

No. 9
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House Chamber, Lansing, Wednesday, February 6, 2002.

2:00 p.m.

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

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

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

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

“O Lord, our Lord, how excellent is Thy name in all the earth. Father, we come before You in reverence and in humility—in humility for Your mercy and Your grace upon us, our families, our friends and our loved ones this day. Father, we just ask Your blessings. We ask that Your truth would reign. We ask that those that You have allowed to assemble in this place would remember that they are not themselves their makers, but, that there is a God and that God is over and above them. Father, I ask that You bless us with wisdom and I pray that You bless us with discernment. More than that, I pray that You bless us with love for one another and respect for one another, and respect for this institution which You have allowed to stand this long. Father, we thank You and we praise You because the earth is the Lord’s and everything within it. In Jesus’ name, Amen.”

Rep. Jacobs moved that Rep. Rison be excused from today’s session.
The motion prevailed.

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

Reports of Standing Committees

The Speaker laid before the House
House Concurrent Resolution No. 50.

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

(For text of resolution, see House Journal No. 87 of 2001, p. 2717.)

(The concurrent resolution was reported by the Committee on Land Use and Environment on January 29, consideration of which, under the rules, was postponed until January 30.)

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

Messages from the Senate

The Senate requested the return of
Senate Bill No. 505, entitled

A bill to amend 1927 PA 175, entitled “An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending section 12 of chapter XVII (MCL 777.12), as amended by 2001 PA 104.

Rep. Middaugh moved that the request of the Senate be granted.
The motion prevailed.

Third Reading of Bills

House Bill No. 5412, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1227 (MCL 380.1227), as added by 1995 PA 289.

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

Roll Call No. 35**Yeas—106**

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

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

House Bill No. 5413, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1351 (MCL 380.1351), as amended by 1997 PA 152.

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

Roll Call No. 36**Yeas—106**

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

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

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

House Bill No. 5414, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1351a (MCL 380.1351a), as amended by 1997 PA 152.

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

Roll Call No. 37**Yeas—106**

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

DeVuyst	Kooiman	Richardville	Wojno
DeWeese	Kowall	Richner	Woodward
Drolet	Kuipers	Rivet	Woronchak
Ehardt	LaSata	Rocca	Zelenko
Faunce	Lemmons		

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

House Bill No. 5415, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1356 (MCL 380.1356), 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. 38**Yeas—106**

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

Nays—0

In The Chair: Julian

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

House Bill No. 5416, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1362 (MCL 380.1362).
Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 39

Yeas—106

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

Nays—0

In The Chair: Julian

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

House Bill No. 5417, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1363 (MCL 380.1363).
Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 40

Yeas—106

Adamini	Frank	Lipsey	Schauer
Allen	Garza	Lockwood	Schermesser

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

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

House Bill No. 5418, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1731 (MCL 380.1731).

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

Roll Call No. 41**Yeas—106**

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

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

Nays—0

In The Chair: Julian

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

House Bill No. 5419, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 17a (MCL 388.1617a), as amended by 1996 PA 300.

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

Roll Call No. 42**Yeas—106**

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

DeWeese
Drolet
Ehardt
Faunce

Kowall
Kuipers
LaSata
Lemmons

Richner
Rivet
Rocca

Woodward
Woronchak
Zelenko

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.
Rep. Middaugh 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. 5420, entitled

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

Rep. Zelenko moved to substitute (H-1) the bill.
The motion prevailed and the substitute (H-1) was adopted, a majority of the members serving voting therefor.
Rep. Zelenko moved that the bill be placed on the order of Third Reading of Bills.
The motion prevailed.

House Bill No. 5421, entitled

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

Rep. Kuipers moved to substitute (H-1) the bill.
The motion prevailed and the substitute (H-1) was adopted, a majority of the members serving voting therefor.
Rep. Kuipers moved that the bill be placed on the order of Third Reading of Bills.
The motion prevailed.

House Bill No. 5422, entitled

A bill to amend 1966 PA 331, entitled “Community college act of 1966,” by amending section 127 (MCL 389.127), as added by 1982 PA 342.
The bill was read a second time.
Rep. Meyer moved that the bill be placed on the order of Third Reading of Bills.
The motion prevailed.

House Bill No. 5423, entitled

A bill to amend 1966 PA 331, entitled “Community college act of 1966,” by amending section 144 (MCL 389.144), as amended by 1990 PA 287.
The bill was read a second time.
Rep. Pumford moved that the bill be placed on the order of Third Reading of Bills.
The motion prevailed.

House Bill No. 5496, entitled

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

Was read a 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 voting not 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. Newell moved to amend the bill as follows:

1. Amend page 11, line 8, after "coordinate." by inserting "EMERGENCY OPERATIONS PLANS AND PROGRAMS DEVELOPED UNDER THIS SUBSECTION SHALL INCLUDE PROVISIONS FOR THE DISSEMINATION OF PUBLIC INFORMATION AND LOCAL BROADCASTERS SHALL BE CONSULTED IN DEVELOPING SUCH PROVISIONS."

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

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

The motion prevailed.

House Bill No. 5506, entitled

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

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

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

Rep. Faunce moved to amend the bill as follows:

1. Amend page 2, following line 4, by inserting:

"Enacting section 1. This amendatory act takes effect May 1, 2002."

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

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

The motion prevailed.

House Bill No. 5507, entitled

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

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

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

Rep. Faunce moved to amend the bill as follows:

1. Amend page 3, following line 23, by inserting:

"(4) THE COURT MAY ORDER A TERM OF IMPRISONMENT IMPOSED FOR A VIOLATION OF THIS SECTION TO BE SERVED CONSECUTIVELY TO A TERM OF IMPRISONMENT IMPOSED FOR ANY OTHER VIOLATION OF LAW ARISING OUT OF THE SAME TRANSACTION AS THE VIOLATION OF THIS SECTION.

(5) THIS SECTION DOES NOT PROHIBIT AN INDIVIDUAL FROM BEING CHARGED WITH, CONVICTED OF, OR PUNISHED FOR ANY OTHER VIOLATION OF LAW THAT IS COMMITTED BY THAT INDIVIDUAL WHILE VIOLATING THIS SECTION."

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

Rep. Faunce moved to amend the bill as follows:

1. Amend page 3, following line 23, following subsection (5), by inserting:

"Enacting section 1. This amendatory act takes effect May 1, 2002."

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

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

The motion prevailed.

House Bill No. 5509, entitled

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

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Criminal Justice (for amendment, see House Journal No. 2, p. 25),

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

Rep. Faunce moved to amend the bill as follows:

1. Amend page 6, following line 25, by inserting:

“Enacting section 1. This amendatory act takes effect May 1, 2002.” and renumbering the remaining enacting section. The motion prevailed and the amendment was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

House Bill No. 5512, entitled

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

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

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

Rep. Faunce moved to amend the bill as follows:

1. Amend page 1, line 1, after “SEC.” by striking out “543J” and inserting “543X”.
2. Amend page 2, following line 3, by inserting:

“Enacting section 1. This amendatory act takes effect May 1, 2002.” and renumbering the remaining enacting section. The motion prevailed and the amendments were adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

House Bill No. 5349, entitled

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

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

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

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

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

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

The motion prevailed.

House Bill No. 4398, entitled

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

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5513, entitled

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

The bill was read a second time.

Rep. LaSata moved to amend the bill as follows:

1. Amend page 4, line 8, after “(i)” by striking out the balance of the subparagraph and all of subparagraphs (ii) and (iii) and inserting “CONTRIBUTED DIRECTLY AND MATERIALLY TO THE COMMISSION OF THE CRIME.” and renumbering the remaining subparagraphs.

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

Rep. LaSata moved to amend the bill as follows:

1. Amend page 5, following line 10, by inserting:

“Enacting section 1. This amendatory act takes effect May 1, 2002.”.

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

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

The motion prevailed.

Rep. Jacobs moved that Rep. Thomas 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. 5501, entitled

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

(The bill was read a third time and postponed temporarily on February 5, see House Journal No. 8, p. 105.)

The question being on the passage of the bill,

Rep. Richardville moved to amend the bill as follows:

1. Amend page 4, line 5, after "MISDEMEANOR" by striking out "OR" and inserting "WITHIN THE PRESENCE OF THE OFFICER OR A".

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

The question being on the passage of the bill,

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

Roll Call No. 43

Yeas—95

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

Nays—9

Bradstreet	Godchaux	Hummel	LaSata
DeVuyst	Gosselin	Kuipers	Pappageorge
Drolet			

In The Chair: Julian

The House agreed to the title of the bill.

Rep. Middaugh 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. 5376, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding sections 18609 and 18611.

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

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

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

The motion prevailed.

House Bill No. 5377, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding part 186.

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

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

Rep. Ehardt moved to amend the bill as follows:

1. Amend page 3, line 10, by striking out all of subsection (6).

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

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

The motion prevailed.

House Bill No. 5378, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding sections 18605 and 18607.

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

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

Rep. Jacobs moved to amend the bill as follows:

1. Amend page 2, line 16, after "BE" by inserting "A MINIMUM OF".

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

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

The motion prevailed.

House Bill No. 5379, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16221 and 16226 (MCL 333.16221 and 333.16226), as amended by 2000 PA 29, and by adding section 18613.

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

The motion prevailed.

By unanimous consent the House returned to the order of

Messages from the Senate

The Speaker laid before the House

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 bill was received from the Senate on December 13, 2001, with substitute (S-2) and title amendment given by the Senate, consideration of which, under the rules, was postponed until December 21, 2001, see House Journal No. 88, p. 2874.)

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

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

1. Amend page 5, following line 3, by inserting:

"Sec. 8a. The conveyances authorized by sections 1 and 6 shall be by quitclaim deed approved by the attorney general. The conveyances shall not reserve the mineral rights to the state; however, the conveyances shall provide that if the grantee derives any revenue from the development of any minerals found on, within, or under the conveyed property, the grantee shall pay 1/2 of that revenue to the state, for deposit in the Michigan natural resources trust fund."

2. Amend page 5, line 10, by striking out all of line 10 through "acres." on line 1, page 6 and inserting:

"A parcel of land in the N 1/2 of sections 11 & 12, T1S, R8E, Northville Township, Wayne County, Michigan and more particularly described as commencing at the E 1/4 corner of said section 12; thence S86°48'28"W 1384.05 feet, on the E-W 1/4 line of said section 12 to the point of beginning of this description; thence S86°48'28"W 1300.57 feet, on said E-W 1/4 line to the center of said section 12; thence S86°53'56"W 2726.05 feet, on said E-W 1/4 line to the W 1/4 corner of said section 12; thence N84°54'43"W 2725.96 feet, on the E-W 1/4 line of said section 11 to the center of said section 11; thence N85°00'14"W 200.15 feet, on the E-W 1/4 line of said section 11; thence N01°28'26"E 1.14 feet; thence N00°00'34"W 72.00 feet; thence N49°05'26"E 131.49 feet; thence N23°49'26"E 94.98 feet; thence N07°25'34"W 69.92 feet; thence N32°28'34"W 81.37 feet; thence N15°56'34"W 309.92 feet; thence N64°56'07"W 282.85 feet; thence 2284.99 feet, on the arc of a curve to the left with a central angle of 122°12'37", a radius of 1071.28 feet, and a long chord bearing and distance of S53°56'34"W 1875.81 feet; thence S82°56'46"W 4.24 feet, to the east right of way line of the CSX railroad; thence N12°56'16"W 479.57 feet, on said railroad right of way to the E-W 1/4 line of said section 11; thence N12°56'16"W 1042.64 feet, on said railroad right of way; thence N38°54'25"E 299.77 feet; thence N83°24'25"E 145.50 feet; thence N69°54'25"E 198.00 feet; thence N39°24'25"E 99.30 feet; thence N62°24'25"E 108.87 feet; thence S62°50'35"E 103.70 feet; thence S41°34'35"E 205.39; thence N63°04'10"E 169.60 feet; thence N89°07'10"E 74.80 feet; thence S36°20'50"E 344.00 feet; thence S36°20'50"E 106.31 feet; thence S68°13'14"E 188.90 feet; thence S82°35'18"E 67.44 feet; thence S88°15'37"E 1017.15 feet; thence N01°56'53"E 684.47 feet; thence S89°26'24"E 699.89 feet; thence S01°57'25"W 707.88 feet; thence S89°26'24"E 490.88 feet; thence N01°57'25"E 100.07 feet; thence N14°37'29"E 219.23 feet; thence S89°26'24"E 68.17 feet; thence N07°37'01"W 1045.59 feet, to the south right of way line of Seven Mile Road; thence S89°26'24"E 1202.88 feet, on said right of way to the east line of said section 11; thence N89°45'40"E 2643.20 feet, on said right of way to the N-S 1/4 line of said section 12; thence N84°12'47"E 1734.38 feet, on said right of way; thence N85°33'26"E 266.11 feet, on said right of way; thence S88°29'21"E 148.63 feet, on said right of way; thence N87°57'11"E 197.69 feet, on said right of way; thence S85°42'03"E 197.80 feet, on said right of way; thence S88°37'57"E 148.01 feet, on said right of way to the west right of way line of Haggerty Road; thence S00°00'12"W 350.00 feet, on said right of way; thence S89°59'48"W 10.00 feet, on said right of way; thence S00°00'12"W 806.77 feet, on said right of way; thence N89°59'48"W 651.16 feet; thence S54°17'10"W 793.19 feet; thence S01°37'45"W 942.94 feet, to the point of beginning, containing 422.62 acres."

3. Amend page 6, line 3, after "N-24957" by inserting a comma and "as may be amended".

4. Amend page 6, line 4, after "shall" by inserting "be by quitclaim deed approved by the attorney general and shall".

5. Amend page 6, line 12, after "oil" by striking out "and gas" and inserting a comma and "gas, and mineral".

6. Amend page 6, line 17, after "of" by striking out the balance of the line through "14," on line 18 and inserting "necessary buildings and facilities for patient care and related activities".

7. Amend page 6, line 19, after "need." by striking out "Rent" and inserting "Payment for deferred use of property".

8. Amend page 6, line 21, after "developer" by striking out the balance of the subdivision and inserting a period.

9. Amend page 7, line 4, by striking out all of section 13.

10. Amend page 7, line 12, by striking out "Sec. 14." and inserting "Sec. 13.".

11. Amend page 7, line 14, after "fund." by inserting "However, 5% of the net revenue from the sale authorized in section 9 shall be placed in a reserve fund to cover transitional costs. The department of community health shall provide the house of representatives and the senate appropriations subcommittees on community health with its transition plan for approval 9 months before the final closure of the facility.".

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

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

1. Amend page 6, following line 22, by inserting:

"Sec. 10a. The conveyance under section 9 is subject to all of the following:

(a) The department of community health shall not implement the closure or consolidation of the Northville psychiatric hospital until the community mental health service providers have programs and services in place for persons residing in the Northville psychiatric hospital.

(b) The closure or consolidation of the Northville psychiatric hospital is contingent upon adequate department-approved community mental health service provider program plans that include a discharge and aftercare plan for each person in the facility. A discharge and aftercare plan shall address the person's housing needs. A homeless shelter or similar temporary shelter arrangement is inadequate to meet the person's housing needs.

(c) By April 15, 2003, the department of community health shall submit to the house of representatives and senate appropriations committees a status report detailing, by the admitting community mental health service provider, the number of patients remaining in Northville psychiatric hospital.

(d) Four months after the certification of closure required in section 19(6) of the state employees' retirement act, 1943 PA 240, MCL 38.19, the department shall provide a closure plan to the house of representatives and senate appropriations committees.”.

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

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

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

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

1. Amend page 6, following line 3, following subsection (3), by inserting:

“Sec. 9a. Not later than May 1, 2002, the department of management and budget shall provide a written report to the chairpersons of the house of representatives and senate appropriations committees on the progress of the sale of the property in section 9. This report shall describe the sale process or processes under section 9, subsection (2), which will be used, the name of the broker or brokers used in the sale, and other information to apprise lawmakers of the status of this sale. This report is in addition to other reporting requirements of this act or other state laws.”.

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

Rep. Frank demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 44

Yeas—102

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

Nays—0

In The Chair: Julian

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

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

Roll Call No. 45**Yeas—98**

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

Nays—6

Bogardus	Rocca	Switalski	Woronchak
Godchaux	Scranton		

In The Chair: Julian

The House agreed to the title as amended.

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

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

Reps. Waters, Mans, Lipsey, Rivet, Bovin, Hansen, Minore, Basham, Zelenko, Anderson, Daniels, Quarles, McConico, Murphy, Kolb, Callahan, Phillips, Bernero, Clark, Woodward, Clarke, Hale, Neumann, Bogardus, Adamini, Schauer, Raczkowski, Spade, Rich Brown, Frank, Toy, Jacobs, Mead, Richner, Ehardt, DeWeese, Thomas, Schermesser, Switalski, Drolet, Lockwood, Dennis, Birkholz, Lemmons, Hardman, Plakas and Jamnick offered the following resolution:

House Resolution No. 312.

A resolution commemorating February 7, 2002, as National Black HIV/AIDS Awareness Day.

Whereas, The second annual National Black HIV/AIDS Awareness Day, a nationwide community mobilization effort to emphasize the HIV/AIDS "State of Emergency" among African-Americans, takes place on February 7, 2002; and

Whereas, The National Black HIV/AIDS Awareness Day is a project of the Community Capacity Building Coalition (CCBC), a coalition of national organizations funded by the Centers for Disease Control and Prevention (CDC) through the National Minority AIDS Initiative to provide capacity building assistance to community-based organizations and stakeholders involved in HIV/AIDS prevention. The members of the CCBC include Concerned Black Men, Inc., Health Watch Information and Promotion Services, Mississippi Urban Research Center, National Black Alcoholism and Addictions Council, and the National Black Leadership Commission on AIDS, Inc.; and

Whereas, The objective of the project is to encourage individuals to get educated about HIV/AIDS, tested for HIV, and get involved in advocating for the resources necessary to fight the disease; and

Whereas, The National Black HIV/AIDS Awareness Day targets fourteen major cities: Atlanta, Baltimore, Dallas, Detroit, Chicago, Houston, Los Angeles, Miami, New Orleans, New York, Oakland, Philadelphia, Raleigh-Durham, and Washington, D.C. Representatives in each of the fourteen target cities will hold public awareness events that include press conferences, town meetings, and rallies to focus attention on the seriousness of the HIV/AIDS epidemic among African Americans; and

Whereas, Radio personality Tom Joyner has been named national spokesperson and will publicize and endorse National Black HIV/AIDS Awareness Day on the "Tom Joyner Morning Show", the number one morning radio show in America. He will also make personal appearances and grant interviews to promote the event; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body commemorate February 7, 2002, as National Black HIV/AIDS Awareness Day.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

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, Wednesday, January 30:

Senate Bill Nos. 1008 1010 1011 1012 1013

The Clerk announced that the following bills had been printed and placed upon the files of the members, Friday, February 1:

**Senate Bill Nos. 1014 1015 1016 1017 1019 1020 1021 1022 1023 1024 1025 1026 1027 1028
 1029 1030 1031 1032 1033 1034 1035 1036 1037 1038 1039 1040 1041 1042
 1043 1044 1045 1046 1047 1048 1049 1050 1051 1052 1053 1054 1055 1056
 1057**

The Clerk announced that the following bill had been printed and placed upon the files of the members, Monday, February 4:

Senate Bill No. 1018

The Clerk announced that the following bills had been printed and placed upon the files of the members, Wednesday, February 6:

House Bill Nos. 5585 5586 5587 5588 5589 5590 5591

The Clerk announced that the following Senate bills had been received on Wednesday, February 6:

**Senate Bill Nos. 730 803 806 930 931 934 936 939 940 942 943 946 948 949
 995 996 997 1005 1006**

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

The Committee on Civil Law and the Judiciary, by Rep. Howell, Chair, reported
House Bill No. 5151, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9948) by adding section 2607.

With the recommendation that the substitute (H-3) 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 5151 To Report Out:

Yeas: Reps. Howell, Hummel, Bisbee, Faunce, Koetje, Richner, Voorhees, Adamini, Lipsey, Waters,

Nays: None.

The Committee on Civil Law and the Judiciary, by Rep. Howell, Chair, reported

House Bill No. 5585, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 6013 (MCL 600.6013), as amended by 2001 PA 175.

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 5585 To Report Out:

Yeas: Reps. Howell, Hummel, Bisbee, Faunce, Koetje, Richner, Voorhees, Adamini, Lipsey, Waters,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Howell, Chair of the Committee on Civil Law and the Judiciary, was received and read:

Meeting held on: Tuesday, February 5, 2002, at 3:54 p.m.,

Present: Reps. Howell, Hummel, Bisbee, Faunce, Koetje, Richner, Voorhees, Adamini, Lipsey, Waters,

Absent: Rep. McConico,

Excused: Rep. McConico.

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

Senate Bill No. 678, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 3 (MCL 205.93), as amended by 1999 PA 117.

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 678 To Report Out:

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

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

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

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

Absent: Rep. Newell,

Excused: Rep. Newell.

The Committee on House Oversight and Operations, by Rep. Patterson, Chair, reported

House Concurrent Resolution No. 36.

A concurrent resolution to memorialize the President and the Congress of the United States to work to implement United Nations resolutions to bring peace and security to Cyprus.

(For text of resolution, see House Journal No. 62 of 2001, p. 1922.)

With the recommendation that the resolution be adopted.

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

Favorable Roll Call

HCR 36 To Report Out:

Yeas: Reps. Patterson, Julian, Kuipers, Jacobs, Lipsey,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

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

Present: Reps. Patterson, Julian, Kuipers, Jacobs, Lipsey.

The Committee on Transportation, by Rep. George, Vice-Chair, reported

House Bill No. 5021, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 320a (MCL 257.320a), as amended by 2000 PA 460.

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 5021 To Report Out:

Yeas: Reps. George, Gilbert, DeRossett, Hart, Hummel, Julian, Scranton, Anderson, Bovin, Neumann,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, February 6, 2002, at 9:00 a.m.,

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

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: Tuesday, February 5, 2002, at 4:00 p.m.,

Present: Reps. Hart, DeWeese, Hager, Murphy, Bernero, Garza,

Absent: Reps. Vander Veen, Tabor, Rison,

Excused: Reps. Vander Veen, Tabor, Rison.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, February 6, 2002, at 9:00 a.m.,

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

Absent: Reps. Richardville, Daniels,

Excused: Reps. Richardville, Daniels.

Messages from the Senate**House Bill No. 4980, entitled**

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.1100) by adding section 65.

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

The House agreed to the full title.

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

Senate Bill No. 730, entitled

A bill to amend 1966 PA 189, entitled "An act to provide procedures for making complaints for, obtaining, executing and returning search warrants; and to repeal certain acts and parts of acts," by amending sections 1, 4, and 5 (MCL 780.651, 780.654, and 780.655), section 1 as amended by 1990 PA 43.

The Senate has passed the bill.

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

Senate Bill No. 803, entitled

A bill to authorize certain interceptions of communications and the use of interception devices for certain offenses; to provide for and regulate the application, issuance, and execution of interception orders; to prescribe the powers and duties of certain agencies, officers, and employees; to regulate the use and disclosure of communications and evidence intercepted or obtained under this act; to provide remedies and exemptions from liability; to prescribe penalties; and to repeal acts and parts of acts.

The Senate has passed the bill.

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

Senate Bill No. 806, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 17 of chapter XVII (MCL 777.17), as amended by 2001 PA 136.

The Senate has passed the bill.

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

Senate Bill No. 930, entitled

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

The Senate has passed the bill.

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

Senate Bill No. 931, entitled

A bill to amend 1972 PA 222, entitled "An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; and to prescribe certain penalties for violations," by amending sections 1, 1a, and 2 (MCL 28.291, 28.291a, and 28.292), section 1 as amended and section 1a as added by 1997 PA 99 and section 2 as amended by 2001 PA 238.

The Senate has passed the bill.

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

Senate Bill No. 934, entitled

A bill to amend 1945 PA 327, entitled "Aeronautics code of the state of Michigan," (MCL 259.1 to 259.208) by adding section 85a.

The Senate has passed the bill.

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

Senate Bill No. 936, entitled

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

The Senate has passed the bill.

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

Senate Bill No. 939, entitled

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

The Senate has passed the bill.

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

Senate Bill No. 940, entitled

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

The Senate has passed the bill.

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

Senate Bill No. 942, entitled

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

The Senate has passed the bill.

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

Senate Bill No. 943, entitled

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

The Senate has passed the bill.

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

Senate Bill No. 946, entitled

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

The Senate has passed the bill.

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

Senate Bill No. 948, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 24 of chapter VII (MCL 767.24), as amended by 2001 PA 6.

The Senate has passed the bill.

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

Senate Bill No. 949, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 1f of chapter IX (MCL 769.1f), as amended by 2001 PA 208.

The Senate has passed the bill.

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

Senate Bill No. 995, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16z of chapter XVII (MCL 777.16z), as amended by 2000 PA 279.

The Senate has passed the bill.

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

Senate Bill No. 996, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16v of chapter XVII (MCL 777.16v), as amended by 2000 PA 279.

The Senate has passed the bill.

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

Senate Bill No. 997, entitled

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

The Senate has passed the bill.

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

Senate Bill No. 1005, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 21513 (MCL 333.21513), as amended by 1993 PA 79.

The Senate has passed the bill.

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

Senate Bill No. 1006, entitled

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

The Senate has passed the bill.

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

Communications from State Officers

The following communication from the Department of State Police was received and read:

January 29, 2002

As chair of the Michigan Automobile Theft Prevention Authority (ATPA) Board of Directors, I am pleased to submit our 2001 Annual Report to the House. I am proud to report that Michigan is carrying on its fight against automobile theft. This report is in accordance with provisions of Act 174 of 1992.

If you would like additional copies, please feel free to contact the ATPA at (517) 336-6197.

Sincerely,

Col. Michael D. Robinson

Director

The communication was referred to the Clerk.

Introduction of Bills

Rep. Koetje introduced

House Bill No. 5592, entitled

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

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

Rep. Birkholz moved that the House adjourn.

The motion prevailed, the time being 5:20 p.m.

Associate Speaker Pro Tempore Julian declared the House adjourned until Thursday, February 7, at 12:00 Noon.

GARY L. RANDALL

Clerk of the House of Representatives.

