

No. 70
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House of Representatives
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House Chamber, Lansing, Wednesday, December 4, 2002.

2:00 p.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	Frank—present	Lipsey—present	Rocca—present
Allen—present	Garza—present	Lockwood—present	Schauer—present
Anderson—present	George—present	Mans—excused	Schermesser—present
Basham—present	Gielegem—present	McConico—present	Scranton—present
Bernero—present	Gilbert—present	Mead—present	Shackleton—present
Birkholz—present	Godchaux—present	Meyer—present	Sheltrown—present
Bisbee—present	Gosselin—present	Middaugh—present	Shulman—present
Bishop—present	Hager—present	Minore—present	Spade—present
Bogardus—present	Hale—present	Mortimer—present	Stallworth—present
Bovin—present	Hansen—present	Murphy—present	Stamas—present
Bradstreet—present	Hardman—present	Neumann—present	Stewart—present
Brown, Bob—present	Hart—present	Newell—present	Switalski—present
Brown, Cameron—present	Howell—present	O’Neil—present	Tabor—present
Brown, Rich—present	Hummel—present	Palmer—present	Thomas—present
Callahan—present	Jacobs—present	Pappageorge—present	Toy—present
Cassis—present	Jamnick—present	Patterson—present	Van Woerkom—present
Caul—present	Jansen—present	Pestka—present	Vander Roest—present
Clark—present	Jelinek—present	Phillips—present	Vander Veen—present
Clarke—present	Johnson, Rick—present	Plakas—present	Veary—present
Daniels—present	Johnson, Ruth—present	Pumford—present	Voorhees—present
Dennis—present	Julian—present	Quarles—excused	Waters—present
DeRossett—present	Koetje—present	Raczkowski—present	Whitmer—present
DeVuyst—present	Kolb—present	Reeves—present	Williams—present
DeWeese—present	Kooiman—present	Richardville—present	Wojno—present
Drolet—present	Kowall—present	Richner—present	Woodward—present
Durhal—present	Kuipers—present	Rison—present	Woronchak—present
Ehardt—present	LaSata—present	Rivet—present	Zelenko—present
Faunce—excused	Lemmons—present		

e/d/s = entered during session

Rep. Vera Rison, from the 48th District, offered the following invocation:

“Father God we come at this hour, giving You all the praise and thanking You for everything You have done for all of us. We come this hour because we are grateful. We come this hour asking You to make us strong where we are weak. Lead us and guide us in the right direction. Keep our minds clear. Help us follow through to remember those who need us and those who can not do for themselves. We are thanking You again because we are leaving this place, some of us, to go on with our lives. I want to remember one thing; all the people are Your people. You are the reason why for this season. So in this season let us remember those that need us, let us stand by them and remember to help them. I ask You for all these blessings in Jesus’ name. Amen.”

Rep. Gosselin, 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. 1109-1113, 1115-1123, 1127, 1129, 1132 and 1133. Had I been present, I would have voted ‘yea’.”

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

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

Second Reading of Bills

House Bill No. 5311, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by repealing sections 2477b, 2477c, and 2477d (MCL 500.2477b, 500.2477c, and 500.2477d).

The bill was read a second time.

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

The motion prevailed.

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

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

Rep. Jansen moved that Rep. Cassis be excused temporarily from today’s session.
The motion prevailed.

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

House Bill No. 5311, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by repealing sections 2477b, 2477c, and 2477d (MCL 500.2477b, 500.2477c, and 500.2477d).

The bill was read a third time.

The question being on the passage of the bill,

Rep. Richardville moved that consideration of the bill be postponed temporarily.
The motion prevailed.

Second Reading of Bills

House Bill No. 6373, entitled

A bill to amend 1980 PA 307, entitled "Savings and loan act of 1980," by amending section 1135 (MCL 491.1135), as added by 2002 PA 185.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Insurance and Financial Services (for amendment, see House Journal No. 69, p. 2684),

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 6373, entitled

A bill to amend 1980 PA 307, entitled "Savings and loan act of 1980," by amending section 1135 (MCL 491.1135), as added by 2002 PA 185.

Was read a third time and passed, 2/3 of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1134

Yeas—100

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

Nays—0

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

Second Reading of Bills

House Bill No. 5797, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 2080 (MCL 500.2080), as amended by 1986 PA 318.

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5797, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 2080 (MCL 500.2080), as amended by 1986 PA 318.

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

Roll Call No. 1135

Yeas—105

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

Nays—0

In The Chair: Julian

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

Second Reading of Bills

House Bill No. 6374, entitled

A bill to amend 1925 PA 285, entitled "An act to provide for the organization, operation, and supervision of credit unions; to provide for the conversion of a state credit union into a federal credit union or a credit union organized and supervised under the laws of any other state or territory of the United States or any other federally insured depository institution and for the conversion of a federal credit union or a credit union organized and supervised under the laws of any other state or territory of the United States or any other federally insured depository institution into a state credit union; and to provide for the merger of credit unions organized and supervised under the laws of this state, credit unions organized and supervised under the laws of any other state or territory of the United States, and federal credit unions," by amending section 16c (MCL 490.16c), as added by 2002 PA 184.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Insurance and Financial Services (for amendment, see House Journal No. 69, p. 2684),

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 6374, entitled

A bill to amend 1925 PA 285, entitled "An act to provide for the organization, operation, and supervision of credit unions; to provide for the conversion of a state credit union into a federal credit union or a credit union organized and supervised under the laws of any other state or territory of the United States or any other federally insured depository institution and for the conversion of a federal credit union or a credit union organized and supervised under the laws of any other state or territory of the United States or any other federally insured depository institution into a state credit union; and to provide for the merger of credit unions organized and supervised under the laws of this state, credit unions organized and supervised under the laws of any other state or territory of the United States, and federal credit unions," by amending section 16c (MCL 490.16c), as added by 2002 PA 184.

Was read a third time and passed, 2/3 of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1136

Yeas—103

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

Caul	Jelinek	Pestka	Vander Veen
Clarke, H.	Johnson, Rick	Phillips	Vear
Daniels	Johnson, Ruth	Plakas	Voorhees
Dennis	Julian	Pumford	Waters
DeRossett	Koetje	Raczkowski	Whitmer
DeVuyst	Kolb	Reeves	Williams
DeWeese	Kooiman	Richardville	Wojno
Drolet	Kowall	Richner	Woodward
Durhal	Kuipers	Rison	Woronchak
Ehardt	LaSata	Rivet	Zelenko
Frank	Lemmons	Rocca	

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Second Reading of Bills

House Bill No. 6375, entitled

A bill to amend 1996 PA 354, entitled "Savings bank act," by amending section 514 (MCL 487.3514), as added by 2002 PA 247.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Insurance and Financial Services (for amendment, see House Journal No. 69, p. 2684),

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

Rep. O'Neil moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 6375, entitled

A bill to amend 1996 PA 354, entitled "Savings bank act," by amending section 514 (MCL 487.3514), as added by 2002 PA 247.

Was read a third time and passed, 2/3 of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1137

Yeas—102

Adamini	Frank	Lemmons	Rocca
Allen	George	Lipsey	Schauer
Anderson	Gielegem	Lockwood	Schermesser
Basham	Gilbert	McConico	Scranton
Bernero	Godchaux	Mead	Shackleton
Birkholz	Gosselin	Meyer	Sheltrown
Bisbee	Hager	Middaugh	Shulman

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

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

By unanimous consent the House returned to the order of

Reports of Standing Committees

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

House Bill No. 6486, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 719 and 720 (MCL 257.719 and 257.720), section 719 as amended by 2002 PA 453 and section 720 as amended by 2002 PA 535.

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 6486 To Report Out:

Yeas: Reps. Gilbert, George, DeRossett, Drolet, Hummel, Ruth Johnson, Julian, Palmer, Scranton, Bovin, Jamnick, Murphy, Neumann,

Nays: Rep. Durhal.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, December 4, 2002, at 9:00 a.m.,

Present: Reps. Gilbert, George, DeRossett, Drolet, Hummel, Ruth Johnson, Julian, Palmer, Scranton, Anderson, Bovin, Daniels, Durhal, Jamnick, Murphy, Neumann,

Absent: Rep. Hart,

Excused: Rep. Hart.

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

Senate Bill No. 1238, entitled

A bill to amend 1905 PA 282, entitled "An act to provide for the assessment of the property, by whomsoever owned, operated or conducted, of railroad companies, union station and depot companies, telegraph companies, telephone companies, sleeping car companies, express companies, car loaning companies, stock car companies, refrigerator car companies, and fast freight companies, and all other companies owning, leasing, running or operating any freight, stock, refrigerator, or any other cars, not being exclusively the property of any railroad company paying taxes upon its rolling stock under the provisions of this act, over or upon the line or lines of any railroad or railroads in this state, and for the levy of taxes thereon by a state board of assessors, and for the collection of such taxes, and to repeal all acts or parts of acts contravening any of the provisions of this act," by amending sections 4, 5, and 9 (MCL 207.4, 207.5, and 207.9), sections 4 and 9 as amended by 1995 PA 257.

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 1238 To Report Out:

Yeas: Reps. Cassis, Vear, Birkholz, Drolet, Gosselin, Meyer, Newell, Richardville, Woronchak, Quarles, Basham, Bob Brown, Minore, O'Neil, Wojno,

Nays: None.

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

Senate Bill No. 1446, entitled

A bill to amend 1941 PA 122, entitled "An act to establish a revenue division of the department of treasury; to prescribe its powers and duties as the revenue collection agency of the state; to prescribe certain powers and duties of the state treasurer; to regulate the importation, stamping, and disposition of certain tobacco products; to create the position and to define the powers and duties of the state commissioner of revenue; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," by amending the title and sections 1, 3, 4, 12, 19, 21, 24, 25, 26, 27a, 28, 30c, and 31 (MCL 205.1, 205.3, 205.4, 205.12, 205.19, 205.21, 205.24, 205.25, 205.26, 205.27a, 205.28, 205.30c, and 205.31), the title as amended by 1999 PA 182, sections 3, 12, 25, and 26 as amended by 1986 PA 58, section 4 as added and section 27a as amended by 1993 PA 14, section 19 as amended by 1996 PA 479, section 21 as amended by 1993 PA 13, sections 24, 30c, and 31 as amended by 2001 PA 168, and section 28 as amended by 2000 PA 308; and to repeal acts and parts of acts.

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

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

Favorable Roll Call

SB 1446 To Report Out:

Yeas: Reps. Cassis, Vear, Birkholz, Drolet, Gosselin, Meyer, Newell, Richardville, Woronchak, Quarles, Basham, Bob Brown, Minore, O'Neil, Wojno,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, December 4, 2002, at 10:30 a.m.,

Present: Reps. Cassis, Vear, Birkholz, Drolet, Gosselin, Meyer, Newell, Richardville, Woronchak, Quarles, Basham, Bob Brown, Minore, O'Neil, Wojno,

Absent: Reps. Kowall, Hale,

Excused: Reps. Kowall, Hale.

The Committee on Energy and Technology, by Rep. Bradstreet, Chair, reported
House Bill No. 6097, entitled

A bill to amend 1991 PA 179, entitled "Michigan telecommunications act," by amending section 304 (MCL 484.2304), as amended by 2000 PA 295.

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 6097 To Report Out:

Yeas: Reps. Bradstreet, Middaugh, Birkholz, Bisbee, Cassis, Howell, Kowall, Vander Veen, Bob Brown, Lemmons, Rivet, Schauer, Woodward,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Bradstreet, Chair, of the Committee on Energy and Technology, was received and read:

Meeting held on: Wednesday, December 4, 2002, at 9:00 a.m.,

Present: Reps. Bradstreet, Middaugh, Birkholz, Bisbee, Cassis, Howell, Kowall, Vander Veen, Bob Brown, Lemmons, Rivet, Schauer, Woodward,

Absent: Reps. Bishop, Richardville, Bovin, Daniels,

Excused: Reps. Bishop, Richardville, Bovin, Daniels.

The Committee on Regulatory Reform, by Rep. Rocca, Chair, reported

House Bill No. 6234, entitled

A bill to authorize the department of natural resources to convey certain state owned property in Huron county; to prescribe conditions for the conveyance; and to provide for disposition of the revenue from the conveyance.

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 6234 To Report Out:

Yeas: Reps. Rocca, Scranton, Richner, Garza, Waters, Williams, Wojno,

Nays: None.

The Committee on Regulatory Reform, by Rep. Rocca, Chair, reported

House Bill No. 6343, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 5453, 5454, 5455, 5456, 5457, 5458, 5459, 5460, 5462, 5463, 5467, 5468, 5471, 5472, 5473a, 5475, 5476, and 5477 (MCL 333.5453, 333.5454, 333.5455, 333.5456, 333.5457, 333.5458, 333.5459, 333.5460, 333.5462, 333.5463, 333.5467, 333.5468, 333.5471, 333.5472, 333.5473a, 333.5475, 333.5476, and 333.5477), sections 5453, 5454, 5455, 5456, 5462, 5463, 5467, 5471, and 5476 as added by 1998 PA 220 and sections 5457, 5458, 5459, 5460, 5468, 5472, 5473a, 5475, and 5477 as added by 1998 PA 219.

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

1. Amend page 9, line 1, after "paint" by inserting "and the provision of a report explaining the results of the investigation".

2. Amend page 12, line 23, after "means" by striking out "AN" and inserting "both of the following:

(a) An".

3. Amend page 12, line 26, after "hazard." by inserting:

"(b) The provision of a report by the person conducting the risk assessment explaining the results of the investigation and options for reducing the lead-based paint hazard.".

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

Favorable Roll Call

HB 6343 To Report Out:

Yeas: Reps. Rocca, Scranton, Julian, Richner, Garza, Waters, Williams, Wojno,
Nays: None.

The Committee on Regulatory Reform, by Rep. Rocca, Chair, reported

House Bill No. 6355, entitled

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

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 6355 To Report Out:

Yeas: Reps. Rocca, Richner, Garza, Waters, Williams, Wojno,
Nays: None.

The Committee on Regulatory Reform, by Rep. Rocca, Chair, reported

Senate Bill No. 1401, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding section 518.

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 1401 To Report Out:

Yeas: Reps. Rocca, Scranton, Julian, Richner, Garza, Waters, Williams,
Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Rocca, Chair, of the Committee on Regulatory Reform, was received and read:

Meeting held on: Wednesday, December 4, 2002, at 12:30 p.m.,

Present: Reps. Rocca, Scranton, Julian, Richner, Garza, Waters, Williams, Wojno,

Absent: Rep. Raczkowski.

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

House Bill No. 4007, entitled

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

With the recommendation that the substitute (H-5) 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 4007 To Report Out:

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

Nays: None.

The Committee on Insurance and Financial Services, by Rep. Richner, Chair, reported
House Bill No. 6494, entitled

A bill to amend 2000 PA 251, entitled "Patient's right to independent review act," by amending sections 11, 13, 15, and 23 (MCL 550.1911, 550.1913, 550.1915, and 550.1923), as amended by 2000 PA 398.

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 6494 To Report Out:

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

Nays: None.

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

House Bill No. 6495, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3580 (MCL 500.3580), as added by 2000 PA 249.

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 6495 To Report Out:

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

Nays: None.

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

Senate Bill No. 883, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding chapter 16.

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 883 To Report Out:

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

Nays: None.

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

Senate Bill No. 1164, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 3135 and 3163 (MCL 500.3135 and 500.3163), section 3135 as amended by 1995 PA 222.

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 1164 To Report Out:

Yeas: Reps. Richner, Bisbee, DeWeese, Ehardt, Hager, Hummel, Middaugh, Scranton, Van Woerkom,

Nays: None.

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

Senate Bill No. 1385, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 2213 and 2213a (MCL 500.2213 and 500.2213a), section 2213 as amended by 2000 PA 252 and section 2213a as added by 1996 PA 517, and by adding section 2213c.

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 1385 To Report Out:

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

Nays: None.

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

Senate Bill No. 1410, entitled

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending section 625 (MCL 418.625), as amended by 1995 PA 271.

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 1410 To Report Out:

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

Nays: None.

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

Senate Bill No. 1418, entitled

A bill to amend 1993 PA 23, entitled "Michigan limited liability company act," by amending sections 102, 103, 104, 105, 106, 202, 203, 204, 207, 210, 214, 301, 303, 304, 307, 403, 405, 406, 501, 502, 503, 504, 506, 515, 603, 705a, 801, 804, 909, 1005, and 1101 (MCL 450.4102, 450.4103, 450.4104, 450.4105, 450.4106, 450.4202, 450.4203, 450.4204, 450.4207, 450.4210, 450.4214, 450.4301, 450.4303, 450.4304, 450.4307, 450.4403, 450.4405, 450.4406, 450.4501, 450.4502, 450.4503, 450.4504, 450.4506, 450.4515, 450.4603, 450.4705a, 450.4801, 450.4804, 450.4909, 450.5005, and 450.5101), section 102 as amended by 2000 PA 336 and sections 103, 202, 203, 204, 207, 301, 303, 304, 307, 403, 405, 501, 502, 503, 506, 603, 801, 909, and 1101 as amended and sections 214, 515, and 705a as added by 1997 PA 52, and by adding sections 207a and 215.

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

1. Amend page 41, line 9, after "office," by striking out "\$5.00" and inserting "\$15.00".

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

Favorable Roll Call

SB 1418 To Report Out:

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

Nays: None.

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

Senate Bill No. 1428, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3341 (MCL 500.3341), as added by 2002 PA 251.

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 1428 To Report Out:

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

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

Senate Bill No. 1434, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 250 (MCL 500.250).

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 1434 To Report Out:

Yeas: Reps. Richner, Bisbee, Ehardt, Hager, Hummel, Middaugh, Scranton, Van Woerkom, Wojno, Clark, Daniels, Durhal, 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, December 4, 2002, at 9:00 a.m.,

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

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

House Bill No. 6268, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 109 (MCL 400.109), as amended by 2000 PA 168.

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

1. Amend page 5, line 1, after "rate." by inserting "This limitation remains in effect until December 31, ~~2003~~ 2007."

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

Favorable Roll Call

HB 6268 To Report Out:

Yeas: Reps. Shulman, LaSata, Caul, Godchaux, Jansen, Jelinek, Mead, Mortimer, Newell, Pumford, Shackleton, Stamas, Toy, Vander Roest, Frank, Rich Brown, Clarke, Lockwood, Pestka, Phillips, Plakas, Reeves, Stallworth, Switalski, Whitmer,
Nays: None.

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

Senate Bill No. 28, entitled

A bill to amend 1976 PA 295, entitled "State transportation preservation act of 1976," (MCL 474.51 to 474.70) by amending the title, as amended by 1984 PA 210, and by adding section 15a.

With the recommendation that the substitute (H-4) 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 28 To Report Out:

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

Nays: Rep. Vander Roest.

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

Senate Bill No. 1417, entitled

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending section 12 (MCL 125.2692).

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 1417 To Report Out:

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

Nays: None.

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

Senate Concurrent Resolution No. 73.

A concurrent resolution to waive the legislative notice requirement for increases in rates of compensation for certain employees in the state classified service.

(For text of resolution, see House Journal No. 68, p. 2678.)

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

Substitute for Senate Concurrent Resolution No. 73.

A concurrent resolution to waive the legislative notice requirement for increases in rates of compensation for certain employees in the state classified service.

Whereas, The Constitution of the State of Michigan of 1963 provides in Article XI, Section 5:

Increases in rates of compensation authorized by the commission may be effective only at the start of a fiscal year and shall require prior notice to the governor, who shall transmit such increases to the legislature as part of his budget. The legislature may, by a majority vote of the members elected to and serving in each house, waive the notice and permit increases in rates of compensation to be effective at a time other than the start of a fiscal year.

; and

Whereas, As a result of recently completed negotiations and binding arbitration, a settlement has been reached on a three-year contract between the state and the Michigan State Troopers Association regarding compensation and other terms and conditions of employment. This settlement, which will be retroactive to its effective date of October 1, 1999, was reached past the time when the governor could transmit the increase as part of the budget; and

Whereas, The State Personnel Director, with the consent of the Chair of the Civil Service Commission, granted interim approval of the collective bargaining agreement on November 13, 2002; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That, pursuant to Article XI, Section 5 of the Constitution of the State of Michigan of 1963, the Michigan Legislature waives the prior notice requirement to permit increases in rates of compensation for certain members of the Department of State Police as set in the contract settled between the Michigan State Police Troopers Association and the state and the Civil Service Commission; and be it further

Resolved, That copies of this resolution be transmitted to the Civil Service Commission.

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

Favorable Roll Call

SCR 73 To Report Out:

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

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, December 4, 2002, at 1:00 p.m.,

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

Absent: Reps. Cameron Brown, Stewart,

Excused: Reps. Cameron Brown, Stewart.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, December 4, 2002, at 9:00 a.m.,

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

Absent: Reps. Lipsey, McConico.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, December 4, 2002, at 10:30 a.m.,

Present: Reps. Bishop, DeWeese, George, Gosselin, Vander Veen, McConico, O'Neil,

Absent: Reps. Kowall, Raczkowski, Durhal, Rison.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members, Thursday, November 14:

Senate Bill Nos. 1508 1509 1510 1511 1512 1513 1514 1515

The Clerk announced that the following bills had been printed and placed upon the files of the members, Friday, November 15:

Senate Bill Nos. 1516 1517 1518 1519 1520

The Clerk announced that the following bills had been printed and placed upon the files of the members, Wednesday, December 4:

**House Bill Nos. 6525 6526 6527 6528 6529 6530 6531 6532 6533 6534 6535 6536 6537 6538
6539 6540 6541 6542 6543 6544 6545 6546 6547 6548 6549 6550 6551 6552
6553 6554 6555 6556 6557 6558 6559 6560 6561 6562 6563 6564 6565 6566
6567**

The Clerk announced that the following Senate bills had been received on Wednesday, December 4:

Senate Bill Nos. 795 1203 1422 1505 1506

By unanimous consent the House returned to the order of

Messages from the Senate**House Bill No. 5552, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 17401, 17431, and 17432 (MCL 333.17401, 333.17431, and 333.17432), sections 17401 and 17432 as amended by 1997 PA 151 and section 17431 as amended by 1994 PA 234.

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. 6478, entitled

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

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. 6481, entitled

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

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. 6479, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 2000 PA 400.

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. 795, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 32504a.

The Senate has passed the bill.

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

Senate Bill No. 1203, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 27 (MCL 211.27), as amended by 1994 PA 415.

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. 1422, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 7 (MCL 208.7), as amended by 2001 PA 229.

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. 1505, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 115f, 115g, 115i, 115j, 115l, and 115m (MCL 400.115f, 400.115g, 400.115i, 400.115j, 400.115l, and 400.115m), section 115f as amended by 1998 PA 22, section 115g as amended and sections 115i and 115l as added by 1994 PA 238, section 115j as amended by 2000 PA 61, and section 115m as added by 1994 PA 207, and by adding sections 115r and 115s.

The Senate has passed the bill.

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

Senate Bill No. 1506, entitled

A bill to prescribe the powers and duties of the Michigan public educational facilities authority; to provide for the issuance of notes and bonds of the authority; to create funds and accounts; to authorize certain forms of assistance to public schools; to make investments; to exempt certain property from certain taxes; to grant powers and impose duties on officers and agencies of this state and political subdivisions of this state; and to make, accept, and expend certain appropriations.

The Senate has passed the bill.

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

Introduction of Bills

Rep. Bradstreet introduced

House Bill No. 6568, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 30501, 30502, and 30506 (MCL 324.30501, 324.30502, and 324.30506), as added by 1995 PA 59.

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

By unanimous consent the House returned to the order of

Second Reading of Bills

House Bill No. 4007, entitled

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

Was read a second time, and the question being on the adoption of the proposed substitute (H-5) previously recommended by the Committee on Insurance and Financial Services,

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

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

The motion prevailed.

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

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

Rep. Anderson moved that Rep. Bob Brown 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

House Bill No. 4007, entitled

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

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

Roll Call No. 1138

Yeas—106

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

Caul	Jansen	Pestka	Vander Roest
Clark, I.	Jelinek	Phillips	Vander Veen
Clarke, H.	Johnson, Rick	Plakas	Vear
Daniels	Johnson, Ruth	Pumford	Voorhees
Dennis	Julian	Rackowski	Waters
DeRossett	Koetje	Reeves	Whitmer
DeVuyst	Kolb	Richardville	Williams
DeWeese	Kooiman	Richner	Wojno
Drolet	Kowall	Rison	Woodward
Durhal	Kuipers	Rivet	Woronchak
Ehardt	LaSata	Rocca	Zelenko
Frank	Lemmons		

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 1956 PA 218, entitled "The insurance code of 1956," by amending section 3104 (MCL 500.3104), as amended by 2001 PA 3.

The motion prevailed.

The House agreed to the title as amended.

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

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

Rep. Vander Roest moved that Rep. Ehardt be excused temporarily from today's session.

The motion prevailed.

House Bill No. 6372, entitled

A bill to amend 1999 PA 276, entitled "Banking code of 1999," by amending section 4406 (MCL 487.14406), as added by 2002 PA 183.

(The bill was read a third time and postponed temporarily on December 3, see House Journal No. 69, p. 2730.)

The question being on the passage of the bill,

The bill was then passed, 2/3 of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1139**Yeas—104**

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

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

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Senate Bill No. 686, entitled

A bill to amend 1967 PA 270, entitled “An act to provide for the release of certain information or data relating to health care research or education, health care entities, practitioners, or professions, or certain governmentally funded programs; to limit the liability with respect to the release of certain information or data; and to safeguard the confidential character of certain information or data,” by amending section 1 (MCL 331.531), as amended by 1998 PA 59.

(The bill was read a third time and postponed temporarily on December 3, see House Journal No. 69, p. 2719.)

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. 1140**Yeas—61**

Allen	Hager	Lockwood	Scranton
Birkholz	Hansen	Mead	Shackleton
Bisbee	Hart	Meyer	Shulman
Bishop	Howell	Middaugh	Stallworth
Bradstreet	Hummel	Mortimer	Stamas
Brown, C.	Jansen	Newell	Stewart
Callahan	Jelinek	O’Neil	Switalski
Cassis	Johnson, Rick	Pappageorge	Tabor
Caul	Johnson, Ruth	Patterson	Toy
DeRossett	Julian	Raczkowski	Van Woerkom
DeVuyst	Koetje	Richardville	Vander Roest
DeWeese	Kooiman	Richner	Vander Veen
Drolet	Kowall	Rison	Vear
George	Kuipers	Rocca	Voorhees
Gilbert	LaSata	Schermesser	Woronchak
Gosselin			

Nays—40

Adamini	Dennis	Lemmons	Schauer
Anderson	Durhal	Lipsey	Sheltrown
Basham	Frank	McConico	Spade

Bernero	Garza	Minore	Thomas
Bogardus	Gielegem	Murphy	Waters
Bovin	Hale	Neumann	Whitmer
Brown, R.	Hardman	Palmer	Williams
Clark, I.	Jacobs	Phillips	Wojno
Clarke, H.	Jamnick	Plakas	Woodward
Daniels	Kolb	Reeves	Zelenko

In The Chair: Julian

The House agreed to the title of the bill.

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

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

House Bill No. 6490, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2567a (MCL 600.2567a), as added by 1990 PA 346.

The bill was read a third time.

The question being on the passage of the bill,

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

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

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. 1141

Yeas—84

Adamini	George	Kuipers	Rocca
Allen	Gielegem	LaSata	Schauer
Anderson	Gilbert	Lipsey	Scranton
Basham	Godchaux	Lockwood	Shulman
Bernero	Hager	Mead	Spade
Birkholz	Hansen	Meyer	Stallworth
Bisbee	Hardman	Middaugh	Stamas
Bishop	Hart	Minore	Stewart
Bovin	Howell	Mortimer	Switalski
Brown, C.	Hummel	Murphy	Tabor
Brown, R.	Jacobs	Newell	Toy
Callahan	Jamnick	O'Neil	Van Woerkom
Cassis	Jansen	Palmer	Vander Roest
Caul	Jelinek	Pappageorge	Vander Veen
Clarke, H.	Johnson, Rick	Patterson	Vear
Daniels	Johnson, Ruth	Pestka	Voorhees
DeRossett	Julian	Phillips	Waters
DeVuyst	Koetje	Plakas	Whitmer
DeWeese	Kolb	Rackowski	Williams
Durhal	Kooiman	Richardville	Woronchak
Garza	Kowall	Richner	Zelenko

Nays—15

Bogardus	Drolet	Lemmons	Sheltrown
Bradstreet	Frank	Neumann	Wojno
Clark, I.	Gosselin	Reeves	Woodward
Dennis	Hale	Schermesser	

In The Chair: Julian

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

Second Reading of Bills

House Bill No. 6491, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 602 (MCL 500.602), as amended by 1989 PA 35, and by adding section 603.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Insurance and Financial Services (for amendments, see House Journal No. 69, p. 2685),

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 6491, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 602 (MCL 500.602), as amended by 1989 PA 35, and by adding section 603.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

Second Reading of Bills

House Bill No. 6492, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 2236a (MCL 500.2236a), as added by 1993 PA 349.

The bill was read a second time.

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

The motion prevailed.

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 6492, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 2236a (MCL 500.2236a), as added by 1993 PA 349.

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5122, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” (MCL 257.1 to 257.923) by adding sections 217p and 217q.

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

Roll Call No. 1143

Yeas—103

Adamini	Garza	Lockwood	Schermesser
Allen	George	McConico	Scranton
Anderson	Gilbert	Mead	Shackleton
Basham	Godchaux	Meyer	Sheltrown
Bernero	Gosselin	Middaugh	Shulman
Birkholz	Hager	Minore	Spade
Bisbee	Hale	Mortimer	Stallworth
Bishop	Hansen	Murphy	Stamas
Bogardus	Hardman	Neumann	Stewart
Bovin	Hart	Newell	Switalski
Bradstreet	Howell	O’Neil	Tabor
Brown, C.	Hummel	Palmer	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	Raczkowski	Waters
Dennis	Koetje	Reeves	Whitmer
DeRossett	Kolb	Richardville	Williams
DeVuyst	Kooiman	Richner	Wojno
DeWeese	Kowall	Rison	Woodward
Durhal	LaSata	Rivet	Woronchak
Ehardt	Lemmons	Rocca	Zelenko
Frank	Lipsey	Schauer	

Nays—1

Drolet

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Reps. Allen, Anderson, Basham, Birkholz, Bisbee, Bishop, Bovin, Cameron Brown, Callahan, Cassis, Caul, Clark, Clarke, Daniels, Dennis, DeRossett, DeWeese, Durhal, Ehardt, Garza, George, Gielegem, Gosselin, Hager, Hansen, Hardman, Howell, Jacobs, Jamnick, Jansen, Jelinek, Ruth Johnson, Kooiman, Kuipers, Lemmons, Lipsey, McConico, Mead, Meyer, Middaugh, Minore, Mortimer, Murphy, Neumann, Newell, O’Neil, Pappageorge, Patterson, Pestka, Phillips, Raczkowski, Rivet, Rocca, Schermesser, Sheltrown, Shulman, Spade, Stallworth, Stamas, Stewart, Thomas, Vander Roest, Van Woerkom, Vear, Waters, Williams, Wojno and Woronchak were named co-sponsors of the bill.

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

“Mr. Speaker and members of the House:

I would like to take the opportunity of this ‘no-vote explanation’ to honor the person for whom this bill has been dedicated. I knew Representative Janet Kukuk. Her husband, former Representative Al Kukuk, was once my employer and remains a good friend. And, as many of you know, I hold this office because breast cancer prematurely claimed the life of Janet. She was an exemplary public servant, a generous community leader, and a good person. She fought a heroic battle for life, and didn’t let illness slow her down until the very end. Her untimely death was a loss for us all. Eradication of the disease that took her from us is an honorable goal that I share with each and every person who sponsored and voted for this bill.

When they held this office, both Janet and Al Kukuk voted their conscience and in the best interests of the people that they represent. I have not served a day in their place without striving to maintain that standard.

Some of these specialty license plates have been very controversial. Others have been totally frivolous. That fact that others, such as this one, focus on substantive matters does not change the fact that the policy of creating specialty license plates is not a legitimate function for government. That is my standard, and I cannot in good conscience vote for any of them, no matter how much I may be in favor of whatever noble causes motivate their creation. I swore an oath to faithfully execute my best judgment in service to my district, and opposing the policy of creating these license plates is giving my best and doing my job.

I am a Patriot, but have voted against patriotic specialty plates. I yield to none in my opposition to abortion, yet voted against the ‘Choose Life’ specialty plate. I am voting against this specialty plate, not because I am indifferent to the victims of breast cancer, and not because I do not wish to honor the memory of Janet Kukuk, but because good government demands that government servants do their best. Doing my best and voting my conscience while I serve in her place is the most fitting memorial that I can give to Representative Kukuk and her family.”

Rep. Kuipers, 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. 1142 and 1143. Had I been present, I would have voted ‘yea’.”

Second Reading of Bills

House Bill No. 6493, entitled

A bill to amend 1977 PA 135, entitled “An act to prohibit certain mortgage lending practices by a credit granting institution; to prescribe the powers and duties of the commissioner of the financial institutions bureau in relation to those practices; to permit the establishment of local mortgage review boards; and to provide remedies and penalties,” by repealing section 6 (MCL 445.1606).

The bill was read a second time.

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

The motion prevailed.

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

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

Rep. Vander Roest moved that Rep. DeVuyst be excused temporarily from today’s session.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 6493, entitled

A bill to amend 1977 PA 135, entitled “An act to prohibit certain mortgage lending practices by a credit granting institution; to prescribe the powers and duties of the commissioner of the financial institutions bureau in relation to those practices; to permit the establishment of local mortgage review boards; and to provide remedies and penalties,” by repealing section 6 (MCL 445.1606).

Was read a third time and passed, 2/3 of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1144**Yeas—103**

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

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Second Reading of Bills**House Bill No. 6128, entitled**

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts," (MCL 460.1 to 460.10cc) by adding sections 9, 9a, 9b, 9c, 9d, 9e, 9f, and 9g.

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

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

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

The motion prevailed.

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

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

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

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 6128, entitled

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts," (MCL 460.1 to 460.10cc) by adding sections 9, 9a, 9b, 9c, 9d, 9e, 9f, and 9g.

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

Roll Call No. 1145

Yeas—104

Adamini	Garza	Lemmons	Rocca
Allen	George	Lipsey	Schauer
Anderson	Gielegem	Lockwood	Schermesser
Basham	Gilbert	McConico	Shackleton
Birkholz	Godchaux	Mead	Sheltrown
Bisbee	Gosselin	Meyer	Shulman
Bishop	Hager	Middaugh	Spade
Bogardus	Hale	Minore	Stallworth
Bovin	Hansen	Mortimer	Stamas
Bradstreet	Hardman	Murphy	Stewart
Brown, 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	Plakas	Voorhees
DeRossett	Julian	Pumford	Waters

DeVuyst	Koetje	Raczkowski	Whitmer
DeWeese	Kolb	Reeves	Williams
Drolet	Kooiman	Richardville	Wojno
Durhal	Kowall	Richner	Woodward
Ehardt	Kuipers	Rison	Woronchak
Frank	LaSata	Rivet	Zelenko

Nays—0

In The Chair: Julian

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

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

A bill to amend 1939 PA 3, entitled “An act to provide for the regulation and control of public utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts,” (MCL 460.1 to 460.10cc) by adding sections 9 and 9b.

The motion prevailed.

The House agreed to the title as amended.

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

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

Reps. Basham, Birkholz, Bishop, Bradstreet, Callahan, Cassis, Clarke, DeRossett, Durhal, Ehardt, Gilbert, Gosselin, Hager, Hardman, Howell, Jacobs, Jamnick, Ruth Johnson, Julian, Lemmons, Lipsey, Lockwood, Meyer, Middaugh, Minore, Mortimer, Richardville, Rivet, Rocca, Shulman, Spade, Stamas, Toy, Vander Roest, Van Woerkom, Vear, Williams and Woronchak were named co-sponsors of the bill.

Second Reading of Bills

House Bill No. 6097, entitled

A bill to amend 1991 PA 179, entitled “Michigan telecommunications act,” by amending section 304 (MCL 484.2304), as amended by 2000 PA 295.

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

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 6097, entitled

A bill to amend 1991 PA 179, entitled “Michigan telecommunications act,” by amending section 304 (MCL 484.2304), as amended by 2000 PA 295.

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

Roll Call No. 1146**Yeas—100**

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

Nays—0

In The Chair: Julian

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

Second Reading of Bills**House Bill No. 6121, entitled**

A bill to prohibit certain lending practices; to require disclosure of certain information for home loans; to prescribe certain duties and obligations of the lender in a home loan transaction; to prescribe the powers and duties of certain state agencies and officials; and to prescribe penalties and provide for remedies.

The bill was read a second time.

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

The question being on the adoption of the substitute (H-2) offered by Rep. Woodward,

Rep. Woodward demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the substitute (H-2) offered by Rep. Woodward,

The substitute (H-2) was not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 1147**Yeas—50**

Adamini	Frank	Minore	Sheltrown
Anderson	Garza	Murphy	Spade

Basham	Gielegem	Neumann	Stewart
Bernero	Gilbert	O'Neil	Switalski
Bogardus	Godchaux	Pestka	Thomas
Brown, R.	Hale	Phillips	Van Woerkom
Callahan	Hansen	Plakas	Waters
Clark, I.	Hardman	Reeves	Whitmer
Clarke, H.	Jamnick	Rison	Williams
Daniels	Kolb	Schauer	Wojno
Dennis	Lemmons	Schermesser	Woodward
DeWeese	Lipsey	Scranton	Zelenko
Durhal	McConico		

Nays—46

Allen	Hart	Kuipers	Rackowski
Birkholz	Howell	LaSata	Richardville
Bisbee	Hummel	Mead	Rocca
Bishop	Jacobs	Meyer	Shulman
Brown, C.	Jansen	Middaugh	Stamas
Cassis	Jelinek	Mortimer	Tabor
DeRossett	Johnson, Rick	Newell	Toy
DeVuyst	Johnson, Ruth	Palmer	Vander Roest
Drolet	Julian	Pappageorge	Vander Veen
Ehardt	Koetje	Patterson	Vear
Gosselin	Kooiman	Pumford	Voorhees
Hager	Kowall		

In The Chair: Julian

Rep. Allen moved to substitute (H-3) the bill.

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

Rep. Rivet moved to amend the bill as follows:

1. Amend page 5, following line 13, by inserting:

“Sec. 5. A mortgage loan with a term of less than 5 years shall not have a payment schedule with regular periodic payments that when aggregated do not fully amortize the outstanding principal balance. This section does not apply to loans with maturities of less than 1 year, if the purpose of the loan is a “bridge” loan connected with the acquisition or construction of a dwelling intended to become the borrower’s principal dwelling.” and renumbering the remaining sections.

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

Rep. Bovin moved to amend the bill as follows:

1. Amend page 4, following line 17, by inserting:

“(2) A lender in making a mortgage loan shall not finance as part of the loan single premium coverage for any credit life, credit disability, or credit unemployment.” and renumbering the remaining subsections.

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

Rep. Switalski moved to amend the bill as follows:

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

“(3) A lender shall not insert or change information on an application for a mortgage loan if the lender knows that the information is false and misleading and intended to deceive a third party that the borrower is qualified for the loan when in fact the third party would not approve the loan without the insertion or change.” and renumbering the remaining subsections.

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

Rep. Neumann moved to amend the bill as follows:

1. Amend page 5, following line 8, by inserting:

“(4) A lender shall not condition the payment of an appraisal upon a predetermined value or the closing of the mortgage loan which is the basis of the appraisal.” and renumbering the remaining subsection.

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

Rep. Whitmer moved to amend the bill as follows:

1. Amend page 5, following line 13, by inserting:

“(5) A mortgage loan note shall not contain blanks regarding payments, interest rates, maturity date, or amount borrowed to be filled in after the note is signed by the borrower.”.

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

Rep. Rivet moved to amend the bill as follows:

1. Amend page 5, following line 13, following section 5, by inserting:

“Sec. 6. At the time a person applies for a mortgage loan, the lender shall provide the applicant the following document:

“BORROWERS BILL OF RIGHTS

1. You have the RIGHT to shop for the best loan for you and compare the charges of different mortgage brokers and lenders.

2. You have the RIGHT to be informed about the total cost of your loan including the interest rate, points, and other fees.

3. You have the RIGHT to obtain a “Good Faith Estimate” of all loan and settlement charges before you agree to the loan or pay any fees.

4. You have the RIGHT to know what fees are nonrefundable if you decide to withdraw your loan application.

5. You have the RIGHT to ask your mortgage broker to explain exactly what the mortgage broker will do for you.

6. You have the RIGHT to know how much the mortgage broker is getting paid by you and the lender for your loan.

7. You have the RIGHT to ask questions about charges and loan terms that you do not understand.

8. You have the RIGHT to a credit decision that is not based on your race, color, religion, national origin, sex, marital status, age, or whether any income is derived from public assistance.

9. You have the RIGHT to know the reason if your loan application is turned down.

10. You have the RIGHT to receive the HUD settlement costs booklet “Buying Your Home”.” and renumbering the remaining sections.

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

Rep. Frank moved to amend the bill as follows:

1. Amend page 5, following line 13, following section 6, by inserting:

“Sec. 7. At the time a person applies for a mortgage loan, the lender shall provide the applicant the following written notice regarding the value of receiving credit counseling before taking out a mortgage loan and a list of the nearest available HUD-approved credit counseling agencies:

“CONSUMER CAUTION AND HOME OWNERSHIP COUNSELING NOTICE

If you obtain this loan, the lender will have a mortgage on your home. You could lose your home, and all money you have invested in it, if you do not meet your obligations under the loan, including making all your payments.

Mortgage loans rates and closing costs and fees vary based on many factors, including your particular credit and financial circumstances, your earnings history, the loan-to-value requested, and the type of property that will secure your loan. Higher rates and fees may be applicable depending on the individual circumstances of a particular consumer’s application.

You should shop around and compare loan rates and fees. This particular loan may have a higher rate and total points and fees than other mortgage loans. You should consider consulting a qualified independent credit counselor or other experienced financial adviser regarding the rate, fees, and provisions of this mortgage loan before you proceed. For information on contacting a qualified credit counselor, ask your lender or call the United States Department of Housing and Urban Development’s counseling hotline at 1-888-466-3487 for a list of counselors.

You are not required to complete any loan agreement merely because you have received these disclosures or have signed a loan application. If you proceed with this mortgage loan, you should also remember that you may face serious financial risks if you use this loan to pay off credit card debts and other debts in connection with this transaction and then subsequently incur significant new credit card charges or other debts.

Property taxes and homeowner’s insurance are your responsibility. Not all lenders provide escrow services for these payments. You should ask your lender about these services.

Your payments on existing debts contribute to your credit ratings. You should not accept any advice to ignore your regular payments to your existing creditors.”” and renumbering the remaining sections.

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

Rep. Woodward moved to amend the bill as follows:

1. Amend page 5, following line 13, following subsection (5), by inserting:

“(6) A lender shall not charge a fee for informing any person of the balance due to pay off a mortgage loan.”.

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

Rep. Woodward demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 1148

Yeas—46

Adamini	Durhal	McConico	Schermesser
Anderson	Frank	Minore	Sheltrown
Basham	Garza	Murphy	Spade
Bernero	Gielegem	Neumann	Stallworth
Bogardus	Hale	O’Neil	Switalski
Bovin	Hansen	Pestka	Thomas
Brown, R.	Hardman	Phillips	Whitmer
Callahan	Jamnick	Plakas	Williams
Clark, I.	Kolb	Reeves	Wojno
Clarke, H.	Lemmons	Rison	Woodward
Daniels	Lipsey	Schauer	Zelenko
Dennis	Lockwood		

Nays—53

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

In The Chair: Julian

Rep. Woodward moved to amend the bill as follows:

1. Amend page 5, following line 13, following subsection (5), by inserting:

“(6) A lender shall not charge a borrower any fees or other charges to modify, renew, extend, or amend a mortgage loan or to defer any payment due under the terms of a mortgage loan.”.

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

Rep. Woodward demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 1149**Yeas—49**

Adamini	Durhal	Lockwood	Schermesser
Anderson	Frank	McConico	Scranton
Basham	Garza	Minore	Sheltrown
Bernero	Gielegem	Murphy	Spade
Bogardus	Godchaux	Neumann	Stallworth
Bovin	Hale	O'Neil	Switalski
Brown, R.	Hansen	Pestka	Waters
Callahan	Hardman	Phillips	Whitmer
Clark, I.	Jamnack	Plakas	Williams
Clarke, H.	Kolb	Reeves	Wojno
Daniels	Lemmons	Rocca	Woodward
Dennis	Lipsey	Schauer	Zelenko
DeWeese			

Nays—49

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

In The Chair: Julian

Rep. Woodward moved to amend the bill as follows:

1. Amend page 5, following line 13, following subsection (5), by inserting:

“(6) A mortgage loan shall not contain a provision that increases the interest rate after default. This subsection does not apply to interest rate changes in a variable rate loan otherwise consistent with the provisions of the loan documents, provided the change in the interest rate is not triggered by the event of default or the acceleration of the indebtedness.”.

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

Rep. Woodward demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 1150**Yeas—52**

Adamini	Durhal	McConico	Sheltrown
Anderson	Frank	Minore	Spade
Basham	Garza	Murphy	Stallworth
Bernero	Gielegghem	Neumann	Switalski
Bogardus	Godchaux	O'Neil	Thomas
Bovin	Hale	Pestka	Van Woerkom
Brown, R.	Hansen	Phillips	Waters
Callahan	Hardman	Reeves	Whitmer
Clark, I.	Jamnick	Rison	Williams
Clarke, H.	Kolb	Rocca	Wojno
Daniels	Lemmons	Schauer	Woodward
Dennis	Lipsey	Schermesser	Woronchak
DeWeese	Lockwood	Scranton	Zelenko

Nays—47

Allen	Gosselin	Kooiman	Richardville
Birkholz	Hager	Kowall	Shackleton
Bisbee	Hart	Kuipers	Shulman
Bishop	Howell	LaSata	Stamas
Brown, C.	Hummel	Mead	Stewart
Cassis	Jacobs	Meyer	Tabor
Caul	Jansen	Middaugh	Toy
DeRossett	Jelinek	Newell	Vander Roest
DeVuyst	Johnson, Rick	Palmer	Vander Veen
Drolet	Johnson, Ruth	Pappageorge	Vear
George	Julian	Patterson	Voorhees
Gilbert	Koetje	Pumford	

In The Chair: Julian

Rep. Woodward moved to amend the bill as follows:

1. Amend page 4, line 12, after "Sec. 4." by inserting:

"(1) A mortgage loan shall not contain a prepayment fee penalty.

(2) A lender shall not recommend or encourage nonpayment on an existing loan or other debt before or in connection with the closing of a mortgage loan that refinances all or any portion of the existing loan or debt." and renumbering the remaining subsections.

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

Rep. Woodward demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 1151**Yeas—50**

Adamini	Durhal	McConico	Scranton
Anderson	Frank	Minore	Sheltrown
Basham	Garza	Murphy	Spade
Bernero	Gielegghem	Neumann	Stallworth

Bogardus	Godchaux	O'Neil	Switalski
Bovin	Hale	Pestka	Thomas
Brown, R.	Hansen	Phillips	Waters
Callahan	Hardman	Plakas	Whitmer
Clark, I.	Jamnick	Reeves	Williams
Clarke, H.	Kolb	Rison	Wojno
Daniels	Lemmons	Schauer	Woodward
Dennis	Lipsey	Schermesser	Zelenko
DeWeese	Lockwood		

Nays—51

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

In The Chair: Julian

Rep. Woodward moved to amend the bill as follows:

1. Amend page 5, following line 13, following subsection (5), by inserting:

“(6) A lender shall not make a mortgage loan unless the lender reasonably believes that 1 or more of the borrowers, when considered individually or collectively, will be able to make the scheduled payments to repay the obligation based upon a consideration of their current and expected income, current obligations, employment status, and other financial resources. A borrower is presumed to be able to make the scheduled payments to repay the obligation if the borrower’s total monthly debts, including amounts owed under the loan, do not exceed 50% of the borrower’s monthly gross income as verified by the credit application, the borrower’s financial statement, a credit report, financial information provided to the lender by or on behalf of the borrower, or any other reasonable means. A presumption of inability to make the scheduled payments to repay the obligation does not arise solely from the fact that the borrower’s total monthly debts exceed 50% of the borrower’s monthly gross income.”.

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

Rep. Woodward demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 1152**Yeas—51**

Adamini	Frank	McConico	Spade
Anderson	Garza	Minore	Stallworth
Basham	Gielegem	Murphy	Switalski
Bernero	Gilbert	Neumann	Thomas
Bogardus	Godchaux	O'Neil	Van Woerkom

Brown, R.	Hale	Pestka	Waters
Callahan	Hansen	Phillips	Whitmer
Clark, I.	Hardman	Reeves	Williams
Clarke, H.	Jamnack	Rison	Wojno
Daniels	Kolb	Schauer	Woodward
Dennis	Lemmons	Schermesser	Woronchak
DeWeese	Lipsey	Scranton	Zelenko
Durhal	Lockwood	Sheltrown	

Nays—51

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

In The Chair: Julian

Rep. Woodward moved to amend the bill as follows:

1. Amend page 5, following line 13, following subsection (5), by inserting:

“(6) A lender shall not knowingly refinance an existing mortgage loan with a new mortgage loan when the new loan does not have a reasonable, tangible net benefit to the borrower including, but not limited to, the terms of the new loan, the cost of the new loan, and the borrower’s circumstances. A tangible net benefit under this subsection shall require more than a reduction in the borrower’s monthly payment.”.

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

Rep. Woodward demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 1153**Yeas—50**

Adamini	Frank	Minore	Sheltrown
Anderson	Garza	Murphy	Spade
Basham	Gielegem	Neumann	Stallworth
Bernero	Godchaux	O’Neil	Switalski
Bogardus	Hale	Pestka	Thomas
Brown, R.	Hansen	Phillips	Van Woerkom
Callahan	Hardman	Plakas	Waters
Clark, I.	Jamnack	Reeves	Whitmer
Clarke, H.	Kolb	Rison	Wojno
Daniels	Lemmons	Schauer	Woodward
Dennis	Lipsey	Schermesser	Woronchak
DeWeese	Lockwood	Scranton	Zelenko
Durhal	McConico		

Nays—50

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

In The Chair: Julian

Rep. Woodward moved to amend the bill as follows:

1. Amend page 5, following line 13, following subsection (5), by inserting:

“(6) If the discussions between the lender and the borrower on a mortgage loan are conducted primarily in a language other than English, the lender shall, before closing, provide an additional copy of all information required to be disclosed to the borrower under the federal truth in lending act, translated into the language in which the discussions were conducted.”.

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

Rep. Woodward demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 1154**Yeas—50**

Adamini	Durhal	Lockwood	Sheltrown
Anderson	Frank	McConico	Spade
Basham	Garza	Minore	Stallworth
Bernero	Gielegem	Murphy	Switalski
Bogardus	Godchaux	Neumann	Thomas
Bovin	Hale	O’Neil	Waters
Brown, R.	Hansen	Pestka	Whitmer
Callahan	Hardman	Phillips	Williams
Clark, I.	Jacobs	Reeves	Wojno
Clarke, H.	Jamnick	Rison	Woodward
Daniels	Kolb	Schauer	Woronchak
Dennis	Lemmons	Schermesser	Zelenko
DeWeese	Lipsey		

Nays—52

Allen	Gilbert	Kowall	Richner
Birkholz	Gosselin	Kuipers	Rocca
Bisbee	Hager	LaSata	Shackleton

Bishop	Hart	Mead	Shulman
Bradstreet	Howell	Meyer	Stamas
Brown, C.	Hummel	Middaugh	Stewart
Cassis	Jansen	Mortimer	Tabor
Caul	Jelinek	Newell	Toy
DeRossett	Johnson, Rick	Palmer	Van Woerkom
DeVuyst	Johnson, Ruth	Pappageorge	Vander Roest
Drolet	Julian	Patterson	Vander Veen
Ehardt	Koetje	Rackowski	Vear
George	Kooiman	Richardville	Voorhees

In The Chair: Julian

Rep. Woodward moved to amend the bill as follows:

1. Amend page 5, following line 13, following section 7, by inserting:

“Sec. 8. (1) A lender of a mortgage loan shall provide the borrower, at least 3 days before closing, clear written and oral disclosure of all of the following information:

(a) The amount of the borrower’s monthly payments.

(b) Whether the loan has a variable rate feature and, if so, how the variable rate might affect future monthly payments, including specific notification of what the fully indexed interest rate of the loan would be at the present rate of the index.

(c) Loan fees being paid by the borrower.

(d) Information regarding any payments being made to third party creditors from the loan proceeds.

(2) A lender shall not sell or otherwise assign a mortgage loan without furnishing the following statement to the purchaser or assignee:

“NOTICE: THIS IS A HOME LOAN SUBJECT TO SPECIAL RULES AND CONDITIONS AS REQUIRED BY LAW. PURCHASERS OR ASSIGNEES OF THIS LOAN COULD BE LIABLE FOR ALL CLAIMS AND DEFENSES WITH RESPECT TO THE MORTGAGE THAT THE BORROWER COULD ASSERT AGAINST THE CREDITOR.” and renumbering the remaining sections.

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

Rep. Woodward demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 1155

Yeas—47

Adamini	Durhal	McConico	Sheltrown
Anderson	Frank	Minore	Spade
Basham	Garza	Murphy	Stallworth
Bernero	Gielegem	Neumann	Thomas
Bogardus	Godchaux	O’Neil	Van Woerkom
Brown, R.	Hansen	Pestka	Waters
Callahan	Hardman	Phillips	Whitmer
Clark, I.	Jamnick	Reeves	Williams
Clarke, H.	Kolb	Rison	Wojno
Daniels	Lemmons	Schauer	Woodward
Dennis	Lipsey	Schermesser	Zelenko
DeWeese	Lockwood	Scranton	

Nays—51

Allen	Gilbert	Kowall	Rocca
Birkholz	Hager	Kuipers	Shackleton

Bisbee	Hart	LaSata	Shulman
Bishop	Howell	Mead	Stamas
Bradstreet	Hummel	Meyer	Stewart
Brown, C.	Jacobs	Middaugh	Tabor
Cassis	Jansen	Mortimer	Toy
Caul	Jelinek	Newell	Vander Roest
DeRossett	Johnson, Rick	Palmer	Vander Veen
DeVuyst	Johnson, Ruth	Patterson	Vear
Drolet	Julian	Pumford	Voorhees
Ehardt	Koetje	Richardville	Woronchak
George	Kooiman	Richner	

In The Chair: Julian

Rep. Woodward moved to amend the bill as follows:

1. Amend page 7, following line 5, by inserting:

“Sec. 9. (1) The attorney general, the commissioner of the office of financial and insurance services, or any party to a mortgage loan may enforce this act. The consumer protections and remedies provided by this act are in addition to other consumer protections and remedies that may otherwise be available by law.

(2) A borrower prevailing in a claim under this act is entitled to recover 1 or more of the following:

(a) Actual damages, including consequential and incidental damages.

(b) Damages equal to the finance charges agreed to in the mortgage loan agreement, plus 10% of the amount financed.

(c) Reasonable costs and attorney fees.” and renumbering the remaining sections.

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

Rep. Woodward demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 1156

Yeas—47

Adamini	Durhal	Lockwood	Sheltrown
Anderson	Frank	McConico	Spade
Basham	Garza	Minore	Stallworth
Bernero	Gielegem	Murphy	Thomas
Bogardus	Godchaux	Neumann	Van Woerkom
Brown, R.	Hale	O’Neil	Waters
Callahan	Hansen	Pestka	Whitmer
Clark, I.	Jacobs	Phillips	Williams
Clarke, H.	Jamnick	Reeves	Wojno
Daniels	Kolb	Rison	Woodward
Dennis	Lemmons	Schauer	Zelenko
DeWeese	Lipsey	Schermesser	

Nays—50

Allen	Gilbert	Kuipers	Richner
Birkholz	Hager	LaSata	Rocca
Bisbee	Hart	Mead	Shackleton
Bishop	Howell	Meyer	Shulman
Bradstreet	Hummel	Middaugh	Stamas

Brown, C.	Jansen	Mortimer	Stewart
Cassis	Jelinek	Newell	Tabor
Caul	Johnson, Rick	Palmer	Toy
DeRossett	Johnson, Ruth	Pappageorge	Vander Roest
DeVuyst	Julian	Patterson	Vander Veen
Drolet	Koetje	Pumford	Vear
Ehardt	Kooiman	Richardville	Voorhees
George	Kowall		

In The Chair: Julian

Rep. Woodward moved to amend the bill as follows:

1. Amend page 7, following line 5, by inserting:

“Sec. 9. In addition to any other penalties or remedies provided by this act or law, a person that violates this act is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than \$10,000.00, or both.” and renumbering the remaining sections.

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

Rep. Woodward demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 1157

Yeas—49

Adamini	DeWeese	Lockwood	Scranton
Anderson	Durhal	McConico	Sheltrown
Basham	Frank	Minore	Spade
Bernero	Garza	Murphy	Stallworth
Bogardus	Gielegem	Neumann	Switalski
Bovin	Godchaux	O’Neil	Thomas
Brown, R.	Hale	Pestka	Waters
Callahan	Hansen	Phillips	Whitmer
Clark, I.	Hardman	Reeves	Williams
Clarke, H.	Jacobs	Rison	Wojno
Daniels	Kolb	Schauer	Woodward
Dennis	Lipsey	Schermesser	Zelenko
DeVuyst			

Nays—50

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

In The Chair: Julian

Rep. Woodward moved to amend the bill as follows:

1. Amend page 5, following line 13, following subsection (5), by inserting:

“(6) A lender shall not require or allow either of the following:

(a) The advance collection of a premium, on a single premium basis, for any credit life, credit disability, credit unemployment, or credit property insurance, and any analogous product.

(b) The advance collection of a fee for any debt cancellation or suspension agreement or contract, in connection with any mortgage loan, whether the premium or fee is paid directly by the borrower or is financed by the borrower through the loan.”.

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

Rep. Woodward demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 1158

Yeas—48

Adamini	Durhal	Lipsey	Schermesser
Anderson	Frank	Lockwood	Scranton
Basham	Garza	McConico	Sheltrown
Bernero	Gielegem	Minore	Spade
Bogardus	Godchaux	Murphy	Stallworth
Bovin	Hale	Neumann	Thomas
Brown, R.	Hansen	O’Neil	Waters
Callahan	Hardman	Pestka	Whitmer
Clarke, H.	Jacobs	Phillips	Williams
Daniels	Jamnick	Reeves	Wojno
Dennis	Kolb	Rison	Woodward
DeWeese	Lemmons	Schauer	Zelenko

Nays—51

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

In The Chair: Julian

Rep. Woodward moved to amend the bill as follows:

1. Amend page 5, following line 13, following subsection (5), by inserting:

“(6) A lender making a mortgage loan shall not finance, directly or indirectly, any credit life, credit disability, credit property, credit unemployment insurance, or any other life or health insurance premiums or any debt cancellation or suspension agreement or contract fees. Insurance premiums or debt cancellation or suspension fees calculated and paid on a monthly basis shall not be considered financed by the lender.”.

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

The demand was supported.

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

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

Roll Call No. 1159**Yeas—47**

Adamini	Durhal	Lockwood	Scranton
Anderson	Frank	McConico	Sheltrown
Basham	Garza	Minore	Spade
Bernero	Gielegem	Murphy	Thomas
Bogardus	Godchaux	Neumann	Van Woerkom
Bovin	Hale	O'Neil	Waters
Brown, R.	Hansen	Pestka	Whitmer
Callahan	Hardman	Phillips	Williams
Clark, I.	Jamnack	Reeves	Wojno
Daniels	Kolb	Rison	Woodward
Dennis	Lemmons	Schauer	Zelenko
DeWeese	Lipsey	Schermesser	

Nays—50

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

In The Chair: Julian

Rep. Woodward moved to amend the bill as follows:

1. Amend page 5, following line 13, following subsection (5), by inserting:

“(6) A mortgage loan shall not contain a scheduled payment that is more than twice as large as the average of earlier scheduled payments. This subsection does not apply when the payment schedule is adjusted to the seasonal or irregular income of the borrower.”.

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

Rep. Woodward moved to amend the bill as follows:

1. Amend page 5, following line 13, following subsection (5), by inserting:

“(6) A mortgage home loan shall not contain a payment schedule with regular periodic payments that result in an increase in the principal balance, otherwise known as negative amortization.”.

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

The demand was supported.

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

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

Roll Call No. 1160**Yeas—51**

Adamini	Durhal	Lockwood	Sheltrown
Anderson	Frank	McConico	Spade
Basham	Garza	Minore	Stallworth
Bernero	Gielegem	Murphy	Switalski
Bogardus	Godchaux	Neumann	Thomas
Bovin	Hale	O'Neil	Van Woerkom
Brown, R.	Hansen	Pestka	Waters
Callahan	Hardman	Phillips	Whitmer
Clark, I.	Jacobs	Reeves	Williams
Clarke, H.	Jamnick	Rison	Wojno
Daniels	Kolb	Schauer	Woodward
Dennis	Lemmons	Schermesser	Zelenko
DeWeese	Lipsey	Scranton	

Nays—52

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

In The Chair: Julian

Rep. Woodward moved to amend the bill as follows:

1. Amend page 5, following line 13, following subsection (5), by inserting:

“(6) A mortgage loan shall not include terms under which more than 2 periodic payments required under the loan are consolidated and paid in advance from the loan proceeds provided to the borrower.”.

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

Rep. Woodward demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 1161**Yeas—50**

Adamini	Durhal	Lockwood	Scranton
Anderson	Frank	McConico	Sheltrown
Basham	Garza	Minore	Spade
Bernero	Gielegem	Murphy	Stallworth
Bogardus	Godchaux	Neumann	Switalski
Bovin	Hale	O'Neil	Thomas
Brown, R.	Hansen	Pestka	Waters
Callahan	Hardman	Phillips	Whitmer
Clark, I.	Jacobs	Reeves	Williams
Clarke, H.	Jamnick	Rison	Wojno
Daniels	Kolb	Schauer	Woodward
Dennis	Lemmons	Schermesser	Zelenko
DeWeese	Lipsey		

Nays—52

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

In The Chair: Julian

Rep. Howell moved that Rep. DeRossett be excused temporarily from today's session.
The motion prevailed.

Rep. Woodward moved to amend the bill as follows:

1. Amend page 2, following line 23, by inserting:

“(f) “Points and fees” includes all of the following:

(i) All items required to be disclosed under the federal truth in lending act, except interest or the time-price differential.

(ii) All charges for items listed under the federal truth in lending act, but only if the lender receives direct or indirect compensation in connection with the charge or the charge is paid to an affiliate of the lender.

(iii) All compensation paid directly or indirectly to a mortgage broker.

(iv) All costs of premiums financed by the lender, directly or indirectly, for credit life, credit disability, credit unemployment, credit property insurance, or any other life or health insurance or any payments financed by the lender, directly or indirectly, for any debt cancellation or suspension agreement or contract. Insurance premiums calculated and paid on a monthly basis are not considered financed by the lender.

(v) All prepayment fees or penalties which are charged the borrower if the loan refinances a previous loan made by the same lender or an affiliate of the lender.” and relettering the remaining subdivisions.

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

The demand was supported.

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

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

Roll Call No. 1162**Yeas—48**

Adamini	DeWeese	Lipsey	Schermesser
Anderson	Durhal	Lockwood	Scranton
Basham	Frank	McConico	Sheltrown
Bernero	Garza	Minore	Spade
Bogardus	Gielegem	Murphy	Stallworth
Bovin	Godchaux	Neumann	Thomas
Brown, R.	Hale	O’Neil	Van Woerkom
Callahan	Hansen	Pestka	Waters
Clark, I.	Hardman	Phillips	Williams
Clarke, H.	Jamnick	Reeves	Wojno
Daniels	Kolb	Rison	Woodward
Dennis	Lemmons	Schauer	Zelenko

Nays—50

Allen	Hart	LaSata	Richner
Birkholz	Howell	Mead	Rocca
Bisbee	Hummel	Meyer	Shackleton
Bishop	Jacobs	Middaugh	Shulman
Bradstreet	Jansen	Mortimer	Stamas
Brown, C.	Jelinek	Newell	Stewart
Cassis	Johnson, Rick	Palmer	Tabor
Caul	Johnson, Ruth	Pappageorge	Vander Roest
DeVuyst	Julian	Patterson	Vander Veen
Drolet	Koetje	Pumford	Vear
George	Kooiman	Raczkowski	Voorhees
Gilbert	Kowall	Richardville	Woronchak
Hager	Kuipers		

In The Chair: Julian

Rep. Woodward moved to amend the bill as follows:

1. Amend page 5, following line 13, following subsection (5), by inserting:

“(6) A lender is prohibited from charging a fee for informing any person of the balance due to pay off a mortgage loan.”.

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

Rep. Woodward demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 1163**Yeas—50**

Adamini	Garza	Murphy	Spade
Anderson	Gielegem	Neumann	Stallworth
Basham	Godchaux	O'Neil	Switalski
Bernero	Hale	Pestka	Thomas
Bogardus	Hansen	Phillips	Van Woerkom
Bovin	Hardman	Reeves	Waters
Brown, R.	Jamnick	Rison	Whitmer
Clark, I.	Johnson, Ruth	Rocca	Williams
Clarke, H.	Kolb	Schauer	Wojno
Dennis	Lemmons	Schermesser	Woodward
DeWeese	Lipsey	Scranton	Woronchak
Durhal	McConico	Sheltrown	Zelenko
Frank	Minore		

Nays—49

Allen	Gilbert	Kowall	Raczkowski
Birkholz	Hager	Kuipers	Richardville
Bisbee	Hart	LaSata	Richner
Bishop	Howell	Mead	Shackleton
Bradstreet	Hummel	Meyer	Shulman
Brown, C.	Jacobs	Middaugh	Stamas
Cassis	Jansen	Mortimer	Stewart
Caul	Jelinek	Newell	Tabor
DeRossett	Johnson, Rick	Palmer	Vander Roest
DeVuyst	Julian	Pappageorge	Vander Veen
Drolet	Koetje	Patterson	Vear
Ehardt	Kooiman	Pumford	Voorhees
George			

In The Chair: Julian

Rep. McConico moved to amend the bill as follows:

1. Amend page 7, line 21, by striking out all of section 11.

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

The demand was supported.

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

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

Roll Call No. 1164**Yeas—43**

Adamini	Garza	McConico	Spade
Anderson	Gielegem	Minore	Stallworth
Bernero	Godchaux	Murphy	Thomas
Bogardus	Hale	Neumann	Waters
Brown, R.	Hansen	Phillips	Whitmer
Callahan	Hardman	Reeves	Williams
Clark, I.	Jamnick	Rison	Wojno

Clarke, H.	Kolb	Schauer	Woodward
Daniels	Lemmons	Schermesser	Woronchak
Dennis	Lipsey	Scranton	Zelenko
Durhal	Lockwood	Sheltrown	

Nays—54

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

In The Chair: Julian

Rep. Richner moved that the bill be placed on the order of Third Reading of Bills.
The motion prevailed.

Rep. Richardville moved that the bill be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

Associate Speaker Pro Tempore Ehardt assumed the Chair.

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

House Bill No. 6121, entitled

A bill to prohibit certain lending practices; to require disclosure of certain information for home loans; to prescribe certain duties and obligations of the lender in a home loan transaction; to prescribe the powers and duties of certain state agencies and officials; and to prescribe penalties and provide for remedies.

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

Roll Call No. 1165**Yeas—71**

Adamini	Gilbert	Mead	Schermesser
Allen	Gosselin	Meyer	Shackleton
Birkholz	Hager	Middaugh	Sheltrown
Bisbee	Hart	Mortimer	Shulman
Bishop	Howell	Neumann	Spade
Bovin	Hummel	Newell	Stamas

Bradstreet	Jacobs	O'Neil	Stewart
Brown, C.	Jansen	Palmer	Switalski
Brown, R.	Jelinek	Pappageorge	Tabor
Callahan	Johnson, Rick	Patterson	Toy
Cassis	Johnson, Ruth	Pestka	Van Woerkom
Caul	Julian	Pumford	Vander Roest
DeRossett	Koetje	Raczkowski	Vander Veen
DeVuyst	Kooiman	Richardville	Vear
Drolet	Kowall	Richner	Voorhees
Ehardt	Kuipers	Rivet	Whitmer
Frank	LaSata	Rocca	Woronchak
George	Lockwood	Schauer	

Nays—35

Anderson	Durhal	Lemmons	Scranton
Basham	Garza	Lipsey	Stallworth
Bernero	Gielegem	McConico	Thomas
Bogardus	Godchaux	Minore	Waters
Clark, I.	Hale	Murphy	Williams
Clarke, H.	Hansen	Phillips	Wojno
Daniels	Hardman	Plakas	Woodward
Dennis	Jamnick	Reeves	Zelenko
DeWeese	Kolb	Rison	

In The Chair: Ehardt

The House agreed to the title of the bill.

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

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

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

“Mr. Speaker and members of the House:

I oposed passage of this bill because it is essetially a sham. I purports to protect consumers, while, in fact it is a paper tiger that does virtually nothing to help them. Worse, it provides false cover to those who practice predatory lending. It is deceptive: of particular concern, it usurps local control and prevents municipalities from enacting their own anti-predatory lending ordinances. Predatory lending is a problem, but this bill merely masks the issue and gives false hope to those who think we have protected them.”

Reps. Basham, Dennis, Anderson, Williams, Durhal, Waters, Jamnick, Hale, Murphy, Reeves, Phillips, Zelenko, Hardman, Bogardus and Clark, 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 House Bill 6121(H-3) because it does nothing to protect consumers from the predatory lending practices of unscrupulous brokers and companies in the mortgage lending business. This House missed a great opportunity to put in place regulations that would have been beneficial to those who seek home loans that have little knowledge in financial matters. It is there people that we ought to be protecting, not the bankers and lenders. Other states are instituting such policies and finding that they work for both consumers and lenders. Michigan should be one of them.”

Second Reading of Bills

House Bill No. 6122, entitled

A bill to amend 1987 PA 173, entitled "Mortgage brokers, lenders, and servicers licensing act," (MCL 445.1651 to 445.1684) by adding section 24a.

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 6122, entitled

A bill to amend 1987 PA 173, entitled "Mortgage brokers, lenders, and servicers licensing act," (MCL 445.1651 to 445.1684) by adding section 24a.

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

Roll Call No. 1166

Yeas—75

Adamini	George	LaSata	Schermesser
Allen	Gilbert	Lockwood	Shackleton
Basham	Gosselin	Mead	Sheltrown
Birkholz	Hager	Meyer	Shulman
Bisbee	Hart	Middaugh	Spade
Bishop	Howell	Mortimer	Stallworth
Bovin	Hummel	Neumann	Stamas
Bradstreet	Jacobs	Newell	Stewart
Brown, C.	Jamnick	O'Neil	Switalski
Brown, R.	Jansen	Palmer	Tabor
Callahan	Jelinek	Pappageorge	Toy
Cassis	Johnson, Rick	Patterson	Van Woerkom
Caul	Johnson, Ruth	Pestka	Vander Roest
DeRossett	Julian	Rackowski	Vander Veen
DeVuyst	Koetje	Richardville	Vear
DeWeese	Kolb	Richner	Voorhees
Drolet	Kooiman	Rivet	Whitmer
Ehardt	Kowall	Rocca	Woronchak
Frank	Kuipers	Schauer	

Nays—26

Anderson	Durhal	Lemmons	Rison
Bernero	Garza	Lipsey	Waters
Bogardus	Gielegem	McConico	Williams
Clark, I.	Godchaux	Minore	Wojno
Clarke, H.	Hale	Murphy	Woodward
Daniels	Hansen	Reeves	Zelenko
Dennis	Hardman		

In The Chair: Ehardt

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

Second Reading of Bills

House Bill No. 6123, entitled

A bill to amend 1925 PA 285, entitled “An act to provide for the organization, operation, and supervision of credit unions; to provide for the conversion of a state credit union into a federal credit union or a credit union organized and supervised under the laws of any other state or territory of the United States or any other federally insured depository institution and for the conversion of a federal credit union or a credit union organized and supervised under the laws of any other state or territory of the United States or any other federally insured depository institution into a state credit union; and to provide for the merger of credit unions organized and supervised under the laws of this state, credit unions organized and supervised under the laws of any other state or territory of the United States, and federal credit unions,” (MCL 490.1 to 490.31) by adding section 10a.

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 6123, entitled

A bill to amend 1925 PA 285, entitled “An act to provide for the organization, operation, and supervision of credit unions; to provide for the conversion of a state credit union into a federal credit union or a credit union organized and supervised under the laws of any other state or territory of the United States or any other federally insured depository institution and for the conversion of a federal credit union or a credit union organized and supervised under the laws of any other state or territory of the United States or any other federally insured depository institution into a state credit union; and to provide for the merger of credit unions organized and supervised under the laws of this state, credit unions organized and supervised under the laws of any other state or territory of the United States, and federal credit unions,” (MCL 490.1 to 490.31) by adding section 10a.

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

Roll Call No. 1167

Yeas—73

Adamini	Gilbert	Lockwood	Schauer
Allen	Gosselin	Mead	Schermesser
Basham	Hager	Meyer	Shackleton
Birkholz	Hart	Middaugh	Sheltrown
Bisbee	Howell	Mortimer	Shulman
Bishop	Hummel	Neumann	Spade
Bovin	Jacobs	Newell	Stamas
Bradstreet	Jamnick	O’Neil	Stewart
Brown, C.	Jansen	Palmer	Switalski
Brown, R.	Jelinek	Pappageorge	Tabor
Callahan	Johnson, Rick	Patterson	Toy
Cassis	Johnson, Ruth	Pestka	Van Woerkom
Caul	Julian	Pumford	Vander Roest
DeRossett	Koetje	Raczkowski	Vander Veen
DeVuyst	Kooiman	Richardville	Vear
Drolet	Kowall	Richner	Voorhees
Ehardt	Kuipers	Rivet	Whitmer
Frank	LaSata	Rocca	Woronchak
George			

Nays—29

Anderson	Gielegem	Lipsey	Stallworth
Bernero	Godchaux	McConico	Thomas
Bogardus	Hale	Minore	Waters
Clark, I.	Hansen	Murphy	Williams
Clarke, H.	Hardman	Phillips	Wojno
Daniels	Kolb	Reeves	Woodward
Dennis	Lemmons	Scranton	Zelenko
DeWeese			

In The Chair: Ehardt

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

Associate Speaker Pro Tempore Julian resumed the Chair.

Second Reading of Bills**House Bill No. 6124, entitled**

A bill to amend 1996 PA 354, entitled "Savings bank act," (MCL 487.3101 to 487.3804) by adding section 435.

The bill was read a second time.

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

The motion prevailed.

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills**House Bill No. 6124, entitled**

A bill to amend 1996 PA 354, entitled "Savings bank act," (MCL 487.3101 to 487.3804) by adding section 435.

Was read a third time and passed, 2/3 of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1168**Yeas—74**

Adamini	George	Lockwood	Schauer
Allen	Gilbert	Mead	Schermesser

Basham	Gosselin	Meyer	Shackleton
Bernero	Hager	Middaugh	Sheltrown
Birkholz	Hart	Mortimer	Shulman
Bisbee	Howell	Neumann	Spade
Bishop	Hummel	Newell	Stamas
Bovin	Jacobs	O'Neil	Stewart
Bradstreet	Jamnick	Palmer	Switalski
Brown, C.	Jansen	Pappageorge	Tabor
Brown, R.	Jelinek	Patterson	Toy
Callahan	Johnson, Rick	Pestka	Van Woerkom
Cassis	Johnson, Ruth	Pumford	Vander Roest
Caul	Julian	Raczkowski	Vander Veen
DeRossett	Koetje	Richardville	Vear
DeVuyst	Kooiman	Richner	Voorhees
Drolet	Kowall	Rivet	Whitmer
Ehardt	Kuipers	Rocca	Woronchak
Frank	LaSata		

Nays—30

Anderson	Garza	McConico	Stallworth
Bogardus	Gieleghem	Minore	Thomas
Clark, I.	Godchaux	Murphy	Waters
Clarke, H.	Hale	Phillips	Williams
Daniels	Hansen	Reeves	Wojno
Dennis	Hardman	Rison	Woodward
DeWeese	Kolb	Scranton	Zelenko
Durhal	Lemmons		

In The Chair: Julian

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

Second Reading of Bills

House Bill No. 6125, entitled

A bill to amend 1999 PA 276, entitled "Banking code of 1999," (MCL 487.11101 to 487.15105) by adding section 4206.

The bill was read a second time.

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

The motion prevailed.

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

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

Point of Order

Rep. Woodward requested a ruling from the Chair as to whether the bill needs a 2/3 vote pursuant to Article IV, Section 43 of the Michigan Constitution of 1963.

The Chair ruled that a simple majority is needed for passage.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 6125, entitled

A bill to amend 1999 PA 276, entitled "Banking code of 1999," (MCL 487.11101 to 487.15105) by adding section 4206.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

Second Reading of Bills

House Bill No. 6498, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 504, 517, and 803 (MCL 600.504, 600.517, and 600.803), section 504 as amended by 2001 PA 254, section 517 as amended by 2001 PA 257, and section 803 as amended by 2001 PA 253.

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

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 6498, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 504, 517, and 803 (MCL 600.504, 600.517, and 600.803), section 504 as amended by 2001 PA 254, section 517 as amended by 2001 PA 257, and section 803 as amended by 2001 PA 253.

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

Roll Call No. 1169

Yeas—74

Allen	Hager	Mead	Schauer
Birkholz	Hansen	Meyer	Scranton
Bisbee	Hart	Middaugh	Shackleton
Bishop	Howell	Minore	Shulman
Bradstreet	Hummel	Mortimer	Spade
Brown, C.	Jamnack	Newell	Stamas
Callahan	Jansen	O'Neil	Stewart
Cassis	Jelinek	Palmer	Switalski
Caul	Johnson, Rick	Pappageorge	Tabor
DeRossett	Johnson, Ruth	Patterson	Toy
DeVuyst	Julian	Pestka	Van Woerkom
DeWeese	Koetje	Phillips	Vander Roest
Drolet	Kolb	Pumford	Vander Veen
Ehardt	Kooiman	Raczkowski	Vear
George	Kowall	Richardville	Voorhees
Gielegem	Kuipers	Rison	Wojno

Gilbert
Godchaux
Gosselin

LaSata
Lipsey
Lockwood

Rivet
Rocca

Woronchak
Zelenko

Nays—29

Adamini
Anderson
Basham
Bernero
Bovin
Brown, R.
Clark, I.
Clarke, H.

Daniels
Dennis
Durhal
Frank
Garza
Hale
Hardman

Jacobs
Lemmons
McConico
Murphy
Neumann
Reeves
Schermesser

Sheltrown
Stallworth
Thomas
Waters
Whitmer
Williams
Woodward

In The Chair: Julian

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

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

Rep. Richardville moved that the Committee on Redistricting and Elections be discharged from further consideration of **House Bill No. 6356**.

(For first notice see House Journal No. 69, p. 2753.)
The question being on the motion made by Rep. Richardville,
The motion prevailed.

Second Reading of Bills

House Bill No. 6028, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 224a (MCL 750.224a).
Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Criminal Justice,
The substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Mortimer moved to amend the bill as follows:

1. Amend page 2, line 14, after “AGENCY” by inserting a comma and “AND POSSESSION BY THE RECEIVING GOVERNMENTAL AGENCY OR LABORATORY FOR THE PURPOSE OF TESTING”.

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

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

The motion prevailed.

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

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

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

House Bill No. 6028, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 224a (MCL 750.224a).
Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1170**Yeas—90**

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

Nays—8

Clark, I.	Daniels	Hardman	Minore
Clarke, H.	Hale	Lemmons	Rison

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Second Reading of Bills**House Bill No. 6523, entitled**

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

townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts,” by amending section 11 (MCL 247.661), as amended by 2002 PA 498.

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 6523, entitled

A bill to amend 1951 PA 51, entitled “An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts,” by amending section 11 (MCL 247.661), as amended by 2002 PA 498.

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

Roll Call No. 1171

Yeas—105

Adamini	Garza	Lemmons	Schauer
Allen	George	Lipsey	Schermesser
Anderson	Gielegem	Lockwood	Scranton
Basham	Gilbert	McConico	Shackleton
Bernero	Godchaux	Mead	Sheltrown
Birkholz	Gosselin	Meyer	Shulman

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

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Second Reading of Bills

House Bill No. 6268, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 109 (MCL 400.109), as amended by 2000 PA 168.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Appropriations (for amendment, see today's Journal, p. 2767),

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 6268, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 109 (MCL 400.109), as amended by 2000 PA 168.

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

Roll Call No. 1172

Yeas—105

Adamini	Garza	Lemmons	Schauer
Allen	George	Lipsey	Schermesser

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

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Second Reading of Bills

House Bill No. 6486, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 719 and 720 (MCL 257.719 and 257.720), section 719 as amended by 2002 PA 453 and section 720 as amended by 2002 PA 535.

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 6486, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 719 and 720 (MCL 257.719 and 257.720), section 719 as amended by 2002 PA 453 and section 720 as amended by 2002 PA 535.

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

Roll Call No. 1173**Yeas—77**

Adamini	Gilbert	Mead	Shackleton
Allen	Godchaux	Meyer	Sheltrown
Basham	Gosselin	Middaugh	Shulman
Bernero	Hager	Mortimer	Spade
Birkholz	Howell	Murphy	Stallworth
Bisbee	Hummel	Neumann	Stamas
Bishop	Jansen	Newell	Stewart
Bovin	Jelinek	O'Neil	Switalski
Bradstreet	Johnson, Rick	Palmer	Tabor
Brown, C.	Johnson, Ruth	Pappageorge	Toy
Brown, R.	Julian	Patterson	Van Woerkom
Cassis	Koetje	Pestka	Vander Roest
Caul	Kolb	Phillips	Vander Veen
DeRossett	Kooiman	Pumford	Vear
DeVuyst	Kowall	Raczkowski	Voorhees
DeWeese	Kuipers	Richardville	Waters
Drolet	LaSata	Richner	Whitmer
Ehardt	Lemmons	Rocca	Woronchak
Frank	Lockwood	Scranton	Zelenko
George			

Nays—22

Anderson	Dennis	Jacobs	Schermesser
Bogardus	Durhal	Lipsey	Thomas
Callahan	Gielegem	Minore	Williams
Clark, I.	Hale	Reeves	Wojno
Clarke, H.	Hansen	Rison	Woodward
Daniels	Hardman		

In The Chair: Julian

The House agreed to the title of the bill.

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

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

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

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Tabor, Jamnick, Koetje, Durhal, DeRossett, Voorhees, DeWeese, Birkholz, Rocca, Julian, Gosselin, Shulman, Jansen, Cassis, Ehardt, Vear, Toy, Kuipers, DeVuyst, Meyer, Richardville, Vander Roest and Pappageorge offered the following resolution:

House Resolution No. 595.

A resolution honoring and recognizing Mr. Nelson W. Westrin for his distinguished service and leadership to the Michigan Gaming Control Board.

Whereas, It is with deep appreciation for the outstanding service that Nelson W. Westrin has put forth during his six-year tenure as the Executive Director of the Michigan Gaming Control Board that we offer this recognition and expression of our thanks. As the people of the state of Michigan acknowledge his excellent service and outstanding contributions to the proper implementation and regulation of legalized casino gaming in the city of Detroit, we add our sentiments of gratitude for a job well-done; and

Whereas, On July 17, 1997, Governor John Engler appointed Nelson W. Westrin as the Executive Director of the Michigan Gaming Control Board after appointing him interim executive director of Michigan Gaming in November 1996. Mr. Westrin was the Board's first Executive Director and served until his resignation on November 22, 2002; and

Whereas, It is with great respect for his professional and personal commitment to our state and its legal structure that we honor and thank Executive Director Nelson W. Westrin for his service to the state of Michigan. Mr. Westrin has played a crucial role in shaping the quality of Michigan's casino gaming regulation and licensing. His devotion to duty ensures that the Detroit casino gaming activities and operations are conducted in a lawful manner thereby protecting the best interests of the people of the state of Michigan; and

Whereas, A graduate of Michigan State University and the University of Detroit School of Law, Nelson came to Lansing and began serving as an assistant attorney general from 1977 to 1993. Prior to his appointment as the Executive Director of the Michigan Gaming Control Board, he was the state's racing commissioner, responsible for licensing and regulating horse racing in Michigan; and

Whereas, Nelson W. Westrin has accomplished a plethora of achievements throughout his impressive career. His devotion and unyielding resolve have profoundly contributed to the betterment of the gaming board and the entire gaming industry in Michigan. He is a valued colleague and friend who will be dearly missed; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body honor and recognize Mr. Nelson W. Westrin for his distinguished service and leadership to the Michigan Gaming Control Board; and be it further

Resolved, That a copy of this resolution be transmitted to Mr. Nelson W. Westrin as evidence of our appreciation for his profound contributions to Michigan society.

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. Rivet, Rick Johnson, Neumann, Sheltrown, O'Neil, Allen, Switalski, Lipsey, Frank, McConico, Bradstreet, Jansen, Stamas, Patterson, Richardville and Kolb offered the following resolution:

House Resolution No. 596.

A resolution honoring Edward L. Rivet for 16 years of service as a member of the Bay County Board of Commissioners.

Whereas, It is a pleasure and privilege to join with the people he has served so well in commending Edward L. Rivet for his dedication and distinguished service to Bay County. He has capably served the people of the community for many years and we thank him for his effective leadership, hard work, and the many contributions that will long benefit Bay County; and

Whereas, Vigilance with tax dollars, a sincere concern for the best interests of the community, and a deep respect for the trust placed upon those in government are qualities that Edward L. Rivet has displayed throughout his years in public office. He cares about the people he serves and has worked diligently to help them. He has willingly and unselfishly attended years of meetings, listened to constituents, and worked cooperatively with other government officials. Ability, commitment, and integrity have been reflected in all of Edward L. Rivet's endeavors; and

Whereas, A graduate of St. Mary's High School and Delta College, Edward L. Rivet has served as Chairman and Vice Chairman of the Bay County Board of Commissioners during his sixteen years as a member. He chaired the Board Planning Committee and is a member of the MBS International Airport Commission and the Michigan Association of Counties. Edward L. Rivet was elected Bangor Township Trustee in 1976 and served as their supervisor in 1980. He is a former chair of the Bay County Building Authority and the Bay County Democratic Party. Edward L. Rivet retired from General Motors Powertrain Division in 1998 after 38 years as a journeyman electrician; and

Whereas, The quality of a community is determined by many factors, one of which is an exemplary corps of public officials. Edward L. Rivet has demonstrated this ability by having the courage necessary to make the tough decisions and understand his role in making Bay County a wonderful place to live, work, and raise a family; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body honor Edward L. Rivet for sixteen years of service as a member of the Bay County Board of Commissioners. May he know of the high esteem in which he is held by the people of the state of Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to Edward L. Rivet as evidence of our appreciation and gratitude.

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.

Rep. Ehardt offered the following resolution:

House Resolution No. 597.

A resolution to memorialize the Congress of the United States to enact the President's proposed expansion of Medicare to include prescription drug coverage.

Whereas, As the costs of medicine rise and as more seniors face great difficulties in paying for prescription medications, there is a genuine need to expand the coverages provided under Medicare. For an increasing number of our older citizens, the choice between spending limited financial resources on food or medicine creates a strain that can in itself be damaging to a person's health and well-being; and

Whereas, In his State of the Union address, the President asked Congress to join with him to provide a prescription drug benefit for senior citizens in a sound and modern Medicare program. The President's prioritization of this issue is a very important step in meeting the challenge of helping seniors deal with medicine costs that have skyrocketed over the past several years. The proposed expansion will provide significant relief to millions of American senior citizens; and

Whereas, Beyond the financial considerations of the program to offer prescription drug coverage under Medicare, implementing the program will elevate the level of health care for many people. Clearly, this will benefit not only the seniors who participate, but their families as well; and

Whereas, It is significant to note that, even as our country faces the expensive task of fighting terrorism and even as we battle recession, the President has put forth this proposal for Medicare prescription drug coverage. Doing so is a recognition of the severity of this problem and of the value of beginning to implement an effective solution. For those who face the painful realities of being unable to pay for vitally needed medication, this is a crisis of its own; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to enact the President's proposed expansion of Medicare to include prescription drug coverage; 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, and the members of the Michigan congressional delegation.

The resolution was referred to the Committee on Health Policy.

Rep. Ehardt offered the following resolution:

House Resolution No. 598.

A resolution to encourage the Commissioner of the Office of Financial and Insurance Services to create a work group to establish guidelines for the processing of insurance payments for ambulance services.

Whereas, One of the frustrating and counterproductive components of delivering health care services in our state and nation is the handling of insurance claims and payments for people who have used ambulance services. The many types of health care providers, the varieties of care extended, and the number of ambulance service arrangements that are used contribute to inefficiencies and misunderstanding in this area; and

Whereas, While regulations have sought to bring more uniformity on how these claims are processed through Medicare, there remain several areas where there is confusion in how to best handle payments. These inefficiencies are frustrating to patients, ambulance service providers, and the institutions involved. Most importantly, the confusion can raise costs elsewhere and impede prompt and fair payment for services rendered; and

Whereas, A standard protocol for forwarding payments to the health care provider is needed in cases involving ambulance services. Representatives of the various groups involved in this need to sit down together and establish procedures to be followed to streamline the processing and payment of claims; now, therefore, be it

Resolved by the House of Representatives, That we encourage the Commissioner of the Office of Financial and Insurance Services to create a work group to establish guidelines for the processing of insurance payments for ambulance services; and be it further

Resolved, That copies of this resolution be transmitted to the Office of Financial and Insurance Services in the Department of Consumer and Industry Services.

The resolution was referred to the Committee on Health Policy.

Rep. Ehardt offered the following resolution:

House Resolution No. 599.

A resolution to encourage the Department of Community Health to maintain its highest priorities as primary care, prevention, and public health.

Whereas, The recent financial difficulties facing our state and nation are touching all aspects of governmental operations. Past experiences in our state and elsewhere show that serious financial pressures can sometimes result in a reassessment of priorities and a reassignment of resources; and

Whereas, The health priorities established over many years reflect the needs of the people of Michigan and the network of services that have been developed in response. These priorities are primary care, prevention, and public health. Addressing these as primary goals serves our state well; and

Whereas, In the face of serious budgetary problems and the possibility of severe cuts in programs, it is appropriate to reaffirm the goals our state finds as the most important to pursue to promote our long-term health; now, therefore, be it

Resolved by the House of Representatives, That we encourage the Department of Community Health to maintain its highest priorities as primary care, prevention, and public health; and be it further

Resolved, That copies of this resolution be transmitted to the Department of Community Health.

The resolution was referred to the Committee on Health Policy.

Rep. Ehardt offered the following resolution:

House Resolution No. 600.

A resolution to urge the Department of Community Health to pursue additional funding from the federal government to expand Michigan's prescription drug program for seniors.

Whereas, Access to prescription medication is a health issue of fundamental importance to the overall quality of health care. For senior citizens, those most in need of prescription drugs, the steadily escalating costs for medicine present a very difficult challenge. In spite of the visibility that has surrounded this issue in recent years, the expense of prescription medications continues to be among the most pressing domestic issues facing our country and state; and

Whereas, Michigan has tried to be innovative in finding solutions to the high cost of prescriptions for our older citizens, but the overall impact falls far short of the help many people need. We need to make every effort possible to deal with costs that force more and more people each year into a personal crisis regarding their health care; and

Whereas, While this problem clearly extends across the entire country, our state is anxious to pursue any avenues to reduce costs, including pursuing innovative approaches. Michigan's success through its willingness to experiment with new ways to solve other major challenges should encourage us to work for every possible grant, pilot program, or new idea to secure additional federal funding to address the high costs of prescriptions for seniors; now, therefore, be it

Resolved by the House of Representatives, That we urge the Department of Community Health to pursue additional funding from the federal government to expand Michigan's prescription drug program for seniors; and be it further

Resolved, That copies of this resolution be transmitted to the Department of Community Health.

The resolution was referred to the Committee on Health Policy.

Rep. Ehardt offered the following resolution:

House Resolution No. 601.

A resolution to memorialize Congress to enact legislation to provide that taxpayers can deduct fully the cost of their health insurance premiums.

Whereas, A key factor in a person's overall quality of life is access to health care. Having health insurance contributes to better health for individuals and families. On a larger scale, people with health insurance benefit society because they are far less likely to need public resources when health problems arise; and

Whereas, Through our state and federal tax policies, our nation has made decisions on what types of behavior benefit our society. There are many examples of this. Our tax laws encourage people to save for retirement, invest in business enterprises, make donations for charitable purposes, and own homes. A great number of specific expenses are deductible, although some require different thresholds to qualify; and

Whereas, Given the clear public benefits to our society that derive from those who purchase health insurance, it would be a sound public policy to take every step to encourage the purchase of health insurance. It seems not only eminently fair, but also in the best interests of the country to amend federal tax laws to provide that an individual's premium costs for health insurance are fully deductible. By taking this step to encourage people to secure insurance, we will be addressing a fundamental need, reducing some public costs, and helping our citizens help themselves and their families; now, therefore, be it

Resolved by the House of Representatives, That we memorialize Congress to enact legislation to provide that taxpayers can deduct fully the cost of their health insurance premiums; 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, and the members of the Michigan congressional delegation.

The resolution was referred to the Committee on Health Policy.

Rep. Ehardt offered the following resolution:

House Resolution No. 602.

A resolution to memorialize the Congress of the United States to enact legislation to remove the “use it or lose it” restrictions on flexible spending accounts to permit participants to roll over unused funds to the next year.

Whereas, Flexible spending accounts have proven to be effective tools for helping people cope with necessary expenses, such as dependent care and medical costs. Like many aspects of tax policies that encourage behavior that ultimately benefits both individuals and our entire society, flexible spending accounts reflect sensitivity to the challenges people face in providing for themselves and their families; and

Whereas, Under the current provisions of the laws governing taxes, flexible spending accounts are subject to tight restrictions. While most of these provisions are very productive in ensuring fairness, one of the policies in place is proving to be counterproductive. Currently, a participant with a flexible spending account must use all the money in the account by the end of each year or forfeit the remaining funds. This is a serious disincentive to participation. This requirement not only presumes a person can predict exactly how much money will be spent on the covered activity in a year, but it also ignores the fact that the money set aside for the intended purposes still belongs to the participant; and

Whereas, It would be far more appropriate to permit a participant to transfer unused funds in a flexible spending account to the next year rather than losing the unused money; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to enact legislation to remove the “use it or lose it” restrictions on flexible spending accounts to permit participants to roll over unused funds to the next year; 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, and the members of the Michigan congressional delegation.

The resolution was referred to the Committee on Health Policy.

Rep. Ehardt offered the following resolution:

House Resolution No. 603.

A resolution to memorialize the Congress of the United States to enact legislation to provide more flexibility for participants in Medical care spending accounts.

Whereas, Medical care spending accounts are an effective tool for people to use to prepare for medical expenses and minimize overall costs. These flexible spending accounts help individuals and families dealing with the increasing costs of health care; and

Whereas, All measures that encourage people to plan for medical expenses also bring benefits through the increased number of people seeking and paying for medical services without relying on governmental programs. For participants, medical care spending accounts can bring significant savings, especially since major health care expenses are often unforeseen; and

Whereas, While medical care spending accounts have been helpful to many American families, there is much more that could be done to increase the rate of participation. The nature of medical expenses argues strongly for increased flexibility to meet unforeseen health costs. With the ever-increasing cost of medical services, every effort should be made to increase participation in medical care spending accounts by removing the barriers and restrictions that keep many people from taking advantage of this idea; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to enact legislation to provide more flexibility for participants in medical care spending accounts; 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, and the members of the Michigan congressional delegation.

The resolution was referred to the Committee on Health Policy.

Rep. Ehardt offered the following resolution:

House Resolution No. 604.

A resolution to urge the Michigan Department of Education to develop a program to teach better health habits to children.

Whereas, There are alarming trends in the health habits of American children, including young people in Michigan. Lack of exercise and poor nutrition are contributing to health problems that may jeopardize not only the well-being of a large segment of our population, but also the stability of certain elements of our economy in the long run. Some health experts have used terms like “epidemic” to describe the increasing incidents of childhood obesity and related conditions, including Type II diabetes; and

Whereas, One of the avenues available to educate children on the direct correlation between daily decision making and health is through the schools. This practical application of basic facts of physiology can be a way to impart to

young people lessons that can help them all their lives. It is certainly true that teaching children what they need to do to stay healthy in life is as worthy a goal as other personal safety information our schools regularly impart through various programs and materials; and

Whereas, The Department of Education could play an important role in addressing a problem that may well be one of the most serious issues facing us in the long run by developing a mechanism to teach better health habits to our young people. In addition to the clear health benefits of this type of education, getting students to exercise regularly, to eat better, and to take better care of themselves can only help academic performance as well; now, therefore, be it

Resolved by the House of Representatives, That we urge the Michigan Department of Education to develop a program to teach better health habits to children; and be it further

Resolved, That copies of this resolution be transmitted to the Michigan Department of Education.

The resolution was referred to the Committee on Health Policy.

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following concurrent resolution:

House Concurrent Resolution No. 73.

A concurrent resolution honoring Dan Wyant, Director of the Michigan Department of Agriculture.

Whereas, Dan Wyant has served as the Director of the Michigan Department of Agriculture (MDA) since October of 1996; and

Whereas, Dan has brought a vast and diverse agricultural background to the post, having been raised on a Cass County farm in Michigan and participating in FFA and 4-H. He received his bachelor's degree in food systems management from Michigan State University and a master's degree in business administration from American University in Washington, D.C. He worked in the private sector as a marketing manager at Ralston Purina Company and as an export trade consultant at Lowe's International; and

Whereas, Dan Wyant began his public sector career in the Senate Republican Majority Office. He then served as the Legislative Liaison for the Michigan Department of Agriculture and worked as Associate Director of Governor John Engler's Office of Legislative Affairs, prior to returning to MDA as Director; and

Whereas, Dan's agricultural background and expertise, coupled with his sound business sense and congenial, problem-solving style, have made him a true industry leader. He is well-known and respected throughout the agricultural community, in the legislative arena, by his state colleagues, and by his national peers; and

Whereas, With Dan at the helm, the Michigan Department of Agriculture employees have fostered a deep commitment to responsiveness, collaboration, and innovation that have been instrumental in addressing and resolving a wide array of food and agriculture industry challenges. This includes bovine tuberculosis and other animal and plant health and disease issues, the overhaul of Michigan's food safety laws for the first time in three decades that now focus on preventing foodborne illnesses, the creation of effective and proactive agriculture pollution prevention programs, and the formation of pioneering agricultural economic development initiatives; and

Whereas, Dan has placed top priorities on ensuring food safety and security, promoting and enhancing environmental stewardship, protecting animal and plant health, ensuring consumer protection, creating viable agriculture development opportunities, and integrating technology into the Department's decision-making processes. Due to this leadership, many of Michigan's programs are recognized as national models; and

Whereas, Dan Wyant has served on numerous state and federal committees, as well as private sector boards, and has been a valuable and integral member of all, leaving his mark through strong participation in these efforts; and

Whereas, Dan's many contributions throughout the Engler Administration will long be remembered and their positive impact felt by the agricultural community and others; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the members of this legislative body honor Dan Wyant, Director of the Michigan Department of Agriculture; and be it further

Resolved, That a copy of this resolution be transmitted to Dan Wyant as a token of our respect for all his fine work.

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.

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following concurrent resolution:

House Concurrent Resolution No. 74.

A concurrent resolution honoring Dr. Barbara Bolin, Director of the Michigan Department of Career Development.

Whereas, Dr. Barbara Bolin has served as the first director of the Michigan Department of Career Development, the only such state agency in the nation, working to establish this department as a national model; and

Whereas, Dr. Bolin has had extensive experience as an educator, having taught mathematics and science at high schools in Australia and mathematics at Tyler Junior College, the University of Texas at Tyler, and Texas A&M University; and

Whereas, Dr. Bolin has brought her expertise to this industry, first as a specialist in continuous improvement with Quality Innovations Systems, Inc., and then as a member of Dell University at Dell Computer Corporation; and

Whereas, Dr. Bolin has provided leadership to educational institutions and organizations such as Associate Vice President for Workforce Education at Austin Community College and by serving on the boards of numerous organizations whose focus was workforce or career development; and

Whereas, Dr. Bolin was an inaugural appointee to the Capital Area Workforce Development Board and served as chair-elect for two years. She served as the chair of the Capital Area School-to-Work Partnership and, in 1997, was appointed by then Governor George W. Bush to the Texas Science & Technology Council. In 1999, Governor John Engler appointed her as a Commissioner to the Education Commission of the States; and

Whereas, Dr. Bolin holds outstanding educational credentials, consisting of a B.S. in Mathematics and Science from the University of Adelaide, a teaching degree from the University of South Australia (formerly Adelaide Teachers College), an M.S. in Mathematics, Computer Science, and History from the University of Texas at Tyler, and a Ph.D. in Industrial Education from Texas A&M University; and

Whereas, Dr. Bolin is interested in workforce development and education at all levels, believing strongly in synergy and collaboration and in the benefits to the Michigan economy of a unified, employer-led career development system; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the members of this legislative body honor Dr. Barbara Bolin, Director of the Michigan Department of Career Development. We recognize all her contributions to the career development system and to the promotion of career opportunities for residents of the state of Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to Dr. Barbara Bolin as a token of our appreciation for all of her hard work.

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.

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following concurrent resolution:

House Concurrent Resolution No. 75.

A concurrent resolution honoring Russell J. Harding, Director of the Michigan Department of Environmental Quality.

Whereas, It is with deep appreciation that we commend Russell J. Harding for his extraordinary public service to the state of Michigan and its environment. Russell was born on April 21, 1948 in Grand Rapids, Michigan, and earned his bachelor's degree in Geology from Northern Arizona University in 1970; and

Whereas, Russell admirably served the states of Arizona, Alaska, and Missouri in the areas of natural resources and environmental quality. In 1991, Russell was appointed to Chief of the State Parks Division in the Michigan Department of Natural Resources and was named Deputy Director of Environmental Protection in 1992; and

Whereas, In 1995, Russell was named the director of Michigan's newly created Michigan Department of Environmental Quality. He worked with the urban core mayors to revise the state cleanup program's liability standards to a causation standard, making it truly a "polluters' pay" program. Additionally, Russell led efforts to revise cleanup standards to tailor the level of cleanup to comport with the future use of the site. These efforts led to Michigan's Brownfield Redevelopment Program, which has been ranked first in the nation; and

Whereas, Russell has earned a reputation as an effective and efficient administrator who has taken action to eliminate permit backlogs and streamline procedures and processes. He has also focused strongly on making customer service a way of doing business in the Michigan Department of Environmental Quality; and

Whereas, Russell has been a proponent at the state and federal level of regulatory innovations, such as the Environmental Audit Privilege and Immunity Law. He also established the Environmental Assistance Division, which has administered an aggressive, nationally recognized pollution prevention program. In addition, the implementation of Michigan's Clean Corporate Citizen Program has been an encouragement to businesses and municipalities to be good environmental stewards; and

Whereas, Russell has worked with the EPA and industry to bring the state into full federal compliance for air quality standards of all criteria pollutants for the first time in Michigan's history; and

Whereas, Russell has distinguished himself as a strong advocate for states' rights and was among the group of state environmental directors who helped establish the Environmental Council of States (ECOS). He has been an invaluable asset to Michigan's environment and economy and has done so with integrity; and

Whereas, Russell is an active member in his church and is a very devoted and loving husband to his wife, Pamela, and a wonderful father to his two children, Scott and Kimberly; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the members of this legislative body honor Russell J. Harding, Director of the Michigan Department of Environmental Quality; and be it further

Resolved, That a copy of this resolution be transmitted to Russell J. Harding as a symbol of our appreciation and gratitude of his accomplishments and the high esteem in which he is held by the state of Michigan.

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.

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following concurrent resolution:

House Concurrent Resolution No. 76.

A concurrent resolution honoring William S. Overton, Director of the Michigan Department of Corrections.

Whereas, William S. Overton, a committed correctional professional for 32 years, was selected Director of the Michigan Department of Corrections in March of 2002; and

Whereas, The Michigan Department of Corrections is a cabinet-level state agency with an annual budget of \$1.6 billion. It has nearly 18,000 employees and is directly responsible for the custody and supervision of more than 121,000 convicted felons at 42 correctional facilities, 10 minimum-security camps, and more than 140 parole and probation field offices across the state; and

Whereas, Prior to Bill Overton's appointment as Director, he served as the Deputy Director of Administration and Programs Administration, providing leadership to several areas including the Bureau of Fiscal Management, Office of Planning, Research and Management Information Services, Bureau of Health Care Services, and the Bureau of Correctional Industries; and

Whereas, Bill Overton distinguished himself as he performed in a variety of other roles in the department since beginning his public service career in 1970. This included serving as an Area Manager for five district probation offices in Wayne County, Deputy Warden of the Phoenix Correctional Facility in Plymouth, Michigan, Warden of two correctional facilities in Adrian, Michigan, and Regional Administrator responsible for all parole and probation supervision-related activities in Wayne County; and

Whereas, Bill Overton's impressive repertoire includes a bachelor of science degree in Mathematical Education from Wayne State University, graduate study in Correctional Administration at the University of Detroit, extensive training in management development from the Wharton School Management and Behavior Science Center at the University of Pennsylvania in Kansas City, Missouri, and the University of California in San Diego and Laguna Beach. He also participated in the Executive Excellence Program through the National Institute of Corrections in Longmont, Colorado; and

Whereas, Being a devoted and loving family man, he and his wife, Mildred, have raised two wonderful children, Cynthia and Spencer, and are now enjoying the addition of a beautiful first grandson, Sterling. His family and all of Michigan should take great pride in this fine man and his devoted lifetime commitment to the enhancement of public safety for the people of this great state; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the members of this legislative body honor William S. Overton, Director of the Michigan Department of Corrections. We recognize and salute him for his 32 years of distinguished service to the citizens of the state of Michigan and to his unwavering commitment to excellence as director of the Michigan Department of Corrections; and be it further

Resolved, That a copy of this resolution be transmitted to William S. Overton as a sign of our respect and gratitude.

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.

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following concurrent resolution:

House Concurrent Resolution No. 77.

A concurrent resolution honoring Noelle A. Clark, Director of the Michigan Department of Consumer and Industry Services.

Whereas, Noelle A. Clark answered the Governor's call to service by donating her time and talents to the citizens of Michigan as Director of the Department of Consumer and Industry Services during a time of great challenge and change, including an effort to revamp and improve the delivery of unemployment services in Michigan; and

Whereas, Noelle A. Clark has spent many years serving on various state boards and commissions tirelessly offering her insight and expertise as a successful Michigan business owner and long-time national board member of the National Federation of Independent Business; and

Whereas, Noelle A. Clark developed a reputation throughout these many years as a talented, loyal, and dedicated business and community leader and is highly regarded and respected by all who know her; and

Whereas, Noelle A. Clark's professionalism and energy will be missed by the Department of Consumer and Industry Services and the citizens of the state of Michigan; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the members of this legislative body honor Noelle A. Clark, Director of the Michigan Department of Consumer and Industry Services. We recognize and express our appreciation for all of her accomplishments and contributions. We congratulate her and wish her success and enjoyment in the future with her husband, Ellis, and her children and grandchildren; and be it further

Resolved, That a copy of this resolution be transmitted to Noelle A. Clark as a token of our admiration.

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.

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following concurrent resolution:

House Concurrent Resolution No. 78.

A concurrent resolution honoring Dr. Nanette Lee Reynolds, Director of the Michigan Department of Civil Rights.

Whereas, Dr. Nanette Lee Reynolds, the longest serving director in the history of the Michigan Department of Civil Rights (MDCR), has held this position since April of 1993; and

Whereas, Dr. Reynolds has provided the kind of leadership that has made MDCR one of the largest and most influential governmental civil rights agencies in the country; and

Whereas, The department's creative initiatives under her tenure have included the formation of the Michigan Alliance Against Hate Crimes (MIAAHC), a coalition of law enforcement agencies and civil rights groups, and Civil Rights Health: A Community-Based Assessment, a project that helps communities voluntarily measure their civil rights health; and

Whereas, Dr. Reynolds was ahead of her time in appointing a department Arab American liaison years before the September 11 tragedy and long before it became fashionable for governmental civil rights agencies to do so; and

Whereas, As director, Dr. Reynolds expanded MDCR's customer service options and initiated a reengineering process and department-wide automated computer system that has stepped up MDCR's efficiency and effectiveness; and

Whereas, Dr. Reynolds' creative efforts have made the Michigan Department of Civil Rights into a model for other state and municipal civil rights agencies around the country, with MDCR offering consultation to the state departments in Indiana, Iowa, Massachusetts, Minnesota, New Jersey, North Dakota, Ohio, and Pennsylvania; and

Whereas, Dr. Reynolds' work has earned her numerous plaudits, including the National Association of Human Rights Workers' (NAHRW) 2001 Individual Human Rights Award, the 2001 Frank J. Kelley Distinguished Service Award from the Michigan chapter of the American Society for Public Administration, and the 2002 Distinguished Service Award from the Michigan NAACP; and

Whereas, Dr. Reynolds is a champion of diversity and the empowerment of women, people of color, and people with disabilities. She also promotes intergroup relations through her own life's example; and

Whereas Dr. Reynolds, who holds a bachelor's degree in political science from Howard University in Washington, D.C., a master's degree in higher education from Southern Illinois University, and a doctorate in higher education from Harvard. She is a compelling role model to many young men and women around the country; and

Whereas, Dr. Reynolds has been a community activist in the greater Lansing area and serves as a member of the boards of the National Conference for Community and Justice (NCCJ), advisory committees of the Michigan ACLU, and the Arab-American Anti-Discrimination Committee (ADC); now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the members of this legislative body honor Dr. Nanette Lee Reynolds, Director of the Michigan Department of Civil Rights. We salute her for her contributions to protecting civil rights in Michigan and around the country and for her commitment to enriching and ennobling the lives of others; and be it further

Resolved, That a copy of this resolution be transmitted to Dr. Nanette Lee Reynolds as a token of respect for all of her service to the state of Michigan.

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.

Notices

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Local Government and Urban Policy from further consideration of **House Bill No. 5788**.

Rep. Drolet

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Senior Health, Security and Retirement from further consideration of **House Bill No. 4605**.

Rep. Shulman

Rep. Stallworth moved that the House adjourn.
The motion prevailed, the time being 7:00 p.m.

Associate Speaker Pro Tempore Julian declared the House adjourned until Thursday, December 5, at 12:00 Noon.

GARY L. RANDALL
Clerk of the House of Representatives.

