

No. 88
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House of Representatives
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House Chamber, Lansing, Thursday, December 13, 2001.

12:00 Noon.

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

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

Adamini—present	Garza—present	Lipsey—present	Schauer—present
Allen—present	George—present	Lockwood—present	Schermesser—excused
Anderson—present	Gielegem—present	Mans—present	Scranton—present
Basham—present	Gilbert—present	McConico—present	Shackleton—present
Bernero—present	Godchaux—present	Mead—present	Sheltrown—excused
Birkholz—present	Gosselin—present	Meyer—present	Shulman—present
Bisbee—present	Hager—present	Middaugh—present	Spade—present
Bishop—present	Hale—e/d/s	Minore—present	Stallworth—e/d/s
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—e/d/s	Julian—present	Quarles—present	Waters—present
Dennis—present	Kilpatrick—e/d/s	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
Fauce—present	LaSata—present	Rocca—present	
Frank—present	Lemmons—present		

e/d/s = entered during session

Sister Ann Stamm, Professor of Theology from Madonna University in Livonia, offered the following invocation:

“Heavenly Father, in this holy season of Peace, we Your children stand in Your presence, to remember, to rejoice, and to rededicate that we are Your people and that all good comes from Your hand.

We recall the star of joy that shone on that first Christmas night— the star that summoned shepherds from their lonely posts and inspired them with wisdom and courage; the star that beckoned the magi from distant lands and filled them with humility and self-giving; the star that evoked angelic choirs to sing their song of glory.

Today, we rejoice in the stars that have shone in children’s eyes, the stars that light up when lovers meet; stars awarded proud little kindergarten children who learned to skip and count and color and dance; stars earned by resolute athletes; stars emblazoned on the souls of our police officers and firefighters; silent stars that guard the resting places of soldiers who died that we might have peace; and the starlit hearts of own noble parents who challenged us to be people of goodness and light.

In a special way, Heavenly Father, we ask Your blessing on the brave men and women who defend our nation in far-flung places on the earth.

Let a star of peace rest on them.
May they know they are never alone.

Illumine their hearts to feel the love we send them today and surround them with Your gentle care.

We reaffirm our faith and respect for the fifty stars in our beloved flag.
They still call us to stand tall in spirit even as we bend in humble service to those in need.

We ask Your blessing on the great men and women who serve in Lansing. Men and women who like the shepherds of old, have heard Your voice, have answered the challenge, who dare to stand apart, to embrace the unseen, and to chart the future.

Like the magi of old, these stars have traveled from all parts of our state to bring their gifts to our citizens—the gold of noble purpose, the frankincense of faith, the myrrh of toil and self-giving.

Walk with them, Lord, as they seek the truth. Enable them to know it is You they serve; it is Your rule they follow, and it is Your strength they must rely on.

When, in Your infinite omniscience, You designed the pattern of Michigan, Lord, You formed an open hand, under the protection of a hovering angel.

Michigan:
a hand of service;
a hand of blessing;
a hand of friendship reaching out to others;
a hand of warmth and welcome,
a hand raised in gratitude and praise.

With Your gracious hand, bless all of our citizens. Support the elderly with respect, grant parents wisdom, and fill our children with dreams and hopes.

Give them a world, Lord, in which war will be but a distant memory and love the course all seek.

Lay Your hand of comfort on the ill and the needy. Let them know through their legislators that they are important to us and their concerns are heard.
May a special star bless each home and peace reign in every heart.

Be with us, Lord, in times of joy and sorrow, in our seeking and our findin, in our songs and in our tears, in past memories and future hopes.

In this, Your year, may the colors red, white and blue strewn across our great state by its Creator signal us to continue the quest for greatness begun by our ancestors.

RED:

The blood of heroes, reflected in Michigan's crimson sunsets, sweet, ripe cherries, tart cranberries, McIntosh apples, homegrown tomatoes, and the flash of the robin's red breast.

WHITE:

symbol of integrity and truth, pure as the new blown snow on northern slopes, cherished in royal trillium, spoken by the cooing dove, fragile as apple blossoms and fragrant hidden arbutus.

BLUE:

the color of loyalty—reflected in peaceful summer skies, delphiniums, forget-me-nots, and iris that grow in our country gardens, barn swallows, bluebirds and huckleberries, and our five wonderful Great Lakes that embrace the 39,000 acres of this incredible state.

We recall the past with fondness as we welcome another year. We offer our hands in friendship confident that God is always with us and love will always guide us.

And, so in this spirit of goodness, we greet one another, we cherish our unity and we appreciate our diversity. We joyfully proclaim:

Felix Navidad!
 Felicia Christi Natalicia
 Zalg Kerstfeest
 Froeliche Weinachten!
 Joyeu Noel!
 Eku odun O, A Se Yi Sa Modun!
 Gezuar Krishtlindjet!
 Buon Natale!
 Urime per Krisht Lindje!
 Wesolego Bozego Narodzenia i Szczesliwego Nowego Roku!
 and
 Merry Christmas!

Accept our prayer, our God and Father, for we come, NOT as shepherds, kings or angels—but as Your loving children. Amen.”

Rep. Jacobs moved that Reps. Schermesser and Sheltroun 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.

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

Rep. Gielegem, 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. 730-777. Had I been present, I would have voted ‘yea’ on Roll Call Nos. 730-742, 744, 746-758, 760, 763-777 and ‘nay’ on Roll Call Nos. 743, 755, 759, 761 and 762.”

Messages from the Senate

The Speaker laid before the House

House Bill No. 4735, entitled

A bill to amend 1961 PA 120, entitled "An act to authorize the development or redevelopment of principal shopping districts and business improvement districts; to permit the creation of certain boards; to provide for the operation of principal shopping districts and business improvement districts; and to authorize the collection of revenue and the bonding of certain cities for the development or redevelopment projects," by amending sections 1, 2, 3, 5, and 7 (MCL 125.981, 125.982, 125.983, 125.985, and 125.987), sections 1, 2, 3, and 5 as amended by 1999 PA 49 and section 7 as added by 1992 PA 146.

(The bill was received from the Senate on October 11, with substitute (S-2) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until October 16, see House Journal No. 69, p. 2055.)

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

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

Roll Call No. 826

Yeas—100

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

Nays—1

Drolet

In The Chair: Birkholz

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

Rep. Stallworth entered the House Chambers.

The Speaker laid before the House
House Bill No. 4736, entitled

A bill to amend 1961 PA 120, entitled “An act to authorize the development or redevelopment of principal shopping districts and business improvement districts; to permit the creation of certain boards; to provide for the operation of principal shopping districts and business improvement districts; and to authorize the collection of revenue and the bonding of certain cities for the development or redevelopment projects,” (MCL 125.981 to 125.987) by adding chapter 2.

(The substitute (S-2) was not concurred, reconsidered and bill postponed for the day on December 6, see House Journal No. 85, p. 2600.)

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

Rep. Allen moved to substitute (H-5) the Senate substitute (S-2).

The motion prevailed and the substitute (H-5) was 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 substituted (H-5), was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 827

Yeas—98

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

Nays—3

Drolet	Gosselin	Jacobs
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In The Chair: Birkholz

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 1961 PA 120, entitled “An act to authorize the development or redevelopment of principal shopping districts and business improvement districts; to permit the creation of certain boards; to provide for the operation of principal shopping districts and business improvement districts; and to authorize the collection of revenue and the bonding of certain cities for the development or redevelopment projects,” (MCL 125.981 to 125.987) by amending the title, as amended by 1999 PA 49, and by adding chapter 2.

The motion prevailed.

The House agreed to the title as amended.

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

Rep. Richardville moved to reconsider the vote by which the House passed **Senate Bill No. 759**.
 The motion did not prevail, a majority of the members serving not voting therefor.

Third 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.

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

Roll Call No. 828

Yeas—101

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

Nays—0

In The Chair: Birkholz

The House agreed to the title of the bill.

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

Roll Call No. 829**Yeas—100**

Adamini	Faunce	LaSata	Rison
Allen	Frank	Lemmons	Rivet
Anderson	Garza	Lipsey	Rocca
Basham	George	Lockwood	Schauer
Bernero	Gielegthem	Mans	Scranton
Birkholz	Gilbert	McConico	Shackleton
Bisbee	Godchaux	Mead	Shulman
Bishop	Gosselin	Meyer	Spade
Bogardus	Hager	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	Jamnack	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
Dennis	Julian	Plakas	Whitmer
DeRossett	Koetje	Pumford	Williams
DeVuyst	Kolb	Quarles	Wojno
DeWeese	Kooiman	Raczkowski	Woodward
Drolet	Kowall	Richardville	Woronchak
Ehardt	Kuipers	Richner	Zelenko

Nays—0

In The Chair: Birkholz

The House agreed to the title of the bill.

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.

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

Roll Call No. 830**Yeas—102**

Adamini	Frank	Lemmons	Rivet
Allen	Garza	Lipsey	Rocca

Anderson	George	Lockwood	Schauer
Basham	Gielegem	Mans	Scranton
Bernero	Gilbert	McConico	Shackleton
Birkholz	Godchaux	Mead	Shulman
Bisbee	Gosselin	Meyer	Spade
Bishop	Hager	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	Jamnick	Pappageorge	Van Woerkom
Cassis	Jansen	Patterson	Vander Roest
Caul	Jelinek	Pestka	Vear
Clark, I.	Johnson, Rick	Phillips	Voorhees
Clarke, H.	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: Birkholz

The House agreed to the title of the bill.

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

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

House Bill No. 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 third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 831**Yeas—102**

Adamini	Frank	Lemmons	Rison
Allen	Garza	Lipsey	Rivet
Anderson	George	Lockwood	Rocca
Basham	Gielegem	Mans	Schauer
Bernero	Gilbert	McConico	Scranton
Birkholz	Godchaux	Mead	Shackleton
Bisbee	Gosselin	Meyer	Shulman
Bishop	Hager	Middaugh	Spade
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	Jamnick	Pappageorge	Van Woerkom
Cassis	Jansen	Patterson	Vander Roest
Caul	Jelinek	Pestka	Vear
Clark, I.	Johnson, Rick	Phillips	Voorhees
Clarke, H.	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	LaSata		

Nays—0

In The Chair: Birkholz

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 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, 10h, 11, 11c, 12, 18e, and 20a (MCL 247.651b, 247.660c, 247.660h, 247.661, 247.661c, 247.662, 247.668e, and 247.670a), section 1b as amended by 1989 PA 188, section 10c as amended by 1990 PA 73, section 10h as amended by 1982 PA 438, section 11 as amended by 2000 PA 188, sections 11c and 12 as amended by 1997 PA 79, and section 18e as amended by 1985 PA 201, and by adding section 10p.

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.

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

Roll Call No. 832

Yeas—99

Adamini	Frank	Lemmons	Rivet
Allen	Garza	Lipsey	Rocca
Anderson	George	Lockwood	Schauer
Basham	Gielegem	Mans	Scranton
Bernero	Gilbert	McConico	Shackleton
Birkholz	Godchaux	Mead	Shulman
Bisbee	Gosselin	Meyer	Spade

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

Nays—0

In The Chair: Birkholz

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

The motion prevailed.

Rep. Hale entered the House Chambers.

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

Roll Call No. 833

Yeas—97

Adamini	Garza	Lockwood	Rivet
Allen	George	Mans	Rocca
Anderson	Gielegem	McConico	Schauer
Basham	Gilbert	Mead	Shackleton
Bernero	Gosselin	Meyer	Shulman
Birkholz	Hager	Middaugh	Spade
Bisbee	Hale	Minore	Stallworth
Bishop	Hardman	Mortimer	Stamas

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

Nays—4

Godchaux	Hansen	Jacobs	Scranton
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In The Chair: Birkholz

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

The motion prevailed.

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

Roll Call No. 834**Yeas—67**

Allen	Ehardt	Kowall	Raczkowski
Basham	Faunce	Kuipers	Reeves
Birkholz	Frank	LaSata	Richardville
Bisbee	George	Lockwood	Rivet
Bishop	Gilbert	Mans	Rocca
Bovin	Gosselin	Mead	Shackleton
Bradstreet	Hager	Meyer	Shulman
Brown, B.	Hart	Middaugh	Spade
Brown, C.	Howell	Mortimer	Stamas
Brown, R.	Hummel	Neumann	Tabor

Callahan	Jansen	Newell	Van Woerkom
Cassis	Jelinek	O'Neil	Vander Roest
Caul	Johnson, Rick	Pappageorge	Vear
DeRossett	Johnson, Ruth	Patterson	Voorhees
DeVuyst	Julian	Pestka	Wojno
DeWeese	Koetje	Plakas	Woronchak
Drolet	Kooiman	Pumford	

Nays—36

Adamini	Godchaux	McConico	Stewart
Anderson	Hale	Minore	Switalski
Bernero	Hansen	Murphy	Thomas
Bogardus	Hardman	Phillips	Toy
Clark, I.	Jacobs	Quarles	Waters
Clarke, H.	Jamnack	Rison	Whitmer
Dennis	Kolb	Schauer	Williams
Garza	Lemmons	Scranton	Woodward
Gielegem	Lipsey	Stallworth	Zelenko

In The Chair: Birkholz

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, Bishop, Cameron Brown, Cassis, Caul, DeVuyst, DeWeese, Drolet, Faunce, George, Gilbert, Hager, Howell, Hummel, Jelinek, Julian, Koetje, Kooiman, Kowall, Kuipers, Mead, Mortimer, Newell, Pappageorge, Patterson, Pumford, Richardville, Rocca, Stamas, Vander Roest and Vear were named co-sponsors of the bill.

Reps. Bogardus and Hale, 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:

On Sept. 11, over 3000 people were crushed or burned to death because there is a group of people who believe we should have a theocracy; government controlled by religious beliefs. That thought drove the Inquisition although it certainly is more efficient to burn 3000 people at once instead of the one or a few as was done when religion controlled government.

Fortunately, we do not have a theocracy, we have a democracy. We have the Constitution, which guarantees freedom of religion to all citizens. That document has allowed us to function for over 200 years as a country of diverse people with diverse religious beliefs. We have people who believe that life begins when sperm combines with an egg. We also have people whose belief is that God created man, then breathed the breath of life into him as is described in the book of Genesis; therefore, life begins with the first breath. This bill strikes at the heart of the right of religious freedom. It is an attempt to force one belief on all through legislation. If passed, it would prevent state funds being given to any organization which provides or even gives referrals for abortion services. Bin Laden justified burning 3000 people because he believes God is on his side and any act is justified if it promotes Bin Laden's beliefs. Members of this body who voted for this bill believe they have the right to impose their beliefs on everyone through government action.

Have we learned nothing from the horror of history and Sept. 11? When religion controls government, then government controls religion. Then those in government feel justified in imposing their religious beliefs on all people no matter the means.

This bill will not stop abortions because they will be still available in back alley offices or in other states. RU486 will become a street drug taken without the careful medical procedures needed when dealing with any drug. It will not affect any of us in this body because we have provided ourselves with a generous salary which allows us to buy

medical treatment not provided by our insurance. This bill will not stop abortions but it will close clean, safe clinics which provide reproductive information and care for those who cannot afford to pay.

I voted no because when religion controls government, government controls religion.”

Reps. Anderson, Zelenko and Murphy, having reserved the right to explain their protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I voted ‘no’ on House Bill 4655 (H-1) because it would have a devastating impact on the availability of family planning services to the women and men in Michigan. Planned Parenthood, the only organization that would be affected by this legislation, serves more than 50,000 men in Michigan every year. With this legislation Michigan will lose the additional Title X funds that Planned Parenthood secured by offering services to women and men above and beyond their contracted amount. This bill will restrict access to vital health care services, such as cervical and breast cancer screening, testing for HIV and sexually transmitted diseases, pregnancy testing and counseling and community education. Supporters believe that this bill will prevent state and federal dollars from supporting abortion activities. However, it is already against federal and state law to use any family planning funds for abortion or to engage in advocating for abortion. This bill serves to de-fund Planned Parenthood, the operator of 31 family planning clinics in Michigan. In fact, two local health departments have contracted with Planned Parenthood to provide the county’s family planning programs because the State could not sustain the program. Without Planned Parenthood, many counties will not have qualified providers to run family planning programs, increasing unplanned pregnancies.”

Rep. Lockwood moved that Rep. O’Neil be excused temporarily from today’s session.
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 third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 835

Yeas—99

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

DeWeese
Drolet
Ehardt

Koetje
Kooiman
Kowall

Richardville
Rison
Rivet

Woronchak
Zelenko

Nays—0

In The Chair: Birkholz

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

“An act to revise, 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. Richardville moved that the bill be given immediate effect.

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

Rep. Spade moved that Rep. Mans be excused temporarily from today’s session.

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.

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

Roll Call No. 836

Yeas—87

Adamini
Allen
Basham
Birkholz
Bisbee
Bishop
Bovin
Bradstreet
Brown, B.
Brown, C.

George
Gielegem
Gilbert
Godchaux
Gosselin
Hager
Hansen
Hart
Howell
Hummel

LaSata
Lemmons
Lipsey
Lockwood
McConico
Mead
Meyer
Middaugh
Mortimer
Murphy

Schauer
Scranton
Shackleton
Shulman
Spade
Stallworth
Stamas
Stewart
Switalski
Tabor

Brown, R.	Jacobs	Neumann	Thomas
Callahan	Jamnick	Newell	Toy
Cassis	Jansen	Pappageorge	Van Woerkom
Caul	Jelinek	Patterson	Vander Roest
Clark, I.	Johnson, Rick	Pestka	Vear
Clarke, H.	Johnson, Ruth	Phillips	Voorhees
DeRossett	Julian	Pumford	Whitmer
DeVuyst	Koetje	Quarles	Wojno
DeWeese	Kolb	Richardville	Woodward
Drolet	Kooiman	Richner	Woronchak
Ehardt	Kowall	Rivet	Zelenko
Faunce	Kuipers	Rocca	

Nays—12

Anderson	Frank	Hardman	Rison
Bernero	Garza	Rackowski	Waters
Bogardus	Hale	Reeves	Williams

In The Chair: Birkholz

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

“An act to provide for the 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.

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

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

Roll Call No. 837**Yeas—99**

Adamini	Frank	LaSata	Rivet
Allen	Garza	Lemmons	Rocca
Anderson	George	Lipsey	Schauer
Basham	Gielegem	Lockwood	Scranton
Bernero	Gilbert	McConico	Shackleton
Birkholz	Godchaux	Mead	Shulman
Bisbee	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	Thomas
Callahan	Hummel	O'Neil	Toy
Cassis	Jacobs	Pappageorge	Van Woerkom
Caul	Jamnack	Patterson	Vander Roest
Clark, I.	Jansen	Pestka	Vear
Clarke, H.	Jelinek	Phillips	Voorhees
Dennis	Johnson, Rick	Plakas	Waters
DeRossett	Johnson, Ruth	Pumford	Whitmer
DeVuyst	Julian	Quarles	Williams
DeWeese	Kolb	Reeves	Wojno
Drolet	Kooiman	Richardville	Woronchak
Ehardt	Kowall	Richner	Zelenko
Faunce	Kuipers	Rison	

Nays—2

Bishop Koetje

In The Chair: Julian

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

House Bill No. 4672, entitled

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

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

Rep. Thomas 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. 838

Yeas—101

Adamini	Frank	Kuipers	Richner
Allen	Garza	LaSata	Rivet
Anderson	George	Lemmons	Rocca
Basham	Gielegem	Lipsey	Schauer
Bernero	Gilbert	Lockwood	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
Dennis	Johnson, Ruth	Plakas	Waters
DeRossett	Julian	Pumford	Williams
DeVuyst	Koetje	Quarles	Wojno
DeWeese	Kolb	Raczkowski	Woodward
Drolet	Kooiman	Reeves	Woronchak
Ehardt	Kowall	Richardville	Zelenko
Faunce			

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Rep. Hummel was named a co-sponsor of the bill.

Rep. Gosselin moved that Rep. Drolet be excused temporarily from today's session.

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

Roll Call No. 839**Yeas—101**

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

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Senate Bill No. 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.

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

Roll Call No. 840**Yeas—102**

Adamini	Frank	LaSata	Rison
Allen	Garza	Lemmons	Rivet
Anderson	George	Lipsey	Rocca
Basham	Gielegem	Lockwood	Schauer

Bernero	Gilbert	McConico	Scranton
Birkholz	Godchaux	Mead	Shackleton
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	Toy
Callahan	Jacobs	Pappageorge	Van Woerkom
Cassis	Jamnack	Patterson	Vander Roest
Caul	Jansen	Pestka	Vear
Clark, I.	Jelinek	Phillips	Voorhees
Clarke, H.	Johnson, Rick	Plakas	Waters
Dennis	Johnson, Ruth	Pumford	Whitmer
DeRossett	Julian	Quarles	Williams
DeVuyst	Koetje	Raczkowski	Wojno
DeWeese	Kolb	Reeves	Woodward
Drolet	Kooiman	Richardville	Woronchak
Ehardt	Kowall	Richner	Zelenko
Faunce	Kuipers		

Nays—0

In The Chair: Julian

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

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

The Speaker laid before the House

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 bill was received from the Senate on December 12, with substitute (S-2), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 87, p. 2744.)

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

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

Roll Call No. 841

Yeas—102

Adamini	Frank	LaSata	Rison
Allen	Garza	Lemmons	Rivet
Anderson	George	Lipsey	Rocca
Basham	Gielegem	Lockwood	Schauer
Bernero	Gilbert	McConico	Scranton

Birkholz	Godchaux	Mead	Shackleton
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
Dennis	Johnson, Ruth	Pumford	Waters
DeRossett	Julian	Quarles	Whitmer
DeVuyst	Koetje	Raczkowski	Williams
DeWeese	Kolb	Reeves	Wojno
Drolet	Kooiman	Richardville	Woronchak
Ehardt	Kowall	Richner	Zelenko
Faunce	Kuipers		

Nays—0

In The Chair: Julian

The House agreed to the full title of the bill.

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

The Speaker laid before the House

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 bill was received from the Senate on December 12, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 87, p. 2745.)

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

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

1. Amend page 7, line 22, by striking out “BY THE ATTENDING PHYSICIAN”.

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

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

The 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. 842

Yeas—101

Adamini	Garza	LaSata	Rison
Allen	George	Lemmons	Rocca
Anderson	Gielegem	Lipsey	Schauer
Basham	Gilbert	Lockwood	Scranton
Bernero	Godchaux	McConico	Shackleton
Birkholz	Gosselin	Mead	Shulman

Bisbee	Hager	Meyer	Spade
Bishop	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
Dennis	Johnson, Ruth	Plakas	Waters
DeRossett	Julian	Pumford	Whitmer
DeVuyst	Koetje	Quarles	Williams
DeWeese	Kolb	Rackowski	Wojno
Drolet	Kooiman	Reeves	Woodward
Ehardt	Kowall	Richardville	Woronchak
Faunce	Kuipers	Richner	Zelenko
Frank			

Nays—0

In The Chair: Julian

The House agreed to the full title of the bill.

The Speaker laid before the House

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 bill was received from the Senate on December 12, with substitute (S-1) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 87, p. 2745.)

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

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

Roll Call No. 843

Yeas—102

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

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

Nays—0

In The Chair: Julian

The House agreed to the full title of the bill.

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

The Speaker laid before the House

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 bill was received from the Senate on December 12, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 87, p. 2745.)

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

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

Roll Call No. 844**Yeas—101**

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

The House agreed to the full title of the bill.

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

The Speaker laid before the House

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 bill was received from the Senate on December 12, with substitute (S-2), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 87, p. 2746.)

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

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

Roll Call No. 845**Yeas—102**

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

Nays—0

In The Chair: Julian

The House agreed to the full title of the bill.

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

The Speaker laid before the House

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 bill was received from the Senate on December 12, with substitute (S-2), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 87, p. 2745.)

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

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

Roll Call No. 846**Yeas—100**

Adamini	Frank	Kuipers	Richner
Allen	Garza	LaSata	Rison
Anderson	George	Lemmons	Rivet
Basham	Gielegem	Lipsey	Rocca
Bernero	Gilbert	Lockwood	Schauer
Birkholz	Godchaux	McConico	Scranton
Bisbee	Gosselin	Mead	Shackleton
Bishop	Hager	Meyer	Shulman
Bogardus	Hale	Middaugh	Spade
Bovin	Hansen	Minore	Stamas
Bradstreet	Hardman	Mortimer	Stewart
Brown, B.	Hart	Murphy	Switalski
Brown, C.	Howell	Neumann	Tabor
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
DeRossett	Johnson, Ruth	Plakas	Whitmer
DeVuyst	Julian	Pumford	Williams
DeWeese	Koetje	Quarles	Wojno
Drolet	Kolb	Rackowski	Woodward
Ehardt	Kooiman	Reeves	Woronchak
Faunce	Kowall	Richardville	Zelenko

Nays—0

In The Chair: Julian

The House agreed to the title as amended.

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

The Speaker laid before the House

House Bill No. 4872, entitled

A bill to amend 1978 PA 639, entitled "Hertel-Law-T. Stopczynski port authority act," by amending section 5 (MCL 120.105).

(The bill was received from the Senate on November 27, with substitute (S-2), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until November 28, see House Journal No. 80, p. 2405.)

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

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

Roll Call No. 847

Yeas—98

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

Nays—2

Drolet

Gosselin

In The Chair: Julian

The House agreed to the full title of the bill.

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

Reps. Cameron Brown, DeRossett, Hardman, Jacobs, Jamnick, McConico, Meyer, Mortimer, O'Neil, Pappageorge and Stewart were named co-sponsors of the bill.

Second Reading of Bills

House Bill No. 4869, entitled

A bill to amend 1945 PA 344, entitled "An act to authorize counties, cities, villages and townships of this state to adopt plans to prevent blight and to adopt plans for the rehabilitation of blighted areas; to authorize assistance in carrying out such plans by the acquisition of real property, the improvement of such real property and the disposal of real property in such areas; to prescribe the methods of financing the exercise of these powers; and to declare the effect of this act," by amending section 4 (MCL 125.74), as amended by 1986 PA 320.

The bill was read a second time.

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

The motion prevailed.

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

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



Rep. Vander Roest moved that Rep. Rick Johnson 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. 4869, entitled

A bill to amend 1945 PA 344, entitled "An act to authorize counties, cities, villages and townships of this state to adopt plans to prevent blight and to adopt plans for the rehabilitation of blighted areas; to authorize assistance in carrying out such plans by the acquisition of real property, the improvement of such real property and the disposal of real property in such areas; to prescribe the methods of financing the exercise of these powers; and to declare the effect of this act," by amending section 4 (MCL 125.74), as amended by 1986 PA 320.

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

Roll Call No. 848

Yeas—98

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

Nays—2

Drolet	Gosselin
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In The Chair: Julian

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

Second Reading of Bills

Senate Bill No. 660, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16204a, 16204b, 16204c, and 16204d (MCL 333.16204a, 333.16204b, 333.16204c, and 333.16204d), section 16204a as amended by 1998 PA 421, section 16204b as added by 1998 PA 422, and sections 16204c and 16204d as added by 1998 PA 423.

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.

Rep. Kilpatrick entered the House Chambers.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 660, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16204a, 16204b, 16204c, and 16204d (MCL 333.16204a, 333.16204b, 333.16204c, and 333.16204d), section 16204a as amended by 1998 PA 421, section 16204b as added by 1998 PA 422, and sections 16204c and 16204d as added by 1998 PA 423.

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

Roll Call No. 849

Yeas—101

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

Dennis	Johnson, Ruth	Phillips	Waters
DeRossett	Julian	Plakas	Whitmer
DeVuyst	Kilpatrick	Pumford	Williams
DeWeese	Koetje	Quarles	Wojno
Drolet	Kolb	Raczkowski	Woronchak
Ehardt	Kooiman	Reeves	Zelenko
Faunce			

Nays—0

In The Chair: Julian

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

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

A bill to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” by amending sections 16204b, 16204c, and 16204d (MCL 333.16204b, 333.16204c, and 333.16204d), section 16204b as added by 1998 PA 422 and sections 16204c and 16204d as added by 1998 PA 423.

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. 661, entitled

A bill to amend 1980 PA 350, entitled “The nonprofit health care corporation reform act,” by amending section 402a (MCL 550.1402a), as amended by 1998 PA 426.

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. 661, entitled

A bill to amend 1980 PA 350, entitled “The nonprofit health care corporation reform act,” by amending section 402a (MCL 550.1402a), as amended by 1998 PA 426.

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

Roll Call No. 850**Yeas—102**

Adamini	Frank	Kuipers	Rison
Allen	Garza	LaSata	Rivet
Anderson	George	Lipsey	Rocca
Basham	Gielegem	Lockwood	Schauer
Bernero	Gilbert	McConico	Scranton
Birkholz	Godchaux	Mead	Shackleton
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
Dennis	Johnson, Ruth	Pumford	Waters
DeRossett	Julian	Quarles	Whitmer
DeVuyst	Kilpatrick	Raczkowski	Williams
DeWeese	Koetje	Reeves	Wojno
Drolet	Kolb	Richardville	Woronchak
Ehardt	Kooiman	Richner	Zelenko
Faunce	Kowall		

Nays—0

In The Chair: Julian

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

“An act to provide for the incorporation of nonprofit health care corporations; to provide their rights, powers, and immunities; to prescribe the powers and duties of certain state officers relative to the exercise of those rights, powers, and immunities; to prescribe certain conditions for the transaction of business by those corporations in this state; to define the relationship of health care providers to nonprofit health care corporations and to specify their rights, powers, and immunities with respect thereto; to provide for a Michigan caring program; to provide for the regulation and supervision of nonprofit health care corporations by the commissioner of insurance; to prescribe powers and duties of certain other state officers with respect to the regulation and supervision of nonprofit health care corporations; to provide for the imposition of a regulatory fee; to regulate the merger or consolidation of certain corporations; to prescribe an expeditious and effective procedure for the maintenance and conduct of certain administrative appeals relative to provider class plans; to provide for certain administrative hearings relative to rates for health care benefits; to provide for certain causes of action; to prescribe penalties and to provide civil fines for violations of this act; and to repeal certain acts and parts of acts.”.

The House agreed to the full title.

Rep. 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. 662, entitled**

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 2212a (MCL 500.2212a), as amended by 1998 PA 424.

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. 662, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 2212a (MCL 500.2212a), as amended by 1998 PA 424.

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

Roll Call No. 851

Yeas—99

Adamini	Garza	LaSata	Rivet
Allen	George	Lemmons	Rocca
Anderson	Gielegem	Lipsey	Schauer
Basham	Gilbert	Lockwood	Scranton
Bernero	Godchaux	McConico	Shackleton
Birkholz	Gosselin	Mead	Shulman
Bisbee	Hager	Meyer	Spade
Bishop	Hale	Middaugh	Stallworth
Bogardus	Hansen	Minore	Stamas
Bradstreet	Hardman	Mortimer	Stewart
Brown, B.	Howell	Murphy	Switalski
Brown, C.	Hummel	Neumann	Tabor
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
DeRossett	Julian	Plakas	Whitmer
DeVuyst	Kilpatrick	Pumford	Williams
DeWeese	Koetje	Rackowski	Wojno
Drolet	Kolb	Reeves	Woodward
Ehardt	Kooiman	Richardville	Woronchak
Faunce	Kowall	Richner	Zelenko
Frank	Kuipers	Rison	

Nays—0

In The Chair: Julian

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

“An act to 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.

Second Reading of Bills

Senate Bill No. 826, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 21766 (MCL 333.21766), as amended by 1994 PA 73.

The bill was read a second time.

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

The motion prevailed.

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

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

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

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 826, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 21766 (MCL 333.21766), as amended by 1994 PA 73.

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

Roll Call No. 852

Yeas—99

Adamini	Faunce	Kuipers	Richner
Allen	Frank	LaSata	Rison
Anderson	Garza	Lemmons	Rivet
Basham	George	Lipsey	Rocca

Bernero	Gielegem	Lockwood	Schauer
Birkholz	Gilbert	McConico	Scranton
Bisbee	Godchaux	Mead	Shackleton
Bishop	Gosselin	Meyer	Shulman
Bogardus	Hager	Middaugh	Spade
Bovin	Hale	Minore	Stallworth
Bradstreet	Hansen	Mortimer	Stamas
Brown, B.	Hardman	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	Waters
Dennis	Johnson, Ruth	Plakas	Whitmer
DeRossett	Julian	Pumford	Williams
DeVuyst	Koetje	Quarles	Wojno
DeWeese	Kolb	Rackowski	Woronchak
Drolet	Kooiman	Reeves	Zelenko
Ehardt	Kowall	Richardville	

Nays—0

In The Chair: Julian

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

“An act to 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

Senate Bill No. 827, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 7401, 7403, 7407, and 7521 (MCL 333.7401, 333.7403, 333.7407, and 333.7521), sections 7401 and 7403 as amended by 2000 PA 314, section 7407 as amended by 1993 PA 80, and section 7521 as amended by 2000 PA 302; and to repeal acts and parts of acts.

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. 827, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 7401, 7403, 7407, and 7521 (MCL 333.7401, 333.7403, 333.7407, and 333.7521), sections 7401 and 7403 as amended by 2000 PA 314, section 7407 as amended by 1993 PA 80, and section 7521 as amended by 2000 PA 302; and to repeal acts and parts of acts.

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

Roll Call No. 853

Yeas—101

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

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

Senate Bill No. 828, 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 section 2 (MCL 28.292), as amended by 1999 PA 89.

The bill was read a second time.

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

The motion prevailed.

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

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

Rep. Hale moved that Rep. Rison be excused from the balance of today’s session.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 828, 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 section 2 (MCL 28.292), as amended by 1999 PA 89.

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

Roll Call No. 854

Yeas—98

Adamini	Frank	Kuipers	Rivet
Allen	Garza	LaSata	Rocca
Anderson	George	Lemmons	Schauer
Basham	Gielegem	Lipsey	Scranton
Bernero	Gilbert	Lockwood	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.	Howell	Neumann	Tabor
Brown, C.	Hummel	Newell	Thomas
Brown, R.	Jacobs	O’Neil	Toy

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

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Second Reading of Bills

Senate Bill No. 489, entitled

A bill to amend 1939 PA 21, entitled "Regulatory loan act of 1963," by amending the title and sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 12a, 12c, 12d, 13, 13a, 14, 14a, 15, 17, 18, and 21 (MCL 493.1, 493.2, 493.3, 493.4, 493.5, 493.6, 493.7, 493.8, 493.9, 493.10, 493.11, 493.12, 493.12a, 493.12c, 493.12d, 493.13, 493.13a, 493.14, 493.14a, 493.15, 493.17, 493.18, and 493.21), the title and section 17 as amended by 1980 PA 392, sections 1, 10, 13, and 13a as amended by 1996 PA 184, sections 2, 7, 8, 12c, and 21 as amended by 1992 PA 71, sections 4, 11, 12, 12a, and 14 as amended by 1991 PA 14, and section 18 as amended by 1995 PA 165, and by adding section 15a; 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 Insurance and Financial Services,

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.

Rep. Godchaux moved that Rep. Scranton be excused temporarily from today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 489, entitled

A bill to amend 1939 PA 21, entitled "Regulatory loan act of 1963," by amending the title and sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 12a, 12c, 12d, 13, 13a, 14, 14a, 15, 17, 18, and 21 (MCL 493.1, 493.2, 493.3, 493.4, 493.5, 493.6, 493.7, 493.8, 493.9, 493.10, 493.11, 493.12, 493.12a, 493.12c, 493.12d, 493.13, 493.13a, 493.14, 493.14a, 493.15, 493.17, 493.18, and 493.21), the title and section 17 as amended by 1980 PA 392, sections 1, 10, 13, and 13a as amended by 1996 PA 184, sections 2, 7, 8, 12c, and 21 as amended by 1992 PA 71, sections 4, 11, 12, 12a, and 14 as amended by 1991 PA 14, and section 18 as amended by 1995 PA 165, and by adding section 15a; and to repeal acts and parts of acts.

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

Roll Call No. 855**Yeas—100**

Adamini	Faunce	Kowall	Richner
Allen	Frank	Kuipers	Rivet
Anderson	Garza	LaSata	Rocca
Basham	George	Lemmons	Schauer
Bernero	Gielegem	Lipsey	Shackleton
Birkholz	Gilbert	Lockwood	Shulman
Bisbee	Godchaux	Mead	Spade
Bishop	Gosselin	Meyer	Stallworth
Bogardus	Hager	Middaugh	Stamas
Bovin	Hale	Minore	Stewart
Bradstreet	Hansen	Mortimer	Switalski
Brown, B.	Hardman	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
Dennis	Johnson, Ruth	Plakas	Whitmer
DeRossett	Julian	Pumford	Williams
DeVuyst	Kilpatrick	Quarles	Wojno
DeWeese	Koetje	Rackowski	Woodward
Drolet	Kolb	Reeves	Woronchak
Ehardt	Kooiman	Richardville	Zelenko

Nays—0

In The Chair: Julian

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

“An act to define and regulate the business of making regulatory loans; to permit the licensing of persons engaged in that business; to authorize licensees to make charges at a greater rate than unlicensed lenders; to prescribe maximum rates of charge which licensees are permitted to make; to regulate the advertising of the business of making regulatory loans; to authorize credit life insurance and to permit charges for that insurance; to prohibit assignments of wages or salaries, earned or to be earned, when given as security for a loan or as consideration for a payment of a regulatory loan; to provide for the administration of this act and for the promulgation of rules; to authorize the making of examinations and investigations and the publication of reports of examinations and investigations; to provide for a review of decisions and findings of the commissioner of the financial institutions bureau under this act; and to prescribe penalties.”

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.

Introduction of Bills

Rep. Meyer introduced

House Bill No. 5521, 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 160.

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

Rep. O'Neil introduced

House Bill No. 5522, entitled

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending sections 21, 34a, 36, 37, 41, 42, 43, 57, 61, 62, 63, 85, 86, 87, and 88 (MCL 389.21, 389.34a, 389.36, 389.37, 389.41, 389.42, 389.43, 389.57, 389.61, 389.62, 389.63, 389.85, 389.86, 389.87, and 389.88), sections 21, 37, 41, 42, 43, 57, 61, 62, and 63 as amended and sections 85, 86, 87, and 88 as added by 2000 PA 488 and section 34a as amended by 1982 PA 381.

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

Reps. Scranton, Thomas, Kolb, Phillips and Godchaux introduced

House Bill No. 5523, 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 10c (MCL 247.660c), as amended by 1990 PA 73.

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

Reps. Koetje, Rocca, Julian, Raczkowski, Richardville, Kooiman, Bishop, DeVuyst and Jansen introduced

House Bill No. 5524, entitled

A bill to amend 1911 PA 209, entitled "An act to adopt and prescribe the design of a state coat-of-arms and state flag, and their use, and to prohibit the use of the same for advertising purposes, and to provide a punishment for such forbidden use," by amending section 7 (MCL 2.27).

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

Reps. Van Woerkom and DeRossett introduced

House Bill No. 5525, entitled

A bill to amend 1964 PA 283, entitled "Weights and measures act of 1964," by amending sections 1, 2, 8, 10a, 10b, and 31 (MCL 290.601, 290.602, 290.608, 290.610a, 290.610b, and 290.631), sections 2 and 8 as amended by 1982 PA 260 and section 31 as amended by 1986 PA 194, and by adding sections 9a, 9b, 28c, and 31a; and to repeal acts and parts of acts.

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

Rep. Kolb introduced

House Bill No. 5526, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 5502a.

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

Rep. Kolb introduced

House Bill No. 5527, entitled

A bill to prohibit certain employers from monitoring employee communications unless the employer establishes an employee monitoring policy and discloses that policy to employees; and to provide certain civil remedies.

The bill was read a first time by its title and referred to the Committee on Employment Relations, Training and Safety.

Rep. Kolb introduced

House Bill No. 5528, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 12102.

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

Rep. Kolb introduced

House Bill No. 5529, 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 first time by its title and referred to the Committee on Tax Policy.

Rep. Kolb introduced

House Bill No. 5530, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 6.

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

Rep. Kolb introduced

House Bill No. 5531, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending sections 3, 5, 7, 9, 10, 11, 12, 51, and 52 (MCL 169.203, 169.205, 169.207, 169.209, 169.210, 169.211, 169.212, 169.251, and 169.252), sections 3 and 51 as amended by 1989 PA 95, section 5 as amended by 1999 PA 237, section 7 as amended by 1994 PA 385, and sections 9, 11, 12, and 52 as amended by 1996 PA 590, and by adding sections 33b, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 106, 107, 108, and 109; and to repeal acts and parts of acts.

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

Rep. Kolb introduced

House Bill No. 5532, entitled

A bill to provide for the establishment of a state matching grant program to fund programs that help preschool and elementary school aged students to read; to provide certain grants; and to prescribe certain powers and duties of certain state and local agencies and officials.

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

Rep. Kolb introduced

House Bill No. 5533, entitled

A bill to provide financial encouragement to certain institutions of higher education to establish and operate on-site day care for the children of students who are attending the institution; to establish the duties of certain officials and institutions; and to provide penalties and remedies.

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

Rep. Kolb introduced

House Bill No. 5534, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1206.

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

Rep. Kolb introduced

House Bill No. 5535, entitled

A bill to provide for the development, promotion, and maintenance of children's summer reading programs in public libraries; to prescribe the powers and duties of certain state agencies and officials; and to provide an appropriation.

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

Rep. Kolb introduced

House Bill No. 5536, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3501 (MCL 500.3501), as added by 2000 PA 252.

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

Rep. Kolb introduced

House Bill No. 5537, entitled

A bill to amend the Initiated Law of 1996, entitled "Michigan gaming control and revenue act," by amending section 12 (MCL 432.212), as amended by 1997 PA 69.

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

Rep. Kolb introduced

House Bill No. 5538, entitled

A bill to amend 1976 PA 388, entitled "Michigan campaign finance act," by amending sections 3, 8, 45, and 61 (MCL 169.203, 169.208, 169.245, and 169.261), section 3 as amended by 1989 PA 95, sections 8 and 45 as amended by 1996 PA 590, and section 61 as amended by 1993 PA 262; and to repeal acts and parts of acts.

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

Reps. Richardville, Raczkowski, Julian, Mortimer, Shackleton, Kowall, Woronchak, Rivet, DeRossett, Newell, Schauer, Ehardt, Switalski and Pestka introduced

House Bill No. 5539, entitled

A bill to provide for compulsory arbitration of labor disputes between county corrections officers and their employers; to provide for the selection of members of arbitration panels; to prescribe the procedures and authority of arbitration panels; and to provide for the enforcement and review of awards of those panels.

The bill was read a first time by its title and referred to the Committee on Employment Relations, Training and Safety.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Lockwood, Richardville, Kolb, Zelenko, O'Neil, Murphy, Frank, Rich Brown, Bovin, Mans, McConico, Spade, Julian, Reeves, Birkholz, Callahan, Neumann, Woodward, Gielegem, Adamini, Waters, Williams, Pestka, Lipsey, Plakas, Daniels, Bogardus, Hale, Anderson, Quarles, Rison, Minore, Sheltroun, Hansen, Thomas, Garza, Stallworth, Clark, Dennis, Clarke, Bob Brown, Phillips, Switalski and Lemmons offered the following resolution:

House Resolution No. 288.

A resolution to memorialize the Congress of the United States to enact the Homeless Veterans Assistance Act of 2001.

Whereas, One of the most distressing facts of contemporary American life is the large number of homeless veterans. These individuals, who made sacrifices to serve our country, now face a variety of personal challenges and need help from those they once served. Existing efforts have proven inadequate to address the problems facing the estimated 500,000 veterans who will be homeless this year; and

Whereas, In spite of public and private programs, some of which are successful in restoring troubled veterans to productive lives, the safety net misses the majority of homeless veterans. Current Department of Veterans Affairs efforts reach only a small percentage of those in need. Of the homeless veterans, as many as 93 percent grapple with mental health illness or drug and alcohol abuse at some point in their lives. More than half also have chronic health problems; and

Whereas, Homeless veterans have served in virtually every military action since World War II began. Of these, two-thirds served our country for three years or longer, and one-third served in a war zone. While there are clearly many factors that contribute to homelessness, it is certain that the hardships of military life contribute to many of the difficulties facing these people; and

Whereas, Congress is currently considering the Homeless Veterans Assistance Act of 2001. This legislation, H.R. 2716, would bring a more coordinated and aggressive approach to the task of helping homeless veterans. The bill would require specific actions from government bodies and establish regular monitoring of the impact of programs. In addition, the bill would increase technical assistance and services for chronically mentally ill veterans. Clearly, at a time in our nation when we are witnessing the importance of the military, it is fitting to address the needs of homeless veterans; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to enact the Homeless Veterans Assistance Act of 2001; and be it further

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

The resolution was referred to the Committee on Veterans Affairs.

Reps. Richner, Vander Roest, Richardville, Raczkowski, Van Woerkom, Gosselin, Stewart, Schauer, Mead, Shulman, DeVuyst, Julian, Kuipers, Voorhees, Cassis, Vear, DeRossett, Newell, Jacobs, Jansen, Pappageorge, Faunce, Koetje, Toy, Zelenko, Birkholz, Bishop, Hager, DeWeese, Ehardt, Shackleton, Jelinek, Meyer, Lockwood, Jammick, Godchaux, Scranton, Mans, Thomas and Switalski offered the following resolution:

House Resolution No. 289.

A resolution to express support for border security recommendations recently made by a committee of American and Canadian leaders of commerce, education, and other fields.

Whereas, Since the events of September 11, 2001, many concerns have been raised over practices and policies at the border crossings between the United States and Canada. The unique harmony between our two nations provides an opportunity to achieve greater levels of security as well as facilitating the free flow of goods and people that make the United States and Canada the world's largest trading partners; and

Whereas, On November 26, 2001, a 21-member committee comprised of leaders from business, academia, and other fields from both countries presented a series of recommendations to President Bush and Prime Minister Chretien. The recommendations are predicated on the belief that economic strength is a vital component of national security. The committee cited the deepening relationship between our countries, including the fact that trade has been growing at a rate of more than 10 percent per year since 1989; and

Whereas, The committee, which included the heads of some of the most important corporations on both sides of the border, identified specific priorities for action. These include developing border management strategies to bring aggressive, coordinated interaction by customs, law enforcement, immigration, and intelligence communities of both countries; adopting a "smart border" approach that develops mechanisms to identify the many frequent travelers who pose no security risks; and establishing a "zone of confidence" through better synchronization of laws and regulations between the United States and Canada; and

Whereas, These recommendations go beyond the obvious needs addressed by many of the solutions already discussed. This committee offers a comprehensive look at our relationship with Canada that is most important; now, therefore, be it

Resolved by the House of Representatives, That we express support for border security recommendations recently made by a committee of American and Canadian leaders of commerce, education, and other fields; and be it further

Resolved, That copies of this resolution be transmitted to the Office of the President of the United States and the Office of the Prime Minister of Canada.

The resolution was referred to the Committee on Commerce.

By unanimous consent the House considered **House Resolution No. 291** out of numerical order.

Rep. Kilpatrick offered the following resolution:

House Resolution No. 291.

A resolution honoring Ken MacGregor as he leaves the Michigan Education Association to join the National Educational Association in Denver, Colorado.

Whereas, Ken MacGregor began his career in education in 1966 as a government teacher for the Waverly School district and a coach for Waverly High School's swimming team. He enjoyed six years of educating students before taking a position with the Michigan Education Association (MEA); and

Whereas, In 1972, Ken began working as a field representative for the MEA, an organization that represents the interests of over 140, 000 members. He represented members in Monroe and Ingham counties as an advocate and Uniserv Director; and

Whereas, Mr. MacGregor was appointed as political action consultant to the MEA in 1977, where he utilized his position to strengthen the voice of educators. Ken returned to the MEA in 1988 to promote policies of importance to educators; and

Whereas, Ken developed a much needed school district election kit to assist local school districts throughout the state in their passage of millage and bond issues. He served as consultant to any district who needed his service in this capacity, at no additional cost to the districts. His school election ideas and methods are still in use by local school districts today; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body honor Ken MacGregor as he leaves the Michigan Education Association to join the National Educational Association in Denver, Colorado; and be it further

Resolved, That a copy of this resolution be transmitted to Ken MacGregor as a reflection of our appreciation for his contributions to the public education system in Michigan.

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

Reps. Lockwood, Richardville, Kolb, Zelenko, O'Neil, Murphy, Frank, Rich Brown, Bovin, Mans, Spade, McConico, Julian, Reeves, Callahan, Birkholz, Neumann, Gielegem, Woodward, Adamini, Waters, Williams, Pestka, Lipsey, Daniels, Bogardus, Hale, Anderson, Rison, Quarles, Minore, Sheltroun, Hansen, Thomas, Garza, Stallworth, Clark, Dennis, Clarke, Bob Brown, Plakas, Phillips, Switalski and Lemmons offered the following concurrent resolution:

House Concurrent Resolution No. 51.

A concurrent resolution to memorialize the Congress of the United States to enact the Homeless Veterans Assistance Act of 2001.

Whereas, One of the most distressing facts of contemporary American life is the large number of homeless veterans. These individuals, who made sacrifices to serve our country, now face a variety of personal challenges and need help from those they once served. Existing efforts have proven inadequate to address the problems facing the estimated 500,000 veterans who will be homeless this year; and

Whereas, In spite of public and private programs, some of which are successful in restoring troubled veterans to productive lives, the safety net misses the majority of homeless veterans. Current Department of Veterans Affairs efforts reach only a small percentage of those in need. Of the homeless veterans, as many as 93 percent grapple with mental health illness or drug and alcohol abuse at some point in their lives. More than half also have chronic health problems; and

Whereas, Homeless veterans have served in virtually every military action since World War II began. Of these, two-thirds served our country for three years or longer, and one-third served in a war zone. While there are clearly many factors that contribute to homelessness, it is certain that the hardships of military life contribute to many of the difficulties facing these people; and

Whereas, Congress is currently considering the Homeless Veterans Assistance Act of 2001. This legislation, H.R. 2716, would bring a more coordinated and aggressive approach to the task of helping homeless veterans. The bill would require specific actions from government bodies and establish regular monitoring of the impact of programs. In addition, the bill would increase technical assistance and services for chronically mentally ill veterans. Clearly, at a time in our nation when we are witnessing the importance of the military, it is fitting to address the needs of homeless veterans; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the Congress of the United States to enact the Homeless Veterans Assistance Act of 2001; and be it further

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

The concurrent resolution was referred to the Committee on Veterans Affairs.

Reports of Standing Committees

The Committee on Veterans Affairs, by Rep. Richardville, Chair, reported

Senate Bill No. 797, entitled

A bill to amend 1946 (Ex Sess) PA 9, entitled "An act to create the Michigan veterans' trust fund, and to define who shall be eligible to receive assistance therefrom; to provide for the disbursement of the income thereof and surplus therein; to create a board of trustees, and to prescribe its powers and duties; to provide for county and district committees, and their powers, duties, and expenses; to prescribe penalties; and to make appropriations to carry out the provisions of this act," by amending section 5 (MCL 35.605).

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 797 To Report Out:

Yeas: Reps. Richardville, Woronchak, Allen, Patterson, Mans, Woodward,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Richardville, Chair of the Committee on Veterans Affairs, was received and read:

Meeting held on: Thursday, December 13, 2001, at 9:00 a.m.,
Present: Reps. Richardville, Woronchak, Allen, Patterson, Mans, Woodward,
Absent: Rep. Schermesser,
Excused: Rep. Schermesser.

The Committee on Family and Children Services, by Rep. Hart, Chair, reported

House Bill No. 5129, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending sections 67 and 68 of chapter X (MCL 710.67 and 710.68), as amended by 1994 PA 373.

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 5129 To Report Out:

Yeas: Reps. Hart, Hager, Murphy, Bernero, Garza, Rison,
Nays: None.

The Committee on Family and Children Services, by Rep. Hart, Chair, reported

House Bill No. 5206, entitled

A bill to amend 1982 PA 295, entitled "Support and parenting time enforcement act," by amending sections 31 and 32 (MCL 552.631 and 552.632), as amended by 2000 PA 442.

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 5206 To Report Out:

Yeas: Reps. Hart, Hager, Murphy, Bernero, Rison,
Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Hart, Chair of the Committee on Family and Children Services, was received and read:

Meeting held on: Thursday, December 13, 2001, at 9:00 a.m.,
Present: Reps. Hart, Hager, Murphy, Bernero, Garza, Rison,
Absent: Reps. Vander Veen, DeWeese, Tabor,
Excused: Reps. Vander Veen, DeWeese, Tabor.

The Committee on Agriculture and Resource Management, by Rep. DeRossett, Chair, reported

House Bill No. 5434, entitled

A bill to amend 1939 PA 141, entitled "Grain dealers act," by amending the title and sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 18, 19, 20, 21, and 22 (MCL 285.62, 285.63, 285.64, 285.65, 285.66, 285.67, 285.68, 285.69, 285.70, 285.71, 285.72, 285.73, 285.74, 285.75, 285.76, 285.78, 285.79, 285.80, 285.81, and 285.82), the title as amended by 1984 PA 169, sections 2, 3, 5, 6, and 18 as amended and section 21 as added by 1996 PA 311, and section 7 as amended by 1982 PA 33, and by adding sections 17, 23, 24, 25, 26, and 27; and to repeal acts and parts of acts.

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 5434 To Report Out:

Yeas: Reps. DeRossett, Julian, Gilbert, Meyer, Van Woerkom, Spade,
Nays: None.

The Committee on Agriculture and Resource Management, by Rep. DeRossett, Chair, reported
House Resolution No. 286.

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

(For text of resolution, see House Journal No. 87, p. 2716.)

With the recommendation that the resolution be adopted.

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

Rep. Richardville 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.

Favorable Roll Call

HR 286 To Report Out:

Yeas: Reps. DeRossett, Julian, Gilbert, Meyer, Van Woerkom, Spade,
Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, December 13, 2001, at 8:00 a.m.,

Present: Reps. DeRossett, Julian, Gilbert, Meyer, Van Woerkom, Spade,

Absent: Reps. Ehardt, Vear, Sheltroun, Bogardus, Hansen,

Excused: Reps. Ehardt, Vear, Sheltroun, Bogardus, Hansen.

The Committee on Commerce, by Rep. Allen, Chair, reported

House Bill No. 5467, entitled

A bill to create the Detroit area regional transportation authority and to transfer certain powers of authorities to continue the suburban mobility authority for regional transportation; to prescribe certain powers and duties of the authorities; to provide for the addition and withdrawal of certain local entities from the authority; to provide for the powers and duties of certain state agencies with respect to the authority; to provide for the issuance of bonds and notes; to provide for the state to guarantee payment of certain claims against the authority and give the state a lien in satisfaction of payment; to protect the rights of employees of existing public transportation systems; to provide for the pledge of taxes, revenues, assessments, tax levies, and other funds for bond and note payments; to authorize certain local entities to levy property taxes and make special assessments to fulfill their obligations under certain contracts with the authority; and to repeal acts and parts of acts.

With the recommendation that the substitute (H-5) be adopted and that the bill then pass.

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

Favorable Roll Call

HB 5467 To Report Out:

Yeas: Reps. Allen, Bishop, Bisbee, DeVuyst, Gilbert, Howell, Koetje, Middaugh, Van Woerkom, Vear, Thomas, Kolb, Lemmons, Waters,

Nays: None.

The Committee on Commerce, by Rep. Allen, Chair, reported

House Bill No. 5468, entitled

A bill to amend 1982 PA 432, entitled "Motor bus transportation act," by amending section 4 (MCL 474.104), as amended by 1989 PA 233.

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

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

Favorable Roll Call

HB 5468 To Report Out:

Yeas: Reps. Allen, Bishop, Bisbee, DeVuyst, Gilbert, Howell, Koetje, Middaugh, Van Woerkom, Vear, Thomas, Kolb, Lemmons, Waters,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, December 13, 2001, at 11:00 a.m.,

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

COMMITTEE ATTENDANCE REPORT

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

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

Present: Reps. Allen, Bishop, Bisbee, DeVuyst, Gilbert, Howell, Koetje, Middaugh, Van Woerkom, Thomas, Kolb, Lipsey, Rivet, Waters,

Absent: Reps. Vear, Lemmons, Zelenko,

Excused: Reps. Vear, Lemmons, Zelenko.

Rep. Daniels entered the House Chambers.

Rep. Vander Roest moved that Reps. Scranton and Bisbee be excused temporarily from today's session. The motion prevailed.

Quorum Call

Rep. Mead 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. 856

Yeas—101

Adamini
Allen
Anderson
Basham

Garza
George
Gielegem
Gilbert

Kuipers
LaSata
Lemmons
Lipsey

Rivet
Rocca
Schauer
Scranton

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

In The Chair: Julian

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

Messages from the Senate

House Bill No. 5303, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2529 (MCL 600.2529), as amended by 1999 PA 268.

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.

Rep. Richardville moved that Rule 45 be suspended.

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

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

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

Roll Call No. 857

Yeas—100

Adamini	Faunce	Kowall	Richner
Allen	Frank	Kuipers	Rivet
Anderson	Garza	LaSata	Rocca
Basham	George	Lemmons	Schauer
Bernero	Gielegem	Lipsey	Shackleton

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

Nays—0

In The Chair: Julian

The House agreed to the full title of the bill.

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

House Bill No. 5300, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2950a (MCL 600.2950a), as amended by 1999 PA 268.

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.

Rep. Richardville moved that Rule 45 be suspended.

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

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

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

Roll Call No. 858**Yeas—101**

Adamini	Frank	Kuipers	Richner
Allen	George	LaSata	Rivet
Anderson	Gielegem	Lemmons	Rocca
Basham	Gilbert	Lipsey	Schauer
Bernero	Godchaux	Lockwood	Scranton
Birkholz	Gosselin	McConico	Shackleton
Bisbee	Hager	Mead	Shulman
Bishop	Hale	Meyer	Spade
Bogardus	Hansen	Middaugh	Stamas
Bradstreet	Hardman	Minore	Stewart

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

Nays—0

In The Chair: Julian

The House agreed to the full title of the bill.

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

House Bill No. 5276, entitled

A bill to amend 1961 PA 44, entitled "An act to provide for the release of misdemeanor prisoners by giving bond to the arresting officer in certain circumstances not inconsistent with public safety; and to repeal certain acts and parts of acts," by amending section 2a (MCL 780.582a), as added by 1990 PA 308.

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

The Senate has passed the bill as substituted (S-1) and ordered that it be given immediate effect.

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

Rep. Richardville moved that Rule 45 be suspended.

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

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

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

Roll Call No. 859**Yeas—103**

Adamini	Frank	Kuipers	Rivet
Allen	Garza	LaSata	Rocca
Anderson	George	Lemmons	Schauer
Basham	Gielegem	Lipsey	Scranton
Bernero	Gilbert	Lockwood	Shackleton
Birkholz	Godchaux	McConico	Shulman
Bisbee	Gosselin	Mead	Spade
Bishop	Hager	Meyer	Stallworth
Bogardus	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	Kilpatrick	Quarles	Wojno
DeWeese	Koetje	Raczkowski	Woodward
Drolet	Kolb	Reeves	Woronchak
Ehardt	Kooiman	Richardville	Zelenko
Faunce	Kowall	Richner	

Nays—0

In The Chair: Julian

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

House Bill No. 5278, entitled

A bill to amend 1927 PA 372, entitled “An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act,” by amending section 2b (MCL 28.422b), as added by 1994 PA 338.

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

The Senate has passed the bill as substituted (S-1) and ordered that it be given immediate effect.

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

Rep. Richardville moved that Rule 45 be suspended.

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

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

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

Roll Call No. 860

Yeas—101

Adamini	Frank	Kowall	Richardville
Allen	Garza	Kuipers	Richner
Anderson	George	LaSata	Rivet
Basham	Gielegem	Lemmons	Rocca
Bernero	Gilbert	Lipsey	Schauer
Birkholz	Godchaux	Lockwood	Shackleton
Bisbee	Gosselin	McConico	Shulman
Bishop	Hager	Mead	Spade
Bogardus	Hale	Meyer	Stamas
Bradstreet	Hansen	Middaugh	Stewart
Brown, B.	Hardman	Minore	Switalski
Brown, C.	Hart	Mortimer	Tabor
Brown, R.	Howell	Murphy	Thomas
Callahan	Hummel	Neumann	Toy
Cassis	Jacobs	Newell	Van Woerkom
Caul	Jamnick	O’Neil	Vander Roest

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

Nays—0

In The Chair: Julian

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

House Bill No. 5281, entitled

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

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.

Rep. Richardville moved that Rule 45 be suspended.

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

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

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

Roll Call No. 861**Yeas—102**

Adamini	Frank	Kuipers	Richner
Allen	Garza	LaSata	Rivet
Anderson	George	Lemmons	Rocca
Basham	Gielegthem	Lipsey	Schauer
Bernero	Gilbert	Lockwood	Shackleton
Birkholz	Godchaux	McConico	Shulman
Bisbee	Gosselin	Mead	Spade
Bishop	Hager	Meyer	Stallworth
Bogardus	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	Kilpatrick	Quarles	Wojno
DeWeese	Koetje	Raczkowski	Woodward
Drolet	Kolb	Reeves	Woronchak
Ehardt	Kooiman	Richardville	Zelenko
Faunce	Kowall		

Nays—0

In The Chair: Julian

The House agreed to the full title of the bill.

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

House Bill No. 5273, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 2950a (MCL 600.2950a), as amended by 1999 PA 268.

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.

Rep. Richardville moved that Rule 45 be suspended.

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

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

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

Roll Call No. 862**Yeas—102**

Adamini	Frank	Kuipers	Rivet
Allen	Garza	LaSata	Rocca
Anderson	George	Lemmons	Schauer
Basham	Gielegghem	Lipsey	Scranton
Bernero	Gilbert	Lockwood	Shackleton
Birkholz	Godchaux	McConico	Shulman
Bisbee	Gosselin	Mead	Spade
Bishop	Hager	Meyer	Stallworth
Bogardus	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	Kilpatrick	Raczkowski	Wojno
DeWeese	Koetje	Reeves	Woodward
Drolet	Kolb	Richardville	Woronchak
Ehardt	Kooiman	Richner	Zelenko
Faunce	Kowall		

Nays—0

In The Chair: Julian

The House agreed to the full title of the bill.

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

House Bill No. 5275, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” (MCL 600.101 to 600.9948) by adding sections 2950h, 2950i, 2950j, 2950k, and 2950l.

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 1961 PA 236, entitled “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,” (MCL 600.101 to 600.9948) by adding sections 2950l and 2950m.

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

Rep. Richardville moved that Rule 45 be suspended.

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

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

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

Roll Call No. 863**Yeas—101**

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

Nays—0

In The Chair: Julian

The House agreed to the title as amended.

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

House Bill No. 5280, entitled

A bill to amend 1978 PA 389, entitled “An act to provide for the prevention and treatment of domestic violence; to develop and establish policies, procedures, and standards for providing domestic violence assistance programs and services; to create a domestic violence prevention and treatment board and prescribe its powers and duties; to establish a domestic violence prevention and treatment fund and provide for its use; and to prescribe powers and duties of the family independence agency,” (MCL 400.1501 to 400.1511) by adding section 11.

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 389, entitled “An act to provide for the prevention and treatment of domestic violence; to develop and establish policies, procedures, and standards for providing domestic violence assistance programs and services; to create a domestic violence prevention and treatment board and prescribe its powers and duties; to establish a domestic violence prevention and treatment fund and provide for its use; and to prescribe powers and duties of the family independence agency,” (MCL 400.1501 to 400.1510) by amending the title and by adding section 11.

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

Rep. Richardville moved that Rule 45 be suspended.

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

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

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

Roll Call No. 864**Yeas—97**

Adamini	Frank	LaSata	Rocca
Allen	George	Lemmons	Schauer
Anderson	Gielegghem	Lipsey	Scranton
Basham	Gilbert	Lockwood	Shackleton
Bernero	Godchaux	McConico	Shulman
Birkholz	Gosselin	Mead	Spade
Bisbee	Hager	Meyer	Stallworth
Bishop	Hale	Middaugh	Stamas
Bogardus	Hansen	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
Dennis	Julian	Pumford	Whitmer
DeRossett	Koetje	Quarles	Williams
DeVuyst	Kolb	Raczkowski	Wojno
DeWeese	Kooiman	Richardville	Woodward
Drolet	Kowall	Richner	Woronchak
Ehardt	Kuipers	Rivet	Zelenko
Faunce			

Nays—0

In The Chair: Julian

The House agreed to the title as amended.

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

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

House Bill No. 5317, entitled

A bill to amend 2000 PA 161, entitled "Michigan education savings program act," by amending sections 2, 3, 7, 9, and 10 (MCL 390.1472, 390.1473, 390.1477, 390.1479, and 390.1480).

The Senate has substituted (S-3) the bill.

The Senate has passed the bill as substituted (S-3), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 2000 PA 161, entitled "An act to create the Michigan education savings program; to provide for education savings accounts; to prescribe the powers and duties of certain state agencies, boards, and departments; to allow certain tax credits or deductions; and to provide for penalties and remedies," by amending sections 2, 3, 7, 8, 9, and 10 (MCL 390.1472, 390.1473, 390.1477, 390.1478, 390.1479, and 390.1480).

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

Rep. Richardville moved that Rule 45 be suspended.

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

The question being on concurring in the substitute (S-3) made to the bill by the Senate,

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

Roll Call No. 865**Yeas—87**

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

Nays—11

Bogardus	Gielegem	Quarles	Switalski
Dennis	Hale	Rivet	Wojno
Drolet	Minore	Rocca	

In The Chair: Julian

The House agreed to the title as amended.

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

House Bill No. 5299, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2950 (MCL 600.2950), as amended by 1999 PA 268.

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.

Rep. Richardville moved that Rule 45 be suspended.

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

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

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

Roll Call No. 866**Yeas—103**

Adamini	Frank	Kuipers	Rivet
Allen	Garza	LaSata	Rocca
Anderson	George	Lemmons	Schauer
Basham	Gielegem	Lipsey	Scranton
Bernero	Gilbert	Lockwood	Shackleton
Birkholz	Godchaux	McConico	Shulman
Bisbee	Gosselin	Mead	Spade
Bishop	Hager	Meyer	Stallworth
Bogardus	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	Kilpatrick	Quarles	Wojno
DeWeese	Koetje	Raczkowski	Woodward
Drolet	Kolb	Reeves	Woronchak
Ehardt	Kooiman	Richardville	Zelenko
Faunce	Kowall	Richner	

Nays—0

In The Chair: Julian

The House agreed to the full title of the bill.

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

House Bill No. 5304, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 22 of chapter XVI (MCL 776.22), as amended by 1994 PA 418.

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.

Rep. Richardville moved that Rule 45 be suspended.

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

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

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

Roll Call No. 867**Yeas—101**

Adamini	Frank	Kowall	Richner
Allen	Garza	Kuipers	Rivet
Anderson	George	LaSata	Rocca
Basham	Gielegem	Lemmons	Schauer
Bernero	Gilbert	Lipsey	Scranton
Birkholz	Godchaux	Lockwood	Shackleton
Bisbee	Gosselin	Mead	Shulman
Bishop	Hager	Meyer	Spade
Bogardus	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	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	Kilpatrick	Quarles	Wojno
DeWeese	Koetje	Rackowski	Woodward
Drolet	Kolb	Reeves	Woronchak
Ehardt	Kooiman	Richardville	Zelenko
Faunce			

Nays—0

In The Chair: Julian

The House agreed to the full title of the bill.
The bill was referred to the Clerk for enrollment printing and presentation to the Governor.

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

Rep. Richardville moved that Rule 45 (c) be suspended.
The motion prevailed, 3/5 of the members present voting therefor.

Rep. Richardville moved that the Committee on Commerce be discharged from further consideration of **Senate Bill No. 715**.

The motion prevailed.

Rep. Richardville moved that Rule 45 (c) be suspended.
The motion prevailed, 3/5 of the members present voting therefor.

Rep. Richardville moved that the Committee on Civil Law and the Judiciary be discharged from further consideration of **Senate Bill No. 766**.

The motion prevailed.

Rep. Richardville moved that a respectful message be sent to the Senate requesting the return of **House Bill No. 5189**.
The motion prevailed.

Second Reading of Bills

Senate Bill No. 766, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 517 (MCL 600.517), as amended by 1990 PA 54.

The bill was read a second time.

Reps. Caul and Howell moved to substitute (H-2) the bill.
The motion prevailed and the substitute (H-2) was adopted, a majority of the members serving voting therefor.

Rep. 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. 766, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 517 (MCL 600.517), as amended by 1990 PA 54.

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

Roll Call No. 868

Yeas—72

Adamini	Frank	Kilpatrick	Pumford
Allen	Garza	Koetje	Richardville
Anderson	George	Kooiman	Richner
Bernero	Gielegem	Kowall	Rocca

Birkholz	Gilbert	Kuipers	Schauer
Bisbee	Godchaux	LaSata	Scranton
Bishop	Gosselin	Lockwood	Shackleton
Bradstreet	Hager	Mead	Shulman
Brown, B.	Hart	Meyer	Spade
Brown, C.	Howell	Middaugh	Stamas
Brown, R.	Hummel	Minore	Stewart
Callahan	Jacobs	Mortimer	Switalski
Cassis	Jamnick	Murphy	Tabor
Caul	Jansen	Neumann	Van Woerkom
DeRossett	Jelinek	Pappageorge	Vander Roest
DeVuyst	Johnson, Rick	Patterson	Vear
Drolet	Johnson, Ruth	Pestka	Voorhees
Faunce	Julian	Phillips	Zelenko

Nays—12

Basham	Daniels	Lemmons	Rackowski
Clark, I.	Hale	McConico	Stallworth
Clarke, H.	Hardman	O'Neil	Woronchak

In The Chair: Julian

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

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

A bill to amend 1961 PA 236, entitled "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," by amending sections 517 and 522 (MCL 600.517 and 600.522), section 517 as amended by 1990 PA 54 and section 522 as amended by 1981 PA 182.

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

House Bill No. 5457, entitled

A bill to amend 1976 PA 448, entitled "Michigan energy employment act of 1976," by amending section 5 (MCL 460.805).

The bill was read a second time.

Rep. Bradstreet 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. 5457, entitled

A bill to amend 1976 PA 448, entitled "Michigan energy employment act of 1976," by amending section 5 (MCL 460.805).

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

Roll Call No. 869**Yeas—98**

Adamini	George	Lemmons	Rivet
Allen	Gielegem	Lipsey	Rocca
Anderson	Gilbert	Lockwood	Schauer
Basham	Godchaux	McConico	Scranton
Bernero	Gosselin	Mead	Shackleton
Birkholz	Hager	Meyer	Shulman
Bishop	Hale	Middaugh	Spade
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	Pumford	Whitmer
DeVuyst	Kilpatrick	Quarles	Williams
DeWeese	Koetje	Raczkowski	Wojno
Drolet	Kooiman	Reeves	Woodward
Ehardt	Kowall	Richardville	Woronchak
Faunce	Kuipers	Richner	Zelenko
Garza	LaSata		

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Second Reading of Bills**House Bill No. 5459, entitled**

A bill to amend 1976 PA 448, entitled "Michigan energy employment act of 1976," by amending section 40 (MCL 460.840).

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**House Bill No. 5459, entitled**

A bill to amend 1976 PA 448, entitled "Michigan energy employment act of 1976," by amending section 40 (MCL 460.840).

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

Roll Call No. 870**Yeas—100**

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

Nays—0

In The Chair: Julian

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

Second Reading of Bills**House Bill No. 5458, entitled**

A bill to amend 1976 PA 448, entitled "Michigan energy employment act of 1976," by amending section 44 (MCL 460.844).

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

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

Rep. Rivet 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. 5458, entitled**

A bill to amend 1976 PA 448, entitled "Michigan energy employment act of 1976," by amending section 44 (MCL 460.844).

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

Roll Call No. 871**Yeas—100**

Adamini	Frank	LaSata	Rivet
Allen	Garza	Lemmons	Rocca
Anderson	George	Lipsey	Schauer
Basham	Gielegem	Lockwood	Scranton
Bernero	Gilbert	McConico	Shackleton
Birkholz	Gosselin	Mead	Shulman
Bisbee	Hager	Meyer	Spade
Bishop	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	Pumford	Whitmer
DeVuyst	Koetje	Quarles	Williams
DeWeese	Kolb	Raczkowski	Wojno
Drolet	Kooiman	Reeves	Woodward
Ehardt	Kowall	Richardville	Woronchak
Faunce	Kuipers	Richner	Zelenko

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Second Reading of Bills**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).

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. 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).

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

Roll Call No. 872**Yeas—99**

Adamini	Frank	LaSata	Rocca
Allen	George	Lemmons	Schauer
Anderson	Gielegem	Lipsey	Scranton
Basham	Gilbert	Lockwood	Shackleton
Bernero	Godchaux	McConico	Shulman
Birkholz	Gosselin	Mead	Spade
Bisbee	Hager	Meyer	Stallworth
Bishop	Hale	Middaugh	Stamas
Bogardus	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
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	Raczkowski	Woodward
Drolet	Kooiman	Richardville	Woronchak
Ehardt	Kowall	Richner	Zelenko
Faunce	Kuipers	Rivet	

Nays—0

In The Chair: Julian

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

“An act to 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.

Second Reading of Bills

Senate Bill No. 715, entitled

A bill to enter into an interstate emergency management assistance compact.

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. 715, entitled

A bill to enter into an interstate emergency management assistance compact.

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

Roll Call No. 873

Yeas—103

Adamini	Frank	Kuipers	Rivet
Allen	Garza	LaSata	Rocca
Anderson	George	Lemmons	Schauer
Basham	Gielegem	Lipsey	Scranton
Bernero	Gilbert	Lockwood	Shackleton
Birkholz	Godchaux	McConico	Shulman
Bisbee	Gosselin	Mead	Spade
Bishop	Hager	Meyer	Stallworth
Bogardus	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	Jamnack	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	Kilpatrick	Quarles	Wojno
DeWeese	Koetje	Rackowski	Woodward
Drolet	Kolb	Reeves	Woronchak
Ehardt	Kooiman	Richardville	Zelenko
Faunce	Kowall	Richner	

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Second Reading of Bills**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.

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. 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.

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

Roll Call No. 874**Yeas—99**

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

Drolet
Ehardt
Faunce

Kolb
Kooiman
Kowall

Richardville
Richner
Rivet

Woronchak
Zelenko

Nays—0

In The Chair: Julian

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

“An act to 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.

Second Reading of Bills

Senate Bill No. 525, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 21712 (MCL 333.21712).

The bill was read a second time.

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

The motion prevailed.

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

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

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

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 525, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 21712 (MCL 333.21712).

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

Roll Call No. 875

Yeas—100

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

Nays—0

In The Chair: Julian

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

"An act to 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

Senate Bill No. 746, entitled

A bill to amend 1972 PA 284, entitled "Business corporation act," by amending section 213 (MCL 450.1213).
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. 746, entitled

A bill to amend 1972 PA 284, entitled "Business corporation act," by amending section 213 (MCL 450.1213).

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

Roll Call No. 876

Yeas—101

Adamini	Garza	LaSata	Rivet
Allen	George	Lemmons	Rocca
Anderson	Gielegghem	Lipsey	Schauer
Basham	Gilbert	Lockwood	Scranton
Bernero	Godchaux	McConico	Shackleton
Birkholz	Gosselin	Mead	Shulman
Bisbee	Hager	Meyer	Spade
Bishop	Hale	Middaugh	Stallworth
Bogardus	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
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
Frank			

Nays—0

In The Chair: Julian

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

"An act to provide for the organization and regulation of corporations; to prescribe their duties, rights, powers, immunities and liabilities; to provide for the authorization of foreign corporations within this state; to prescribe the functions of the administrator of this act; to prescribe penalties for violations of this act; 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. 747, entitled

A bill to amend 1993 PA 23, entitled "Michigan limited liability company act," (MCL 450.4101 to 450.5200) by adding section 204a.

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. 747, entitled

A bill to amend 1993 PA 23, entitled "Michigan limited liability company act," (MCL 450.4101 to 450.5200) by adding section 204a.

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

Roll Call No. 877

Yeas—98

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

Nays—0

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

“An act to provide for the organization and regulation of limited liability companies; to prescribe their duties, rights, powers, immunities, and liabilities; to prescribe the powers and duties of certain state departments and agencies; and to provide for penalties and remedies.”.

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.

By unanimous consent the House returned to the order of

Messages from the Senate

House Bill No. 5038, entitled

A bill to amend 1959 PA 168, entitled “An act to provide for township planning; for the creation, organization, powers and duties of township planning commissions; for the regulation and subdivision of land; and to prescribe penalties and provide remedies,” by amending sections 1, 6, 7, 8, 9, and 10 (MCL 125.321, 125.326, 125.327, 125.328, 125.329, and 125.330), section 6 as amended by 1987 PA 73 and section 9 as amended by 1999 PA 197, and by adding sections 7a and 7b.

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

The Senate has passed the bill as substituted (S-1) and ordered that it be given immediate effect.

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

Rep. Richardville moved that Rule 45 be suspended.

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

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

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

Roll Call No. 878

Yeas—101

Adamini	Garza	LaSata	Rivet
Allen	George	Lemmons	Rocca
Anderson	Gielegem	Lipsey	Schauer
Basham	Gilbert	Lockwood	Scranton
Bernero	Godchaux	McConico	Shackleton
Birkholz	Gosselin	Mead	Shulman
Bisbee	Hager	Meyer	Spade
Bishop	Hale	Middaugh	Stallworth
Bogardus	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
Dennis	Johnson, Ruth	Plakas	Waters
DeRossett	Julian	Pumford	Whitmer
DeVuyst	Koetje	Quarles	Williams
DeWeese	Kolb	Rackzkowski	Wojno
Drolet	Kooiman	Reeves	Woodward
Ehardt	Kowall	Richardville	Woronchak
Faunce	Kuipers	Richner	Zelenko
Frank			

Nays—0

In The Chair: Julian

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

House Bill No. 5252, entitled

A bill to amend 1945 PA 282, entitled “An act to provide for county planning; the creation, organization, powers and duties of county planning commissions,” by amending sections 4 and 5 (MCL 125.104 and 125.105) and by adding sections 4b, 4c, and 15.

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

The Senate has passed the bill as substituted (S-1) and ordered that it be given immediate effect.

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

Rep. Richardville moved that Rule 45 be suspended.

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

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

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

Roll Call No. 879**Yeas—99**

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

Nays—2

Drolet

Gosselin

In The Chair: Julian

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

House Bill No. 5267, entitled

A bill to amend 1931 PA 285, entitled “An act to provide for city, village and municipal planning; the creation, organization, powers and duties of planning commissions; the regulation and subdivision of land; and to provide penalties for violation of the provisions of this act,” by amending sections 1, 6, and 8 (MCL 125.31, 125.36, and 125.38), section 1 as amended by 1997 PA 18 and section 8 as amended by 1999 PA 14, and by adding sections 7a, 7b, and 8a.

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

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

A bill to amend 1931 PA 285, entitled “An act to provide for city, village and municipal planning; the creation, organization, powers and duties of planning commissions; the regulation and subdivision of land; and to provide penalties for violation of the provisions of this act,” by amending sections 1, 6, and 8 (MCL 125.31, 125.36, and 125.38), section 1 as amended by 1997 PA 18 and section 8 as amended by 1999 PA 14, and by adding sections 7a, 7b, 8a, and 8b.

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

Rep. Richardville moved that Rule 45 be suspended.

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

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

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

Roll Call No. 880

Yeas—101

Adamini	Frank	Kuipers	Richner
Allen	Garza	LaSata	Rivet
Anderson	George	Lemmons	Rocca
Basham	Gielegem	Lipsey	Schauer
Bernero	Gilbert	Lockwood	Scranton
Birkholz	Godchaux	McConico	Shackleton
Bisbee	Gosselin	Mead	Spade
Bishop	Hager	Meyer	Stallworth
Bogardus	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
Faunce			

Nays—0

In The Chair: Julian

The House agreed to the title as amended.

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

House Bill No. 4788, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8121 (MCL 600.8121), as amended by 2000 PA 449.

The Senate has substituted (S-3) the bill.

The Senate has passed the bill as substituted (S-3) 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.

Rep. Richardville moved that Rule 45 be suspended.

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

The question being on concurring in the substitute (S-3) made to the bill by the Senate,

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

Roll Call No. 881**Yeas—89**

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

Nays—9

Anderson	Hardman	McConico	Reeves
Basham	Lipsey	Minore	Waters
Hale			

In The Chair: Julian

The House agreed to the full title of the bill.

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

Senate Bill No. 825, entitled

A bill to amend 1961 PA 236, entitled "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,” by amending sections 518, 521, and 522 (MCL 600.518, 500.521, and 600.522), section 518 as amended by 1988 PA 134, section 521 as amended by 1990 PA 54, and section 522 as amended by 1981 PA 182.

The Senate has amended the House amendment as follows:

1. Amend House Amendment No. 1, page 1, following line 8, section 522, after “judge.” by striking out the balance of the amendment.

The Senate has concurred in the House amendment as amended and agreed to the title as amended.

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

Rep. Richardville moved that Rule 45 be suspended.

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

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

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

Roll Call No. 882

Yeas—78

Adamini	George	LaSata	Schauer
Allen	Gielegem	Lipsey	Scranton
Bernero	Gilbert	Lockwood	Shackleton
Birkholz	Godchaux	Mead	Shulman
Bisbee	Gosselin	Meyer	Spade
Bishop	Hager	Middaugh	Stamas
Bogardus	Hart	Minore	Stewart
Bradstreet	Howell	Mortimer	Switalski
Brown, C.	Hummel	Neumann	Tabor
Brown, R.	Jamnick	Newell	Toy
Callahan	Jansen	Pappageorge	Van Woerkom
Cassis	Jelinek	Patterson	Vander Roest
Caul	Johnson, Rick	Pestka	Vear
Dennis	Johnson, Ruth	Phillips	Voorhees
DeRossett	Julian	Plakas	Whitmer
DeVuyst	Koetje	Pumford	Williams
DeWeese	Kolb	Richardville	Wojno
Drolet	Kooiman	Richner	Woodward
Ehardt	Kowall	Rocca	Zelenko
Faunce	Kuipers		

Nays—21

Anderson	Garza	Lemmons	Reeves
Basham	Hale	McConico	Stallworth
Brown, B.	Hansen	Murphy	Thomas
Clark, I.	Hardman	O’Neil	Waters
Clarke, H.	Jacobs	Rackowski	Woronchak
Daniels			

In The Chair: Julian



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

“Mr. Speaker and members of the House:

I voted no on SB 825 because it adds judges to Kent County at the expense of eliminating needed judges in Wayne County. The decision on where to place judges should take into account more than just population. Judges should be

retained in the 3rd Circuit because this court is efficient, handles more court filings and serves the largest population of any judicial circuit in the state. This administration policy of eliminating a judgeship for each judgeship created is a disservice to the citizens of this state based on the current 7% increase in population. I also opposed other tie-barred bills for these reasons.”

Rep. Pappageorge moved that Rep. Raczkowski be excused temporarily from today’s session.
The motion prevailed.

The Senate returned, in accordance with the request of the House
House Bill No. 5189, entitled
A bill to enter into the interstate emergency management assistance compact.

Rep. Richardville moved that Rule 67 be suspended.
The motion prevailed, 3/5 of the members present voting therefor.

Rep. Richardville moved to reconsider the vote by which the House adopted the substitute (H-3) offered previously by Rep. Ehardt.

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

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

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

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

Roll Call No. 883**Yeas—99**

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

Nays—0

In The Chair: Julian

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

House Bill No. 5474, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 7 (MCL 208.7), as amended by 2000 PA 477.

The Senate has amended the bill as follows:

1. Amend page 2, line 9, after "EXCEPT" by striking out the balance of the line through "(i)" on line 10.
2. Amend page 2, line 11, after "USE" by inserting "OUTSIDE OF THIS STATE".
3. Amend page 2, line 13, by striking out all of subparagraph (ii).
4. Amend page 4, following line 19, by inserting:

"Enacting section 2. This amendatory act takes effect for tax years that begin after December 31, 2000."

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

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

Rep. Richardville moved that Rule 45 be suspended.

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

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

The amendments were concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 884**Yeas—97**

Adamini	Faunce	LaSata	Richner
Allen	Frank	Lemmons	Rivet
Anderson	Garza	Lipsey	Rocca
Basham	George	Lockwood	Schauer
Bernero	Gielegem	McConico	Shackleton
Birkholz	Gilbert	Mead	Shulman
Bisbee	Gosselin	Meyer	Spade
Bishop	Hale	Middaugh	Stallworth
Bogardus	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	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	Plakas	Whitmer
Dennis	Julian	Pumford	Williams
DeRossett	Koetje	Quarles	Wojno
DeVuyst	Kolb	Rackowski	Woodward
DeWeese	Koiman	Reeves	Woronchak
Drolet	Kuipers	Richardville	Zelenko
Ehardt			

Nays—0

In The Chair: Julian

The House agreed to the full title of the bill.

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

Second Reading of Bills

Senate Bill No. 486, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 9 (MCL 208.9), as amended by 1998 PA 539.

The bill was read a second time.

Rep. Minore moved to amend the bill as follows:

1. Amend page 5, line 13, after "31," by striking out "2000" and inserting "1997".

The motion did not prevail and the amendment was not adopted, a majority of the members serving not 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. 486, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 9 (MCL 208.9), as amended by 1998 PA 539.

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

Roll Call No. 885

Yeas—97

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

Nays—0

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.

Second Reading of Bills

House Bill No. 5467, entitled

A bill to create the Detroit area regional transportation authority and to transfer certain powers of authorities to continue the suburban mobility authority for regional transportation; to prescribe certain powers and duties of the authorities; to provide for the addition and withdrawal of certain local entities from the authority; to provide for the powers and duties of certain state agencies with respect to the authority; to provide for the issuance of bonds and notes; to provide for the state to guarantee payment of certain claims against the authority and give the state a lien in satisfaction of payment; to protect the rights of employees of existing public transportation systems; to provide for the pledge of taxes, revenues, assessments, tax levies, and other funds for bond and note payments; to authorize certain local entities to levy property taxes and make special assessments to fulfill their obligations under certain contracts with the authority; 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-5) previously recommended by the Committee on Commerce,

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

Rep. Patterson moved to amend the bill as follows:

1. Amend page 10, following line 2, by inserting:

“(6) A city, township, or village located in any county in the region that is a member of the authority may withdraw from the authority if the county in which the city, township, or village is located does not withdraw from the authority. The city, township, or village may withdraw from the authority upon resolution adopted by a majority vote of the members elected to and serving on the legislative body of the city, township, or village requesting withdrawal from the authority and upon payment or provision for payment regarding all obligations, if any, of the city township, or village to the authority up to the date of withdrawal. A city, township, or village may withdraw from the authority until 30 days after the authority board certifies to the secretary of state that a majority of voters within each member county of the authority have approved a funding mechanism to support the operations of the authority. Notwithstanding any provision of this act to the contrary, after the date after withdrawal, a city, township, or village that withdraws from the authority shall not be charged a fee, tax, assessment, or other charge for authority services or to finance the authority.”.

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

Rep. Patterson demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 886

Yeas—35

Anderson	Faunce	Johnson, Ruth	Rocca
Birkholz	George	Kooiman	Stamas
Bradstreet	Gilbert	Kuipers	Switalski
Brown, B.	Gosselin	Middaugh	Toy
Brown, C.	Hager	O’Neil	Vander Roest
Cassis	Hart	Patterson	Vear

Caul
DeVuyst
Drolet

Hummel
Jansen
Jelinek

Pestka
Pumford
Richner

Voorhees
Woronchak

Nays—62

Allen
Basham
Bernero
Bisbee
Bishop
Bogardus
Brown, R.
Callahan
Clark, I.
Clarke, H.
Daniels
Dennis
DeRossett
DeWeese
Ehardt
Frank

Garza
Gielegem
Godchaux
Hale
Hansen
Hardman
Howell
Jacobs
Jamnack
Johnson, Rick
Julian
Kilpatrick
Koetje
Kolb
Kowall
LaSata

Lemmons
Lipsey
Lockwood
McConico
Mead
Meyer
Mortimer
Murphy
Neumann
Newell
Pappageorge
Quarles
Reeves
Richardville
Rivet

Schauer
Shackleton
Shulman
Spade
Stallworth
Stewart
Tabor
Thomas
Van Woerkom
Waters
Whitmer
Williams
Wojno
Woodward
Zelenko

In The Chair: Julian

Rep. Julian moved to amend the bill as follows:

1. Amend page 10, line 3, after “county” by inserting “any part of which is not more than 90 miles from the city limits of the city of Detroit”.

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

Rep. Julian moved to amend the bill as follows:

1. Amend page 7, line 21, after “region” by inserting “relative to transit services”.

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

Rep. Anderson moved to amend the bill as follows:

1. Amend page 21, following line 11, by inserting:

“(4) The rights, privileges, benefits, and other employee protective conditions and remedies of section 5333(b) of title 49 of the United States Code, 49 U.S.C. 5333, and arrangements made thereunder, shall apply to public transportation employees affected by any action of the authority authorized under this act involving the operation, directly or indirectly, of any transit system or public transportation facility, or portion thereof, including any contract or other arrangement for the operation of such system or facility.” and renumbering the remaining subsections.

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

Rep. Anderson demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 887

Yeas—54

Adamini
Anderson
Basham

Frank
Garza
Gielegem

Minore
Murphy
Neumann

Spade
Stallworth
Stewart

Bogardus	Hale	O'Neil	Switalski
Brown, B.	Hansen	Pestka	Thomas
Brown, R.	Hardman	Phillips	Toy
Callahan	Jacobs	Plakas	Waters
Clark, I.	Jamnick	Pumford	Whitmer
Clarke, H.	Jelinek	Quarles	Williams
Daniels	Kilpatrick	Reeves	Wojno
Dennis	Kolb	Rivet	Woodward
DeRossett	Lemmons	Rocca	Woronchak
DeWeese	Lockwood	Schauer	Zelenko
Faunce	McConico		

Nays—45

Allen	Gilbert	Koetje	Patterson
Birkholz	Godchaux	Kooiman	Richardville
Bisbee	Gosselin	Kowall	Richner
Bishop	Hager	Kuipers	Shackleton
Bradstreet	Hart	LaSata	Shulman
Brown, C.	Howell	Mead	Stamas
Cassis	Hummel	Meyer	Tabor
Caul	Jansen	Middaugh	Van Woerkom
DeVuyst	Johnson, Rick	Mortimer	Vander Roest
Drolet	Johnson, Ruth	Newell	Vear
Ehardt	Julian	Pappageorge	Voorhees
George			

In The Chair: Julian

Rep. Anderson moved to reconsider the vote by which the House did not adopt the amendment.

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

Rep. Anderson demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 888**Yeas—47**

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

Nays—52

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
DeVuyst	Jansen	Newell	Toy
DeWeese	Johnson, Rick	Pappageorge	Van Woerkom
Drolet	Johnson, Ruth	Patterson	Vander Roest
Ehardt	Julian	Pumford	Vear
Faunce	Koetje	Richardville	Voorhees

In The Chair: Julian

Reps. Drolet, Patterson and Raczkowski moved to amend the bill as follows:

1. Amend page 25, line 16, after “electors” by inserting “at a regularly scheduled primary or general election”.
2. Amend page 25, line 24, after “approval” by inserting “at a regularly scheduled primary or general election”.
3. Amend page 40, line 24, after “authority” by inserting “at a regularly scheduled primary or general election”.
4. Amend page 41, line 4, after “authority” by inserting “at a regularly scheduled primary or general election”.

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

Rep. Drolet moved to amend the bill as follows:

1. Amend page 8, line 19, after “county” by striking out “with a population of 750,000 or less”.
2. Amend page 8, line 25, after “county” by striking out “with a population of 750,000 or less”.

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

Rep. Patterson moved to amend the bill as follows:

1. Amend page 11, line 8, after “county.” by striking out “The” and inserting “Except as provided in this subsection, the”.
2. Amend page 11, line 15, after “represents.” by inserting “In the case of Wayne county, the appointment of the board members shall require the concurrence of a majority of the municipalities in Wayne county with the exception of a city with a population of more than 750,000.”.

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

Rep. Patterson demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 889

Yeas—36

Bishop	Hart	Meyer	Stamas
Bradstreet	Hummel	Middaugh	Stewart
Brown, B.	Jamnick	Mortimer	Switalski
Callahan	Jansen	O’Neil	Toy
Cassis	Jelinek	Patterson	Vander Roest
DeVuyst	Johnson, Ruth	Raczkowski	Vear
Drolet	Kooiman	Richardville	Voorhees
Faunce	Kowall	Richner	Wojno
Gosselin	Kuipers	Rocca	Woronchak

Nays—61

Adamini	Garza	Kolb	Rivet
Allen	George	LaSata	Schauer
Bernero	Gielegem	Lemmons	Scranton

Birkholz	Gilbert	Lipsey	Shackleton
Bisbee	Godchaux	Lockwood	Shulman
Bogardus	Hager	McConico	Spade
Brown, C.	Hale	Mead	Stallworth
Brown, R.	Hansen	Minore	Tabor
Caul	Hardman	Murphy	Thomas
Clark, I.	Howell	Neumann	Van Woerkom
Clarke, H.	Jacobs	Newell	Waters
Daniels	Johnson, Rick	Pappageorge	Whitmer
Dennis	Julian	Pumford	Williams
DeRossett	Kilpatrick	Quarles	Woodward
DeWeese	Koetje	Reeves	Zelenko
Frank			

In The Chair: Julian

Rep. Koetje moved to amend the bill as follows:

1. Amend page 41, following line 4, by inserting:

“Enacting section 3. This act does not take effect unless House Bill No. 5253 of the 91st Legislature is enacted into law.”.

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

Rep. Koetje demanded the yeas and nays.

The demand was supported.

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

Point of Order

Rep. Basham requested a ruling from the Chair regarding the germaness of the amendment offered by Rep. Koetje. The Chair ruled that the amendment is germane.

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

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

Roll Call No. 890

Yeas—15

Bradstreet	Gosselin	Kuipers	Rocca
Caul	Hummel	Mortimer	Vander Roest
Drolet	Johnson, Ruth	Patterson	Voorhees
George	Koetje	Richardville	

Nays—82

Adamini	Faunce	LaSata	Rivet
Allen	Frank	Lemmons	Schauer
Anderson	Garza	Lipsey	Scranton
Basham	Gielegem	Lockwood	Shackleton
Bernero	Gilbert	McConico	Shulman
Birkholz	Godchaux	Mead	Spade
Bisbee	Hager	Meyer	Stallworth
Bishop	Hale	Middaugh	Stamas

Bogardus	Hansen	Minore	Stewart
Brown, B.	Hardman	Murphy	Switalski
Brown, C.	Hart	Neumann	Tabor
Brown, R.	Howell	Newell	Van Woerkom
Callahan	Jacobs	Pappageorge	Vear
Cassis	Jamnick	Pestka	Waters
Clark, I.	Jansen	Phillips	Whitmer
Clarke, H.	Jelinek	Plakas	Williams
Daniels	Johnson, Rick	Pumford	Wojno
Dennis	Julian	Quarles	Woodward
DeRossett	Kilpatrick	Reeves	Woronchak
DeVuyst	Kolb	Richner	Zelenko
DeWeese	Kowall		

In The Chair: Julian

Reps. Shackleton and Kooiman moved to amend the bill as follows:

1. Amend page 8, line 16, after “legislature” by inserting a comma and “the members of the appropriations committees of the house of representatives and the senate,”.

2. Amend page 8, line 17, after “authority.” by inserting “The recommendations shall include an analysis of the availability of nonlocal sources for the dedicated funding stream. No more than an increase of 5% of the comprehensive transportation fund amounts received by the regional transit coordinating council created in section 4b of the metropolitan transportation authorities act, 1967 PA 204, MCL 124.404b, in the fiscal year ending September 30, 2002, shall be included in the recommendations.”.

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

Rep. Shackleton moved to reconsider the vote by which the House did not adopt the amendments.

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

The question being on the adoption of the amendments offered by Reps. Shackleton and Kooiman,

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

Rep. Gilbert moved to amend the bill as follows:

1. Amend page 3, line 18, by striking out “St. Clair,”.

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

Rep. Anderson moved to amend the bill as follows:

1. Amend page 21, following line 11, by inserting:

“(4) The rights, privileges, benefits and other employee protective provisions and remedies of section 5333(b) of title 49 of the United States Code, 49 U.S.C. 5333, and arrangements made thereunder, shall apply to public transportation employees affected by any action of the authority authorized under this act involving the operation, directly or indirectly, of any transit system or public transportation facility, or portion thereof, including any contract or other arrangement for the operation of such system or facility.” and renumbering the remaining subsections.

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

Rep. Anderson demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 891

Yeas—54

Adamini	Faunce	Lockwood	Rivet
Anderson	Frank	McConico	Rocca
Basham	Garza	Minore	Schauer
Bernero	Gielegem	Murphy	Spade
Bogardus	Hale	Neumann	Stewart

Brown, B.	Hansen	O'Neil	Switalski
Brown, R.	Hardman	Pestka	Thomas
Callahan	Jacobs	Phillips	Waters
Clark, I.	Jamnack	Plakas	Whitmer
Clarke, H.	Jelinek	Pumford	Williams
Daniels	Kilpatrick	Quarles	Wojno
Dennis	Kolb	Reeves	Woronchak
DeRossett	Lemmons	Richardville	Zelenko
Drolet	Lipsey		

Nays—44

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

In The Chair: Julian

Rep. O'Neil moved to amend the bill as follows:

1. Amend page 11, line 8, after "county." by striking out "The" and inserting "Other than as provided in this subsection, the".

2. Amend page 11, line 15, after "represents." by inserting "In the case of Wayne county, the appointment of the board members shall require the concurrence of a 2/3 majority of the municipalities in Wayne county with the exception of a city with a population of more than 750,000.".

The question being on the adoption of the amendments offered by Rep. O'Neil,

Rep. O'Neil demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Rep. O'Neil,

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

Roll Call No. 892**Yeas—34**

Adamini	Gosselin	O'Neil	Switalski
Anderson	Hummel	Patterson	Thomas
Bogardus	Jansen	Plakas	Vander Roest
Bradstreet	Kolb	Richardville	Vear
Brown, B.	Kuipers	Richner	Voorhees
Callahan	Lipsey	Rocca	Wojno
Drolet	Lockwood	Stamas	Woodward
Faunce	McConico	Stewart	Woronchak
Gielegem	Middaugh		

Nays—58

Allen	George	Kilpatrick	Reeves
Bernero	Gilbert	Koetje	Schauer
Bisbee	Godchaux	Kooiman	Scranton

Bishop	Hager	Kowall	Shackleton
Brown, C.	Hale	LaSata	Shulman
Brown, R.	Hansen	Lemmons	Spade
Cassis	Hardman	Mead	Stallworth
Caul	Hart	Meyer	Tabor
Clark, I.	Howell	Murphy	Toy
Clarke, H.	Jacobs	Neumann	Van Woerkom
DeRossett	Jamnick	Newell	Waters
DeVuyst	Jelinek	Pappageorge	Whitmer
DeWeese	Johnson, Rick	Pumford	Williams
Frank	Johnson, Ruth	Raczkowski	Zelenko
Garza	Julian		

In The Chair: Julian

Rep. Woodward moved to reconsider the vote by which the House did not adopt the amendment offered previously by Rep. Anderson.

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

Rep. Woodward demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 893

Yeas—47

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

Nays—51

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

In The Chair: Julian

Rep. Minore moved to amend the bill as follows:

1. Amend page 21, following line 11, by inserting:

“(4) The rights, privileges, benefits and other employee protective conditions and remedies of section 5333(b) of title 49 of the United States Code, 49 U.S.C. 5333, and arrangements made thereunder, shall apply to public transportation employees affected by any action of the authority involving the operation, directly or indirectly, of any transit system or public transportation facility, or portion thereof, including any contract or other arrangement for the operation of such system or facility.” and renumbering the remaining subsections.

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

Rep. Minore demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 894

Yeas—52

Adamini	DeWeese	Lockwood	Rocca
Anderson	Faunce	McConico	Schauer
Basham	Frank	Minore	Spade
Bernero	Garza	Murphy	Stewart
Bogardus	Gielegem	Neumann	Switalski
Brown, B.	Hale	O’Neil	Thomas
Brown, R.	Hansen	Pestka	Waters
Callahan	Hardman	Phillips	Whitmer
Clark, I.	Jacobs	Plakas	Williams
Clarke, H.	Jamnick	Quarles	Wojno
Daniels	Kilpatrick	Reeves	Woodward
Dennis	Kolb	Richardville	Woronchak
DeRossett	Lipsey	Rivet	Zelenko

Nays—45

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

In The Chair: Julian

Rep. Plakas moved to amend the bill as follows:

1. Amend page 28, following line 16, by inserting:

“(6) Before entering into any contract for the provision of public transportation services or the operation of a public transportation facility, the authority shall document that the contract would result in substantial savings when compared with the cost of the transit system currently providing the services. The services do not meet this standard

if, despite the savings over the proposed period of disbursements, substantial savings would not likely be realized over the long term. Savings are substantial if the average annual savings over the proposed period of disbursements are equal to or greater than the minimum required savings computed using the table below:

Projected Average:		Minimum Required Average
<u>Annual Disbursements</u>		<u>Annual Savings</u>
<u>From</u>	<u>To</u>	<u>Savings Must Equal</u>
\$ 1	\$ 25,000	25% of avg. annual cost
25,001	50,000	20% (minimum \$6,250)
50,001	100,000	15% (minimum \$10,000)
100,001	200,000	12.5% (minimum \$15,000)
200,001	500,000	10% (minimum \$25,000)
500,001	1,000,000	minimum \$50,000
1,000,001	and above	5% of avg. annual cost

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

The demand was supported.

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

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

Roll Call No. 895

Yeas—43

Adamini	Hale	Neumann	Stewart
Anderson	Hardman	O'Neil	Switalski
Basham	Jacobs	Pestka	Thomas
Bernero	Jamnack	Phillips	Waters
Bogardus	Jelinek	Plakas	Whitmer
Brown, B.	Kolb	Pumford	Williams
Brown, R.	Lipsey	Quarles	Wojno
Callahan	Lockwood	Richardville	Woodward
Dennis	McConico	Rivet	Woronchak
DeRossett	Minore	Schauer	Zelenko
Gielegem	Murphy	Spade	

Nays—55

Allen	Faunce	Johnson, Ruth	Rackowski
Birkholz	Frank	Julian	Richner
Bisbee	Garza	Kilpatrick	Rocca
Bishop	George	Kooiman	Scranton
Bradstreet	Gilbert	Kowall	Shackleton
Brown, C.	Godchaux	Kuipers	Shulman
Cassis	Gosselin	LaSata	Stamas
Caul	Hager	Mead	Tabor
Clarke, H.	Hansen	Meyer	Toy
Daniels	Hart	Middaugh	Van Woerkom
DeVuyst	Howell	Mortimer	Vander Roest
DeWeese	Hummel	Newell	Vear
Drolet	Jansen	Pappageorge	Voorhees
Ehardt	Johnson, Rick	Patterson	

In The Chair: Julian

Reps. Patterson and O’Neil moved to amend the bill as follows:

1. Amend page 11, line 8, after “county.” by striking out “The” and inserting “Except as provided in subsection (3), the”.
2. Amend page 11, line 15, after “represents.” by inserting “In the case of Wayne county, the appointment of the board members shall require the concurrence of 2/3 of the members of the commission.”.

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

Rep. Kilpatrick 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. 5467, entitled

A bill to create the Detroit area regional transportation authority and to transfer certain powers of authorities to continue the suburban mobility authority for regional transportation; to prescribe certain powers and duties of the authorities; to provide for the addition and withdrawal of certain local entities from the authority; to provide for the powers and duties of certain state agencies with respect to the authority; to provide for the issuance of bonds and notes; to provide for the state to guarantee payment of certain claims against the authority and give the state a lien in satisfaction of payment; to protect the rights of employees of existing public transportation systems; to provide for the pledge of taxes, revenues, assessments, tax levies, and other funds for bond and note payments; to authorize certain local entities to levy property taxes and make special assessments to fulfill their obligations under certain contracts with the authority; and to repeal acts and parts of acts.

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

Roll Call No. 896

Yeas—74

Adamini	Gilbert	Kowall	Reeves
Allen	Godchaux	Kuipers	Richardville
Birkholz	Hager	LaSata	Richner
Bisbee	Hale	Lemmons	Rivet
Bishop	Hansen	Lipsey	Scranton
Brown, C.	Hardman	Lockwood	Shackleton
Brown, R.	Hart	McConico	Shulman
Cassis	Howell	Mead	Stallworth
Clark, I.	Hummel	Meyer	Stamas
Clarke, H.	Jacobs	Middaugh	Stewart
Daniels	Jamnick	Murphy	Switalski
DeRossett	Jansen	Newell	Tabor
DeVuyst	Jelinek	O’Neil	Thomas
DeWeese	Johnson, Rick	Pappageorge	Van Woerkom
Ehardt	Julian	Phillips	Vear
Frank	Kilpatrick	Pumford	Waters
Garza	Koetje	Quarles	Williams
George	Kolb	Rackowski	Woodward
Gielegem	Kooiman		

Nays—23

Anderson	Caul	Mortimer	Toy
Basham	Dennis	Patterson	Vander Roest
Bernero	Drolet	Plakas	Voorhees
Bogardus	Faunce	Rocca	Wojno
Bradstreet	Gosselin	Schauer	Woronchak
Callahan	Johnson, Ruth	Spade	

In The Chair: Julian

The House agreed to the title of the bill.

Reps. Clark, Clarke, Daniels, DeRossett, DeWeese, Garza, Hansen, Hardman, Jacobs, Jamnick, Kowall, Lemmons, Minore, Raczkowski, Richner, Shulman, Stewart and Waters were named co-sponsors of the bill.

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

Reps. Drolet and Faunce, 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:

Mass transit has behind it forty years of failure, both here in Michigan and across the nation. The new transit authority being created by this proposal will provide for forty more years of bloated budgets, wasted taxes, and empty mass transit vehicles. Examples of inefficient bus transit systems are numerous. Examples of recent rail transit attempts are all bad beyond comprehension. Nationally, buses operate with about 15% of their seats full. As a result, these great, big, empty buses patrol our city streets producing more pollution and less efficiency than the average personal car.

SEMCOG, a prime cheerleader for this new authority, has promised to use it to build SmartLink, the People Mover on wheels. When this proposal becomes law, all of Southeastern Michigan will be tied to the wasteful thinking that produces disasters such as the People Mover. We are all familiar with the People Mover, which ran 50% over budget, and now serves only 20% of those who were projected to ride it. In 1998, facing perpetual operating deficits as a result of this boondoggle, the city of Detroit considered cutting back on its police force. Looking ahead, the pricetag for SmartLink will be \$2 billion to develop, and \$200 million per year to operate. There isn't going to be a lot of road money left in Southeastern Michigan.

Those billions of dollars will go down a rat hole of unimaginable depth. Nationally, operating and capital subsidies for highways are just seven-tenths of a penny per passenger mile. Those who drive their own cars and trucks mostly pay their own way, in the form of gas taxes, licensing fees, and various other funding mechanisms. They are also expected to pay for the transit users, as governments divert a substantial fraction of gas taxes and fees toward mass transit subsidies. Nationwide, operating and capital subsidies for mass transit are nearly 50 cents per passenger mile.

Fifty cents versus one-seventh of a penny. Mass transit is about 700 times less efficient than driving your own car, and it keeps getting worse. Over the last three decades, transit operating costs have increased four times faster than the rate of inflation.

As we dump staggering sums into this demonstrable failure, we continue to ignore what has worked in the past. During the early 1960's, 95% of mass transit was privately owned and paid taxes rather spent them. Likewise, our roads have provided incredible mobility at a tiny fraction of transit's cost. All historical evidence would indicate that we limit our exposure to publicly funded and operated mass transit.

Oblivious to history, supporters of this new authority claim that it is needed because the existing transit authorities are insufficient. Their proposed solution violates the rule of holes: “When you get in one, *stop digging!*”

Rep. Gosselin, 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:

This bill sets the stage for a new multi-billion dollar transit tax which will be imposed disproportionately on the people of Oakland County. It joins Oakland transit authorities at the hip to the most corrupt, inefficient, bureaucracy-ridden transit authority in the nation. It will load a new layer of bureaucracy on transit systems already groaning under the burden of excessive overhead costs. It will make needed privatization immensely more difficult, if not impossible. The authority will find creative new ways to waste taxpayer dollars on boondoggle transit pipe-dreams which are not needed or wanted by the citizens of Oakland County. This is bad for the region, bad for Oakland County, and especially bad for the taxpayers. Years from now, supporters of this misguided proposal will look back and wonder how they could have ever signed on to it.”

Second Reading of Bills

House Bill No. 5468, entitled

A bill to amend 1982 PA 432, entitled “Motor bus transportation act,” by amending section 4 (MCL 474.104), as amended by 1989 PA 233.

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

The substitute (H-1) was adopted, a majority of the members serving voting therefor.
Rep. Kilpatrick 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. 5468, entitled

A bill to amend 1982 PA 432, entitled "Motor bus transportation act," by amending section 4 (MCL 474.104), as amended by 1989 PA 233.

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

Roll Call No. 897

Yeas—69

Adamini	Godchaux	Kooiman	Pumford
Allen	Hager	Kowall	Raczkowski
Birkholz	Hale	Kuipers	Reeves
Bisbee	Hansen	LaSata	Richardville
Bishop	Hardman	Lemmons	Richner
Brown, B.	Hart	Lipsey	Rivet
Brown, C.	Howell	Lockwood	Shackleton
Cassis	Hummel	McConico	Shulman
Clarke, H.	Jacobs	Mead	Stallworth
Daniels	Jamnack	Meyer	Stamas
DeRossett	Jansen	Middaugh	Stewart
DeVuyst	Jelinek	Minore	Switalski
DeWeese	Johnson, Rick	Murphy	Tabor
Frank	Julian	Newell	Van Woerkom
Garza	Kilpatrick	O'Neil	Vear
George	Koetje	Pappageorge	Waters
Gielegghem	Kolb	Phillips	Zelenko
Gilbert			

Nays—21

Anderson	Caul	Johnson, Ruth	Toy
Basham	Dennis	Patterson	Vander Roest
Bernero	Drolet	Rocca	Voorhees
Bogardus	Faunce	Schauer	Wojno
Bradstreet	Gosselin	Spade	Woronchak
Callahan			

In The Chair: Julian

The House agreed to the title of the bill.

Rep. Jacobs moved that Rep. Plakas be excused from the balance of today's session.
The motion prevailed.

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

House Bill No. 5357, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 517 and 803 (MCL 600.517 and 600.803), section 517 as amended by 1990 PA 54 and section 803 as amended by 1998 PA 55.

The Senate has amended the bill as follows:

1. Amend page 2, line 1, by striking out all of section 803.
2. Amend page 4, following line 8, by inserting:

"Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 91st Legislature are enacted into law:

- (a) Senate Bill No. 76.
- (b) Senate Bill No. 764.
- (c) Senate Bill No. 765.
- (d) Senate Bill No. 786.
- (e) Senate Bill No. 825."

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

A bill to amend 1961 PA 236, entitled "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," by amending section 517 (MCL 600.517), as amended by 1990 PA 54.

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

Rep. Richardville moved that Rule 45 be suspended.

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

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

The amendments were concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 898

Yeas—81

Adamini	Gielegem	Kuipers	Rocca
Allen	Gilbert	LaSata	Schauer
Bernero	Godchaux	Lipsey	Scranton
Birkholz	Gosselin	Lockwood	Shackleton
Bisbee	Hager	Mead	Shulman
Bishop	Hansen	Meyer	Spade
Bogardus	Hart	Middaugh	Stamas
Bradstreet	Howell	Minore	Stewart
Brown, C.	Hummel	Mortimer	Switalski
Brown, R.	Jacobs	Murphy	Tabor
Callahan	Jamnick	Newell	Toy
Cassis	Jansen	Pappageorge	Van Woerkom
Caul	Jelinek	Patterson	Vander Roest
Dennis	Johnson, Rick	Pestka	Vear
DeRossett	Johnson, Ruth	Phillips	Voorhees
DeVuyst	Julian	Pumford	Whitmer
DeWeese	Koetje	Rackowski	Williams
Ehardt	Kolb	Richardville	Wojno
Faunce	Kooiman	Richner	Woodward
Frank	Kowall	Rivet	Zelenko
George			

Nays—18

Anderson	Daniels	Lemmons	Stallworth
Basham	Garza	McConico	Thomas

Brown, B.
Clark, I.
Clarke, H.

Hale
Hardman
Kilpatrick

O'Neil
Reeves

Waters
Woronchak

In The Chair: Julian

The House agreed to the title as amended.

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

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

“Mr. Speaker and members of the House:

I voted no on HB 5357 because it adds judges at the expense of eliminating needed judges in Wayne County. The decision on where to place judges should take into account more than just population. Judges should be retained in the 3rd Circuit because this court is efficient, handles more court filings and serves the largest population of any judicial circuit in the state. This administration policy of eliminating a judgeship for each judgeship created is a disservice to the citizens of this state based on the current 7% increase in population. I also opposed other tie-barred bills for these reasons.”

Rep. Anderson moved that Rep. Quarles be excused from the balance of today's session.

The motion prevailed.

Second Reading of Bills

Senate Bill No. 472, entitled

A bill to amend 1982 PA 249, entitled “An act to establish the state children's trust fund in the department of treasury; and to provide certain powers and duties of the department of treasury with respect to the trust fund,” by amending section 1 (MCL 21.171), as amended by 2000 PA 72.

The bill was read a second time.

Rep. Minore moved to amend the bill as follows:

1. Amend page 3, following line 13, by inserting:

“(8) STATE ELECTED OFFICIALS AND MEMBERS OF THE BOARD DESCRIBED IN SECTION 9 OF THE CHILD ABUSE AND NEGLECT PREVENTION ACT, 1982 PA 250, MCL 722.609, ARE PROHIBITED FROM CONDUCTING ANY PROMOTION OR COMMERCIAL ADVERTISEMENT ON BEHALF OF THE TRUST FUND, WHETHER COMPENSATED OR UNCOMPENSATED.”.

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

Rep. Richardville 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. Minore,

Rep. Minore demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 899

Yeas—41

Adamini
Anderson
Bernero

Frank
Garza
Gielegem

Lemmons
Lipsev
Lockwood

Schauer
Spade
Stallworth

Bogardus	Hale	Minore	Switalski
Brown, B.	Hansen	Murphy	Thomas
Brown, R.	Hardman	O'Neil	Waters
Callahan	Jacobs	Pestka	Whitmer
Clark, I.	Jamnack	Phillips	Williams
Clarke, H.	Kilpatrick	Reeves	Wojno
Daniels	Kolb	Rivet	Zelenko
Dennis			

Nays—55

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

In The Chair: Julian

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

The motion prevailed.

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

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

Rep. Koetje moved that Rep. Raczkowski be excused temporarily from today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills**Senate Bill No. 472, entitled**

A bill to amend 1982 PA 249, entitled "An act to establish the state children's trust fund in the department of treasury; and to provide certain powers and duties of the department of treasury with respect to the trust fund," by amending section 1 (MCL 21.171), as amended by 2000 PA 72.

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

Roll Call No. 900**Yeas—98**

Adamini	Faunce	Kooiman	Rivet
Allen	Frank	Kowall	Rocca
Anderson	Garza	Kuipers	Schauer
Basham	George	LaSata	Scranton

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

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Second Reading of Bills

House Bill No. 5482, entitled

A bill to provide for the formation, regulation, and registration of distance learning corporations; to prescribe their duties, rights, powers, immunities, and liabilities; and to provide for the powers and duties of certain state officers and entities.

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

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

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

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

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

The motion prevailed.

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. 5482, entitled

A bill to provide for the formation, regulation, and registration of distance learning corporations; to prescribe their duties, rights, powers, immunities, and liabilities; and to provide for the powers and duties of certain state officers and entities.

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

Roll Call No. 901**Yeas—93**

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

Nays—2

Drolet	Gosselin
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In The Chair: Julian

The House agreed to the title of the bill.

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

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

Second Reading of Bills**House Bill No. 5483, entitled**

A bill to amend 1982 PA 162, entitled "Nonprofit corporation act," by amending section 124 (MCL 450.2124).

The bill was read a second time.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills**House Bill No. 5483, entitled**

A bill to amend 1982 PA 162, entitled "Nonprofit corporation act," by amending section 124 (MCL 450.2124).

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

Roll Call No. 902**Yeas—97**

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

Nays—2

Drolet

Gosselin

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Second Reading of Bills**House Bill No. 4824, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1212 (MCL 380.1212), as amended by 1993 PA 312.

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. Hart 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. 4824, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1212 (MCL 380.1212), as amended by 1993 PA 312.

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

Roll Call No. 903

Yeas—95

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

Nays—2

Drolet

Gosselin

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Reps. Basham, Bishop, Cameron Brown, Caul, DeRossett, DeVuyst, Ehardt, George, Gilbert, Hardman, Howell, Julian, Koetje, LaSata, McConico, Mead, Mortimer, Pappageorge, Patterson, Phillips, Pumford, Rackowski, Richardville, Rivet, Schauer, Shackleton, Stamas, Vander Roest, Van Woerkom and Woodward were named co-sponsors of the bill.

Second Reading of Bills

House Bill No. 5206, entitled

A bill to amend 1982 PA 295, entitled "Support and parenting time enforcement act," by amending sections 31 and 32 (MCL 552.631 and 552.632), as amended by 2000 PA 442.

The bill was read a second time.

Rep. Murphy moved to amend the bill as follows:

1. Amend page 4, following line 12, by inserting:

“SEC. 32A. IF A PAYER IS ARRESTED AFTER A BENCH WARRANT FOR THE PAYER’S ARREST IS ISSUED UNDER THIS ACT, IN ADDITION TO OTHER COURT DISPOSITION UNDER THIS ACT, THE COURT MAY ORDER THE PAYER TO ATTEND A FATHERHOOD, MOTHERHOOD, OR PARENTAL RESPONSIBILITY CLASS. THE FRIEND OF THE COURT FOR THE JURISDICTION IN WHICH THE PAYER IS ORDERED TO ATTEND THAT CLASS MAY MONITOR THE PAYER’S CLASS ATTENDANCE.”.

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

Rep. Hart moved to amend the bill as follows:

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

“Sec. 2. As used in this act:

(a) “Account” means any of the following:

- (i) A demand deposit account.
- (ii) A draft account.
- (iii) A checking account.
- (iv) A negotiable order of withdrawal account.
- (v) A share account.
- (vi) A savings account.
- (vii) A time savings account.
- (viii) A mutual fund account.
- (ix) A securities brokerage account.
- (x) A money market account.
- (xi) A retail investment account.

(b) “Account” does not mean any of the following:

- (i) A trust.
- (ii) An annuity.
- (iii) A qualified individual retirement account.
- (iv) An account covered by the employee retirement income security act of 1974, Public Law 93-406, 88 Stat. 829.
- (v) A pension or retirement plan.
- (vi) An insurance policy.

(c) “Address” means the primary address shown on the records of a financial institution used by the financial institution to contact the account holder.

(D) “CASH” MEANS MONEY OR THE EQUIVALENT OF MONEY, SUCH AS A MONEY ORDER, CASHIER’S CHECK, OR NEGOTIABLE CHECK OR A PAYMENT BY DEBIT OR CREDIT CARD, WHICH EQUIVALENT IS ACCEPTED AS CASH BY THE AGENCY THAT EMPLOYS THE OFFICER ACCEPTING THE PAYMENT.

(E) ~~(E)~~ “Department” means the family independence agency.

(F) ~~(F)~~ “Driver’s license” means license as that term is defined in section 25 of the Michigan vehicle code, 1949 PA 300, MCL 257.25.

(G) ~~(G)~~ “Employer” means an individual, sole proprietorship, partnership, association, or private or public corporation, the United States or a federal agency, this state or a political subdivision of this state, another state or a political subdivision of another state, or another legal entity that hires and pays an individual for his or her services.

(H) ~~(H)~~ “Financial asset” means a deposit, account, money market fund, stock, bond, or similar instrument.

(I) ~~(I)~~ “Financial institution” means any of the following:

- (i) A state or national bank.
- (ii) A state or federally chartered savings and loan association.
- (iii) A state or federally chartered savings bank.
- (iv) A state or federally chartered credit union.
- (v) An insurance company.
- (vi) An entity that offers any of the following to a resident of this state:
 - (A) A mutual fund account.
 - (B) A securities brokerage account.
 - (C) A money market account.
 - (D) A retail investment account.

(vii) An entity regulated by the securities and exchange commission that collects funds from the public.

(viii) An entity that is a member of the national association of securities dealers and that collects funds from the public.

(ix) Another entity that collects funds from the public.

(J) ~~(J)~~ “Friend of the court act” means 1982 PA 294, MCL 552.501 to 552.535.

(K) ~~(j)~~ “Income” means any of the following:

(i) Commissions, earnings, salaries, wages, and other income due or to be due in the future to an individual from his or her employer and successor employers.

(ii) A payment due or to be due in the future to an individual from a profit-sharing plan, a pension plan, an insurance contract, an annuity, social security, unemployment compensation, supplemental unemployment benefits, or worker’s compensation.

(iii) An amount of money that is due to an individual as a debt of another individual, partnership, association, or private or public corporation, the United States or a federal agency, this state or a political subdivision of this state, another state or a political subdivision of another state, or another legal entity that is indebted to the individual.

(L) ~~(k)~~ “Insurer” means an insurer, health maintenance organization, health care corporation, or other group, plan, or entity that provides health care coverage in accordance with any of the following acts:

(i) The public health code, 1978 PA 368, MCL 333.1101 to 333.25211.

(ii) The insurance code of 1956, 1956 PA 218, MCL 500.100 to 500.8302.

(iii) The nonprofit health care corporation reform act, 1980 PA 350, MCL 550.1101 to 550.1704.

(M) ~~(l)~~ “Medical assistance” means medical assistance as established under title XIX of the social security act, chapter 531, 49 Stat. 620, 42 U.S.C. 1396 to ~~1396f, 1396g-1 to~~ 1396r-6 ; and 1396r-8 to 1396v.

(N) ~~(m)~~ “Occupational license” means a certificate, registration, or license issued by a state department, bureau, or agency that has regulatory authority over an individual that allows an individual to legally engage in a regulated occupation or that allows the individual to use a specific title in the practice of an occupation, profession, or vocation.

(O) ~~(n)~~ “Office of child support” means the office of child support established in section 2 of the office of child support act, 1971 PA 174, MCL 400.232.

(P) ~~(o)~~ “Office of the friend of the court” means an agency created in section 3 of the friend of the court act, MCL 552.503.

(Q) ~~(p)~~ “Order of income withholding” means an order entered by the circuit court providing for the withholding of a payer’s income to enforce a support order under this act.

(R) ~~(q)~~ “Payer” means an individual who is ordered by the circuit court to pay support.

(S) ~~(r)~~ “Plan administrator” means that term as used in relation to a group health plan under section 609 of part 6 of subtitle B of title I of the employee retirement income security act of 1974, Public Law 93-406, 29 U.S.C. 1169, if the health care coverage plan of the individual who is responsible for providing a child with health care coverage is subject to that act.

(T) ~~(s)~~ “Political subdivision” means a county, city, village, township, educational institution, school district, or special district or authority of the state or of a local unit of government.

(U) ~~(t)~~ “Recipient of support” means the following:

(i) The spouse, if the support order orders spousal support.

(ii) The custodial parent or guardian, if the support order orders support for a minor child or a child who is 18 years of age or older.

(iii) The department, if support has been assigned to that department.

(V) ~~(u)~~ “Recreational or sporting license” means a hunting, fishing, or fur harvester’s license issued under the natural resources and environmental protection act, 1994 PA 451, MCL 324.101 to 324.90106, but does not include a commercial fishing license or permit issued under part 473 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.47301 to 324.47362.

(W) ~~(v)~~ “Referee” means a person who is designated as a referee under the friend of the court act.

(X) ~~(w)~~ “Source of income” means an employer or successor employer or another individual or entity that owes or will owe income to the payer.

(Y) ~~(x)~~ “State disbursement unit” or “SDU” means the entity established in section 6 of the office of child support act, 1971 PA 174, MCL 400.236.

(Z) ~~(y)~~ “Support” means all of the following:

(i) The payment of money for a child or a spouse ordered by the circuit court, whether the order is embodied in an interim, temporary, permanent, or modified order or judgment. Support may include payment of the expenses of medical, dental, and other health care, child care expenses, and educational expenses.

(ii) The payment of money ordered by the circuit court under the paternity act, 1956 PA 205, MCL 722.711 to 722.730, for the necessary expenses incurred by or for the mother in connection with her confinement, for other expenses in connection with the pregnancy of the mother, or for the repayment of genetic testing expenses.

(iii) A surcharge accumulated under section 3a.

(AA) ~~(z)~~ “Support order” means an order entered by the circuit court for the payment of support, whether or not a sum certain.

(BB) ~~(aa)~~ “Work activity” means any of the following:

(i) Unsubsidized employment.

(ii) Subsidized private sector employment.

- (iii) Subsidized public sector employment.
 - (iv) Work experience, including work associated with the refurbishing of publicly assisted housing, if sufficient private sector employment is not available.
 - (v) On-the-job training.
 - (vi) Job search and job readiness assistance.
 - (vii) Community service programs.
 - (viii) Vocational educational training, not to exceed 12 months with respect to an individual.
 - (ix) Job skills training directly related to employment.
 - (x) Education directly related to employment, in the case of an individual who has not received a high school diploma or a certificate of high school equivalency.
 - (xi) Satisfactory attendance at secondary school or in a course of study leading to a certificate of general equivalence, in the case of an individual who has not completed secondary school or received such a certificate.
 - (xii) The provisions of child care services to an individual who is participating in a community service program.”.
- The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.
- Rep. Whitmer 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. 5206, entitled

A bill to amend 1982 PA 295, entitled “Support and parenting time enforcement act,” by amending sections 31 and 32 (MCL 552.631 and 552.632), as amended by 2000 PA 442.

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

Roll Call No. 904

Yeas—94

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

Nays—0

In The Chair: Julian

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

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

A bill to amend 1982 PA 295, entitled "Support and parenting time enforcement act," by amending sections 2, 31, and 32 (MCL 552.602, 552.631, and 552.632), section 2 as amended by 1999 PA 160 and sections 31 and 32 as amended by 2000 PA 442, and by adding section 32a.

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.

By unanimous consent the House returned to the order of

Motions and Resolutions

By unanimous consent the House considered **House Resolution No. 290** out of numerical order.

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution:
House Resolution No. 290.

A resolution to commend and thank the Honorable Kwame M. Kilpatrick upon his retirement from the House of Representatives.

Whereas, It is with great appreciation for his dedication to the people of the Ninth District and the entire state of Michigan that we commend the Honorable Kwame M. Kilpatrick, Minority Leader, upon his retirement from the House of Representatives. On behalf of the people of his district, colleagues, and staff, we offer our thanks for all the sacrifices he has made on behalf of our state; and

Whereas, First elected to the House of Representatives at the age of 26, Kwame M. Kilpatrick brought to the Legislature an uncommon combination of youth and extensive political experience. His parents, Congresswoman Carolyn Cheeks Kilpatrick and Bernard Kilpatrick, Chief of Staff to the Wayne County Executive, involved him in politics and community service at a very young age. These experiences and insights have proven to be of vital significance in several policy areas and in helping him bring people and organizations together to solve problems with fairness and efficiency. Representative Kilpatrick has rightly earned a reputation as a shrewd negotiator and consensus-builder; and

Whereas, Representative Kilpatrick is a graduate of Detroit's Cass Technical High School. He received his bachelor's degree in political science and teacher certification from Florida A & M University, and he went on to earn his juris doctorate from Michigan State University (Detroit College of Law); and

Whereas, Representative Kilpatrick is the youngest member and first African American to serve as House Minority Leader. His colleagues recognized him as a natural leader from the beginning of his legislative career. Prior to becoming the leader of the Democratic Caucus, Representative Kilpatrick spent the 1999-2000 session as House Minority Floor Leader and Vice-Chair of the House Transportation Committee. Legislatively, he has seen a number of his bills signed into law by the Governor, including measures to protect our environment and to assure educational opportunities for our children; and

Whereas, He is a devoted husband and father to his wife, Carlita, and sons, Jalil, Jelani, and Jonas. This, along with his involvement and leadership in various youth programs like the Boy Scouts in his community make him an outstanding role model for young people all over the state of Michigan; and

Whereas, As our friend and colleague brings to a close his efforts as a lawmaker, we wish him well in the new challenges that await him as the mayor of Michigan's largest city. We look forward to working with him in his new role for the benefit of Detroit and all of Michigan; now, therefore, be it

Resolved by the House of Representatives, That we offer this expression of our gratitude and best wishes to the Honorable Kwame M. Kilpatrick upon his retirement from the House of Representatives; and be it further

Resolved, That a copy of this resolution be transmitted to Representative Kilpatrick and his family as a reflection of our appreciation and gratitude for his outstanding efforts.

Pending the reference of the resolution to a committee,

Rep. Richardville 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.

Messages from the Senate

Senate Concurrent Resolution No. 50.

A concurrent resolution prescribing the legislative schedule.

Resolved by the Senate (the House of Representatives concurring), That when the Legislature adjourns on Thursday,

December 13, 2001, it stands adjourned until Friday, December 21, 2001, at 11:45 a.m. for the Senate and 11:30 a.m. for the House of Representatives; and be it further

Resolved, That when the Legislature adjourns on Friday, December 21, 2001, it stands adjourned without day.

The Senate has adopted the concurrent resolution.

Pending the reference of the concurrent resolution to a committee,

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

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

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

Rep. Richardville moved that when the House adjourns today it stand adjourned until Friday, December 21, at 11:30 a.m. The motion prevailed.

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 13:

House Bill Nos. 5484 5485 5486 5487 5488 5489 5490 5491 5492

The Clerk announced that the following Senate bills had been received on Thursday, December 13:

Senate Bill Nos. 451 452 543

By unanimous consent the House returned to the order of

Messages from the Senate

House Bill No. 4140, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9948) by adding chapter 80.

The Senate has passed the bill by 2/3 vote, 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. 4736, entitled

A bill to amend 1961 PA 120, entitled "An act to authorize the development or redevelopment of principal shopping districts and business improvement districts; to permit the creation of certain boards; to provide for the operation of principal shopping districts and business improvement districts; and to authorize the collection of revenue and the bonding of certain cities for the development or redevelopment projects," (MCL 125.981 to 125.987) by amending the title, as amended by 1999 PA 49, and by adding chapter 2.

The Senate has concurred in the House substitute (H-5) to the Senate substitute (S-2) and agreed to the title of the bill as amended.

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

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 Senate has concurred in the House amendments to the Senate substitute (S-2).

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

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; 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 Senate has concurred in the House amendment to the Senate substitute (S-1).

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

House Bill No. 4855, entitled

A bill to adopt the uniform child-custody jurisdiction and enforcement act prescribing the powers and duties of the court in a child-custody proceeding involving this state and a proceeding or party outside of this state; and to repeal acts and parts of acts.

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

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

House Bill No. 5140, entitled

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

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

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

House Bill No. 5259, entitled

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 20201 (MCL 333.20201), as amended by 1998 PA 88.

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

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

House Bill No. 5271, entitled

A bill to amend 1968 PA 319, entitled "An act to provide a uniform crime reporting system; to provide for the submitting of such report to the department of state police; to require submission of the report by certain police agencies; to require the reporting on wanted persons and stolen vehicles; to require the reporting of information regarding certain persons and unidentified bodies of deceased persons; to prescribe certain powers and duties of law enforcement agencies; and to vest the director of the department of state police with certain authority," by amending section 7 (MCL 28.257).

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

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

House Joint Resolution E, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 12 of article IV, to provide that the state officers compensation commission's determinations of certain salaries and expense allowances only become effective with approval of the legislature for the legislative session immediately following the next general election and for the amendment of those determinations.

The Senate has adopted the joint resolution by a 2/3 vote.

The joint resolution was referred to the Clerk for enrollment printing, certification and filing with the Secretary of State.

House Bill No. 4042, entitled

A bill to amend 1971 PA 227, entitled "An act to prescribe the rights and duties of parties to home solicitation sales," by amending the title and sections 1, 1a, 2, 3, 4, 5, 6, and 7 (MCL 445.111, 445.111a, 445.112, 445.113, 445.114, 445.115, 445.116, and 445.117), section 1 as amended by 1999 PA 18 and sections 2 and 3 as amended by 2000 PA 15.

The Senate has substituted (S-8) the bill.

The Senate has passed the bill as substituted (S-8) and amended the title to read as follows:

A bill to amend 1971 PA 227, entitled "An act to prescribe the rights and duties of parties to home solicitation sales," by amending the title and sections 1, 1a, 2, 3, 4, 5, 6, and 7 (MCL 445.111, 445.111a, 445.112, 445.113, 445.114, 445.115, 445.116, and 445.117), section 1 as amended by 1999 PA 18 and sections 2 and 3 as amended by 2000 PA 15, and by adding sections 1b, 1c, 1d, 1e, and 1f.

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

House Bill No. 4632, entitled

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending section 3 (MCL 445.903), as amended by 2000 PA 14, and by adding section 9a.

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. 4647, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16131 and 16263 (MCL 333.16131 and 333.16263), as amended by 2000 PA 11, and by adding section 16338 and part 186.

The Senate has substituted (S-3) the bill.

The Senate has passed the bill as substituted (S-3), 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 sections 16131 and 16263 (MCL 333.16131 and 333.16263), as amended by 2001 PA 139, and by adding section 16344 and part 187.

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

House Bill No. 5027, entitled

A bill to name a certain portion of highway M-69 the "Oscar G. Johnson Memorial Highway"; and to prescribe certain duties of the state transportation department.

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

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

A bill to amend 2001 PA 142, entitled "An act to consolidate prior acts naming certain Michigan highways; to provide for the naming of certain highways; to prescribe certain duties of the state transportation department; and to repeal acts and parts of acts and certain resolutions," (MCL 250.1001 to 250.1100) by adding section 72.

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

House Bill No. 5436, entitled

A bill to authorize the state administrative board to convey certain state owned property in Tuscola county; to prescribe conditions for conveyance; to provide for certain powers and duties of the department of management and budget; and to provide for the disposition of revenue derived from the conveyance.

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

The Senate has passed the bill as substituted (S-2) and amended the title to read as follows:

A bill to authorize the state administrative board to convey certain parcels of state owned property in Tuscola county and Wayne county; to prescribe conditions for conveyance; to provide for certain powers and duties of the department of management and budget; and to provide for the disposition of revenue derived from the conveyances.

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

Senate Bill No. 451, entitled

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

The Senate has passed the bill.

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

Senate Bill No. 452, entitled

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

The Senate has passed the bill.

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

Senate Bill No. 543, entitled

A bill to amend 1915 PA 312, entitled "Garage keeper's lien act," by amending sections 2, 3, 4, 5, and 6 (MCL 570.302, 570.303, 570.304, 570.305, and 570.306), sections 2 and 3 as amended and sections 4, 5, and 6 as added by 1998 PA 236, and by adding section 10.

The Senate has passed the bill.

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

Senate Concurrent Resolution No. 52.

A concurrent resolution prescribing the legislative schedule.

Resolved by the Senate (the House of Representatives concurring), That when the Senate adjourns on Thursday, December 13, 2001, it stands adjourned until Friday, December 21, 2001, at 11:45 a.m.; and be it further

Resolved, That when the House of Representatives adjourns on Friday, December 14, 2001, it stands adjourned until Friday, December 21, 2001, at 11:30 a.m.; and be it further

Resolved, That when the Legislature adjourns on Friday, December 21, 2001, it stands adjourned without day.

The Senate has adopted the concurrent resolution.

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

Rep. Kilpatrick moved that the House adjourn.

The motion prevailed, the time being 11:30 p.m.

Associate Speaker Pro Tempore Julian declared the House adjourned until Friday, December 21, at 11:30 a.m.

GARY L. RANDALL
Clerk of the House of Representatives.