

**No. 61**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**91st Legislature**  
**REGULAR SESSION OF 2002**

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House Chamber, Lansing, Wednesday, July 3, 2002.

12:05 a.m.

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

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

Rep. Patricia Birkholz, from the 88th District, offered the following invocation:

“Dear Lord, as we come together in this soon to be dawn of a new day—the day before our day of independence in America, the day that we recognize and honor our independence as a country and as a people. We ask that You be here with us. Give us wisdom, guide us and help us work together to deal with the issues facing the people of the state of Michigan. Be with us always and help us to serve Thee. Amen.”

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

Rep. Jacobs moved that Reps. Bogardus, Rison, Schermesser, Wojno and Zelenko be excused from today’s session.  
The motion prevailed.

### Reports of Standing Committees

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

**House Bill No. 4492, entitled**

A bill to amend 1971 PA 140, entitled “Glenn Steil state revenue sharing act of 1971,” by amending sections 11 and 13 (MCL 141.911 and 141.913), as amended by 1998 PA 532.

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

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

### Favorable Roll Call

**HB 4492** To Report Out:

Yeas: Reps. Shulman, LaSata, Cameron Brown, Caul, Jansen, Jelinek, Kooiman, Mead, Mortimer, Newell, Pappageorge, Pumford, Shackleton, Stamas, Stewart, Toy, Vander Roest,

Nays: Reps. Frank, Rich Brown, Lockwood, Phillips, Plakas, Reeves, Stallworth, Switalski, Whitmer.

### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, July 2, 2002, at 11:00 a.m.,

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

Absent: Rep. Godchaux,

Excused: Rep. Godchaux.

By unanimous consent the House returned to the order of

### Motions and Resolutions

Rep. Kuipers offered the following resolution:

**House Resolution No. 521.**

A resolution to urge the legislative bodies of the other states to begin their daily legislative sessions with a recitation of the Pledge of Allegiance to the Flag.

Whereas, For more than a century, the Pledge of Allegiance to the Flag has served to unify the people of our country behind the essential ideals of our system of self-government. Generations of citizens, especially young people who begin each school day with this affirmation of citizenship, have used the Pledge of Allegiance to recommit themselves to one another; and

Whereas, In times of peril for our country, the Pledge of Allegiance has been especially meaningful in restating simply and quickly our devotion to our country and its highest aspirations. Today, as we face the difficult foe of terrorism, the Pledge of Allegiance reminds all who recite it of the importance of working together to defend our nation and its noble ideals; and

Whereas, The recent focus on the Pledge of Allegiance to the Flag occasioned by an ill-advised federal appellate court reminds us of the great significance of this simple, yet eloquent proclamation. All those who are privileged to carry out the work of government as elected representatives would do well to start each day with the Pledge of Allegiance to the Flag; now, therefore, be it

Resolved by the House of Representatives, That we urge the legislative bodies of the other states to begin their daily legislative sessions with a recitation of the Pledge of Allegiance to the Flag; and be it further

Resolved, That copies of this resolution be transmitted to the legislative bodies of each of the other states of the country.

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

Rep. Kuipers offered the following resolution:

**House Resolution No. 522.**

A resolution to amend the Standing Rules of the House of Representatives.

Resolved by the House of Representatives, That Rule 15 of the Standing Rules of the House of Representatives be amended to read as follows:

**“Roll Call.**

Rule 15. (A) The Clerk shall serve as parliamentarian of the House. The Clerk shall take the roll at the opening of each session of the House and announce whether or not a quorum is present. The Clerk shall enter upon the House Journal the names of the Members present for attendance roll call, the names of the Members specifically excused from session, and the names of the Members absent from session.

(B) The term “roll call” as used in these rules shall mean a record roll call.

(C) FOLLOWING THE ATTENDANCE ROLL CALL, THE HOUSE WILL BEGIN EACH DAY’S SESSION WITH A RECITATION OF THE PLEDGE OF ALLEGIANCE TO THE FLAG.”.

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

Rep. Raczkowski offered the following resolution:

**House Resolution No. 523.**

A resolution to urge Senator Stabenow to stand up for Michigan and vote to approve the establishment of the permanent nuclear storage facility at Yucca Mountain in Nevada.

Whereas, The July 2, 2002, issue of the Las Vegas Review-Journal has reported that United States Senator Debbie Stabenow plans to vote against the establishment of the permanent nuclear waste facility at Yucca Mountain in Nevada. This marks a clear reversal of Senator Stabenow’s earlier position of support. The report cites concerns over possible transportation options as the reason for her new position, just days before the full United States Senate is slated to vote on final approval; and

Whereas, Senator Stabenow’s new stance flies in the face of the long years of research and preparation that indicate the advisability of the Nevada nuclear repository as the best option available for the safety and well-being of our people; and

Whereas, Opposition to the single site storage strategy at Yucca Mountain amounts to approval of the current storage situation, in which sites are scattered all across the country, with greatly varying degrees of safety and security. Opposing the Yucca Mountain plan, which has been developed painstakingly over many years, is of particular concern for Michigan, where nuclear waste sits in temporary storage not far from the world’s largest accessible source of fresh water; and

Whereas, In accordance with federal law, Michigan electric customers have paid over \$400 million into a federal fund for construction of the federal waste facility; and

Whereas, While the long effort to find and develop a site for nuclear storage has always been vitally important to the long-term health of our state and nation, a new level of urgency has been associated with this work in the aftermath of September 11th. The peril of continuing to store nuclear waste at dozens of sites all across America is high; and

Whereas, The risks of maintaining the current system of storage indefinitely are understood by the people of Michigan. It is imperative that our state’s wishes—for the approval of the Yucca Mountain site—be represented in the United States Senate on this critically important matter; now, therefore, be it

Resolved by the House of Representatives, That we urge Senator Stabenow to stand up for Michigan and vote to approve the establishment of the permanent nuclear storage facility at Yucca Mountain in Nevada; and be it further

Resolved, That a copy of this resolution be transmitted to Senator Stabenow.

The resolution was referred to the Committee on Energy and Technology.

### Introduction of Bills

Reps. Lemmons, McConico, Schauer, Kolb, Minore, Woodward, Daniels, Clarke and Waters introduced  
**House Bill No. 6240, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 2110a (MCL 500.2110a), as added by 1996 PA 514.

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

Reps. Woronchak and Spade introduced

**House Bill No. 6241, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 20194 and 21799a (MCL 333.20194 and 333.21799a), section 20194 as added by 1993 PA 79.

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

Reps. Spade and Woronchak introduced

**House Bill No. 6242, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 21799c (MCL 333.21799c), as amended by 1996 PA 546.

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

Rep. Meyer introduced

**House Bill No. 6243, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 5129 (MCL 333.5129), as amended by 1995 PA 253.

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

Reps. LaSata, Adamini, Sheltroun, Howell, Bishop, Bradstreet, Neumann and Waters introduced

**House Bill No. 6244, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 82126 (MCL 324.82126), as amended by 1998 PA 30.

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

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Rep. Rivet moved that Rep. Sheltroun be excused temporarily from today's session.  
 The motion prevailed.

Rep. Kolb moved that Rep. Thomas be excused temporarily from today's session.  
 The motion prevailed.

By unanimous consent the House returned to the order of

### Messages from the Senate

The Speaker laid before the House

**House Bill No. 5883, entitled**

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

(The bill was received from the Senate on June 5, with substitute (S-1), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until June 13, see House Journal No. 54, p. 1921.)

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

Rep. LaSata moved to substitute (H-3) the Senate substitute (S-1).

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

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

The Senate substitute (S-1), as substituted (H-3), was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1025****Yeas—88**

Allen	Frank	LaSata	Reeves
Anderson	Garza	Lemmons	Richardville
Basham	George	Lipsey	Richner
Bernero	Gielegem	Lockwood	Rocca
Birkholz	Gilbert	Mans	Schauer
Bisbee	Hager	McConico	Scranton
Bovin	Hale	Mead	Shackleton
Bradstreet	Hansen	Meyer	Shulman
Brown, B.	Hardman	Middaugh	Spade
Brown, C.	Hart	Minore	Switalski
Brown, R.	Howell	Mortimer	Tabor
Cassis	Hummel	Murphy	Toy
Caul	Jacobs	Neumann	Van Woerkom
Clark, I.	Jamnick	Newell	Vander Roest
Clarke, H.	Jansen	O'Neil	Vander Veen
Daniels	Jelinek	Palmer	Vear
DeRossett	Johnson, Rick	Pappageorge	Voorhees
DeVuyst	Johnson, Ruth	Patterson	Waters
DeWeese	Julian	Pestka	Whitmer
Drolet	Koetje	Phillips	Williams
Ehardt	Kooiman	Plakas	Woodward
Faunce	Kowall	Pumford	Woronchak

**Nays—6**

Bishop	Gosselin	Raczkowski	Stamas
Callahan	Kuipers		

In The Chair: Julian

The House agreed to the title as amended.

**Second Reading of Bills****Senate Bill No. 1322, entitled**

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding section 39e. The bill was read a second time.

Reps. Cassis and Richardville moved to amend the bill as follows:

1. Amend page 3, following line 8, by inserting:

"(8) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ACT AND BEGINNING JANUARY 1, 2003, IF THE COMPREHENSIVE ANNUAL FINANCIAL REPORT OF THIS STATE FOR A STATE FISCAL YEAR, PUBLISHED PURSUANT TO SECTION 494 OF THE MANAGEMENT AND BUDGET ACT, 1984 PA 431, MCL 18.1494, REPORTS AN ENDING BALANCE OF MORE THAN \$350,000,000.00 IN THE COUNTERCYCLICAL BUDGET AND ECONOMIC STABILIZATION FUND CREATED UNDER SECTION 351 OF THE MANAGEMENT AND BUDGET ACT, 1984 PA 431, MCL 18.1351, FOR THAT STATE FISCAL YEAR, THE TAX RATE UNDER THIS SECTION SHALL BE REDUCED BY 0.1 PERCENTAGE POINT ON THE JANUARY 1 FOLLOWING THE END OF THE STATE FISCAL YEAR FOR WHICH THE REPORT WAS ISSUED." and renumbering the remaining subsection.

2. Amend page 6, following line 2, by inserting:

“Enacting section 1. The single business tax act, 1975 PA 228, MCL 208.1 to 208.145, is repealed effective for tax years that begin after December 31, 2009.”.

The motion prevailed and the amendments were 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.

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

#### Senate Bill No. 1322, entitled

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

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

#### Roll Call No. 1026

#### Yeas—86

Allen	Faunce	LaSata	Richner
Anderson	Garza	Lemmons	Rocca
Basham	George	Lockwood	Schauer
Bernero	Gielegem	Mans	Scranton
Birkholz	Gilbert	Mead	Shackleton
Bisbee	Gosselin	Meyer	Shulman
Bishop	Hager	Middaugh	Spade
Bovin	Hale	Mortimer	Stallworth
Brown, B.	Hansen	Murphy	Stamas
Brown, C.	Hart	Neumann	Stewart
Brown, R.	Howell	Newell	Switalski
Callahan	Hummel	O’Neil	Tabor
Cassis	Jamnick	Palmer	Toy
Caul	Jansen	Pappageorge	Van Woerkom
Clark, I.	Jelinek	Patterson	Vander Roest
Clarke, H.	Johnson, Rick	Pestka	Vander Veen
Dennis	Johnson, Ruth	Plakas	Vear
DeRossett	Julian	Pumford	Voorhees
DeVuyst	Koetje	Quarles	Whitmer
DeWeese	Kooiman	Rackowski	Woodward
Drolet	Kowall	Richardville	Woronchak
Ehardt	Kuipers		

#### Nays—1

Reeves

In The Chair: Julian

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

“An act to provide for the imposition, levy, computation, collection, assessment and enforcement, by lien or otherwise, of taxes on certain commercial, business, and financial activities; to prescribe the manner and times of making certain reports and paying taxes; to prescribe the powers and duties of public officers and state departments; to permit the inspection of records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide

exemptions, credits, and refunds; to provide penalties; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; and to provide an appropriation.”.

The House agreed to the full title.

Rep. Patterson moved to reconsider the vote by which the House passed the bill.  
The motion prevailed, a majority of the members serving voting therefor.

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

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

### Second Reading of Bills

#### Senate Bill No. 1322, entitled

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

Rep. Patterson moved to reconsider the vote by which the House adopted the amendments offered previously by Reps. Cassis and Richardville.

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

The question being on the adoption of the amendments offered previously by Reps. Cassis and Richardville,  
Rep. Cassis withdrew the amendments.

Reps. Cassis and Richardville moved to amend the bill as follows:

1. Amend page 3, following line 8, by inserting:

“(8) NOTWITHSTANDING ANY OTHER PROVISION OF THIS ACT AND FOR TAX YEARS THAT BEGIN AFTER DECEMBER 31, 2002, A PERSON WHOSE APPORTIONED OR ALLOCATED GROSS RECEIPTS ARE LESS THAN \$350,000.00 FOR THE TAX YEAR NEED NOT FILE A RETURN OR PAY THE TAX AS PROVIDED UNDER THIS ACT.” and renumbering the remaining subsection.

2. Amend page 6, following line 2, by inserting:

“Enacting section 1. The single business tax act, 1975 PA 228, MCL 208.1 to 208.145, is repealed effective for tax years that begin after December 31, 2009.”.

The motion prevailed and the amendments were 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.

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

#### Senate Bill No. 1322, entitled

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

The question being on the passage of the bill,

The bill was then passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### Roll Call No. 1027

#### Yeas—61

Allen	Gilbert	Mead	Schauer
Birkholz	Gosselin	Meyer	Scranton
Bisbee	Hager	Middaugh	Shackleton
Bishop	Hart	Mortimer	Shulman
Bovin	Howell	Neumann	Stamas
Bradstreet	Hummel	Newell	Stewart
Brown, C.	Jansen	Palmer	Switalski

Cassis	Jelinek	Pappageorge	Tabor
Caul	Johnson, Rick	Patterson	Toy
DeRossett	Johnson, Ruth	Pestka	Van Woerkom
DeVuyst	Julian	Pumford	Vander Roest
DeWeese	Koetje	Raczkowski	Vander Veen
Drolet	Kooiman	Richardville	Vear
Ehardt	Kuipers	Richner	Voorhees
Faunce	LaSata	Rocca	Woronchak
George			

### Nays—0

In The Chair: Julian

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

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

The House agreed to the full title.

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

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

By unanimous consent the House returned to the order of

### Motions and Resolutions

Rep. Shulman moved that the Committee on Tax Policy be discharged from further consideration of **House Bill No. 5248** and motion postponed for the day on June 19, see House Journal No. 57, p. 2206.

(For first notice see House Journal No. 56, p. 2108.)

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

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

### Second Reading of Bills

#### House Bill No. 5248, entitled

A bill to amend 1993 PA 327, entitled “Tobacco products tax act,” by amending sections 7 and 12 (MCL 205.427 and 205.432), as amended by 1997 PA 187.

The bill was read a second time.

Rep. Scranton moved to substitute (H-10) the bill.

The motion prevailed and the substitute (H-10) was adopted, a majority of the members serving voting therefor.

Rep. Meyer moved to amend the bill as follows:

1. Amend page 3, line 7, after the first “OR” by inserting “KNOWINGLY”.

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

Rep. Stallworth 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. 5248, entitled**

A bill to amend 1993 PA 327, entitled "Tobacco products tax act," by amending sections 7 and 12 (MCL 205.427 and 205.432), as amended by 1997 PA 187.

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

**Roll Call No. 1028**

**Yeas—56**

Allen	Gilbert	Kolb	Scranton
Bernero	Hager	Kooiman	Shackleton
Birkholz	Hansen	Kuipers	Shulman
Bisbee	Hardman	LaSata	Stallworth
Bovin	Hart	Lipsey	Stewart
Cassis	Howell	Mead	Tabor
Caul	Hummel	Meyer	Thomas
Clarke, H.	Jacobs	Minore	Toy
Dennis	Jamnick	Mortimer	Van Woerkom
DeRossett	Jansen	Newell	Vander Veen
DeVuyst	Jelinek	Pappageorge	Voorhees
DeWeese	Johnson, Rick	Patterson	Waters
Ehardt	Julian	Pumford	Williams
George	Koetje	Richardville	Woronchak

**Nays—47**

Adamini	Faunce	Middaugh	Rivet
Anderson	Frank	Murphy	Rocca
Basham	Garza	Neumann	Schauer
Bishop	Gielegem	O'Neil	Sheltrown
Bradstreet	Gosselin	Palmer	Spade
Brown, B.	Hale	Pestka	Stamas
Brown, C.	Johnson, Ruth	Phillips	Switalski
Brown, R.	Kowall	Plakas	Vander Roest
Callahan	Lemmons	Quarles	Vear
Clark, I.	Lockwood	Rackowski	Whitmer
Daniels	Mans	Reeves	Woodward
Drolet	McConico	Richner	

In The Chair: Julian

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

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

A bill to amend 1993 PA 327, entitled "Tobacco products tax act," by amending sections 7 and 12 (MCL 205.427 and 205.432), as amended by 1997 PA 187, and by adding section 6c.

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.

Rep. Sheltroun, under Rule 33, made the following statement:

“Mr. Speaker and members of the House:

I was absent from the Chamber when the vote was taken on Roll Call Nos. 1026 and 1027. Had I been present, I would have voted ‘yea’.”

### Second Reading of Bills

#### Senate Bill No. 926, entitled

A bill to amend 1999 PA 94, entitled “Michigan merit award scholarship act,” by amending sections 5, 6, 7, and 8 (MCL 390.1455, 390.1456, 390.1457, and 390.1458).

(The bill was read a second time, substitute (H-1) adopted and bill postponed temporarily on June 4, see House Journal No. 53, p. 1856.)

Rep. Frank moved to amend the bill as follows:

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

“Sec. 3. (1) The Michigan merit award trust fund is established in the department of treasury. The trust fund shall consist only of interest and earnings from trust fund investments, donations of money made to the trust fund from any source, and the following percentages of tobacco settlement revenue:

(a) Thirty percent of the tobacco settlement revenue received in fiscal year 1999-2000.

(b) Fifty percent of tobacco settlement revenue received in fiscal year 2000-2001.

(c) Seventy-five percent of tobacco settlement revenue received in fiscal year 2001-2002. ~~and in subsequent fiscal years.~~

(D) FIFTY PERCENT OF TOBACCO SETTLEMENT REVENUE RECEIVED IN FISCAL YEAR 2002-2003 AND IN SUBSEQUENT FISCAL YEARS.

(2) Money in the trust fund at the close of a fiscal year shall remain in the trust fund and shall not revert to the general fund.

(3) The state treasurer shall direct the investment of the trust fund.”.

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

Rep. Frank demanded the yeas and nays.

The demand was supported.

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

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

#### Roll Call No. 1029

#### Yeas—47

Adamini	DeVuyst	Lemmons	Rivet
Anderson	DeWeese	Lipsey	Schauer
Basham	Frank	Lockwood	Sheltroun
Bernero	Garza	Mans	Spade
Bovin	Gielegem	McConico	Stallworth
Brown, B.	Hale	Meyer	Thomas
Brown, R.	Hansen	Minore	Van Woerkom
Callahan	Hardman	Mortimer	Waters
Clark, I.	Howell	Murphy	Whitmer
Clarke, H.	Jacobs	Neumann	Williams
Daniels	Jamnack	O’Neil	Woodward
Dennis	Kolb	Quarles	

#### Nays—50

Allen	Gilbert	LaSata	Scranton
Birkholz	Gosselin	Mead	Shackleton

Bisbee	Hager	Middaugh	Shulman
Bishop	Hart	Newell	Stamas
Bradstreet	Hummel	Palmer	Stewart
Brown, C.	Jansen	Pappageorge	Tabor
Cassis	Jelinek	Patterson	Toy
Caul	Johnson, Ruth	Pumford	Vander Roest
DeRossett	Julian	Raczkowski	Vander Veen
Drolet	Koetje	Richardville	Vear
Ehardt	Kooiman	Richner	Voorhees
Faunce	Kowall	Rocca	Woronchak
George	Kuipers		

In The Chair: Julian

Rep. Caul moved to amend the bill as follows:

1. Amend page 1, line 1, by striking out all of section 5.
2. Amend page 11, following line 17, by inserting:

“(4) THE BOARD SHALL NOT DISBURSE FUNDS FOR A MICHIGAN MERIT SCHOLARSHIP TO A STUDENT OR AN APPROVED POSTSECONDARY EDUCATIONAL INSTITUTION ON BEHALF OF THE STUDENT FOR USE IN ANY ACADEMIC YEAR UNLESS IT RECEIVES THE REQUEST OR APPLICATION FOR PAYMENT, INCLUDING THE WRITTEN CERTIFICATION OR AFFIRMATION DESCRIBED IN THIS SECTION, FROM THE STUDENT ON OR BEFORE SEPTEMBER 30 IN THAT ACADEMIC YEAR.”.

The motion prevailed and the amendments were 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.

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

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

Rep. Jacobs moved that Rep. Plakas be excused from the balance of today’s session.

The motion prevailed.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### Senate Bill No. 926, entitled

A bill to amend 1999 PA 94, entitled “Michigan merit award scholarship act,” by amending sections 5, 6, 7, and 8 (MCL 390.1455, 390.1456, 390.1457, and 390.1458).

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

#### Roll Call No. 1030

Yeas—102

Adamini	Frank	Lemmons	Rivet
Allen	Garza	Lipsey	Rocca
Anderson	George	Lockwood	Schauer
Basham	Gielegem	Mans	Scranton
Bernero	Gilbert	McConico	Shackleton
Birkholz	Gosselin	Mead	Sheltrown
Bisbee	Hager	Meyer	Shulman
Bishop	Hale	Middaugh	Spade
Bovin	Hansen	Minore	Stallworth

Bradstreet	Hardman	Mortimer	Stamas
Brown, B.	Hart	Murphy	Stewart
Brown, C.	Howell	Neumann	Switalski
Brown, R.	Hummel	Newell	Tabor
Callahan	Jacobs	O'Neil	Thomas
Cassis	Jamnack	Palmer	Toy
Caul	Jansen	Pappageorge	Van Woerkom
Clark, I.	Jelinek	Patterson	Vander Roest
Clarke, H.	Johnson, Rick	Pestka	Vander Veen
Daniels	Johnson, Ruth	Phillips	Vear
Dennis	Julian	Pumford	Voorhees
DeRossett	Koetje	Quarles	Waters
DeVuyst	Kolb	Rackowski	Whitmer
DeWeese	Kooiman	Reeves	Williams
Drolet	Kowall	Richardville	Woodward
Ehardt	Kuipers	Richner	Woronchak
Faunce	LaSata		

### Nays—0

In The Chair: Julian

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

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

A bill to amend 1999 PA 94, entitled "An act to create the Michigan merit award scholarship trust fund; to create the Michigan merit award scholarship board and prescribe the powers and duties of the board; and to provide for the Michigan merit award scholarship program," by amending sections 6, 7, and 8 (MCL 390.1456, 390.1457, and 390.1458).

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.

By unanimous consent the House returned to the order of

### Reports of Select Committees

The Speaker laid before the House the conference report relative to

#### House Bill No. 5646, entitled

A bill to make, supplement, and adjust appropriations for the departments of attorney general, civil rights, civil service, information technology, management and budget, state, and treasury, the executive office, and the legislative branch for the fiscal years ending September 30, 2002 and September 30, 2003; to provide for the expenditure of these appropriations; to provide for the funding of certain work projects; to provide for the imposition of certain fees; to establish or continue certain funds, programs, and categories; to transfer certain funds; to prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances for the fiscal year ending September 30, 2003; to prescribe the powers and duties of certain principal executive departments and state agencies, officials, and employees; and to provide for the disposition of fees and other income received by the various principal executive departments and state agencies.

(The conference report was reported by the conference committee on July 2, consideration of which, under the rules, was postponed until today.)

(For conference report, see House Journal No. 60, p. 2324.)

The question being on the adoption of the conference report,

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

### Roll Call No. 1031

### Yeas—63

Adamini	Drolet	Kowall	Richardville
Allen	Faunce	LaSata	Richner

Bernero	Garza	Lemmons	Schauer
Birkholz	George	Lockwood	Scranton
Bisbee	Gilbert	McConico	Shackleton
Bovin	Hager	Mead	Shulman
Brown, B.	Hansen	Meyer	Stallworth
Brown, R.	Hardman	Middaugh	Stewart
Cassis	Howell	Minore	Tabor
Caul	Jacobs	Mortimer	Thomas
Clark, I.	Jelinek	O'Neil	Toy
Clarke, H.	Johnson, Rick	Palmer	Van Woerkom
Daniels	Johnson, Ruth	Pappageorge	Vander Veen
DeRossett	Julian	Patterson	Waters
DeVuyst	Koetje	Pumford	Woronchak
DeWeese	Kolb	Rackowski	

### Nays—38

Anderson	Gosselin	Murphy	Spade
Basham	Hale	Neumann	Stamas
Bishop	Hart	Newell	Switalski
Bradstreet	Hummel	Pestka	Vander Roest
Brown, C.	Jamnick	Phillips	Vear
Callahan	Jansen	Reeves	Voorhees
Dennis	Kooiman	Rivet	Whitmer
Ehardt	Kuipers	Rocca	Williams
Frank	Lipsey	Sheltrown	Woodward
Gielegem	Mans		

In The Chair: Julian

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

Rep. Callahan, having reserved the right to explain his nay vote, made the following statement:  
“Mr. Speaker and members of the House:  
This state is broke. The Governor and the Republican Party (majority) have mis-managed and eroded the general fund and dedicated funds, department by department. They have ignored the warning signs of revenue forecasting conferences and held a hard line to give tax breaks to corporations at the expense of the public trust. They have continued to borrow funds and raise the debt level, mortgaging the future of the next generation. They have NO viable plan other than to raise the tax to people that smoke.”

Rep. Basham, having reserved the right to explain his nay vote, made the following statement:  
“Mr. Speaker and members of the House:  
I voted no on House Bill 5646 for the following reasons:  
The bill contains the refinance and restructure of bonds and allegedly saving \$40 million in the short term. However, the long term effect of a “variable rate” is indeterminate, making this savings penny-wise and pound foolish. In addition, several thousand state workers will take advantage of the early retirement program, but this bill contains no funding to retrain state workers who may replace those employees adding to the structural deficit.  
Too, the Department of Information Technology has been created entirely with interdepartmental grants from other departments many of whom, in turn, are using other IDG s from other departments and a majority of programs to be offered by DIT are currently being administered by other departments.”

Finally, this state is facing a \$480 million deficit for the current fiscal year and over 4350 million for next fiscal year. A number of revenues which contribute substantially to our state's General Fund are down a full ten percent from where they were a year ago. I cannot commit to further bonding, borrowing and unnecessary additional administrative costs when the working families of this state are, conversely, tightening their belts. We should take their example."

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

"Mr. Speaker and members of the House:

I voted no on House Bill 5646 for the following reasons:

The bill contains the refinance and restructure of bonds and allegedly saving \$40 million in the short term. However, the long term effect of a "variable rate" is indeterminate, making this savings penny-wise and pound foolish. In addition, several thousand state workers will take advantage of the early retirement program, but this bill contains no funding to retrain state workers who may replace those employees adding to the structural deficit.

Too, the Department of Information Technology has been created entirely with interdepartmental grants from other departments many of whom, in turn, are using other IDG's from other departments and a majority of programs to be offered by DIT are currently being administered by other departments.

Finally, this state is facing a \$480 million deficit for the current fiscal year and over 4350 million for next fiscal year. A number of revenues which contribute substantially to our state's General Fund are down a full ten percent from where they were a year ago. I cannot commit to further bonding, borrowing and unnecessary additional administrative costs when the working families of this state are, conversely, tightening their belts. We should take their example.

Additionally, I found the lottery game available on Sunday—lifting the prohibition—to be problematic."

### Third Reading of Bills

#### House Bill No. 5881, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 22b, 96, and 104a (MCL 388.1622b, 388.1696, and 388.1704a), section 22b as amended by 2001 PA 121, section 96 as added by 2000 PA 297, and section 104a as amended by 1999 PA 119.

(The bill was not passed, vote reconsidered and bill postponed temporarily on June 20, see House Journal No. 58, p. 2214.)

The question being on the passage of the bill,

Rep. Shulman moved to substitute (H-5) the bill.

The motion was seconded and the substitute (H-5) was adopted, a majority of the members serving voting therefor.

Rep. Jelinek moved to amend the bill as follows:

1. Amend page 123, following line 12, by inserting:

"(8) AT LEAST 30 DAYS BEFORE IMPLEMENTING A PROPOSED ELECTRONIC DATA COLLECTION, SUBMISSION, OR COLLATION PROCESS, OR A PROPOSED CHANGE TO 1 OR MORE OF THOSE PROCESSES, THE CENTER SHALL SUBMIT THE PROPOSAL AND AN ANALYSIS OF THE PROPOSAL TO THE SENATE AND HOUSE OF REPRESENTATIVES APPROPRIATIONS SUBCOMMITTEES RESPONSIBLE FOR THIS ACT. THE ANALYSIS SHALL INCLUDE AT LEAST A DETERMINATION OF THE COST OF THE PROPOSAL FOR DISTRICTS AND INTERMEDIATE DISTRICTS AND OF AVAILABLE FUNDING FOR DISTRICTS AND INTERMEDIATE DISTRICTS." and renumbering the remaining subsection.

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

Rep. Jelinek moved to amend the bill as follows:

1. Amend page 143, line 5, after "certificate," by striking out "is" and inserting "THE INDIVIDUAL MEETS 1 OF THE FOLLOWING:

(i) IS".

2. Amend page 143, following line 6, by inserting:

"(ii) IS AT LEAST 16 YEARS OF AGE ON SEPTEMBER 1 OF THE SCHOOL YEAR, HAS BEEN PERMANENTLY EXPELLED FROM SCHOOL UNDER SECTION 1311(2) OR 1311A OF THE REVISED SCHOOL CODE, MCL 380.1311 AND 380.1311A, AND HAS NO APPROPRIATE ALTERNATIVE EDUCATION PROGRAM AVAILABLE THROUGH HIS OR HER DISTRICT OF RESIDENCE.".

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

The question being on the passage of the bill,

The bill was then passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1032****Yeas—94**

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

**Nays—6**

Bradstreet	Gosselin	Rivet	Switalski
Drolet	Lemmons		

In The Chair: Julian

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

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

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 6, 11, 11f, 11g, 20, 22a, 22b, 24, 26a, 31a, 31d, 32a, 32b, 32c, 32d, 32f, 39a, 41, 51a, 51c, 51d, 53a, 54, 55, 56, 57, 61a, 62, 67, 68, 74, 81, 94, 94a, 96, 98, 99, 99a, 104a, 107, 108, and 147 (MCL 388.1606, 388.1611, 388.1611f, 388.1611g, 388.1620, 388.1622a, 388.1622b, 388.1624, 388.1626a, 388.1631a, 388.1631d, 388.1632a, 388.1632b, 388.1632c, 388.1632d, 388.1632f, 388.1639a, 388.1641, 388.1651a, 388.1651c, 388.1651d, 388.1653a, 388.1654, 388.1655, 388.1656, 388.1657, 388.1661a, 388.1662, 388.1667, 388.1668, 388.1674, 388.1681, 388.1694, 388.1694a, 388.1696, 388.1698, 388.1699, 388.1699a, 388.1704a, 388.1707, 388.1708, and 388.1747), sections 6, 11, 11f, 11g, 20, 22a, 22b, 24, 26a, 31a, 31d, 32a, 32b, 32c, 32d, 32f, 41, 51a, 51c, 53a, 54, 56, 57, 61a, 62, 67, 68, 74, 81, 94, 94a, 96, 98, 99, 107, 108, and 147 as amended and sections 39a, 51d, 55, and 99a as added by 2002 PA 191 and section 104a as amended by 1999 PA 119; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

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

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

**Second Reading of Bills****Senate Bill No. 924, entitled**

A bill to amend 1972 PA 222, entitled "An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the

powers and duties of the secretary of state; to prescribe fees; and to prescribe certain penalties for violations,” by amending the title and section 2 (MCL 28.292), the title as amended by 1997 PA 99 and section 2 as amended by 2001 PA 238.

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.

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**

**Senate Bill No. 924, entitled**

A bill to amend 1972 PA 222, entitled “An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; and to prescribe certain penalties for violations,” by amending the title and section 2 (MCL 28.292), the title as amended by 1997 PA 99 and section 2 as amended by 2001 PA 238.

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

**Roll Call No. 1033**

**Yeas—101**

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

**Nays—0**

In The Chair: Julian

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

#### Senate Bill No. 925, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending the title and sections 310, 310e, and 314 (MCL 257.310, 257.310e, and 257.314), the title as amended by 2000 PA 408, section 310 as amended by 2002 PA 126, section 310e as amended by 2000 PA 456, and section 314 as amended by 2000 PA 173.

The bill was read a second time.

Rep. Gilbert 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. Gilbert moved to amend the bill as follows:

1. Amend page 8, line 16, by striking out all of subsection (16).

The motion prevailed and the amendment 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.

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

#### Senate Bill No. 925, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending the title and sections 310, 310e, and 314 (MCL 257.310, 257.310e, and 257.314), the title as amended by 2000 PA 408, section 310 as amended by 2002 PA 126, section 310e as amended by 2000 PA 456, 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. 1034

#### Yeas—100

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

**Nays—1**

Mortimer

In The Chair: Julian

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

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

A bill to amend 1949 PA 300, entitled "An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date," by amending the title and sections 310, 310e, and 314 (MCL 257.310, 257.310e, and 257.314), the title as amended by 2000 PA 408, section 310 as amended by 2002 PA 126, section 310e as amended by 2002 PA 422, and section 314 as amended by 2000 PA 173.

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.

By unanimous consent the House returned to the order of

**Messages from the Senate**

The Speaker laid before the House

**House Bill No. 5896, entitled**

A bill to amend 1986 PA 281, entitled "The local development financing act," by amending section 12a (MCL 125.2162a), as added by 2000 PA 248.

(The bill was received from the Senate on June 27, with an amendment and full title inserted, consideration of which, under the rules, was postponed until July 2, see House Journal No. 59, p. 2286.)

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

Rep. Allen moved to amend the Senate amendment as follows:

1. Amend the Senate Amendment, page 7, following line 19, subsection (12), after the first "(12)" by striking out the balance of the amendment and inserting "NOT LATER THAN OCTOBER 1, 2004, THE MICHIGAN ECONOMIC DEVELOPMENT CORPORATION SHALL REPORT TO THE LEGISLATURE ON THE EFFECT OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION UPON LOCAL UNITS OF GOVERNMENT AND SCHOOL DISTRICTS."

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

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

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

**Roll Call No. 1035****Yeas—100**

Adamini  
Allen  
Anderson

Frank  
Garza  
George

Lemmons  
Lipsey  
Lockwood

Rivet  
Rocca  
Schauer

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

### Nays—2

Drolet

Gosselin

In The Chair: Julian

The House agreed to the full title of the bill.

### Third Reading of Bills

#### House Bill No. 6203, 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.

The bill was read a third time.

The question being on the passage of the bill,

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

1. Amend page 4, line 5, by striking out all of subdivision (d) and inserting:

“(D) “CHILDREN’S CAMP” MEANS A CAMP THAT PROVIDES CARE AND SUPERVISION FOR THE SAME GROUP OF CHILDREN FOR USUALLY NOT MORE THAN 12 WEEKS IN 1 OR MORE OF THE FOLLOWING SETTINGS:

(i) A RESIDENTIAL, DAY, TROOP, OR TRAVEL CAMP CONDUCTED IN A NATURAL ENVIRONMENT FOR MORE THAN 4 SCHOOL-AGE CHILDREN, APART FROM THE CHILDREN’S PARENTS, RELATIVES, OR LEGAL GUARDIANS, FOR 5 OR MORE DAYS IN A 14-DAY PERIOD.

(ii) A SPORTS CAMP CONDUCTED FOR MORE THAN 4 SCHOOL-AGE CHILDREN, APART FROM THE CHILDREN’S PARENTS, RELATIVES, OR LEGAL GUARDIANS FOR 3 OR MORE CONSECUTIVE OVERNIGHTS STAYS IN A 14-DAY PERIOD.”.

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

The question being on the passage of the bill,

The bill was then passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1036****Yeas—98**

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

**Nays—2**

Drolet

Gosselin

In The Chair: Julian

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.

By unanimous consent the House returned to the order of

**Motions and Resolutions**

Rep. Lemmons moved that the Committee on Criminal Justice be discharged from further consideration of **House Bill No. 4645**.

(For first notice see House Journal No. 60, p. 2363.)

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

Rep. Lemmons moved that consideration of the motion be postponed for the day.

The motion prevailed.

Rep. Lemmons moved that the Committee on Criminal Justice be discharged from further consideration of **House Bill No. 4646**.

(For first notice see House Journal No. 60, p. 2363.)

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

Rep. Lemmons moved that consideration of the motion be postponed for the day.

The motion prevailed.

Rep. Patterson moved that pursuant to House Rule 20, the Clerk of the House be authorized to enroll House bills while the House is not in session.

The motion prevailed.

Reps. Patterson and Jacobs offered the following resolution:

**House Concurrent Resolution No. 68.**

A concurrent resolution prescribing the legislative schedule.

Resolved by the House of Representatives (the Senate concurring), That when the House of Representatives adjourns on Wednesday, July 3, 2002, it stand adjourned until Tuesday, August 13, 2002 at 10:00 a.m.; and be it further

Resolved, That when the Senate adjourns on Tuesday, July 9, 2002, it stand adjourned until Tuesday, August 13, 2002.

Pending the reference of the concurrent resolution to a committee,

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

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

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

Reps. Patterson and Jacobs offered the following resolution:

**House Concurrent Resolution No. 69.**

A concurrent resolution prescribing the legislative schedule.

Resolved by the House of Representatives (the Senate concurring), That when the House of Representatives adjourns on Wednesday, July 3, 2002, it stand adjourned until Tuesday, August 13, 2002 at 10:00 a.m.; and be it further

Resolved, That when the Senate adjourns on Wednesday, July 10, 2002, it stand adjourned until Tuesday, August 13, 2002.

Pending the reference of the concurrent resolution to a committee,

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

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

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

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Rep. Patterson moved that when the House adjourns today it stand adjourned until Tuesday, August 13, at 10:00 a.m.  
The motion prevailed.

Rep. Rocca moved that the House adjourn.  
The motion prevailed, the time being 6:40 a.m.

Associate Speaker Pro Tempore Julian declared the House adjourned until Tuesday, August 13, at 10:00 a.m.

GARY L. RANDALL  
Clerk of the House of Representatives.