

**No. 10**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**91st Legislature**  
**REGULAR SESSION OF 2002**

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House Chamber, Lansing, Thursday, February 7, 2002.

12:00 Noon.

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

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

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

e/d/s = entered during session

Rev. Jack Spitz, Pastor of First Baptist Church in Westland, offered the following invocation:

“Our Heavenly Father, we thank You that we can come freely into Your presence with our petitions. We are thankful for our great nation and our great state. We are thankful for the freedom we have here in America—the freedom of speech and the freedom of assembly. We truly thank You that You have blessed us and made us a very prosperous people. The generosity and outpouring of help for the victims of 9-11 show us that. Father, we have so much to thank You for as we pause and remember all Your blessings on this great nation and state. We thank You for what we know You are going to do on our behalf. Father, You tell us to pray for those in authority and this we will and must do daily. We pray for the President in this time of crises and for his cabinet and military leaders as decisions are being made concerning terrorism. We pray that they make the right decisions at the right time. We pray for our young men and women on the front line. We ask, Father, that our losses will be few and that our just cause will bring us victory that will destroy terrorism. Bring them back safely.

You tell us if any lack wisdom, let them ask and You will give it liberally. Therefore, Father, we ask for wisdom for this legislative body. We ask, Heavenly Father, that they will make the right legislation, at the right time, and for the right purpose. Give them wisdom to lead our state to bigger and brighter days and we will give You all the thanks. Might we always remember to give thanks to Him who has made our state great. Might we remember to pray for all those in authority daily and ask for wisdom for them. May God bless and guide you. In Jesus’ name, Amen.”

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

Rep. Jacobs moved that Reps. Mans and Reeves be excused from today’s session.  
The motion prevailed.

Rep. Anderson moved that Rep. Plakas be excused temporarily from today’s session.  
The motion prevailed.

### Third Reading of Bills

#### House Bill No. 5420, entitled

A bill to amend 1966 PA 331, entitled “Community college act of 1966,” by amending section 122 (MCL 389.122), as amended by 1984 PA 148.

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

#### Roll Call No. 46

#### Yeas—103

Adamini	Faunce	Lemmons	Schermesser
Allen	Frank	Lipsey	Scranton
Anderson	Garza	Lockwood	Shackleton
Basham	George	McConico	Sheltrown
Bernero	Gielegem	Mead	Shulman
Birkholz	Gilbert	Meyer	Spade
Bisbee	Godchaux	Middaugh	Stallworth
Bishop	Gosselin	Minore	Stamas
Bogardus	Hager	Mortimer	Stewart
Bovin	Hansen	Murphy	Switalski
Bradstreet	Hardman	Neumann	Tabor
Brown, B.	Hart	Newell	Thomas
Brown, C.	Howell	O’Neil	Toy
Brown, R.	Hummel	Pappageorge	Van Woerkom
Callahan	Jacobs	Patterson	Vander Roest

Cassis	Jamnick	Pestka	Vander Veen
Caul	Jansen	Phillips	Vear
Clark, I.	Jelinek	Pumford	Voorhees
Clarke, H.	Johnson, Rick	Quarles	Waters
Daniels	Johnson, Ruth	Raczkowski	Whitmer
Dennis	Julian	Richardville	Williams
DeRossett	Kolb	Richner	Wojno
DeVuyst	Kooiman	Rison	Woodward
DeWeese	Kowall	Rivet	Woronchak
Drolet	Kuipers	Rocca	Zelenko
Ehardt	LaSata	Schauer	

**Nays—0**

In The Chair: Ehardt

The House agreed to the title of the bill.

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

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

**House Bill No. 5421, entitled**

A bill to amend 1966 PA 331, entitled “Community college act of 1966,” by amending section 126 (MCL 389.126).

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

**Roll Call No. 47****Yeas—101**

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

**Nays—0**

In The Chair: Ehardt

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

Rep. Jacobs moved that Rep. Hale be excused temporarily from today's session.  
The motion prevailed.

**House Bill No. 5422, entitled**

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending section 127 (MCL 389.127), as added by 1982 PA 342.

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

**Roll Call No. 48****Yeas—102**

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

**Nays—0**

In The Chair: Ehardt

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

**House Bill No. 5423, entitled**

A bill to amend 1966 PA 331, entitled “Community college act of 1966,” by amending section 144 (MCL 389.144), as amended by 1990 PA 287.

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

**Roll Call No. 49**

**Yeas—101**

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

**Nays—0**

In The Chair: Ehardt

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

**House Bill No. 5496, entitled**

A bill to amend 1976 PA 390, entitled “Emergency management act,” by amending sections 3, 7, 7a, 8, 9, 10, and 11 (MCL 30.403, 30.407, 30.407a, 30.408, 30.409, 30.410, and 30.411), sections 3, 7, 8, 9, 10, and 11 as amended and section 7a as added by 1990 PA 50, and by adding section 21; 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. 50****Yeas—101**

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

**Nays—2**

Bradstreet	DeVuyst
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In The Chair: Ehardt

The House agreed to the title of the bill.

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

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

**House Bill No. 5507, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 436 (MCL 750.436), as amended by 1988 PA 87.

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

**Roll Call No. 51****Yeas—105**

Adamini	Frank	Lemmons	Schauer
Allen	Garza	Lipsev	Schermesser
Anderson	George	Lockwood	Scranton
Basham	Gielegem	McConico	Shackleton
Bernero	Gilbert	Mead	Sheltrown

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

**Nays—0**

In The Chair: Ehardt

The House agreed to the title of the bill.

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

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

**House Bill No. 5509, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 411j (MCL 750.411j), as amended by 1997 PA 75.

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

**Roll Call No. 52****Yeas—104**

Adamini	Faunce	LaSata	Schauer
Allen	Frank	Lipsey	Schermesser
Anderson	Garza	Lockwood	Scranton
Basham	George	McConico	Shackleton
Bernero	Gielegem	Mead	Sheltrown
Birkholz	Gilbert	Meyer	Shulman
Bisbee	Godchaux	Middaugh	Spade
Bishop	Gosselin	Minore	Stallworth
Bogardus	Hager	Mortimer	Stamas
Bovin	Hale	Murphy	Stewart
Bradstreet	Hansen	Neumann	Switalski
Brown, B.	Hardman	Newell	Tabor
Brown, C.	Hart	O'Neil	Thomas
Brown, R.	Howell	Pappageorge	Toy
Callahan	Hummel	Patterson	Van Woerkom

Cassis	Jacobs	Pestka	Vander Roest
Caul	Jamnick	Phillips	Vander Veen
Clark, I.	Jansen	Plakas	Vear
Clarke, H.	Jelinek	Pumford	Voorhees
Daniels	Johnson, Rick	Quarles	Waters
Dennis	Johnson, Ruth	Raczkowski	Whitmer
DeRossett	Julian	Richardville	Williams
DeVuyst	Kolb	Richner	Wojno
DeWeese	Kooiman	Rison	Woodward
Drolet	Kowall	Rivet	Woronchak
Ehardt	Kuipers	Rocca	Zelenko

### Nays—0

In The Chair: Ehardt

The House agreed to the title of the bill.

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

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

### House Bill No. 5512, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 543h.

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

### Roll Call No. 53

### Yeas—104

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



**Nays—0**

In The Chair: Ehardt

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

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

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 543x.

The motion prevailed.

The House agreed to the title as amended.

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

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

**House Bill No. 5513, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 4701 and 4702 (MCL 600.4701 and 600.4702), section 4701 as amended by 2000 PA 184 and section 4702 as added by 1988 PA 104.

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

**Roll Call No. 54****Yeas—103**

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

**Nays—0**

In The Chair: Ehardt

The House agreed to the title of the bill.

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

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

**House Bill No. 5349, entitled**

A bill to amend 1976 PA 442, entitled "Freedom of information act," by amending section 13 (MCL 15.243), as amended by 2001 PA 74.

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

**Roll Call No. 55****Yeas—104**

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

**Nays—0**

In The Chair: Ehardt

The House agreed to the title of the bill.

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

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

**Second Reading of Bills**

Pending the Second Reading of

**House Bill No. 4609, entitled**

A bill to amend 1990 PA 250, entitled "DNA identification profiling system act," by amending sections 2, 3, and 6 (MCL 28.172, 28.173, and 28.176), section 2 as amended by 1996 PA 508, section 3 as amended by 1998 PA 522, and section 6 as amended by 2000 PA 30.

Rep. Patterson moved that the bill be re-referred to the Committee on Criminal Justice.

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



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

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

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

The motion prevailed.

#### **Senate Bill No. 496, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 456 (MCL 500.456), as amended by 1989 PA 214.

The bill was read a second time.

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

The motion prevailed.

By unanimous consent the House returned to the order of

#### **Third Reading of Bills**

#### **House Bill No. 4398, entitled**

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

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

#### **Roll Call No. 57**

#### **Yeas—94**

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

#### **Nays—10**

Drolet	Hummel	Patterson	Scranton
Gilbert	Kuipers	Rackowski	Stallworth
Gosselin	Lemmons		

In The Chair: Ehardt

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

### Second Reading of Bills

#### House Bill No. 4990, entitled

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

The bill was read a second time.

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

The motion prevailed.

#### House Bill No. 5400, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 5208 (MCL 500.5208), as amended by 1984 PA 267, and by adding section 407a.

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

The motion prevailed.

#### House Bill No. 4338, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 81129 and 81130 (MCL 324.81129 and 324.81130), as added by 1995 PA 58.

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

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

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

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

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

The motion prevailed.

### Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bill had been printed and placed upon the files of the members, Thursday, February 7:

**House Bill No. 5592**

The Clerk announced that the following Senate bills had been received on Thursday, February 7:

<b>Senate Bill Nos.</b>	<b>829</b>	<b>830</b>	<b>831</b>	<b>832</b>	<b>833</b>	<b>834</b>	<b>836</b>	<b>837</b>	<b>838</b>	<b>839</b>	<b>840</b>	<b>841</b>	<b>843</b>	<b>844</b>
	<b>845</b>	<b>846</b>	<b>847</b>	<b>848</b>	<b>849</b>									

By unanimous consent the House returned to the order of

### Messages from the Senate

#### House Bill No. 5005, entitled

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

section 4a as added by 1986 PA 127, and sections 5 and 6 as amended and sections 9i, 10a, and 10b as added by 1993 PA 236.

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. 4195, entitled**

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

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

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

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

**Senate Bill No. 829, entitled**

A bill to amend 1967 PA 55, entitled "An act relating to the management of state funds; to prescribe the powers and duties of the state treasurer and the state administrative board; and to repeal certain acts and parts of acts," by amending section 1 (MCL 12.51).

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. 830, entitled**

A bill to amend 1965 PA 380, entitled "Executive organization act of 1965," by repealing section 88 (MCL 16.188).

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. 831, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 389 (MCL 18.1389), as amended by 1988 PA 504.

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. 832, entitled**

A bill to amend 1955 PA 70, entitled "An act to authorize cities to acquire and operate exhibition areas for commercial, industrial and agricultural products; to provide for the issuance of bonds to finance the cost thereof; to authorize the fixing and collecting of fees and other charges for the use of facilities therein; and to authorize the making of reasonable rules and regulations relative to the public use of facilities therein," by amending section 5 (MCL 123.655).

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. 833, entitled**

A bill to amend 1933 PA 99, entitled "An act to authorize villages, townships, cities, and school districts to enter into contracts and agreements for the purchase of real or personal property for public purposes; to provide for the payment of the purchase price thereof; to authorize school districts to enter into certain other contracts; and to prescribe the use of the real or personal property," by amending section 1 (MCL 123.721), as amended by 1997 PA 77.

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. 834, entitled**

A bill to amend 1994 PA 53, entitled "An act to authorize internally pooled investments by certain local governmental units," by amending section 1 (MCL 123.931).

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. 836, entitled**

A bill to amend 1994 PA 325, entitled "The international tradeport development authority act," by amending section 16 (MCL 125.2536); and to repeal acts and parts of acts.

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. 837, entitled**

A bill to amend 1995 PA 280, entitled "An act to authorize local units of government to accept financial transaction device payments," by amending section 1 (MCL 129.221).

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. 838, entitled**

A bill to amend 1995 PA 266, entitled "An act to authorize and regulate credit card transactions involving local units of government, including the use of credit cards by officers and employees of local units of government; and to provide for powers and duties of certain state and local agencies, officers, and employees," by amending sections 1 and 2 (MCL 129.241 and 129.242), section 1 as amended by 2000 PA 169.

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. 839, entitled**

A bill to amend 1968 PA 2, entitled "Uniform budgeting and accounting act," by amending section 4 (MCL 141.424), as amended by 2000 PA 493.

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. 840, entitled**

A bill to amend 1971 PA 140, entitled "Glenn Steil state revenue sharing act of 1971," by amending section 17a (MCL 141.917a), as amended by 1987 PA 283.

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. 841, entitled**

A bill to amend 1981 PA 80, entitled "Fiscal stabilization act," by amending section 4 (MCL 141.1004), as amended by 1987 PA 279; and to repeal acts and parts of acts.

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. 843, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 6097 (MCL 600.6097), as amended by 1984 PA 393.

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. 844, entitled**

A bill to repeal 1992 PA 275, entitled "The federal facility development act," (MCL 3.931 to 3.940); 1993 PA 126, entitled "The federal data facility act," (MCL 3.951 to 3.961); and section 483 of 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.483).

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. 845, entitled**

A bill to amend 1846 RS 16, entitled "Of the powers and duties of townships, the election and duties of township officers, and the division of townships," by amending section 75b (MCL 41.75b), as amended by 1990 PA 230.

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. 846, entitled**

A bill to amend 1931 PA 246, entitled "An act to provide for the construction, repair, and maintenance of pavements, sidewalks, and elevated structures on or along public roads and highways; to provide for the levying of taxes and of special assessments; to authorize the borrowing of money and the issuance of bonds; to prescribe the powers and duties of certain state and local agencies and officers; to validate actions taken, special assessments levied, and bonds issued; and to provide for the lighting of certain roads, highways, and bridges," by amending section 13a (MCL 41.283a).

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. 847, entitled**

A bill to amend 1941 PA 107, entitled "An act to authorize township water supply and sewage disposal services and facilities; to provide for financing of those services and facilities; to prescribe the powers and duties of township boards with respect to those services and facilities; and to prescribe penalties and provide remedies," by amending sections 8, 20m, and 20o (MCL 41.338, 41.350m, and 41.350o), section 8 as amended and sections 20m and 20o as added by 1989 PA 83.

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. 848, entitled**

A bill to amend 1923 PA 116, entitled "Township and village public improvement and public service act," by amending section 6c (MCL 41.416c), as added by 1989 PA 82.

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. 849, entitled**

A bill to amend 1905 PA 157, entitled "An act to provide for the acquisition, maintenance, management, and control of township parks, resorts, bathing beaches, and places of recreation; to provide for the creation of a township park commission; to provide for a board of commissioners to provide for the issuance of bonds and the levy of taxes; to provide for the transfer of certain real property for parks; to authorize cities and villages to appropriate money for park purposes; to provide for the acquisition, construction, and use of wharves, piers, docks, and landing places in townships; to provide the powers and duties of certain local units of government and certain officials; and to prescribe penalties and provide remedies," by amending section 6d (MCL 41.426d), as added by 1989 PA 79.

The Senate has passed the bill.

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

By unanimous consent the House returned to the order of

### **Reports of Standing Committees**

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

**Senate Bill No. 451, entitled**

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

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 451 To Report Out:**

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

Nays: None.



The Committee on Insurance and Financial Services, by Rep. Richner, Chair, reported  
**Senate Bill No. 452, entitled**

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

Without amendment and with the recommendation that the bill pass.  
The bill was referred to the order of Second Reading of Bills.

#### Favorable Roll Call

**SB 452** To Report Out:

Yeas: Reps. Richner, Bisbee, Ehardt, Hager, Hummel, Julian, Middaugh, Scranton, Van Woerkom, Wojno, Anderson, Clark, Daniels, Schermesser, Woodward,  
Nays: None.

#### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, February 6, 2002, at 10:30 a.m.,

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

The Committee on Education, by Rep. Kuipers, Chair, reported  
**House Bill No. 5583, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1285a (MCL 380.1285a), as added by 1996 PA 285.

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 5583** To Report Out:

Yeas: Reps. Kuipers, Meyer, Bradstreet, DeWeese, Hager, Hart, Ruth Johnson, Van Woerkom, Voorhees, McConico, Spade, Zelenko,  
Nays: Rep. Hansen.

The Committee on Education, by Rep. Kuipers, Chair, reported  
**House Bill No. 5584, entitled**

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts," by amending section 1 (MCL 722.111), as amended by 1994 PA 205.

Without amendment and with the recommendation that the bill pass.  
The bill was referred to the order of Second Reading of Bills.

#### Favorable Roll Call

**HB 5584** To Report Out:

Yeas: Reps. Kuipers, Meyer, Bradstreet, DeWeese, Hager, Hart, Ruth Johnson, Van Woerkom, Voorhees, McConico, Spade, Zelenko,  
Nays: Rep. Hansen.

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Kuipers, Chair of the Committee on Education, was received and read:  
Meeting held on: Thursday, February 7, 2002, at 9:00 a.m.,

Present: Reps. Kuipers, Meyer, Bradstreet, DeWeese, Hager, Hart, Ruth Johnson, Van Woerkom, Voorhees, Hansen, Clark, Gielegem, McConico, Spade, Zelenko,

Absent: Reps. Allen, Bogardus,

Excused: Reps. Allen, Bogardus.

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

**House Bill No. 5466, entitled**

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

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 5466** To Report Out:

Yeas: Reps. Patterson, Richner, Allen, Bishop, Cassis, Hart, Quarles, Jamnick, Lemmons,

Nays: None.

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

**Senate Bill No. 385, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 614, 617, and 1066 (MCL 380.614, 380.617, and 380.1066), section 614 as amended by 1992 PA 263, section 617 as amended by 1989 PA 268, and section 1066 as amended by 1995 PA 289.

Without amendment and with the recommendation that the bill pass.

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

## Favorable Roll Call

**SB 385** To Report Out:

Yeas: Reps. Patterson, Richner, Allen, Bishop, Cassis, Hart, Quarles, Jamnick, Lemmons,

Nays: None.

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

**Senate Bill No. 386, entitled**

A bill to amend 1966 PA 261, entitled "An act to provide for the apportionment of county boards of commissioners; to prescribe the size of the board; to provide for appeals; to prescribe the manner of election of the members of the county board of commissioners; to provide for compensation of members; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending section 11 (MCL 46.411), as amended by 1982 PA 504.

Without amendment and with the recommendation that the bill pass.

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

## Favorable Roll Call

**SB 386** To Report Out:

Yeas: Reps. Patterson, Richner, Allen, Bishop, Cassis, Hart, Quarles, Jamnick, Lemmons,

Nays: None.

The Committee on Redistricting and Elections, by Rep. Patterson, Chair, reported  
**Senate Bill No. 387, entitled**

A bill to amend 1989 PA 24, entitled "The district library establishment act," by amending section 11 (MCL 397.181); and to repeal acts and parts of acts.

Without amendment and with the recommendation that the bill pass.

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

#### Favorable Roll Call

**SB 387** To Report Out:

Yeas: Reps. Patterson, Richner, Allen, Bishop, Cassis, Hart, Quarles, Jamnick, Lemmons,

Nays: None.

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

**Senate Bill No. 388, entitled**

A bill to amend 1877 PA 164, entitled "An act to authorize cities, incorporated villages, and townships to establish and maintain, or contract for the use of, free public libraries and reading rooms; and to prescribe penalties and provide remedies," by amending section 11 (MCL 397.211), as amended by 1988 PA 432.

Without amendment and with the recommendation that the bill pass.

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

#### Favorable Roll Call

**SB 388** To Report Out:

Yeas: Reps. Patterson, Richner, Allen, Bishop, Cassis, Hart, Quarles, Jamnick, Lemmons,

Nays: None.

#### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, February 7, 2002, at 10:30 a.m.,

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

#### COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Julian, Vice-Chair of the Committee on Agriculture and Resource Management, was received and read:

Meeting held on: Thursday, February 7, 2002, at 8:00 a.m.,

Present: Reps. DeRossett, Julian, Ehardt, Gilbert, Meyer, Van Woerkom, Vear, Sheltroun, Hansen, Spade,

Absent: Rep. Bogardus,

Excused: Rep. Bogardus.

#### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, February 7, 2002, at 10:00 a.m.,

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

Absent: Reps. Tabor, Garza,

Excused: Reps. Tabor, Garza.

**COMMITTEE ATTENDANCE REPORT**

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

Meeting held on: Thursday, February 7, 2002, at 11:00 a.m.,

Present: Reps. Shulman, LaSata, Cameron Brown, Caul, Godchaux, Jansen, Jelinek, Kooiman, Mead, Mortimer, Newell, Pappageorge, Pumford, Shackleton, Stamas, Stewart, Toy, Vander Roest, Frank, Rich Brown, Clarke, Lockwood, Pestka, Phillips, Plakas, Stallworth, Switalski, Whitmer,

Absent: Rep. Reeves,

Excused: Rep. Reeves.

**Messages from the Governor**

The following message from the Governor was received February 7, 2002 and read:

**EXECUTIVE ORDER**

**No. 2002 - 1**

**BUREAU OF WORKER'S COMPENSATION**

**UNEMPLOYMENT AGENCY**

**WORKER'S COMPENSATION BOARD OF MAGISTRATES**

**WAGE AND HOUR DIVISION**

**BUREAU OF WORKER'S AND UNEMPLOYMENT COMPENSATION**

**DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES**

**EXECUTIVE REORGANIZATION**

WHEREAS, Article V, Section 1, of the Constitution of the state of Michigan of 1963 vests the executive power in the Governor; and

WHEREAS, Article V, Section 2, of the Constitution of the state of Michigan of 1963 empowers the Governor to make changes in the organization of the Executive Branch or in the assignment of functions among its units which he considers necessary for efficient administration; and

WHEREAS, the statutory powers, functions, duties and responsibilities assigned to the Bureau of Worker's Compensation, the Unemployment Agency, the Worker's Compensation Board of Magistrates, and the Wage and Hour Division can be more effectively carried out by a new Bureau of Worker's and Unemployment Compensation; and

WHEREAS, the missions of the Bureau of Worker's Compensation and the Unemployment Agency are related to maintaining a system for the timely payment of benefits on behalf of Michigan workers and employers; and

WHEREAS, there is a need for more sharing of data and information between the Bureau of Worker's Compensation and the Unemployment Agency to more efficiently meet statutory requirements relating to coordination of worker's compensation and unemployment compensation benefits; and

WHEREAS, the Wage and Hour Division serves the citizens of Michigan by protecting wages and fringe benefits to which workers are entitled and assuring appropriate employment and working conditions for young people;

WHEREAS, it is necessary in the interests of efficient administration and effectiveness of government to effect changes in the organization of the Executive Branch of government.

NOW, THEREFORE, I, John Engler, Governor of the state of Michigan, pursuant to the powers vested in me by the Constitution of the state of Michigan of 1963 and the laws of the state of Michigan, do hereby order the following:

**I. DEFINITIONS**

As used herein:

A. The "Department of Consumer and Industry Services" means the principal department of state government created by Executive Order 1996-2, being Section 445.2001 of the Michigan Compiled Laws.

B. The “Bureau of Worker’s Compensation” means the bureau established within the Department of Labor by Section 201 of Act 317 of the Public Acts of 1969, as amended, being Section 418.201 of the Michigan Compiled Laws, the functions of which were subsequently transferred to the Department of Consumer and Industry Services by Executive Order 1996-2, being Section 445.2001 of the Michigan Compiled Laws.

C. The “Unemployment Agency” means the agency established within the Department of Consumer and Industry Services by Executive Order 1997-12, being Section 421.94 of the Michigan Compiled Laws.

D. The “Worker’s Compensation Board of Magistrates” means the board established as an autonomous entity within the Department of Labor by Section 213 of Act 317 of the Public Acts of 1969, as amended, being Section 418.213 of the Michigan Compiled Laws, the functions of which were subsequently transferred to the Department of Consumer and Industry Services by Executive Order 1996-2, being Section 445.2001 of the Michigan Compiled Laws.

E. The “Wage and Hour Division” means the division created on January 31, 1992 as an agency within the Bureau of Safety and Regulation within the Department of Labor, the functions of which were subsequently transferred to the Department of Consumer and Industry Services by Executive Order 1996-2, being Section 445.2001 of the Michigan Compiled Laws.

## **II. CREATION OF THE BUREAU OF WORKER’S AND UNEMPLOYMENT COMPENSATION**

A. The Bureau of Worker’s and Unemployment Compensation is hereby created as a Type I agency within the Department of Consumer and Industry Services. The bureau shall exercise its prescribed statutory powers, duties and functions of rulemaking, licensing and registration including the prescription of rules, rates, regulations and standards, and adjudication independently of the head of the department. All budgeting, procurement and related management functions of the bureau shall be performed under the direction and supervision of the head of the department.

B. The Bureau of Worker’s and Unemployment Compensation shall be headed by a Director who shall be appointed by the Governor.

C. All of the statutory authority, powers, functions, duties and responsibilities of the Bureau of Worker’s Compensation are transferred to the Bureau of Worker’s and Unemployment Compensation by Type III transfer as defined by Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws.

D. All of the statutory authority, powers, functions, duties and responsibilities of the Unemployment Agency are transferred to the Bureau of Worker’s and Unemployment Compensation by Type III transfer as defined by Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws.

E. All of the statutory powers, functions, duties, and responsibilities of the Director of the Bureau of Worker’s Compensation established in Chapter 2 of the Worker’s Disability Compensation Act of 1969, Act No. 317 of the Public Acts of 1969, as amended, being Section 418.201 et. seq. of the Michigan Compiled Laws, are transferred to the Director of the Bureau of Worker’s and Unemployment Compensation by a Type III transfer as defined by Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws.

F. All of the statutory powers, functions, duties, and responsibilities of the Director of the Unemployment Agency created in Section 5 of the Michigan Employment Security Act, Act No. 1 of the Public Acts of 1936 (Ex. Sess.), as amended, being Section 421.5 of the Michigan Compiled Laws, and defined as the Director of Employment Security in Executive Order 1997-12 are transferred to the Director of the Bureau of Worker’s and Unemployment Compensation by a Type III transfer as defined by Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws.

G. All of the statutory powers, functions, duties, and responsibilities of the Worker’s Compensation Board of Magistrates established by Section 213 of the Worker’s Disability Compensation Act of 1969, Act No. 317 of the Public Acts of 1969, as amended, being Section 418.213 of the Michigan Compiled Laws, are transferred to the Bureau of Worker’s and Unemployment Compensation.

H. All of the statutory authority, powers, functions, duties and responsibilities of the Wage and Hour Division in the Department of Consumer and Industry Services, including, but not limited to, those set forth in:

1. Act No. 154 of the Public Acts of 1964, as amended, being Sections 408.381 et. seq. of the Michigan Compiled Laws (Minimum Wage Law of 1964);

2. Act No. 390 of the Public Acts of 1978, as amended, being Sections 408.471 et. seq. of the Michigan Compiled Laws (Wage and Benefits Act);

3. Act No. 166 of the Public Acts of 1965, as amended, being Sections 408.551 et. seq. of the Michigan Compiled Laws (Prevailing Wage Act);

4. Act No. 90 of the Public Acts of 1978, as amended, being Sections 409.101 et. seq. of the Michigan Compiled Laws (the Youth Employment Standards Act);

are transferred to the Bureau of Worker’s and Unemployment Compensation by Type II transfer as defined by Section 3 of Act No. 380 of the Public Acts of 1965, as amended, being Section 16.103 of the Michigan Compiled Laws.

## **III. MISCELLANEOUS**

A. The Director of the Department of Consumer and Industry Services shall provide executive direction and supervision for the implementation of the transfers made under this Order. The assigned functions shall be administered under the direction and supervision of the Director of the Department of Consumer and Industry Services.

B. The Director of the Department of Consumer and Industry Services shall administer the assigned functions transferred by this Order in such ways as to promote efficient administration and shall make internal organizational changes as may be administratively necessary to complete the realignment of responsibilities prescribed by this Order.

C. The Director of the Department of Consumer and Industry Services shall immediately initiate coordination with the Bureau of Worker's Compensation, the Unemployment Agency, the Worker's Compensation Board of Magistrates, and the Bureau of Safety and Regulation to facilitate the transfers and develop memoranda of record identifying any pending settlements, issues of compliance with applicable federal and state laws and regulations, or other obligations to be resolved by the Bureau of Worker's Compensation and the Unemployment Agency.

D. All records, personnel, property, grants and unexpended balances of appropriations, allocations and other funds used, held, employed, available or to be made available for the activities, power, duties, functions and responsibilities transferred by this Order are hereby transferred to the Bureau of Worker's and Unemployment Compensation.

E. The State Budget Director shall determine and authorize the most efficient manner possible for handling financial transactions and records in the state's financial management system for the remainder of the year.

F. The Director of the Bureau of Worker's and Unemployment Compensation may by written instrument delegate a duty or power conferred by law or this Order and the person to whom such duty or power is so delegated may perform such duty or exercise such power at the time and to the extent such duty or power is delegated by the Director of the Bureau of Worker's and Unemployment Compensation.

G. All rules, orders, contracts and agreements relating to the functions transferred to the Bureau of Worker's and Unemployment Compensation by this Order by the responsible state agency shall continue to be effective until revised, amended or rescinded.

H. Any suit, action or other proceeding lawfully commenced by, against or before any entity effected by this Order, shall not abate by reason of the taking effect of this Order. Any suit, action or other proceeding may be maintained by, against or before the appropriate successor of any entity affected by this Order.

I. The invalidity of any portion of this Order shall not affect the validity of the remainder thereof.

J. The Bureau of Worker's Compensation, the position of Director of the Bureau of Worker's Compensation, the Unemployment Agency, and the position of Director of the Unemployment Agency are hereby abolished.

In fulfillment of the requirement of Article V, Section 2, of the Constitution of the state of Michigan of 1963, the provisions of this Executive Order shall become effective sixty (60) days from the filing of this Order.

Given under my hand and the Great Seal of the state of Michigan this 7th day of February, in the Year of our Lord, Two Thousand Two.

John Engler  
Governor

By the Governor:  
Candice S. Miller  
Secretary of State

[SEAL]

The message was referred to the Clerk.

### Introduction of Bills

Reps. Shulman, Woodward, Anderson, Gielegem, Gosselin, Drolet, Bradstreet, Kolb, Jacobs, Quarles, Rison, Stewart and Raczkowski introduced

**House Bill No. 5593, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9948) by adding section 2973.

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

Reps. Woodward, Raczkowski, Anderson, Gielegem, Gosselin, Drolet, Bradstreet, Kolb, Jacobs, Quarles and Rison introduced

**House Bill No. 5594, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9948) by adding section 2974.

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

Reps. Koetje, Woodward, Anderson, Gielegem, Gosselin, Drolet, Bradstreet, Kolb, Jacobs, Quarles, Rison and Raczkowski introduced

**House Bill No. 5595, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9948) by adding section 2976.

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

Reps. Drolet, Woodward, Anderson, Gielegem, Gosselin, Bradstreet, Kolb, Jacobs, Quarles, Rison and Raczkowski introduced

**House Bill No. 5596, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9948) by adding section 2975.

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

Reps. Anderson, Woodward, Gielegem, Gosselin, Drolet, Bradstreet, Kolb, Jacobs, Quarles, Rison and Raczkowski introduced

**House Bill No. 5597, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9948) by adding section 2972.

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

Reps. Bishop, Kowall, Hager, Shackleton, Meyer, Kuipers, Julian, Vear, Ehardt, Richner, George and Raczkowski introduced

**House Bill No. 5598, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 11549 (MCL 324.11549).

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

Reps. Kowall, Bishop, Mortimer, Raczkowski, Patterson, Howell, Hager, Stewart, Mead, Meyer, Pappageorge, Shackleton, George, Woodward, Julian, Vear, Voorhees and Kuipers introduced

**House Bill No. 5599, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 11526 (MCL 324.11526) and by adding sections 11526a and 11526b.

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

Reps. Kowall, Richardville, Meyer, Julian, Mortimer, Voorhees, Rocca, George, Patterson, Kuipers, Birkholz, Gilbert, Scranton, Gosselin, Bovin, Cameron Brown, Stewart, Ehardt, DeRossett, Bishop, Shackleton, Van Woerkom, Allen, Koetje, Newell, Tabor, Pappageorge and Cassis introduced

**House Bill No. 5600, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 479c.

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

Reps. Kowall, Richardville, DeRossett, Meyer, Julian, Mortimer, Voorhees, Rocca, George, Patterson, Kuipers, Birkholz, Gilbert, Scranton, Gosselin, Bovin, Cameron Brown, Stewart, Ehardt, Bishop, Van Woerkom, Shackleton, Allen, Koetje, Newell, Tabor, Pappageorge and Cassis introduced

**House Bill No. 5601, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16x of chapter XVII (MCL 777.16x), as amended by 2000 PA 473.

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

Reps. Mortimer, Bishop, Kowall, Meyer, Toy, Ehardt, Gosselin, Newell, Voorhees, Kuipers, Bovin, Patterson, Shackleton, Rocca, Birkholz, Pappageorge, George, Hummel, Stewart, Julian, Vear and Raczkowski introduced

**House Bill No. 5602, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 11528a.

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

Reps. Lemmons, Hale, Clarke, Anderson, Hardman and Stallworth introduced

**House Bill No. 5603, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21788.

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

Reps. Lemmons, DeWeese, Minore, Clarke, Clark, Dennis, Kolb, Kooiman, Reeves, Gielegem, Garza, Stallworth, Anderson and McConico introduced

**House Bill No. 5604, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 764b (MCL 168.764b), as amended by 1996 PA 207.

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

Reps. DeRossett, Vear and Cassis introduced

**House Bill No. 5605, entitled**

A bill to amend 1941 PA 122, entitled "An act to establish a revenue division of the department of treasury; to prescribe its powers and duties as the revenue collection agency of the state; to prescribe certain powers and duties of the state treasurer; to regulate the importation, stamping, and disposition of certain tobacco products; to create the position and to define the powers and duties of the state commissioner of revenue; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," (MCL 205.1 to 205.31) by adding section 17.

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

Reps. Woronchak, Cassis and Vear introduced

**House Bill No. 5606, entitled**

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 4 (MCL 205.94), as amended by 2001 PA 39. The bill was read a first time by its title and referred to the Committee on Tax Policy.

Reps. Newell, Cassis and Vear introduced

**House Bill No. 5607, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending sections 8a, 8c, and 19 (MCL 211.8a, 211.8c, and 211.19), section 8a as amended and section 8c as added by 1998 PA 537 and section 19 as amended by 1996 PA 126.

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

By unanimous consent the House returned to the order of

**Second Reading of Bills**

**House Bill No. 5497, entitled**

A bill to amend 1949 PA 300, entitled "The Michigan vehicle code," by amending sections 51a, 209, 303, and 314 (MCL 257.51a, 257.209, 257.303, and 257.314), section 303 as amended by 2001 PA 159 and section 314 as amended by 2000 PA 173.

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

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

Rep. Gilbert moved to amend the bill as follows:

1. Amend page 11, line 1, by striking out all of subsection (8).

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

Rep. Anderson moved to amend the bill as follows:

1. Amend page 1, line 5, after "state." by inserting "UNTIL 2 YEARS AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED SUBSECTION (2) OF SECTION 209,".

2. Amend page 2, line 13, after "(2)" by inserting "UNTIL 2 YEARS AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED SUBSECTION (2) OF SECTION 209,".

3. Amend page 5, line 1, after "(M)" by inserting "UNTIL 2 YEARS AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED SUBSECTION (2) OF SECTION 209,".



4. Amend page 10, line 1, after “(4)” by inserting “UNTIL 2 YEARS AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED SUBSECTION (2) OF SECTION 209,”.

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

The demand was supported.

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

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

**Roll Call No. 58****Yeas—52**

Adamini	Drolet	Lockwood	Rocca
Anderson	Garza	McConico	Schauer
Basham	Gielegem	Middaugh	Schermesser
Bernero	Gosselin	Minore	Spade
Bogardus	Hale	Murphy	Stallworth
Bovin	Hansen	Neumann	Switalski
Brown, R.	Hardman	O’Neil	Thomas
Callahan	Jacobs	Pestka	Waters
Caul	Jamnick	Phillips	Whitmer
Clark, I.	Kolb	Plakas	Williams
Clarke, H.	Kooiman	Quarles	Wojno
Daniels	Lemmons	Rison	Woodward
Dennis	Lipsev	Rivet	Zelenko

**Nays—47**

Allen	Gilbert	Kuipers	Sheltrown
Bisbee	Godchaux	LaSata	Shulman
Bishop	Hager	Mead	Stamas
Bradstreet	Hart	Meyer	Stewart
Brown, C.	Howell	Mortimer	Toy
Cassis	Hummel	Newell	Van Woerkom
DeRossett	Jansen	Pappageorge	Vander Roest
DeVuyst	Jelinek	Patterson	Vander Veen
DeWeese	Johnson, Rick	Pumford	Vear
Ehardt	Johnson, Ruth	Richardville	Voorhees
Faunce	Julian	Richner	Woronchak
George	Kowall	Shackleton	

In The Chair: Ehardt

Rep. Scranton moved to reconsider the vote by which the House adopted the amendment offered previously by Rep. Gilbert.

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

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

Rep. Scranton demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 59****Yeas—50**

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

**Nays—49**

Adamini	Gielegem	McConico	Schauer
Anderson	Godchaux	Minore	Schermesser
Basham	Hale	Murphy	Scranton
Bernero	Hansen	Neumann	Spade
Bogardus	Hardman	O'Neil	Stallworth
Clark, I.	Jacobs	Pestka	Switalski
Clarke, H.	Jamnick	Phillips	Thomas
Daniels	Kolb	Quarles	Waters
Dennis	LaSata	Raczkowski	Whitmer
DeWeese	Lemmons	Rison	Williams
Drolet	Lipsey	Rivet	Woodward
Frank	Lockwood	Rocca	Zelenko
Garza			

In The Chair: Ehardt

Rep. Murphy moved to amend the bill as follows:

1. Amend page 2, line 1, after "209." by striking out "(1)".
2. Amend page 2, line 13, by striking out all of subsection (2).

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

Rep. Murphy demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 60****Yeas—42**

Adamini	Dennis	Lemmons	Rivet
Anderson	DeWeese	Lipsey	Schauer
Basham	Drolet	Lockwood	Schermesser
Bernero	Garza	McConico	Stallworth
Bogardus	Gielegem	Minore	Thomas
Bovin	Hale	Murphy	Waters

Brown, R.	Hansen	O'Neil	Whitmer
Callahan	Hardman	Phillips	Williams
Clark, I.	Jacobs	Quarles	Woodward
Clarke, H.	Jamnack	Rison	Zelenko
Daniels	Kolb		

**Nays—59**

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

In The Chair: Ehardt

Rep. Ruth Johnson moved to amend the bill as follows:

1. Amend page 5, line 1, after "IS" by striking out the balance of the sentence and inserting "ILLEGALLY PRESENT IN THIS STATE UNDER APPLICABLE FEDERAL IMMIGRATION LAW. FOR PURPOSES OF THIS SUBDIVISION, "FEDERAL IMMIGRATION LAW" MEANS ALL LAWS, CONVENTIONS, AND TREATIES OF THE UNITED STATES RELATING TO THE IMMIGRATION, EXCLUSION, DEPORTATION, EXPULSION, OR REMOVAL OF ALIENS."

2. Amend page 10, line 3, after "BECOMES" by striking out the balance of the subsection and inserting "ILLEGALLY PRESENT IN THIS STATE UNDER APPLICABLE FEDERAL IMMIGRATION LAW, WHICHEVER OCCURS FIRST. FOR PURPOSES OF THIS SUBSECTION, "FEDERAL IMMIGRATION LAW" MEANS ALL LAWS, CONVENTIONS, AND TREATIES OF THE UNITED STATES RELATING TO THE IMMIGRATION, EXCLUSION, DEPORTATION, EXPULSION, OR REMOVAL OF ALIENS."

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

Reps. Scranton and Kuipers moved to amend the bill as follows:

1. Amend page 11, line 4, after "COUNTRY" by inserting a comma and "IF THEY MEET AMERICAN ASSOCIATION OF MOTOR VEHICLE ADMINISTRATORS STANDARDS".

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

**Third Reading of Bills****House Bill No. 5497, entitled**

A bill to amend 1949 PA 300, entitled "The Michigan vehicle code," by amending sections 51a, 209, 303, and 314 (MCL 257.51a, 257.209, 257.303, and 257.314), section 303 as amended by 2001 PA 159 and section 314 as amended by 2000 PA 173.

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

**Roll Call No. 61****Yeas—74**

Allen	George	Mead	Shackleton
Anderson	Gielegem	Meyer	Sheltrown
Basham	Gilbert	Middaugh	Shulman
Birkholz	Godchaux	Mortimer	Spade
Bisbee	Gosselin	Neumann	Stamas
Bishop	Hager	Newell	Stewart
Bovin	Hart	O'Neil	Switalski
Bradstreet	Howell	Pappageorge	Tabor
Brown, B.	Hummel	Patterson	Toy
Brown, C.	Jansen	Pestka	Van Woerkom
Brown, R.	Jelinek	Plakas	Vander Roest
Callahan	Johnson, Rick	Pumford	Vander Veen
Cassis	Johnson, Ruth	Raczkowski	Vear
Caul	Julian	Richardville	Voorhees
DeRossett	Kooiman	Richner	Wojno
DeVuyst	Kowall	Rivet	Woodward
Ehardt	Kuipers	Rocca	Woronchak
Faunce	LaSata	Scranton	Zelenko
Frank	Lockwood		

**Nays—30**

Bernero	Garza	Lipsey	Schauer
Bogardus	Hale	McConico	Schermesser
Clark, I.	Hansen	Minore	Stallworth
Clarke, H.	Hardman	Murphy	Thomas
Daniels	Jacobs	Phillips	Waters
Dennis	Jamnick	Quarles	Whitmer
DeWeese	Kolb	Rison	Williams
Drolet	Lemmons		

In The Chair: Ehardt

The House agreed to the title of the bill.

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

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

Reps. Jacobs, Schauer, Whitmer, Bernero, McConico and Phillips moved that their names be removed as co-sponsors of the bill.

The motion prevailed.

Reps. Mortimer, Scranton, Stamas and Vander Veen were named co-sponsors of the bill.

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Reps. Phillips, Hale, Williams, Jacobs, Minore, Clark, Daniels, Lipsey, Hardman, Murphy, Whitmer, Lemmons and Waters, having reserved the right to explain their protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I voted no on HB 5497(H-1) because it would require Secretary of State workers to report people to the federal government, transforming these state employees into auxiliary federal INS agents. Especially given the complexity of determining whether a person is in this country “lawfully,” this provision is likely to result in instances of racial and ethnic profiling by Secretary of State workers. It will also discourage certain persons, such as those who speak with

an accent, from going to the Secretary of state to apply for or renew their current driver's licenses. The presence of this bill in the anti-terrorism package underscores the need for passage of legislation to prohibit racial profiling.

This is a package of sixty bills. This bill represents only a small piece of the overall package and is unlikely to make any positive change to our current licensing system. Furthermore, if passed with the current language, HB 5497 would place a burden on the office of the Secretary of State that they are ill-equipped to handle.

Secretary of State employees, no matter how dedicated, are not trained or equipped to handle the sorts of complex issues that are regulated by an entire federal government agency. The fact of the matter is that Secretary of State employees are not Immigration and Naturalization (INS) workers.

The Office of the Secretary of State is already facing budget cuts and branch offices are being closed throughout the state. Without training and resources for these efforts, this bill will only cause a flood of new problems and inefficiencies for people visiting Secretary of State branch offices.”

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

“Mr. Speaker and members of the House:

I voted no on this bill today and the following are my comments. It is most difficult to ever sanction any person here in our Country and State as illegal or unlawful, but a person's status here is an immigration enforcement issue. My experience in government has been that we are generally reactive rather than proactive, which is not necessarily wrong, but the reaction must always be well thought through, which unfortunately is were I believe we are with this bill, however well intended it might be. In testimony before our Transportation Committee earlier this week, we are told the existing secretary of state administrative process deals with the question of a question of a person's documentation. If one of her employees questions what information is presented to them, it is referred to her enforcement division to investigate and handle. Since coming to the House, we have continually spoke about the importance of the agriculture industry to our State and have many times had legislation before us to be sure agriculture remains the 2nd or 3rd largest industry in Michigan. This bill in my opinion doesn't reflect supporting the agriculture industry in our State. We may solve one problem, but we clearly are going to be exacerbating problems relating to migrant workers not only in this industry, but Michigan's construction industry as well. Some would say this is a problem within the Latino community, but it deals with peoples of all nationalities coming to our Country and State. We are currently experiencing new populations of immigrants into some f our urban centers making them viable communities once again. At the conclusion of our committee meeting this week, the Chair requested some of us to work with interested parties to see if we could meet to find a workable solution. Please vote no today and give this work group a chance to accomplish that goal. “

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

“Mr. Speaker and members of the House:

I voted no on this bill because it will not stop terrorists, those who participated in the Sept. 11 bombing were actually here legally or had been under visa's when they applied for their license. It will increase the number of unlicensed drivers on our roads. If these drivers are involved in an accident they will be uninsured so the cost of our no fault insurance will go up. This bill will place a function of the INS in the Secretary of State's office where employees are not trained for this function and will encourage racial profiling. We do need to protect our citizens with any means possible but this bill is not one of those means.”

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

“Mr. Speaker and members of the House:

While I strongly support efforts to protect Michigan and the United States, I voted no on HB 5497 (H-1) because in a rush to pass necessary anti-terrorism legislation, there will be unintended consequences that could have been avoided by taking more time with this bill. This is a package of 60 bills. This bill represents only a small piece of the overall package and is unlikely to make any positive change to our current licensing system. Furthermore, if passed with the current language, HB 5497 would place a burden on the office of the Secretary of State that they are ill-equipped to handle. In considering my vote on HB 5497, I am compelled by the testimony of the Michigan Catholic Conference and the Diocese of Kalamazoo. They say that this bill will not accomplish its intended purpose. It will not drive undocumented persons out of Michigan. They are persons with homes, jobs, and families and are making substantial contributions to our communities. Depriving them of a drivers license will just make their lives and their children's lives more difficult. It will also result in an increased threat to the safety of all our people and increased auto insurance costs. This bill will also have negative consequences for Michigan's agriculture industry. In the Diocese of Kalamazoo, there are 20,000 migrants working each year in area fields and orchards. Many of these are undocumented immigrants.”

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

“Mr. Speaker and members of the House:

I voted no on HB 5497(H-1) because it would require Secretary of State workers to report people to the federal government, transforming these state employees into auxiliary federal INS agents. Especially given the complexity of determining whether a person is in this country “lawfully,” this provision is likely to result in instances of racial and ethnic profiling by Secretary of State workers. It will also discourage certain persons, such as those who speak with an accent, from going to the Secretary of state to apply for or renew their current driver’s licenses. The presence of this bill in the anti-terrorism package underscores the need for passage of legislation to prohibit racial profiling.

This is a package of sixty bills. This bill represents only a small piece of the overall package and is unlikely to make any positive change to our current licensing system. Furthermore, if passed with the current language, HB 5497 would place a burden on the office of the Secretary of State that they are ill-equipped to handle.

Secretary of State employees, no matter how dedicated, are not trained or equipped to handle the sorts of complex issues that are regulated by an entire federal government agency. The fact of the matter is that Secretary of State employees are not Immigration and Naturalization (INS) workers.

The Office of the Secretary of State is already facing budget cuts and branch offices are being closed throughout the state. Without training and resources for these efforts, this bill will only cause a flood of new problems and inefficiencies for people visiting Secretary of State branch offices.

While I support efforts to protect both Michigan and the United States, I voted no because in the rush to pass necessary anti-terrorism legislation, there is some unintended consequences that could have been avoided by taking a little more time with this bill. There is also the concern on the impact on our agriculture industry.

We will be giving up a process that has proved to be successful in tracking persons in Michigan. This is undue hardship to Michigan families.

If we are really interested in terrorism we should realize that this is a immigration bill not a terrorist bill, we have 42 classifications of visas. We need to address illegal ID’s, birth certificates and documentation in our state. I stand strong in protecting Michigan residents and stand ready to work on this issue.”

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

“Mr. Speaker and members of the House:

I voted no on HB 5497(H-1) because it would require Secretary of State workers to report people to the federal government, transforming these state employees into auxiliary federal INS agents. Especially given the complexity of determining whether a person is in this country “lawfully,” this provision is likely to result in instances of racial and ethnic profiling by Secretary of State workers. It will also discourage certain persons, such as those who speak with an accent, from going to the Secretary of state to apply for or renew their current driver’s licenses. The presence of this bill in the anti-terrorism package underscores the need for passage of legislation to prohibit racial profiling.

This is a package of sixty bills. This bill represents only a small piece of the overall package and is unlikely to make any positive change to our current licensing system. Furthermore, if passed with the current language, HB 5497 would place a burden on the office of the Secretary of State that they are ill-equipped to handle.

Secretary of State employees, no matter how dedicated, are not trained or equipped to handle the sorts of complex issues that are regulated by an entire federal government agency. The fact of the matter is that Secretary of State employees are not Immigration and Naturalization (INS) workers.

The Office of the Secretary of State is already facing budget cuts and branch offices are being closed throughout the state. Without training and resources for these efforts, this bill will only cause a flood of new problems and inefficiencies for people visiting Secretary of State branch offices.

House Bill 5497 will not increase our safety, but it will negatively impact residents of Michigan. It will negatively impact our farmers and the workers that help to harvest our annual crops. It will increase the number of unlicensed drivers and uninsured drivers on our Michigan Roads.”

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

“Mr. Speaker and members of the House:

I voted no on HB 5497 for several reasons. First, this bill has been around for a long time. The bill was not written as a result of the terrorist attack on 9/11. It will not achieve its goal of tracking terrorists that are undocumented. We must remember that the terrorists that were here on 9/11 actually were documented legally to begin with. I believe that the more documentation we have on people, the better we are able to track them down. Secondly, this bill turns the Secretary of State’s office into an INS office. In my community, we have just had one office closed due to budget cuts and now we are asking them to take on the additional responsibility of tracking undocumented individuals in this state.

I don't think the state is prepared to take on the additional training and information costs to the local branches. Third, we have to remember that there are numerous undocumented persons in Michigan that have lived, worked and raised families here for many years. They comprised a large percentage of the agricultural workforce both in Michigan and nationally, are involved in other industries, and pay millions of dollars in taxes, be it the income tax, sales tax, or Social Security tax. Lastly, this bill, given the complexity of determining whether a person is in this country 'lawfully,' is likely to result in instances of racial and ethnic profiling by Secretary of State workers. Therefore, Mr. Speaker, and colleagues I voted no!"

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

"Mr. Speaker and members of the House:

In our zeal to rid the nation of terrorists who are here illegally, we are adopting legislation that will harass migrant workers and the Michigan agricultural community that cannot survive without them. This state is the nation's 4th largest user of migrant labor. Nearly all of them are of Mexican decent. Though there is an intense national debate raging over Mexican immigration, legal and otherwise, no serious person would suggest that Mexico is exporting terrorists into Michigan. Whether intentional or not, the propriety of Mexican immigration has been mixed up with the prevention of terrorism, and it is producing bad results.

My concerns on this matter might have been alleviated by a proposal that was previously attached to this bill. At one point, this legislation would have granted legal standing to Mexican driver's licenses, similar to the status granted to Canadian driver's licenses. Unfortunately, we have now removed that sensible proposal, implicitly but irrationally indicating that we consider Mexico to be a point of concern regarding the fight against terrorists.

We cast aside our chance to demonstrate that this bill is not directed at Mexicans. What remains is a so-called 'anti-terrorism' bill that will cast a dragnet more likely to ensnare cherry pickers than suicide bombers. While our migrant workers make very little money, our terrorist enemies have demonstrated an ability to raise and use substantial sums of money. If middle class high school kids find ways to get falsified Michigan driver's licenses, then well-heeled suicide bombers won't have any trouble either. This bill will harass the Mexican migrants and Michigan farms that keep America strong. It will do little or nothing to stop the terrorist visitor who wants to make Americans die.

Illegal immigration, and the level of legal immigration, are pressing matters that need to be addressed. Our immigration policy is a mess due in large measure to bad legislation passed with noble intentions and little common sense. This bill is an immigration bill, not a terrorism bill. It will make an even greater mess of our immigration policy, and will do little to solve our terrorism problem."

### Notices

I hereby give notice that on the next legislative session day I will move to reconsider the vote by which the House passed **House Bill No. 5497**.

Rep. Garza

By unanimous consent the House returned to the order of

### Motions and Resolutions

By unanimous consent the House considered **House Resolution No. 315** out of numerical order.

Rep. Allen offered the following resolution:

#### **House Resolution No. 315.**

A resolution to express support for the Riverview Trenton Railroad Company in its current rail operation and expansion opportunities as an intermodal facility that furthers the national transportation policy by improving competitive transportation solutions, offering needed rail options and maximizing the economic competitiveness of Michigan.

Whereas, Riverview Trenton Railroad Company and its intermodal proposal allows for and supports the American and Canadian Heritage River Initiative and the first International Wildlife Refuge in North America, located along the Detroit River, which was designated by President Bush on December 21, 2001; and

Whereas, The proposed project allows for and supports work of the state and local communities along the Detroit River over many years to improve the appearance of the land along the banks of the river. It would preserve and restore the river and the land adjacent to it as important public purpose and recreational opportunity along the river's bank; and

Whereas, The importation of municipal waste has been an emotionally charged issue for Michigan communities, Riverview Trenton Railroad Company has absolutely no involvement in this industry and its facility is incapable of accommodating any garbage destined for landfills operated in communities in Michigan. Riverview Trenton Railroad Company has openly declared to local public bodies and all interested parties that the operation of its rail line and intermodal facility cannot be used for such purposes; and

Whereas, The very nature of Riverview Trenton Railroad Company operation has the positive effect of reducing congestion and improving air quality by reducing truck miles and increasing rail miles; and

Whereas, Riverview Trenton Railroad Company was incorporated under the Michigan Railroad Corporation Act of 1993; and

Whereas, Riverview Trenton Railroad Company and its affiliates have endeavored to offer the shipping public quality transportation solutions in a variety of transportation modes; and

Whereas, Riverview Trenton Railroad Company properly initiated the process of developing a railroad operation and has begun operating an intermodal facility to offer services to the shipping public on property that it lawfully acquired. The site is formerly known as the McLouth Steel Company in the Michigan communities of Riverview and Trenton in the County of Wayne, on the Detroit River; and

Whereas, The property acquired for Riverview Trenton Railroad Company's intermodal development has historically operated as railroad property and continues to be accessible for rail interchange by three Class I rail carriers, providing entry to the national rail network over the grade separated rail crossing at King Road in the City of Trenton; and

Whereas, The development includes a full rail operation in conjunction with an intermodal transfer facility to be located on site, transferring freight between truck and rail. Riverview Trenton Railroad Company intends to operate as a common carrier in interstate commerce, transporting the cargo tendered to it by any shipper; and

Whereas, Riverview Trenton Railroad Company has filed with the United States Department of Transportation Surface Transportation Board a Notice of Exemption and Petition for Exemption, along with additional information requested by the nonpartisan, decisional independent body; and

Whereas, In conjunction with the filings of Riverview Trenton Railroad Company, the Section on Environmental Analysis of the Surface Transportation Board has prepared an Environmental Assessment to document the environmental impacts, if any, associated with the Riverview Trenton Railroad Company's rail facility. The preliminary Environmental Analysis was completed on October 15, 2001, and provided for the receipt of comments by the Section on Environmental Analysis the public. Those recommendations, including mitigation measures, including specifically concerns regarding emergency response vehicles, have been submitted to the Surface Transportation Board in anticipation of a final acknowledgment of the filings; and

Whereas, In conducting environmental reviews, the Surface Transportation Board adheres to the requirements of the National Environmental Policy Act and the implementing regulations of the Council on Environmental Quality and other related environmental statutes and regulations that the Surface Transportation Board has established; and

Whereas, During its environmental review, the Section on Environmental Analysis did not identify any significant impact resulting from the intermodal transportation facility proposed by Riverview Trenton Railroad Company. In fact, the extensive environmental review determined that the proposed rail operation would have some positive effects on the environment; and

Whereas, Riverview Trenton Railroad Company has endeavored to continuously work with the appropriate public officials in the communities of Riverview and Trenton and in the County of Wayne regarding the development of the intermodal facility, seeking to advise the communities as appropriate and incorporate suggestions into the design of the rail operation and use of the waterfront property for public purpose; and

Whereas, Riverview Trenton Railroad Company has communicated its desire to make land adjacent to the Detroit River and not utilized for its rail facility available to be dedicated to a public purpose in furtherance of the Riverview and Trenton's unique goals; and

Whereas, Riverview Trenton Railroad Company has made no secret of its initiative to offer cost efficient intermodal rail service options to Michigan's largest job providers and to develop the proposed facility in a manner that respects the stated goals of the region;

Whereas, A deep-water port exists on the site, which was formerly owned by McLouth Steel Company, and has been used extensively throughout the years. Despite this historic fact, the Riverview Trenton Railroad Company has no current plans to use the deep water port in its operations; and

Whereas, Riverview Trenton Railroad Company has pledged to continue to work with the appropriate local bodies and to forge a working relationship to maximize the benefits of its intermodal operation; and

Whereas, On balance, the benefits to the region and the goals of the national transportation policy are advanced by the proposed operation of Riverview Trenton Railroad; and

Whereas, Riverview Trenton Railroad Company has already expended millions of dollars to clean up lands from unusable, contaminated levels to safe industrial standards; and

Whereas, the Riverview Trenton Railroad Company proposal is expected to create hundreds of new jobs and support directly and indirectly thousands of local jobs; and



Whereas, Riverview Trenton Railroad Company will be investing several million dollars into new facilities, enhancing the region's transportation system. This is consistent with Michigan's own agenda regarding intermodal transportation; now, therefore, be it

Resolved by the House of Representatives, That we support the objective decision regarding the development of the Riverview Trenton Railroad Company as embodied in its Notice of Exemption (Finance Docket No. 33980) and Petition for Exemption (Finance Docket No. 34040) currently before the United States Department of Transportation Surface Transportation Board without delay; and be it further

Resolved, That this resolution be considered the official position of the Michigan House of Representatives; and be it further

Resolved, That copies of this resolution be transmitted to the United States Department of Transportation Surface Transportation Board.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

Rep. Patterson demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the resolution,

Rep. Woodward moved that consideration of the resolution be postponed for the day.

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

Rep. Woodward demanded the yeas and nays.

The demand was supported.

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

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

#### Roll Call No. 62

#### Yeas—24

Anderson	Clark, I.	Hansen	Neumann
Basham	Clarke, H.	Hardman	Phillips
Bogardus	Daniels	Jamnick	Rison
Brown, B.	Dennis	Lemmons	Spade
Callahan	Gielegthem	McConico	Wojno
Caul	Hale	Mead	Woodward

#### Nays—68

Adamini	Howell	Minore	Shackleton
Allen	Hummel	Mortimer	Sheltrown
Bernero	Jacobs	Murphy	Shulman
Birkholz	Jansen	Newell	Stamas
Bishop	Jelinek	O'Neil	Stewart
Brown, C.	Johnson, Rick	Pappageorge	Switalski
Cassis	Johnson, Ruth	Patterson	Tabor
DeRossett	Julian	Plakas	Thomas
Drolet	Kolb	Pumford	Toy
Ehardt	Kooiman	Quarles	Van Woerkom
Faunce	Kowall	Rackowski	Vander Roest
Frank	Kuipers	Richardville	Vander Veen
Garza	LaSata	Rivet	Vear
Gilbert	Lipsey	Rocca	Voorhees
Godchaux	Lockwood	Schauer	Whitmer
Hager	Meyer	Schermesser	Williams
Hart	Middaugh	Scranton	Zelenko

In The Chair: Ehardt

The question being on the adoption of the resolution,

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

**Roll Call No. 63****Yeas—30**

Allen	Frank	Julian	Shackleton
Bisbee	Garza	Kooiman	Stamas
Bishop	Gilbert	Kuipers	Tabor
Bradstreet	Gosselin	Lemmons	Thomas
Brown, C.	Hardman	McConico	Vander Veen
Caul	Hummel	Mead	Vear
Daniels	Johnson, Rick	Richner	Waters
DeWeese	Johnson, Ruth		

**Nays—70**

Adamini	Gielegem	Minore	Schermesser
Anderson	Godchaux	Mortimer	Scranton
Basham	Hager	Murphy	Sheltrown
Bernero	Hale	Newell	Shulman
Bogardus	Hansen	O'Neil	Spade
Bovin	Hart	Pappageorge	Stewart
Brown, B.	Howell	Patterson	Switalski
Brown, R.	Jacobs	Pestka	Toy
Callahan	Jamnick	Phillips	Van Woerkom
Cassis	Jansen	Pumford	Vander Roest
Clark, I.	Jelinek	Quarles	Voorhees
Clarke, H.	Kolb	Raczkowski	Whitmer
Dennis	Kowall	Richardville	Williams
DeRossett	LaSata	Rison	Wojno
Drolet	Lipsey	Rivet	Woodward
Ehardt	Lockwood	Rocca	Woronchak
Faunce	Meyer	Schauer	Zelenko
George	Middaugh		

In The Chair: Ehardt

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

Rep. Shulman offered the following resolution:

**House Resolution No. 313.**

A resolution proclaiming April 19th as Patriot's Day in the state of Michigan.

Whereas, April 19th marks the day in 1775 when the towns of Lexington and Concord were marched upon by British regulars in an effort to confiscate local militias' munitions; and

Whereas, The result was the "shot heard around the world" and the rout of the redcoats; and

Whereas, The states of Massachusetts, Maine, and Wisconsin observe April 19th as Patriot's Day each year; and

Whereas, Unlike the celebrations of July 4th, Patriot's Day serves to remind citizens of our revolution and the sacrifices endured during that eight-year struggle. It commemorates the War of the American Revolution and the struggle through which the nation passed in its early days; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body proclaim April 19th as Patriot's Day in the state of Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to the Michigan Society, Sons of the American Revolution.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. DeRossett, Kuipers, Julian, Hager, Drolet, Gosselin, Schermesser, Gilbert, Scranton, DeWeese and Pumford offered the following resolution:

**House Resolution No. 314.**

A resolution to memorialize the Congress of the United States and the Immigration and Naturalization Service to determine the appropriateness of increasing the number of visas for temporary agricultural workers.

Whereas, The tragic events of September 11, 2001, have caused us to reexamine a host of policies and practices to do all we can to increase the security of our state and nation. Because of the magnitude of the attacks and the fact that the murderers plotted the attacks over a long period of time, much of which was undertaken by people in this country illegally, we are now making greater efforts to address the issue of aliens who are here illegally; and

Whereas, As the issue of immigration is closely examined, it is imperative that our nation remember the vitally important role that law-abiding aliens play in our country. Temporary workers meet a necessary and productive need in many sectors of our economy. This is most apparent in the area of agriculture. Michigan, which benefits greatly from the efforts of seasonal agricultural workers, especially from Mexico, is keenly aware of how much these workers contribute to our state; and

Whereas, The country's policies toward temporary agricultural workers need to be assessed in the context of the importance of these people to our nation. The current number of visas for temporary agricultural workers may not be sufficient. If this number is too low, it may have the effect of increasing the number of aliens here without documentation, even though seasonal farm workers would rather be here by following all of the regulations. Making the process of gaining the proper visa smoother and increasing the number of these workers who can be here lawfully may well benefit the economy as well as increase national security; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States and the Immigration and Naturalization Service to determine the appropriateness of increasing the number of visas for temporary agricultural workers; and be it further

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

The resolution was referred to the Committee on Agriculture and Resource Management.

Reps. Gosselin, Kowall, Hummel, Julian, Gilbert, Wojno, Stewart, Kooiman, Middaugh, Vear, Drolet, Pappageorge, Voorhees, Mans, Vander Roest, Ehardt, Stamas, DeWeese, Cassis, Meyer, Richardville, Rocca, DeVuyst, Van Woerkom, Faunce, Mead, Vander Veen, Birkholz, Hager, Kuipers, Sheltroun, DeRossett, Zelenko, Caul, Bishop, Cameron Brown and Raczkowski offered the following concurrent resolution:

**House Concurrent Resolution No. 56.**

A concurrent resolution to call on the Michigan Capitol Committee to provide for the prominent permanent display of our national motto, "In God We Trust," at the state capitol.

Whereas, America draws great strength from our national images and symbols. While it has always been true that the national anthem, our flag, and other expressions of patriotism unify our people, this has been especially true during times of crisis and challenge. The recent rekindling of pride in our country and love for our shared ideals are evident today in so many ways across our state and nation; and

Whereas, Our national motto, "In God We Trust," has been part of our character since the days of the Civil War, when the phrase first appeared on some of our coins. These four words remind all Americans of a history that includes references to "the protection of Divine Providence" in the earliest formal expression of who we are as a people, our Declaration of Independence; and

Whereas, "In God We Trust" became our national motto in 1956 (P.L. 84-140). Michigan recently enacted 2001 PA 184 to encourage state agencies to display the national motto on public buildings; and

Whereas, In addition to the historic significance of our national motto, it also reflects the spiritual quality of the majority of our citizens. It eloquently reminds us that there are higher powers than any single individual. This is clearly a fitting message for the thousands of people who come to the state capitol, Michigan's grand symbol of government,

to work, monitor state affairs, or visit. Posting our national motto in a prominent place in our most important state building is an action that is long overdue; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we call on the Michigan Capitol Committee to provide for the prominent permanent display of our national motto, "In God We Trust," at the state capitol; and be it further

Resolved, That copies of this resolution be transmitted to the Michigan Capitol Committee.

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

### Notices

February 7, 2002

Mr. Gary L. Randall, Clerk  
House of Representatives  
State Capitol Building  
Lansing, Michigan 48913

Dear Mr. Randall:

This letter is to notify you that the Consumer and Industry Services/Department of Career Development/Michigan Strategic Fund Agency/History, Arts and Libraries Subcommittee of Appropriations is hereby dissolved.

The Michigan Economic Development Corporation/Department of Career Development/Strategic Fund Subcommittee of Appropriations is hereby created. Representative Sandy Caul will serve as Chair, Representative Gary Newell as Vice-Chair, and Representative Jerry Vander Roest, Representative Ron Jelinek, Representative Patricia Lockwood and Representative A.T. Frank as members. In addition, Representative Mike Bishop and Representative Joe Rivet are appointed to serve as crossover representatives from the Standing Committee on Commerce.

The Consumer and Industry Services/History, Arts and Libraries Subcommittee of Appropriations is hereby created. Representative Mark Shulman will serve as Chair, Representative Charles LaSata as Vice-Chair, and Representative Tony Stamas, Representative Ron Jelinek, Representative Patricia Lockwood and Representative A.T. Frank as members. In addition, Representative Mike Bishop and Representative Joe Rivet are appointed to serve as crossover representatives from the Standing Committee on Commerce.

Representative Mark Shulman is removed from the Appropriations Subcommittee on Judiciary and Representative Jerry Kooiman is appointed to the Appropriations Subcommittee on Judiciary.

Thank you for your attention to this matter.

Sincerely,  
Rick Johnson  
Speaker of the House

Rep. Bishop moved that the House adjourn.  
The motion prevailed, the time being 3:50 p.m.

Associate Speaker Pro Tempore Ehardt declared the House adjourned until Tuesday, February 12, at 2:00 p.m.

GARY L. RANDALL  
Clerk of the House of Representatives.