voorhees
DeWeese	Koetje	Reeves	Woodward
Ehardt	Kowall	Richardville	Woronchak

Nays—20

Callahan	Hale	Kelly	Rison
Clark, I.	Hansen	LaForge	Schauer
Clarke, H.	Hardman	Mans	Scott

Daniels
Garza

Jacobs
Jamnick

Minore
Quarles

Thomas
Wojno

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, 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.”.

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. 1382, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 30 (MCL 206.30), as amended by 2000 PA 301.

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. 1382, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” by amending section 30 (MCL 206.30), as amended by 2000 PA 301.

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

Roll Call No. 1054

Yeas—100

Allen
Basham
Birkholz
Bisbee
Bishop
Bogardus
Bovin
Bradstreet
Brater
Brewer
Brown, B.
Brown, C.
Byl
Callahan
Cassis
Caul
Cherry

Frank
Garcia
Garza
Gielegghem
Gilbert
Gosselin
Hager
Hale
Hanley
Hansen
Hardman
Hart
Howell
Jacobs
Jamnick
Jansen
Jelinek

Kuipers
LaForge
LaSata
Law
Lemmons
Lockwood
Mans
Martinez
Mead
Middaugh
Minore
Mortimer
Neumann
O’Neil
Pappageorge
Patterson
Pestka

Rison
Rivet
Rocca
Sanborn
Schauer
Schermesser
Scott
Scranton
Shackleton
Sheltrown
Shulman
Spade
Stamas
Switalski
Tabor
Tesanovich
Thomas

Clark, I.	Jellema	Price	Toy
Clarke, H.	Johnson, Rick	Prusi	Van Woerkom
Daniels	Johnson, Ruth	Pumford	Vander Roest
DeHart	Julian	Quarles	Vear
DeRossett	Kelly	Raczkowski	Voorhees
DeVuyst	Kilpatrick	Reeves	Wojno
Ehardt	Koetje	Richardville	Woodward
Faunce	Kowall	Richner	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 meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; 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.

Second Reading of Bills

Senate Bill No. 1380, entitled

A bill to amend 1975 PA 228, entitled “Single business tax act,” (MCL 208.1 to 208.145) by adding section 35b.

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. 1380, entitled

A bill to amend 1975 PA 228, entitled “Single business tax act,” (MCL 208.1 to 208.145) by adding section 35b.

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

Roll Call No. 1055

Yeas—88

Allen	Gielegheem	Lemmons	Rocca
Basham	Gilbert	Lockwood	Sanborn
Birkholz	Gosselin	Mans	Schauer
Bisbee	Green	Mead	Schermesser
Bishop	Hager	Middaugh	Scranton
Bovin	Hanley	Minore	Shackleton
Bradstreet	Hansen	Mortimer	Sheltrown
Brewer	Hardman	Neumann	Shulman

Brown, C.	Hart	O'Neil	Spade
Byl	Howell	Pappageorge	Stamas
Cassis	Jacobs	Patterson	Switalski
Cherry	Jansen	Pestka	Tabor
Clark, I.	Jelinek	Price	Tesanovich
Clarke, H.	Jellema	Prusi	Thomas
Daniels	Johnson, Rick	Pumford	Toy
DeRossett	Julian	Quarles	Van Woerkom
DeVuyst	Kilpatrick	Rackowski	Vander Roest
Ehardt	Koetje	Reeves	Vear
Faunce	Kowall	Richardville	Voorhees
Frank	Kuipers	Richner	Wojno
Garcia	LaSata	Rison	Woodward
Garza	Law	Rivet	Woronchak

Nays—13

Bogardus	Caul	Hale	LaForge
Brater	DeHart	Johnson, Ruth	Martinez
Brown, B.	Godchaux	Kelly	Scott
Callahan			

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. Rackowski moved that the bill be given immediate effect.

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

The Speaker Pro Tempore resumed the Chair.

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. 694, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 2006 (MCL 500.2006).

(The conference report was received from the Senate on October 3, consideration of which, under the rules, was postponed until October 4.)

(For conference report, see House Journal No. 61, p. 2215.)

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. 1056**Yeas—99**

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

Nays—2

Geiger Scranton

In The Chair: Birkholz

Second Reading of Bills**Senate Bill No. 1426, entitled**

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," by amending section 403 (MCL 550.1403).

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. 1426, entitled**

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," by amending section 403 (MCL 550.1403).

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

Roll Call No. 1057**Yeas—99**

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

Nays—5

Brown, C.	Godchaux	Jansen	Scranton
Geiger			

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 provide for the incorporation of nonprofit health care corporations; to provide their rights, powers, and immunities; to prescribe the powers and duties of certain state officers relative to the exercise of those rights, powers, and immunities; to prescribe certain conditions for the transaction of business by those corporations in this state; to define the relationship of health care providers to nonprofit health care corporations and to specify their rights, powers, and immunities with respect thereto; to provide for a Michigan caring program; to provide for the regulation and supervision of nonprofit health care corporations by the commissioner of insurance; to prescribe powers and duties of certain other state officers with respect to the regulation and supervision of nonprofit health care corporations; to provide for the imposition of a regulatory fee; to regulate the merger or consolidation of certain corporations; to prescribe an expeditious and effective procedure for the maintenance and conduct of certain administrative appeals relative to provider class plans; to provide for certain administrative hearings relative to rates for health care benefits; to provide for certain causes of action; to prescribe penalties and to provide civil fines for violations of this act; 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. Raczkowski moved that when the House adjourns today it stand adjourned until Wednesday, December 6, at 10:00 a.m.

The motion prevailed.

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

House Bill No. 4474, entitled

A bill to amend 1977 PA 89, entitled "State aid to public libraries act," by amending section 5 (MCL 397.555).

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

The House agreed to the full title.

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

House Bill No. 5402, entitled

A bill to amend 1974 PA 370, entitled "Vietnam veteran era bonus act," by amending section 17 (MCL 35.1037).

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

The House agreed to the full title.

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

House Bill No. 5403, entitled

A bill to amend 1933 PA 94, entitled "The revenue bond act of 1933," by amending section 14 (MCL 141.114).

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

The House agreed to the full title.

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

House Bill No. 5404, entitled

A bill to amend 1983 PA 102, entitled "Uniform federal lien registration act," by amending section 5 (MCL 211.665), as amended by 1991 PA 132.

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

The House agreed to the full title.

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

House Bill No. 5405, entitled

A bill to amend 1968 PA 203, entitled "State tax lien registration act," by amending section 4 (MCL 211.684), as amended by 1989 PA 47.

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

The House agreed to the full title.

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

House Bill No. 5406, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 58b (MCL 257.58b).

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

The House agreed to the full title.

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

House Bill No. 5407, entitled

A bill to amend 1978 PA 387, entitled "An act to make appropriations to the department of state; to prescribe the powers and duties of the department of state and the state treasurer; to provide for loans to persons who own certain vehicles for the cost of their alteration or replacement; and to provide an interest rate for repayment of those loans," by amending section 4 (MCL 257.934).

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

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

House Bill No. 5408, entitled

A bill to amend 1939 PA 141, entitled "Grain dealers act," by amending section 7a (MCL 285.67a), as amended by 1998 PA 388.

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

The House agreed to the full title.

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

House Bill No. 5409, entitled

A bill to amend 1969 PA 295, entitled "Higher education facilities authority act," by amending section 11 (MCL 390.931).

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

The House agreed to the full title.

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

House Bill No. 5411, entitled

A bill to amend 1984 PA 341, entitled "Farm and utility equipment act," by amending section 9 (MCL 445.1459), as amended by 1995 PA 86.

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

The House agreed to the full title.

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

House Bill No. 5412, entitled

A bill to amend 1972 PA 284, entitled "Business corporation act," by amending section 471 (MCL 450.1471).

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

The House agreed to the full title.

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

House Bill No. 5413, entitled

A bill to amend 1982 PA 162, entitled "Nonprofit corporation act," by amending section 471 (MCL 450.2471).

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

The House agreed to the full title.

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

House Bill No. 5415, entitled

A bill to amend 1980 PA 307, entitled "Savings and loan act of 1980," by amending section 420 (MCL 491.420).

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

The House agreed to the full title.

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

House Bill No. 5416, entitled

A bill to amend 1950 (Ex Sess) PA 27, entitled "Motor vehicle sales finance act," by amending section 14 (MCL 492.114).

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

The House agreed to the full title.

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

House Bill No. 5417, entitled

A bill to amend 1998 PA 434, entitled "Uniform fraudulent transfer act," by amending section 8 (MCL 566.38).

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

The House agreed to the full title.

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

House Bill No. 5681, entitled

A bill to amend 1905 PA 282, entitled "An act to provide for the assessment of the property, by whomsoever owned, operated or conducted, of railroad companies, union station and depot companies, telegraph companies, telephone companies, sleeping car companies, express companies, car loaning companies, stock car companies, refrigerator car companies, and fast freight companies, and all other companies owning, leasing, running or operating any freight, stock, refrigerator, or any other cars, not being exclusively the property of any railroad company paying taxes upon its rolling stock under the provisions of this act, over or upon the line or lines of any railroad or railroads in this state, and for the levy of taxes thereon by a state board of assessors, and for the collection of such taxes, and to repeal all acts or parts of acts contravening any of the provisions of this act," (MCL 207.1 to 207.21) by adding section 13a.

The Senate has concurred in the House amendments to the Senate substitute (S-1).

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

House Bill No. 5228, entitled

A bill to amend 1962 PA 174, entitled "Uniform commercial code," by amending sections 1105, 1201, 2103, 2210, 2326, 2502, 2716, 2A103, 2A303, 2A307, 2A309, 4210, 7503, 8103, 8106, 8110, 8301, 8302, 8510, 9102, 9103, 9104, 9105, 9106, 9107, 9108, 9109, 9110, 9201, 9202, 9203, 9204, 9205, 9206, 9207, 9208, 9301, 9302, 9303, 9304, 9305, 9306, 9307, 9308, 9309, 9310, 9311, 9312, 9313, 9314, 9315, 9316, 9317, 9318, 9401, 9402, 9403, 9404, 9405, 9406, 9407, 9408, 9409, 9501, 9502, 9503, 9504, 9505, 9506, and 9507 (MCL 440.1105, 440.1201, 440.2103, 440.2210, 440.2326, 440.2502, 440.2716, 440.2803, 440.2903, 440.2907, 440.2909, 440.4210, 440.7503, 440.8103, 440.8106, 440.8110, 440.8301, 440.8302, 440.8510, 440.9102, 440.9103, 440.9104, 440.9105, 440.9106, 440.9107, 440.9108, 440.9109, 440.9110, 440.9201, 440.9202, 440.9203, 440.9204, 440.9205, 440.9206, 440.9207, 440.9208, 2 440.9301, 440.9302, 440.9303, 440.9304, 440.9305, 440.9306, 440.9307, 440.9308, 440.9309, 440.9310, 440.9311, 440.9312, 440.9313, 440.9314, 440.9315, 440.9316, 440.9317, 440.9318, 440.9401, 440.9402, 440.9403, 440.9404, 440.9405, 440.9406, 440.9407, 440.9408, 440.9409, 440.9501, 440.9502, 440.9503, 440.9504, 440.9505, 440.9506, and 440.9507), sections 1105, 9203, and 9402 as amended by 1998 PA 489, section 1201 as amended and sections 2A103, 2A303, 2A307, and 2A309 as added by 1992 PA 101, section 2326 as amended by 1982 PA 397, section 4210 as amended by 1993 PA 130, sections 8103, 8106, 8301, 8302, 9301, 9302, 9303, 9306, 9309, and 9312 as amended and sections 8110 and 8510 as added by 1998 PA 278, sections 9103, 9104, 9105, 9106, 9304, and 9305 as amended by 1998 PA 488, section 9307 as amended by 1985 PA 199, section 9313 as amended by 1980 PA 53, section 9401 as amended by 1990 PA 288, sections 9403 and 9404 as amended by 1992 PA 186, sections 9405 and 9407 as amended by 1988 PA 130, and section 9406 as amended by 1989 PA 216, and by adding sections 5118, 9209, 9210, 9319, 9320, 9321, 9322, 9323, 9324, 9325, 9326, 9327, 9328, 9329, 9330, 9331, 9332, 9333, 9334, 9335, 9336, 9337, 9338, 9339, 9340, 9341, 9342, 9508, 9509, 9510, 9511, 9512, 9513, 9514, 9515, 9516, 9517, 9518, 9519, 9520, 9521, 9522, 9523, 9524, 9525, 9526, 9527, 9601, 9602, 9603, 9604, 9605, 9606, 9607, 9608, 9609, 9610, 9611, 9612, 9613, 9614, 9615, 9616, 9617, 9618, 9619, 9620, 9621, 9622, 9623, 9624, 9625, 9626, 9627, 9628, 9701, 9702, 9703, 9704, 9705, 9706, 9707, 9708, and 9709; and to repeal acts and parts of acts.

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

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

A bill to amend 1962 PA 174, entitled "An act to enact the uniform commercial code, relating to certain commercial transactions in or regarding personal property and contracts and other documents concerning them, including sales, commercial paper, bank deposits and collections, letters of credit, bulk transfers, warehouse receipts, bills of lading, other documents of title, investment securities, leases, and secured transactions, including certain sales of accounts, chattel paper and contract rights; to provide for public notice to third parties in certain circumstances; to regulate procedure, evidence and damages in certain court actions involving such transactions, contracts or documents; to make uniform the law with respect thereto; to make an appropriation; to provide penalties; and to repeal certain acts and parts of acts," by amending sections 1105, 1201, 2103, 2210, 2326, 2502, 2716, 2A103, 2A303, 2A307, 2A309, 2A525, 4210, 7503, 8103, 8106, 8110, 8301, 8302, 8510, 9102, 9103, 9104, 9105, 9106, 9107, 9108, 9109, 9110, 9201, 9202, 9203, 9204, 9205, 9206, 9207, 9208, 9301, 9302, 9303, 9304, 9305, 9306, 9307, 9308, 9309, 9310, 9311, 9312, 9313, 9314, 9315, 9316, 9317, 9318, 9401, 9402, 9403, 9404, 9405, 9406, 9407, 9408, 9409, 9501, 9502, 9503, 9504, 9505, 9506, and 9507 (MCL 440.1105, 440.1201, 440.2103, 440.2210, 440.2326, 440.2502, 440.2716, 440.2803, 440.2903, 440.2907, 440.2909, 440.2975, 440.4210, 440.7503, 440.8103, 440.8106, 440.8110, 440.8301, 440.8302, 440.8510, 440.9102, 440.9103, 440.9104, 440.9105, 440.9106, 440.9107, 440.9108, 440.9109, 440.9110, 440.9201, 440.9202,

440.9203, 440.9204, 440.9205, 440.9206, 440.9207, 440.9208, 28 2 440.9301, 440.9302, 440.9303, 440.9304, 440.9305, 440.9306, 440.9307, 440.9308, 440.9309, 440.9310, 440.9311, 440.9312, 440.9313, 440.9314, 440.9315, 440.9316, 440.9317, 440.9318, 440.9401, 440.9402, 440.9403, 440.9404, 440.9405, 440.9406, 440.9407, 440.9408, 440.9409, 440.9501, 440.9502, 440.9503, 440.9504, 440.9505, 440.9506, and 440.9507), sections 1105, 9203, and 9402 as amended by 1998 PA 489, section 1201 as amended and sections 2A103, 2A303, 2A307, 2A309, and 2A525 as added by 1992 PA 101, section 2326 as amended by 1982 PA 397, section 4210 as amended by 1993 PA 130, sections 8103, 8106, 8301, 8302, 9301, 9302, 9303, 9306, 9309, and 9312 as amended and sections 8110 and 8510 as added by 1998 PA 278, sections 9103, 9104, 9105, 9106, 9304, and 9305 as amended by 1998 PA 488, section 9307 as amended by 1985 PA 199, section 9313 as amended by 1980 PA 53, section 9401 as amended by 1990 PA 288, sections 9403 and 9404 as amended by 1992 PA 186, sections 9405 and 9407 as amended by 1988 PA 130, and section 9406 as amended by 1989 PA 216, and by adding sections 5118, 9209, 9210, 9319, 9320, 9321, 9322, 9323, 9324, 9325, 9326, 9327, 9328, 9329, 9330, 9331, 9332, 9333, 9334, 9335, 9336, 9337, 9338, 9339, 9340, 9341, 9342, 9508, 9509, 9510, 9511, 9512, 9513, 9514, 9515, 9516, 9517, 9518, 9519, 9520, 9521, 9522, 9523, 9524, 9525, 9526, 9527, 9601, 9602, 9603, 9604, 9605, 9606, 9607, 9608, 9609, 9610, 9611, 9612, 9613, 9614, 9615, 9616, 9617, 9618, 9619, 9620, 9621, 9622, 9623, 9624, 9625, 9626, 9627, 9628, 9701, 9702, 9703, 9704, 9705, 9706, 9707, 9708, and 9709; and to repeal acts and parts of acts.

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

House Bill No. 5509, entitled

A bill to amend 1966 PA 225, entitled "Carnival-amusement safety act of 1966," by amending section 2 (MCL 408.652), as amended by 1998 PA 507, and by adding sections 18, 19, and 20.

The Senate has amended the bill as follows:

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

"Sec. 17. (1) A temporary cessation of operations of a carnival-amusement ride may be ordered by the director when the inspection of the ride has been impeded, obstructed or interfered with. The order to cease operations shall remain in effect until an inspection has been made and the ride has been found safe for use.

(2) Except for the late payment of fees as provided in section 8(2) AND EXCEPT AS PROVIDED IN SUBSECTION (3), a person who violates this act is guilty of a misdemeanor. Each day a violation occurs is a separate offense.

(3) THE PENALTY PROVIDED IN SUBSECTION (2) DOES NOT APPLY TO THE VIOLATION OF THIS ACT BY A RIDER."

2. Amend page 6, line 19, after "PREMISES." by striking out the balance of the line through "LAW."

The Senate has passed the bill as amended and amended the title to read as follows:

A bill to amend 1966 PA 225, entitled "An act to provide for the inspection, licensing, and regulation of carnival and amusement rides; to provide for the safety of the public using carnival and amusement rides; to create a carnival-amusement safety board in the department of licensing and regulation; to provide for the disposition of revenues; to make an appropriation; and to provide penalties for violations," by amending sections 2 and 17 (MCL 408.652 and 408.667), section 2 as amended by 1998 PA 507 and section 17 as amended by 1982 PA 35, and by adding sections 18, 19, and 20.

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

House Bill No. 5758, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 14 of chapter XVII (MCL 777.14), as amended by 2000 PA 279.

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.

House Bill No. 5821, entitled

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

The Senate has amended the bill as follows:

1. Amend page 2, line 9, by striking out "OR HISTORICAL MUSEUM".

2. Amend page 2, line 9, after "money," by striking out "A HISTORICAL ARTIFACT,".

3. Amend page 2, line 12, after "institute" by striking out "OR HISTORICAL MUSEUM".

4. Amend page 2, following line 13, by inserting:

"(E) A HISTORICAL MUSEUM, OF MONEY OR A HISTORICAL ARTIFACT, IF FOR THE PURPOSE OF BENEFITTING THAT HISTORICAL MUSEUM.

(F) A HISTORICAL SOCIETY ACTING AS THE GOVERNING AUTHORITY OF A HISTORICAL MUSEUM, OF MONEY OR A HISTORICAL ARTIFACT SOLELY FOR THE PURPOSE OF BENEFITTING A HISTORICAL MUSEUM, ONLY IF THE HISTORICAL SOCIETY IS A NONPROFIT CORPORATION EXEMPT UNDER SECTION 501(c)(3) OF THE INTERNAL REVENUE CODE.” and relettering the remaining subdivisions.

5. Amend page 4, following line 23, by inserting:

“(E) “HISTORICAL MUSEUM” MEANS A PERMANENT, NONPROFIT INSTITUTION THAT MEETS ALL OF THE FOLLOWING REQUIREMENTS:

(i) IS OPEN TO THE PUBLIC AND ADMINISTERED IN THE PUBLIC INTEREST.

(ii) COLLECTS, CONSERVES, PRESERVES, RESEARCHES, AND INTERPRETS FOR PURPOSES OF STUDY, EDUCATION, AND ENJOYMENT MATERIAL EVIDENCE OF HISTORY.”.

6. Amend page 4, following line 25, by inserting:

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

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.

House Bill No. 6027, entitled

A bill to amend 1941 PA 207, entitled “Fire prevention code,” by amending section 6 (MCL 29.6).

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.

House Bill No. 4335, entitled

A bill to amend 1967 PA 150, entitled “Michigan military act,” by amending section 411 (MCL 32.811), as amended by 1996 PA 497.

The Senate has appointed Senators Gougeon, McManus and DeBeaussaert as conferees to join with Reps. Richardville, Ehardt and Bovin.

The bill was referred to the Conference Committee on December 5, 2000.

House Bill No. 4530, entitled

A bill to amend 1927 PA 372, entitled “An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license; to provide for the forfeiture of firearms possessed in violation of this act; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; and to repeal all acts and parts of acts inconsistent with the provisions of this act,” by amending the title and sections 1, 8, 12, 12a, and 14 (MCL 28.421, 28.428, 28.432, 28.432a, and 28.434), the title as amended by 1990 PA 320 and section 1 as amended by 1992 PA 219, and by adding sections 1a, 2a, 5, 5a, 5b, 5c, 5d, 5e, 5f, 5g, 5h, 5i, 5j, 5k, 5l, 5m, 5n, and 5o; and to repeal acts and parts of acts.

The Senate has appointed Senators Hoffman, Bullard and Dingell as conferees to join with Reps. Green, DeVuyst and Callahan.

The bill was referred to the Conference Committee on December 5, 2000.

House Bill No. 4532, entitled

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

The Senate has appointed Senators Hoffman, Bullard and Dingell as conferees to join with Reps. Green, DeVuyst and Callahan.

The bill was referred to the Conference Committee on December 5, 2000.

Senate Bill No. 271, entitled

A bill to amend 1978 PA 566, entitled “An act to encourage the faithful performance of official duties by certain public officers and public employees; to prescribe standards of conduct for certain public officers and public employees; to prohibit the holding of incompatible public offices; and to provide certain judicial remedies,” by amending section 3 (MCL 15.183), as amended by 1994 PA 317.

The Senate has passed the bill.

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

Senate Bill No. 1349, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 531 (MCL 436.1531), as amended by 1999 PA 91.

The Senate has passed the bill.

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

Senate Bill No. 1424, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 38c (MCL 208.38c), as amended by 1997 PA 190.

The Senate has passed the bill.

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

Senate Bill No. 260, 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 416b.

The Senate has nonconcurred in the House substitute (H-3) and appointed Senators DeGrow, Schwarz and Byrum as conferees.

The message was referred to the Clerk for record.

Senate Bill No. 261, entitled

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

The Senate has nonconcurred in the House substitute (H-3) and appointed Senators DeGrow, Shugars and Byrum as conferees.

The message was referred to the Clerk for record.

Notices

The Speaker appointed as conferees, on the part of the House of Representatives for **Senate Bill No. 260**, Reps. Perricone, Rick Johnson and Kilpatrick.

The Speaker appointed as conferees, on the part of the House of Representatives for **Senate Bill No. 261**, Reps. Perricone, Rick Johnson and Kilpatrick.

I hereby replace Rep. Baird with Rep. Switalski on the Conference Committee for **Senate Bill No. 757**.

Rep. Perricone

Rep. Minore moved that the House adjourn.

The motion prevailed, the time being 6:50 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, December 6, at 10:00 a.m.

GARY L. RANDALL
Clerk of the House of Representatives.