

No. 87
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House Chamber, Lansing, Wednesday, December 12, 2001.

2:00 p.m.

The House was called to order by the Speaker.

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

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

Rep. Triette Reeves, from the 13th District, offered the following invocation:

“I will bless the Lord at all times, Your praise shall continuously be in my mouth. Father, we thank You for this day, for this is the day that You have made. You are the Author and the Finisher of our very being. You are the Creator, You are our Lord, and You are our King. Father, we need for You to bless this place, bless those whom by Your will have been entrusted to serve in this place. Father, I ask that Your spirit and Your love will rest, rule and abide in this place. I ask that Satan and his rulers, and principalities and powers will not have strong holds over us. But, that Your spirit will rule and reign over Your people. Father, I ask that You would keep us, that You would direct us in wisdom, that love would be our focus—for love is Your work. I pray that You bless everything we do that is in Your will. I pray that You help us keep our focus on the work of the people and not on our pettiness. Father, I ask that You help us to rise above our egos. I ask that You help us to be self-sacrificing in the work that we do to build Your kingdom. I ask all these things to the glory of Your name, in Jesus’ name. Amen.”

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

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

Motions and Resolutions

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution:
House Resolution No. 285.

A resolution to honor the memory of Russell H. Strange, former member of the House of Representatives.

Whereas, The members of this legislative body and others in state government were saddened to learn of the passing of Russell H. Strange, who devoted 14 years of his life to the service of this state as a lawmaker. We offer our sincerest condolences to his family; and

Whereas, Interest in public policy was an early and lifelong fascination for Russell Strange. As a student at what was then Central Michigan College in Mount Pleasant, he was actively involved with several political organizations, serving as the president of the Young Republican Club and as a member of its state and national groups. Shortly after his graduation in 1956, he took his dedication to public service to the real world arena with his election to the Michigan House of Representatives at the age of 22. For 14 years, he carried out his responsibilities as a lawmaker with diligence, integrity, and respect for our system of self-government; and

Whereas, Russell Strange’s seven terms spanned an era of great significance to our state. He served as the state implemented a new constitution and modernized many aspects of state government in general and the legislature in particular. Mr. Strange earned the trust and friendship of colleagues on both sides of the aisle, and demonstrated effective leadership as the chair of the Elections Committee for three terms and as the chair of the Republican caucus for 1969 and 1970. Following his legislative career, he continued his involvement in policy issues with the National Science Foundation, working with state legislatures around the country. Indeed, this true gentleman and unpretentious public servant gave many gifts to Michigan and our country; now, therefore, be it

Resolved by the House of Representatives, That we offer this expression of our respect and admiration for the memory of Russell H. Strange, who served as member of this legislative body from 1957 to 1970; and be it further

Resolved, That copies of this resolution be transmitted to the Strange family as evidence of our sympathies.

The question being on the adoption of the resolution,

The resolution was adopted by unanimous standing vote.

Reports of Standing Committees

The Speaker laid before the House

House Resolution No. 85.

A resolution to memorialize the Congress of the United States to enact legislation to give states the authority to ban out-of-state solid waste.

(For text of resolution, see House Journal No. 31, p. 463.)

(The resolution was reported by the Committee on Conservation and Outdoor Recreation on May 3, consideration of which, under the rules, was postponed until May 8.)

The question being on the adoption of the resolution,
The resolution was adopted.

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

Messages from the Senate

The Speaker laid before the House

House Bill No. 4820, entitled

A bill to regulate the production, transportation, handling, processing, delivery, and sale of grade A milk and milk products; to define grade A milk and milk products and to establish standards and requirements for grade A milk and milk products; to provide for dairy food safety; to provide for the sampling, sampling analysis, and transportation of milk and milk products; to regulate the labeling, manufacture, distribution, and sale of milk and milk products for the protection of the consuming public and to prevent fraud and deception by prohibiting the misbranding, adulteration, manufacture, distribution, and sale of milk and milk products; to provide for enforcement; to provide for licenses and permits and revocation of licenses and permits; to impose certain fees; to require certain security arrangements of milk plants to ensure the prompt payment of producers; to prescribe powers and duties of certain state departments and officers; to provide for uniform standards and uniform inspection; to provide for promulgation of rules; to provide for certain remedies and penalties; and to repeal acts and parts of acts.

(The bill was received from the Senate on October 25, with substitute (S-2) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until October 29, see House Journal No. 75, p. 2201.)

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

Rep. Meyer moved to amend the Senate substitute (S-2) as follows:

1. Amend page 14, line 19, after "farm," by inserting "dairy plant,".
2. Amend page 53, line 9, after "Sec. 68." by striking out all of subsection (1) and inserting "(1) Only pasteurized milk and milk products shall be offered for sale or sold, directly or indirectly, to the final consumer or to restaurants, grocery stores, or similar establishments.".

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

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

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

Roll Call No. 778

Yeas—105

Adamini	Frank	LaSata	Rivet
Allen	Garza	Lemmons	Rocca
Anderson	George	Lipsey	Schauer
Basham	Gielegghem	Lockwood	Scranton
Bernero	Gilbert	Mans	Shackleton
Birkholz	Godchaux	McConico	Sheltrown
Bisbee	Gosselin	Mead	Shulman
Bishop	Hager	Meyer	Spade
Bogardus	Hale	Middaugh	Stallworth
Bovin	Hansen	Minore	Stamas
Bradstreet	Hardman	Mortimer	Stewart
Brown, B.	Hart	Murphy	Switalski
Brown, C.	Howell	Neumann	Tabor
Brown, R.	Hummel	Newell	Thomas

Callahan	Jacobs	O'Neil	Toy
Cassis	Jamnick	Pappageorge	Van Woerkom
Caul	Jansen	Patterson	Vander Roest
Clark, I.	Jelinek	Pestka	Vear
Clarke, H.	Johnson, Rick	Phillips	Voorhees
Daniels	Johnson, Ruth	Pumford	Waters
Dennis	Julian	Quarles	Whitmer
DeRossett	Koetje	Rackowski	Williams
DeVuyst	Kolb	Reeves	Wojno
DeWeese	Kooiman	Richardville	Woodward
Drolet	Kowall	Richner	Woronchak
Ehardt	Kuipers	Rison	Zelenko
Faunce			

Nays—0

In The Chair: Ehardt

The Speaker laid before the House

House Bill No. 4829, entitled

A bill to define and regulate milk, cream, frozen desserts, and related foods and by-products of those foods under certain circumstances; to prescribe certain powers and duties of certain state agencies and officers; to prohibit the sale of unclean and unsanitary milk and manufactured dairy products and their use in the manufacture of food products; to prohibit unclean and unsanitary conditions of milk and milk processing establishments; to establish production and handling standards of sanitary milk and dairy products for manufacturing and manufactured dairy products; to regulate the sale and transportation of milk and dairy products for manufacturing purposes; to issue licenses and permits to certain persons and provide for the revocation or suspension of licenses and permits under certain circumstances; to impose certain fees; to require certain security devices under certain circumstances; to establish inspection requirements; to promulgate rules; to set certain standards for milk and dairy products, processing, and pasteurization; to provide for penalties and remedies; and to repeal acts and parts of acts.

(The bill was received from the Senate on October 25, with substitute (S-1) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until October 29, see House Journal No. 75, p. 2201.)

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

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

1. Amend page 76, line 20, by striking out all of section 136 and inserting:

“Sec. 136. Only pasteurized milk and dairy products shall be offered for sale or sold, directly or indirectly, to the final consumer or to restaurants, grocery stores, or similar establishments except as specified in section 138.”.

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

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

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

Roll Call No. 779

Yeas—103

Adamini	Faunce	LaSata	Rocca
Allen	Frank	Lemmons	Schauer
Anderson	George	Lipsey	Scranton
Basham	Gielegheem	Lockwood	Shackleton
Bernero	Gilbert	Mans	Sheltrown
Birkholz	Godchaux	McConico	Shulman
Bisbee	Gosselin	Mead	Spade
Bishop	Hager	Meyer	Stallworth
Bogardus	Hale	Middaugh	Stamas

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

Nays—0

In The Chair: Ehardt

Third Reading of Bills**Senate Bill No. 666, entitled**

A bill to amend 1995 PA 274, entitled “An act to amend section 834 of Act No. 218 of the Public Acts of 1956, entitled as amended “The insurance code of 1956,” as amended by Act No. 443 of the Public Acts of 1994, being section 500.834 of the Michigan Compiled Laws,” by repealing enacting section 2.

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

Roll Call No. 780**Yeas—103**

Adamini	Faunce	LaSata	Rivet
Allen	Frank	Lemmons	Rocca
Anderson	George	Lipsey	Schauer
Basham	Gielegthem	Lockwood	Scranton
Bernero	Gilbert	Mans	Shackleton
Birkholz	Godchaux	McConico	Shulman
Bisbee	Gosselin	Mead	Spade
Bishop	Hager	Meyer	Stallworth
Bogardus	Hale	Middaugh	Stamas
Bovin	Hansen	Minore	Stewart
Bradstreet	Hardman	Mortimer	Switalski
Brown, B.	Hart	Murphy	Tabor
Brown, C.	Howell	Neumann	Thomas
Brown, R.	Hummel	Newell	Toy
Callahan	Jacobs	O'Neil	Van Woerkom
Cassis	Jamnick	Pappageorge	Vander Roest
Caul	Jansen	Patterson	Vear
Clark, I.	Jelinek	Pestka	Voorhees
Clarke, H.	Johnson, Rick	Phillips	Waters
Daniels	Johnson, Ruth	Pumford	Whitmer
Dennis	Julian	Quarles	Williams

DeRossett
DeVuyst
DeWeese
Drolet
Ehardt

Koetje
Kolb
Kooiman
Kowall
Kuipers

Rackowski
Reeves
Richardville
Richner
Rison

Wojno
Woodward
Woronchak
Zelenko

Nays—0

In The Chair: Ehardt

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

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

The House agreed to the full title.

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

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

Senate Bill No. 723, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending sections 81 and 81a (MCL 750.81 and 750.81a), section 81 as amended by 2000 PA 462 and section 81a as amended by 1999 PA 270.

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

Roll Call No. 781

Yeas—105

Adamini
Allen
Anderson
Basham

Frank
Garza
George
Gielegheem

LaSata
Lipsey
Lockwood
Mans

Rivet
Rocca
Schauer
Scranton

Bernero	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, B.	Hart	Neumann	Switalski
Brown, C.	Howell	Newell	Tabor
Brown, R.	Hummel	O'Neil	Thomas
Callahan	Jacobs	Pappageorge	Toy
Cassis	Jamnick	Patterson	Van Woerkom
Caul	Jansen	Pestka	Vander Roest
Clark, I.	Jelinek	Phillips	Vear
Clarke, H.	Johnson, Rick	Plakas	Voorhees
Daniels	Johnson, Ruth	Pumford	Waters
Dennis	Julian	Quarles	Whitmer
DeRossett	Koetje	Raczkowski	Williams
DeVuyst	Kolb	Reeves	Wojno
DeWeese	Kooiman	Richardville	Woodward
Drolet	Kowall	Richner	Woronchak
Ehardt	Kuipers	Rison	Zelenko
Faunce			

Nays—0

In The Chair: Ehardt

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

“An act to revise, consolidate, codify and add to the statutes relating to crimes; to define crimes and prescribe the penalties therefor; to provide for restitution under certain circumstances; to provide for the competency of evidence at the trial of persons accused of crime; to provide immunity from prosecution for certain witnesses appearing at such trials; and to repeal certain acts and parts of acts inconsistent with or contravening any of the provisions of this act.”.

The House agreed to the full title.

Senate Bill No. 478, entitled

A bill to amend 1925 PA 289, entitled “An act to create a bureau of criminal identification and records within the department of state police; to require peace officers, persons in charge of certain institutions, and others to make reports respecting juvenile offenses, crimes, and criminals to the state police; to require the fingerprinting of an accused by certain persons; and to provide penalties for violation of this act,” by amending the title and sections 1, 1a, 2, 3, and 3a (MCL 28.241, 28.241a, 28.242, 28.243, and 28.243a), the title and sections 1 and 2 as amended by 1988 PA 40, section 1a as amended by 1996 PA 259, section 3 as amended by 1999 PA 266, and section 3a as amended by 1986 PA 231, and by adding section 8.

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

Roll Call No. 782**Yeas—105**

Adamini	Frank	LaSata	Rivet
Allen	Garza	Lemmons	Rocca
Anderson	George	Lipsey	Schauer
Basham	Gielegthem	Lockwood	Scranton
Bernero	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, B.	Hart	Neumann	Switalski
Brown, C.	Howell	Newell	Tabor
Brown, R.	Hummel	O'Neil	Thomas
Callahan	Jacobs	Pappageorge	Toy
Cassis	Jamnick	Patterson	Van Woerkom
Caul	Jansen	Pestka	Vander Roest
Clark, I.	Jelinek	Phillips	Vear
Clarke, H.	Johnson, Rick	Plakas	Voorhees
Daniels	Johnson, Ruth	Pumford	Waters
Dennis	Julian	Quarles	Whitmer
DeRossett	Koetje	Rackowski	Williams
DeVuyst	Kolb	Reeves	Wojno
DeWeese	Kooiman	Richardville	Woodward
Drolet	Kowall	Richner	Woronchak
Ehardt	Kuipers	Rison	Zelenko
Faunce			

Nays—0

In The Chair: Ehardt

The House agreed to the title of the bill.

Senate Bill No. 479, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16a of chapter IX (MCL 769.16a), as amended by 2000 PA 220.

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

Roll Call No. 783**Yeas—102**

Adamini	Garza	Lipsey	Rocca
Allen	George	Lockwood	Schauer
Anderson	Gilbert	Mans	Scranton
Basham	Godchaux	McConico	Shackleton
Bernero	Gosselin	Mead	Sheltrown
Birkholz	Hager	Meyer	Shulman
Bisbee	Hale	Middaugh	Spade
Bishop	Hansen	Minore	Stallworth
Bovin	Hardman	Mortimer	Stamas
Bradstreet	Hart	Murphy	Stewart
Brown, B.	Howell	Neumann	Switalski
Brown, C.	Hummel	Newell	Tabor
Brown, R.	Jacobs	O'Neil	Thomas
Callahan	Jamnick	Pappageorge	Toy
Cassis	Jansen	Patterson	Van Woerkom
Caul	Jelinek	Pestka	Vander Roest
Clark, I.	Johnson, Rick	Phillips	Vear
Clarke, H.	Johnson, Ruth	Plakas	Voorhees

Daniels	Julian	Pumford	Waters
Dennis	Koetje	Rackowski	Whitmer
DeRossett	Kolb	Reeves	Williams
DeVuyst	Kooiman	Richardville	Wojno
DeWeese	Kowall	Richner	Woodward
Drolet	Kuipers	Rison	Woronchak
Ehardt	LaSata	Rivet	Zelenko
Faunce	Lemmons		

Nays—0

In The Chair: Ehardt

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

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

The House agreed to the full title.

Senate Bill No. 502, entitled

A bill to amend 1945 PA 327, entitled “Aeronautics code of the state of Michigan,” (MCL 259.1 to 259.208) by adding section 80f.

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

Roll Call No. 784**Yeas—106**

Adamini	Frank	Lemmons	Rivet
Allen	Garza	Lipsey	Rocca
Anderson	George	Lockwood	Schauer
Basham	Gielegghem	Mans	Scranton
Bernero	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, B.	Hart	Neumann	Switalski
Brown, C.	Howell	Newell	Tabor
Brown, R.	Hummel	O’Neil	Thomas

Callahan	Jacobs	Pappageorge	Toy
Cassis	Jamnick	Patterson	Van Woerkom
Caul	Jansen	Pestka	Vander Roest
Clark, I.	Jelinek	Phillips	Vear
Clarke, H.	Johnson, Rick	Plakas	Voorhees
Daniels	Johnson, Ruth	Pumford	Waters
Dennis	Julian	Quarles	Whitmer
DeRossett	Koetje	Rackowski	Williams
DeVuyst	Kolb	Reeves	Wojno
DeWeese	Kooiman	Richardville	Woodward
Drolet	Kowall	Richner	Woronchak
Ehardt	Kuipers	Rison	Zelenko
Faunce	LaSata		

Nays—0

In The Chair: Ehardt

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

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

The House agreed to the full title.

Senate Bill No. 505, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 12 of chapter XVII (MCL 777.12), as amended by 2001 PA 104.

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

Roll Call No. 785

Yeas—106

Adamini	Frank	Lemmons	Rivet
Allen	Garza	Lipsey	Rocca
Anderson	George	Lockwood	Schauer
Basham	Gielegghem	Mans	Scranton
Bernero	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, B.	Hart	Neumann	Switalski

Brown, C.	Howell	Newell	Tabor
Brown, R.	Hummel	O'Neil	Thomas
Callahan	Jacobs	Pappageorge	Toy
Cassis	Jamnick	Patterson	Van Woerkom
Caul	Jansen	Pestka	Vander Roest
Clark, I.	Jelinek	Phillips	Vear
Clarke, H.	Johnson, Rick	Plakas	Voorhees
Daniels	Johnson, Ruth	Pumford	Waters
Dennis	Julian	Quarles	Whitmer
DeRossett	Koetje	Raczkowski	Williams
DeVuyst	Kolb	Reeves	Wojno
DeWeese	Kooiman	Richardville	Woodward
Drolet	Kowall	Richner	Woronchak
Ehardt	Kuipers	Rison	Zelenko
Faunce	LaSata		

Nays—0

In The Chair: Ehardt

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

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

A bill to amend 1927 PA 175, entitled “An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending section 12 of chapter XVII (MCL 777.12), as amended by 2001 PA 160.

The motion prevailed.

The House agreed to the title as amended.

Senate Bill No. 721, entitled

A bill to amend 1925 PA 289, entitled “An act to create a bureau of criminal identification and records within the department of state police; to require peace officers, persons in charge of certain institutions, and others to make reports respecting juvenile offenses, crimes, and criminals to the state police; to require the fingerprinting of an accused by certain persons; and to provide penalties for violation of this act,” by amending sections 2 and 3 (MCL 28.242 and 28.243), section 2 as amended by 1988 PA 40 and section 3 as amended by 1999 PA 266.

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

Roll Call No. 786**Yeas—105**

Adamini	Frank	LaSata	Rivet
Allen	Garza	Lemmons	Rocca
Anderson	George	Lipsey	Schauer
Basham	Gielegghem	Lockwood	Scranton

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

Nays—0

In The Chair: Ehardt

The House agreed to the title of the bill.

Senate Bill No. 722, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16a of chapter IX (MCL 769.16a), as amended by 2000 PA 220.

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

Roll Call No. 787**Yeas—103**

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

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

Nays—0

In The Chair: Ehardt

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

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

The House agreed to the full title.

Rep. Callahan moved that Rep. Whitmer be excused temporarily from today's session.
The motion prevailed.

Senate Bill No. 725, entitled

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

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

Roll Call No. 788**Yeas—104**

Adamini	Faunce	Kuipers	Rison
Allen	Frank	LaSata	Rivet
Anderson	Garza	Lemmons	Rocca
Basham	George	Lipsey	Schauer
Bernero	Gielegghem	Lockwood	Scranton

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

Nays—0

In The Chair: Ehardt

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

“An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts.”.

The House agreed to the full title.

Senate Bill No. 758, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 15 of chapter IV (MCL 764.15), as amended by 2000 PA 208.

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

Roll Call No. 789**Yeas—100**

Adamini	George	Lemmons	Rivet
Allen	Gielegghem	Lockwood	Rocca
Anderson	Gilbert	Mans	Schauer
Bernero	Godchaux	McConico	Scranton
Birkholz	Gosselin	Mead	Shackleton
Bisbee	Hager	Meyer	Sheltrown
Bishop	Hale	Middaugh	Shulman
Bogardus	Hansen	Minore	Spade
Bovin	Hardman	Mortimer	Stallworth
Bradstreet	Hart	Murphy	Stamas
Brown, C.	Howell	Neumann	Stewart

Brown, R.	Hummel	Newell	Switalski
Callahan	Jacobs	O'Neil	Tabor
Cassis	Jamnick	Pappageorge	Thomas
Caul	Jansen	Patterson	Toy
Clark, I.	Jelinek	Pestka	Van Woerkom
Clarke, H.	Johnson, Rick	Phillips	Vander Roest
Daniels	Johnson, Ruth	Plakas	Vear
DeRossett	Julian	Pumford	Voorhees
DeVuyst	Koetje	Quarles	Waters
DeWeese	Kolb	Rackowski	Williams
Drolet	Kooiman	Reeves	Wojno
Ehardt	Kowall	Richardville	Woodward
Faunce	Kuipers	Richner	Woronchak
Frank	LaSata	Rison	Zelenko

Nays—0

In The Chair: Ehardt

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

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

The House agreed to the full title.

Senate Bill No. 490, entitled

A bill to amend 1975 PA 228, entitled “Single business tax act,” by amending section 35 (MCL 208.35), as amended by 2000 PA 429.

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

Roll Call No. 790**Yeas—101**

Adamini	Garza	Lemmons	Rocca
Allen	George	Lipsey	Schauer
Anderson	Gielegem	Lockwood	Scranton
Basham	Gilbert	Mans	Shackleton
Birkholz	Godchaux	McConico	Sheltrown
Bisbee	Gosselin	Mead	Shulman
Bishop	Hager	Meyer	Spade
Bogardus	Hale	Middaugh	Stallworth

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

Nays—0

In The Chair: Ehardt

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

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

The House agreed to the full title.

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

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

Senate Bill No. 817, entitled

A bill to amend 1939 PA 280, entitled “The social welfare act,” by amending sections 57d, 57e, 57f, and 57g (MCL 400.57d, 400.57e, 400.57f, and 400.57g), as added by 1995 PA 223, and by adding section 14h.

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

Roll Call No. 791

Yeas—63

Allen	George	Kuipers	Rocca
Birkholz	Gilbert	LaSata	Scranton
Bisbee	Godchaux	Mans	Shackleton
Bishop	Gosselin	Mead	Sheltrown
Bradstreet	Hager	Meyer	Shulman
Brown, B.	Hart	Middaugh	Spade
Brown, C.	Howell	Mortimer	Stamas
Cassis	Hummel	Neumann	Stewart
Caul	Jansen	Newell	Switalski
DeRossett	Jelinek	Pappageorge	Tabor
DeVuyst	Johnson, Rick	Patterson	Van Woerkom
DeWeese	Johnson, Ruth	Pestka	Vander Roest

Drolet
Ehardt
Faunce
Frank

Julian
Koetje
Kooiman
Kowall

Pumford
Rackowski
Richardville
Richner

Vear
Voorhees
Woronchak

Nays—41

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

Dennis
Garza
Gielegthem
Hale
Hansen
Hardman
Jammick
Kolb
Lemmons
Lipsey

Lockwood
McConico
Minore
Murphy
O'Neil
Phillips
Quarles
Reeves
Rison
Rivet

Schauer
Stallworth
Thomas
Toy
Waters
Whitmer
Williams
Wojno
Woodward
Zelenko

In The Chair: Ehardt

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

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

A bill to amend 1939 PA 280, entitled "An act to protect the welfare of the people of this state; to provide general assistance, hospitalization, infirmity and medical care to poor or unfortunate persons; to provide for compliance by this state with the social security act; to provide protection, welfare and services to aged persons, dependent children, the blind, and the permanently and totally disabled; to administer programs and services for the prevention and treatment of delinquency, dependency and neglect of children; to create a state department of social services; to prescribe the powers and duties of the department; to provide for the interstate and intercounty transfer of dependents; to create county and district departments of social services; to create within certain county departments, bureaus of social aid and certain divisions and offices thereunder; to prescribe the powers and duties of the departments, bureaus and officers; to provide for appeals in certain cases; to prescribe the powers and duties of the state department with respect to county and district departments; to prescribe certain duties of certain other state departments, officers, and agencies; to make an appropriation; to prescribe penalties for the violation of the provisions of this act; and to repeal certain parts of this act on specific dates," by amending sections 57d, 57e, 57f, and 57g (MCL 400.57d, 400.57e, 400.57f, and 400.57g), as added by 1995 PA 223, and by adding sections 14h and 14i.

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.

Second Reading of Bills

Senate Bill No. 27, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 806 (MCL 257.806), as amended by 2000 PA 456.

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

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

Reps. Mead and Sheltroun moved to amend the bill as follows:

1. Amend page 1, line 9, after "until" by striking out "January" and inserting "April".
2. Amend page 1, line 9, after "1," by striking out "2008" and inserting "2002".
3. Amend page 2, line 2, after "cents" by striking out "THROUGH MARCH 31, 2002, AND BEGINNING APRIL 1, 2002, \$1.50".
4. Amend page 2, line 11, by striking out all of enacting section 2.

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

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.

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

Senate Bill No. 27, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 806 (MCL 257.806), as amended by 2000 PA 456.

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

Roll Call No. 792

Yeas—104

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

Nays—0

In The Chair: Ehardt

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

"An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and

collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date.”.

The House agreed to the full title.

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. 4720, entitled

A bill to amend 1895 PA 3, entitled “The general law village act,” by amending section 6 of chapter XIV (MCL 74.6) and by adding section 6b to chapter XIV.

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

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

Rep. Bradstreet moved to amend the bill as follows:

1. Amend page 9, line 15, after “SEC. 6C.” by inserting “IF NO PERSON RESIDES IN THE TERRITORY PROPOSED FOR ANNEXATION AND THE TERRITORY PROPOSED FOR ANNEXATION IS VACANT, OR”.

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

Rep. Bradstreet demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 793

Yeas—35

Allen	Howell	Meyer	Shackleton
Bisbee	Hummel	Pappageorge	Shulman
Bishop	Jacobs	Patterson	Stamas
Bradstreet	Johnson, Rick	Pestka	Switalski
Cassis	Johnson, Ruth	Rackowski	Toy
DeRossett	Julian	Richardville	Vear
Drolet	Kuipers	Richner	Voorhees
Frank	Lemmons	Rivet	Williams
Gosselin	Mans	Rocca	

Nays—67

Adamini	DeWeese	Kooiman	Schauer
Anderson	Ehardt	LaSata	Scranton
Basham	Faunce	Lockwood	Sheltrown
Bernero	Garza	McConico	Spade
Birkholz	George	Mead	Stallworth
Bogardus	Gielegem	Middaugh	Stewart
Bovin	Gilbert	Minore	Tabor
Brown, B.	Godchaux	Mortimer	Thomas
Brown, C.	Hager	Murphy	Van Woerkom

Brown, R.	Hale	Neumann	Vander Roest
Callahan	Hansen	Newell	Waters
Caul	Hardman	O'Neil	Whitmer
Clark, I.	Hart	Plakas	Wojno
Clarke, H.	Jamnick	Pumford	Woodward
Daniels	Jelinek	Quarles	Woronchak
Dennis	Koetje	Reeves	Zelenko
DeVuyst	Kolb	Rison	

In The Chair: Ehardt

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

“Mr. Speaker and members of the House:

I did not vote on Roll Call No. 793 because of a possible conflict of interest.”

Rep. Middaugh moved to amend the bill as follows:

1. Amend page 2, line 19, after “VILLAGE” by inserting “AND THE TERRITORY PROPOSED TO BE ANNEXED OR DETACHED”.

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

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. 4720, entitled

A bill to amend 1895 PA 3, entitled “The general law village act,” by amending section 6 of chapter XIV (MCL 74.6) and by adding section 6b to chapter XIV.

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

Roll Call No. 794

Yeas—89

Adamini	Frank	LaSata	Rocca
Allen	Garza	Lemmons	Schauer
Anderson	George	Lipsey	Scranton
Basham	Gielegghem	Lockwood	Shackleton
Bernero	Gilbert	Mans	Sheltrown
Birkholz	Godchaux	McConico	Shulman
Bishop	Hager	Mead	Spade
Bogardus	Hale	Meyer	Stallworth
Bovin	Hansen	Middaugh	Stamas
Brown, B.	Hardman	Minore	Stewart
Brown, C.	Hart	Mortimer	Switalski
Brown, R.	Howell	Murphy	Tabor
Callahan	Hummel	Neumann	Thomas
Cassis	Jacobs	Newell	Van Woerkom
Caul	Jamnick	O'Neil	Vander Roest
Clark, I.	Jansen	Pestka	Waters

Clarke, H.	Jelinek	Pumford	Whitmer
Daniels	Johnson, Rick	Quarles	Williams
Dennis	Julian	Reeves	Wojno
DeVuyst	Koetje	Richardville	Woodward
DeWeese	Kolb	Richner	Woronchak
Ehardt	Kooiman	Rivet	Zelenko
Faunce			

Nays—13

Bisbee	Gosselin	Patterson	Toy
Bradstreet	Kuipers	Phillips	Vear
DeRossett	Pappageorge	Rackowski	Voorhees
Drolet			

In The Chair: Ehardt

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

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

A bill to amend 1895 PA 3, entitled “The general law village act,” by amending section 6 of chapter XIV (MCL 74.6) and by adding sections 6b, 6c, and 6d to chapter XIV.

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, Bovin, Callahan, Clark, Clarke, Daniels, Ehardt, Gielegem, Hardman, Jacobs, Julian, Kolb, LaSata, Lockwood, McConico, Minore, Murphy, O’Neil, Pumford, Whitmer and Zelenko were named co-sponsors of the bill.

Rep. Drolet moved that his name be removed as co-sponsor of the bill.

The motion prevailed.

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

“Mr. Speaker and members of the House:

I did not vote on Roll Call No. 794 because of a possible conflict of interest.”

Second Reading of Bills

House Bill No. 4721, entitled

A bill to amend 1909 PA 278, entitled “The home rule village act,” by amending sections 4 and 5 (MCL 78.4 and 78.5).

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

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

Rep. DeVuyst 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. 4721, entitled

A bill to amend 1909 PA 278, entitled "The home rule village act," by amending sections 4 and 5 (MCL 78.4 and 78.5).

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

Roll Call No. 795

Yeas—90

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

Nays—15

Bisbee	Gosselin	Pappageorge	Toy
Bradstreet	Johnson, Ruth	Patterson	Vear
DeRossett	Kuipers	Phillips	Voorhees
Drolet	Lemmons	Rackowski	

In The Chair: Ehardt

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

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

A bill to amend 1909 PA 278, entitled "The home rule village act," by amending sections 4 and 5 (MCL 78.4 and 78.5) and by adding section 5b.

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. Drolet moved that his name be removed as co-sponsor of the bill.

The motion prevailed.

Second Reading of Bills**House Bill No. 4722, entitled**

A bill to amend 1909 PA 279, entitled “The home rule city act,” by amending section 9 (MCL 117.9), as amended by 1984 PA 352.

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

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

Rep. Jamnick 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. 4722, entitled**

A bill to amend 1909 PA 279, entitled “The home rule city act,” by amending section 9 (MCL 117.9), as amended by 1984 PA 352.

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

Roll Call No. 796**Yeas—91**

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

Nays—15

Bisbee	Gosselin	Pappageorge	Toy
Bradstreet	Johnson, Ruth	Patterson	Vear
DeRossett	Kuipers	Phillips	Voorhees
Drolet	Lemmons	Rackowski	

In The Chair: Ehardt

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

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

A bill to amend 1909 PA 279, entitled "The home rule city act," by amending sections 9 and 9b (MCL 117.9 and 117.9b), section 9 as amended by 1984 PA 352 and section 9b as added by 1982 PA 465, and by adding sections 9c, 9d, and 9e.

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. Birkholz, Bovin, Callahan, Clarke, Ehardt, Hardman, Jacobs, Julian, Kolb, LaSata, Lockwood, Mans, McConico, Minore, Murphy, Pumford, Whitmer and Zelenko were named co-sponsors of the bill.

Rep. Drolet moved that his name be removed as co-sponsor of the bill.

The motion prevailed.

Second Reading of Bills

House Bill No. 4723, entitled

A bill to amend 1846 RS 16, entitled "Of the powers and duties of townships, the election and duties of township officers, and the division of townships," (MCL 41.1a to 41.110c) by adding section 104a.

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

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

Rep. Pumford 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. 4723, entitled

A bill to amend 1846 RS 16, entitled "Of the powers and duties of townships, the election and duties of township officers, and the division of townships," (MCL 41.1a to 41.110c) by adding section 104a.

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

Roll Call No. 797

Yeas—90

Allen	Garza	Lipse	Rocca
Anderson	George	Lockwood	Schauer
Basham	Gielegem	Mans	Scranton
Bernero	Gilbert	McConico	Shackleton
Birkholz	Godchaux	Mead	Sheltrown
Bishop	Hager	Meyer	Shulman
Bogardus	Hale	Middaugh	Spade
Bovin	Hansen	Minore	Stallworth
Brown, B.	Hardman	Mortimer	Stamas
Brown, C.	Hart	Murphy	Stewart
Brown, R.	Howell	Neumann	Switalski
Callahan	Hummel	Newell	Tabor
Cassis	Jacobs	O'Neil	Thomas
Caul	Jamnick	Pestka	Van Woerkom
Clark, I.	Jansen	Plakas	Vander Roest
Clarke, H.	Jelinek	Pumford	Waters

Daniels	Johnson, Rick	Quarles	Whitmer
Dennis	Julian	Reeves	Williams
DeVuyst	Koetje	Richardville	Wojno
DeWeese	Kolb	Richner	Woodward
Ehardt	Kooiman	Rison	Woronchak
Faunce	Kowall	Rivet	Zelenko
Frank	LaSata		

Nays—15

Bisbee	Gosselin	Pappageorge	Toy
Bradstreet	Johnson, Ruth	Patterson	Vear
DeRossett	Kuipers	Phillips	Voorhees
Drolet	Lemmons	Rackowski	

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.

Reps. Birkholz, Bovin, Callahan, Ehardt, Hardman, Julian, Kolb, LaSata, Lockwood, Mans, McConico, Minore, Whitmer and Zelenko were named co-sponsors of the bill.

Rep. Drolet moved that his name be removed as co-sponsor of the bill.

The motion prevailed.

Rep. Whitmer, 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. 788 and 789. Had I been present, I would have voted ‘yea’.”

Second Reading of Bills

House Bill No. 4724, entitled

A bill to amend 1968 PA 191, entitled “An act to create a state boundary commission; to prescribe its powers and duties; to provide for municipal incorporation, consolidation, and annexation; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” by amending section 11b (MCL 123.1011b), as added by 1982 PA 192.

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

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

Rep. 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.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4724, entitled

A bill to amend 1968 PA 191, entitled “An act to create a state boundary commission; to prescribe its powers and duties; to provide for municipal incorporation, consolidation, and annexation; to prescribe penalties and provide remedies; and to repeal acts and parts of acts,” by amending section 11b (MCL 123.1011b), as added by 1982 PA 192.

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

Roll Call No. 798**Yeas—91**

Adamini	Frank	LaSata	Rocca
Allen	Garza	Lipsey	Schauer
Anderson	George	Lockwood	Scranton
Basham	Gielegthem	Mans	Shackleton
Bernero	Gilbert	McConico	Sheltrown
Birkholz	Godchaux	Mead	Shulman
Bishop	Hager	Meyer	Spade
Bogardus	Hale	Middaugh	Stallworth
Bovin	Hansen	Mortimer	Stamas
Brown, B.	Hardman	Murphy	Stewart
Brown, C.	Hart	Neumann	Switalski
Brown, R.	Howell	Newell	Tabor
Callahan	Hummel	O'Neil	Thomas
Cassis	Jacobs	Pestka	Van Woerkom
Caul	Jamnick	Plakas	Vander Roest
Clark, I.	Jansen	Pumford	Waters
Clarke, H.	Jelinek	Quarles	Whitmer
Daniels	Johnson, Rick	Rackowski	Williams
Dennis	Julian	Reeves	Wojno
DeVuyst	Koetje	Richardville	Woodward
DeWeese	Kolb	Richner	Woronchak
Ehardt	Kooiman	Rison	Zelenko
Faunce	Kowall	Rivet	

Nays—14

Bisbee	Gosselin	Pappageorge	Toy
Bradstreet	Johnson, Ruth	Patterson	Vear
DeRossett	Kuipers	Phillips	Voorhees
Drolet	Lemmons		

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. Drolet moved that his name be removed as co-sponsor of the bill.

The motion prevailed.

Second Reading of Bills**House Bill No. 4725, entitled**

A bill to amend 1947 PA 359, entitled "The charter township act," by amending section 34 (MCL 42.34), as amended by 1984 PA 353.

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

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

Rep. Tabor 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. 4725, entitled

A bill to amend 1947 PA 359, entitled “The charter township act,” by amending section 34 (MCL 42.34), as amended by 1984 PA 353.

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

Roll Call No. 799

Yeas—86

Adamini	Faunce	Kooiman	Rocca
Allen	Frank	LaSata	Schauer
Anderson	Garza	Lipsey	Scranton
Basham	George	Lockwood	Shackleton
Bernero	Gielegthem	Mans	Sheltrown
Birkholz	Gilbert	McConico	Shulman
Bishop	Godchaux	Mead	Spade
Bogardus	Hager	Meyer	Stallworth
Bovin	Hale	Middaugh	Stamas
Brown, B.	Hansen	Mortimer	Stewart
Brown, C.	Hardman	Murphy	Switalski
Brown, R.	Hart	Newell	Tabor
Callahan	Howell	O’Neil	Van Woerkom
Cassis	Hummel	Pestka	Vander Roest
Caul	Jacobs	Plakas	Waters
Clark, I.	Jamnick	Pumford	Whitmer
Clarke, H.	Jansen	Reeves	Williams
Daniels	Jelinek	Richardville	Wojno
Dennis	Johnson, Rick	Richner	Woodward
DeVuyst	Julian	Rison	Woronchak
DeWeese	Koetje	Rivet	Zelenko
Ehardt	Kolb		

Nays—17

Bisbee	Johnson, Ruth	Neumann	Rackowski
Bradstreet	Kowall	Pappageorge	Toy
DeRossett	Kuipers	Patterson	Vear
Drolet	Lemmons	Phillips	Voorhees
Gosselin			

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.

Reps. Basham, Birkholz, Bovin, Callahan, Clarke, Ehardt, Hardman, Julian, Kolb, Mans and Zelenko were named co-sponsors of the bill.

Rep. Drolet moved that his name be removed as co-sponsor of the bill.

The motion prevailed.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Pumford, Vander Roest, Julian, Mortimer, Pappageorge, Shulman, Jelinek, Shackleton, Middaugh, Ehardt, LaSata, Van Woerkom, Newell, Stamas, Caul, Meyer, Allen, Kuipers, Cameron Brown, Mead, Dennis and Jansen offered the following resolution:

House Resolution No. 286.

A resolution to urge the United States Department of Agriculture to expedite the processing of emergency loans for farm losses from the summer 2001 drought.

Whereas, During the summer of 2001, Michigan agriculture suffered from an unusually severe and extended drought. Our farmers endured more than two months, in the midst of the growing season, with less than an inch of rain, which caused enormous damage to dozens of crops across virtually the entire state. The losses to farmers represent a major burden, especially to smaller family operations; and

Whereas, Pursuant to federal disaster procedures, Governor Engler requested assistance. This request was based on losses of at least 30 percent in at least one commodity per county. On December 4, 2001, the United States Department of Agriculture named 82 of Michigan's counties eligible for emergency farm loans. This announcement is most welcome and appreciated by the entire Michigan farm community. For individual farm operators, access to the low-interest loans is crucial to surviving the financial losses of last year; and

Whereas, For those who have endured the losses from last season's drought, time is also a major factor in how well they cope with the financial burdens before them. At this time, as farm operators plan for next year, it is essential that the uncertainties and burdens of last year be handled as soon as possible. Some farmers face the hard choice of deciding whether or not to continue to plant crops. The swift processing of loan applications is very important; now, therefore, be it

Resolved by the House of Representatives, That we urge the United States Department of Agriculture to expedite the processing of emergency loans for farm losses from the summer 2001 drought; and be it further

Resolved, That copies of this resolution be transmitted to the United States Department of Agriculture.

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

Reps. Kilpatrick, Reeves, Garza, Thomas, Hale, Clark, Sheltroun, Quarles, Lipsey, Daniels, Kolb, Adamini, Rich Brown, McConico, Hardman, Whitmer, Rick Johnson, DeWeese, Murphy, Zelenko, Waters, Wojno, Bernero, Phillips and Lemmons offered the following resolution:

House Resolution No. 287.

A resolution congratulating Carolyn and Leon Burke, Jr., as they celebrate their 30th wedding anniversary.

Whereas, It is a distinct honor to join with the family and friends of Carolyn and Leon Burke, Jr., of Detroit, Michigan, as they celebrate their 30th wedding anniversary. As they gather to mark this milestone in their lives, it is most appropriate to commend them for the manner in which their strong relationship has enhanced our state and the experiences of all those fortunate enough to know these two fine people; and

Whereas, On February 5, 1972, Venson and Connie Dennis gave Carolyn Dennis for holy matrimony to Leon Burke, Jr., the son of Leon and Phyllis Burke Sr. In the years that have followed, they have been renewing these vows every day, not by words, but by the commitment they make in their deeds in coping with the challenges of life and the joys of this world. As the Burkes affirm, no marriage can reach the milestone of 30 years without commitment and renewal. On February 5, 2002, the Burkes will recall the vows they spoke long ago at Christ Evangelical Lutheran Church and celebrate 30 years of marriage; and

Whereas, Carolyn and Leon Burke, Jr., participated in the National Tots N Teens Association where Leon was elected national president. Levi Jackson, the first African-American Urban Affairs Director at Ford Motor Company, was a mentor to Carolyn and she took his place upon his retirement. Carolyn then went on to work in Ford's international public affairs department, where she covered counties around the globe. In May of 2001, Carolyn retired from Ford Motor Company after 30 years of dedicated service. Leon Burke, Jr., continues to work as the substation supervisor at DTE Energy and is an assistant coach for the girls softball team and boys football team at Renaissance High School; and

Whereas, The Burkes are blessed with two children, Leon Edgar Burke, III and Maunda Ghenet Burke. Leon Burke, Jr.'s mother and six brothers and sisters, along with Carolyn's six brothers and sisters, are proud to honor their strong marriage and friendship. Leon Edgar Burke, III and William and Maunda Ghenet Land commend them for their love and support throughout the years and their contribution to their community and society as a whole; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body congratulate Carolyn and Leon Burke, Jr., as they mark their 30th wedding anniversary. May they continue to grow closer to one another with each passing day; and be it further

Resolved, That a copy of this resolution be transmitted to Carolyn and Leon Burke, Jr., as evidence of our great respect for their 30 years of marriage.

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.

THIS RESOLUTION IS OFFERED TO COMPLY WITH MCL §§ 324.36105 and 324.36106.

Rep. Hart offered the following concurrent resolution:

House Concurrent Resolution No. 50.

A concurrent resolution to approve certain designated open space land applications.

Whereas, Sections 36105(2) and 36106(9) of Part 361, Farmland and Open Space Preservation, of the Natural Resources and Environmental Protection Act, 1994 PA 451, require the Department of Agriculture to submit each application for designated open space development rights easements and local open space easements on appeal, along with an analysis of its cost, to the Legislature; and

Whereas, The Legislature has reviewed the applications and analysis and determined that the lands in question qualify and that it is in the interest of the state of Michigan to enter into said easements involving parcels of land located in Kent County, Ingham County, Mackinac County, and Otsego County; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the following designated open space land applications submitted by the Department of Agriculture be hereby approved:

- 1) William Schall; location-City of Williamston, Ingham County, T3N, R1E; size-10 acres; cost per year-\$834.00; retroactive cost since application was made-\$2,502.00; proposed term-10 years.
- 2) William Schreur; location-Vergennes Township, Kent County, T7N, R9W; size-65 acres; cost per year-\$670.00; retroactive cost since application was made-\$2,680.00; proposed term-10 years.
- 3) Cheryl J. Jahn Trust; location-Bois Blanc Island, Mackinac County, T39N-40N, R2W; size-105 acres; cost per year-\$474.00; retroactive cost since application was made-\$1,896.00; proposed term-10 years.
- 4) Martin Jahn, Inc.; location-Bois Blanc Island, Mackinac County, T39N, R1W; size-144 acres; cost per year-\$785.00; retroactive cost since application was made-\$3,140.00; proposed term-10 years.
- 5) James L. Doyle; location-Dover Township, Otsego County, T31N, R2W; size-312 acres; cost per year-\$1,378.00; retroactive cost since application was made-\$2,756.00; proposed term-10 years.
- 6) Nancy E. Hand Trust; location-Napoleon Township, Jackson County, T3S, R2E; size-5 acres; cost per year-\$462.00; retroactive cost since application was made-\$462.00; proposed term-10 years.

The total number of acres for these applications is 641 acres; the total cost per year for all of the applications is \$4,603.00; and the total retroactive cost for all of the applications since they were made is \$13,436.00 ; and be it further

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

The concurrent resolution was referred to the Committee on Land Use and Environment.

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, December 6:

Senate Bill Nos.	882	883	884	885	886	887	888	889	890	891	892	893	894	895
	896	897	898	899	900	901	902	903	904	905	906	907	908	909
	910	911	912	913	914	915	916	917	918	919	920			

The Clerk announced that the following bills had been printed and placed upon the files of the members, Friday, December 7:

Senate Bill Nos.	921	922	923	924	925	926
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The Clerk announced the enrollment printing and presentation to the Governor on Wednesday, December 12, for his approval of the following bills:

Enrolled House Bill No. 4333 at 10:30 a.m.
Enrolled House Bill No. 4733 at 10:32 a.m.
Enrolled House Bill No. 4811 at 10:34 a.m.
Enrolled House Bill No. 5091 at 10:36 a.m.
Enrolled House Bill No. 5341 at 10:38 a.m.
Enrolled House Bill No. 5342 at 10:40 a.m.

The Clerk announced that the following Senate bills had been received on Wednesday, December 12:
Senate Bill Nos. 358 670

By unanimous consent the House returned to the order of
Reports of Standing Committees

The Committee on Insurance and Financial Services, by Rep. Richner, Chair, reported
Senate Bill No. 499, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by repealing chapter 37 (MCL 500.3701 to 500.3728).

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 499 To Report Out:

Yeas: Reps. Richner, Hager, Hummel, Julian, Van Woerkom, Wojno, Anderson, Clark, Daniels, Woodward,
Nays: None.

The Committee on Insurance and Financial Services, by Rep. Richner, Chair, reported
Senate Bill No. 500, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 244 (MCL 500.244), as amended by 1992 PA 182.

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 500 To Report Out:

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

The Committee on Insurance and Financial Services, by Rep. Richner, Chair, reported
Senate Bill No. 718, entitled

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending section 551 (MCL 418.551), as amended by 1992 PA 269.

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 718 To Report Out:

Yeas: Reps. Richner, Bisbee, Hager, Hummel, Julian, Middaugh, Van Woerkom, Wojno, Anderson, Clark, Daniels, 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 12, 2001, at 10:30 a.m.,

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

Absent: Reps. Ehardt, Scranton, Schermesser,

Excused: Reps. Ehardt, Scranton, Schermesser.

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

Senate Bill No. 437, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4x (MCL 205.54x), as added by 2000 PA 204.

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

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

Favorable Roll Call

SB 437 To Report Out:

Yeas: Reps. Cassis, Vear, Drolet, Faunce, Gosselin, Kowall, 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. 576, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 4 (MCL 205.94), as amended by 2001 PA 39.

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 576 To Report Out:

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

Nays: None.

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

House Bill No. 4732, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 471 (MCL 206.471), as amended by 1996 PA 484.

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 4732 To Report Out:

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

Nays: None.

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

House Bill No. 5453, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 301 (MCL 206.301), as amended by 1996 PA 484.

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 5453 To Report Out:

Yeas: Reps. Cassis, Vear, Drolet, Faunce, Gosselin, Kowall, Meyer, Newell, Richardville, Woronchak, Quarles, Basham, Bob Brown, Hale, 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 12, 2001, at 10:30 a.m.,

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

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

House Bill No. 5337, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 722 (MCL 257.722), as amended by 2000 PA 6.

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 5337 To Report Out:

Yeas: Reps. Gilbert, George, Drolet, Gosselin, Hummel, Julian, Anderson, Bovin, Jamnick, Murphy, Neumann,

Nays: Rep. Hart.

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 12, 2001, at 9:00 a.m.,

Present: Reps. Gilbert, George, Drolet, Gosselin, Hart, Hummel, Julian, Anderson, Bovin, Jamnick, Murphy, Neumann,

Absent: Reps. DeRossett, Ruth Johnson, Scranton, Daniels, Schermesser,

Excused: Reps. DeRossett, Ruth Johnson, Scranton, Daniels, Schermesser.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, December 12, 2001, at 10:30 a.m.,

Present: Reps. Patterson, Howell, Jacobs, Lipsey,

Absent: Rep. Kuipers,

Excused: Rep. Kuipers.

Communications from State Officers

The following communications from the Department of Consumer and Industry Services were received and read:

November 20, 2001

Pursuant to Section 314 of P.A. 119 of 2001, we are enclosing a copy of the following report:

<u>Type of Report</u>	<u>Facility</u>	<u>Report #</u>	<u>License #</u>
Renewal Approval Report	Park Place Residential Care Center		CS390201357

This report was performed in compliance with the requirements of P.A. 116 of 1973 as amended, and the Administrative Rules for Child Caring Institutions. The report may also be viewed on our website at the following address: http://www.cis.state.mi.us/fast/leg_rep.htm.

If you have any questions regarding this information, please feel free to contact me at 373-3892.

November 29, 2001

Pursuant to Section 314 of P.A. 119 of 2001, we are enclosing a copy of the following report:

<u>Type of Report</u>	<u>Facility</u>	<u>Report #</u>	<u>License #</u>
Special Investigation Report	Green Oak Center	2001C0208043	CS470201159

This report was performed in compliance with the requirements of P.A. 116 of 1973 as amended, and the Administrative Rules for Child Caring Institutions. The report may also be viewed on our website at the following address: http://www.cis.state.mi.us/fast/leg_rep.htm.

If you have any questions regarding this information, please feel free to contact me at 373-3892.

December 6, 2001

Pursuant to Section 314 of P.A. 119 of 2001, we are enclosing a copy of the following report:

<u>Type of Report</u>	<u>Facility</u>	<u>Report #</u>	<u>License #</u>
Special Investigation Report	Summit Center	2002C0201002	CS470201446

This report was performed in compliance with the requirements of P.A. 116 of 1973 as amended, and the Administrative Rules for Child Caring Institutions. The report may also be viewed on our website at the following address: http://www.cis.state.mi.us/fast/leg_rep.htm.

If you have any questions regarding this information, please feel free to contact me at 373-3892.

Sincerely,
John R. Suckow, C.P.A.
Director, Finance and Administrative Services

The communications were referred to the Clerk.

The following communication from the Department of Civil Service was received and read:

December 5, 2001

The Human Resources Management Network (HRMN) has received the following change requests for access to the Legislative and Judicial employees data.

The Department of Management and Budget, Office of Administrative Services, has requested that Doreen Brown be given unrestricted statewide access to non-elected legislative employees and judicial employees payroll and benefit information. This access is needed to meet the information needs of Retirement, Office of the State Employer and the Office of the Budget.

Please review these changes by close of business on December 10 and let me know if you have any questions or objections.

Sincerely,
Richard H. Huneke
Project Director, Human Resources
Management Network

The communication was referred to the Clerk.

The following communications from the Secretary of State were received and read:

Notices of Filing
Administrative Rules

November 6, 2001

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 3:55 P.M. this date, administrative rule (01-11-01E) for the Department of Corrections, entitled "*Suspension of the practice of opening legal mail in a prisoner's presence and amendment of R791.6603*", effective upon filing with the Secretary of State.

November 26, 2001

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 2:15 P.M. this date, administrative rule (01-11-02) for the Department of Agriculture, Food and Dairy Division, entitled "*Regulation No. 538. Egg Breaking*", effective 7 days hereafter.

November 26, 2001

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 2:17 P.M. this date, administrative rule (01-11-03) for the Department of Agriculture, Food and Dairy Division, entitled "*Regulation No. 549. Nonalcoholic Beverages*", effective 7 days hereafter.

November 26, 2001

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 2:19 P.M. this date, administrative rule (01-11-04) for the Department of Agriculture, Food and Dairy Division, entitled "*Regulation No. 554. Last Day of Sale*", effective 7 days hereafter.

November 26, 2001

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 2:21 P.M. this date, administrative rule (01-11-05) for the Department of Agriculture, Food and Dairy Division, entitled "*Regulation No. 556. Food Concessions at State and County Fairs*", effective 7 days hereafter.

November 26, 2001

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 2:23 P.M. this date, administrative rule (01-11-06) for the Department of Agriculture, Food and Dairy Division, entitled "*Regulation No. 557. Food Establishment Licensing*", effective 7 days hereafter.

November 26, 2001

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 2:25 P.M. this date, administrative rule (01-11-07) for the Department of Agriculture, Food and Dairy Division, entitled "*Regulation No. 558. Temporary Food Establishments*", effective 7 days hereafter.

November 26, 2001

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 2:27 P.M. this date, administrative rule (01-11-08) for the Department of Agriculture, Food and Dairy Division, entitled "*Food Services Sanitation*", effective 7 days hereafter.

November 26, 2001

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 2:29 P.M. this date, administrative rule (01-11-09) for the Department of Agriculture, Pesticide and Pesticide Management Division, entitled "*Regulation No. 530. Controlled Atmosphere Storage for Apples*", effective 7 days hereafter.

November 26, 2001

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 2:31 P.M. this date, administrative rule (01-11-10) for the Department of Agriculture, Pesticide and Plant Pesticide Division, entitled "*Regulation No. 605. Disposal of Christmas Trees*", effective 7 days hereafter.

November 27, 2001

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 2:00 P.M. this date,

administrative rule (01-11-11) for the Department of Consumer and Industry Services, Director's Office, entitled "*General Industry Safety Standard Part 74 Firefighting*", effective 7 days hereafter.

Sincerely,
Candice S. Miller
Secretary of State
Elena L. Beasley, Manager
Office of the Great Seal

The communications were referred to the Clerk.

Quorum Call

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

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

The following is the roll call:

Roll Call No. 800

Yeas—92

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

In The Chair: Ehardt

Rep. Lockwood moved that Reps. Dennis and Wojno be excused temporarily from today's session. The motion prevailed.

Rep. Reeves moved that Rep. Hardman be excused temporarily from today's session. The motion prevailed.

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

Senate Bill No. 527, entitled

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending section 205 (MCL 436.1205), as amended by 1998 PA 416, and by adding section 206.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Regulatory Reform (for amendment, see House Journal No. 86, p. 2628),

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

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.

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

Senate Bill No. 527, entitled

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending section 205 (MCL 436.1205), as amended by 1998 PA 416, and by adding section 206.

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

Roll Call No. 801

Yeas—101

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

Nays—0

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

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

The House agreed to the full title.

Rep. 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. 5462, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 12522 (MCL 333.12522).

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

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

Rep. DeVuyst moved to substitute (H-4) the bill.

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

Rep. Kooiman 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. 5462, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 12522 (MCL 333.12522).

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

Roll Call No. 802

Yeas—101

Adamini	Garza	Lemmons	Rison
Allen	George	Lipsey	Rivet
Anderson	Gielegghem	Lockwood	Rocca
Basham	Gilbert	Mans	Schauer
Birkholz	Godchaux	McConico	Scranton
Bisbee	Gosselin	Mead	Shackleton
Bishop	Hager	Meyer	Sheltrown
Bogardus	Hale	Middaugh	Shulman
Bovin	Hansen	Minore	Spade
Bradstreet	Hardman	Mortimer	Stamas
Brown, B.	Howell	Murphy	Stewart
Brown, C.	Hummel	Neumann	Switalski
Brown, R.	Jacobs	Newell	Tabor
Callahan	Jamnick	O’Neil	Thomas

Cassis	Jansen	Pappageorge	Toy
Caul	Jelinek	Patterson	Van Woerkom
Clark, I.	Johnson, Rick	Pestka	Vander Roest
Clarke, H.	Johnson, Ruth	Phillips	Vear
Daniels	Julian	Plakas	Voorhees
DeRossett	Koetje	Pumford	Waters
DeVuyst	Kolb	Quarles	Whitmer
DeWeese	Kooiman	Rackowski	Williams
Drolet	Kowall	Reeves	Woodward
Ehardt	Kuipers	Richardville	Woronchak
Faunce	LaSata	Richner	Zelenko
Frank			

Nays—0

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.

Reps. Allen, Basham, Bisbee, Cameron Brown, DeRossett, DeVuyst, Ehardt, Faunce, George, Hager, Howell, Julian, Koetje, Lemmons, Lipsey, Mead, Meyer, Mortimer, Murphy, Newell, Patterson, Phillips, Rackowski, Richardville, Richner, Rocca, Shulman, Spade, Stewart, Toy, Van Woerkom, Vear, Voorhees and Zelenko were named co-sponsors of the bill.

Second Reading of Bills

House Bill No. 4655, entitled

A bill to revise the priority of allocation of funds for certain programs and services administered by the department of community health; and to prescribe the powers and duties of certain state agencies and departments.

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

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

Rep. Lockwood moved to amend the bill as follows:

1. Amend page 5, line 3, after the second "entity" by inserting "reviewed and".

2. Amend page 5, line 7, after "department" by inserting a comma and "and that meets the following conditions:

(i) Can remain in continuous compliance with subpart A of Part 59 of Title 42 of the Code of Federal Regulations.

(ii) Must be capable of assuming the patient capacity required by the current contract.".

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

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

The question being on the adoption of the substitute (H-3) offered by Rep. Jacobs,

Rep. Jacobs demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the substitute (H-3) offered by Rep. Jacobs,

The substitute (H-3) was not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 803

Yeas—31

Adamini	Godchaux	Lipsey	Stewart
Anderson	Hale	McConico	Switalski
Bogardus	Hansen	Minore	Toy
Clark, I.	Hardman	Murphy	Waters

Clarke, H.
Daniels
Garza
Gielegthem

Jacobs
Jamnick
Kolb
Lemmons

Phillips
Rison
Schauer
Scranton

Whitmer
Woodward
Zelenko

Nays—65

Allen
Basham
Birkholz
Bisbee
Bishop
Bovin
Bradstreet
Brown, B.
Brown, C.
Brown, R.
Cassis
Caul
DeRossett
DeVuyst
DeWeese
Drolet
Ehardt

Faunce
Frank
George
Gosselin
Hager
Hart
Howell
Hummel
Jansen
Jelinek
Johnson, Rick
Johnson, Ruth
Julian
Koetje
Kooiman
Kowall

Kuipers
LaSata
Lockwood
Mans
Mead
Meyer
Middaugh
Mortimer
Neumann
Newell
O'Neil
Pappageorge
Patterson
Pestka
Plakas
Pumford

Raczkowski
Richardville
Richner
Rivet
Rocca
Shackleton
Sheltrown
Shulman
Spade
Stamas
Tabor
Van Woerkom
Vander Roest
Vear
Voorhees
Woronchak

In The Chair: Ehardt

Rep. Frank moved to amend the bill as follows:

1. Amend page 2, following line 25, by inserting:

“(5) Subsection (1) does not apply to qualified entities providing prenatal and/or STD testing and pregnancy counseling of the service area’s infant mortality rate is more than 5%”. and renumbering the remaining subsections.

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

Rep. Frank demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 804**Yeas—39**

Adamini
Anderson
Bernero
Bogardus
Bovin
Callahan
Clarke, H.
Daniels
Dennis
Frank

Gielegthem
Godchaux
Hale
Hansen
Hardman
Jacobs
Jamnick
Kolb
Lemmons
Lipsey

Lockwood
McConico
Minore
Murphy
Quarles
Rison
Schauer
Scranton
Stallworth
Stewart

Switalski
Thomas
Toy
Waters
Whitmer
Williams
Wojno
Woodward
Zelenko

Nays—62

Allen
Basham
Birkholz

George
Gilbert
Gosselin

LaSata
Mans
Mead

Raczkowski
Richardville
Richner

Bisbee	Hager	Meyer	Rocca
Bishop	Hart	Middaugh	Shackleton
Bradstreet	Howell	Mortimer	Sheltrown
Brown, C.	Hummel	Neumann	Shulman
Brown, R.	Jansen	Newell	Spade
Cassis	Jelinek	O'Neil	Stamas
Caul	Johnson, Rick	Pappageorge	Tabor
DeRossett	Johnson, Ruth	Patterson	Van Woerkom
DeVuyst	Julian	Pestka	Vander Roest
DeWeese	Koetje	Phillips	Vear
Drolet	Kooiman	Plakas	Voorhees
Ehardt	Kowall	Pumford	Woronchak
Faunce	Kuipers		

In The Chair: Ehardt

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

House Bill No. 5333, 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 section 30a (MCL 205.30a), as amended by 1995 PA 116.

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

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

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

The motion prevailed.

House Bill No. 5397, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30d (MCL 206.30d), as amended by 2000 PA 42.

The bill was read a second time.

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

The motion prevailed.

Senate Bill No. 257, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 36 to chapter IX.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Criminal Justice (for amendments, see House Journal No. 83, p. 2514),

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

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

The motion prevailed.

Senate Bill No. 775, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 19 (MCL 208.19), as added by 1999 PA 115.

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.

House Bill No. 4926, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 8807 (MCL 324.8807), as added by 1998 PA 287, and by adding section 3112d.

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

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

Rep. Ruth Johnson 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. 4926, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 8807 (MCL 324.8807), as added by 1998 PA 287, and by adding section 3112d.

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

Roll Call No. 805**Yeas—104**

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

Nays—0

In The Chair: Ehardt

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

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

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 8807 (MCL 324.8807), as added by 1998 PA 287, and by adding sections 3112d and 3115b.

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.

Second Reading of Bills

Senate Bill No. 106, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 5303 (MCL 324.5303).

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.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 106, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 5303 (MCL 324.5303).

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

Roll Call No. 806

Yeas—105

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

Nays—0

In The Chair: Ehardt

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

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

The House agreed to the full title.

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

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

Second Reading of Bills

Senate Bill No. 105, entitled

A bill to amend 1984 PA 431, entitled “The management and budget act,” (MCL 18.1101 to 18.1594) by adding section 353f.

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

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

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.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 105, entitled

A bill to amend 1984 PA 431, entitled “The management and budget act,” (MCL 18.1101 to 18.1594) by adding section 353f.

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

Roll Call No. 807

Yeas—104

Adamini	Frank	LaSata	Rivet
Allen	Garza	Lemmons	Rocca
Anderson	George	Lipsey	Schauer
Basham	Gielegghem	Lockwood	Scranton
Bernero	Gilbert	Mans	Shackleton
Birkholz	Godchaux	McConico	Sheltrown
Bisbee	Gosselin	Mead	Shulman
Bishop	Hager	Meyer	Spade
Bovin	Hale	Middaugh	Stallworth
Bradstreet	Hansen	Minore	Stamas
Brown, B.	Hardman	Mortimer	Stewart
Brown, C.	Hart	Murphy	Switalski
Brown, R.	Howell	Neumann	Tabor
Callahan	Hummel	Newell	Thomas
Cassis	Jacobs	O’Neil	Toy
Caul	Jamnick	Pappageorge	Van Woerkom
Clark, I.	Jansen	Patterson	Vander Roest
Clarke, H.	Jelinek	Pestka	Vear
Daniels	Johnson, Rick	Phillips	Voorhees

Dennis
DeRossett
DeVuyst
DeWeese
Drolet
Ehardt
Faunce

Johnson, Ruth
Julian
Koetje
Kolb
Kooiman
Kowall
Kuipers

Plakas
Pumford
Rackowski
Reeves
Richardville
Richner
Rison

Waters
Whitmer
Williams
Wojno
Woodward
Woronchak
Zelenko

Nays—0

In The Chair: Ehardt

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

“An act to prescribe the powers and duties of the department of management and budget; to define the authority and functions of its director and its organizational entities; to authorize the department to issue directives; to provide for the capital outlay program; to provide for the leasing, planning, constructing, maintaining, altering, renovating, demolishing, conveying of lands and facilities; to provide for centralized administrative services such as purchasing, payroll, record retention, data processing, and publishing and for access to certain services; to provide for a system of internal accounting and administrative control for certain principal departments; to provide for an internal auditor in certain principal departments; to provide for certain powers and duties of certain state officers and agencies; to codify, revise, consolidate, classify, and add to the powers, duties, and laws relative to budgeting, accounting, and the regulating of appropriations; to provide for the implementation of certain constitutional provisions; to create funds and accounts; to make appropriations; to prescribe remedies and penalties; to rescind certain executive reorganization orders; to prescribe penalties; and to repeal certain acts and parts of acts.”.

The House agreed to the full title.

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

Senate Bill No. 541, entitled

A bill to amend 1945 PA 327, entitled “Aeronautics code of the state of Michigan,” by amending sections 2, 3, 4, 5, 6, 7, 8, 9, 51, 83, 86, 87, 89, 133, 151, and 205 (MCL 259.2, 259.3, 259.4, 259.5, 259.6, 259.7, 259.8, 259.9, 259.51, 259.83, 259.86, 259.87, 259.89, 259.133, 259.151, and 259.205), sections 2, 3, 4, 5, 6, 7, 8, 51, 83, 86, and 133 as amended by 1996 PA 370, sections 9 and 151 as amended by 2000 PA 382, and section 89 as amended by 1998 PA 81, and by adding sections 80g, 80h, 83a, 83b, 87a, 89a, 205a, and 205b; and to repeal acts and parts of acts.

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

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

Rep. Gilbert moved to amend the bill as follows:

1. Amend page 30, line 20, by striking out “February” and inserting “April”.

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

Rep. Bradstreet moved to amend the bill as follows:

1. Amend page 8, line 13, after “AND” by striking out “IS TO BE USED BY” and inserting “ITS USE IS RESTRICTED TO”.

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

Rep. Gosselin moved to amend the bill as follows:

1. Amend page 11, line 4, after “AERONAUTICS.” by striking out the balance of the line through “GUESTS.” on line 9.

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

Rep. Gosselin demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 808**Yeas—36**

Allen	Gielegthem	Middaugh	Sheltrown
Bernero	Gosselin	Mortimer	Shulman
Bishop	Jacobs	Neumann	Spade
Bradstreet	Johnson, Ruth	Patterson	Stamas
Brown, B.	Julian	Pestka	Tabor
Caul	Kooiman	Richardville	Toy
Drolet	Kowall	Rocca	Vander Roest
Faunce	Mans	Schauer	Vear
Frank	Mead	Shackleton	Voorhees

Nays—57

Adamini	DeWeese	Jelinek	Plakas
Anderson	Ehardt	Johnson, Rick	Pumford
Basham	George	Koetje	Reeves
Bisbee	Gilbert	Kolb	Richner
Bovin	Godchaux	Kuipers	Rivet
Brown, C.	Hager	LaSata	Scranton
Brown, R.	Hale	Lipsey	Stewart
Callahan	Hansen	Lockwood	Switalski
Cassis	Hardman	McConico	Van Woerkom
Clark, I.	Hart	Murphy	Waters
Clarke, H.	Howell	Newell	Whitmer
Daniels	Hummel	O'Neil	Williams
Dennis	Jamnick	Pappageorge	Wojno
DeRossett	Jansen	Phillips	Zelenko
DeVuyst			

In The Chair: Ehardt

Rep. Richardville moved that consideration of the bill be postponed temporarily.
The motion prevailed, a majority of the members serving voting therefor.

House Bill No. 4672, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1178a.

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

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

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

The motion prevailed.

Senate Bill No. 563, 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," (MCL 247.651 to 247.675) by adding section 1i.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Transportation (for amendment, see House Journal No. 86, p. 2623),

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

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

The motion prevailed.

Senate Bill No. 813, entitled

A bill to amend 1925 PA 17, entitled "An act to provide for the construction, improvement and maintenance of trunk line highways," by amending section 2 (MCL 250.62), as amended by 1987 PA 188.

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.

House Bill No. 4675, entitled

A bill to amend 1992 PA 234, entitled "The judges retirement act of 1992," (MCL 38.2101 to 38.2670) by adding section 512.

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

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

Rep. 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.

Rep. Rivet moved that Rep. Sheltroun 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. 4675, entitled

A bill to amend 1992 PA 234, entitled "The judges retirement act of 1992," (MCL 38.2101 to 38.2670) by adding section 512.

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

Roll Call No. 809**Yeas—98**

Adamini	Garza	LaSata	Richner
Allen	George	Lemmons	Rison
Anderson	Gielegthem	Lipsey	Rivet
Basham	Gilbert	Lockwood	Schauer
Bernero	Godchaux	Mans	Shackleton
Birkholz	Gosselin	McConico	Shulman
Bisbee	Hager	Mead	Spade
Bishop	Hale	Meyer	Stallworth
Bogardus	Hansen	Middaugh	Stamas
Bovin	Hardman	Minore	Stewart
Bradstreet	Hart	Mortimer	Switalski
Brown, B.	Howell	Murphy	Tabor
Brown, C.	Hummel	Neumann	Thomas
Brown, R.	Jacobs	Newell	Toy
Callahan	Jamnick	O'Neil	Van Woerkom
Cassis	Jansen	Pappageorge	Vander Roest
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	Woodward
DeVuyst	Kooiman	Reeves	Woronchak
DeWeese	Kowall	Richardville	Zelenko
Ehardt	Kuipers		

Nays—4

Drolet	Frank	Rocca	Wojno
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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.

Reps. Adamini, Basham, Birkholz, Bisbee, Bishop, Rich Brown, Callahan, DeWeese, Ehardt, George, Hardman, Jelinek, Julian, Kolb, Kooiman, LaSata, Mead, Middaugh, Pappageorge, Patterson, Phillips, Pumford, Richardville, Schauer, Stamas, Stewart, Toy and Vander Roest were named co-sponsors of the bill.

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

“Mr. Speaker and members of the House:

I did not vote on Roll Call No. 809 because of a possible conflict of interest.”

Second Reading of Bills**Senate Bill No. 781, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 5656, 5657, 5658, 5659, and 5660 (MCL 333.5656, 333.5657, 333.5658, 333.5659, and 333.5660), as added by 1996 PA 594.

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

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

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

Senate Bill No. 781, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 5656, 5657, 5658, 5659, and 5660 (MCL 333.5656, 333.5657, 333.5658, 333.5659, and 333.5660), as added by 1996 PA 594.

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

Roll Call No. 810

Yeas—104

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

Nays—0

In The Chair: Ehardt

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

"An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials;

to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,”.

The House agreed to the full title.

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. 5134, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 667a (MCL 257.667a), as added by 2000 PA 367.

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

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

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

1. Amend page 4, line 10, after “city,” by inserting “A”.

2. Amend page 4, line 10, after “VILLAGE,” by striking out “OR” and inserting “A COUNTY WITH A POPULATION OF 150,000 OR MORE, OR A”.

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

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

The motion prevailed.

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

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

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

1. Amend page 4, line 14, after “days.” by inserting “A DIAGNOSTIC REVIEW IS NOT MANDATED IF THE INITIAL INVESTIGATION OF AN ACCIDENT SHOWS THE ALCOHOL, DRUGS, OR SIGNS OF A SUICIDE ATTEMPT WERE A PART OF THE ACCIDENT.”.

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

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

The motion prevailed.

House Bill No. 5295, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” (MCL 760.1 to 777.69) by adding section 2 to chapter II.

The bill was read a second time.

Rep. DeRossett 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. Adamini 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. 5295, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” (MCL 760.1 to 777.69) by adding section 2 to chapter II.

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

Roll Call No. 811

Yeas—103

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

Nays—0

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.

Reps. Basham, Caul, Faunce, George, Howell, Ruth Johnson, Julian, Kuipers, Mead, Pappageorge, Richardville, Shackleton, Stamas, Stewart and Toy were named co-sponsors of the bill.

Associate Speaker Pro Tempore Julian assumed the Chair.

Second Reading of Bills

House Bill No. 4334, entitled

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending section 27 (MCL 38.27), as amended by 1987 PA 241.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5396, 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 9a (MCL 247.659a), as amended by 1998 PA 308.

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

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

Rep. Patterson moved to amend the bill as follows:

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

"(E) "COUNTY ROAD COMMISSION" MEANS THE BOARD OF COUNTY ROAD COMMISSIONERS ELECTED OR APPOINTED PURSUANT TO SECTION 6 OF CHAPTER IV OF 1909 PA 283, MCL 224.6, OR, IN THE CASE OF A CHARTER COUNTY WITH A POPULATION OF 2,000,000 OR MORE WITH AN ELECTED COUNTY EXECUTIVE THAT DOES NOT HAVE A BOARD OF COUNTY ROAD COMMISSIONERS, THE COUNTY EXECUTIVE FOR MINISTERIAL FUNCTIONS AND THE COUNTY COMMISSION PROVIDED FOR IN SECTION 14(1)(D) OF 1966 PA 293, MCL 45.514, FOR LEGISLATIVE FUNCTIONS." and relettering the remaining subdivisions.

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

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

The motion prevailed.

House Bill No. 5383, 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 sections 1b, 10c, 11, and 12 (MCL 247.651b, 247.660c, 247.661, and 247.662), section 1b as amended by 1989 PA 188, section 10c as amended by 1990 PA 73, section 11 as amended by 2000 PA 188, and section 12 as amended by 1997 PA 79, and by adding section 10p.

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

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

Rep. Patterson moved to amend the bill as follows:

1. Amend page 9, following line 18, by inserting:

"(Q) 'COUNTY ROAD COMMISSION' MEANS THE BOARD OF COUNTY ROAD COMMISSIONERS ELECTED OR APPOINTED PURSUANT TO SECTION 6 OF CHAPTER IV OF 1909 PA 283, MCL 224.6, OR, IN THE CASE OF A CHARTER COUNTY WITH A POPULATION OF 2,000,000 OR MORE WITH AN ELECTED COUNTY EXECUTIVE THAT DOES NOT HAVE A BOARD OF COUNTY ROAD COMMISSIONERS, THE COUNTY EXECUTIVE FOR MINISTERIAL FUNCTIONS AND THE COUNTY COMMISSION PROVIDED FOR IN SECTION 14(1)(D) OF 1966 PA 293, MCL 45.514, FOR LEGISLATIVE FUNCTIONS." .

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

Reps. George and Gilbert moved to amend the bill as follows:

1. Amend page 7, line 4, after "(ii)" by striking out "PREVENTIVE MAINTENANCE" and inserting "CAPITAL PREVENTIVE TREATMENTS".

2. Amend page 7, line 15, after "INCLUDE" by striking out "PREVENTIVE MAINTENANCE" and inserting "CAPITAL PREVENTIVE TREATMENTS".

3. Amend page 8, line 19, after "(P)" by striking out " "PREVENTIVE MAINTENANCE" " and inserting " "CAPITAL PREVENTIVE TREATMENTS" ".

4. Amend page 13, line 2, after "AND" by striking out " "PREVENTIVE MAINTENANCE" " and inserting " "CAPITAL PREVENTIVE TREATMENTS" ".

5. Amend page 13, line 5, after "MAINTENANCE" by striking out "PREVENTIVE MAINTENANCE" and inserting "CAPITAL PREVENTIVE TREATMENTS".

6. Amend page 13, line 6, after "AND" by striking out "PREVENTIVE MAINTENANCE" and inserting "CAPITAL PREVENTIVE TREATMENTS".

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

Rep. Anderson moved to amend the bill as follows:

1. Amend page 6, line 24, after "OF" by striking out "MORE THAN".

2. Amend page 6, line 25, after "WIDTH" by inserting "OR MORE".

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

Reps. Anderson and Stallworth moved to amend the bill as follows:

1. Amend page 13, line 6, after "TREATMENTS." by inserting "A GOVERNMENTAL UNIT THAT CURRENTLY PERFORMS THE FOLLOWING MAINTENANCE SERVICES ON LOCAL, COUNTY, AND STATE ROADS SHALL NOT BE PRECLUDED FROM PERFORMING THOSE SERVICES BASED ON THE DEFINITION DEFINED IN SECTION 10C(P):

(i) PAVEMENT CRACK SEALING.

(ii) MICRO SURFACING.

- (iii) CHIP SEALING.
- (iv) CONCRETE JOINT REPAIR.
- (v) FILLING SHALLOW PAVEMENT CRACKS.
- (vi) PATCHING CONCRETE.
- (vii) RESTORATION OF DRAINAGE.
- (viii) BRIDGE CRACK SEALING.
- (ix) BRIDGE JOINT REPAIR.”.

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

Rep. Phillips moved to amend the bill as follows:

1. Amend page 41, line 21, by striking out all of section 12c.

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

Rep. Patterson moved to reconsider the vote by which the House adopted the amendment.

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

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

Rep. Phillips demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 812

Yeas—79

Adamini	Frank	Lockwood	Rivet
Allen	Garza	Mans	Rocca
Anderson	Gielegghem	McConico	Schauer
Basham	Gilbert	Mead	Shackleton
Bernero	Godchaux	Middaugh	Spade
Birkholz	Hager	Minore	Stallworth
Bisbee	Hale	Mortimer	Stamas
Bogardus	Hansen	Murphy	Stewart
Bovin	Hardman	Neumann	Switalski
Brown, B.	Hart	Newell	Thomas
Brown, R.	Jacobs	O’Neil	Toy
Callahan	Jamnick	Pappageorge	Van Woerkom
Caul	Jansen	Pestka	Waters
Clark, I.	Jelinek	Phillips	Whitmer
Clarke, H.	Johnson, Rick	Plakas	Williams
Daniels	Julian	Pumford	Wojno
Dennis	Kolb	Quarles	Woodward
DeRossett	LaSata	Reeves	Woronchak
DeWeese	Lemmons	Richardville	Zelenko
Faunce	Lipsey	Richner	

Nays—24

Bishop	Ehardt	Koetje	Raczkowski
Bradstreet	George	Kooiman	Shulman
Brown, C.	Gosselin	Kowall	Tabor
Cassis	Howell	Kuipers	Vander Roest
DeVuyst	Hummel	Meyer	Vear
Drolet	Johnson, Ruth	Patterson	Voorhees

In The Chair: Julian

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

Associate Speaker Pro Tempore Ehardt resumed the Chair.

House Bill No. 4564, entitled

A bill to create the pregnant and parenting student services fund; to provide grants to encourage certain institutions of higher education to establish and operate a pregnant and parenting student services office for pregnant and parenting students attending the institution; to prescribe the powers and duties of a pregnant and parenting student services office; and to prescribe the powers and duties of certain state departments.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Family and Children Services (for amendment, see House Journal No. 35, p. 521),

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

Rep. Rison moved to amend the bill as follows:

1. Amend page 3, line 21, after “pregnant” by striking out “and parenting students” and inserting “students and students who are the custodial parent or legal guardian of a minor”.

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

Reps. Zelenko and Clark moved to amend the bill as follows:

1. Amend page 4, line 7, after “referrals” by striking out the balance of the subdivision and inserting “on prenatal care and delivery, infant or foster care or adoption, and family planning to individual students who request that information by referring them to the health services department of the school.”.

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

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

The motion prevailed.

Senate Bill No. 516, entitled

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

The bill was read a second time.

Rep. Cassis moved to amend the bill as follows:

1. Amend page 2, line 3, after “ON” by inserting “LOW-GRADE”.

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

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

The motion prevailed.

House Bill No. 4009, entitled

A bill to amend 1855 PA 105, entitled “An act to regulate the disposition of the surplus funds in the state treasury; to provide for the deposit of surplus funds in certain financial institutions; to lend surplus funds pursuant to loan agreements secured by certain commercial, agricultural, or industrial real and personal property; to authorize the loan of surplus funds to certain municipalities; to authorize the participation in certain loan programs; to authorize an appropriation; and to prescribe the duties of certain state agencies,” by amending section 2a (MCL 21.142a), as amended by 1987 PA 27.

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

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

Rep. Jelinek moved to amend the bill as follows:

1. Amend page 1, line 3, by striking out “other instruments of a financial institution qualified” and inserting “IN A FINANCIAL INSTITUTION WHICH QUALIFIES WITH PROOF OF FINANCIAL VIABILITY ACCEPTABLE TO THE STATE TREASURER”.

2. Amend page 4, line 23, after the second “THAN” by striking out “65%” and inserting “100%”.

3. Amend page 4, line 24, after “AND” by striking out the balance of the sentence and inserting “REDUCED BY CROP INSURANCE INDEMNITY PAYMENTS.”.

4. Amend page 6, line 3, after “1,” by striking out “2007” and inserting “2002”.

5. Amend page 10, line 21, after “(c)” by striking out “\$150,000.00” and inserting “\$400,000.00”.

The motion prevailed and the amendments were 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.

By unanimous consent the House returned to the order of

Third Reading of Bills

Rep. Richardville moved that Rule 49 be suspended.

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

House Bill No. 4009, entitled

A bill to amend 1855 PA 105, entitled “An act to regulate the disposition of the surplus funds in the state treasury; to provide for the deposit of surplus funds in certain financial institutions; to lend surplus funds pursuant to loan agreements secured by certain commercial, agricultural, or industrial real and personal property; to authorize the loan of surplus funds to certain municipalities; to authorize the participation in certain loan programs; to authorize an appropriation; and to prescribe the duties of certain state agencies,” by amending section 2a (MCL 21.142a), as amended by 1987 PA 27.

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

Roll Call No. 813

Yeas—102

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

Nays—1

Drolet

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.

Reps. Anderson, Basham, Birkholz, Bovin, Cameron Brown, Rich Brown, Cassis, Clarke, Daniels, DeRossett, DeVuyst, Ehardt, Frank, George, Hager, Hardman, Howell, Hummel, Jansen, Julian, Kolb, Kowall, Kuipers, LaSata, Lemmons, Lipsey, Mans, McConico, Mead, Meyer, Middaugh, Mortimer, Newell, Patterson, Phillips, Reeves, Richardville, Rivet, Rocca, Schauer, Shackleton, Shulman, Spade, Stallworth, Stamas, Stewart, Tabor, Toy, Vander Roest, Van Woerkom, Voorhees, Williams and Wojno were named co-sponsors of the bill.

By unanimous consent the House returned to the order of

Messages from the Senate**House Bill No. 5148, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 310 (MCL 257.310), as amended by 1998 PA 226.

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. 5255, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” (MCL 333.1101 to 333.25211) by adding section 21534.

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. 5313, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending sections 1201, 1202, 1203, 1204, 1204c, 1205, 1206, 1209, 1214, 1224, 1234, 1242, 1243, 1244, 1905, and 3310 (MCL 500.1201, 500.1202, 500.1203, 500.1204, 500.1204c, 500.1205, 500.1206, 500.1209, 500.1214, 500.1224, 500.1234, 500.1242, 500.1243, 500.1244, 500.1905, and 500.3310), section 1201 as amended by 1980 PA 340, sections 1204 and 1214 as amended by 1986 PA 173, section 1204c as amended by 1998 PA 540, section 1206 as amended by 1992 PA 1, section 1209 as amended by 1980 PA 461, section 1224 as amended by 2000 PA 35, section 1234 as amended by 1981 PA 1, section 1243 as added by 1994 PA 409, section 1244 as amended by 1984 PA 7, section 1905 as amended by 1996 PA 548, and section 3310 as amended by 1986 PA 10, and by adding sections 1201a, 1204e, 1206a, 1206b, 1208a, 1208b, 1211, 1211a, 1211b, 1239, 1240, 1246, and 1247.

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. 5258, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 5652, 5653, 5654, and 5655 (MCL 333.5652, 333.5653, 333.5654, and 333.5655), sections 5652 and 5655 as added by 1996 PA 594 and sections 5653 and 5654 as amended by 2000 PA 58.

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

The Senate has passed the bill as substituted (S-2), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

House Bill No. 5259, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20201 (MCL 333.20201), as amended by 1998 PA 88.

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

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

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

House Bill No. 5260, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 7333, 7401, 7403, 7407, 7521, 16204b, 16204c, and 16204d (MCL 333.7333, 333.7401, 333.7403, 333.7407, 333.7521, 333.16204b, 333.16204c, and 333.16204d), section 7333 as amended by 1993 PA 138, sections 7401 and 7403 as amended by 2000 PA 314, section 7407 as amended by 1993 PA 80, section 7521 as amended by 2000 PA 302, section 16204b as added by 1998 PA 422, and sections 16204c and 16204d as added by 1998 PA 423, and by adding section 7333a; and to repeal acts and parts of acts.

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

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

A bill to amend 1978 PA 368, entitled "An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates," by amending section 7333 (MCL 333.7333), as amended by 1993 PA 138, and by adding section 7333a; and to repeal acts and parts of acts.

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

House Bill No. 5261, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16315 (MCL 333.16315), as added by 1993 PA 138.

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

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

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

House Bill No. 5262, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 7104, 7107, and 7109 (MCL 333.7104, 333.7107, and 333.7109), section 7104 as amended by 1994 PA 38 and sections 7107 and 7109 as amended by 1993 PA 80.

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

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

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

House Bill No. 5263, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16204a (MCL 333.16204a), as amended by 1998 PA 421.

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

The Senate has passed the bill as substituted (S-2), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

Senate Bill No. 358, entitled

A bill to amend 1937 PA 306, entitled "An act to promote the safety, welfare and educational interests of the people of the state of Michigan by regulating the construction, reconstruction and remodeling of certain public or private school buildings or additions thereto, by regulating the construction, reconstruction and remodeling of buildings leased or acquired for school purposes, and to define the class of buildings affected by this act; to prescribe the powers and duties of the superintendent of public instruction, the state fire marshal, architects, engineers and school board members with respect thereto; to prescribe penalties for the violation of this act; and to repeal all acts and parts of acts, general, local and special, inconsistent with or contrary to the provisions of this act," by amending the title and section 1 (MCL 388.851) and by adding section 1b.

The Senate has passed the bill.

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

Senate Bill No. 670, entitled

A bill to amend 1937 PA 306, entitled "An act to promote the safety, welfare and educational interests of the people of the state of Michigan by regulating the construction, reconstruction and remodeling of certain public or private school buildings or additions thereto, by regulating the construction, reconstruction and remodeling of buildings leased or acquired for school purposes, and to define the class of buildings affected by this act; to prescribe the powers and duties of the superintendent of public instruction, the state fire marshal, architects, engineers and school board members with respect thereto; to prescribe penalties for the violation of this act; and to repeal all acts and parts of acts, general, local and special, inconsistent with or contrary to the provisions of this act," by amending section 2 (MCL 388.852).

The Senate has passed the bill.

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

Introduction of Bills

Rep. Stamas introduced

House Bill No. 5493, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 53b (MCL 211.53b), as amended by 2000 PA 284.

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

Rep. Gilbert introduced

House Bill No. 5494, entitled

A bill to amend 1933 PA 254, entitled "The motor carrier act," by amending the title and sections 1, 2, and 3 of article I, sections 1, 3, 4, 5, 6, 7, 7a, 7c, 9, 10, 11, 13, and 14 of article II, sections 2 and 6 of article IV, and sections 10, 10a, and 14 of article V (MCL 475.1, 475.2, 475.3, 476.1, 476.3, 476.4, 476.5, 476.6, 476.7, 476.7a, 476.7c, 476.9, 476.10, 476.11, 476.13, 476.14, 478.2, 478.6, 479.10, 479.10a, and 479.14), the title and sections 1, 4, 6, 9, 10, 11, 13, and 14 of article II and section 10 of article V as amended by 1982 PA 399 and sections 1, 2, and 3 of article I, sections 3, 5, 7, and 7a of article II, section 2 of article IV, and sections 10a and 14 of article V as amended and section 7c of article II as added by 1993 PA 352; and to repeal acts and parts of acts.

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

Reps. Howell, Koetje, Toy, Julian, Bishop, Caul, Mead, Gosselin, Gilbert, Faunce, Meyer, Van Woerkom, Birkholz, Hummel, Newell, Voorhees, Tabor, Middaugh, Ruth Johnson, Schauer, Ehardt, Neumann, George, Shackleton, McConico, Lockwood, Bisbee, Kowall, Jelinek, Rocca, Bernero, Allen, Sheltrown, DeVuyt, Callahan, Hager, Rivet, Pumford, Zelenko, Lipsey, Phillips, Frank, Jacobs, Basham, Richardville, Kuipers, Pappageorge, Shulman, Whitmer and Cassis introduced

House Bill No. 5495, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding chapter LXXXIII-A.

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

Reps. Newell, Koetje, Julian, Bishop, Caul, Gosselin, Faunce, Meyer, Mead, Toy, Van Woerkom, Gilbert, Drolet, Hummel, Birkholz, Voorhees, Tabor, Middaugh, Ruth Johnson, Ehardt, Jelinek, Phillips, Bisbee, Shackleton, Richardville, Lockwood, Rocca, Neumann, Bernero, DeVuyst, Schauer, Callahan, Kowall, Pumford, Frank, Jacobs, Allen, Pestka, Basham, Sheltroun, Hager, Shulman, Kuipers, Raczkowski, Zelenko, Lipsey, George, Pappageorge, Whitmer, McConico and Cassis introduced

House Bill No. 5496, entitled

A bill to amend 1976 PA 390, entitled "Emergency management act," by amending sections 3, 7, 7a, 8, 9, 10, and 11 (MCL 30.403, 30.407, 30.407a, 30.408, 30.409, 30.410, and 30.411), sections 3, 7, 8, 9, 10, and 11 as amended and section 7a as added by 1990 PA 50, and by adding section 21; and to repeal acts and parts of acts.

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

Reps. Hager, Koetje, Toy, Julian, Bishop, Caul, Gosselin, Faunce, Meyer, Mead, Van Woerkom, Gilbert, Hummel, Newell, Birkholz, Voorhees, Tabor, Middaugh, Ruth Johnson, Ehardt, Jelinek, Rocca, George, Bisbee, Richardville, Lockwood, Neumann, Bernero, DeVuyst, Schauer, Callahan, Kowall, Pumford, Frank, Jacobs, Allen, Pestka, Basham, Sheltroun, Rivet, Shulman, Kuipers, Zelenko, Phillips, Shackleton, Raczkowski, Pappageorge, McConico, Whitmer and Cassis introduced

House Bill No. 5497, entitled

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

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

Reps. Williams, Koetje, Toy, Julian, Bishop, Caul, Gosselin, Faunce, Meyer, Mead, Van Woerkom, Gilbert, Newell, Birkholz, Voorhees, Tabor, Middaugh, Ruth Johnson, Ehardt, Jelinek, Rocca, Neumann, George, Richardville, Lockwood, Bernero, Sheltroun, DeVuyst, Schauer, Callahan, Kowall, Pumford, Frank, Jacobs, Allen, Pestka, Basham, Hager, Shulman, Kuipers, Shackleton, Zelenko, Phillips, Raczkowski, Bisbee, Lipsey, Pappageorge, McConico, Whitmer and Cassis introduced

House Bill No. 5498, entitled

A bill to amend 1972 PA 222, entitled "An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; and to prescribe certain penalties for violations," by amending sections 1, 1a, and 2 (MCL 28.291, 28.291a, and 28.292), section 1 as amended and section 1a as added by 1997 PA 99 and section 2 as amended by 1999 PA 89.

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

Reps. Pestka, Koetje, Toy, Julian, Bishop, Caul, Gosselin, Faunce, Meyer, Mead, Van Woerkom, Gilbert, Woronchak, Newell, Birkholz, Drolet, Voorhees, Tabor, Middaugh, Ruth Johnson, Ehardt, Jelinek, McConico, Richardville, Lockwood, Rocca, Neumann, Bernero, Sheltroun, DeVuyst, Schauer, Callahan, Kowall, Pumford, Frank, Jacobs, Allen, Basham, Hager, Shulman, Kuipers, Shackleton, Zelenko, Phillips, Raczkowski, Bisbee, Lipsey, George, Pappageorge, Whitmer and Cassis introduced

House Bill No. 5499, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16t of chapter XVII (MCL 777.16t), as amended by 2000 PA 371.

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

Reps. Plakas, Koetje, Toy, Julian, Bishop, Caul, Gosselin, Gilbert, Faunce, Meyer, Mead, Van Woerkom, Woronchak, Drolet, Hummel, Newell, Birkholz, Voorhees, Tabor, Middaugh, Ruth Johnson, Schauer, Kuipers, McConico, Richardville, Lockwood, Ehardt, Jelinek, Rocca, Neumann, Bernero, Sheltroun, DeVuyst, Callahan, Hager, Kowall, Pumford, Zelenko, Frank, Jacobs, Allen, Pestka, Basham, Shulman, Shackleton, Raczkowski, Phillips, Bisbee, George, Lipsey, Whitmer, Cassis and Pappageorge introduced

House Bill No. 5500, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 1f of chapter IX (MCL 769.1f), as amended by 2000 PA 372.

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

Reps. Richardville, Koetje, Toy, Julian, Bishop, Caul, Gosselin, Gilbert, Faunce, Meyer, Mead, Van Woerkom, Woronchak, Hummel, Birkholz, Newell, Voorhees, Tabor, Middaugh, Ruth Johnson, Schauer, Ehardt, George, Kowall, Jelinek, Rocca, Neumann, Bernero, Allen, Sheltroun, Callahan, Hager, Pumford, Zelenko, Lockwood, Phillips, Frank, Jacobs, Pestka, Basham, Kuipers, Shackleton, Bisbee, Lipsey, Pappageorge, Shulman, Whitmer, McConico and Cassis introduced

House Bill No. 5501, entitled

A bill to amend 1967 PA 150, entitled "Michigan military act," by amending sections 105, 179, and 310 (MCL 32.505, 32.579, and 32.710), sections 105 and 179 as amended by 1998 PA 212 and section 310 as amended by 1990 PA 301, and by adding section 372a.

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

Reps. Vander Veen, Lockwood, Julian, Caul, Gosselin, Gilbert, Faunce, Meyer, Mead, Van Woerkom, Woronchak, Hummel, Birkholz, Newell, Voorhees, Tabor, Middaugh, Ruth Johnson, Schauer, Ehardt, Rocca, Neumann, George, Kowall, Jelinek, Bernero, Allen, Sheltroun, DeVuyt, Callahan, Hager, Pumford, Zelenko, Phillips, Frank, Jacobs, Pestka, Basham, Kuipers, Shulman, Shackleton, Bisbee, Richardville, Lipsey, Pappageorge, McConico, Whitmer and Cassis introduced

House Bill No. 5502, entitled

A bill to amend 1955 PA 133, entitled "An act to provide for the granting of military leaves and providing re-employment protection for officers and enlisted men of the military or naval forces of the state or of the United States," by amending section 3 (MCL 32.273).

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

Reps. Patterson, Koetje, Toy, Julian, Bishop, Caul, Gosselin, Gilbert, Faunce, Meyer, Mead, Van Woerkom, Woronchak, Hummel, Birkholz, Newell, Voorhees, Tabor, Middaugh, Ruth Johnson, Schauer, Ehardt, Shackleton, Lockwood, Kowall, Jelinek, Rocca, Neumann, Bernero, Allen, Sheltroun, DeVuyt, Callahan, Hager, Pumford, Zelenko, Lipsey, Phillips, Frank, Jacobs, Pestka, Basham, Richardville, Kuipers, Bisbee, Shulman, George, Whitmer, McConico, Cassis and Pappageorge introduced

House Bill No. 5503, entitled

A bill to amend 1945 PA 327, entitled "Aeronautics code of the state of Michigan," by amending section 85 (MCL 259.85), as amended by 1996 PA 370, and by adding section 85a.

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

Reps. Rich Brown, Koetje, Toy, Julian, Bishop, Caul, Gosselin, Gilbert, Faunce, Meyer, Mead, Van Woerkom, Woronchak, Hummel, Birkholz, Newell, Voorhees, Tabor, Middaugh, Ruth Johnson, Schauer, Ehardt, George, Lockwood, Kowall, Jelinek, Rocca, Neumann, Bernero, Sheltroun, DeVuyt, Callahan, Hager, Pumford, Zelenko, Lipsey, Phillips, Frank, Jacobs, Pestka, Basham, Shackleton, Richardville, Bisbee, Pappageorge, McConico and Whitmer introduced

House Bill No. 5504, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 312f (MCL 257.312f), as amended by 1992 PA 180, and by adding section 312g.

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

Reps. Cassis, Koetje, Toy, Julian, Bishop, Caul, Gosselin, Gilbert, Faunce, Meyer, Mead, Van Woerkom, Woronchak, Hummel, Birkholz, Newell, Drolet, Voorhees, Tabor, Middaugh, Ruth Johnson, Schauer, Bisbee, George, Shackleton, Shulman, Lockwood, Ehardt, Kowall, Jelinek, Rocca, Neumann, Bernero, Allen, Sheltroun, DeVuyt, Callahan, Hager, Pumford, Zelenko, Lipsey, Phillips, Pestka, Jacobs, Basham, Richardville, Kuipers, Pappageorge, McConico and Whitmer introduced

House Bill No. 5505, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 19f of chapter VII (MCL 767.19f).

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

Reps. Phillips, Koetje, Toy, Julian, Bishop, Caul, Mead, Gosselin, Gilbert, Faunce, Meyer, Woronchak, Hummel, Birkholz, Newell, Drolet, Voorhees, Tabor, Middaugh, Ruth Johnson, Schauer, George, Bisbee, Shackleton, Shulman, McConico, Lockwood, Ehardt, Kowall, Jelinek, Rocca, Neumann, Bernero, Allen, Sheltroun, DeVuyt, Callahan, Hager, Pumford, Zelenko, Lipsey, Frank, Pestka, Jacobs, Basham, Richardville, Kuipers, Pappageorge, Whitmer and Cassis introduced

House Bill No. 5506, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 204a (MCL 750.204a), as amended by 1998 PA 208.

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

Reps. Woronchak, Koetje, Toy, Julian, Bishop, Caul, Mead, Gosselin, Gilbert, Faunce, Meyer, Van Woerkom, Birkholz, Hummel, Newell, Drolet, Voorhees, Tabor, Middaugh, Ruth Johnson, Schauer, Neumann, George, Shackleton, Lockwood, Ehardt, Kowall, Jelinek, Rocca, Bernero, Allen, Sheltroun, DeVuyst, Callahan, Hager, Pumford, Zelenko, Lipsey, Phillips, Frank, Jacobs, Basham, Kuipers, Richardville, Bisbee, Pappageorge, McConico, Shulman, Whitmer and Cassis introduced

House Bill No. 5507, entitled

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

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

Reps. Frank, Koetje, Toy, Julian, Bishop, Caul, Mead, Gosselin, Gilbert, Faunce, Meyer, Van Woerkom, Woronchak, Birkholz, Hummel, Newell, Voorhees, Tabor, Middaugh, Ruth Johnson, Schauer, Ehardt, George, Shackleton, Lockwood, Kowall, Jelinek, Rocca, Neumann, Bernero, Allen, Sheltroun, DeVuyst, Callahan, Hager, Pumford, Zelenko, Lipsey, Phillips, Jacobs, Basham, Kuipers, Richardville, Bisbee, Pappageorge, McConico, Whitmer, Cassis and Shulman introduced

House Bill No. 5508, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 159g (MCL 750.159g), as amended by 1997 PA 75.

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

Reps. Quarles, Koetje, Toy, Julian, Bishop, Caul, Mead, Gosselin, Gilbert, Faunce, Meyer, Van Woerkom, Woronchak, Birkholz, Hummel, Newell, Voorhees, Tabor, Middaugh, Ruth Johnson, Schauer, Ehardt, George, Shackleton, McConico, Lockwood, Bisbee, Kowall, Jelinek, Rocca, Neumann, Bernero, Allen, Sheltroun, DeVuyst, Callahan, Hager, Rivet, Pumford, Zelenko, Lipsey, Phillips, Frank, Jacobs, Basham, Richardville, Kuipers, Pappageorge, Whitmer, Shulman and Cassis introduced

House Bill No. 5509, entitled

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

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

Reps. Hummel, Koetje, Toy, Julian, Bishop, Caul, Mead, Gosselin, Gilbert, Faunce, Meyer, Van Woerkom, Woronchak, Birkholz, Newell, Voorhees, Drolet, Tabor, Middaugh, Ruth Johnson, Schauer, Ehardt, George, Shackleton, McConico, Lockwood, Bisbee, Kowall, Jelinek, Rocca, Neumann, Bernero, Allen, Sheltroun, DeVuyst, Callahan, Hager, Rivet, Pumford, Zelenko, Lipsey, Phillips, Frank, Jacobs, Basham, Richardville, Kuipers, Pappageorge, Shulman, Whitmer and Cassis introduced

House Bill No. 5510, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 411t.

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

Reps. Toy, Koetje, Ehardt, Julian, Bishop, Caul, Mead, Gosselin, Gilbert, Faunce, Meyer, Van Woerkom, Woronchak, Birkholz, Hummel, Newell, Voorhees, Drolet, Tabor, Middaugh, Ruth Johnson, Schauer, George, Bisbee, Shackleton, McConico, Lockwood, Kowall, Jelinek, Rocca, Neumann, Bernero, Allen, Sheltroun, DeVuyst, Callahan, Hager, Rivet, Pumford, Zelenko, Lipsey, Phillips, Frank, Jacobs, Basham, Richardville, Kuipers, Pappageorge, Shulman, Whitmer and Cassis introduced

House Bill No. 5511, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 212a (MCL 750.212a), as added by 1998 PA 207.

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

Reps. Jacobs, Koetje, Toy, Julian, Bishop, Caul, Van Woerkom, Mead, Gosselin, Gilbert, Faunce, Meyer, Woronchak, Hummel, Drolet, Birkholz, Newell, Tabor, Voorhees, Neumann, Middaugh, Ruth Johnson, George, Bisbee, Shackleton, Richardville, Lockwood, Schauer, Ehardt, Kowall, Pumford, Jelinek, Rocca, Bernero, Pestka, Basham, Sheltroun, Pappageorge, DeVuyst, Callahan, Hager, Rivet, Shulman, Kuipers, Zelenko, Lipsey, Raczkowski, Phillips, Frank, McConico, Whitmer and Cassis introduced

House Bill No. 5512, entitled

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

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

Reps. LaSata, Koetje, Toy, Julian, Bishop, Caul, Van Woerkom, Mead, Gosselin, Gilbert, Faunce, Meyer, Woronchak, Hummel, Birkholz, Tabor, Newell, Voorhees, Neumann, Middaugh, Ruth Johnson, Schauer, George, Bisbee, Shackleton, Richardville, Ehardt, Kowall, Pumford, Jelinek, Rocca, Bernero, Allen, Pestka, Basham, Sheltroun, DeVuyst, Callahan, Hager, Shulman, Kuipers, Zelenko, Lipsey, Frank, Pappageorge, Raczkowski, Phillips, Jacobs, McConico, Whitmer, Cassis and Lockwood introduced

House Bill No. 5513, entitled

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

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

Reps. Mortimer, Koetje, Toy, Julian, Bishop, Caul, Van Woerkom, Mead, Gosselin, Gilbert, Faunce, Meyer, Hummel, Woronchak, Drolet, Birkholz, Newell, Tabor, Voorhees, Neumann, Middaugh, Ruth Johnson, George, Bisbee, Shackleton, Richardville, Schauer, Ehardt, Kowall, Pumford, Jelinek, Rocca, Bernero, Allen, Pestka, Basham, Sheltroun, DeVuyst, Callahan, Hager, Shulman, Kuipers, Zelenko, Lipsey, Pappageorge, Raczkowski, Phillips, Frank, Jacobs, McConico, Whitmer, Cassis and Lockwood introduced

House Bill No. 5514, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 411t. The bill was read a first time by its title and referred to the Committee on Criminal Justice.

Reps. Jamnick, Koetje, Toy, Julian, Bishop, Caul, Van Woerkom, Mead, Gosselin, Gilbert, Faunce, Meyer, Hummel, Woronchak, Birkholz, Newell, Tabor, Voorhees, Neumann, Middaugh, Ruth Johnson, Schauer, George, Bisbee, Shackleton, McConico, Lockwood, Ehardt, Kowall, Pumford, Jelinek, Rocca, Bernero, Allen, Pestka, Basham, Sheltroun, DeVuyst, Callahan, Hager, Shulman, Kuipers, Zelenko, Lipsey, Pappageorge, Frank, Raczkowski, Phillips, Jacobs, Richardville, Whitmer and Cassis introduced

House Bill No. 5515, entitled

A bill to amend 1963 PA 181, entitled "Motor carrier safety act of 1963," by amending section 7c (MCL 480.17c), as amended by 2000 PA 298.

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

Reps. Sheltroun, Koetje, Toy, Julian, Bishop, Caul, Van Woerkom, Mead, Gosselin, Gilbert, Faunce, Meyer, Hummel, Woronchak, Birkholz, Newell, Tabor, Voorhees, Rocca, Neumann, Middaugh, Ruth Johnson, George, Bisbee, Shackleton, Lockwood, Schauer, Ehardt, Kowall, Pumford, Jelinek, Bernero, Allen, Pestka, Basham, DeVuyst, Callahan, Rivet, Hager, Shulman, Kuipers, Zelenko, Lipsey, Phillips, Frank, Raczkowski, Jacobs, Richardville, McConico, Whitmer, Cassis and Pappageorge introduced

House Bill No. 5516, entitled

A bill to amend 1999 PA 276, entitled "Banking code of 1999," (MCL 487.11101 to 487.15105) by adding section 4406. The bill was read a first time by its title and referred to the Committee on Insurance and Financial Services.

Reps. Waters, Koetje, Toy, Julian, Bishop, Caul, Van Woerkom, Mead, Gosselin, Gilbert, Faunce, Meyer, Hummel, Woronchak, Birkholz, Newell, Tabor, Voorhees, Rocca, Neumann, Middaugh, Ruth Johnson, George, Bisbee, Shackleton, Lockwood, Richardville, Schauer, Ehardt, Kowall, Pumford, Jelinek, Bernero, Allen, Pestka, Basham, Sheltroun, DeVuyst, Callahan, Rivet, Hager, Shulman, Kuipers, Zelenko, Lipsey, Phillips, Raczkowski, Frank, Jacobs, McConico, Whitmer, Cassis and Pappageorge introduced

House Bill No. 5517, 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 16c.

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

Reps. McConico, Koetje, Toy, Julian, Bishop, Caul, Van Woerkom, Mead, Gosselin, Gilbert, Faunce, Meyer, Hummel, Woronchak, Birkholz, Newell, Voorhees, Tabor, Rocca, Neumann, Bernero, Middaugh, George, Bisbee, Shackleton, Richardville, Lockwood, Ruth Johnson, Schauer, Ehardt, Kowall, Pumford, Jelinek, Allen, Pestka,

Basham, Sheltroun, DeVuyst, Callahan, Rivet, Hager, Shulman, Kuipers, Zelenko, Lipsey, Raczkowski, Phillips, Frank, Jacobs, Whitmer, Cassis and Pappageorge introduced

House Bill No. 5518, entitled

A bill to amend 1980 PA 307, entitled “Savings and loan act of 1980,” (MCL 491.102 to 491.1202) by adding section 1135.

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

Reps. Anderson, Koetje, Toy, Julian, Bishop, Caul, Mead, Van Woerkom, Gosselin, Gilbert, Faunce, Meyer, Hummel, Woronchak, Birkholz, Newell, Voorhees, Tabor, Rocca, Neumann, Bernero, Middaugh, George, Bisbee, Shackleton, Richardville, Lockwood, Ruth Johnson, Schauer, Ehardt, Kowall, Pumford, Jelinek, Allen, Pestka, Basham, Sheltroun, DeVuyst, Callahan, Rivet, Hager, Shulman, Kuipers, Zelenko, Lipsey, Phillips, Raczkowski, Frank, Jacobs, McConico, Whitmer, Cassis and Pappageorge introduced

House Bill No. 5519, entitled

A bill to amend 1996 PA 354, entitled “Savings bank act,” (MCL 487.3101 to 487.3804) by adding section 514.

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

Reps. Bovin, Koetje, Toy, Julian, Bishop, Caul, Mead, Van Woerkom, Gosselin, Gilbert, Faunce, Meyer, Hummel, Drolet, Birkholz, Newell, Voorhees, Tabor, Rocca, Neumann, Bernero, Middaugh, George, Bisbee, Shackleton, McConico, Richardville, Lockwood, Ruth Johnson, Schauer, Ehardt, Kowall, Jelinek, Jacobs, Allen, Pestka, Basham, Sheltroun, DeVuyst, Callahan, Rivet, Hager, Shulman, Kuipers, Zelenko, Lipsey, Raczkowski, Phillips, Frank, Pappageorge, Whitmer and Cassis introduced

House Bill No. 5520, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending sections 22, 31, 33, 35, 37, and 49 of chapter XVII (MCL 777.22, 777.31, 777.33, 777.35, 777.37, and 777.49), sections 22, 33, and 35 as amended by 2000 PA 279, sections 31 and 49 as amended by 2001 PA 136, and section 37 as added by 1998 PA 317, and by adding section 49a.

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

Quorum Call

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

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

The following is the roll call:

Roll Call No. 814

Yeas—100

Allen	Frank	LaSata	Rison
Anderson	Garza	Lemmons	Rivet
Basham	George	Lipsey	Rocca
Bernero	Gielegghem	Lockwood	Schauer
Birkholz	Gilbert	Mans	Scranton
Bisbee	Godchaux	Mead	Shackleton
Bishop	Hager	Meyer	Shulman
Bogardus	Hale	Middaugh	Spade
Bovin	Hansen	Minore	Stallworth
Bradstreet	Hardman	Mortimer	Stamas
Brown, B.	Hart	Murphy	Stewart
Brown, C.	Howell	Neumann	Switalski
Brown, R.	Hummel	Newell	Tabor
Callahan	Jacobs	O’Neil	Toy
Cassis	Jamnick	Pappageorge	Van Woerkom
Caul	Jansen	Patterson	Vander Roest

Clark, I.	Jelinek	Pestka	Vear
Clarke, H.	Johnson, Rick	Phillips	Voorhees
Dennis	Johnson, Ruth	Plakas	Waters
DeRossett	Julian	Pumford	Whitmer
DeVuyst	Koetje	Quarles	Williams
DeWeese	Kolb	Raczkowski	Wojno
Drolet	Kooiman	Reeves	Woodward
Ehardt	Kowall	Richardville	Woronchak
Faunce	Kuipers	Richner	Zelenko

In The Chair: Ehardt

Rep. Zelenko moved that Reps. Murphy and Waters be excused temporarily from today's session.
The motion prevailed.

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

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

Second Reading of Bills

Senate Bill No. 759, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending sections 2, 6, 7, 9, 11, 15, 29, 42, and 57 (MCL 169.202, 169.206, 169.207, 169.209, 169.211, 169.215, 169.229, 169.242, and 169.257), sections 2 and 7 as amended by 1994 PA 385, section 6 as amended by 1995 PA 264, sections 9, 11, and 57 as amended by 1996 PA 590, section 15 as amended by 2000 PA 201, and sections 29 and 42 as amended by 1999 PA 237, and by adding sections 58 and 59.

The bill was read a second time.

Rep. Richner moved to substitute (H-4) the bill.

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

Reps. Stewart and Pumford moved to amend the bill as follows:

1. Amend page 22, line 18, after "OFFICE" by striking out "OR THE QUALIFICATION, PASSAGE, OR DEFEAT OF A BALLOT QUESTION".

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

Reps. Quarles and Gielegghem moved to amend the bill as follows:

1. Amend page 31, following line 13, by inserting:

"SEC. 60. A PUBLICLY HELD CORPORATION OR A PERSON ACTING ON BEHALF OF A PUBLICLY-HELD CORPORATION SHALL NOT EXPEND TREASURY FUNDS FOR THE PURPOSE OF INFLUENCING THE OUTCOME OF AN ELECTION AS PROVIDED IN SECTION 54(3) WITHOUT THE EXPRESSED APPROVAL OF THE SHAREHOLDERS OF THE CORPORATION."

The question being on the adoption of the amendment offered by Reps. Quarles and Gielegghem,

Rep. Gielegghem demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Reps. Quarles and Gielegghem,

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

Roll Call No. 815**Yeas—45**

Adamini	Dennis	Lockwood	Rison
Anderson	Frank	Mans	Rivet
Basham	Gielegghem	McConico	Spade
Bernero	Hale	Minore	Switalski
Bogardus	Hansen	Murphy	Thomas
Bovin	Hardman	Neumann	Waters
Brown, B.	Jacobs	O'Neil	Whitmer
Brown, R.	Jamnick	Pestka	Williams
Callahan	Kolb	Phillips	Wojno
Clark, I.	Lemmons	Quarles	Woodward
Clarke, H.	Lipsey	Reeves	Zelenko
Daniels			

Nays—51

Allen	Faunce	Koetje	Rackowski
Birkholz	Garza	Kooiman	Richardville
Bisbee	George	Kowall	Richner
Bishop	Gilbert	Kuipers	Rocca
Bradstreet	Godchaux	LaSata	Scranton
Brown, C.	Hager	Mead	Shulman
Cassis	Hart	Meyer	Stamas
Caul	Howell	Middaugh	Toy
DeRossett	Hummel	Mortimer	Van Woerkom
DeVuyst	Jansen	Newell	Vander Roest
DeWeese	Jelinek	Pappageorge	Voorhees
Drolet	Johnson, Rick	Patterson	Woronchak
Ehardt	Julian	Pumford	

In The Chair: Ehardt

Rep. Frank moved to amend the bill as follows:

1. Amend page 31, following line 13, by inserting:

“SEC. 59A. A CORPORATION OR A SEPARATED SEGREGATED FUND OF A CORPORATION THAT RECEIVES GRANT ASSISTANCE FROM THE STATE OR THAT HAS A CONTRACTUAL AGREEMENT WITH THE STATE SHALL NOT MAKE A CONTRIBUTION OR EXPENDITURE FOR THE PURPOSE OF INFLUENCING OR ATTEMPTING TO INFLUENCE THE ACTION OF THE VOTERS FOR OR AGAINST THE NOMINATION OR ELECTION OF A CANDIDATE, OR THE QUALIFICATION, PASSAGE, OR DEFEAT OF A BALLOT QUESTION.”.

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

Rep. Frank demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 816**Yeas—47**

Adamini	Frank	Mans	Rivet
Anderson	Garza	McConico	Schauer
Basham	Gielegghem	Minore	Spade
Bernero	Hale	Murphy	Switalski

Bogardus	Hansen	Neumann	Thomas
Bovin	Hardman	O'Neil	Waters
Brown, B.	Jacobs	Pestka	Whitmer
Brown, R.	Jamnick	Phillips	Williams
Callahan	Kolb	Plakas	Wojno
Clark, I.	Lemmons	Quarles	Woodward
Daniels	Lipsev	Reeves	Zelenko
Dennis	Lockwood	Rison	

Nays—50

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

In The Chair: Ehardt

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

Rep. Quarles moved to amend the bill as follows:

1. Amend page 21, line 6, after "SHALL" by inserting "NOT".

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

Rep. Quarles demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 817**Yeas—50**

Adamini	Frank	McConico	Schauer
Anderson	Garza	Minore	Scranton
Basham	Gielegghem	Murphy	Spade
Bernero	Hale	Neumann	Stallworth
Bogardus	Hansen	O'Neil	Switalski
Bovin	Hardman	Pestka	Thomas
Brown, B.	Jacobs	Phillips	Waters
Brown, R.	Jamnick	Plakas	Whitmer
Callahan	Kolb	Quarles	Williams

Clark, I.
Clarke, H.
Daniels
Dennis

Lemmons
Lipsey
Lockwood
Mans

Reeves
Rison
Rivet

Wojno
Woodward
Zelenko

Nays—54

Allen
Birkholz
Bisbee
Bishop
Bradstreet
Brown, C.
Cassis
Caul
DeRossett
DeVuyst
DeWeese
Drolet
Ehardt
Faunce

George
Gilbert
Godchaux
Gosselin
Hager
Hart
Howell
Hummel
Jansen
Jelinek
Johnson, Ruth
Julian
Koetje
Kooiman

Kowall
Kuipers
LaSata
Mead
Meyer
Middaugh
Mortimer
Newell
Pappageorge
Patterson
Pumford
Raczkowski
Richardville

Richner
Rocca
Shackleton
Shulman
Stamas
Stewart
Tabor
Toy
Van Woerkom
Vander Roest
Vear
Voorhees
Woronchak

In The Chair: Ehardt

Reps. Quarles and Jamnick moved to amend the bill as follows:

1. Amend page 21, line 7, after “OF” by striking out “CONTRIBUTION LIMITS” and inserting “DISCLOSURE REQUIREMENTS”.

2. Amend page 21, line 10, after “CONTRIBUTION.” by inserting “FOR PURPOSES OF CONTRIBUTION LIMITS, THE CONTRIBUTION SHALL BE ATTRIBUTED ONLY TO THE INDIVIDUAL MAKING THE CONTRIBUTION.”.

The question being on the adoption of the amendments offered by Reps. Quarles and Jamnick,

Rep. Quarles demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Reps. Quarles and Jamnick,

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

Roll Call No. 818

Yeas—41

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

Dennis
Frank
Garza
Gielegthem
Hansen
Hardman
Jacobs
Jamnick
Kolb
Lemmons

Mans
McConico
Minore
Murphy
Neumann
O’Neil
Pestka
Phillips
Plakas
Quarles

Reeves
Rison
Schauer
Spade
Switalski
Thomas
Waters
Whitmer
Williams
Zelenko

Nays—45

Birkholz
Bisbee
Bishop

Hager
Howell
Hummel

Mead
Meyer
Middaugh

Rocca
Shackleton
Shulman

Brown, C.	Jansen	Mortimer	Stamas
Cassis	Jelinek	Newell	Stewart
Caul	Johnson, Ruth	Pappageorge	Tabor
DeRossett	Koetje	Patterson	Toy
DeWeese	Kooiman	Pumford	Van Woerkom
Ehardt	Kowall	Raczkowski	Vander Roest
Faunce	Kuipers	Richardville	Vear
George	LaSata	Richner	Voorhees
Gilbert			

In The Chair: Ehardt

Rep. Jacobs moved to amend the bill as follows:

1. Amend page 24, line 24, after “(a)” by striking out the balance of the section and inserting:

“Except as provided in subsection (5) and subject to ~~subsection (8)~~ SUBSECTIONS (8) AND (11), a person other than an independent committee or a political party committee shall not make contributions to a candidate committee of a candidate for elective office that, with respect to an election cycle, are more than the following:

(a) \$3,400.00 for a candidate for state elective office other than the office of state legislator, or for a candidate for local elective office if the district from which he or she is seeking office has a population of more than 250,000.

(b) \$1,000.00 for a candidate for state senator, or for a candidate for local elective office if the district from which he or she is seeking office has a population of more than 85,000 but 250,000 or less.

(c) \$500.00 for a candidate for state representative, or for a candidate for local elective office if the district from which he or she is seeking office has a population of 85,000 or less.

(2) Except as otherwise provided in this subsection, an independent committee shall not make contributions to a candidate committee of a candidate for elective office that, in the aggregate for that election cycle, are more than 10 times the amount permitted a person other than an independent committee or political party committee in subsection (1). A house political party caucus committee or a senate political party caucus committee is not limited under this subsection in the amount of contributions made to the candidate committee of a candidate for the office of state legislator, except as follows:

(a) A house political party caucus committee or a senate political party caucus committee shall not pay a debt incurred by a candidate if that debt was incurred while the candidate was seeking nomination at a primary election and the candidate was opposed at that primary.

(b) A house political party caucus committee or a senate political party caucus committee shall not make a contribution to or make an expenditure on behalf of a candidate if that candidate is seeking nomination at a primary election and the candidate is opposed at that primary.

(3) A political party committee other than a state central committee shall not make contributions to the candidate committee of a candidate for elective office that are more than 10 times the amount permitted a person other than an independent committee or political party committee in subsection (1).

(4) A state central committee of a political party shall not make contributions to the candidate committee of a candidate for state elective office other than a candidate for the legislature that are more than 20 times the amount permitted a person other than an independent committee or political party committee in subsection (1). A state central committee of a political party shall not make contributions to the candidate committee of a candidate for state senator, state representative, or local elective office that are more than 10 times the amount permitted a person other than an independent committee or political party committee in subsection (1).

(5) A contribution from a member of a candidate’s immediate family to the candidate committee of that candidate is exempt from the limitations of subsection (1).

(6) Consistent with the provisions of this section, a contribution designated in writing for a particular election cycle is considered made for that election cycle. A contribution made after the close of a particular election cycle and designated in writing for that election cycle shall be made only to the extent that the contribution does not exceed the candidate committee’s net outstanding debts and obligations from the election cycle so designated. If a contribution is not designated in writing for a particular election cycle, the contribution is considered made for the election cycle that corresponds to the date of the written instrument.

(7) A candidate committee, a candidate, or a treasurer or agent of a candidate committee shall not accept a contribution with respect to an election cycle that exceeds the limitations in subsection (1), (2), (3), or (4).

(8) The contribution limits in subsection (1) for a candidate for local elective office are effective on the effective date of the amendatory act that provides for those contribution limits, however, only contributions received by that candidate on and after that date shall be used to determine if the contribution limit has been reached.

(9) A person who knowingly violates this section is guilty of a misdemeanor punishable, if the person is an individual, by a fine of not more than \$1,000.00 or imprisonment for not more than 90 days, or both, or, if the person is not an individual, by a fine of not more than \$10,000.00.

(10) For purposes of the limitations provided in subsections (1) and (2), all contributions made by political committees or independent committees established by any corporation, joint stock company, domestic dependent sovereign, or labor organization, including any parent, subsidiary, branch, division, department, or local unit thereof, shall be considered to have been made by a single independent committee. By way of illustration and not limitation, all of the following apply as a result of the application of this requirement:

(a) All of the political committees and independent committees established by a for profit corporation or joint stock company, by a subsidiary of the for profit corporation or joint stock company, or by any combination thereof, are treated as a single independent committee.

(b) All of the political committees and independent committees established by a single national or international labor organization, by a labor organization of that national or international labor organization, by a local labor organization of that national or international labor organization, or by any other subordinate organization of that national or international labor organization, or by any combination thereof, are treated as a single independent committee.

(c) All of the political committees and independent committees established by an organization of national or international unions, by a state central body of that organization, by a local central body of that organization, or by any combination thereof, are treated as a single independent committee.

(d) All of the political committees and independent committees established by a nonprofit corporation, by a related state entity of that nonprofit corporation, by a related local entity of that nonprofit corporation, or by any combination thereof, are treated as a single independent committee.

(11) AN INDIVIDUAL SHALL NOT MAKE CONTRIBUTIONS TO COMMITTEES ORGANIZED UNDER THIS ACT THAT EXCEED \$50,000.00 IN THE AGGREGATE IN A CALENDAR YEAR.”.

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

Rep. Jacobs demanded the yeas and nays.

The demand was supported.

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

After debate,

Rep. Kuipers demanded the previous question.

The demand was supported.

The question being, “Shall the main question now be put?”

The previous question was ordered.

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

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

Roll Call No. 819

Yeas—48

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

Nays—56

Allen	George	Kooiman	Richner
Birkholz	Gilbert	Kowall	Rocca
Bisbee	Godchaux	Kuipers	Scranton

Bishop	Gosselin	LaSata	Shackleton
Bradstreet	Hager	Mead	Shulman
Brown, C.	Hart	Meyer	Stamas
Cassis	Howell	Middaugh	Stewart
Caul	Hummel	Mortimer	Tabor
DeRossett	Jansen	Newell	Toy
DeVuyst	Jelinek	Pappageorge	Van Woerkom
DeWeese	Johnson, Rick	Patterson	Vander Roest
Drolet	Johnson, Ruth	Pumford	Vear
Ehardt	Julian	Rackowski	Voorhees
Faunce	Koetje	Richardville	Woronchak

In The Chair: Ehardt

Rep. Dennis moved to amend the bill as follows:

1. Amend page 31, following line 13, by inserting:

“SEC. 57A. A CANDIDATE SHALL NOT APPEAR, AND THE VOICE OR LIKENESS OF A CANDIDATE SHALL NOT BE USED, IN A PUBLIC SERVICE ANNOUNCEMENT MAKING USE OF PUBLIC RESOURCES.”.

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

Rep. Dennis demanded the yeas and nays.

The demand was supported.

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

After debate,

Rep. Kuipers demanded the previous question.

The demand was supported.

The question being, “Shall the main question now be put?”

The previous question was ordered.

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

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

Roll Call No. 820

Yeas—49

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

Nays—53

Allen	George	Kooiman	Richner
Birkholz	Gilbert	Kowall	Rocca
Bisbee	Godchaux	Kuipers	Scranton
Bishop	Gosselin	LaSata	Shulman

Bradstreet	Hager	Mead	Stamas
Brown, C.	Hart	Meyer	Stewart
Cassis	Howell	Middaugh	Tabor
Caul	Hummel	Mortimer	Toy
DeRossett	Jelinek	Newell	Van Woerkom
DeVuyst	Johnson, Rick	Pappageorge	Vander Roest
DeWeese	Johnson, Ruth	Patterson	Vear
Drolet	Julian	Pumford	Voorhees
Ehardt	Koetje	Rackowski	Woronchak
Faunce			

In The Chair: Ehardt

Rep. Woodward moved to amend the bill as follows:

1. Amend page 22, line 14, by striking out all of subsection (4) and renumbering the remaining subsection.

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,

After debate,

Rep. Kuipers demanded the previous question.

The demand was supported.

The question being, "Shall the main question now be put?"

The previous question was ordered.

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. 821

Yeas—48

Adamini	Dennis	Lockwood	Rison
Anderson	Frank	Mans	Rivet
Basham	Garza	McConico	Spade
Bernero	Gielegthem	Minore	Stallworth
Bogardus	Hale	Murphy	Switalski
Bovin	Hansen	Neumann	Thomas
Brown, B.	Hardman	O'Neil	Waters
Brown, R.	Jacobs	Pestka	Whitmer
Callahan	Jamnack	Phillips	Williams
Clark, I.	Kolb	Plakas	Wojno
Clarke, H.	Lemmons	Quarles	Woodward
Daniels	Lipsey	Reeves	Zelenko

Nays—51

Allen	George	Koetje	Richner
Birkholz	Gilbert	Kooiman	Rocca
Bisbee	Godchaux	Kowall	Scranton
Bishop	Gosselin	Kuipers	Shackleton
Bradstreet	Hager	LaSata	Shulman
Brown, C.	Hart	Mead	Stamas
Cassis	Howell	Meyer	Tabor
Caul	Hummel	Middaugh	Toy

DeRossett
DeVuyst
Drolet
Ehardt
Faunce

Jansen
Jelinek
Johnson, Rick
Johnson, Ruth
Julian

Mortimer
Newell
Pappageorge
Patterson
Rackowski

Van Woerkom
Vander Roest
Vear
Voorhees

In The Chair: Ehardt

Rep. Frank moved to amend the bill as follows:

1. Amend page 31, following line 13, by inserting:

“SEC. 59B. (1) AN INSURER, AS THAT TERM IS DEFINED IN SECTION 106 OF THE INSURANCE CODE OF 1956, 1956 PA 218, MCL 500.106, DOING BUSINESS IN THIS STATE SHALL NOT, DIRECTLY OR INDIRECTLY, PAY OR USE, OR OFFER, CONSENT, OR AGREE TO PAY OR USE, MONEY OR PROPERTY FOR OR IN AID OF A POLITICAL PARTY, COMMITTEE, OR ORGANIZATION; FOR OR IN AID OF A CORPORATION ORGANIZED ON A FOR-PROFIT OR NONPROFIT BASIS, A JOINT STOCK COMPANY, OR A DOMESTIC DEPENDENT SOVEREIGN ORGANIZED OR MAINTAINED FOR POLITICAL PURPOSES; FOR OR IN AID OF A CANDIDATE FOR ELECTIVE OFFICE OR FOR NOMINATION FOR ELECTIVE OFFICE; FOR THE PURPOSE OF INFLUENCING OR AFFECTING THE VOTE ON A BALLOT QUESTION SUBMITTED TO THE VOTERS; FOR ANY POLITICAL PURPOSE WHATSOEVER; OR FOR THE REIMBURSEMENT OR INDEMNIFICATION OF A PERSON THAT USES MONEY OR PROPERTY IN THE MANNER OR FOR THE PURPOSES DESCRIBED IN THIS SECTION.

(2) AN OFFICER, DIRECTOR, STOCKHOLDER, ATTORNEY, OR AGENT OF AN INSURER THAT VIOLATES THIS SECTION WHO PARTICIPATES IN, AIDS, ABETS, OR CONSENTS TO THE VIOLATION OR A PERSON THAT SOLICITS OR KNOWINGLY RECEIVES MONEY OR PROPERTY IN VIOLATION OF THIS SECTION IS GUILTY OF A MISDEMEANOR, PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 1 YEAR OR A FINE OF NOT MORE THAN \$1,000.00, OR BOTH. AN OFFICER OF AN INSURER THAT VIOLATES THIS SECTION OR WHO AIDS OR ABETS IN A VIOLATION OF THIS SECTION THAT IS A CONTRIBUTION OR EXPENDITURE IS LIABLE TO THE INSURER FOR THE AMOUNT CONTRIBUTED OR EXPENDED.”.

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

Rep. Frank demanded the yeas and nays.

The demand was supported.

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

After debate,

Rep. Bishop demanded the previous question.

The demand was supported.

The question being, “Shall the main question now be put?”

The previous question was ordered.

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

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

Roll Call No. 822

Yeas—44

Anderson
Basham
Bernero
Bogardus
Bovin
Brown, B.
Brown, R.
Callahan
Clark, I.
Clarke, H.
Daniels

Dennis
Frank
Garza
Gielegghem
Hale
Hansen
Hardman
Jacobs
Jamnick
Kolb
Lipsey

Lockwood
Mans
McConico
Minore
Murphy
O’Neil
Pestka
Phillips
Plakas
Quarles
Reeves

Rison
Spade
Stallworth
Switalski
Thomas
Waters
Whitmer
Williams
Wojno
Woodward
Zelenko

Nays—50

Allen	Faunce	Koetje	Richner
Birkholz	George	Kowall	Rocca
Bisbee	Gilbert	Kuipers	Scranton
Bishop	Godchaux	LaSata	Shulman
Bradstreet	Gosselin	Mead	Stamas
Brown, C.	Hager	Meyer	Stewart
Cassis	Hart	Middaugh	Tabor
Caul	Howell	Mortimer	Toy
DeRossett	Hummel	Newell	Van Woerkom
DeVuyst	Jansen	Pappageorge	Vander Roest
DeWeese	Jelinek	Patterson	Vear
Drolet	Johnson, Rick	Pumford	Voorhees
Ehardt	Julian		

In The Chair: Ehardt

Rep. Woodward moved to amend the bill as follows:

1. Amend page 34, following line 12, by inserting:

“SEC. 91. (1) THIS SECTION AND SECTIONS 92 TO 109 SHALL BE KNOWN AND MAY BE CITED AS THE “MICHIGAN PUBLIC CAMPAIGN LAW”. AS USED IN THE MICHIGAN PUBLIC CAMPAIGN LAW, “CERTIFIED CANDIDATE” MEANS A CANDIDATE RUNNING FOR THE OFFICE OF GOVERNOR, STATE SENATOR, OR STATE REPRESENTATIVE WHO CHOOSES TO PARTICIPATE IN THE MICHIGAN PUBLIC CAMPAIGN ACT AND WHO IS CERTIFIED AS A MICHIGAN PUBLIC CAMPAIGN LAW CANDIDATE UNDER SECTION 97.

(2) THE MICHIGAN PUBLIC CAMPAIGN ACT ESTABLISHES AN ALTERNATIVE CAMPAIGN FINANCING OPTION AVAILABLE TO CANDIDATES RUNNING FOR THE OFFICES OF GOVERNOR, STATE SENATOR, AND STATE REPRESENTATIVE. THIS ALTERNATIVE CAMPAIGN FINANCING OPTION IS AVAILABLE TO CANDIDATES FOR EACH ELECTION HELD IN THIS STATE AFTER JANUARY 1, 2000.

(3) THE SECRETARY OF STATE SHALL ADMINISTER THE MICHIGAN PUBLIC CAMPAIGN ACT.

SEC. 92. (1) THE MICHIGAN PUBLIC CAMPAIGN FUND IS ESTABLISHED TO FINANCE THE ELECTION CAMPAIGNS OF CERTIFIED MICHIGAN PUBLIC CAMPAIGN ACT CANDIDATES RUNNING FOR THE OFFICE OF GOVERNOR, STATE SENATOR, AND STATE REPRESENTATIVE. THE MICHIGAN PUBLIC CAMPAIGN FUND IS THE FUND FROM WHICH ADMINISTRATIVE COSTS OF THE DEPARTMENTS OF TREASURY AND STATE AND ENFORCEMENT COSTS OF THE DEPARTMENT OF STATE RELATED TO THE MICHIGAN PUBLIC CAMPAIGN ACT WILL BE PAID.

(2) THE STATE TREASURER SHALL ADMINISTER THE MICHIGAN PUBLIC CAMPAIGN FUND PURSUANT TO THIS ACT. THE MICHIGAN PUBLIC CAMPAIGN FUND IS A SPECIAL, DEDICATED, NONLAPSING FUND AND ANY INTEREST GENERATED BY THE FUND IS CREDITED TO THE FUND.

(3) THE STATE TREASURER SHALL DEPOSIT ALL OF THE FOLLOWING INTO THE MICHIGAN PUBLIC CAMPAIGN FUND:

(A) THE QUALIFYING CONTRIBUTIONS REQUIRED UNDER SECTION 96, WHEN THOSE CONTRIBUTIONS ARE SUBMITTED TO THE STATE TREASURER.

(B) REVENUE PURSUANT TO SECTION 93.

(C) SEED MONEY CONTRIBUTIONS REMAINING UNSPENT AFTER A CANDIDATE HAS BEEN CERTIFIED AS A MICHIGAN PUBLIC CAMPAIGN ACT CANDIDATE, WHEN THOSE FUNDS ARE SUBMITTED TO THE STATE TREASURER.

(D) FUND REVENUES THAT WERE DISTRIBUTED TO A MICHIGAN PUBLIC CAMPAIGN ACT CANDIDATE AND THAT REMAIN UNSPENT AFTER THE CANDIDATE HAS LOST A PRIMARY ELECTION OR AFTER ALL GENERAL ELECTIONS.

(E) OTHER UNSPENT FUND REVENUES DISTRIBUTED TO ANY MICHIGAN PUBLIC CAMPAIGN ACT CANDIDATE WHO DOES NOT REMAIN A CANDIDATE THROUGHOUT A PRIMARY OR GENERAL ELECTION CYCLE.

(F) VOLUNTARY DONATIONS MADE DIRECTLY TO THE FUND.

(G) FINES COLLECTED UNDER SECTION 108.

(4) ON OR BEFORE THE SEPTEMBER 1 IMMEDIATELY PRECEDING AN ELECTION YEAR, THE SECRETARY OF STATE SHALL PUBLISH AN ESTIMATE OF REVENUE IN THE FUND AVAILABLE FOR DISTRIBUTION TO CERTIFIED CANDIDATES DURING THE UPCOMING YEAR'S ELECTIONS.

SEC. 93. (1) AN INDIVIDUAL WHOSE TAX LIABILITY UNDER THE INCOME TAX ACT OF 1967, 1967 PA 281, MCL 206.1 TO 206.532, FOR A TAXABLE YEAR IS \$3.00 OR MORE MAY DESIGNATE THAT \$3.00 NOT BE CREDITED TO THE MICHIGAN PUBLIC CAMPAIGN FUND. IN THE CASE OF A JOINT RETURN OF HUSBAND AND WIFE HAVING AN INCOME TAX LIABILITY OF \$6.00 OR MORE, EACH SPOUSE MAY DESIGNATE THAT \$3.00 NOT BE CREDITED TO THE MICHIGAN PUBLIC CAMPAIGN FUND.

(2) THE TAX DESIGNATION AUTHORIZED IN THIS SECTION SHALL BE CLEARLY AND UNAMBIGUOUSLY PRINTED ON THE FIRST PAGE OF THE STATE INDIVIDUAL INCOME TAX RETURN.

(3) AN AMOUNT EQUAL TO THE CUMULATIVE AMOUNTS DESIGNATED UNDER SUBSECTION (1) EACH YEAR SHALL BE APPROPRIATED ANNUALLY FROM THE GENERAL FUND OF THIS STATE TO THE MICHIGAN PUBLIC CAMPAIGN FUND TO BE AVAILABLE BEGINNING JANUARY 1 AND CONTINUING THROUGH DECEMBER 31 OF EACH ELECTION YEAR.

SEC. 94. (1) TO BE ELIGIBLE FOR CERTIFICATION, A PARTICIPATING CANDIDATE SHALL MEET BOTH OF THE FOLLOWING REQUIREMENTS:

(A) HE OR SHE SHALL ONLY COLLECT AND SPEND SEED MONEY CONTRIBUTIONS DURING THE QUALIFYING PERIOD.

(B) HE OR SHE SHALL NOT MAKE OR CAUSE AN EXPENDITURE TO BE MADE FROM PRIVATE MONEY DEPOSITED TO HIS OR HER CANDIDATE COMMITTEE DURING THE CURRENT ELECTION CYCLE AND BEFORE FILING A DECLARATION OF INTENT PURSUANT TO SUBSECTION (3).

(2) A CANDIDATE SHALL NOT COLLECT OR SPEND SEED MONEY CONTRIBUTIONS AFTER CERTIFICATION AS A MICHIGAN PUBLIC CAMPAIGN ACT CANDIDATE. THE PRIMARY PURPOSE OF A SEED MONEY CONTRIBUTION IS TO ENABLE A PARTICIPATING CANDIDATE TO COLLECT QUALIFYING CONTRIBUTIONS. A PARTICIPATING CANDIDATE SHALL REPORT SEED MONEY CONTRIBUTIONS AND EXPENDITURES ACCORDING TO PROCEDURES DEVELOPED BY THE SECRETARY OF STATE.

(3) A PARTICIPATING CANDIDATE SHALL FILE A DECLARATION OF INTENT TO SEEK CERTIFICATION AS A MICHIGAN PUBLIC CAMPAIGN ACT CANDIDATE AND TO COMPLY WITH THE REQUIREMENTS OF THE MICHIGAN PUBLIC CAMPAIGN ACT. THE CANDIDATE SHALL FILE THE DECLARATION OF INTENT WITH THE SECRETARY OF STATE BEFORE OR DURING THE QUALIFYING PERIOD, EXCEPT AS OTHERWISE PROVIDED IN SECTION 103, ACCORDING TO FORMS AND PROCEDURES DEVELOPED BY THE SECRETARY OF STATE. A PARTICIPATING CANDIDATE SHALL FILE A DECLARATION OF INTENT BEFORE HE OR SHE COLLECTS SEED MONEY OR QUALIFYING CONTRIBUTIONS UNDER THE MICHIGAN PUBLIC CAMPAIGN ACT.

SEC. 95. (1) SUBSEQUENT TO BECOMING A CANDIDATE AND BEFORE CERTIFICATION, A PARTICIPATING CANDIDATE SHALL NOT ACCEPT CONTRIBUTIONS EXCEPT FOR SEED MONEY CONTRIBUTIONS. A PARTICIPATING CANDIDATE SHALL LIMIT THE CANDIDATE'S SEED MONEY CONTRIBUTIONS TO THE FOLLOWING AMOUNTS, AS APPLICABLE:

(A) FOR A CANDIDATE FOR THE OFFICE OF GOVERNOR, \$100,000.00.

(B) FOR A CANDIDATE FOR THE OFFICE OF STATE SENATOR, \$10,000.00.

(C) FOR A CANDIDATE FOR THE OFFICE OF STATE REPRESENTATIVE, \$5,000.00.

(2) A PARTICIPATING CANDIDATE SHALL OBTAIN QUALIFYING CONTRIBUTIONS DURING THE QUALIFYING PERIOD THAT MEET THE FOLLOWING CRITERIA, AS APPROPRIATE:

(A) FOR A CANDIDATE FOR THE OFFICE OF GOVERNOR, AT LEAST 5,000 VERIFIED REGISTERED VOTERS OF THIS STATE MUST SUPPORT THE CANDIDACY BY PROVIDING A QUALIFYING CONTRIBUTION TO THAT CANDIDATE.

(B) FOR A CANDIDATE FOR THE OFFICE OF STATE SENATOR, AT LEAST 500 VERIFIED REGISTERED VOTERS FROM THAT SENATORIAL DISTRICT MUST SUPPORT THE CANDIDATE BY PROVIDING A QUALIFYING CONTRIBUTION TO THAT CANDIDATE.

(C) FOR A CANDIDATE FOR THE OFFICE OF STATE REPRESENTATIVE, AT LEAST 250 VERIFIED REGISTERED VOTERS FROM THAT REPRESENTATIVE DISTRICT MUST SUPPORT THE CANDIDATE BY PROVIDING A QUALIFYING CONTRIBUTION TO THAT CANDIDATE.

(3) A PAYMENT, GIFT, OR ANYTHING OF VALUE SHALL NOT BE GIVEN IN EXCHANGE FOR A QUALIFYING CONTRIBUTION.

SEC. 96. A PARTICIPATING CANDIDATE SHALL SUBMIT QUALIFYING CONTRIBUTIONS TO THE SECRETARY OF STATE DURING THE QUALIFYING PERIOD ACCORDING TO PROCEDURES DEVELOPED BY THE SECRETARY OF STATE, EXCEPT AS PROVIDED IN SECTION 103.

SEC. 97. (1) UPON RECEIPT OF A FINAL SUBMITTAL OF QUALIFYING CONTRIBUTIONS BY A PARTICIPATING CANDIDATE, THE SECRETARY OF STATE SHALL DETERMINE IF THE CANDIDATE HAS MET ALL OF THE FOLLOWING REQUIREMENTS:

(A) SIGNED AND FILED A DECLARATION OF INTENT TO PARTICIPATE IN THE MICHIGAN PUBLIC CAMPAIGN ACT.

(B) SUBMITTED THE APPROPRIATE NUMBER OF VALID QUALIFYING CONTRIBUTIONS.

(C) SUBMITTED THE APPROPRIATE SEED MONEY CONTRIBUTION AND EXPENDITURE REPORT REQUIRED UNDER SECTION 94.

(D) DID NOT ACCEPT CONTRIBUTIONS, EXCEPT FOR SEED MONEY CONTRIBUTIONS, AND OTHERWISE COMPLIED WITH SEED MONEY CONTRIBUTION RESTRICTIONS.

(E) OTHERWISE MET THE REQUIREMENTS FOR PARTICIPATION IN THE MICHIGAN PUBLIC CAMPAIGN ACT.

(F) DID NOT MAKE OR CAUSE AN EXPENDITURE TO BE MADE FROM PRIVATE MONEY DEPOSITED IN HIS OR HER CANDIDATE COMMITTEE DURING THE CURRENT ELECTION CYCLE AND BEFORE FILING A DECLARATION OF INTENT TO PARTICIPATE IN THE MICHIGAN PUBLIC CAMPAIGN ACT.

(2) THE SECRETARY OF STATE SHALL CERTIFY A CANDIDATE WHO COMPLIES WITH THE REQUIREMENTS OF THIS SECTION AS A MICHIGAN PUBLIC CAMPAIGN ACT CANDIDATE AS SOON AS POSSIBLE AND NO LATER THAN 3 DAYS AFTER FINAL SUBMISSION OF QUALIFYING CONTRIBUTIONS. THE SECRETARY OF STATE SHALL NOTIFY A CANDIDATE WHO HAS NOT COMPLIED WITH THE REQUIREMENTS OF THIS SECTION THAT HE OR SHE IS BEING DENIED CERTIFICATION AS A MICHIGAN PUBLIC CAMPAIGN ACT CANDIDATE AND THE REASONS FOR THAT DENIAL AS SOON AS POSSIBLE AND NO LATER THAN 3 DAYS AFTER FINAL SUBMISSION OF QUALIFYING CONTRIBUTIONS.

(3) UPON CERTIFICATION OR DENIAL OF CERTIFICATION, A CANDIDATE SHALL PROMPTLY GIVE TO THE SECRETARY OF STATE ANY UNSPENT SEED MONEY CONTRIBUTIONS. AS SOON AS PRACTICAL AFTER RECEIPT, THE SECRETARY OF STATE SHALL TRANSMIT ALL UNSPENT SEED MONEY CONTRIBUTIONS TO THE STATE TREASURER FOR DEPOSIT INTO THE MICHIGAN PUBLIC CAMPAIGN FUND.

(4) A CERTIFIED CANDIDATE SHALL COMPLY WITH ALL REQUIREMENTS OF THE MICHIGAN PUBLIC CAMPAIGN ACT AFTER CERTIFICATION AND THROUGHOUT THE PRIMARY AND GENERAL ELECTION PERIODS.

SEC. 98. (1) A CERTIFIED CANDIDATE SHALL LIMIT THE CANDIDATE'S CAMPAIGN EXPENDITURES AND OBLIGATIONS, INCLUDING OUTSTANDING OBLIGATIONS, TO THE REVENUES DISTRIBUTED TO THE CANDIDATE FROM THE MICHIGAN PUBLIC CAMPAIGN FUND. A CERTIFIED CANDIDATE SHALL NOT ACCEPT ANY CONTRIBUTIONS UNLESS SPECIFICALLY AUTHORIZED BY THE SECRETARY OF STATE.

(2) A CERTIFIED CANDIDATE SHALL ONLY USE REVENUE DISTRIBUTED FROM THE FUND FOR CAMPAIGN-RELATED PURPOSES. THE SECRETARY OF STATE SHALL PUBLISH GUIDELINES OUTLINING PERMISSIBLE CAMPAIGN-RELATED EXPENDITURES.

SEC. 99. (1) THE SECRETARY OF STATE SHALL DIRECT THE STATE TREASURER TO DISTRIBUTE TO CERTIFIED CANDIDATES REVENUES FROM THE MICHIGAN PUBLIC CAMPAIGN FUND IN AMOUNTS DETERMINED UNDER SECTION 100 IN THE FOLLOWING MANNER:

(A) WITHIN 3 DAYS AFTER CERTIFICATION, FOR CANDIDATES CERTIFIED BEFORE JUNE 16 OF THE ELECTION YEAR, REVENUES FROM THE FUND SHALL BE DISTRIBUTED AS IF THE CANDIDATES ARE IN AN UNCONTESTED PRIMARY ELECTION.

(B) WITHIN 3 DAYS AFTER JUNE 16 OF THE ELECTION YEAR, FOR PRIMARY ELECTION CERTIFIED CANDIDATES, REVENUES FROM THE FUND SHALL BE DISTRIBUTED ACCORDING TO WHETHER THE CANDIDATE IS IN A CONTESTED OR UNCONTESTED PRIMARY ELECTION, REDUCED BY ANY AMOUNTS PREVIOUSLY DISTRIBUTED UNDER SUBDIVISION (A).

(C) WITHIN 3 DAYS AFTER THE PRIMARY ELECTION, FOR GENERAL ELECTION CERTIFIED CANDIDATES, REVENUES FROM THE FUND SHALL BE DISTRIBUTED ACCORDING TO WHETHER THE CANDIDATE IS IN A CONTESTED GENERAL ELECTION. FUNDS SHALL NOT BE DISTRIBUTED TO A CANDIDATE IN AN UNCONTESTED GENERAL ELECTION.

(2) THE STATE TREASURER MAY DISTRIBUTE REVENUE FROM THE FUND TO CERTIFIED CANDIDATES UNDER THIS SECTION BY ANY MECHANISM THAT IS EXPEDITIOUS, ENSURES ACCOUNTABILITY, AND SAFEGUARDS THE INTEGRITY OF THE MICHIGAN PUBLIC CAMPAIGN FUND.

SEC. 100. (1) ON OR BEFORE JULY 1, 1999, AND ON OR BEFORE JULY 1 OF EACH FOURTH YEAR AFTER 1999, THE SECRETARY OF STATE SHALL DETERMINE THE AMOUNT OF FUNDS TO BE DISTRIBUTED TO CERTIFIED CANDIDATES BASED UPON THE TYPE OF ELECTION AND OFFICE AS FOLLOWS:

(A) FOR CONTESTED PRIMARY ELECTIONS, THE AMOUNT OF REVENUES TO BE DISTRIBUTED IS THE AVERAGE AMOUNT OF CAMPAIGN EXPENDITURES MADE BY EACH CANDIDATE DURING ALL CONTESTED PRIMARY ELECTION RACES FOR THE IMMEDIATELY PRECEDING 2 PRIMARY ELECTIONS AS REPORTED IN THE INITIAL FILING PERIOD SUBSEQUENT TO THE PRIMARY ELECTION FOR THE RESPECTIVE OFFICES OF GOVERNOR, STATE SENATOR, AND STATE REPRESENTATIVE.

(B) FOR UNCONTESTED PRIMARY ELECTIONS, THE AMOUNT OF REVENUES DISTRIBUTED IS THE AVERAGE AMOUNT OF CAMPAIGN EXPENDITURES MADE BY EACH CANDIDATE DURING ALL UNCONTESTED PRIMARY ELECTION RACES, OR FOR CONTESTED RACES IF THAT AMOUNT IS LOWER, FOR THE IMMEDIATELY PRECEDING 2 PRIMARY ELECTIONS AS REPORTED IN THE INITIAL FILING PERIOD SUBSEQUENT TO THE PRIMARY ELECTION FOR THE RESPECTIVE OFFICES OF GOVERNOR, STATE SENATOR, AND STATE REPRESENTATIVE.

(C) FOR CONTESTED GENERAL ELECTIONS, THE AMOUNT OF REVENUES DISTRIBUTED IS THE AVERAGE AMOUNT OF CAMPAIGN EXPENDITURES MADE BY EACH CANDIDATE DURING ALL CONTESTED GENERAL ELECTION RACES FOR THE IMMEDIATELY PRECEDING 2 GENERAL ELECTIONS AS REPORTED IN THE INITIAL FILING PERIOD SUBSEQUENT TO THE GENERAL ELECTION FOR THE RESPECTIVE OFFICES OF GOVERNOR, STATE SENATOR, AND STATE REPRESENTATIVE.

(2) IF THE IMMEDIATELY PRECEDING 2 ELECTION CYCLES DO NOT CONTAIN SUFFICIENT ELECTORAL DATA, THE SECRETARY OF STATE SHALL USE INFORMATION FROM THE MOST RECENT APPLICABLE ELECTIONS. FOR ONLY THE INITIAL COMPUTATIONS UNDER SUBSECTION (1) THAT ARE CONDUCTED BY JULY 1, 1999, THE SECRETARY OF STATE SHALL REDUCE THE AMOUNTS TO BE DISTRIBUTED BY 25%.

SEC. 101. (1) IF A CAMPAIGN STATEMENT OR REPORT FILED UNDER THIS ACT SHOWS THAT THE SUM OF A CANDIDATE'S EXPENDITURES OR OBLIGATIONS, OR FUNDS RAISED OR BORROWED, WHICHEVER IS GREATER, ALONE OR IN CONJUNCTION WITH INDEPENDENT EXPENDITURES REPORTED UNDER SECTION 51 EXCEEDS THE DISTRIBUTION AMOUNT UNDER SECTION 100, THE SECRETARY OF STATE SHALL ISSUE IMMEDIATELY TO ANY OPPOSING MICHIGAN PUBLIC CAMPAIGN ACT CANDIDATE AN ADDITIONAL AMOUNT EQUIVALENT TO THE REPORTED EXCESS.

(2) MATCHING FUNDS PROVIDED UNDER THIS SECTION ARE LIMITED TO 3 TIMES THE AMOUNT ORIGINALLY DISTRIBUTED UNDER SECTION 100(1)(A) OR (C), AS APPLICABLE.

SEC. 102. A CANDIDATE WITHOUT POLITICAL PARTY AFFILIATION WHO IS CERTIFIED BY THE JUNE 16 IMMEDIATELY PRECEDING THE PRIMARY ELECTION IS ELIGIBLE FOR REVENUES FROM THE FUND IN THE SAME AMOUNTS AND AT THE SAME TIME AS AN UNCONTESTED PRIMARY ELECTION CANDIDATE AND A GENERAL ELECTION CANDIDATE AS SPECIFIED IN SECTIONS 99 AND 100. FOR A CANDIDATE WITHOUT POLITICAL PARTY AFFILIATION WHO IS NOT CERTIFIED BY JUNE 16 AT 5 P.M., THE DEADLINE FOR FILING QUALIFYING CONTRIBUTIONS IS 5 P.M. ON THE JULY 16 IMMEDIATELY PRECEDING THE GENERAL ELECTION. A CANDIDATE WITHOUT POLITICAL PARTY AFFILIATION CERTIFIED AFTER JUNE 16 AT 5 P.M. IS ELIGIBLE FOR REVENUES FROM THE FUND IN THE SAME AMOUNTS AS A GENERAL ELECTION CANDIDATE, AS SPECIFIED IN SECTIONS 99 AND 100.

SEC. 103. THE SECRETARY OF STATE SHALL ESTABLISH BY RULE PROCEDURES FOR QUALIFICATION, REPORTING, CERTIFICATION, DISBURSEMENT OF FUND REVENUES, AND RETURN OF UNSPENT FUND REVENUES FOR RACES INVOLVING SPECIAL ELECTIONS, RECOUNTS, VACANCIES, WITHDRAWALS, OR REPLACEMENT CANDIDATES.

SEC. 104. (1) NOTWITHSTANDING ANY OTHER PROVISION OF LAW TO THE CONTRARY, PARTICIPATING AND CERTIFIED CANDIDATES SHALL REPORT ANY MONEY COLLECTED, ALL CAMPAIGN EXPENDITURES, OBLIGATIONS, AND RELATED ACTIVITIES TO THE SECRETARY OF STATE ACCORDING TO PROCEDURES DEVELOPED BY THE SECRETARY OF STATE. UPON THE FILING OF A FINAL REPORT FOR ANY PRIMARY ELECTION IN WHICH THE CANDIDATE WAS DEFEATED AND FOR ALL GENERAL ELECTIONS, THAT CANDIDATE SHALL RETURN ALL UNSPENT FUND REVENUES TO THE SECRETARY OF STATE, FOR DEPOSIT IN THE FUND.

(2) IN DEVELOPING THESE PROCEDURES, THE SECRETARY OF STATE SHALL UTILIZE EXISTING CAMPAIGN REPORTING PROCEDURES, WHENEVER PRACTICABLE. THE SECRETARY OF STATE SHALL ENSURE TIMELY PUBLIC ACCESS TO CAMPAIGN FINANCE DATA AND MAY UTILIZE ELECTRONIC MEANS OF REPORTING AND STORING INFORMATION. THE SECRETARY OF STATE SHALL DEVELOP AND MAKE AVAILABLE TO PARTICIPATING AND CERTIFIED CANDIDATES THE NECESSARY SOFTWARE FOR FILING THE REPORTS REQUIRED UNDER THE MICHIGAN PUBLIC CAMPAIGN ACT BY ELECTRONIC MEANS."

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,

After debate,

Rep. Kuipers demanded the previous question.

The demand was supported.

The question being, "Shall the main question now be put?"

The previous question was ordered.

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. 823**Yeas—46**

Adamini	Frank	Mans	Rivet
Anderson	Garza	McConico	Schauer
Basham	Gielegthem	Murphy	Spade
Bernero	Hale	Neumann	Stallworth
Bogardus	Hansen	O'Neil	Switalski
Bovin	Hardman	Pestka	Waters
Brown, R.	Jacobs	Phillips	Whitmer
Callahan	Jamnick	Plakas	Williams
Clark, I.	Kolb	Quarles	Wojno
Clarke, H.	Lemmons	Reeves	Woodward
Daniels	Lipsey	Rison	Zelenko
Dennis	Lockwood		

Nays—52

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

In The Chair: Ehardt

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.

By unanimous consent the House returned to the order of

Third Reading of Bills**Senate Bill No. 759, entitled**

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending sections 2, 6, 7, 9, 11, 15, 29, 42, and 57 (MCL 169.202, 169.206, 169.207, 169.209, 169.211, 169.215, 169.229, 169.242, and 169.257), sections 2 and 7 as amended by 1994 PA 385, section 6 as amended by 1995 PA 264, sections 9, 11, and 57 as amended by 1996 PA 590, section 15 as amended by 2000 PA 201, and sections 29 and 42 as amended by 1999 PA 237, and by adding sections 58 and 59.

The bill was read a third time.

The question being on the passage of the bill,
After debate,

Rep. Bishop demanded the previous question.
The demand was supported.

The question being, "Shall the main question now be put?"
The previous question was ordered.

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. 824**Yeas—56**

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

Nays—48

Adamini	Dennis	Lockwood	Rison
Anderson	Frank	Mans	Rivet
Basham	Garza	McConico	Schauer
Bernero	Gielegghem	Minore	Spade
Bogardus	Hale	Murphy	Switalski
Bovin	Hansen	Neumann	Thomas
Brown, B.	Hardman	O'Neil	Waters
Brown, R.	Jacobs	Pestka	Whitmer
Callahan	Jamnick	Phillips	Williams
Clark, I.	Kolb	Plakas	Wojno
Clarke, H.	Lemmons	Quarles	Woodward
Daniels	Lipsey	Reeves	Zelenko

In The Chair: Ehardt

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

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

A bill to amend 1976 PA 388, entitled "An act to regulate political activity; to regulate campaign financing; to restrict campaign contributions and expenditures; to require campaign statements and reports; to regulate anonymous contributions; to regulate campaign advertising and literature; to provide for segregated funds for political purposes; to provide for the use of public funds for political purposes; to create certain funds; to provide for reversion, retention, or refunding of unexpended balances in certain funds; to require other statements and reports; to regulate acceptance of certain gifts, payments, and reimbursements; to prescribe the powers and duties of certain state departments and state and local officials and employees; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and parts of acts," by amending sections 2, 7, 12, 15, 26, 29, 31, 42, 47, 52, 57, and 69 (MCL

169.202, 169.207, 169.212, 169.215, 169.226, 169.229, 169.231, 169.242, 169.247, 169.252, 169.257, and 169.269), sections 2 and 7 as amended by 1994 PA 385, section 12 as amended by 1995 PA 264, section 15 as amended by 2000 PA 201, sections 26, 29, and 42 as amended by 1999 PA 237, section 47 as amended by 1996 PA 225, and sections 52, 57, and 69 as amended by 1996 PA 590.

The motion prevailed.

The House agreed to the title as amended.

Reps. Jacobs, Garza, Hardman, Reeves, Dennis, Clark, Lockwood, Bogardus, Rison, Murphy, Zelenko, Whitmer, Woodward, Plakas, Schauer, Waters, Basham, Hale, Hansen, Anderson, Kolb, Williams, Gielegghem, Callahan, Lemmons, Wojno and O'Neil, 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 final passage of SB 759 (H-4) because this bill will severely restrict the ability of average citizens throughout our state to participate in the political process. This bill prevents people from banding together to express a political belief, and from making sure that expression has a chance to be heard. And by requiring additional arbitrary paperwork, this bill in particular creates unfair hurdles for union members who want to participate in the political process.

In passing this bill, the Republicans are protecting the voices of the wealthy, while they stifle the voices of average people, working people, and retirees on fixed incomes.

Democrats today offered several amendments to this bill that could have helped to return fairness to our political process, and to make it possible that the voices of average people might be heard over, or at least alongside, the commanding and ever-present voices of the wealthy and powerful. The Republican majority voted all of these amendments down. The Republican majority refused to place any cap at all on how much wealthy donors can contribute to political parties to be used as soft money, and they refused to place a ban on political contributions from persons who are awarded lucrative state contracts.

Last week this body took away a voting option that Michigan voters have exercised in large numbers for over one hundred years—the right to cast, quickly and simply, a straight-ticket vote. Last week this body ensured that, starting next November, Michigan voters will face longer lines at the polls, and that elections will be more costly to administer.

With the passage of SB 759 today, this body is delivering yet another attack on the right of the people of this state to participate in the political process, and another attack on our democratic way of life."

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

"Mr. Speaker and members of the House:

I voted no on final passage of SB 759 (H-4) because this bill will severely restrict the ability of average citizens throughout our state to participate in the political process. This bill prevents people from banding together to express a political belief, and from making sure that expression has a chance to be heard. And by requiring additional arbitrary paperwork, this bill also creates unfair hurdles for union members who want to participate in the political process.

Last week this body took away a voting option that Michigan voters have exercised in large numbers for over one hundred years—the right to cast, quickly and simply, a straight-ticket vote. Last week this body ensured that, starting next November, Michigan voters will face longer lines at the polls, and that elections will be more costly to administer.

With the passage of SB 759 today, this body is delivering yet another attack on the right of the people of this state to participate in the political process, and another attack on our democratic way of life."

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

"Mr. Speaker and members of the House:

I voted no on final passage of SB 759 (H-4) because this bill will severely restrict the ability of average citizens throughout our state to participate in the political process. This bill prevents people from banding together to express a political belief, and from making sure that expression has a chance to be heard. And by requiring additional arbitrary paperwork, this bill in particular creates unfair hurdles for union members who want to participate in the political process.

In passing this bill, the Republicans are protecting the voices of the wealthy, while they stifle the voices of average people, working people, and retirees on fixed incomes.

Democrats today offered several amendments to this bill that could have helped to return fairness to our political process, and to make it possible that the voices of average people might be heard over, or at least alongside, the

commanding and ever-present voices of the wealthy and powerful. The Republican majority voted all of these amendments down. The Republican majority refused to place any cap at all on how much wealthy donors can contribute to political parties to be used as soft money, and they refused to place a ban on political contributions from persons who are awarded lucrative state contracts.

Last week this body took away a voting option that Michigan voters have exercised in large numbers for over one hundred years—the right to cast, quickly and simply, a straight-ticket vote. Last week this body ensured that, starting next November, Michigan voters will face longer lines at the polls, and that elections will be more costly to administer.

With the passage of SB 759 today, this body is delivering yet another attack on the right of the people of this state to participate in the political process, and another attack on our democratic way of life.

In addition, the tyrannical process by which the bill was advanced defied even the semblance of democratic assembly. Stifling debate—even preventing any debate—speaks volumes about the disdain in which the majority party holds the citizens of this state.”

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

“Mr. Speaker and members of the House:

I voted NO on SB 759 (H-1) tonight for so very many reasons, but the one that stands out tonight is the total lack of respect demonstrated by the Republican Caucus for the approximately 87,000 Michigan people represented by the 52 members of the Democratic Caucus. We were not provided a copy of H-1 substitute at all and it was not even available in the computer blue book. We were not allowed to adequately prepare amendments. We were not allowed to appropriately discuss the amendments on the floor. We were NOT allowed to speak at all on the bill when it was placed on final passage. I consider this an insult to the people I represent. It is now midnight and obviously it would have taken more time to let those of us who wanted to speak do so. It is things like this that clearly causes people to feel government really isn’t about fair and full representation.”

Notices

I hereby give notice that on the next legislative session day I will move to reconsider the vote by which the House passed **Senate Bill No. 759**.

Rep. Richardville

By unanimous consent the House returned to the order of

Third Reading of Bills

Rep. Richardville moved that **Senate Bill No. 516** be placed on its immediate passage.
The motion prevailed, a majority of the members serving voting therefor.

Senate Bill No. 516, entitled

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

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

Roll Call No. 825

Yeas—96

Adamini	Faunce	Kuipers	Rison
Allen	Garza	LaSata	Rivet
Anderson	George	Lemmons	Rocca
Basham	Gielegem	Lipsey	Schauer
Bernero	Gilbert	Lockwood	Scranton
Birkholz	Godchaux	Mans	Shackleton
Bisbee	Gosselin	Mead	Shulman
Bishop	Hager	Meyer	Spade
Bovin	Hale	Middaugh	Stamas
Bradstreet	Hansen	Minore	Stewart

Brown, B.	Hardman	Mortimer	Switalski
Brown, C.	Howell	Neumann	Tabor
Brown, R.	Hummel	Newell	Toy
Callahan	Jacobs	O'Neil	Van Woerkom
Cassis	Jamnack	Pappageorge	Vander Roest
Caul	Jansen	Patterson	Vear
Clark, I.	Jelinek	Pestka	Voorhees
Clarke, H.	Johnson, Rick	Phillips	Waters
Daniels	Johnson, Ruth	Plakas	Whitmer
Dennis	Julian	Pumford	Williams
DeVuyst	Koetje	Raczkowski	Wojno
DeWeese	Kolb	Reeves	Woodward
Drolet	Kooiman	Richardville	Woronchak
Ehardt	Kowall	Richner	Zelenko

Nays—0

In The Chair: Ehardt

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

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

The House agreed to the full title.

Rep. 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.

Rep. Richardville moved that the House adjourn.
The motion prevailed, the time being 11:59 p.m.

Associate Speaker Pro Tempore Ehardt declared the House adjourned until Thursday, December 13, at 12:00 Noon.

GARY L. RANDALL
Clerk of the House of Representatives.

