

No. 14
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House of Representatives
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House Chamber, Lansing, Tuesday, February 19, 2002.

2:00 p.m.

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	Lockwood—present	Schermesser—present
Allen—present	George—present	Mans—present	Scranton—present
Anderson—present	Gielegem—present	McConico—excused	Shackleton—present
Basham—excused	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—excused	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—present	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—e/d/s	Woronchak—present
Drolet—present	Kuipers—present	Rivet—present	Zelenko—present
Ehardt—present	LaSata—present	Rocca—present	
Fauce—present	Lemmons—present	Schauer—present	
Frank—present	Lipsey—present		

e/d/s = entered during session

Rev. Bryant W. Dennison, Jr., Pastor of Christ Church Grosse Pointe Episcopal in Grosse Pointe, offered the following invocation:

“Blessed are You, God of the universe. You have created us and given us life. When You speak there is light and life. When You act there is justice and love. Blessed are You, God of the planet earth. You have set our world like a radiant jewel in the heaven, and filled it with action, beauty, suffering, struggle and hope. Blessed are You, God of this country in all the peoples who live here, in all the lessons we have learned and in all that remains for us to do. Blessed are You because You need us, because You make us worthwhile, because You give us people to love and work to do for Your universe, for Your world and for ourselves. Gracious God, look with compassion on the whole human family. Take away the arrogance and hatred which infect our hearts. Break down the walls that separate us. Unite us in bonds of love and work through our struggle and confusion to accomplish Your purposes on earth. Fill with the spirit of wisdom the members of this legislature and all those to whom in Your name we entrust the authority of government, that, in all that they do, they may work for justice and peace. In the time of prosperity, fill our hearts with thankfulness and in the day of trouble, do not let our trust in You fail. Amen.”

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

Rep. Jacobs moved that Rep. Minore be excused from this week’s session.
The motion prevailed.

Messages from the Senate

The Speaker laid before the House

House Bill No. 5389, 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, and by adding sections 17b, 17c, 17d, 17f, and 17g to chapter XVII.

(The bill was received from the Senate on February 14, 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. 13, p. 246.)

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. 98

Yeas—104

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

Dennis	Johnson, Ruth	Quarles	Waters
DeRossett	Julian	Raczkowski	Whitmer
DeVuyst	Koetje	Reeves	Williams
DeWeese	Kolb	Richardville	Wojno
Drolet	Kooiman	Richner	Woodward
Ehardt	Kowall	Rivet	Woronchak
Faunce	Kuipers	Rocca	Zelenko

Nays—0

In The Chair: Birkholz

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. 5390, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 14 of chapter XVII (MCL 777.14), as amended by 2000 PA 363, and by adding sections 14a, 14b, 14c, 14d, 14f, 14g, 14h, 14j, 14m, and 14p to chapter XVII.

(The bill was received from the Senate on February 14, with an amendment, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 13, p. 246.)

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. 99**Yeas—103**

Adamini	Frank	Lemmons	Schermesser
Allen	Garza	Lipsey	Scranton
Anderson	George	Lockwood	Shackleton
Bernero	Gilbert	Mans	Sheltrown
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	Jamnack	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	Koetje	Reeves	Williams
DeVuyst	Kolb	Richardville	Wojno
DeWeese	Kooiman	Richner	Woodward
Drolet	Kowall	Rivet	Woronchak
Ehardt	Kuipers	Rocca	Zelenko
Faunce	LaSata	Schauer	

Nays—0

In The Chair: Birkholz

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.

Rep. Rison entered the House Chambers.

The Speaker laid before the House

House Bill No. 5391, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13 of chapter XVII (MCL 777.13), as amended by 2001 PA 156, and by adding sections 13b, 13c, 13d, 13e, 13f, 13g, 13j, 13k, 13m, 13n, and 13p.

(The bill was received from the Senate on February 14, with an amendment, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 13, p. 246.)

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. 100**Yeas—105**

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

Nays—0

In The Chair: Birkholz

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.

Third Reading of Bills**Senate Bill No. 604, entitled**

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending sections 2468 and 2662 (MCL 500.2468 and 500.2662).

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

Roll Call No. 101**Yeas—104**

Adamini	Frank	LaSata	Schauer
Allen	Garza	Lemmons	Schermesser
Anderson	George	Lipsey	Scranton
Bernero	Gielegem	Lockwood	Shackleton
Birkholz	Gilbert	Mans	Sheltrown
Bisbee	Godchaux	Mead	Shulman
Bishop	Gosselin	Meyer	Spade
Bogardus	Hager	Middaugh	Stallworth
Bovin	Hale	Mortimer	Stamas
Bradstreet	Hansen	Murphy	Stewart
Brown, B.	Hardman	Neumann	Switalski
Brown, C.	Hart	Newell	Tabor
Brown, R.	Howell	O’Neil	Thomas
Callahan	Hummel	Patterson	Toy
Cassis	Jacobs	Pestka	Van Woerkom
Caul	Jamnick	Phillips	Vander Roest
Clark, I.	Jansen	Plakas	Vander Veen
Clarke, H.	Jelinek	Pumford	Vear
Daniels	Johnson, Rick	Quarles	Voorhees
Dennis	Johnson, Ruth	Rackowski	Waters
DeRossett	Julian	Reeves	Whitmer
DeVuyst	Koetje	Richardville	Williams
DeWeese	Kolb	Richner	Wojno
Drolet	Kooiman	Rison	Woodward
Ehardt	Kowall	Rivet	Woronchak
Faunce	Kuipers	Rocca	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 classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and

homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker's compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to repeal acts and parts of acts; and to provide penalties for the violation of this act,".

The House agreed to the full title.

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

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

Senate Bill No. 605, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3114 (MCL 500.3114), as amended by 1984 PA 372.

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

Roll Call No. 102

Yeas—104

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

Nays—0

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.

House Bill No. 4091, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 323d (MCL 257.323d), as added by 1993 PA 359.

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

Roll Call No. 103

Yeas—104

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

Dennis	Johnson, Ruth	Quarles	Voorhees
DeRossett	Julian	Raczkowski	Whitmer
DeVuyst	Koetje	Reeves	Williams
DeWeese	Kolb	Richardville	Wojno
Drolet	Kooiman	Richner	Woodward
Ehardt	Kowall	Rison	Woronchak
Faunce	Kuipers	Rivet	Zelenko

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.

Reps. Anderson, Birkholz, Rich Brown, Callahan, Clarke, Daniels, Faunce, Gielegem, Hager, Hardman, Howell, Jacobs, Jelinek, Lemmons, Mans, Mortimer, Murphy, Phillips, Pumford, Richardville, Richner, Sheltroun, Stallworth, Stewart, Vander Veen and Wojno were named co-sponsors of the bill.

House Bill No. 5328, entitled

A bill to amend 1879 PA 237, entitled "An act to provide for the execution, acknowledgment, and recording of contracts for the sale of land," by amending section 6 (MCL 565.356), as added by 1998 PA 106.

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

Roll Call No. 104**Yeas—104**

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

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. Daniels moved that Rep. Jamnick be excused temporarily from today's session.
The motion prevailed.

Second Reading of Bills**House Bill No. 4991, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1303 (MCL 380.1303), as amended by 1995 PA 289.

The bill was read a second time.

Rep. DeWeese moved to amend the bill as follows:

1. Amend page 1, line 2, by striking out "MAY" and inserting "shall".

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

Rep. Middaugh moved to substitute (H-1) the bill.

The question being on the adoption of the substitute (H-1) offered by Rep. Middaugh,

Rep. Middaugh demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the substitute (H-1) offered by Rep. Middaugh,

After debate,

Rep. Daniels demanded the previous question.

The demand was supported.

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

The previous question was ordered.

The question being on the adoption of the substitute (H-1) offered by Rep. Middaugh,

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

Roll Call No. 105**Yeas—55**

Adamini	DeRossett	Lipsey	Richner
Anderson	Garza	Lockwood	Rison
Bernero	Gielegem	Mans	Schauer
Bishop	Godchaux	Mead	Schermesser
Bogardus	Hale	Middaugh	Scranton
Bovin	Hansen	Mortimer	Shulman
Brown, B.	Hardman	Murphy	Stewart
Brown, C.	Howell	O'Neil	Switalski
Cassis	Jacobs	Patterson	Thomas
Caul	Jelinek	Pestka	Waters
Clark, I.	Johnson, Ruth	Phillips	Williams
Clarke, H.	Kowall	Pumford	Wojno
Daniels	LaSata	Quarles	Woronchak
Dennis	Lemmons	Rackowski	

Nays—43

Allen	Frank	Kooiman	Stamas
Birkholz	George	Kuipers	Tabor
Bisbee	Gilbert	Meyer	Toy
Bradstreet	Gosselin	Neumann	Van Woerkom
Brown, R.	Hager	Newell	Vander Roest
Callahan	Hart	Pappageorge	Vander Veen
DeVuyst	Hummel	Rocca	Vear
DeWeese	Jansen	Shackleton	Voorhees
Drolet	Johnson, Rick	Sheltrown	Woodward
Ehardt	Julian	Spade	Zelenko
Faunce	Koetje	Stallworth	

In The Chair: Birkholz

Rep. Richardville moved to reconsider the vote by which the House adopted the substitute (H-1) offered by Rep. Middaugh.

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

Rep. Richardville moved that consideration of the bill be postponed for the day.

The motion prevailed.

Senate Bill No. 180, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 451 (MCL 750.451).

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 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. Patterson, Rick Johnson, Kuipers, Gosselin, Vander Roest, Kooiman, Allen, Meyer, Richardville, Toy, Howell, Middaugh, Pumford, Jelinek, Pappageorge, Ehardt, Mortimer, Bishop, Birkholz, Cassis, DeRossett, Richner, O'Neil, DeVuyst, Bisbee, Lemmons, Woodward, Daniels, Vander Veen, Voorhees, Hager, Newell, DeWeese, Mead, Stewart, Shulman, Raczkowski, Koetje, Vear and Julian offered the following resolution:

House Resolution No. 329.

A resolution to memorialize the Congress of the United States to enact the President's proposed pension reforms.

Whereas, Sound pension structures and practices are key elements of the financial security of American workers. Pension systems that are fair and dependable are also clearly in the best interest of every employer and vital to the long-term strength of every business. A family's financial security should not be jeopardized by unfair practices or inadequate information on what options are available; and

Whereas, In his State of the Union address, the President outlined the need for reforms to policies that impact 401k accounts, which have become the center point for financial planning for families across the country. The well-publicized stories of people who have lost the value of most or all of their 401k accounts as part of the collapse of major corporations offer a clear case for significant changes in the laws and regulations governing retirement savings in 401k accounts; and

Whereas, The President's proposed retirement account reforms offer specific changes in options and procedures. Among the provisions of the proposal are requirements for more information provided to account holders so that they know fully their options to diversify retirement investments; more freedom to diversify, including the ability to sell company contribution shares after being in the program three years; elimination of special executive privileges to ensure a single standard for both managers and line workers for the selling of investments; and requirements for advanced notice when, for administrative purposes, a 401k plan is scheduled to be closed to trading for a certain period; and

Whereas, The proposed reforms will bring an increased measure of security to retirement accounts for millions of Americans and deal effectively with areas of pension policies that have been abused; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to enact the President's proposed pension reforms; 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 House Oversight and Operations.

Reps. Toy, Raczkowski, Vander Veen, Tabor, Meyer, Patterson, Kooiman, Drolet, Gosselin, Richardville, Plakas, Vander Roest, Birkholz, Schauer, Neumann, Pappageorge, Mead, Shackleton, Allen, Richner, Ehardt, Bogardus, Switalski, DeWeese, Hager, Gilbert, Van Woerkom, Ruth Johnson, Hardman, Lemmons, Spade, Woodward, Sheltroun, Zelenko, Jamnick, Quarles, Daniels, Kolb, Gielegem, Clarke, Voorhees, DeVuyst, Newell, Adamini, Rich Brown, Lockwood, Middaugh, Waters, Lipsey, Kuipers, Stewart, Shulman, Howell, Anderson, DeRossett, Jelinek, Bernero, Hale, Phillips, Jacobs, Dennis, Hansen, Koetje, Vear, Faunce, Scranton, Julian, Cassis, Caul, George, Murphy and Jansen offered the following resolution:

House Resolution No. 330.

A resolution to urge the Department of Community Health to initiate a public information campaign to promote knowledge and training about automated external defibrillators.

Whereas, Over the past decade, automated external defibrillators have demonstrated remarkable effectiveness in saving lives. These small devices can restore cardiac activity after a sudden cardiac arrest. Early use of this equipment could save an estimated 50,000 lives a year. Many health organizations expect that the day will come when automated external defibrillators will become commonplace; and

Whereas, Automated external defibrillators are relatively easy to use. The American Red Cross, the American Heart Association, and other groups have initiated training classes and educational efforts to encourage businesses, organizations, and communities to make these readily available and to promote training. Positive experiences in certain public places where the devices have been placed, including airlines, have proven the lifesaving impact of this technology; and

Whereas, The federal government and many states, including Michigan, have taken steps to remove potential liability for citizens who attempt to save a life using the defibrillators. Public access defibrillation programs have been established in many communities, with emergency response personnel contributing expertise in the development of programs; and

Whereas, Michigan should do all it can to make people aware of automated external defibrillators, including promoting training and working with businesses and regulators to encourage the development of a universal logo to facilitate their use. Only when the public is fully aware of this technology will it achieve its great potential to save lives; now, therefore, be it

Resolved by the House of Representatives, That we urge the Department of Community Health to initiate a public information campaign to promote knowledge and training about automated external defibrillators; and be it further

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

The resolution was referred to the Committee on Health Policy.

Reps. Hardman, Lemmons, Neumann, Spade, Garza, Woodward, Sheltroun, Vander Roest, Zelenko, Jamnick, Quarles, Daniels, Kolb, Gielegem, Switalski, Clarke, Voorhees, Hager, DeVuyst, Ehardt, Reeves, Adamini, Rich Brown, Lockwood, Middaugh, Waters, Lipsey, DeWeese, Kuipers, Mead, Stewart, Shulman, Raczkowski, Howell, Anderson, DeRossett, Richner, Jelinek, Bernero, Hale, Whitmer, Phillips, Bogardus, Jacobs, Stallworth, Dennis, Schauer, Clark, Hansen, Vear, Faunce, Toy, Pappageorge, Julian, Thomas, Cassis, George, Murphy and Rivet offered the following resolution:

House Resolution No. 331.

A resolution honoring and commending Dr. Francis M. Wilson, M.D., Senior Vice President of Medical Services upon his retirement from St. John Health System.

Whereas, It is a distinct privilege to join with friends and colleagues in honoring Dr. Francis M. Wilson as he retires from his position of seven years as the Senior Vice President of Medical Services for St. John Health System. St. John

Health System is a growing network of community-based health care services and one of the largest employers in metropolitan Detroit. We are pleased to have this opportunity to acknowledge his contribution to our great state; and

Whereas, Dr. Wilson believed and practiced spiritually based health care, taking the compassionate nature of health care to a higher level. He embodied spiritually based health care, while still keeping a sharp eye on clinical excellence and innovation; and

Whereas, Dr. Wilson was responsible for the clinical integration process for eight of the St. John Health System hospitals and approximately 3,200 physicians spread out over 125 outpatient centers and 10 hospitals, spanning six counties. Dr. Wilson served as Interim President/CEO of St. John Health System during a time of significant transition and he led the merger of the medical staffs of Saratoga and Holy Cross Hospitals to form St. John Northeast Community Hospital. Dr. Wilson formed the St. John Health System Physician Leadership Council (PLC), which gave voice to physicians. It takes a great leader and man of action to get people who are so diverse to think as one and Dr. Wilson accomplished this great task; and

Whereas, Dr. Wilson has been involved in numerous health care initiatives throughout his community and beyond. As Chair of the St. John Health System Minority Recruitment Committee, he initiated programs to interest minority students in health care and he recruited minority students to St. John Health System residency positions. As Medical Director of the city of Detroit Northeast Clinic since 1996, he volunteered by providing patient care and organizing specialty referrals for uninsured patients. Dr. Wilson has been a powerful voice for the voiceless and many patients are indebted to him. Dr. Wilson has served as President of OHEP Center for Medical Education, a consortium of community hospital teaching programs, and as a board member of Greenleaf Center for Servant Leadership. He has served on the executive committee of the AIDS Consortium of Southeast Michigan and on the Physician Advisory Committee of the Catholic Health Association; and

Whereas, Dr. Wilson has been a teacher and mentor for more than 35 years. He has held numerous faculty appointments at Wayne State University in Detroit, Michigan where he is currently a Clinical Professor of Internal Medicine. St. John Health System is very proud of and grateful to Dr. Wilson for the great examples he has set, the partnerships he has forged, and the health system he has helped strengthen; now therefore, be it

Resolved by the House of Representatives, That the members of the legislative body join in honoring and commending Dr. Francis M. Wilson, M.D. upon the occasion of his retirement from St. John Health Systems as Vice President of Medical Services; and be it further

Resolved, That a copy of this resolution be transmitted to Dr. Francis M. Wilson as a token of our admiration for his fine work in the health care profession.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Kowall, Hardman, Lemmons, Neumann, Spade, Woodward, Sheltroun, Richardville, Vander Roest, Zelenko, Jamnick, Quarles, Daniels, Gielegem, Switalski, Clarke, Vander Veen, Gosselin, Meyer, Voorhees, Hager, DeVuyst, Ehardt, Adamini, Rich Brown, Lockwood, Middaugh, Lipsey, DeWeese, Kuipers, Mead, Stewart, Shulman, Raczkowski, Howell, Anderson, DeRossett, Richner, Jelinek, Bernero, Phillips, Bogardus, Birkholz, Jacobs, Dennis, Schauer, Hansen, Koetje, Vear, Faunce, Toy, Pappageorge, Julian, Thomas, Cassis, George and Murphy offered the following resolution;

House Resolution No. 332.

A resolution expressing admiration and appreciation to Dr. Howard Heitzeg upon his retirement as Superintendent of Waterford School District.

Whereas, The retirement of Dr. Howard Heitzeg as Waterford School District superintendent brings to a close a 40-year career of dedicated public service to the people of Oakland County; and

Whereas, In the four decades he has been with the Waterford School District, he has been committed to public education and followed the noble pursuit of educating young people, forwarding a tradition that has been an important part of Michigan's heritage. Since becoming Superintendent of Waterford Public Schools in 1994, he has instilled life-long skills and helped build self-confidence in thousands of youngsters who have grown to adulthood as capable and upstanding citizens; and

Whereas, With his bachelor of science degree from Minnesota State University, master of arts degree from Western Kentucky University, and his Ph.D. from Michigan State University, Dr. Heitzeg has served Waterford Schools in many capacities, including teacher of science and mathematics at the high school level, science curriculum consultant, Substance Abuse Program Director, and legislative liaison for the school district. He was also active in community groups such as the PTA and other organizations related to Waterford School District; and

Whereas, When a person supports educational excellence as Dr. Heitzeg has, those efforts do not go unrecognized. Dr. Heitzeg was tapped to serve as Administrative Assistant to the Associate Superintendent for Health Education at the Michigan Department of Education; and

Whereas, Though the tools used by modern day teachers are far different than the slates and one-room schools of yesteryear, Dr. Heitzeg has much in common with teachers from our pioneer era who worked so hard to build the future of this state through its children; and

Whereas, In addition to his professional achievements and numerous community activities Dr. Heitzeg has served his family, wife Yvette, two children, and three grandchildren with love, honor, and commitment; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body express our admiration and appreciation to Dr. Howard Heitzeg upon his retirement as Superintendent of Waterford School District. May he enjoy the health and happiness his years of hard work have earned; and be it further

Resolved, That a copy of this resolution be transmitted to Dr. Heitzeg and his family as a symbol of our esteem for his outstanding service to the community.

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.

Reports of Standing Committees

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

House Resolution No. 192.

A resolution to memorialize the Congress of the United States to amend the Internal Revenue Code to accommodate certain tax issues related to the phase out of Oldsmobile.

(For text of resolution, see House Journal No. 64 of 2001, p. 1952.)

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

HR 192 To Report Out:

Yeas: Reps. Allen, Bishop, Gilbert, Howell, Koetje, Middaugh, Van Woerkom, Vear, Rivet, Lemmons, Lipsey, Waters, Zelenko,

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: Tuesday, February 19, 2002, at 9:00 a.m.,

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

Absent: Rep. McConico,

Excused: Rep. McConico.

The Committee on Land Use and Environment, by Rep. Ruth Johnson, Chair, reported

Senate Bill No. 692, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 36105, 36106, 36109, 36111, and 36206 (MCL 324.36105, 324.36106, 324.36109, 324.36111, and 324.36206), sections 36105 and 36106 as amended by 1996 PA 233, section 36109 as amended by 2000 PA 421, and section 36111 as amended and section 36206 as added by 2000 PA 262.

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

1. Amend page 7, line 6, after "SUBSECTION" by striking out "(9)" and inserting "(4)".

2. Amend page 21, line 17, after "TO" by striking out the balance of the line through "EASEMENT" on line 18 and inserting "AN AGRICULTURAL CONSERVATION EASEMENT OR PURCHASE OF DEVELOPMENT RIGHTS".

3. Amend page 21, following line 24, by inserting:

“Sec. 36111a. (1) Upon request from a landowner and a local governing body, the state land use agency shall relinquish farmland from the development rights agreement if 1 or both of the following occur:

(a) The local governing body determines 1 or more of the following:

(i) That, because of the quality of the farmland, agricultural production cannot be made economically viable with generally accepted agricultural and management practices.

(ii) That surrounding conditions impose physical obstacles to the agricultural operation or prohibit essential agricultural practices.

(iii) That significant natural physical changes in the farmland have occurred that are generally irreversible and permanently limit the productivity of the farmland.

(iv) That a court order restricts the use of the farmland so that agricultural production cannot be made economically viable.

(b) The local governing body determines that the relinquishment is in the public interest and that the farmland to be relinquished meets 1 or more of the following conditions:

(i) The farmland is to be owned, operated, and maintained by a public body for a public use.

(ii) The farmland had been zoned for the immediately preceding 3 years for a commercial or industrial use.

(iii) THE FARMLAND IS ZONED FOR COMMERCIAL OR INDUSTRIAL USE AND THE RELINQUISHMENT OF THE FARMLAND WILL BE MITIGATED BY 1 OF THE FOLLOWING MEANS:

(A) FOR EVERY 1 ACRE OF FARMLAND TO BE RELINQUISHED, AN AGRICULTURAL CONSERVATION EASEMENT WILL BE ACQUIRED OVER 2 ACRES OF FARMLAND LOCATED WITHIN THE SAME LOCAL UNIT OF GOVERNMENT WHERE THE FARMLAND TO BE RELINQUISHED IS LOCATED. THE AGRICULTURAL CONSERVATION EASEMENT SHALL BE HELD BY THE LOCAL UNIT OF GOVERNMENT WHERE THE FARMLAND TO BE RELINQUISHED IS LOCATED OR, IF THE LOCAL GOVERNING BODY DECLINES TO HOLD THE AGRICULTURAL CONSERVATION EASEMENT, BY THE STATE LAND USE AGENCY.

(B) IF AN AGRICULTURAL CONSERVATION EASEMENT CANNOT BE ACQUIRED AS PROVIDED UNDER SUB-SUBPARAGRAPH (A), THERE WILL BE DEPOSITED INTO THE STATE AGRICULTURAL PRESERVATION FUND CREATED IN SECTION 36202 AN AMOUNT EQUAL TO TWICE THE VALUE OF THE DEVELOPMENT RIGHTS TO THE FARMLAND BEING RELINQUISHED, AS DETERMINED BY A CERTIFIED APPRAISAL.

(iv) ~~(iii)~~ The farmland is to be owned, operated, and maintained by an organization exempt from taxation under section 501(c)(3) of the internal revenue code of 1986, 26 U.S.C. 501, and the relinquishment will be beneficial to the local community.

(2) In determining public interest under subsection (1)(b), the governing body shall consider all of the following:

(a) The long-term effect of the relinquishment upon the preservation and enhancement of agriculture in the surrounding area, including any nonfarm encroachment upon other agricultural operations in the surrounding area.

(b) Any other reasonable and prudent site alternatives to the farmland to be relinquished.

(c) Any infrastructure changes and costs to the local governmental unit that will result from the development of the farmland to be relinquished.

(3) If a landowner's relinquishment application under this section is denied by the local governing body, the landowner may appeal that denial to the state land use agency. In determining whether to grant the appeal and approve the relinquishment, the state land use agency shall follow the criteria established in subsection (1)(a) or follow the criteria in subsection (1)(b) and consider the factors described in subsection (2).

(4) The state land use agency shall review an application approved by the local governing body to verify that the criteria provided in subsection (1)(a) were met or the criteria in subsection (1)(b) were met and the factors in subsection (2) were considered. If the local governing body did not render a determination in accordance with this subsection, the state land use agency shall not relinquish the farmland from the development rights agreement.

(5) A local governing body may elect to waive its right to make a relinquishment determination under subsection (1)(a) or (b) by providing written notice of that election to the state land use agency. The written notice shall grant the state land use agency sole authority to grant or deny the application as provided in this section.

(6) A decision by the state land use agency to grant or deny an application for relinquishment under this section that adversely affects a land owner or a local governing body is subject to a contested case hearing as provided under this act and the administrative procedures act of 1969, ~~Act No. 306 of the Public Acts of 1969, being sections 24.201 to 24.328 of the Michigan Compiled Laws 1969 PA 306, MCL 24.201 TO 24.328.~~

(7) As used in this section, “economic viability” means that the cash flow returning to the farming operation is positive. The local governing body or state land use agency shall evaluate an application for relinquishment, and determine the economic viability of the affected farming operation, by doing all of the following:

(a) Estimating crop, livestock, or product value of the farmland using locally accepted production methods and local United States department of agriculture yield capabilities for the specific soil types and average price for crop, livestock, or product over the past 5 years.

(b) Adding average yearly property tax credits afforded by the development rights agreement over the immediately preceding 5-year period.

(c) Subtracting estimated expenses directly attributed to the production of the crop, livestock, or product, including, but not limited to, seed, fertilizer, insecticide, building and machinery repair, drying, trucking, and property taxes.

(d) Subtracting the estimated cost of the operator's labor and management time at rates established by the United States department of agriculture for "all labor", Great Lakes area, as published in the United States department of agriculture labor reports.

(e) Subtracting typical capital replacement cost per acre of nonland assets using a useful life depreciation rate for comparable farming operations."

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

Favorable Roll Call

SB 692 To Report Out:

Yeas: Reps. Ruth Johnson, Koetje, Birkholz, DeRossett, DeVuyst, Ehardt, Tabor, Kolb, Gielegem, Hale,
Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Ruth Johnson, Chair of the Committee on Land Use and Environment, was received and read:

Meeting held on: Tuesday, February 19, 2002, at 10:30 a.m.,

Present: Reps. Ruth Johnson, Koetje, Birkholz, DeRossett, DeVuyst, Ehardt, Tabor, Kolb, Gielegem, Hale,

Absent: Rep. Basham,

Excused: Rep. Basham.

The Committee on Criminal Justice, by Rep. Kowall, Vice-Chair, reported

House Bill No. 5154, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 50a (MCL 750.50a), as added by 1994 PA 42.

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 5154 To Report Out:

Yeas: Reps. Faunce, Kowall, Bishop, DeWeese, George, Raczkowski, Callahan, O'Neil, Rison,
Nays: None.

The Committee on Criminal Justice, by Rep. Kowall, Vice-Chair, reported

House Bill No. 5600, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 479c.

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 5600 To Report Out:

Yeas: Reps. Faunce, Kowall, Bishop, George, Howell, Raczkowski, O'Neil,
Nays: None.

The Committee on Criminal Justice, by Rep. Kowall, Vice-Chair, reported

House Bill No. 5601, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16x of chapter XVII (MCL 777.16x), as amended by 2000 PA 473.

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 5601 To Report Out:

Yeas: Reps. Faunce, Kowall, Bishop, George, Howell, Raczkowski, O'Neil,
Nays: None.

The Committee on Criminal Justice, by Rep. Kowall, Vice-Chair, reported

Senate Bill No. 1029, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 449, 450, and 462 (MCL 750.449, 750.450, and 750.462).

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 1029 To Report Out:

Yeas: Reps. Faunce, Kowall, Bishop, DeWeese, George, Raczkowski, Callahan, O'Neil, Rison,
Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, February 19, 2002, at 10:30 a.m.,

Present: Reps. Faunce, Kowall, Bishop, DeWeese, George, Howell, Raczkowski, Callahan, O'Neil, Rison,

Absent: Rep. McConico,

Excused: Rep. McConico.

The Committee on Health Policy, by Rep. Ehardt, Chair, reported

Senate Bill No. 517, entitled

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

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

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

Favorable Roll Call

SB 517 To Report Out:

Yeas: Reps. Ehardt, Raczkowski, Bradstreet, George, Ruth Johnson, Scranton, Vander Veen, Woronchak, Schauer,
Nays: Reps. Neumann, Adamini.

The Committee on Health Policy, by Rep. Ehardt, Chair, reported

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.

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 1005 To Report Out:

Yeas: Reps. Ehardt, Raczkowski, Bradstreet, George, Ruth Johnson, Rocca, Scranton, Vander Veen, Woronchak, Neumann, Adamini, Hardman, Schauer, Williams,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Ehardt, Chair of the Committee on Health Policy, was received and read:
Meeting held on: Tuesday, February 19, 2002, at 9:00 a.m.,

Present: Reps. Ehardt, Raczkowski, Bradstreet, George, Ruth Johnson, Rocca, Scranton, Vander Veen, Woronchak, Neumann, Adamini, Hardman, Schauer, Williams,

Absent: Rep. Garza,

Excused: Rep. Garza.

The Committee on Employment Relations, Training and Safety, by Rep. Gosselin, Chair, reported

House Bill No. 5107, entitled

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending section 161 (MCL 418.161), as amended by 1996 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 5107 To Report Out:

Yeas: Reps. Gosselin, Bisbee, Kuipers, Meyer, Bernero, Dennis,

Nays: None.

The Committee on Employment Relations, Training and Safety, by Rep. Gosselin, Chair, reported

House Bill No. 5314, entitled

A bill to amend 1978 PA 397, entitled "Bullard-Plawecki employee right to know act," (MCL 423.501 to 423.512) by amending the title and by adding section 9a.

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 5314 To Report Out:

Yeas: Reps. Gosselin, Bisbee, Kuipers, Meyer, Bernero, Dennis,

Nays: None.

The Committee on Employment Relations, Training and Safety, by Rep. Gosselin, Chair, reported

House Bill No. 5540, entitled

A bill to amend 1995 PA 29, entitled "Uniform unclaimed property act," by amending section 16 (MCL 567.236).

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 5540 To Report Out:

Yeas: Reps. Gosselin, Bisbee, Kuipers, Meyer, Bernero,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Gosselin, Chair of the Committee on Employment Relations, Training and Safety, was received and read:

Meeting held on: Tuesday, February 19, 2002, at 9:00 a.m.,

Present: Reps. Gosselin, Bisbee, Kuipers, Meyer, Bernero, Dennis,

Absent: Rep. Minore,

Excused: Rep. Minore.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced the enrollment printing and presentation to the Governor on Friday, February 15, for his approval of the following bills:

Enrolled House Bill No. 4487 at 1:13 p.m.
Enrolled House Bill No. 4812 at 1:15 p.m.
Enrolled House Bill No. 5382 at 1:17 p.m.

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

House Bill No. 5674

The Clerk announced the enrollment printing and presentation to the Governor on Tuesday, February 19, for his approval of the following bills:

Enrolled House Bill No. 5022 at 2:03 p.m.
Enrolled House Bill No. 5023 at 2:05 p.m.
Enrolled House Bill No. 5024 at 2:07 p.m.
Enrolled House Bill No. 5025 at 2:09 p.m.
Enrolled House Bill No. 5186 at 2:11 p.m.

The Clerk announced that the following bills had been printed and placed upon the files of the members, Tuesday, February 19:

House Bill Nos. 5661 5662 5663 5664 5665 5666 5667 5668 5669 5670 5671 5672 5673

The Clerk announced that the following Senate bills had been received on Tuesday, February 19:

Senate Bill Nos. 859 887 889 892 897 1060 1061 1062 1063 1064 1067 1068 1069 1070
1071 1072 1073 1074 1076 1080 1081 1083 1084

By unanimous consent the House returned to the order of

Messages from the Senate

House Bill No. 4028, entitled

A bill to establish procedures for municipalities to designate individual lots or structures as blighting; to purchase or condemn blighting property; to transfer blighting property for development; and to repeal acts and parts of acts.

The Senate has substituted (S-4) the bill.

The Senate has passed the bill as substituted (S-4) and ordered that it be given immediate effect.

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

Senate Bill No. 859, entitled

A bill to amend 1967 (Ex Sess) PA 7, entitled "Urban cooperation act of 1967," by amending section 7 (MCL 124.507), as amended by 1985 PA 10.

The Senate has passed the bill.

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

Senate Bill No. 887, entitled

A bill to amend 1937 PA 329, entitled "An act providing for compensation to certain peace officers injured in active duty, and payment to surviving spouses and dependents in case of death arising from active duty; and to make an appropriation therefor," by amending section 3 (MCL 419.103).

The Senate has passed the bill.

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

Senate Bill No. 889, entitled

A bill to amend 1933 PA 89, entitled "An act to prevent fraud, deception and imposition in the solicitation within the state of Michigan of the deposit of bonds, notes, debentures and other evidences of indebtedness under, and/or the consent of the holders or owners of such securities, to a protective committee agreement, and to prevent fraud, deception and imposition in the operations and activities of protective committees organized within the state of Michigan to act for and in behalf of the holders or owners of such securities, and for such purposes to create a commission to regulate and supervise the establishment and the operations of protective committees, depositaries

under protective committee agreements, and solicitors for protective committee agreements; to authorize said commission to have supervision over defaulted bonds, notes, debentures, certificates of participation and similar evidences of indebtedness; to prescribe the powers and duties of such commission; to license members of protective committees, depositaries under protective committee agreements and solicitors for protective committee agreements; to regulate and supervise and control the solicitation by anyone of bonds, notes, debentures and all other similar evidences of indebtedness, issued by the maker of any security for the purpose of procuring the modification and/or amendment and/or foreclosure of any instrument in writing securing any issue of bonds, notes, debentures and all other similar evidences of indebtedness; to authorize such commission to act as custodian or receiver and appoint custodians, agents and managers of defaulted mortgage property under orders of court or otherwise; to prescribe penalties for violation of this act; and to repeal Act No. 37 of the Public Acts of the first extra session of 1932," by amending section 13 (MCL 451.313).

The Senate has passed the bill.

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

Senate Bill No. 892, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 204 and 208 (MCL 500.204 and 500.208).

The Senate has passed the bill.

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

Senate Bill No. 897, entitled

A bill to amend 1946 (1st 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 sections 7 and 8 (MCL 35.607 and 35.608).

The Senate has passed the bill.

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

Senate Bill No. 1060, entitled

A bill to repeal 1870 (Ex Sess) PA 5, entitled "An act to authorize the introduction of water into, and the construction or purchase of hydraulic works in the cities and villages in the state of Michigan," (MCL 123.111 to 123.130).

The Senate has passed the bill.

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

Senate Bill No. 1061, entitled

A bill to repeal 1923 PA 60, entitled "An act to authorize the board of supervisors of any county of this state, severally, or in conjunction with the legislative body or board of any 1 or more cities or villages having a population in excess of 5,000 according to the last official census to establish and operate a public agricultural produce market or markets or sell, exchange or abandon the same," (MCL 46.101 to 46.104).

The Senate has passed the bill.

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

Senate Bill No. 1062, entitled

A bill to amend 1913 PA 380, entitled "An act to regulate gifts of real and personal property to cities, villages, townships, and counties, and the use of the those gifts; and to validate all such gifts made before the enactment of this act," by amending section 2 (MCL 123.872), as added by 1985 PA 9.

The Senate has passed the bill.

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

Senate Bill No. 1063, entitled

A bill to amend 1981 PA 97, entitled "Michigan municipal distributable aid bond act," by amending section 10 (MCL 141.1030), as amended by 1987 PA 281; 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 Tax Policy.

Senate Bill No. 1064, entitled

A bill to amend 1990 PA 72, entitled "Local government fiscal responsibility act," by amending sections 12, 21, and 33 (MCL 141.1212, 141.1221, and 141.1233), section 33 as amended by 1992 PA 265.

The Senate has passed the bill.

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

Senate Bill No. 1067, entitled

A bill to amend 1971 PA 182, entitled "An act to permit a city or village owning and operating a public utility to borrow money for a term not to exceed 5 years for the purpose of purchasing, acquiring, constructing, improving, enlarging, extending or repairing the facilities of the public utility; to issue notes or other evidences of indebtedness therefor; to repay such borrowing from the revenues of the utility; to permit the pledging or assignment of bonds or other securities or evidences of debt held as investments for said public utility to secure such borrowings; and to provide other powers, rights and duties," by amending sections 1 and 2 (MCL 460.461 and 460.462), section 2 as amended by 1983 PA 121.

The Senate has passed the bill.

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

Senate Bill No. 1068, entitled

A bill to repeal 1919 PA 325, entitled "An act to authorize and empower cities to own and acquire land, by gift, purchase, condemnation, or otherwise, for the erection of memorials to soldiers and sailors; to authorize the erection of such memorials and determine the character thereof; to provide for the appropriation of money for the acquisition, erection and maintenance thereof, for the assessment, levy and collection of taxes, the borrowing of money, and the issuing of bonds therefor, and for the custody, control and management of such memorials," (MCL 35.871 to 35.873).

The Senate has passed the bill.

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

Senate Bill No. 1069, entitled

A bill to amend 1951 PA 33, entitled "An act to provide police and fire protection for townships and for certain areas in townships, certain incorporated villages, and cities under 15,000 population; to authorize contracting for fire and police protection; to authorize the purchase of fire and police equipment, and the maintenance and operation of the equipment; to provide for defraying the cost of the equipment; to authorize the creation of special assessment districts and the levying and collecting of special assessments; to authorize the issuance of special assessment bonds in anticipation of the collection of special assessments and the advancement of the amount necessary to pay such bonds, and to provide for reimbursement for such advances by reassessment if necessary; to authorize the collection of fees for certain emergency services in townships and other municipalities; to authorize the creation of administrative boards and to prescribe their powers and duties; to provide for the appointment of traffic officers and to prescribe their powers and duties; and to repeal certain acts and parts of acts," by amending section 1 (MCL 41.801), as amended by 1998 PA 545.

The Senate has passed the bill.

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

Senate Bill No. 1070, entitled

A bill to repeal 1911 PA 228, entitled "An act to authorize the boards of supervisors of the several counties in this state to borrow money, and issue bonds therefor, for the purchase of land and improve the same by the erection of buildings and other improvements thereon or for the purpose of improving and erecting buildings upon lands already purchased and held by said county to be used for the purpose of holding thereon fairs and exhibitions of an agricultural character," (MCL 46.111).

The Senate has passed the bill.

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

Senate Bill No. 1071, entitled

A bill to repeal 1911 PA 26, entitled "An act to legalize the proceedings taken by any village in the state of Michigan, incorporated under Act No. 3 of the Public Acts of 1895, as amended, authorizing the issuance of bonds for the purpose of securing an additional water supply and extending the municipal lighting plant of any such village," (MCL 79.1 to 79.2).

The Senate has passed the bill.

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

Senate Bill No. 1072, entitled

A bill to repeal 1925 PA 209, entitled "An act to authorize any incorporated village having a population of 1,000 or less, which may be the county seat of any county in this state, to borrow money, and issue bonds therefor, for the purpose of buying or building a courthouse or jail or both for said county in such village, upon approval of the electors of said village," (MCL 79.41 to 79.43).

The Senate has passed the bill.

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

Senate Bill No. 1073, entitled

A bill to amend 1929 PA 312, entitled "The metropolitan district act," by amending sections 4 and 5 (MCL 119.4 and 119.5).

The Senate has passed the bill.

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

Senate Bill No. 1074, entitled

A bill to amend 1925 PA 234, entitled "An act to provide for the creation and establishment of port districts; to prescribe their rights, powers, duties and privileges; to prescribe their powers of regulation in certain cases; to prescribe their powers in respect to acquiring, improving, enlarging, extending, operating, maintaining and financing various projects and the conditions upon which certain of said projects may extend into another state or county," by amending section 32 (MCL 120.32).

The Senate has passed the bill.

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

Senate Bill No. 1076, entitled

A bill to amend 1989 PA 292, entitled "Metropolitan councils act," by amending section 19 (MCL 124.669), as amended by 1998 PA 373.

The Senate has passed the bill.

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

Senate Bill No. 1080, entitled

A bill to amend 1987 PA 204, entitled "Low-level radioactive waste authority act," by amending section 20a (MCL 333.26220a).

The Senate has passed the bill.

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

Senate Bill No. 1081, entitled

A bill to repeal 1931 PA 316, entitled "An act to authorize cities and villages to construct, own, equip, operate, maintain and improve works for the disposal of sewage; to authorize charges against owners of premises for the use of such works and to provide for the collection of the same; to authorize cities and villages to issue revenue bonds payable solely from the revenues of such works; and to make such bonds exempt from taxation and to make them lawful investments of sinking funds; to authorize contracts for the use of such works by private corporations and by other cities and villages and political subdivisions and charges against owners of premises therein served thereby," (MCL 123.201 to 123.220).

The Senate has passed the bill.

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

Senate Bill No. 1083, entitled

A bill to repeal 1941 PA 66, entitled "An act validating all proceedings heretofore had by the governing body of any city in this state having a water front bordering on any navigable waters which has heretofore provided for the acquisition, improvement and repair of water front facilities and improvements and for the issuance of revenue bonds in payment of the cost thereof; validating provisions which may have been made by such cities for the operation and control of such facilities and improvements; granting to such cities the right to license ferries and similar commercial craft and to impose fees and charges for the use of public piers, wharves, docks and landing places therein and to regulate and license the construction, operation, maintenance and business of owning private piers, wharves, docks and landing places of boats, ferries and craft on and adjacent to any lands bordering on such navigable waters with power to cancel such licenses and to make rules and regulations governing the construction, operation and maintenance thereof; validating any agreements which may have been entered into for the leasing of any part of such facilities or

improvements; authorizing the issuance of such bonds; and granting supervision and regulation by such cities of all lands located therein which border on such navigable waters, including lands owned by the state of Michigan," (MCL 123.601 to 123.604).

The Senate has passed the bill.

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

Senate Bill No. 1084, entitled

A bill to amend 1976 PA 448, entitled "Michigan energy employment act of 1976," by amending section 42 (MCL 460.842), as amended by 1983 PA 120.

The Senate has passed the bill.

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

Notices

February 19, 2002

Mr. Gary L. Randall, Clerk
House of Representatives
State Capitol Building
Lansing, Michigan 48913

Dear Mr. Randall:

The following members of the 91st Legislature are appointed to the House Standing Committee on Health Insurance for 2001-2002 Legislative Session:

Health Insurance

Judith Scranton (C), Andrew Richner (VC), Stephen Ehardt, Andrew Raczkowski, Tom George, Paul Wojno (Min. VC), Andy Neumann, Michael Switalski, and Patricia Lockwood.

Sincerely,
Rick Johnson
Speaker of the House

Messages from the Governor

The following messages from the Governor, approving and signing the following bills at the times designated below, were received and read:

Date: February 14, 2002
Time: 2:30 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5436 (Public Act No. 6, I.E.), being

An act 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.

(Filed with the Secretary of State February 14, 2002, at 4:30 p.m.)

Date: February 18, 2002
Time: 11:02 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4195 (Public Act No. 11, I.E.), being

An act 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,” (MCL 333.1101 to 333.25211) by adding section 21723.

(Filed with the Secretary of State February 19, 2002, at 11:40 a.m.)

Date: February 18, 2002
Time: 11:05 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4980 (Public Act No. 12, I.E.), being

An act 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 65.

(Filed with the Secretary of State February 19, 2002, at 11:42 a.m.)

Date: February 18, 2002
Time: 11:11 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5005 (Public Act No. 13, I.E.), being

An act to amend 1984 PA 44, entitled “An act to provide purity and quality standards for motor fuels; to regulate the transfer, sale, dispensing, or offering motor fuels for sale; to provide for an inspection and testing program; to provide for the powers and duties of certain state agencies; to provide for the licensing of certain persons engaged in the transfer, sale, dispensing, or offering of motor fuels for sale; to regulate stage I and stage II vapor-recovery systems at certain facilities; to provide for fees; and to provide remedies and prescribe penalties,” by amending sections 3, 4a, 5, 6, 9i, 10a, and 10b (MCL 290.643, 290.644a, 290.645, 290.646, 290.649i, 290.650a, and 290.650b), section 3 as amended by 2000 PA 206, section 4a as added by 1986 PA 127, and sections 5 and 6 as amended and sections 9i, 10a, and 10b as added by 1993 PA 236.

(Filed with the Secretary of State February 19, 2002, at 11:44 a.m.)

Date: February 18, 2002
Time: 11:00 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5009 (Public Act No. 14, I.E.), being

An act to amend 1975 PA 238, entitled “An act to require the reporting of child abuse and neglect by certain persons; to permit the reporting of child abuse and neglect by all persons; to provide for the protection of children who are abused or neglected; to authorize limited detention in protective custody; to authorize medical examinations; to prescribe the powers and duties of the state department of social services to prevent child abuse and neglect; to prescribe certain powers and duties of local law enforcement agencies; to safeguard and enhance the welfare of children and preserve family life; to provide for the appointment of legal counsel; to provide for the abrogation of privileged communications; to provide civil and criminal immunity for certain persons; to provide rules of evidence in certain cases; to provide for confidentiality of records; to provide for the expungement of certain records; to prescribe penalties; and to repeal certain acts and parts of acts,” by amending section 13 (MCL 722.633), as amended by 1996 PA 309.

(Filed with the Secretary of State February 19, 2002, at 11:46 a.m.)

Introduction of Bills

Reps. Shackleton, Gilbert, Allen, Adamini, Neumann, Stamas and Rich Brown introduced
House Bill No. 5675, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 502 (MCL 324.502), as amended by 1998 PA 114.

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

Reps. Howell, Jelinek and Birkholz introduced

House Bill No. 5676, entitled

A bill to amend 1967 PA 288, entitled "Land division act," by amending section 109 (MCL 560.109), as amended by 1997 PA 87.

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

Reps. Quarles, Callahan, Murphy, Neumann, Basham, Kolb, McConico, Bogardus, Richner and Lemmons introduced

House Bill No. 5677, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 217 (MCL 257.217), as amended by 2000 PA 397.

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

Rep. DeWeese introduced

House Bill No. 5678, entitled

A bill to amend 1917 PA 167, entitled "Housing law of Michigan," by amending section 134 (MCL 125.534).

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

Rep. Rich Brown introduced

House Bill No. 5679, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 217a (MCL 257.217a), as amended by 1988 PA 419.

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

Reps. Birkholz, Drolet, Meyer, Vander Veen, Lipsey, Voorhees, Stewart and Kooiman introduced

House Bill No. 5680, entitled

A bill to amend 1945 PA 47, entitled "An act to authorize 2 or more cities, townships, and villages, or any combination of cities, townships, and villages, to incorporate a hospital authority for planning, promoting, acquiring, constructing, improving, enlarging, extending, owning, maintaining, and operating 1 or more community hospitals and related buildings or structures and related facilities; to provide for the sale, lease, or other transfer of a hospital owned by a hospital authority to a nonprofit corporation established under the laws of this state for no or nominal monetary consideration; to define hospitals and community hospitals; to provide for changes in the membership therein; to authorize the cities, townships, and villages to levy taxes for community hospital purposes; to provide for the issuance of bonds; to provide for the pledge of assessments; to provide for borrowing money for operation and maintenance and issuing notes for operation and maintenance; to validate elections heretofore held and notes heretofore issued; to validate bonds heretofore issued; to authorize condemnation proceedings; to grant certain powers of a body corporate; to validate and ratify the organization, existence, and membership of entities acting as hospital authorities under the act and the actions taken by hospital authorities and by the members of the hospital authorities; and to prescribe penalties and provide remedies," by amending sections 5, 6, and 7 (MCL 331.5, 331.6, and 331.7), section 5 as amended by 1984 PA 17 and section 7 as amended by 1983 PA 78.

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

Rep. Bob Brown moved that the House adjourn.

The motion prevailed, the time being 3:45 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, February 20, at 2:00 p.m.

GARY L. RANDALL
Clerk of the House of Representatives.