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House Chamber, Lansing, Wednesday, March 13, 2002.

2:00 p.m.

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

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

Rep. Bob Brown, from the 16th District, offered the following invocation:

From Matthew 5: 3-11:

“Blessed are the poor in spirit: for theirs is the kingdom of heaven. Blessed are they that mourn: for they shall be comforted. Blessed are the meek: for they shall inherit the earth. Blessed are they which do hunger and thirst after righteousness: for they shall be filled. Blessed are the merciful: for they shall obtain mercy. Blessed are the pure in heart: for they shall seek God. Blessed are the peacemakers: for they shall be called the children of God. Blessed are they which are persecuted for righteousness’ sake: for theirs is the kingdom of heaven. Blessed are ye, when men shall revile you, and persecute you, and shall say all manner of evil against you falsely, for My sake.

God, please bless this honorable body as we do the people’s work this day. Amen.”

Rep. Jacobs moved that Rep. Callahan be excused from today’s and tomorrow’s session.
The motion prevailed.

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

Reports of Standing Committees

The Committee on House Oversight and Operations, by Rep. Patterson, Chair, reported
House Bill No. 5665, entitled

A bill to amend 1919 PA 71, entitled “An act to provide for the formulation and establishment of a uniform system of accounting and reporting in the several departments, offices, and institutions of the state government, and in all county offices; to provide for the examination of the books and accounts of each state department, office, and institution, and of each county office; to provide for financial reports from all such departments, institutions, and offices, and for the tabulation and publication of comparative financial statistics relating thereto; to provide for the administration of this act; to provide for the powers and duties of the department of treasury, the auditor general, the library of Michigan and depository libraries, and other officers and entities; to provide penalties; and to provide for meeting the expense authorized by this act,” by amending the title and sections 1, 2, 5, 6, 7, 8, 9, 10, 11, and 12 (MCL 21.41, 21.42, 21.45, 21.46, 21.47, 21.48, 21.49, 21.50, 21.51, and 21.52), the title as amended by 1996 PA 426, section 5 as amended by 1993 PA 196, and sections 11 and 12 as amended by 1985 PA 48; and to repeal acts and parts of acts.

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

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

Favorable Roll Call

HB 5665 To Report Out:

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

Nays: None.

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

House Bill No. 5750, entitled

A bill to amend 1984 PA 44, entitled “Motor fuels quality act,” by amending section 4a (MCL 290.644a), as added by 1986 PA 127.

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 5750 To Report Out:

Yeas: Reps. Patterson, Julian, Kuipers, Jacobs, Lipsey,
Nays: None.

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

House Bill No. 5752, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by repealing sections 712 and 713 (MCL 257.712 and 257.713).

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 5752 To Report Out:

Yeas: Reps. Patterson, Julian, Kuipers, Jacobs, Lipsey,
Nays: None.

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

House Bill No. 5754, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by repealing part 51 (MCL 324.5101 to 324.5103).

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 5754 To Report Out:

Yeas: Reps. Patterson, Julian, Kuipers, Jacobs, Lipsey,
Nays: None.

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

House Bill No. 5755, entitled

A bill to repeal 1927 PA 98, entitled "An act authorizing the state highway commissioner of the state of Michigan to enter into an agreement with the Wisconsin state highway commission to construct an interstate bridge project extending from approximately the intersection of Ogden avenue and Chandler street in the city of Menominee, Michigan, in a straight line terminating at the approximate center of Dunlap square in the city of Marinette, Wisconsin, and to provide for the cost and expense thereof," (MCL 254.121 to 254.123).

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 5755 To Report Out:

Yeas: Reps. Patterson, Julian, Kuipers, Jacobs, Lipsey,
Nays: None.

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

Senate Bill No. 1057, entitled

A bill to amend 1925 PA 12, entitled "An act to provide for the laying out and establishing of additional trunk line mileage; to make all roads that have been improved as federal aid projects, and all roads that have been, or that may hereafter be, approved for federal aid, trunk line highways; to provide for the widening, altering or straightening of trunk line highways; to provide for the abandonment, alteration or change of any portion of the trunk line highway; and to repeal all acts and parts of acts inconsistent herewith," by repealing section 2 (MCL 250.112).

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 1057 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, March 13, 2002, at 10:30 a.m.,

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

The Committee on Energy and Technology, by Rep. Bradstreet, Chair, reported

Senate Bill No. 880, entitled

A bill to create a telecommunication rights-of-way oversight authority; to provide for fees; to prescribe the powers and duties of municipalities and certain state agencies and officials; to provide for penalties; and to repeal acts and parts of acts.

With the recommendation that the substitute (H-4) be adopted and that the bill then pass.

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

Favorable Roll Call

SB 880 To Report Out:

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

Nays: None.

The Committee on Energy and Technology, by Rep. Bradstreet, Chair, reported

Senate Bill No. 881, entitled

A bill to create the Michigan broadband development authority; to create funds and accounts; to authorize the issuing of bonds and notes; to prescribe the powers and duties of the authority; and to provide incentives for the development of broadband services.

With the recommendation that the substitute (H-4) be adopted and that the bill then pass.

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

Favorable Roll Call

SB 881 To Report Out:

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

Nays: None.

The Committee on Energy and Technology, by Rep. Bradstreet, Chair, reported

Senate Bill No. 999, entitled

A bill to amend 1905 PA 282, entitled "An act to provide for the assessment of the property, by whomsoever owned, operated or conducted, of railroad companies, union station and depot companies, telegraph companies, telephone companies, sleeping car companies, express companies, car loaning companies, stock car companies, refrigerator car companies, and fast freight companies, and all other companies owning, leasing, running or operating any freight, stock, refrigerator, or any other cars, not being exclusively the property of any railroad company paying taxes upon its rolling stock under the provisions of this act, over or upon the line or lines of any railroad or railroads in this state, and for the levy of taxes thereon by a state board of assessors, and for the collection of such taxes, and to repeal all acts or parts of acts contravening any of the provisions of this act," (MCL 207.1 to 207.21) by adding section 13b.

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

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

Favorable Roll Call

SB 999 To Report Out:

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

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, March 13, 2002, at 8:00 a.m.,

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

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

House Bill No. 5643, entitled

A bill to make appropriations for the department of career development and the Michigan strategic fund and certain other state purposes for the fiscal year ending September 30, 2003; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agencies.

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 5643 To Report Out:

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

Nays: None.

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

House Bill No. 5649, entitled

A bill to make appropriations for the department of military and veterans affairs for the fiscal years ending September 30, 2002 and September 30, 2003; to provide for the expenditure of the appropriations; to provide for certain powers and duties of the department of military and veterans affairs, other state agencies, and local units of government related to the appropriations; and to provide for the preparation of certain reports related to the appropriations.

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 5649 To Report Out:

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

Nays: None.

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

House Bill No. 5650, entitled

A bill to make appropriations for the department of state police and certain other state purposes for the fiscal year ending September 30, 2003; to provide for the expenditure of those appropriations; to provide for certain reports and the consideration of those reports; to provide for the disposition of other income received by the various state agencies; to provide for the testing of certain persons; to provide for certain emergency powers; and to provide for the powers and duties of certain committees, certain state agencies, and certain employees.

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 5650 To Report Out:

Yeas: Reps. Shulman, LaSata, Cameron Brown, Caul, Godchaux, Jelinek, Kooiman, Mead, Mortimer, Newell, Pappageorge, Pumford, Shackleton, Stamas, Stewart, Toy, Vander Roest,
Nays: Reps. Clarke, Stallworth.

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

Senate Bill No. 1105, entitled

A bill to make appropriations for the state institutions of higher education and certain state purposes related to education for the fiscal year ending September 30, 2003; to provide for the expenditures of those appropriations; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

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 1105 To Report Out:

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, March 12, 2002, at 9:00 a.m.,

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

Absent: Rep. Jansen,

Excused: Rep. Jansen.

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

Senate Bill No. 829, entitled

A bill to amend 1967 PA 55, entitled "An act relating to the management of state funds; to prescribe the powers and duties of the state treasurer and the state administrative board; and to repeal certain acts and parts of acts," by amending section 1 (MCL 12.51).

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 829 To Report Out:

Yeas: Reps. Cassis, Vear, Drolet, Faunce, Gosselin, Kowall, Richardville, Woronchak, Basham, Bob Brown, O'Neil,
Nays: None.

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

Senate Bill No. 830, entitled

A bill to amend 1965 PA 380, entitled "Executive organization act of 1965," by repealing section 88 (MCL 16.188).

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 830 To Report Out:

Yeas: Reps. Cassis, Vear, Drolet, Faunce, Gosselin, Kowall, Richardville, Woronchak, Basham, Bob Brown, O'Neil,
Nays: None.

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

Senate Bill No. 831, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 389 (MCL 18.1389), as amended by 1988 PA 504.

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 831 To Report Out:

Yeas: Reps. Cassis, Vear, Drolet, Faunce, Gosselin, Kowall, Richardville, Woronchak, Basham, Bob Brown, O'Neil,
Nays: None.

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

Senate Bill No. 832, entitled

A bill to amend 1955 PA 70, entitled "An act to authorize cities to acquire and operate exhibition areas for commercial, industrial and agricultural products; to provide for the issuance of bonds to finance the cost thereof; to authorize the fixing and collecting of fees and other charges for the use of facilities therein; and to authorize the making of reasonable rules and regulations relative to the public use of facilities therein," by amending section 5 (MCL 123.655).

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 832 To Report Out:

Yeas: Reps. Cassis, Vear, Drolet, Faunce, Gosselin, Kowall, Meyer, Richardville, Woronchak, Basham, Bob Brown, O'Neil,
Nays: None.

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

Senate Bill No. 833, entitled

A bill to amend 1933 PA 99, entitled "An act to authorize villages, townships, cities, and school districts to enter into contracts and agreements for the purchase of real or personal property for public purposes; to provide for the payment of the purchase price thereof; to authorize school districts to enter into certain other contracts; and to prescribe the use of the real or personal property," by amending section 1 (MCL 123.721), as amended by 1997 PA 77.

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 833 To Report Out:

Yeas: Reps. Cassis, Vear, Drolet, Faunce, Gosselin, Kowall, Meyer, Richardville, Woronchak, Basham, Bob Brown, O'Neil,
Nays: None.

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

Senate Bill No. 835, entitled

A bill to amend 1980 PA 450, entitled "The tax increment finance authority act," by amending section 15 (MCL 125.1815), as amended by 1996 PA 271.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

SB 835 To Report Out:

Yeas: Reps. Cassis, Vear, Drolet, Faunce, Gosselin, Kowall, Meyer, Richardville, Woronchak, Basham, Bob Brown, O'Neil,
Nays: None.

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

Senate Bill No. 836, entitled

A bill to amend 1994 PA 325, entitled "The international tradeport development authority act," by amending section 16 (MCL 125.2536); and to repeal acts and parts of acts.

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 836 To Report Out:

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

Nays: None.

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

Senate Bill No. 837, entitled

A bill to amend 1995 PA 280, entitled "An act to authorize local units of government to accept financial transaction device payments," by amending section 1 (MCL 129.221).

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 837 To Report Out:

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

Nays: None.

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

Senate Bill No. 838, entitled

A bill to amend 1995 PA 266, entitled "An act to authorize and regulate credit card transactions involving local units of government, including the use of credit cards by officers and employees of local units of government; and to provide for powers and duties of certain state and local agencies, officers, and employees," by amending sections 1 and 2 (MCL 129.241 and 129.242), section 1 as amended by 2000 PA 169.

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 838 To Report Out:

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

Nays: None.

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

Senate Bill No. 839, entitled

A bill to amend 1968 PA 2, entitled "Uniform budgeting and accounting act," by amending section 4 (MCL 141.424), as amended by 2000 PA 493.

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 839 To Report Out:

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

Nays: None.

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

Senate Bill No. 842, entitled

A bill to repeal 1998 PA 379, entitled "Michigan tax lien sale and collateralized securities act," (MCL 211.921 to 211.941).

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 842 To Report Out:

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

Nays: None.

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

Senate Bill No. 843, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 6097 (MCL 600.6097), as amended by 1984 PA 393.

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 843 To Report Out:

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

Nays: None.

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

Senate Bill No. 844, entitled

A bill to repeal 1992 PA 275, entitled "The federal facility development act," (MCL 3.931 to 3.940); 1993 PA 126, entitled "The federal data facility act," (MCL 3.951 to 3.961); and section 483 of 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.483).

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 844 To Report Out:

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

Nays: None.

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

Senate Bill No. 845, entitled

A bill to amend 1846 RS 16, entitled "Of the powers and duties of townships, the election and duties of township officers, and the division of townships," by amending section 75b (MCL 41.75b), as amended by 1990 PA 230.

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 845 To Report Out:

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

Nays: None.

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

Senate Bill No. 846, entitled

A bill to amend 1931 PA 246, entitled "An act to provide for the construction, repair, and maintenance of pavements, sidewalks, and elevated structures on or along public roads and highways; to provide for the levying of taxes and of special assessments; to authorize the borrowing of money and the issuance of bonds; to prescribe the powers and duties of certain state and local agencies and officers; to validate actions taken, special assessments levied, and bonds issued; and to provide for the lighting of certain roads, highways, and bridges," by amending section 13a (MCL 41.283a).

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 846 To Report Out:

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

Nays: None.

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

Senate Bill No. 847, entitled

A bill to amend 1941 PA 107, entitled "An act to authorize township water supply and sewage disposal services and facilities; to provide for financing of those services and facilities; to prescribe the powers and duties of township boards with respect to those services and facilities; and to prescribe penalties and provide remedies," by amending sections 8, 20m, and 20o (MCL 41.338, 41.350m, and 41.350o), section 8 as amended and sections 20m and 20o as added by 1989 PA 83.

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 847 To Report Out:

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

Nays: None.

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

Senate Bill No. 848, entitled

A bill to amend 1923 PA 116, entitled "Township and village public improvement and public service act," by amending section 6c (MCL 41.416c), as added by 1989 PA 82.

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 848 To Report Out:

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

Nays: None.

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

Senate Bill No. 849, entitled

A bill to amend 1905 PA 157, entitled "An act to provide for the acquisition, maintenance, management, and control of township parks, resorts, bathing beaches, and places of recreation; to provide for the creation of a township park commission; to provide for a board of commissioners to provide for the issuance of bonds and the levy of taxes; to

provide for the transfer of certain real property for parks; to authorize cities and villages to appropriate money for park purposes; to provide for the acquisition, construction, and use of wharves, piers, docks, and landing places in townships; to provide the powers and duties of certain local units of government and certain officials; and to prescribe penalties and provide remedies,” by amending section 6d (MCL 41.426d), as added by 1989 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 849 To Report Out:

Yeas: Reps. Cassis, Vear, Drolet, Faunce, Gosselin, Kowall, Meyer, Richardville, Woronchak, Basham, Bob Brown, O’Neil,

Nays: None.

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

Senate Bill No. 850, entitled

A bill to amend 1954 PA 188, entitled “An act to provide for the making of certain improvements by townships; to provide for paying for the improvements by the issuance of bonds; to provide for the levying of taxes; to provide for assessing the whole or a part of the cost of improvements against property benefited; and to provide for the issuance of bonds in anticipation of the collection of special assessments and for the obligation of the township on the bonds,” by amending section 15 (MCL 41.735).

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 850 To Report Out:

Yeas: Reps. Cassis, Vear, Drolet, Faunce, Gosselin, Kowall, Meyer, Richardville, Woronchak, Basham, Bob Brown, O’Neil,

Nays: None.

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

Senate Bill No. 851, entitled

A bill to amend 1947 PA 359, entitled “The charter township act,” by amending section 14a (MCL 42.14a), as amended by 1995 PA 212.

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 851 To Report Out:

Yeas: Reps. Cassis, Vear, Drolet, Faunce, Gosselin, Kowall, Meyer, Richardville, Woronchak, Basham, Bob Brown, O’Neil,

Nays: None

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

Senate Bill No. 852, entitled

A bill to amend 1851 PA 156, entitled “An act to define the powers and duties of the county boards of commissioners of the several counties, and to confer upon them certain local, administrative and legislative powers; and to prescribe penalties for the violation of the provisions of this act,” by amending section 11c (MCL 46.11c), as amended by 1989 PA 30.

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 852 To Report Out:

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

Nays: None.

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

Senate Bill No. 853, entitled

A bill to amend 1895 PA 3, entitled "The general law village act," by amending section 36 of chapter VIII, sections 5, 21, and 25 of chapter IX, and sections 4 and 5 of chapter XII (MCL 68.36, 69.5, 69.21, 69.25, 72.4, and 72.5), section 36 of chapter VIII as amended by 1989 PA 28 and sections 5, 21, and 25 of chapter IX and sections 4 and 5 of chapter XII as amended by 1998 PA 254.

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 853 To Report Out:

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

Nays: None.

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

Senate Bill No. 854, entitled

A bill to amend 1909 PA 278, entitled "The home rule village act," by amending section 24b (MCL 78.24b), as amended by 1989 PA 29.

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 854 To Report Out:

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

Nays: None.

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

Senate Bill No. 855, entitled

A bill to amend 1895 PA 215, entitled "The fourth class city act," by amending sections 10 and 25 (MCL 107.10 and 110.25), section 10 as amended by 1983 PA 45.

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 855 To Report Out:

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

Nays: None.

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

Senate Bill No. 856, entitled

A bill to amend 1948 (1st Ex Sess) PA 31, entitled "An act to provide for the incorporation of authorities to acquire, furnish, equip, own, improve, enlarge, operate, and maintain buildings, automobile parking lots or structures, recreational facilities, stadiums, and the necessary site or sites therefor, together with appurtenant properties and facilities necessary or convenient for the effective use thereof, for the use of any county, city, village, or township, or for the use of any combination of 2 or more counties, cities, villages, or townships, or for the use of any school district

and any city, village, or township wholly or partially within the district's boundaries, or for the use of any school district and any combination of 2 or more cities, villages, or townships wholly or partially within the district's boundaries, or for the use of any intermediate school district and any constituent school district or any city, village, or township, wholly or partially within the intermediate school district's boundaries; to provide for compensation of authority commissioners; to permit transfers of property to authorities; to authorize the execution of contracts, leases, and subleases pertaining to authority property and the use of authority property; to authorize incorporating units to impose taxes without limitation as to rate or amount and to pledge their full faith and credit for the payment of contract of lease obligations in anticipation of which bonds are issued by an authority; to provide for the issuance of bonds by such authorities; to validate action taken and bonds issued; to provide other powers, rights, and duties of authorities and incorporating units, including those for the disposal of authority property; and to prescribe penalties and provide remedies," by amending section 11j (MCL 123.961j), as amended by 1983 PA 29; and to repeal acts and parts of acts.

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 856 To Report Out:

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

Nays: None.

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

Senate Bill No. 857, entitled

A bill to amend 1994 PA 425, entitled "An act to provide for the creation of community swimming pool authorities; to provide powers and duties of the authorities; to provide for the levy of a tax by the authorities; and to provide for the collection and distribution of the tax," by amending sections 9 and 11 (MCL 123.1069 and 123.1071).

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 857 To Report Out:

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

Nays: None.

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

Senate Bill No. 858, entitled

A bill to amend 2000 PA 321, entitled "Recreational authorities act," by amending section 21 (MCL 123.1151).

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 858 To Report Out:

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

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, March 13, 2002, at 10:30 a.m.,

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

Absent: Reps. Newell, Quarles, Hale, Minore, Wojno,

Excused: Reps. Newell, Quarles, Hale, Minore, Wojno.

Messages from the Governor

The following message from the Governor was received March 13, 2002 and read:

EXECUTIVE ORDER**No. 2002 - 3****MICHIGAN PUBLIC EDUCATIONAL FACILITIES AUTHORITY****MICHIGAN STRATEGIC FUND****MICHIGAN MUNICIPAL BOND AUTHORITY****MICHIGAN DEPARTMENT OF TREASURY****EXECUTIVE REORGANIZATION**

WHEREAS, Article V, Section 1, of the Constitution of the state of Michigan of 1963 vests the executive power in the Governor; and

WHEREAS, Article V, Section 2, of the Constitution of the state of Michigan of 1963 empowers the Governor to make changes in the organization of the Executive Branch or in the assignment of functions among its units, which he considers necessary for efficient administration; and

WHEREAS, the state of Michigan has public schools that are in need of new public educational facilities or whose existing public educational facilities are in need of renovation and remodeling; and

WHEREAS, the United States Congress recently passed, and President George W. Bush signed, The Economic Growth and Tax Relief Reconciliation Act of 2001, which includes a provision authorizing the issuance of "qualified public educational facility bonds" as exempt facility bonds under Section 142 of the Internal Revenue Code of 1986, as amended, being 26 USC 142; and

WHEREAS, The Economic Growth and Tax Relief Reconciliation Act of 2001 limits the amount of qualified public educational facility bonds that may be issued as tax-exempt bonds and provides that the state may allocate the amount of qualified public educational facility bonds in such manner as the state deems appropriate; and

WHEREAS, the availability of exempt facility bonds for qualified public educational facilities will provide public schools across the country with a means for addressing the difficulties encountered in financing the construction, rehabilitation, refurbishing or equipping of public educational facilities; and

WHEREAS, the state can effectively and efficiently provide for a qualified public educational facility bond program by establishing a new authority, the Michigan Public Educational Facilities Authority, within the Department of Treasury; and

WHEREAS, the creation of the Michigan Public Educational Facilities Authority may also create an opportunity for the state of Michigan to partner with other states to facilitate the acquisition of capital for the construction, rehabilitation, refurbishing or equipping of qualified public educational facilities; and

WHEREAS, it is necessary in the interests of efficient administration and good government to effect changes in the organization of the Executive Branch of government.

NOW, THEREFORE, I, John Engler, Governor of the state of Michigan, pursuant to the powers vested in me by the Constitution of the state of Michigan of 1963 and the laws of the state of Michigan, do hereby order the following:

I. DEFINITIONS

As used herein:

A. "Authority" means the Michigan Public Educational Facilities Authority created by this Order.

B. "Board" means the Michigan Public Educational Facilities Authority Board of Trustees created by this Order.

C. The "Center for Educational Performance and Information" means the temporary state agency created by Executive Order 2000-9, being Section 388.996 et seq. of the Michigan Compiled Laws.

D. The "Department of Treasury" means the principal department created by Section 75 of Act No. 380 of the Public Acts of 1965, being Section 16.175 of the Michigan Compiled Laws.

E. The "Michigan Municipal Bond Authority" means the body corporate created under the Shared Credit Rating Act, Act No. 227 of the Public Acts of 1985, as amended, being Section 141.1051 et seq. of the Michigan Compiled Laws, and includes the Michigan Municipal Bond Authority Board of Trustees.

F. The "Michigan Strategic Fund" means the public body corporate and politic created under Act No. 270 of the Public Acts of 1984, as amended, being Section 125.2001 et seq. of the Michigan Compiled Laws, and includes the Michigan Strategic Fund Board of Directors.

G. "Public School" means a public elementary or secondary educational entity or agency that is established under the Revised School Code, Act No. 451 of the Public Acts of 1976, as amended, being Section 380.1 et seq. of the Michigan Compiled Laws, and has as its primary mission the teaching and learning of academic and vocational-technical skills and knowledge, and is operated by a school district, local act school district, special act school district, intermediate school district, public school academy corporation, strict discipline academy corporation, or by the Department of Education or the State Board of Education. Public school also includes a laboratory school or other elementary or secondary school that is controlled and operated by a state public university described in Article VIII, Section 4, 5 or 6, of the Constitution of the state of Michigan of 1963.

H. "Qualified Public Educational Facility" shall have the same meaning as defined in Section 422 of The Economic Growth and Tax Relief Reconciliation Act of 2001, codified in Section 142 of the Internal Revenue Code of 1986, as amended, being 26 USC 142.

II. CREATION OF THE MICHIGAN PUBLIC EDUCATIONAL FACILITIES AUTHORITY

A. The Michigan Public Educational Facilities Authority is hereby created as a public body corporate and politic. The authority shall be located within the Department of Treasury and shall exercise the powers transferred or assigned to it by this executive order independently of the State Treasurer, except that budgeting, personnel, procurement and related functions shall be performed under the direction and supervision of the State Treasurer.

B. The purposes, powers and duties of the authority shall be vested in and exercised by a board of trustees consisting of:

1. The State Treasurer, who may appoint a representative from the Department of Treasury to serve as a voting member of the board in the absence of the State Treasurer.
2. Four (4) trustees appointed by the governor, with the advice and consent of the Senate. Not more than two (2) of the trustees appointed under this subsection shall be members of the same political party.

C. Except as otherwise provided in this subsection, appointed trustees shall hold office for a term of four (4) years. However, of the trustees initially appointed, the Governor shall designate two (2) to serve a term of four (4) years, one (1) to serve a term of three (3) years, and one (1) to serve a term of two (2) years.

D. A vacancy on the board caused by the expiration of a term or other cause of termination of membership on the board shall be filled in the same manner as the original appointment.

E. A trustee appointed to fill a vacancy created other than by expiration of a term shall be appointed for the unexpired term of the trustee who he or she is to succeed in the same manner as the original appointment. A trustee may be reappointed for additional terms.

III. OPERATIONS OF THE MICHIGAN PUBLIC EDUCATIONAL FACILITIES AUTHORITY BOARD OF TRUSTEES

A. The Governor shall designate one trustee to serve as chairperson of the board. The chairperson shall serve as chairperson at the pleasure of the Governor.

B. The board may adopt bylaws, not inconsistent with law and with this Order, governing its organization, operation and procedure.

C. The business which the board may perform shall be conducted at a public meeting of the board held in compliance with the Open Meetings Act, Act No. 267 of the Public Acts of 1976, being Section 15.261 et seq. of the Michigan Compiled Laws. Public notice of the time, date, and place of the meeting shall be given in the manner required by Act No. 267 of the Public Acts of 1976.

D. A majority of the serving trustees constitutes a quorum for the transaction of business at a meeting. The board shall act by a majority vote of the trustees present at a meeting.

E. The board shall meet at the call of the chairperson and as may be provided in the bylaws of the board. Meetings of the board may be held at any location within the state of Michigan.

F. The board may, as appropriate, make inquiries, studies, and investigations, hold hearings, and receive comments from the public.

G. Trustees shall serve without compensation. Trustees may receive reimbursement for necessary travel and expenses according to the relevant procedures of the Civil Service Commission and the Department of Management and Budget.

H. The board may hire or retain such contractors, sub-contractors, advisors, consultants and agents, and may make and enter into contracts necessary or incidental to the exercise of the powers of the board and the performance of its duties as the board may deem advisable and necessary, in accordance with the relevant statutes, rules and procedures of the Civil Service Commission and the Department of Management and Budget.

I. Subject to appropriations and other applicable law, the board may apply for, receive and expend monies from any source, public or private, including but not limited to, gifts, grants, donations of monies and government appropriations. The board may also accept donations of labor, services or other things of value from any public or private agency or person.

J. The authority shall be staffed by personnel within the Department of Treasury, as designated by the State Treasurer.

IV. MICHIGAN STRATEGIC FUND

All the statutory authority, powers, duties, functions and responsibilities with respect to a commercial enterprise involving the construction, rehabilitation, refurbishing or equipping of school facilities that are occupied or to be occupied by a public school, provided under the Michigan Strategic Fund Act, Act No. 270 of the Public Acts of 1984, as amended, being Section 125.2001 et seq. of the Michigan Compiled Laws, including without limitation the power to issue bonds and notes and to enter into contracts, are hereby transferred from the Michigan Strategic Fund and the Michigan Strategic Fund Board of Directors to the Michigan Public Educational Facilities Authority and the Michigan Public Educational Facilities Authority Board of Trustees.

V. BOND VOLUME ALLOCATION

The authority is hereby designated and authorized to receive and utilize all allocations of the amount of tax-exempt obligations that may be issued to finance qualified public educational facilities as provided by Section 142(k)(5) of the Internal Revenue Code of 1986, as amended, being 26 USC 142(k)(5).

VI. MICHIGAN MUNICIPAL BOND AUTHORITY

A. Except as provided in Paragraph B, the statutory authority, powers, duties, functions and responsibilities of the Michigan Municipal Bond Authority and the Michigan Municipal Bond Authority Board of Trustees, including without limitation the power to issue bonds and notes and enter into contracts, as such authority, powers, duties, functions and responsibilities relate to governmental units which are a public school academy or a laboratory school or other elementary or secondary school that is controlled and operated by a state public university described in Article VIII, Section 4, 5 or 6, of the constitution of the state of Michigan of 1963, including but not limited to the statutory authority, powers, duties, functions and responsibilities set forth in the Shared Credit Rating Act, Act No. 227 of the Public Acts of 1985, as amended, being Section 141.1051 et seq. of the Michigan Compiled Laws, Section 1225 of the Revised School Code, Act No. 451 of the Public Acts of 1976, as amended, being Section 380.1225 of the Michigan Compiled Laws, and the State School Aid Act of 1979, Act No. 94 of the Public Acts of 1979, as amended, being Section 388.1601 et seq. of the Michigan Compiled Laws, are hereby transferred from the Michigan Municipal Bond Authority and the Michigan Municipal Bond Authority Board of Trustees to the Michigan Public Educational Facilities Authority and the Michigan Public Educational Facilities Authority Board of Trustees.

B. The transfer provided for in Subsection A. does not transfer the authorities, powers, duties, functions, responsibilities, rights and obligations of the Michigan Municipal Bond Authority and the Michigan Municipal Bond Authority Board of Trustees related to:

1. any outstanding public school academy bonds or notes or any reserve or trust funds relating to such bonds or notes; or
2. any long-term public school academy facility program financing for which an application was submitted to the Michigan Municipal Bond Authority on July 23, 2001, including that portion of the appropriation for public school academy financing to be deposited into the reserve fund for that transaction.

VII. MISCELLANEOUS

A. The State Treasurer shall provide executive direction and supervision for the implementation of all transfers of authority to the Michigan Public Educational Facilities Authority made under this Order.

B. The State Treasurer shall administer the assigned functions transferred by this Order in such ways as to promote efficient administration and shall make internal organizational changes as may be administratively necessary to complete the realignment of responsibilities prescribed by this Order.

C. The State Treasurer shall identify the program positions and administrative function positions that will be transferred to the Michigan Public Educational Facilities Authority according to the terms of this Order. The State Treasurer shall develop an agreement specifying these positions no later than the effective date of this Order.

D. The State Treasurer shall immediately initiate coordination with the directors of all other state departments and agencies having authority transferred to the Michigan Public Educational Facilities Authority under this Order to facilitate the transfer and to develop memoranda of record identifying any pending settlements, issues of compliance with applicable federal and state laws and regulations, or other obligations to be resolved related to the authority to be transferred.

E. All records, personnel, property, grants and unexpended balances of appropriations, allocations and other funds used, held, employed, available or to be made available to any entity for the activities, powers, duties, functions and responsibilities transferred from the Michigan Municipal Bond Authority and the Michigan Strategic Fund by this Order are hereby transferred to the Michigan Public Educational Facilities Authority.

F. The State Treasurer may request the assistance of other state agencies with respect to personnel, budgeting, procurement, information systems and other management-related functions and such agencies shall provide such assistance.

G. The Michigan Public Educational Facilities Authority will prepare and submit an annual report to the Center for Educational Performance and Information which will include the total number of bond issues, dollar amount of the bond issues, number of public schools assisted, the geographic distribution of the bond financing and the types of facilities financed.

H. The State Treasurer may by written instrument delegate a duty or power conferred by law or this Order and the person to whom such duty or power is so delegated may perform such duty or exercise such power at the time and to the extent that such duty or power is delegated by the State Treasurer.

I. All rules, orders, contracts, grants and agreements relating to the functions transferred to the Michigan Public Educational Facilities Authority by this Order lawfully adopted prior to the effective date of this Order by the responsible state agency shall continue to be effective until revised, amended or rescinded.

J. The State Budget Director shall determine and authorize the most efficient manner possible for handling financial transactions and records affected by this Order in the state's financial management system for the remainder of this fiscal year.

K. The Michigan Public Educational Facilities Authority is a separate and distinct authority from the School Bond Loan Fund established by Act No. 74 of the Public Acts of 1955, as amended, being Section 388.921 et seq. of the Michigan Compiled Laws, and shall have no impact on the amount of loans available to school districts through the School Bond Loan Fund.

L. The invalidity of any portion of this Order shall not affect the validity of the remainder thereof.

M. Executive Order 2001-11, creating the Michigan Public Educational Facilities Authority and the Michigan Public Educational Facilities Authority Board of Trustees, is hereby rescinded in its entirety as of the effective date of this order. The Michigan Public Educational Facilities Authority and the Michigan Public Educational Facilities Authority Board of Trustees created by Executive Order 2001-11 are hereby abolished as of the effective date of this Order.

In fulfillment of the requirement of Article V, Section 2, of the Constitution of the state of Michigan of 1963, the provisions of this Executive Order shall become effective sixty (60) days from the filing of this Order.

[SEAL]

Given under my hand and the Great Seal of the state of Michigan this 13th day of March, in the Year of our Lord, Two Thousand Two.

John Engler
Governor
By the Governor:
Candice S. Miller
Secretary of State

The message was referred to the Clerk.

Communications from State Officers

The following communication from the Department of Consumer and Industry Services was received and read:

March 8, 2002

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

<u>Type of Report</u>	<u>Facility</u>	<u>Report #</u>	<u>License #</u>
Special Investigation Report	Arbor Heights Community Justice Center	2002C0207011	CS810200952
Special Investigation Report	Adrian Training School	2002C0207012	CS460200931
Special Investigation Report	Adrian Training School	2002C0207013	CS460200931

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

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

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

The communication was referred to the Clerk.

Introduction of Bills

Reps. Gosselin, Voorhees, Drolet and Vear introduced

House Bill No. 5793, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1507 (MCL 380.1507), as amended by 1993 PA 335.

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

Rep. Hart introduced

House Bill No. 5794, entitled

A bill to amend 1987 PA 96, entitled "The mobile home commission act," by amending the title and sections 1, 2, 4, 5, 6, 7, 9, 10, 18, 21, 22, 23, 24, 25, 28, 30h, 35, 38, and 43 (MCL 125.2301, 125.2302, 125.2304, 125.2305, 125.2306, 125.2307, 125.2309, 125.2310, 125.2318, 125.2321, 125.2322, 125.2323, 125.2324, 125.2325, 125.2328, 125.2330h, 125.2335, 125.2338, and 125.2343), section 10 as amended by 1992 PA 203, section 28 as amended by 1993 PA 241, and section 38 as amended and section 43 as added by 1988 PA 337; and to repeal acts and parts of acts.

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

Rep. Scranton introduced

House Bill No. 5795, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 21 (MCL 205.111), as amended by 1994 PA 34.

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

Rep. Woronchak introduced

House Bill No. 5796, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending section 27 (MCL 421.27), as amended by 1995 PA 181.

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

By unanimous consent the House returned to the order of

Announcement by the Clerk of Printing and Enrollment

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

Senate Bill Nos.	1167	1168	1169	1170	1171	1172	1173	1174	1175	1176	1177	1178	1179	1180
	1181	1182	1183	1184	1185	1186	1187	1188	1189	1190	1191	1192	1193	

The Clerk announced that the following bill had been printed and placed upon the files of the members, Friday, March 8:

Senate Bill No. 1194

The Clerk announced that the following bills had been printed and placed upon the files of the members, Wednesday, March 13:

House Bill Nos. 5780 5781 5782 5783 5784 5785 5786 5787 5788 5789 5790 5791 5792

By unanimous consent the House returned to the order of

Second Reading of Bills

Senate Bill No. 690, entitled

A bill to amend 1945 PA 327, entitled "Aeronautics code of the state of Michigan," (MCL 259.1 to 259.208) by amending the title and by adding chapter VIA.

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

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

Rep. Patterson moved to amend the bill as follows:

1. Amend page 18, line 16, after "DEPARTMENT" by inserting "AND WITH THE CLERK OF THE HOUSE OF REPRESENTATIVES AND THE SECRETARY OF THE SENATE".

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

Rep. Patterson moved to amend the bill as follows:

1. Amend page 53, following line 19, by inserting:

"Enacting section 1. The international tradeport development authority act, 1994 PA 325, MCL 125.2521 to 125.2546, is repealed."

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

Rep. Schermesser moved to amend the bill as follows:

1. Amend page 10, line 19, after "GOVERNOR" by striking out the balance of the subdivision and inserting a period.

2. Amend page 10, line 23, after "AIRPORT" by striking out the balance of the sentence and inserting a period.

3. Amend page 11, line 4, after "AIRPORT" by striking out the balance of the subdivision and inserting a period.

4. Amend page 11, following line 16, by inserting:

"(4) IF THE MEMBERS FIRST APPOINTED TO A BOARD CREATED UNDER SECTION 110(2) ARE APPOINTED BEFORE MARCH 1, 2003, BOTH OF THE FOLLOWING APPLY:

(A) THE MEMBERS FIRST APPOINTED SHALL SERVE TERMS THAT EXPIRE ON FEBRUARY 28, 2003.

(B) THE BOARD MEMBERS APPOINTED TO SUCCEED THE MEMBERS DESCRIBED IN SUBDIVISION (A) SHALL BE APPOINTED FOR THE FOLLOWING TERMS:

(i) THE 2 MEMBERS APPOINTED UNDER SUBSECTION (2)(A) SHALL BE APPOINTED FOR TERMS OF 4 YEARS EACH.

(ii) THE BOARD MEMBER APPOINTED UNDER SUBSECTION (2)(B) SHALL BE APPOINTED FOR A TERM OF 2 YEARS.

(iii) THE 4 BOARD MEMBERS APPOINTED UNDER SUBSECTION (2)(C), SHALL BE APPOINTED FOR TERMS OF 4 YEARS EACH." and renumbering the remaining subsections.

5. Amend page 12, line 10, after "SUBSECTION" by striking out "(6)" and inserting "(7)".

6. Amend page 13, line 7, after "SUBSECTION" by striking out "(5)(B)" and inserting "(6)(B)".

7. Amend page 13, line 10, after "SUBSECTION" by striking out "(5)(B)" and inserting "(6)(B)".

8. Amend page 15, line 5, after "FOR" by striking out "A TERM OF 6 YEARS" and inserting "TERMS THAT ARE THE SAME LENGTH AS THE INITIAL TERMS".

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

Rep. Schermesser demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 238

Yeas—53

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

Nays—54

Allen	George	Kowall	Richardville
Birkholz	Gilbert	Kuipers	Richner
Bisbee	Godchaux	LaSata	Rocca
Bishop	Gosselin	Mead	Shackleton
Bradstreet	Hager	Meyer	Shulman
Brown, C.	Hart	Middaugh	Stamas

Cassis	Howell	Mortimer	Stewart
Caul	Hummel	Newell	Tabor
DeRossett	Jelinek	Palmer	Van Woerkom
DeVuyst	Johnson, Rick	Pappageorge	Vander Roest
DeWeese	Johnson, Ruth	Patterson	Vander Veen
Drolet	Julian	Pumford	Vear
Ehardt	Koetje	Rackowski	Voorhees
Faunce	Kooiman		

In The Chair: Ehardt

Rep. Bob Brown moved to amend the bill as follows:

1. Amend page 10, line 21, after “YEARS.” by inserting “AN APPOINTMENT UNDER THIS SUBDIVISION SHALL BE MADE WITH THE ADVICE AND CONSENT OF THE SENATE.”.

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

Rep. Bob Brown demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 239

Yeas—50

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

Nays—54

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

In The Chair: Ehardt

Rep. Bob Brown moved to amend the bill as follows:

1. Amend page 11, line 7, after “YEARS.” by inserting “AN APPOINTMENT UNDER THIS SUBDIVISION IS SUBJECT TO THE APPROVAL OF THE MAJORITY VOTE OF THE LEGISLATIVE BODY OF THE LOCAL GOVERNMENT THAT OWNS THE AIRPORT.”.

2. Amend page 13, line 13, by striking out all of subsection (7) and renumbering the remaining subsections.

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

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

The motion prevailed.

Rep. Schermesser moved to amend the bill as follows:

1. Amend page 2, following line 26, by inserting:

“(A) “AEROPOLIS” MEANS AN INTERACTIVE ECONOMIC AND COMMERCIAL COMMUNITY THAT DEVELOPS WITHIN A 3-MILE RADIUS AROUND THE BOUNDARIES OF A MAJOR AIRPORT AND DEPENDS HEAVILY UPON THE PROXIMITY OF THE AIRPORT TO FACILITATE ITS ACTIVITIES, BUT IS NOT ESSENTIAL TO THE OPERATION AND EFFICIENCY OF THE AIRPORT.” and relettering the remaining subdivisions.

2. Amend page 5, line 9, after “FACILITIES” by inserting a comma and “BUT NOT INCLUDING REAL PROPERTY, STRUCTURES, IMPROVEMENTS, OR BUILDINGS THAT ARE PRIMARILY USED OR USEFUL FOR DEVELOPMENT OF AN AIRPORT RELATED AEROPOLIS”.

3. Amend page 5, line 27, after “AUTHORITY” by inserting a comma and “BUT NOT INCLUDING REAL PROPERTY, STRUCTURES, IMPROVEMENTS, OR BUILDINGS THAT ARE PRIMARILY USED OR USEFUL FOR DEVELOPMENT OF AN AIRPORT RELATED AEROPOLIS”.

4. Amend page 48, line 5, after “AUTHORITY” by inserting a comma and “BUT NOT INCLUDING REAL PROPERTY, STRUCTURES, IMPROVEMENTS, OR BUILDINGS THAT ARE PRIMARILY USED OR USEFUL FOR DEVELOPMENT OF AN AIRPORT RELATED AEROPOLIS”.

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

Rep. Schermesser demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 240

Yeas—57

Adamini	Gielegghem	Neumann	Schermesser
Anderson	Hale	O’Neil	Sheltrown
Basham	Hansen	Patterson	Spade
Bernero	Hardman	Pestka	Stallworth
Bogardus	Jacobs	Phillips	Switalski
Bovin	Jamnack	Plakas	Thomas
Brown, B.	Kolb	Quarles	Toy
Brown, R.	Lemmons	Raczkowski	Waters
Caul	Lipsev	Reeves	Whitmer
Clark, I.	Lockwood	Richner	Williams
Clarke, H.	Mans	Rison	Wojno
Daniels	McConico	Rivet	Woodward
Dennis	Minore	Rocca	Woronchak
Frank	Murphy	Schauer	Zelenko
Garza			

Nays—48

Allen	Faunce	Koetje	Richardville
Birkholz	George	Kooiman	Scranton
Bisbee	Gilbert	Kowall	Shackleton

Bishop	Godchaux	LaSata	Shulman
Bradstreet	Hager	Mead	Stamas
Brown, C.	Hart	Meyer	Stewart
Cassis	Howell	Middaugh	Tabor
DeRossett	Hummel	Mortimer	Van Woerkom
DeVuyst	Jelinek	Newell	Vander Roest
DeWeese	Johnson, Rick	Palmer	Vander Veen
Drolet	Johnson, Ruth	Pappageorge	Vear
Ehardt	Julian	Pumford	Voorhees

In The Chair: Ehardt

Rep. Julian moved to reconsider the vote by which the House adopted the amendments.

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

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

Rep. Schermesser demanded the yeas and nays.

The demand was supported.

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

Rep. Middaugh moved that consideration of the amendments be postponed temporarily.

The motion prevailed.

Rep. Clarke moved to amend the bill as follows:

1. Amend page 15, following line 2, by inserting:

“(10) ALL POWERS CONFERRED BY THIS CHAPTER UPON THE AUTHORITY ARE VESTED IN THE BOARD.”.

2. Amend page 16, line 27, after the second “BY” by inserting “AN EXPRESS RESOLUTION OF”.

3. Amend page 17, line 3, after “MAY” by inserting a comma and “BY AN EXPRESS RESOLUTION,”.

4. Amend page 17, line 5, after “OFFICER.” by inserting “ALL MEETINGS BETWEEN BOARD MEMBERS AND THE CHIEF EXECUTIVE OFFICER OR CHIEF FINANCIAL OFFICER REGARDING POWERS AND DUTIES DELEGATED BY THE BOARD SHALL BE HELD IN THE SAME MANNER REQUIRED BY THE OPEN MEETINGS ACT, 1976 PA 267, MCL 15.261 TO 15.275, FOR THE EXERCISE OF POWERS RETAINED BY THE BOARD.”.

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

Rep. Clarke demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 241

Yeas—50

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

Nays—55

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

In The Chair: Ehardt

Rep. Anderson moved to amend the bill as follows:

1. Amend page 12, line 9, after “HIRING” by inserting “AND FOR THE FULL DURATION OF HIS OR HER APPOINTMENT OR EMPLOYMENT”.

2. Amend page 15, line 21, after “TERMS.” by inserting “UPON EXPIRATION OF A SECOND FULL TERM, A BOARD MEMBER MAY NOT HOLD OVER MORE THAN 6 MONTHS.”.

3. Amend page 15, line 24, after “CAUSE” by inserting a comma and “INCLUDING AMONG OTHERS THE FOLLOWING CAUSES:

(A) THE BOARD MEMBER IS NO LONGER QUALIFIED TO SERVE PURSUANT TO SUBSECTIONS 111(2)(B), (4), AND (5).

(B) THE BOARD MEMBER IS ABSENT FOR 3 CONSECUTIVE BOARD MEETINGS.

(C) THE BOARD MEMBER IS CHARGED WITH A CRIME AND BOUND OVER FOR TRIAL AT A PRELIMINARY HEARING.

(D) THE BOARD MEMBER NEGLECTS THE AFFIRMATIVE DUTIES SET FORTH IN SECTION 114.

(E) THE BOARD MEMBER VIOLATES THE OPEN MEETINGS ACT, 1976 PA 267, MCL 15.261 TO 15.275, OR THE FREEDOM OF INFORMATION ACT, 1976 PA 442, MCL 15.231 TO 15.246, OR THE COMPANION REQUIREMENTS OF THIS ACT”.

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

Rep. Anderson demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 242**Yeas—52**

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

Nays—53

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

In The Chair: Ehardt

Rep. Clark moved to amend the bill as follows:

1. Amend page 29, line 7, after “AUTHORITY” by inserting a comma and “BUT AT NOT LESS THAN ITS FAIR MARKET VALUE AS DETERMINED BY AN INDEPENDENT APPRAISAL ESTABLISHED BY A PROFESSIONAL APPRAISER LICENSED BY THE STATE OF MICHIGAN”.

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

Rep. Clark demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 243**Yeas—49**

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

Nays—56

Allen	Gilbert	Kuipers	Rocca
Birkholz	Godchaux	LaSata	Scranton
Bisbee	Gosselin	Mead	Shackleton
Bishop	Hager	Meyer	Shulman

Brown, C.	Hart	Middaugh	Stamas
Cassis	Howell	Mortimer	Stewart
Caul	Hummel	Newell	Tabor
DeRossett	Jelinek	Palmer	Toy
DeVuyst	Johnson, Rick	Pappageorge	Van Woerkom
DeWeese	Johnson, Ruth	Patterson	Vander Roest
Drolet	Julian	Pumford	Vander Veen
Ehardt	Koetje	Raczkowski	Vear
Faunce	Kooiman	Richardville	Voorhees
George	Kowall	Richner	Woronchak

In The Chair: Ehardt

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

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

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

Rep. Garza moved to amend the bill as follows:

1. Amend page 21, line 17, after "SHALL" by inserting "BY EXPRESS RESOLUTION".
2. Amend page 23, line 23, after "AUTHORITY." by inserting "ALL DELEGATIONS AND WITHDRAWALS OF AUTHORITY SHALL BE MADE BY WRITTEN MEMORANDUM, A COPY OF WHICH SHALL BE FILED WITH THE BOARD AND ALSO POSTED ON THE AIRPORT INTERNET SITE FOR EASY REFERENCE BY PERSONS DOING BUSINESS WITH THE AIRPORT."

3. Amend page 23, line 26, after "DELEGATE" by inserting "BY EXPRESS RESOLUTION".

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

Rep. Garza demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 244

Yeas—45

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

Nays—57

Allen	Gilbert	Kuipers	Rocca
Birkholz	Godchaux	LaSata	Scranton
Bisbee	Gosselin	Mead	Shackleton

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

In The Chair: Ehardt

Rep. Reeves moved to amend the bill as follows:

1. Amend page 53, following line 19, by inserting:

“SEC. 125D. SECTIONS 108 TO 125C ARE REPEALED 10 YEARS AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SECTION.”.

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

Rep. Reeves demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 245

Yeas—50

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

Nays—56

Allen	George	Kowall	Rocca
Birkholz	Gilbert	Kuipers	Scranton
Bisbee	Godchaux	LaSata	Shackleton
Bishop	Gosselin	Mead	Shulman
Bradstreet	Hager	Meyer	Stamas
Brown, C.	Hart	Middaugh	Stewart
Cassis	Howell	Mortimer	Tabor
Caul	Hummel	Newell	Toy
DeRossett	Jelinek	Palmer	Van Woerkom

DeVuyst
DeWeese
Drolet
Ehardt
Faunce

Johnson, Rick
Johnson, Ruth
Julian
Koetje
Kooiman

Pappageorge
Patterson
Raczkowski
Richardville
Richner

Vander Roest
Vander Veen
Vear
Voorhees
Woronchak

In The Chair: Ehardt

Rep. Koetje moved to amend the bill as follows:

1. Amend page 4, line 4, after the first "AIRPORT" by striking out the balance of the line through line 5 and inserting a colon.

2. Amend page 6, line 15, after "AT" by striking out "A QUALIFIED" and inserting "AN".

3. Amend page 11, following line 7, by inserting:

"(D) EACH APPOINTING ENTITY SHALL FILE EACH APPOINTMENT UNDER THIS SUBSECTION WITH THE DEPARTMENT. EACH SUBSEQUENT APPOINTMENT BY AN APPOINTING ENTITY TO FILL A VACANCY ON THE BOARD SHALL ALSO BE FILED WITH THE DEPARTMENT."

4. Amend page 11, line 13, after "SECTION," by inserting "1 BOARD MEMBER SHALL BE APPOINTED FOR A TERM OF 2 YEARS,".

5. Amend page 11, line 13, after "OF" by striking out "2" and inserting "4".

6. Amend page 11, line 14, after "EACH," by striking out "2" and inserting "3".

7. Amend page 11, line 14, after "OF" by striking out "4" and inserting "6".

8. Amend page 11, line 15, after "AND" by striking out "3 BOARD MEMBERS" and inserting "1 BOARD MEMBER".

9. Amend page 11, line 15, after "OF" by striking out the balance of the subsection and inserting "8 YEARS.".

10. Amend page 14, line 21, after "CREATED" by inserting "OR INCORPORATED".

11. Amend page 19, line 22, after "SHALL" by striking out the balance of the line through "THAN" on line 23.

12. Amend page 19, line 27, after "TO" by striking out the balance of the line through "AUDIT" on line 1, page 20 and inserting "THE FIRST FULL FISCAL YEAR OF THE AUTHORITY AND THE LAST FISCAL YEAR OF EACH SUBSEQUENT CONTRACT PERIOD FOR WHICH FINANCIAL AUDITS".

13. Amend page 20, line 1, after "UNDER" by striking out the balance of the line through "SUBSECTION" on line 2 and inserting "SECTION 114(2)".

14. Amend page 20, line 14, after "FOR" by striking out "NOT MORE THAN" and inserting "THE NEXT".

15. Amend page 20, line 19, after "FOR" by striking out "NOT MORE THAN" and inserting "THE NEXT".

16. Amend page 32, line 2, after "INCLUDING" by striking out the balance of the subdivision and inserting "THOSE CIVIL AND CRIMINAL PENALTIES THAT THE LOCAL GOVERNMENT THAT OWNS THE AIRPORT COULD ADOPT.".

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

Rep. Koetje moved that amendment No. 16 be considered separately.

The motion prevailed.

The question being on the adoption of amendment Nos. 1-15 offered by Rep. Koetje,

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

The question being on the adoption of amendment No. 16 offered by Rep. Koetje,

Rep. Koetje withdrew the amendment.

Rep. Lemmons moved to amend the bill as follows:

1. Amend page 37, following line 9, by inserting:

"(11) AN AUTHORITY SHALL COMPLY WITH THE PROVISIONS OF SECTION 125D.".

2. Amend page 53, following line 19, by inserting:

"SEC. 125D. (1) AN AUTHORITY SHALL REQUIRE AS A CONDITION OF A CONTRACT, AND AMEND ALL EXISTING CONTRACTS TO PROVIDE, AN AIRLINE PASSENGER PROTECTION BILL OF RIGHTS.

(2) THE DIRECTOR OF THE DEPARTMENT OF TRANSPORTATION IN CONJUNCTION WITH THE AUTHORITY SHALL PROVIDE AT A MINIMUM THAT EVERY AIRLINE WITH A CONTRACT FOR SERVICES AT AN AIRPORT REGULATED UNDER THIS ACT SHALL PROVIDE AS A CONDITION OF THAT CONTRACT A PROHIBITION OF UNFAIR OR DECEPTIVE PRACTICES AND UNFAIR METHODS OF COMPETITION, WHICH INCLUDE EACH OF THE FOLLOWING:

(A) REGARDLESS OF THE METHOD USED BY A CONSUMER TO CONTACT AN AIR CARRIER OR FOREIGN AIR CARRIER, THE FAILURE OF THE CARRIER TO DO THE FOLLOWING:

(i) INFORM THE CONSUMER OF THE LOWEST AVAILABLE FARE FROM THE CARRIER FOR THE AIR TRANSPORTATION REQUESTED BY THE CONSUMER ON THE DATE AND IN THE CLASS OF SERVICE SPECIFIED BY THE CONSUMER, AS WELL AS THE NUMBER OF SEATS AVAILABLE AT THAT FARE.

(ii) PROVIDE THE CONSUMER WITH FULL ACCESS TO ALL FARES FOR AIR TRANSPORTATION PROVIDED BY THE CARRIER.

(iii) INFORM THE CONSUMER IF THE AIR TRANSPORTATION REQUESTED BY THE CONSUMER INCLUDES A FLIGHT SEGMENT THAT IN THE PRECEDING CALENDAR MONTH, AT LEAST 40% OF THE TIME, WAS EITHER CANCELED OR DELAYED BY 30 MINUTES OR MORE PAST THE FLIGHT SEGMENT'S SCHEDULED ARRIVAL TIME.

(B) ANY ACTION OF AN AIR CARRIER OR FOREIGN AIR CARRIER THAT PROHIBITS A PERSON, INCLUDING A GOVERNMENTAL ENTITY, THAT PURCHASES AIR TRANSPORTATION FROM ONLY USING A PORTION OF THE AIR TRANSPORTATION PURCHASED INCLUDING USING THE AIR TRANSPORTATION PURCHASED ONLY FOR 1-WAY TRAVEL INSTEAD OF ROUND-TRIP TRAVEL, OR ASSESSES AN ADDITIONAL FEE OR CHARGE TO THAT PERSON OR A TICKET AGENT THAT SOLD THE AIR TRANSPORTATION TO THAT PERSON. IF THERE IS A TERMINATION, CANCELLATION, NONRENEWAL, OR SUBSTANTIAL CHANGE IN THE COMPETITIVE CIRCUMSTANCES OF THE APPOINTMENT OF A TICKET AGENT BY AN AIR CARRIER OR FOREIGN AIR CARRIER, THE AIR CARRIER OR FOREIGN AIR CARRIER FAILS TO PROVIDE THE TICKET AGENT WITH WRITTEN NOTICE, AND A FULL STATEMENT OF REASONS FOR THE ACTION, ON OR BEFORE THE NINETIETH DAY PRECEDING THE ACTION AND TO PROVIDE THE TICKET AGENT WITH AT LEAST 60 DAYS TO CORRECT ANY DEFICIENCY CLAIMED IN THE WRITTEN NOTICE, EXCEPT IN CASES OF INSOLVENCY, AN ASSIGNMENT FOR THE BENEFIT OF CREDITORS, BANKRUPTCY, OR NONPAYMENT OF SUMS DUE UNDER THE APPOINTMENT.

(3) AN AIR CARRIER SHALL ENSURE ACCESS TO NECESSARY SERVICES AND CONDITIONS, INCLUDING FOOD, WATER, RESTROOM FACILITIES, AND THE ABILITY TO DEPLANE IN THE EVENT OF A WEATHER OR OTHER EMERGENCY FOR ALL PASSENGERS BOARDED ON A FLIGHT SEGMENT OF THE AIR CARRIER IN AIR TRANSPORTATION. THE DIRECTOR OF THE DEPARTMENT OF TRANSPORTATION SHALL REQUIRE EACH AIR CARRIER TO SUBMIT TO THE DIRECTOR AN EMERGENCY PLAN CONTAINING A DETAILED DESCRIPTION OF ACTIONS THAT WILL BE TAKEN BY THE CARRIER TO COMPLY WITH THIS SUBSECTION. THE DIRECTOR SHALL SUSPEND THE AUTHORITY OF AN AIR CARRIER TO PROVIDE AIR TRANSPORTATION IF THE CARRIER FAILS TO SUBMIT A PLAN. THE SUSPENSION SHALL CONTINUE UNTIL THE CARRIER SUBMITS THE PLAN.

(4) AN AIR CARRIER OPERATING AN AIRCRAFT IN AIR TRANSPORTATION SHALL NOT PREVENT OR HINDER, INCLUDING BY FAILING TO ASSIST, ANY PASSENGER FROM EXITING THE AIRCRAFT UNDER THE SAME CIRCUMSTANCES AS ANY MEMBER OF THE FLIGHT CREW IS PERMITTED TO EXIT THE AIRCRAFT IF THE AIRCRAFT IS PARKED AT AN AIRPORT TERMINAL GATE WITH ACCESS TO RAMP OR OTHER FACILITIES THROUGH WHICH PASSENGERS ARE CUSTOMARILY BOARDED AND DEPLANED, THE AIRCRAFT HAS REMAINED AT THE GATE MORE THAN 1 HOUR PAST ITS SCHEDULED DEPARTURE TIME, AND THE CAPTAIN OF THE AIRCRAFT HAS NOT BEEN INFORMED BY AIR TRAFFIC CONTROL AUTHORITIES THAT THE AIRCRAFT CAN BE CLEARED FOR DEPARTURE WITHIN 15 MINUTES.

(5) AN ANNOUNCEMENT BY AN AIR CARRIER OF A DELAY OR CANCELLATION OF A FLIGHT SEGMENT, OR A DIVERSION OF A FLIGHT SEGMENT TO AN AIRPORT OTHER THAN THE AIRPORT AT WHICH THE FLIGHT SEGMENT IS SCHEDULED TO LAND, SHALL INCLUDE AN EXPLANATION OF THE REASON OR REASONS FOR THE DELAY, CANCELLATION, OR DIVERSION. AN AIR CARRIER SHALL NOT PROVIDE AN EXPLANATION UNDER THIS SUBSECTION THAT THE AIR CARRIER KNOWS OR HAS REASON TO KNOW IS FALSE OR MISLEADING.

(6) AN AIR CARRIER SHALL PROVIDE A PASSENGER WITH TIMELY NOTICE OF A DELAY OR CANCELLATION OF THE FLIGHT SEGMENT. THE AIR CARRIER SHALL ENSURE THAT INFORMATION MONITORS AT THE AIRPORT CONCERNED DISPLAY TIMELY AND ACCURATE ARRIVAL AND DEPARTURE INFORMATION. AN AIR CARRIER, WHENEVER PRACTICABLE, SHALL ATTEMPT TO PROVIDE A PASSENGER WITH NOTICE OF A DELAY OR CANCELLATION OF A FLIGHT SEGMENT BEFORE THE PASSENGER DEPARTS FOR THE AIRPORT.

(7) AN AIR CARRIER SHALL BE LIABLE TO EACH PASSENGER ON A FLIGHT SEGMENT OF THE AIR CARRIER IN AIR TRANSPORTATION FOR AN EXCESSIVE DEPARTURE OR ARRIVAL DELAY OF THE AIRCRAFT. IF THE EXCESSIVE DEPARTURE OR ARRIVAL DELAY IS MORE THAN 2 BUT LESS THAN 3 HOURS, THE AMOUNT OF LIABILITY SHALL BE 200% OF THE PRICE PAID BY THE PASSENGER FOR TRANSPORTATION BY THE AIR CARRIER. IF THE EXCESSIVE DEPARTURE OR ARRIVAL DELAY IS 3 HOURS OR MORE, THE AMOUNT OF LIABILITY SHALL BE 200% OF THE PRICE PAID BY THE PASSENGER PLUS AN ADDITIONAL 100% OF THE PRICE PAID BY THE PASSENGER FOR SUCH TRANSPORTATION MULTIPLIED BY THE NUMBER OF HOURS OR PORTION OF AN HOUR THAT THE PERIOD EXCEEDS 3

HOURS. AS USED IN THIS SECTION, "EXCESSIVE DEPARTURE OR ARRIVAL DELAY" MEANS A PERIOD OF TIME IN EXCESS OF 2 HOURS BEGINNING WHEN THE DOOR OF AN AIRCRAFT IS CLOSED AT AN AIRPORT AND ENDING WHEN THE AIRCRAFT TAKES OFF FROM THE AIRPORT OR WHEN THE DOOR OF THE AIRCRAFT IS OPEN FOR DEPLANING OF PASSENGERS AT THE AIRPORT OR BEGINNING UPON TOUCHDOWN OF AN AIRCRAFT AT AN AIRPORT AND ENDING WHEN THE DOOR OF THE AIRCRAFT IS OPEN FOR DEPLANING OF PASSENGERS AT THE AIRPORT. HOWEVER, A DEPARTURE DELAY IN EXCESS OF 2 HOURS SHALL NOT BE TREATED AS AN EXCESSIVE DEPARTURE DELAY FOR PURPOSES OF THIS PARAGRAPH IF THE ADMINISTRATOR OF THE AIRPORT DETERMINES THAT THE DEPARTURE DELAY WAS THE RESULT OF AN AIR TRAFFIC CONTROL DIRECTIVE AND THAT THE CARRIER DID NOT RECEIVE NOTIFICATION THAT IT WOULD RECEIVE THE DIRECTIVE BEFORE THE SCHEDULED DEPARTURE TIME OF THE FLIGHT OR A MECHANICAL PROBLEM WITH THE AIRCRAFT OR OTHER SAFETY CONCERN.

(8) IN ADDITION TO COMPENSATION REQUIRED UNDER THIS SECTION, OR UNDER THE PROVISIONS OF FEDERAL LAW, AN AIR CARRIER SHALL PROVIDE AT A MINIMUM TO A PASSENGER WHO IS DENIED BOARDING INVOLUNTARILY FROM AN OVERSOLD FLIGHT SEGMENT IN AIR TRANSPORTATION ON WHICH THE PASSENGER HAS A CONFIRMED SEAT, ALTERNATE TRANSPORTATION TO THE PASSENGER'S FINAL DESTINATION, REASONABLE AND IMMEDIATE COMPENSATION FOR FOOD, AND IF THE SCHEDULED DEPARTURE TIME OF THE ALTERNATE TRANSPORTATION IS NOT WITHIN THE SAME DAY AS THE PASSENGER'S ORIGINALLY SCHEDULED DEPARTURE TIME, REASONABLE AND IMMEDIATE COMPENSATION FOR HOTEL COSTS. A PASSENGER SHALL BE ELIGIBLE FOR INVOLUNTARY DENIED BOARDING COMPENSATION AND APPLICABLE REGULATIONS OF THE DEPARTMENT OF TRANSPORTATION WITH RESPECT TO A FLIGHT SEGMENT OF AN AIR CARRIER IF THE PASSENGER CHECKS IN FOR THE FLIGHT SEGMENT AT THE APPROPRIATE AIRPORT GATE AT ANY TIME BEFORE THE DOOR OF THE AIRCRAFT FOR THE FLIGHT SEGMENT IS CLOSED AT THE AIRPORT GATE.

(9) NOT LATER THAN 90 DAYS AFTER THE DATE OF ENACTMENT OF THIS SECTION, THE DIRECTOR SHALL MODIFY REGULATIONS CONTAINED IN ANY CONTRACT TO CONFORM WITH THE REQUIREMENTS OF THIS SECTION. NOT LATER THAN 180 DAYS AFTER THE DATE OF ENACTMENT OF THIS ACT, THE DIRECTOR SHALL, BY RULE, ISSUE A STATEMENT THAT OUTLINES CONSUMER RIGHTS OF AIR PASSENGERS, INCLUDING EACH OF THE RIGHTS SPECIFIED UNDER FEDERAL LAW, AS ADDED BY THIS SECTION AND REQUIRE AN AIR CARRIER TO PROVIDE THE STATEMENT TO EACH PASSENGER OF THE CARRIER BY CONSPICUOUS WRITTEN MATERIAL INCLUDED ON A SAFETY PLACARD GIVEN TO THE PASSENGER ON BOARD AN AIRCRAFT, OR PRIOR TO ENTRY OF AN AIRCRAFT, ON AN INFORMATION STATEMENT AVAILABLE TO THE PASSENGER AT EACH TICKET COUNTER OF THE AIR CARRIER AND ON AN ADDENDUM TO A PASSENGER'S TICKET ISSUED AT AN AIRPORT REGULATED UNDER THIS ACT." and renumbering the remaining section.

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

Rep. Lemmons demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 246

Yeas—49

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

Nays—56

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

In The Chair: Ehardt

Rep. Lemmons moved to amend the bill as follows:

1. Amend page 7, line 17, after “AIRPORT” by striking out the balance of the subdivision and inserting “IN THIS STATE THAT OFFERS COMMERCIAL PASSENGER SERVICE.”.

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

Rep. Lemmons demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 247**Yeas—43**

Adamini	Frank	Lockwood	Schauer
Anderson	Garza	Mans	Schermesser
Basham	Gielegthem	McConico	Sheltrown
Bernero	Hale	Murphy	Stallworth
Bogardus	Hansen	O’Neil	Thomas
Bovin	Hardman	Phillips	Waters
Brown, B.	Jacobs	Plakas	Whitmer
Brown, R.	Jamnick	Quarles	Williams
Clark, I.	Kolb	Reeves	Woodward
Daniels	Lemmons	Rison	Zelenko
Dennis	Lipsey	Rivet	

Nays—62

Allen	Godchaux	Meyer	Shackleton
Birkholz	Gosselin	Middaugh	Shulman
Bisbee	Hager	Mortimer	Spade
Bishop	Hart	Neumann	Stamas
Bradstreet	Howell	Newell	Stewart
Brown, C.	Hummel	Palmer	Switalski
Cassis	Jelinek	Pappageorge	Tabor

Caul	Johnson, Rick	Patterson	Toy
Clarke, H.	Johnson, Ruth	Pestka	Van Woerkom
DeRossett	Julian	Pumford	Vander Roest
DeVuyst	Koetje	Rackowski	Vander Veen
DeWeese	Kooiman	Richardville	Vear
Drolet	Kowall	Richner	Voorhees
Ehardt	Kuipers	Rocca	Wojno
Faunce	LaSata	Scranton	Woronchak
George	Mead		

In The Chair: Ehardt

Rep. Patterson moved to amend the bill as follows:

1. Amend page 27, following line 21, by inserting:

“(11) AN AUTHORITY SHALL WORK COLLABORATIVELY WITH APPROPRIATE LOCAL GOVERNMENTAL UNITS IN THE IMPLEMENTATION OF ANY FEDERALLY SANCTIONED AND FUNDED PROGRAMS FOR THE MITIGATION OF AIRCRAFT NOISE AND FUEL FUMES.”.

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

Rep. Lemmons moved to amend the bill as follows:

1. Amend page 10, line 22, after “(B)” by striking out “ONE BOARD MEMBER” and inserting “THREE BOARD MEMBERS”.

2. Amend page 10, line 23, after “AIRPORT,” by striking out the balance of the line through “YEARS.” on line 24 and inserting “WITH 1 BOARD MEMBER APPOINTED FOR AN INITIAL TERM OF 2 YEARS, 1 BOARD MEMBER APPOINTED FOR AN INITIAL TERM OF 4 YEARS, AND 1 BOARD MEMBER APPOINTED FOR AN INITIAL TERM OF 6 YEARS.”.

3. Amend page 11, line 3, after “(C)” by striking out “FOUR” and inserting “TWO”.

4. Amend page 11, line 5, after “YEARS,” by inserting “AND”.

5. Amend page 11, line 6, after “YEARS” by striking out the balance of the subdivision and inserting a period.

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

Rep. Lemmons demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 248

Yeas—43

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

Nays—61

Allen	Godchaux	Mead	Shackleton
Birkholz	Gosselin	Middaugh	Sheltrown
Bisbee	Hager	Mortimer	Shulman
Bradstreet	Hart	Neumann	Spade

Brown, C.	Howell	Newell	Stamas
Brown, R.	Hummel	Palmer	Stewart
Cassis	Jelinek	Pappageorge	Tabor
Caul	Johnson, Rick	Patterson	Toy
DeRossett	Johnson, Ruth	Pumford	Van Woerkom
DeVuyst	Julian	Raczkowski	Vander Roest
DeWeese	Koetje	Richardville	Vander Veen
Drolet	Kooiman	Richner	Vear
Ehardt	Kowall	Rocca	Voorhees
Faunce	Kuipers	Schauer	Wojno
George	LaSata	Scranton	Woronchak
Gilbert			

In The Chair: Ehardt

Rep. Thomas moved to amend the bill as follows:

1. Amend page 43, line 24, after "DATE." by inserting "LOCAL GOVERNMENT EMPLOYEES, WHO DO NOT AGREE TO TRANSFER TO THE EMPLOYMENT OF THE AUTHORITY, SHALL BE REASSIGNED WITHIN THE LOCAL GOVERNMENT. THE LOCAL GOVERNMENT SHALL NOT, AS A RESULT OF THE CREATION OR INCORPORATION OF AN AUTHORITY FOR A PERIOD OF NOT MORE THAN 1 YEAR, LAYOFF OR REDUCE THE PAY OR BENEFITS OF ANY EMPLOYEE OF THE LOCAL GOVERNMENT INTO WHOSE POSITION A LOCAL GOVERNMENT EMPLOYEE WHO WAS PREVIOUSLY EMPLOYED AT THE AIRPORT IS REASSIGNED. THE AUTHORITY SHALL CONSIDER ANY PERSON HIRED BY THE AUTHORITY TO FILL A POSITION THAT HAD BEEN PREVIOUSLY FILLED WITH A LOCAL GOVERNMENT EMPLOYEE WHO DID NOT AGREE TO TRANSFER TO THE EMPLOYMENT OF THE AUTHORITY TO BE UNDER THE COLLECTIVE BARGAINING AGREEMENT COVERING, AND TO BE REPRESENTED BY THE COLLECTIVE BARGAINING REPRESENTATIVE OF, THE LOCAL GOVERNMENT EMPLOYEE WHO DID NOT AGREE TO TRANSFER TO THE AUTHORITY.".

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

Rep. Patterson demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 249

Yeas—93

Adamini	George	Lockwood	Schermesser
Allen	Gielegghem	Mans	Scranton
Anderson	Gilbert	McConico	Shackleton
Basham	Godchaux	Mead	Sheltrown
Bernero	Hager	Meyer	Shulman
Birkholz	Hale	Middaugh	Spade
Bisbee	Hansen	Minore	Stallworth
Bogardus	Hardman	Mortimer	Stewart
Bovin	Howell	Murphy	Switalski
Brown, B.	Hummel	Neumann	Tabor
Brown, C.	Jacobs	Newell	Thomas
Brown, R.	Jamnick	Pestka	Toy
Cassis	Jelinek	Phillips	Van Woerkom
Clark, I.	Johnson, Rick	Plakas	Vander Roest
Clarke, H.	Johnson, Ruth	Pumford	Vander Veen
Daniels	Julian	Quarles	Vear
Dennis	Koetje	Raczkowski	Voorhees
DeRossett	Kolb	Reeves	Waters

DeVuyst	Kooiman	Richardville	Whitmer
DeWeese	Kowall	Rison	Williams
Ehardt	LaSata	Rivet	Wojno
Faunce	Lemmons	Rocca	Woodward
Frank	Lipsey	Schauer	Zelenko
Garza			

Nays—12

Bishop	Gosselin	O'Neil	Richner
Caul	Hart	Palmer	Stamas
Drolet	Kuipers	Patterson	Woronchak

In The Chair: Ehardt

Rep. Koetje moved to amend the bill as follows:

1. Amend page 32, line 2, after "JURISDICTION" by striking out the balance of the subdivision and inserting a period and "THE AUTHORITY MAY ESTABLISH CIVIL AND CRIMINAL PENALTIES FOR THE VIOLATION OF RULES, REGULATIONS, AND ORDINANCES AUTHORIZED UNDER THIS SUBDIVISION TO THE SAME EXTENT AS THE LOCAL GOVERNMENT THAT OWNS THE AIRPORT."

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

Rep. Scranton moved to amend the bill as follows:

1. Amend page 17, line 27, after "THAN" by striking out "4 TIMES" and inserting "QUARTERLY".

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

Rep. Daniels moved to amend the bill as follows:

1. Amend page 53, following line 19, following enacting section 1, by inserting:

"Enacting section 2. This amendatory act does not take effect unless approved by a vote of qualified electors in the county of Wayne at the next general election."

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

Rep. Daniels demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 250**Yeas—52**

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

Nays—51

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

Bishop	Gosselin	LaSata	Shulman
Brown, C.	Hager	Mead	Stamas
Cassis	Hart	Meyer	Stewart
Caul	Howell	Middaugh	Tabor
DeRossett	Hummel	Mortimer	Van Woerkom
DeVuyst	Jelinek	Palmer	Vander Roest
DeWeese	Johnson, Rick	Pumford	Vander Veen
Drolet	Johnson, Ruth	Rackowski	Vear
Ehardt	Julian	Richardville	Voorhees
Faunce	Koetje	Richner	

In The Chair: Ehardt

Rep. Daniels moved to reconsider the vote by which the House did not adopt the amendment.
The motion did not prevail, a majority of the members present not voting therefor.

Reps. Richner and Thomas moved to amend the bill as follows:

1. Amend page 49, line 6, after "SECTION." by inserting "AN AUTHORITY THAT OPERATES A QUALIFIED AIRPORT SHALL NOT OPERATE AN AIRPORT THAT IS LOCATED IN A CITY HAVING A POPULATION OF MORE THAN 750,000.".

The question being on the adoption of the amendment offered by Reps. Richner and Thomas,

Rep. Richner demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Reps. Richner and Thomas,

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

Roll Call No. 251

Yeas—107

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

Nays—0

In The Chair: Ehardt

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

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

1. Amend page 33, line 12, after the first "AUTHORITY" by striking out the balance of the subdivision and inserting "SHALL DEPOSIT MONEY OF THE AUTHORITY WITH THE COUNTY TREASURER TO BE INVESTED IN INSTRUMENTS, OBLIGATIONS, SECURITIES, OR PROPERTY PURSUANT TO THE REQUIREMENTS AND LIMITATIONS OF STATE LAW."

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

Rep. O'Neil demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 252**Yeas—46**

Adamini	Gielegthem	Neumann	Stallworth
Anderson	Hale	O'Neil	Stewart
Bernero	Hansen	Patterson	Switalski
Bogardus	Hardman	Pestka	Thomas
Bovin	Jacobs	Plakas	Waters
Brown, B.	Lemmons	Quarles	Whitmer
Brown, R.	Lipsey	Rocca	Williams
Clark, I.	Lockwood	Schauer	Wojno
Clarke, H.	Mans	Schermesser	Woodward
Daniels	McConico	Sheltrown	Woronchak
Dennis	Minore	Spade	Zelenko
Frank	Murphy		

Nays—52

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

In The Chair: Ehardt

Rep. Daniels moved to amend the bill as follows:

1. Amend page 53, following line 19, following enacting section 1, by inserting:

“Enacting section 2. This amendatory act does not take effect unless approved by a vote of qualified electors in the county of Wayne at the next primary election.”.

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

Rep. Daniels demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 253

Yeas—49

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

Nays—56

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

In The Chair: Ehardt

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

1. Amend page 21, following line 13, by inserting:

“(4) AS AN AGENCY OF THE COUNTY GOVERNMENT WITHIN WHICH A QUALIFIED AIRPORT IS LOCATED, THE AUTHORITY SHALL BE SUBJECT TO A FINANCIAL OR COMPLIANCE AUDIT AT ANY TIME BY THE AUDITOR GENERAL OF THE COUNTY GOVERNMENT, AND SHALL BE SUBJECT TO COMPLIANCE WITH ALL AFFIRMATIVE REQUIREMENTS PROVIDED BY CHARTER OR ORDINANCE FOR COOPERATIVE RESPONSES TO FACILITATE THE COMPLETION OF A THOROUGH AUDIT AND TO THE PENALTIES PROVIDED FOR FAILURE OR REFUSAL TO DO SO.” and renumbering the remaining subsections.

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

Rep. Plakas moved to amend the bill as follows:

1. Amend page 27, line 5, after “POLICIES” by inserting “THAT ARE NO LESS STRINGENT THAN THOSE PROVIDED FOR PUBLIC OFFICERS AND EMPLOYEES BY 1973 PA 196, MCL 15.341 TO 15.348,”.

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

Rep. Plakas demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 254

Yeas—105

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

Nays—0

In The Chair: Ehardt

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

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

Roll Call No. 255

Yeas—44

Adamini	Gielegghem	Murphy	Schauer
Anderson	Gosselin	Neumann	Schermesser
Basham	Hale	O’Neil	Spade

Bernero	Hardman	Patterson	Stewart
Bogardus	Jacobs	Pestka	Switalski
Bovin	Lemmons	Phillips	Thomas
Brown, R.	Lipse	Plakas	Waters
Clark, I.	Lockwood	Quarles	Williams
Clarke, H.	Mans	Reeves	Wojno
Dennis	McConico	Rison	Woodward
Garza	Minore	Rocca	Zelenko

Nays—52

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

In The Chair: Ehardt

Rep. Daniels moved to amend the bill as follows:

1. Amend page 32, line 14, after "STATE." by inserting "LEASES, CONTRACTS, AND FRANCHISES FOR THE SALE OF GOODS AND SERVICES TO THE PUBLIC, INCLUDING GROUND TRANSPORTATION, FOOD AND BEVERAGE, NEWS AND SNACKS, RETAIL OUTLETS, AND OTHER SIMILAR CONCESSIONS, SHALL BE LIMITED TO A MAXIMUM TERM OF 5 YEARS, EXCEPT THE MAXIMUM TERM MAY BE EXTENDED UP TO 10 YEARS WHEN NEEDED TO AMORTIZE CAPITAL INVESTMENTS UTILIZING STANDARDS ESTABLISHED BY BEST BUSINESS PRACTICES AND INTERNAL REVENUE SERVICE SCHEDULES."

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

Rep. Daniels demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 256**Yeas—44**

Adamini	Gielegghem	McConico	Schauer
Anderson	Gosselin	Minore	Schermesser
Bernero	Hale	Murphy	Spade
Bogardus	Hansen	Neumann	Stallworth
Brown, B.	Hardman	O'Neil	Stewart
Clark, I.	Jacobs	Patterson	Switalski
Clarke, H.	Jamnick	Phillips	Waters
Daniels	Lemmons	Quarles	Whitmer
Dennis	Lipse	Rison	Williams
Drolet	Lockwood	Rivet	Wojno
Garza	Mans	Rocca	Woodward

Nays—39

Allen	George	Koetje	Richner
Birkholz	Gilbert	Kooiman	Scranton
Bisbee	Godchaux	Kuipers	Shackleton
Bishop	Hager	LaSata	Stamas
Brown, C.	Hart	Mead	Tabor
DeRossett	Howell	Middaugh	Van Woerkom
DeVuyst	Hummel	Mortimer	Vander Veen
DeWeese	Jelinek	Newell	Vear
Ehardt	Johnson, Rick	Pappageorge	Voorhees
Faunce	Julian	Pumford	

In The Chair: Ehardt

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

1. Amend page 21, following line 13, by inserting:

“(4) AS AN AGENCY OF THE COUNTY GOVERNMENT WITHIN WHICH A QUALIFIED AIRPORT IS LOCATED, THE AUTHORITY SHALL BE SUBJECT TO A FINANCIAL OR COMPLIANCE AUDIT AT ANY TIME BY THE AUDITOR GENERAL OF THE COUNTY GOVERNMENT, AND SHALL BE SUBJECT TO COMPLIANCE WITH ALL AFFIRMATIVE REQUIREMENTS PROVIDED BY CHARTER OR ORDINANCE FOR COOPERATIVE RESPONSES TO FACILITATE THE COMPLETION OF A THOROUGH AUDIT AND TO THE PENALTIES PROVIDED FOR FAILURE TO DO SO.” and renumbering the remaining subsections.

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

Rep. O'Neil demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 257**Yeas—47**

Adamini	Gieleghem	Minore	Stewart
Anderson	Gosselin	Murphy	Switalski
Bernero	Hale	O'Neil	Thomas
Bishop	Hansen	Patterson	Toy
Bogardus	Hardman	Pestka	Waters
Bovin	Jacobs	Phillips	Whitmer
Brown, B.	Kolb	Reeves	Williams
Brown, R.	Lemmons	Rison	Wojno
Clarke, H.	Lipse	Rivet	Woodward
DeWeese	Lockwood	Schauer	Woronchak
Frank	Mans	Schermesser	Zelenko
Garza	McConico	Spade	

Nays—42

Allen	George	Kooiman	Pumford
Bisbee	Gilbert	Kowall	Richner
Bradstreet	Godchaux	Kuipers	Rocca
Brown, C.	Hager	LaSata	Shackleton
Cassis	Hart	Mead	Shulman

Caul
DeRossett
DeVuyst
Drolet
Ehardt
Faunce

Howell
Hummel
Jelinek
Johnson, Rick
Julian
Koetje

Meyer
Middaugh
Newell
Palmer
Pappageorge

Stamas
Tabor
Van Woerkom
Vear
Voorhees

In The Chair: Ehardt

Rep. Waters moved to amend the bill as follows:

1. Amend page 23, following line 17, by inserting:

“(5) A BOARD SHALL HAVE AN AFFIRMATIVE AND PROACTIVE DUTY TO ACCOMPLISH AN OPTIMUM MIX OF THE FOLLOWING OBJECTIVES:

(A) TO TAKE AGGRESSIVE STEPS TO NURTURE, CULTIVATE, ACCOMMODATE, AND OBTAIN THE OPTIMUM LEVEL OF COMPETITION AMONG AIRLINES TO AND FROM AT LEAST THE TOP 100 MOST POPULAR PASSENGER DESTINATIONS FROM THE AIRPORT, SUCH THAT THE COST OF AIR FARES TO THE TRAVELING PUBLIC IS MINIMIZED, AND CONSEQUENTLY THAT THE REGION SURROUNDING THE AIRPORT IS ALSO MADE MORE ATTRACTIVE AS A BUSINESS AND TOURIST DESTINATION.

(B) TO ASSURE THAT THE AIRPORT OFFERS PASSENGERS CLEAN, SAFE, SECURE, COMFORTABLE, ECONOMICAL, AND EXPEDITIOUS ACCOMMODATIONS.

(C) TO MAINTAIN, AUGMENT, AND COMPLETE PROGRAMS TO PREVENT AND MITIGATE NOISE AND FUEL FUME NUISANCE TO ALL LANDOWNERS WITHIN A 10-MILE RADIUS OF THE AIRPORT, CONSISTENT WITH THE 32-POINT PROGRAM ADOPTED BY THE WAYNE COUNTY COMMISSION ON DECEMBER 17, 1992 IN RESOLUTION 92-807, WHETHER COMPLETED WITH FEDERAL ASSISTANCE, PASSENGER FACILITY CHARGES, OR BY ADDITION TO THE LANDING FEES CHARGED TO USERS OF THE AIRPORT.

(D) TO OPERATE THE AIRPORT IN A MANNER THAT IS MOST ECONOMICAL TO THE TRAVELING PUBLIC, INCLUDING ASSURING THAT ALL CONCESSIONAIRES COMPLY WITH A STREET PRICING POLICY, AND ASSURING THAT EVERY ECONOMICAL FORM OF GROUND TRANSPORTATION IS OFFERED AND ACCOMMODATED.

(E) TO ASSURE THAT AIRLINES THAT OCCUPY A NONDOMINANT NICHE AT THE AIRPORT HAVE FULL AND EQUAL ACCOMMODATIONS AND ACCESS TO SERVING THE TRAVELING PUBLIC.

(F) TO ASSURE THAT ALL AIRPORT OPERATIONS ARE PLANNED AND OPERATED EFFICIENTLY, EFFECTIVELY, AND PRIMARILY FOR THE BENEFIT OF THE PUBLIC AND THE BROAD REGIONAL ECONOMY.

(6) THE BOARD SHALL ISSUE AN ANNUAL PUBLIC REPORT THAT SETS FORTH IN DETAIL ALL STEPS TAKEN DURING THE COURSE OF THE YEAR TO ACHIEVE THE AFFIRMATIVE OBJECTIVES SET FORTH IN SUBSECTION (5), INCLUDING AT LEAST THE FOLLOWING ELEMENTS:

(A) THE CHANGES UP OR DOWN IN THE AVERAGE COSTS OF AIRLINE TICKETS BY CARRIER TO THE 100 MOST POPULAR DESTINATIONS TO AND FROM THE AIRPORT.

(B) THE COST AND NUMBER OF HOMES INSULATED AGAINST EXCESSIVE NOISE AND STEPS TAKEN ON THE OTHER 32 ELEMENTS OF THE NOISE MITIGATION PROGRAM.

(C) A SURVEY OF COMPLIANCE WITH THE STREET PRICING POLICY.” and renumbering the remaining subsections.

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

Rep. Waters demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 258

Yeas—44

Adamini
Anderson
Basham

Dennis
Garza
Gielegthem

Mans
McConico
Minore

Sheltrown
Spade
Stewart

Bernero	Hale	Murphy	Switalski
Bogardus	Hansen	Neumann	Waters
Bovin	Hardman	O'Neil	Whitmer
Brown, B.	Jacobs	Patterson	Williams
Brown, R.	Jamnick	Phillips	Wojno
Clark, I.	Kolb	Rison	Woodward
Clarke, H.	Lemmons	Rocca	Woronchak
Daniels	Lipsey	Schermesser	Zelenko

Nays—45

Birkholz	Gosselin	Kuipers	Richardville
Bisbee	Hager	LaSata	Richner
Bishop	Hart	Mead	Scranton
Brown, C.	Howell	Meyer	Shulman
Cassis	Hummel	Middaugh	Stamas
Caul	Jelinek	Mortimer	Tabor
DeVuyst	Johnson, Rick	Newell	Toy
DeWeese	Johnson, Ruth	Palmer	Vander Roest
Drolet	Julian	Pappageorge	Vander Veen
Faunce	Koetje	Pumford	Vear
George	Kowall	Rackowski	Voorhees
Gilbert			

In The Chair: Ehardt

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

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

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

Senate Bill No. 690, entitled

A bill to amend 1945 PA 327, entitled "Aeronautics code of the state of Michigan," (MCL 259.1 to 259.208) by amending the title and by adding chapter VIA.

The bill was read a third time.

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

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

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

The question being on the passage of the bill,

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

Roll Call No. 259**Yeas—75**

Adamini	Godchaux	Mans	Scranton
Allen	Gosselin	Mead	Shackleton
Birkholz	Hager	Meyer	Sheltrown

Bisbee	Hart	Middaugh	Shulman
Bishop	Howell	Mortimer	Spade
Bovin	Hummel	Neumann	Stamas
Bradstreet	Jacobs	Newell	Stewart
Brown, C.	Jamnick	Palmer	Switalski
Brown, R.	Jelinek	Pappageorge	Tabor
Cassis	Johnson, Rick	Patterson	Toy
DeRossett	Johnson, Ruth	Pestka	Van Woerkom
DeVuyst	Julian	Phillips	Vander Roest
DeWeese	Koetje	Pumford	Vander Veen
Drolet	Kolb	Rackowski	Vear
Ehardt	Kooiman	Richardville	Voorhees
Faunce	Kowall	Richner	Whitmer
Frank	Kuipers	Rivet	Wojno
George	LaSata	Rocca	Zelenko
Gilbert	Lockwood	Schauer	

Nays—31

Anderson	Dennis	McConico	Schermesser
Basham	Garza	Minore	Stallworth
Bernero	Gielegghem	Murphy	Thomas
Bogardus	Hale	O'Neil	Waters
Brown, B.	Hansen	Plakas	Williams
Clark, I.	Hardman	Quarles	Woodward
Clarke, H.	Lemmons	Reeves	Woronchak
Daniels	Lipsey	Rison	

In The Chair: Ehardt

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

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

A bill to amend 1945 PA 327, entitled "An act relating to aeronautics in this state; providing for the development and regulation thereof; creating a state aeronautics commission; prescribing powers and duties; providing for the licensing, or registration, or supervision and control of all aircraft, airports and landing fields, schools of aviation, flying clubs, airmen, aviation instructors, airport managers, manufacturers, dealers, and commercial operation in intrastate commerce; providing for rules pertaining thereto; prescribing a privilege tax for the use of the aeronautical facilities on the lands and waters of this state; providing for the acquisition, development, and operation of airports, landing fields, and other aeronautical facilities by the state and by political subdivisions; providing jurisdiction of crimes, torts, and contracts; providing police powers for those entrusted to enforce this act; providing for civil liability of owners, operators, and others; making hunting from aircraft unlawful; providing for repair station operators lien; providing for appeals from rules or orders issued by the commission; providing for the transfer from the Michigan board of aeronautics to the aeronautics commission all properties and funds held by the board of aeronautics; providing for a state aeronautics fund and making an appropriation therefor; prescribing penalties; and making uniform the law with reference to state development and regulation of aeronautics," (MCL 259.1 to 259.208) by amending the title and by adding chapter VIA; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

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

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

Rep. Jacobs demanded the yeas and nays.

The demand was supported.

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

The motion prevailed, 2/3 of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 260**Yeas—76**

Adamini	Gilbert	Lockwood	Schauer
Allen	Godchaux	Mans	Scranton
Birkholz	Hager	Mead	Shackleton
Bisbee	Hansen	Meyer	Sheltrown
Bishop	Hart	Middaugh	Shulman
Bovin	Howell	Mortimer	Spade
Bradstreet	Hummel	Neumann	Stamas
Brown, C.	Jacobs	Newell	Stewart
Brown, R.	Jamnick	Palmer	Switalski
Cassis	Jelinek	Pappageorge	Tabor
Caul	Johnson, Rick	Patterson	Toy
DeRossett	Johnson, Ruth	Pestka	Van Woerkom
DeVuyst	Julian	Phillips	Vander Roest
DeWeese	Koetje	Pumford	Vander Veen
Drolet	Kolb	Rackowski	Vear
Ehardt	Kooiman	Richardville	Voorhees
Faunce	Kowall	Richner	Whitmer
Frank	Kuipers	Rivet	Wojno
George	LaSata	Rocca	Zelenko

Nays—29

Anderson	Dennis	McConico	Schermesser
Basham	Garza	Minore	Stallworth
Bernero	Gielegem	Murphy	Thomas
Bogardus	Hale	O'Neil	Waters
Brown, B.	Hardman	Plakas	Williams
Clark, I.	Lemmons	Quarles	Woodward
Clarke, H.	Lipsey	Reeves	Woronchak
Daniels			

In The Chair: Ehardt

Second Reading of Bills**Senate Bill No. 880, entitled**

A bill to create a telecommunication rights-of-way oversight authority; to provide for fees; to prescribe the powers and duties of municipalities and certain state agencies and officials; to provide for penalties; 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-4) previously recommended by the Committee on Energy and Technology,

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

Rep. Bob Brown moved to amend the bill as follows:

1. Amend page 21, line 15, after "funds." by inserting "The authority shall prescribe the form of the report to be filed under this subsection, which report shall be in a simplified format."

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

Rep. Bradstreet moved to amend the bill as follows:

1. Amend page 19, line 17, after "same" by striking out "space on".

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

Rep. Bradstreet moved to amend the bill as follows:

1. Amend page 26, line 14, after “another” by striking out “telecommunication provider of” and inserting “person providing”.

2. Amend page 26, line 18, after “another” by striking out “telecommunication provider of” and inserting “person providing”.

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

Rep. Bradstreet moved to amend the bill as follows:

1. Amend page 16, line 11, after “to” by striking out “obtain a permit,”.

2. Amend page 16, line 12, after “charges” by striking out the comma.

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 880, entitled

A bill to create a telecommunication rights-of-way oversight authority; to provide for fees; to prescribe the powers and duties of municipalities and certain state agencies and officials; to provide for penalties; and to repeal acts and parts of acts.

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

Roll Call No. 261

Yeas—100

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

Nays—6

Drolet	Patterson	Stewart	Woronchak
Gosselin	Scranton		

In The Chair: Ehardt

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

Senate Bill No. 881, entitled

A bill to create the Michigan broadband development authority; to create funds and accounts; to authorize the issuing of bonds and notes; to prescribe the powers and duties of the authority; and to provide incentives for the development of broadband services.

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

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

Rep. Bob Brown moved to amend the bill as follows:

1. Amend page 7, line 23, after “appointment.” by inserting “As used in this subdivision, “members of the same political party” includes a person who, in the determination of the governor, is currently a member of the same political party and a person who was a member of the same political party at any time within the immediately preceding 2 years, as attested by the person to be appointed.”.

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 881, entitled

A bill to create the Michigan broadband development authority; to create funds and accounts; to authorize the issuing of bonds and notes; to prescribe the powers and duties of the authority; and to provide incentives for the development of broadband services.

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

Roll Call No. 262

Yeas—98

Adamini	Garza	Lockwood	Rocca
Allen	George	Mans	Schauer
Anderson	Gielegghem	McConico	Schermesser
Basham	Gilbert	Mead	Shackleton
Bernero	Godchaux	Meyer	Sheltrown
Birkholz	Hager	Middaugh	Shulman
Bisbee	Hale	Minore	Spade
Bishop	Hansen	Mortimer	Stallworth
Bogardus	Hardman	Murphy	Stewart
Bovin	Howell	Neumann	Switalski
Bradstreet	Hummel	Newell	Tabor
Brown, B.	Jacobs	O’Neil	Thomas
Brown, C.	Jamnick	Pappageorge	Toy
Brown, R.	Jelinek	Pestka	Van Woerkom
Cassis	Johnson, Rick	Phillips	Vander Roest
Clark, I.	Johnson, Ruth	Plakas	Vander Veen
Clarke, H.	Julian	Pumford	Vear
Daniels	Koetje	Quarles	Voorhees

Dennis
DeRossett
DeVuyst
DeWeese
Ehardt
Faunce
Frank

Kolb
Kooiman
Kowall
Kuipers
LaSata
Lemmons
Lipsey

Rackowski
Reeves
Richardville
Richner
Rison
Rivet

Waters
Whitmer
Williams
Wojno
Woodward
Zelenko

Nays—9

Caul
Drolet
Gosselin

Hart
Palmer

Patterson
Scranton

Stamas
Woronchak

In The Chair: Ehardt

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

Senate Bill No. 999, entitled

A bill to amend 1905 PA 282, entitled “An act to provide for the assessment of the property, by whomsoever owned, operated or conducted, of railroad companies, union station and depot companies, telegraph companies, telephone companies, sleeping car companies, express companies, car loaning companies, stock car companies, refrigerator car companies, and fast freight companies, and all other companies owning, leasing, running or operating any freight, stock, refrigerator, or any other cars, not being exclusively the property of any railroad company paying taxes upon its rolling stock under the provisions of this act, over or upon the line or lines of any railroad or railroads in this state, and for the levy of taxes thereon by a state board of assessors, and for the collection of such taxes, and to repeal all acts or parts of acts contravening any of the provisions of this act,” (MCL 207.1 to 207.21) by adding section 13b.

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

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

Rep. Shackleton moved to amend the bill as follows:

1. Amend page 3, line 13, after “LESS” by inserting “25% OF”.

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 999, entitled

A bill to amend 1905 PA 282, entitled “An act to provide for the assessment of the property, by whomsoever owned, operated or conducted, of railroad companies, union station and depot companies, telegraph companies, telephone companies, sleeping car companies, express companies, car loaning companies, stock car companies, refrigerator car companies, and fast freight companies, and all other companies owning, leasing, running or operating any freight, stock, refrigerator, or any other cars, not being exclusively the property of any railroad company paying taxes upon its rolling stock under the provisions of this act, over or upon the line or lines of any railroad or railroads in this state,

and for the levy of taxes thereon by a state board of assessors, and for the collection of such taxes, and to repeal all acts or parts of acts contravening any of the provisions of this act,” (MCL 207.1 to 207.21) by adding section 13b.

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

Roll Call No. 263**Yeas—105**

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

Nays—1

Scranton

In The Chair: Ehardt

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.

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Shackleton, DeWeese, Richardville, Julian, Richner, Faunce, Sheltrown, Hale, Basham, Kuipers, Spade, Anderson, Neumann, Switalski, Lockwood, Schauer, Howell, Ehardt, Vander Veen, McConico, Shulman, Drolet, Adamini, Clarke, Vander Roest, Woodward, Zelenko, Bishop, Voorhees, Toy, Gosselin, Mead, Birkholz, Koetje, Kowall, Hager, DeRossett, Rackowski, DeVuyst, Van Woerkom, Cassis, Tabor, Rich Brown, Pappageorge, George, Kooiman and Murphy offered the following resolution:

House Resolution No. 363.

A resolution honoring the life of Paul Hellow.

Whereas, With the recent passing of Mr. Paul Hellow, the people of this state have lost an individual who devoted his life to his family, faith, and his country; and

Whereas, Paul Hellow was born in Detroit, Michigan, in 1915. He was a first-generation American and one of ten children his parents, Anthony and Effie of Lebanon, raised in a home filled with love and respect. Paul helped support his family during the Great Depression through work with the National Youth Administration during the onset of federal work programs created by President Roosevelt. He later helped convert manufacturing at the Packard Motor Company to create Rolls Royce engines for the airplanes that would help win World War II; and

Whereas, He soon learned the true meaning of patriotism as he served with the United States Navy in the South Pacific on the USS Baham and USS Prometheus, earning honors such as the World War II Victory Ribbon, Philippine Liberation Ribbon, and the American Area Ribbon; and

Whereas, After leaving active duty, Paul Hellow continued to work for the United States government where he remained a valuable and loyal federal employee until his retirement in 1991, completing more than 50 years of service to the people of the United States. He also remained a member of the Navy Reserve until age 61, retiring with the rank of Master Machinist Chief; and

Whereas, Paul Hellow was a devoted family man, helping support and care for his parents, and the growing families surrounding his nine siblings. He sponsored his nephew and niece from Lebanon, allowing these young individuals to gain higher education and start a life in the United States. Paul Hellow was finally able to briefly return to Lebanon at the age of 66 to meet his brother, Wadih, for the first time; and

Whereas, Paul Hellow was a dedicated member of St. Maron's Parish, Knights of Columbus, Veterans of Foreign Wars, and served as chaplain of the Fleet Reserve Association until his passing on February 13, 2002; now, therefore, be it

Resolved by the House of Representative, That the members of this legislative body honor the life of Paul Hellow; and be it further

Resolved, That a copy of this resolution be transmitted to the family of Paul Hellow as evidence of our sincerest condolences.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. DeRossett, Raczkowski, Howell, DeVuyst, Patterson, Van Woerkom, Faunce, Meyer, Palmer, Ehardt, Cassis, Bisbee, Gilbert, DeWeese, Richardville, Julian, Richner, Sheltrown, Basham, Kuipers, Spade, Anderson, Neumann, Switalski, Lockwood, Schauer, Vander Veen, Thomas, Minore, Lipsey, McConico, Wojno, Bernero, Shulman, Drolet, Jamnick, Gielegheem, Adamini, Clarke, Vander Roest, Bogardus, Woodward, Zelenko, Bishop, Voorhees, Toy, Mead, Birkholz, Koetje, Kowall, Hager, Scranton, Lemmons, Tabor, Rich Brown, Plakas, Pappageorge, George, Kooiman and Murphy offered the following resolution:

House Resolution No. 364.

A resolution congratulating Todd Buter for his outstanding accomplishments as Michigan's Horseman of the Year for 2001.

Whereas, We are proud to join with members of the Michigan Harness Horsemen's Association in congratulating Todd Buter upon being voted the Michigan Horseman of the Year for 2001. The excellence shown in the racing arena by this talented and hardworking owner, trainer, and driver of standardbred horses provides an outstanding example of the rewards gained through a love and dedication of one's sport; and

Whereas, As Director of Michigan Harness Horsemen's Association, Todd Buter brings more than hard work and readiness to each performance. His inextinguishable energy and will to claim victory in each race is every bit as impressive as his ability to compete; and

Whereas, Todd's expert training abilities have been demonstrated by his five consecutive years with a .300 or better universal training rating. He also posted a universal driver rating of .300 or better in 16 of the last 17 years. His poise under the pressure of intense competition serves as an example to all athletes struggling for recognition in any sport; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body congratulate Todd Buter for his outstanding accomplishments as Michigan's Horseman of the Year for 2001. May his determination grow stronger each day and positively influence his every endeavor in the many years ahead; and be it further

Resolved, That a copy of this resolution be transmitted to Todd Buter as a token of our esteem.

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. Spade, DeWeese, Richardville, Julian, Richner, Faunce, Sheltroun, Basham, Kuipers, Anderson, Neumann, Switalski, Lockwood, Rivet, Schauer, Hansen, Ehardt, Vander Veen, Thomas, Minore, Lipsey, McConico, Shulman, Drolet, Jamnick, Quarles, Gielegem, Adamini, Clarke, Vander Roest, Mans, Bogardus, Woodward, Zelenko, Mead, Birkholz, Kowall, Hager, DeRossett, Raczkowski, DeVuyst, Van Woerkom, Lemmons, Rich Brown, Plakas, Pappageorge, George and Murphy offered the following resolution:

House Resolution No. 365.

A resolution memorializing the United States Postal Service and the Citizens Stamp Advisory Committee to issue a postal stamp to honor our coal miners and to commemorate their contributions to our nation and its citizens.

Whereas, Coal was first discovered in Michigan in 1835. Coal mining was a significant industry in this state until the last deep coal mine closed in 1952. Portions of 32 counties in central lower Michigan are included in Michigan's coal basin with an estimated 300 million tons of reserves still in existence and available for mining; and

Whereas, Pioneers first began extracting bituminous coal near Jackson and used it as fuel to power locomotives and large factory engines following the Civil War. Larger operations opened in the late 1880s in the Bay and Saginaw Counties and by the 1900s were producing almost 800,000 tons of coal; and

Whereas, Coal mining in Michigan reached its peak in 1907, producing 2 million tons in that one year, compared to 3.4 million tons during the entire previous century. When Michigan's last coal mine closed in 1952, located in Saginaw County, the state's mines had produced approximately 46 million tons of coal. While an open-pit mine operated briefly in Ingham County in the mid-1970s, falling prices had brought an end to mining in the state; and

Whereas, Early mining operations in Michigan saw workers overcome incredible difficulties to bring coal to the surface. They frequently had to stand in pools of water, breathe rank air, and use lard lamps to see what they were doing. Often, miners had to lie on their bellies in wet mud while chipping away at the seams of coal; and

Whereas, Our entire nation could never repay coal miners for the difficult and dangerous job they performed so that we could operate our industries and heat our homes; and

Whereas, It would be proper and fitting for our nation to recognize coal miners, both past and present, for their contributions to this nation; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body memorialize the United States Postal Service and the Citizens Stamp Advisory Committee to issue a postal stamp to honor our coal miners and to commemorate their contributions to our nation and its citizens; and be it further

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

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

Messages from the Senate

House Bill No. 5111, entitled

A bill to amend 1937 PA 345, entitled "Fire fighters and police officers retirement act," by amending sections 6 and 9 (MCL 38.556 and 38.559), as amended by 1991 PA 54.

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

The House agreed to the full title.

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

House Bill No. 5113, entitled

A bill to amend 1986 PA 182, entitled "State police retirement act of 1986," by amending section 43 (MCL 38.1643), as amended by 1991 PA 53.

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

The House agreed to the full title.

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

House Bill No. 5108, entitled

A bill to protect certain rights that public employees have in retirement benefits under certain circumstances; and to prescribe the powers and duties of certain retirement systems, state departments, courts, public officials, and public employees.

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

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

A bill to protect certain rights that public employees have in retirement benefits under certain circumstances; to provide for the establishment of certain funds and arrangements; and to prescribe the powers and duties of certain retirement systems, state departments, courts, public officials, and public employees.

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

House Bill No. 5110, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending sections 46 and 85 (MCL 38.1346 and 38.1385), section 46 as amended by 1991 PA 47 and section 85 as amended by 1998 PA 213.

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

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

A bill to amend 1980 PA 300, entitled "An act to provide a retirement system for the public school employees of this state; to create certain funds for this retirement system; to provide for the creation of a retirement board within the department of management and budget; to prescribe the powers and duties of the retirement board; to prescribe the powers and duties of certain state departments, agencies, officials, and employees; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending sections 4, 34, 36, 41, 43a, 46, 85, and 108 (MCL 38.1304, 38.1334, 38.1336, 38.1341, 38.1343a, 38.1346, 38.1385, and 38.1408), sections 4, 34, 36, and 41 as amended by 1997 PA 143, section 43a as amended by 1990 PA 298, section 46 as amended by 1991 PA 47, and sections 85 and 108 as amended by 1998 PA 213.

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

House Bill No. 5114, entitled

A bill to amend 1957 PA 261, entitled "Michigan legislative retirement system act," by amending sections 57 and 80 (MCL 38.1057 and 38.1080), section 57 as amended by 1995 PA 258 and section 80 as added by 1996 PA 486.

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

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

A bill to amend 1957 PA 261, entitled "An act for the creation, maintenance, and administration of a legislative members' and presiding officers' retirement system within the legislature; to provide retirement allowances to the participants of the retirement system, and survivors' allowances and other benefits to their beneficiaries upon death; to exempt those allowances and benefits from certain taxes and legal processes; to authorize and make appropriations for the retirement system; to prescribe the powers and duties of certain state departments, agencies, officials, and employees; and to prescribe penalties and provide remedies," by amending the title and sections 8a, 9, 13a, 14, 20, 22a, 22c, 23, 23d, 26, 30, 57, 59a, 61, 62, 63, and 80 (MCL 38.1008a, 38.1009, 38.1013a, 38.1014, 38.1020, 38.1022a, 38.1022c, 38.1023, 38.1023d, 38.1026, 38.1030, 38.1057, 38.1059a, 38.1061, 38.1062, 38.1063, and 38.1080), the title as amended and sections 61, 63, and 80 as added by 1996 PA 486, sections 8a and 59a as added by 1995 PA 175, sections 9, 22c, 23, 23d, and 26 as amended by 1998 PA 501, section 13a as amended by 1998 PA 78, sections 14 and 20 as amended by 1981 PA 123, sections 22a and 30 as amended by 1994 PA 359, section 57 as amended by 1995 PA 258, and section 62 as amended by 1998 PA 305.

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

House Bill No. 5674, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 821, 822, and 8148 (MCL 600.821, 600.822, and 600.8148), section 821 as amended by 1998 PA 298 and section 822 as amended by 1998 PA 313, and by adding sections 810a and 8179.

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

The Senate has passed the bill as substituted (S-1) and amended the title to read as follows:

A bill to amend 1961 PA 236, entitled "An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts

of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts,” by amending sections 512, 524, 527, 535, 549b, 549e, 550a, 821, 821a, 822, 8143, 8144, 8146, 8147, 8148, 8152, and 8176, (MCL 600.512, 600.524, 600.527, 600.535, 600.549b, 600.549e, 600.550a, 600.821, 600.821a, 600.822, 600.8143, 600.8144, 600.8146, 600.8147, 600.8148, 600.8152, and 600.8176), sections 535, 550a, and 8147 as amended by 1990 PA 54, section 549e as added by 1980 PA 129, section 821 as amended by 1998 PA 298, section 821a as added by 1998 PA 100, section 822 as amended by 1998 PA 313, section 8152 as amended by 2000 PA 38, and section 8176 as amended by 1994 PA 138, and by adding section 810a; and to repeal acts and parts of acts.

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

House Concurrent Resolution No. 48.

A concurrent resolution to urge the United States Department of Energy and the Nuclear Regulatory Commission to fulfill their obligation to establish a permanent repository for high-level nuclear waste.

(For text of resolution, see House Journal No. 78 of 2001, p. 2278.)

The Senate has substituted (S-2) the concurrent resolution as follows:

Substitute for House Concurrent Resolution No. 48.

A concurrent resolution to support the United States Department of Energy and the Nuclear Regulatory Commission in their efforts to fulfill their obligation to establish a permanent repository for high-level nuclear waste.

Whereas, Over the past four decades, nuclear power has become a significant source for the nation’s production of electricity. Michigan is among the majority of states that derive energy from nuclear plants; and

Whereas, Since the earliest days of nuclear power, the great dilemma associated with this technology is how to deal with the waste material that is produced. This high-level radioactive waste material demands exceptional care in all facets of its storage and disposal, including the transportation of this material; and

Whereas, In 1982, Congress passed the Nuclear Waste Policy Act of 1982. This legislation requires the federal government, through the Department of Energy, to build a facility for the permanent storage of high-level nuclear waste. This act, which was amended in 1987, includes a specific timetable to identify a suitable location and to establish the waste facility. The costs for this undertaking are to be paid from a fee that is assessed on all nuclear energy produced; and

Whereas, In accordance with the federal act, Michigan electric customers have paid \$405.8 million into this federal fund for construction of the federal waste facility; and

Whereas, There are serious concerns that the federal government is not complying with the timetables set forth in federal law. Every delay places our country at greater risk, because the large number of temporary storage sites at nuclear facilities across the country make us vulnerable to potential problems. The events since September 11, 2001, clearly illustrate the urgency of the need to establish a safe and permanent high-level nuclear waste facility as soon as possible. The Department of Energy, working with the Nuclear Regulatory Commission, must not fail to meet its obligation as provided by law. There is too much at stake; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we support the United States Department of Energy and the Nuclear Regulatory Commission in their efforts to fulfill their obligation to establish a permanent repository for high-level nuclear waste; and be it further

Resolved, That copies of this resolution be transmitted to the United States Department of Energy, the Nuclear Regulatory Commission, 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 Senate has adopted the concurrent resolution as substituted (S-2) and named Senator Goschka as co-sponsor.

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

Rep. Patterson moved that consideration of the concurrent resolution be postponed for the day.

The motion prevailed.

Rep. DeRossett moved that the House adjourn.

The motion prevailed, the time being 6:10 p.m.

Associate Speaker Pro Tempore Ehardt declared the House adjourned until Thursday, March 14, at 12:00 Noon.

GARY L. RANDALL
Clerk of the House of Representatives.

