

No. 35
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House Chamber, Lansing, Tuesday, April 23, 2002.

2:00 p.m.

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

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

Adamini—present	Garza—excused	Lockwood—present	Schauer—present
Allen—present	George—present	Mans—present	Schermesser—excused
Anderson—present	Gielegem—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—excused
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—present	Jamnack—present	Patterson—present	Van Woerkom—present
Cassis—present	Jansen—present	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—excused
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
Fauce—present	Lemmons—present	Rocca—present	
Frank—present	Lipsey—present		

e/d/s = entered during session

Rev. Melvin T. Jones, Pastor of Union Missionary Baptist Church in Lansing, offered the following invocation:

“Our Father and our God we are grateful for this great state. We thank You for the privilege to assemble in this democracy. We do ask Your favor upon us and upon our mission. We pray, for the great people of this state that they will add to their possession – fairness, equity, and justice. We pray, that as we have gathered together, we recognize that we are in Your presence. Yet, we invoke Your presence because we would be conscious of Your presence. We ask that You would bless this assembly, indeed, as we execute our responsibilities that we do them with Your mind and with Your heart. That those rules, regulations and legislation that which shall come forth, will mirror Your concern for Your people. Use us this day, and for those times to come to the end that You will be glorified. For we ask it in the name of our Lord. Amen.”

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

Rep. Jacobs moved that Reps. Stallworth and Whitmer be excused from the week’s session.
The motion prevailed.

Messages from the Senate

The Speaker laid before the House

House Bill No. 4507, entitled

A bill to amend 1937 PA 94, entitled “Use tax act,” by amending section 5 (MCL 205.95).

(The bill was received from the Senate on March 7, with substitute (S-4), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until March 12, see House Journal No. 22, p. 521.)

The question being on concurring in the substitute (S-4) made to the bill by the Senate,

The substitute (S-4) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 564

Yeas—100

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

DeVuyst	Kooiman	Quarles	Williams
DeWeese	Kowall	Rackowski	Wojno
Drolet	Kuipers	Reeves	Woodward
Ehardt	LaSata	Richardville	Woronchak
Faunce	Lemmons	Richner	Zelenko

Nays—1

Bogardus

In The Chair: Birkholz

The House agreed to the full title of the bill.

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

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

The Speaker laid before the House

House Bill No. 5211, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 19 (MCL 211.19), as amended by 1996 PA 126.

(The bill was received from the Senate on March 21, with substitute (S-2), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until April 9, see House Journal No. 28, p. 871.)

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

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

Roll Call No. 565**Yeas—101**

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

Clarke, H.	Johnson, Ruth	Phillips	Vear
Daniels	Julian	Plakas	Voorhees
Dennis	Koetje	Pumford	Waters
DeRossett	Kolb	Raczkowski	Williams
DeVuyst	Kooiman	Reeves	Wojno
DeWeese	Kowall	Richardville	Woodward
Drolet	Kuipers	Richner	Woronchak
Ehardt	LaSata	Rison	Zelenko
Faunce			

Nays—0

In The Chair: Birkholz

The House agreed to the title as amended.

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

The Speaker laid before the House

House Bill No. 5624, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 4504 (MCL 324.4504), as added by 1995 PA 60.

(The bill was received from the Senate on April 18, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 34, p. 1191.)

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

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

Roll Call No. 566

Yeas—101

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

Nays—0

In The Chair: Birkholz

The House agreed to the full title of the bill.

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

The Speaker laid before the House

House Bill No. 5634, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending section 74112 (MCL 324.74112), as added by 1995 PA 58.

(The bill was received from the Senate on April 18, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 34, p. 1191.)

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

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

Roll Call No. 567**Yeas—102**

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

Nays—0

In The Chair: Birkholz

The House agreed to the full title of the bill.

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

Third Reading of Bills**Senate Bill No. 1038, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing section 517 (MCL 750.517).

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

Roll Call No. 568**Yeas—103**

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

Nays—0

In The Chair: Birkholz

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

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

The House agreed to the full title.

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

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

Senate Bill No. 1039, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing section 516 (MCL 750.516).

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

Roll Call No. 569**Yeas—101**

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

Nays—0

In The Chair: Birkholz

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

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

The House agreed to the full title.

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

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

Senate Bill No. 1040, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by repealing section 514 (MCL 750.514).

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

Roll Call No. 570**Yeas—101**

Adamini	Frank	Lockwood	Rivet
Allen	George	Mans	Rocca
Anderson	Gielegem	McConico	Schauer
Basham	Gilbert	Mead	Scranton

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

Nays—0

In The Chair: Birkholz

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

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

The House agreed to the full title.

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

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

Senate Bill No. 1042, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by repealing section 513 (MCL 750.513).

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

Roll Call No. 571**Yeas—103**

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

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

Nays—0

In The Chair: Birkholz

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

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

The House agreed to the full title.

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

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

Senate Bill No. 1044, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by repealing section 179 (MCL 750.179).

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

Roll Call No. 572

Yeas—99

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

Dennis	Julian	Plakas	Waters
DeRossett	Koetje	Pumford	Williams
DeVuyst	Kolb	Quarles	Wojno
DeWeese	Kooiman	Reeves	Woodward
Drolet	Kowall	Richardville	Woronchak
Ehardt	Kuipers	Richner	Zelenko
Faunce	LaSata	Rison	

Nays—0

In The Chair: Birkholz

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

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

The House agreed to the full title.

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

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

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

The motion prevailed.

Senate Bill No. 1045, entitled

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

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

Roll Call No. 573**Yeas—102**

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

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

Nays—0

In The Chair: Birkholz

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

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

The House agreed to the full title.

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

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

Rep. Mortimer moved that Rep. Ehardt be excused temporarily from today’s session.

The motion prevailed.

Senate Bill No. 1046, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by repealing section 366 (MCL 750.366).

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

Roll Call No. 574

Yeas—101

Adamini	George	Lipsey	Rivet
Allen	Gielegem	Lockwood	Rocca
Anderson	Gilbert	Mans	Schauer
Basham	Godchaux	McConico	Scranton
Bernero	Gosselin	Mead	Shackleton
Birkholz	Hager	Meyer	Sheltrown

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

Nays—0

In The Chair: Birkholz

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

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

The House agreed to the full title.

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

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

Senate Bill No. 1047, entitled

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

The bill was read a third time.

The question being on the passage of the bill,

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

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

The question being on the passage of the bill,

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

Roll Call No. 575

Yeas—101

Adamini	George	Lipsey	Rivet
Allen	Gielegem	Lockwood	Rocca
Anderson	Gilbert	Mans	Schauer
Basham	Godchaux	McConico	Scranton
Bernero	Gosselin	Mead	Shackleton
Birkholz	Hager	Meyer	Sheltrown
Bisbee	Hale	Middaugh	Shulman
Bishop	Hansen	Minore	Spade

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

Nays—0

In The Chair: Birkholz

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

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

A bill to amend 1927 PA 175, entitled "An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act," by amending section 16r of chapter XVII (MCL 777.16r), as amended by 2002 PA 102.

The motion prevailed.

The House agreed to the title as amended.

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

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

Senate Bill No. 1048, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by repealing section 266 (MCL 750.266).

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

Roll Call No. 576

Yeas—102

Adamini	Frank	Lipsey	Rivet
Allen	George	Lockwood	Rocca
Anderson	Gielegem	Mans	Schauer

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

Nays—0

In The Chair: Birkholz

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

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

The House agreed to the full title.

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

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

House Bill No. 4726, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 5759 (MCL 600.5759).

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

Roll Call No. 577**Yeas—105**

Adamini	Frank	Lemmons	Rison
Allen	George	Lipsey	Rivet
Anderson	Gielegem	Lockwood	Rocca
Basham	Gilbert	Mans	Schauer
Bernero	Godchaux	McConico	Scranton
Birkholz	Gosselin	Mead	Shackleton
Bisbee	Hager	Meyer	Sheltrown
Bishop	Hale	Middaugh	Shulman
Bogardus	Hansen	Minore	Spade
Bovin	Hardman	Mortimer	Stamas

Bradstreet	Hart	Murphy	Stewart
Brown, B.	Howell	Neumann	Switalski
Brown, C.	Hummel	Newell	Tabor
Brown, R.	Jacobs	O'Neil	Thomas
Callahan	Jamnick	Palmer	Toy
Cassis	Jansen	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	Williams
DeVuyst	Kooiman	Raczkowski	Wojno
DeWeese	Kowall	Reeves	Woodward
Drolet	Kuipers	Richardville	Woronchak
Ehardt	LaSata	Richner	Zelenko
Faunce			

Nays—0

In The Chair: Birkholz

The House agreed to the title of the bill.

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

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

Reps. Anderson, Basham, Birkholz, Callahan, Faunce, Lemmons, Neumann, Newell, Patterson, Raczkowski, Stewart and Vear were named co-sponsors of the bill.

House Bill No. 5242, entitled

A bill to amend 1994 PA 203, entitled "Foster care and adoption services act," by amending section 8 (MCL 722.958).

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

Roll Call No. 578**Yeas—105**

Adamini	Frank	Lemmons	Rison
Allen	George	Lipsey	Rivet
Anderson	Gielegem	Lockwood	Rocca
Basham	Gilbert	Mans	Schauer
Bernero	Godchaux	McConico	Scranton
Birkholz	Gosselin	Mead	Shackleton
Bisbee	Hager	Meyer	Sheltrown
Bishop	Hale	Middaugh	Shulman
Bogardus	Hansen	Minore	Spade
Bovin	Hardman	Mortimer	Stamas
Bradstreet	Hart	Murphy	Stewart
Brown, B.	Howell	Neumann	Switalski
Brown, C.	Hummel	Newell	Tabor
Brown, R.	Jacobs	O'Neil	Thomas
Callahan	Jamnick	Palmer	Toy
Cassis	Jansen	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	Williams
DeVuyst	Kooiman	Rackowski	Wojno
DeWeese	Kowall	Reeves	Woodward
Drolet	Kuipers	Richardville	Woronchak
Ehardt	LaSata	Richner	Zelenko
Faunce			

Nays—0

In The Chair: Birkholz

The House agreed to the title of the bill.
 Rep. Patterson 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

Rep. Patterson moved that a respectful message be sent to the Senate requesting the return of **Senate Bill No. 856**.
 The motion prevailed.

Second Reading of Bills

Senate Bill No. 639, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 8142 (MCL 500.8142), as amended by 1998 PA 279.

The bill was read a second time.

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

The motion prevailed.

Senate Bill No. 989, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 8302, 8303, 8304, 8305, 8306, 8309, 8310, 8311, 8312, 8313, 8314, 8317, 8318, 8319, 8322, 8327, 8329, 8330, and 8333 (MCL 324.8302, 324.8303, 324.8304, 324.8305, 324.8306, 324.8309, 324.8310, 324.8311, 324.8312, 324.8313, 324.8314, 324.8317, 324.8318, 324.8319, 324.8322, 324.8327, 324.8329, 324.8330, and 324.8333), section 8319 as amended by 1996 PA 312, and by adding sections 8307a, 8307b, 8307c, 8307d, 8307e, and 8307f; and to repeal acts and parts of acts.

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

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

Rep. Sheltroun moved to amend the bill as follows:

1. Amend page 35, line 11, by striking out "\$30.00" and inserting "\$10.00".

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

Rep. Sheltroun moved to amend the bill as follows:

1. Amend page 35, line 13, after "APPLICATOR," by striking out "\$30.00" and inserting "\$10.00".

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

Rep. DeRossett moved to amend the bill as follows:

1. Amend page 2, following line 16, by inserting:

“(6) “ANTIMICROBIAL PESTICIDE” MEANS A PESTICIDE THAT IS INTENDED TO DISINFECT, SANITIZE, REDUCE, OR MITIGATE GROWTH OR DEVELOPMENT OF MICROBIAL ORGANISMS, AS DEFINED UNDER THE FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT, CHAPTER 125, 86 STAT. 973, 7 U.S.C. 136 TO 136i, 136j TO 136r, AND 136s TO 136y.” and renumbering the remaining subsections.

2. Amend page 9, line 6, by striking out all of subsections (10) and (11) and renumbering the remaining subsections.

3. Amend page 30, line 27, after “USE” by striking out “MICROBIOCIDE” and inserting “ANTIMICROBIAL PESTICIDE”.

4. Amend page 31, line 2, after “OF” by striking out “A MICROBIOCIDE” and inserting “AN ANTIMICROBIAL PESTICIDE”.

5. Amend page 37, line 6, after “OF” by striking out “A MICROBIOCIDE” and inserting “AN ANTIMICROBIAL PESTICIDE”.

6. Amend page 37, line 8, after “OF” by striking out “MICROBIOCIDES” and inserting “ANTIMICROBIAL PESTICIDES”.

7. Amend page 37, line 19, after “USE” by striking out “MICROBIOCIDES” and inserting “ANTIMICROBIAL PESTICIDES”.

8. Amend page 37, line 23, after “OF” by striking out “A MICROBIOCIDE” and inserting “AN ANTIMICROBIAL PESTICIDE”.

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

Rep. Woodward moved to amend the bill as follows:

1. Amend page 47, following line 22, by inserting:

“(9) IN ADDITION TO ANY OTHER PENALTY OR REMEDY PROVIDED IN THIS SECTION, IF A VIOLATION UNDER THIS SECTION INVOLVES THE IMPROPER APPLICATION OF A PESTICIDE, A PERSON WHO VIOLATES THIS SECTION SHALL PAY TO THE OWNER OF THE PROPERTY ON WHICH THE PESTICIDE WAS APPLIED AN AMOUNT EQUAL TO THE COST OF A DEPARTMENT APPROVED CLEAN-UP OF ALL AREAS OF THE PROPERTY WHERE THE IMPROPER APPLICATION OF THE PESTICIDE OCCURRED.” and renumbering the remaining subsections.

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

Rep. Woodward demanded the yeas and nays.

The demand was supported.

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

Rep. Patterson moved that consideration of the bill be postponed temporarily.

The motion prevailed.

House Bill No. 5761, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 20145 and 21523 (MCL 333.20145 and 333.21523), section 20145 as amended by 1993 PA 88.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5805, entitled

A bill to amend 1996 PA 376, entitled “Michigan renaissance zone act,” by amending section 4 (MCL 125.2684), as amended by 2000 PA 259.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Commerce (for amendment, see House Journal No. 32, p. 1066),

The amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Koetje moved to amend the bill as follows:

1. Amend page 3, following line 18, by inserting:

“Enacting section 1. This amendatory act is retroactive and is effective for 1 or more distinct geographic areas whose duration of renaissance zone status has been extended on and after April 1, 2002. Any action by a qualified local governmental unit on and after April 1, 2002 and until the effective date of this amendatory act to extend the duration of renaissance zone status on additional distinct geographic areas without approval by the board is null and void.”.

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

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

House Bill No. 5806, entitled

A bill to amend 1996 PA 376, entitled "Michigan renaissance zone act," by amending section 6 (MCL 125.2686), as amended by 2000 PA 259.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5521, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 12 of chapter XVII (MCL 777.12), as amended by 2001 PA 160.

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

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

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

The motion prevailed.

House Bill No. 5778, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 949 (MCL 600.949), as amended by 1980 PA 69.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Criminal Justice (for amendments, see House Journal No. 32, p. 1067),

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

Rep. Faunce moved to amend the bill as follows:

1. Amend page 2, line 5, after "to" by striking out the balance of the line through "in" on line 7 and inserting "OFFICIALLY".

2. Amend page 2, line 10, after "records" by striking out "and cards".

3. Amend page 2, line 13, after "records" by striking out "and cards".

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

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

The motion prevailed.

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

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Drolet, Hart, Tabor, George, Hummel, Palmer, Kooiman, Gosselin, Vear, Bradstreet, Vander Veen, Voorhees, Pappageorge, Patterson, Rick Johnson, Bishop, Kuipers, Hager, Toy, Middaugh, Vander Roest, Cameron Brown, Newell, DeRossett, Richner, Mead, Koetje, DeWeese, Ruth Johnson, Stewart, Mortimer, Ehardt, Kowall, Allen, Shackleton, Meyer, Faunce, Woronchak, Gilbert, Shulman, Stamas, Godchaux, Birkholz, Pumford, DeVuyst, Cassis, Rocca, Van Woerkom, Howell, Richardville, Adamini, Caul, Jansen and Wojno offered the following resolution:

House Resolution No. 414.

A resolution honoring Milton Friedman upon the occasion of his 90th birthday.

Whereas, It is a genuine pleasure to extend special greetings to Milton Friedman upon the occasion of his 90th birthday. We are grateful for this opportunity to join with the family and many friends of Professor Friedman as we honor an individual who truly understands the beauty of life in its challenges and triumphs; and

Whereas, Born on July 15, 1912, Professor Milton Friedman grew up in a world quite different in many ways from the one we know today. In the span of his lifetime, tremendous cultural and sociological changes, as well as advancements in personal freedom, have transpired in Michigan and elsewhere. Milton Friedman has been active in promoting many of these changes which has given him insight, experience, and wisdom few of us can fully appreciate; and

Whereas, By holding to the highest standards of academic professionalism, Professor Friedman has proven himself to be one of the foremost scholars of the twentieth century. This is evident through his Ph.D. from Columbia University and his professorship at the University of Chicago. He was also involved with the American Economic Association, Western Economic Association, Mont Pelerin Society, American Philosophical Society, and the National Academy of Sciences; and

Whereas, The unparalleled contributions that Professor Friedman has made to the economic sciences have advanced our understanding of how the use of money as an instrument of government policy acts as a determinant of business cycles and inflation. His most notable contributions include A Theory of the Consumption Function, The Optimum Quantity of Money and Other Essays, A Monetary History of the United States, Monetary Statistics of the United States, and Monetary Trends in the United States and the United Kingdom. For these contributions he has been recognized in many ways, most notably with the 1976 Nobel Memorial Prize for economic science; and

Whereas, As an informal economic advisor to many presidential candidates and as a member of the President's Commission on an All-Volunteer Armed Forces, the President's Commission on White House Fellows, and the President Ronald Reagan's Economic Policy Advisory Board, Professor Friedman has been active in promoting the free market and the individual in America's policy debates; and

Whereas, The 1978 tax limitation amendments to the Michigan Constitution would not have been possible without the valued intellectual contributions of Professor Friedman; and

Whereas, Through his popular Newsweek column and many books on policy and economics, Professor Friedman has contributed more to the promotion of individual liberty and personal freedom than any other living individual. For those contributions he was awarded the Presidential Medal of Freedom in 1988; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body honor Milton Friedman upon the occasion of his 90th birthday. May the health and happiness his years so richly merit be with him always. We will be proud to continue his efforts to further personal freedom and a better understanding of capitalism; and be it further

Resolved, That a copy of this resolution be transmitted to Milton Friedman 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. Adamini, Rich Brown, Stewart, DeRossett, Lemmons, Raczkowski, Bernero, Richardville, Sheltrown, Birkholz, Pappageorge, Hager, Hansen, Zelenko, Spade, Richner, Ehardt, Shulman, Bovin, Lockwood, Minore, Kolb, Gielegem, Wojno, Waters, Lipsey, Jacobs, Dennis, Basham, Plakas, Clark, Anderson, Rivet, Schauer, Bogardus, Thomas, Neumann, Mans, Woodward, Murphy, Jamnick, McConico, Clarke, Hardman, Phillips, Switalski and Hale offered the following resolution:

House Resolution No. 415.

A resolution honoring the 40th anniversary of "Suomi Kutsuu – Finland Calling" and its creator and host, Mr. Carl Pellonpaa.

Whereas, We are proud to recognize the 40th anniversary of "Suomi Kutsuu – Finland Calling" and its creator and host, Mr. Carl Pellonpaa. As many people across the Upper Peninsula celebrate and cherish their Finnish heritage, a consistent ritual for them is tuning in to WLUC-TV6 on Sunday mornings to watch the one and only Finnish language television show in the United States. It features a variety of guests, many of which are from Finland, Finnish music, news, and other items of interest to the people of the Upper Peninsula; and

Whereas, Carl Pellonpaa broadcasted the first edition of "Suomi Kutsuu" on March 25, 1962, with 45-rpm records and a box of black and white travel photographs. From that moment on, whether it be remembrance of the past or dreams of the future, people of all cultures have tuned in and learned about many of the area's pioneer settlers. Over 1,000 area residents have joined Carl over the years on an annual trip to Finland, organized in large part by Mr. Pellonpaa and WLUC-TV6; and

Whereas, "Suomi Kutsuu" aims to promote a spirit of community through its attention to cultural heritage. Whether listening to Finnish music, celebrating Finnish traditions, or interviewing some of the area's eldest Finnish ancestors, we all draw great pride from sharing in the foundations of our community; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body honor the 40th anniversary of "Suomi Kutsuu – Finland Calling" and its creator and host, Mr. Carl Pellonpaa. We are pleased to add our voice of thanks for the many ways in which "Suomi Kutsuu" has touched and enriched not only its loyal Finnish watchers, but also the community-at-large and we offer our best wishes on this momentous occasion; and be it further

Resolved, That a copy of this resolution be transmitted to Carl Pellonpaa and WLUC-TV6 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.

Reports of Standing Committees

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

House Bill No. 5901, entitled

A bill to establish a career development system in this state; to create a department of career development and to provide for its powers, duties, and administration; to create the Michigan workforce investment board; to create local workforce investment areas; to create local workforce investment boards; to create education advisory groups; to create the Michigan rehabilitation advisory council; and to create a 1-stop delivery system for career development services.

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 5901 To Report Out:

Yeas: Reps. Bisbee, Palmer, Kuipers, Meyer,

Nays: Reps. Bernero, Dennis.

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

House Bill No. 5902, entitled

A bill to amend 1994 PA 219, entitled "An act to establish the Michigan community service commission; to provide for the powers and duties of the Michigan community service commission; and to provide for the powers and duties of state departments and agencies and certain state officers and employees," by amending section 2 (MCL 408.222).

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 5902 To Report Out:

Yeas: Reps. Bisbee, Palmer, Kuipers, Meyer,

Nays: Rep. Bernero, Dennis.

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

House Bill No. 5903, entitled

A bill to amend 1964 PA 44, entitled "An act to authorize the state board of control for vocational education to accept federal funds as provided under the provisions of federal law," by amending the title and sections 1, 2, 3, and 4 (MCL 395.31, 395.32, 395.33, and 395.34).

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 5903 To Report Out:

Yeas: Reps. Bisbee, Palmer, Kuipers, Meyer,

Nays: Reps. Bernero, Dennis.

The Committee on Employment Relations, Training and Safety, by Rep. Bisbee, Chair, reported
House Bill No. 5904, entitled

A bill to amend 1952 PA 111, entitled "An act to provide for the establishment of the Michigan veterans' vocational school at Pine lake (Doster, Michigan) as a state institution under the control of the state board of education," by amending the title and sections 1 and 2 (MCL 395.151 and 395.152).

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 5904 To Report Out:

Yeas: Reps. Bisbee, Palmer, Kuipers, Meyer,

Nays: Reps. Bernero, Dennis.

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

House Bill No. 5905, entitled

A bill to repeal 1946 (1st Ex Sess) PA 18, entitled "An act to authorize counties to provide a program of adult education; to provide personnel and equipment; to require approval of the superintendent of public instruction; and to authorize county appropriations therefor," (MCL 388.531 to 388.533).

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 5905 To Report Out:

Yeas: Reps. Bisbee, Palmer, Kuipers, Meyer,

Nays: Reps. Bernero, Dennis.

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

House Bill No. 5906, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 63 (MCL 388.1663), as amended by 2001 PA 121.

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 5906 To Report Out:

Yeas: Reps. Bisbee, Palmer, Kuipers, Meyer,

Nays: Reps. Bernero, Dennis.

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

House Bill No. 5907, entitled

A bill to amend 1964 PA 232, entitled "Rehabilitation act of 1964," by amending the title and sections 2, 3, 4, 5, 6, 7, 8, and 9 (MCL 395.82, 395.83, 395.84, 395.85, 395.86, 395.87, 395.88, and 395.89), section 2 as amended by 1998 PA 43 and section 4 as amended by 1985 PA 194.

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 5907 To Report Out:

Yeas: Reps. Bisbee, Palmer, Kuipers, Meyer,

Nays: Reps. Bernero, Dennis.

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

House Bill No. 5908, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 61a (MCL 388.1661a), as amended by 2001 PA 121.

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 5908 To Report Out:

Yeas: Reps. Bisbee, Palmer, Kuipers, Meyer,
Nays: Reps. Bernero, Dennis.

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

House Bill No. 5909, entitled

A bill to amend 1943 PA 148, entitled "An act to provide for the regulation and licensing of proprietary schools in the state; to require surety; to provide for collection and disposition of fees; and to prescribe penalties for the violation of this act," by amending sections 1, 1a, 2, 2a, and 2b (MCL 395.101, 395.101a, 395.102, 395.102a, and 395.102b), sections 1, 2, 2a, and 2b as amended and section 1a as added by 1983 PA 60.

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 5909 To Report Out:

Yeas: Reps. Bisbee, Palmer, Kuipers, Meyer,
Nays: Reps. Bernero, Dennis.

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

House Bill No. 5910, entitled

A bill to amend 1963 PA 40, entitled "An act to authorize private trade schools, business schools, correspondence schools and institutes to solicit students in this state; to provide for the issuance of permits to solicitors; to prescribe the powers and duties of the superintendent of public instruction; to provide penalties for violations of this act; and to repeal certain acts and parts of acts," by amending the title and sections 1, 2, 3, and 4 (MCL 395.121, 395.122, 395.123, and 395.124), section 3 as amended by 1988 PA 244.

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 5910 To Report Out:

Yeas: Reps. Bisbee, Palmer, Kuipers, Meyer,
Nays: Reps. Bernero, Dennis.

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

House Bill No. 5911, entitled

A bill to amend 1964 PA 287, entitled "An act to provide for the organization and functions of the state boards of education under the constitutions of 1908 and 1963; to provide for the appointment and functions of the superintendent of public instruction under the constitution of 1963; and to repeal certain acts and parts of acts," by amending section 10 (MCL 388.1010).

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 5911 To Report Out:

Yeas: Reps. Bisbee, Palmer, Kuipers, Meyer,
Nays: Reps. Bernero, Dennis.

The Committee on Employment Relations, Training and Safety, by Rep. Bisbee, Chair, reported
House Bill No. 5912, entitled

A bill to amend 1931 PA 327, entitled "An act to provide for the organization, regulation and classification of corporations; to provide their rights, powers and immunities; to prescribe the conditions on which corporations may exercise their powers; to provide for the inclusion of certain existing corporations within the provisions of this act; to prescribe the terms and conditions upon which foreign corporations may be admitted to do business within this state; to require certain annual reports to be filed by corporations; to prescribe penalties for the violations of the provisions of this act; and to repeal certain acts and parts of acts relating to corporations," by amending sections 171, 172, 173, and 177 (MCL 450.171, 450.172, 450.173, and 450.177).

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

1. Amend page 2, line 7, after "the" by striking out "Michigan corporation and securities commission" and inserting "DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES".

2. Amend page 3, line 16, after "the" by striking out "Michigan corporation and securities commission" and inserting "DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES".

3. Amend page 6, line 24, after "the" by striking out "Michigan corporation and securities commission" and inserting "DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES".

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

Favorable Roll Call

HB 5912 To Report Out:

Yeas: Reps. Bisbee, Palmer, Kuipers, Meyer,

Nays: Reps. Bernero, Dennis.

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

House Bill No. 5913, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 3 (MCL 380.3), as amended by 1995 PA 289.

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 5913 To Report Out:

Yeas: Reps. Bisbee, Palmer, Kuipers, Meyer,

Nays: Reps. Bernero, Dennis.

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

House Bill No. 5914, entitled

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending sections 105, 123, 124, and 143 (MCL 389.105, 389.123, 389.124, and 389.143), section 123 as amended by 1980 PA 5 and section 124 as amended by 1997 PA 135.

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 5914 To Report Out:

Yeas: Reps. Bisbee, Palmer, Kuipers, Meyer,

Nays: Reps. Bernero, Dennis.

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

House Bill No. 5915, entitled

A bill to amend 1975 PA 222, entitled "Higher education loan authority act," by amending section 2 (MCL 390.1152), as amended by 1987 PA 206.

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 5915 To Report Out:

Yeas: Reps. Bisbee, Palmer, Kuipers, Meyer,
Nays: Reps. Bernero, Dennis.

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

House Bill No. 5916, entitled

A bill to amend 1986 PA 102, entitled "An act to establish a grant program for certain part-time, independent students in this state; and to prescribe the powers and duties of certain state agencies and institutions of higher education," by amending section 3 (MCL 390.1283).

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 5916 To Report Out:

Yeas: Reps. Bisbee, Palmer, Kuipers, Meyer,
Nays: Reps. Bernero, Dennis.

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

House Bill No. 5917, entitled

A bill to amend 1986 PA 303, entitled "An act to establish a Michigan work-study program for qualified resident students attending eligible graduate and professional graduate schools and employed by qualified employers; to prescribe the powers and duties of certain state agencies; and to provide for an appropriation," by amending section 3 (MCL 390.1323).

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 5917 To Report Out:

Yeas: Reps. Bisbee, Palmer, Kuipers, Meyer,
Nays: Reps. Bernero, Dennis.

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

House Bill No. 5918, entitled

A bill to amend 1986 PA 288, entitled "An act to establish a Michigan work-study program for qualified resident students attending eligible postsecondary schools and employed by qualified employers; and to prescribe the powers and duties of certain state agencies," by amending section 3 (MCL 390.1373).

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 5918 To Report Out:

Yeas: Reps. Bisbee, Palmer, Kuipers, Meyer,
Nays: Reps. Bernero, Dennis.

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

House Bill No. 5919, entitled

A bill to amend 1986 PA 273, entitled "An act to establish a Michigan educational opportunity grant program for resident qualified students enrolled in eligible public postsecondary schools; and to prescribe the powers and duties of certain state agencies," by amending section 3 (MCL 390.1403).

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 5919 To Report Out:

Yeas: Reps. Bisbee, Palmer, Kuipers, Meyer,
Nays: Reps. Bernero, Dennis.

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

House Bill No. 5920, entitled

A bill to repeal 1964 PA 28, entitled "An act to transfer the powers, duties and functions of the state board of control for vocational education to the state board of education," (MCL 395.21).

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 5920 To Report Out:

Yeas: Reps. Bisbee, Palmer, Kuipers, Meyer,
Nays: Reps. Bernero, Dennis.

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

House Bill No. 5921, entitled

A bill to amend 1975 PA 164, entitled "An act to create a commission on Spanish-speaking affairs, an office of Spanish-speaking affairs, and an interagency council on Spanish-speaking affairs; to prescribe their powers and duties; to provide for appropriations; and to abolish the advisory council for the Spanish-speaking," by amending sections 2 and 4 (MCL 18.302 and 18.304).

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 5921 To Report Out:

Yeas: Reps. Bisbee, Palmer, Kuipers, Meyer,
Nays: Reps. Bernero, Dennis.

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

House Bill No. 5922, entitled

A bill to repeal 1919 PA 149, entitled "An act to accept the requirements and benefits of an act of the sixty-fourth congress of the United States, approved February 23, 1917, known as the Smith-Hughes act, or Public Act No. 347, relating to appropriations to be made by the federal government to the several states for the support and control of instruction in agriculture, the trades, industries, and home economics, and for the preparation of teachers of vocational subjects; to designate a state board of control for vocational education; to provide for the proper custody and administration of funds received by the state from such appropriations; and to provide for appropriations by the state and by local school authorities to meet the conditions of said act of congress," (MCL 395.1 to 395.10).

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 5922 To Report Out:

Yeas: Reps. Bisbee, Palmer, Kuipers, Meyer,
Nays: Reps. Bernero, Dennis.

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

House Bill No. 5923, entitled

A bill to amend 1942 (1st Ex Sess) PA 16, entitled "An act to designate the superintendent of public instruction as the state agency to apply to and receive from the federal government, or any agency thereof, grants in aid of the public schools of this state and educational activities in this state; and to provide for the disbursement thereof," by amending section 5 (MCL 388.805).

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 5923 To Report Out:

Yeas: Reps. Bisbee, Palmer, Kuipers, Meyer,
Nays: Reps. Bernero, Dennis.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, April 23, 2002, at 9:00 a.m.,
Present: Reps. Bisbee, Palmer, Kuipers, Meyer, Minore, Bernero, Dennis.

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

House Bill No. 5369, 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 11 (MCL 46.11), as amended by 1998 PA 97.

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

1. Amend page 1, line 3, after "lease" by striking out the comma.

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

Favorable Roll Call

HB 5369 To Report Out:

Yeas: Reps. Allen, Bishop, DeVuyst, Gilbert, Howell, Koetje, Middaugh, Van Woerkom, Vear, Rivet, Kolb, Lipsey, McConico, Waters,
Nays: None.

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

House Bill No. 5370, entitled

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

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 5370 To Report Out:

Yeas: Reps. Allen, Bishop, DeVuyst, Gilbert, Howell, Koetje, Middaugh, Van Woerkom, Vear, Rivet, Kolb, Lipsey, McConico, Waters,
Nays: None.

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

House Bill No. 5896, entitled

A bill to amend 1986 PA 281, entitled "The local development financing act," by amending section 12a (MCL 125.2162a), as added by 2000 PA 248.

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 5896 To Report Out:

Yeas: Reps. Allen, Bishop, DeVuyst, Gilbert, Howell, Koetje, Middaugh, Van Woerkom, Vear, Rivet, Kolb, Lipsey, McConico, Waters,

Nays: None.

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

Senate Bill No. 1019, entitled

A bill to amend 1962 PA 213, entitled "An act to encourage the raising of started pullets; to provide for the inspection and certification as to the age, condition and health of started pullets; to define certain terms; to provide authority to establish and collect fees; to impose certain responsibilities on the department of agriculture; to grant authority to make rules and regulations to carry out the purpose of this act; and to prescribe penalties for violation thereof," by repealing section 4 (MCL 287.174).

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 1019 To Report Out:

Yeas: Reps. Allen, DeVuyst, Howell, Koetje, Middaugh, Van Woerkom, Rivet, Kolb, Lipsey, Waters,

Nays: None.

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

Senate Bill No. 1020, entitled

A bill to amend 1917 PA 74, entitled "An act to fix standards for climax baskets for grapes and other fruits and vegetables, and to fix standards for baskets and other containers for small fruits, berries, and vegetables, and to punish violations of the same," by amending section 4 (MCL 290.134).

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 1020 To Report Out:

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

Nays: None.

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

Senate Bill No. 1025, entitled

A bill to repeal 1865 PA 165, entitled "An act making it obligatory upon banks and bankers in this state to stamp counterfeit, altered and worthless bank bills," (MCL 487.651 to 487.652).

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 1025 To Report Out:

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

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, April 23, 2002, at 9:00 a.m.,

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

Absent: Reps. Bisbee, Lemmons, Zelenko,

Excused: Reps. Bisbee, Lemmons, Zelenko.

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

House Bill No. 4001, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17752 (MCL 333.17752).

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

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

Favorable Roll Call

HB 4001 To Report Out:

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

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, April 23, 2002, at 9:00 a.m.,

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

Absent: Reps. Raczkowski, Woronchak, Garza,

Excused: Reps. Raczkowski, Woronchak, Garza.

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

House Resolution No. 389.

A resolution to memorialize the Congress of the United States to enact legislation to authorize states to prohibit or restrict foreign municipal solid waste and to urge the Environmental Protection Agency to ensure full compliance with the transboundary hazardous waste agreement with Canada.

(For text of resolution, see House Journal No. 28, p. 868.)

With the recommendation that the following substitute (H-1) be adopted and that the resolution then be adopted.

Substitute for House Resolution No. 389.

A resolution to memorialize the Congress of the United States to enact legislation to authorize states to prohibit or restrict foreign municipal solid waste and to urge the Environmental Protection Agency to ensure full compliance with the transboundary hazardous waste agreement with Canada.

Whereas, Michigan has long been frustrated in efforts to regulate solid waste imported into our state. Our state is especially concerned about waste that is brought here from Ontario. Our citizens feel strongly that our environment should not be placed at additional risk from municipal solid waste and other materials that are generated elsewhere and transported here for disposal; and

Whereas, The volume of waste that comes into Michigan each year represents a significant portion of all trash handled here. As much as 20 percent of all solid waste in Michigan is from out of state, and the amount has increased significantly in recent years; and

Whereas, The authority to regulate the transportation and disposal of solid waste has been determined by the courts to be a federal matter under the interstate commerce clause of the United States Constitution. Congress must take actions to provide states with the tools to regulate or prohibit the importation of trash. Congress has before it now a bill that would provide the appropriate authority to the states. Under H.R. 1927, states could prohibit or impose certain limitations on the receipt of foreign municipal solid waste; and

Whereas, Hazardous waste and solid waste transported between Canada and the United States are provided for in the Agreement Between the Government of Canada and the Government of the United States Concerning the Transboundary Movement of Hazardous Waste. It has been reported, however, that the notification requirements and procedures set forth in the agreement have not been followed. It is most disturbing to think that the protections provided in the agreement between our nations are not working. The people of this state have every right to know that all prudent measures are being enforced to protect our citizens and environment; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to enact legislation to authorize states to prohibit or restrict foreign municipal solid waste and to urge the Environmental Protection Agency to ensure full compliance with the Agreement Between the Government of Canada and the Government of the United States Concerning the Transboundary Movement of Hazardous Waste; and be it further

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

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

Favorable Roll Call

HR 389 To Report Out:

Yeas: Reps. Ruth Johnson, Koetje, Birkholz, DeRossett, DeVuyst, Palmer, Tabor, Kolb,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, April 23, 2002, at 10:30 a.m.,

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, April 23, 2002, at 10:30 a.m.,

Present: Reps. Kuipers, Meyer, Allen, Bradstreet, Hager, Hart, Ruth Johnson, Palmer, Van Woerkom, Voorhees, Hansen, Bogardus, Clark, Gielegem, McConico, Spade,

Absent: Reps. Zelenko,

Excused: Rep. Zelenko.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Birkholz, Chair of the Committee on Local Government and Urban Policy, was received and read:

Meeting held on: Tuesday, April 23, 2002, at 12:00 Noon,

Present: Reps. Birkholz, Hager, Drolet, Gilbert, Gosselin, Hummel, Richardville, Jamnick, Dennis, Hardman, Minore.

Announcement by the Clerk of Printing and Enrollment

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

Enrolled House Bill No. 5102 at 1:58 p.m.**Enrolled House Bill No. 5298 at 2:00 p.m.****Enrolled House Bill No. 5411 at 2:02 p.m.****Enrolled House Bill No. 5576 at 2:04 p.m.****Communications from State Officers**

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

Notices of Filing
Administrative Rules

April 2, 2002

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 11:50 A.M. this date, administrative rule (02-04-01) for the Department of Consumer and Industry Services, Director's Office, entitled "*Overhead and Gantry Cranes*", effective 7 days hereafter.

April 2, 2002

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 11:52 A.M. this date, administrative rule (02-04-02) for the Department of Consumer and Industry Services, Unemployment Agency Director's Office, entitled "*Unemployment Agency Rules*", effective 7 days hereafter.

April 3, 2002

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 10:12 A.M. this date, administrative rule (02-04-03) for the Department of Consumer and Industry Services, Director's Office, entitled "*Controlled Substances*", effective 7 days hereafter.

April 18, 2002

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 10:10 A.M. this date, administrative rule (02-04-08EX) for the Department of Corrections, entitled "*Suspension of the practice of opening legal mail in a prisoner's presence and amendment of R791.6603*", effective upon filing with the Secretary of State.

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

The communications were referred to the Clerk.

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

April 17, 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	Sequoyah Center	2002C0117007	CS470201401

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. This 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. Raczkowski, Stewart, Meyer and Lemmons introduced

House Bill No. 5933, entitled

A bill to amend 1976 PA 449, entitled "An act to regulate the pricing of consumer items and the advertising of consumer items, services, goods, merchandise, commodities, and real property; to prescribe the powers and duties of certain state and local officials in relation thereto; to provide remedies and penalties; and to repeal certain acts and parts of acts," by amending section 10a (MCL 445.360a), as added by 1984 PA 344.

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

Reps. Raczkowski, Stewart, Koetje, DeVuyst, Vander Roest, Cassis, Meyer, Adamini, McConico, Woodward, LaSata, Lipsey and Lemmons introduced

House Bill No. 5934, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2912a (MCL 600.2912a), as amended by 1993 PA 78.

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

Reps. Cassis, Gilbert, Richner, Ruth Johnson, Pappageorge, Richardville, Gosselin, Lipsey, Meyer, Middaugh and Howell introduced

House Bill No. 5935, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7u (MCL 211.7u), as amended by 1994 PA 390.

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

Reps. Jelinek, Raczkowski, Jacobs, Vander Veen, Stewart, Bovin, Pappageorge, Bogardus, Richardville, Voorhees, Plakas, Lipsey, Birkholz, Waters, Quarles and Meyer introduced

House Bill No. 5936, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 6, 41, 57, and 57a (MCL 400.6, 400.41, 400.57, and 400.57a), section 6 as amended and section 57 as added by 1995 PA 223 and section 57a as amended by 1999 PA 26.

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

Rep. Richner introduced

House Bill No. 5937, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 2236, 2242, 2401, 2403, 2406, 2418, 2450, 2601, 2603, 2606, 2646, 2706, 3606, 4430, and 6514 (MCL 500.2236, 500.2242, 500.2401, 500.2403, 500.2406, 500.2418, 500.2450, 500.2601, 500.2603, 500.2606, 500.2646, 500.2706, 500.3606, 500.4430, and 500.6514), sections 2236, 2403, 2406, and 2418 as amended by 1993 PA 200, sections 2242 and 3606 as amended by 1990 PA 305, section 2401 as amended by 1982 PA 8, section 2706 as added by 1982 PA 501, section 4430 as amended by 1993 PA 349, and section 6514 as added by 1990 PA 350, and by adding sections 2417 and 2617; and to repeal acts and parts of acts.

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

Reps. LaSata, Scranton, Van Woerkom, Sheltroun, Rich Brown, Ruth Johnson, Newell, Meyer, Pumford, Bovin, Spade, Mans and George introduced

House Bill No. 5938, entitled

A bill to amend 1977 PA 89, entitled "State aid to public libraries act," by amending section 13 (MCL 397.563).

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

Reps. Scranton, Jelinek, Quarles, Zelenko, Vander Veen, Julian, Lockwood, Jacobs, Tabor, Spade, Bernero, Minore, Bovin, Richner, Meyer, Murphy, Lipsey, Bogardus, Hale, Birkholz and Lemmons introduced

House Bill No. 5939, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 57m.

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

Reps. Bishop, Kowall, Raczkowski, Meyer, Scranton, Gosselin, Kuipers and Richner introduced

House Bill No. 5940, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 252g (MCL 257.252g), as added by 1981 PA 104.

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

Reps. Bishop, Kowall, Meyer, Raczkowski and Kuipers introduced

House Bill No. 5941, 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 sections 61, 69, and 77 (MCL 41.61, 41.69, and 41.77), sections 61 and 69 as amended by 1989 PA 77 and section 77 as amended by 1997 PA 22.

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

Reps. Bishop, Kowall, Kuipers and Drolet introduced

House Bill No. 5942, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8123 (MCL 600.8123), as amended by 2000 PA 448.

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

Rep. Toy introduced

House Bill No. 5943, entitled

A bill to amend 1967 PA 204, entitled "Metropolitan transportation authorities act of 1967," by amending section 4 (MCL 124.404).

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

Rep. Hart introduced

House Bill No. 5944, entitled

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

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

Reps. Hart, Vander Veen, Kuipers, Hager, Jelinek, Schauer, Toy, Pappageorge and Jansen introduced

House Bill No. 5945, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 367 (MCL 18.1367), as amended by 1999 PA 8, and by adding section 365.

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

Rep. Hart introduced

House Bill No. 5946, entitled

A bill to designate an official amphibian of this state.

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

Reps. DeWeese, Hummel, Julian, Birkholz, Meyer, Hager, George, Gosselin, Pappageorge, Toy, Cameron Brown, Caul, Cassis, Palmer and Ehardt introduced

House Bill No. 5947, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 44 (MCL 211.44), as amended by 2000 PA 364.

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

Reps. Godchaux, Scranton, Tabor, Lockwood, Dennis, Jacobs, Shulman, Spade, Minore, Meyer, Pumford, DeRossett, Richner, Lipsey, Pappageorge, Kolb, Drolet, Hart and Lemmons introduced

House Bill No. 5948, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," by amending section 100 (MCL 250.1100) and by adding section 82.

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

Reps. Lockwood, Hale, Woodward, Bovin, Palmer, Mans, Spade, Zelenko, Anderson, Plakas, Vander Veen, Middaugh, Murphy, Kooiman, Stewart, Ruth Johnson, Pappageorge, Neumann, Jacobs, Gosselin, Hager, Voorhees, O'Neil, Dennis, Lipsey, Bogardus, Julian, Phillips, Jansen, Hardman, Reeves, Thomas and Richardville introduced

House Bill No. 5949, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 143a.

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

Reps. Van Woerkom, Scranton, Middaugh, Phillips, Pappageorge, Meyer, Gilbert, Vander Veen, Schauer, Voorhees, Hart, Tabor, Shackleton, Kooiman, Faunce, Gosselin, Birkholz, Spade, Bisbee, Ehardt, Hager, Zelenko, Jacobs, Jelinek, Lipsey, Mortimer and George introduced

House Bill No. 5950, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 109c (MCL 400.109c), as amended by 1994 PA 302.

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

Reps. Shulman, Howell, Bovin, Pappageorge, LaSata, Lipsey and Lemmons introduced

House Bill No. 5951, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3009a.

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

Reps. Bradstreet, Vear, Drolet, Shackleton, DeVuyst, DeRossett, Sheltroun, Neumann, Rich Brown, Bovin, Adamini, Tabor, Allen, Julian, Rivet, Gilbert, Meyer and Ehardt introduced

House Bill No. 5952, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 261c.

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

Reps. Bradstreet, Vear, Drolet, Shackleton, DeVuyst, DeRossett, Sheltroun, Neumann, Rich Brown, Bovin, Adamini, Tabor, Allen, Julian, Rivet, Gilbert, Meyer and Ehardt introduced

House Bill No. 5953, entitled

A bill to provide for circumstances under which certain forestry operations shall not be found to be a public or private nuisance; to provide for certain forestry management procedures; to provide for certain powers and duties for certain state agencies and departments; and to provide remedies.

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

Reps. Richner, Ehardt, Pappageorge, O'Neil and Meyer introduced

House Bill No. 5954, entitled

A bill to amend 1972 PA 284, entitled "Business corporation act," by amending sections 511 and 611 (MCL 450.1511 and 450.1611), section 511 as amended by 1989 PA 121 and section 611 as amended by 1997 PA 118.

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

Reps. Hart, Scranton, Vander Veen, Jansen, Reeves, Murphy, Garza, Drolet, Bradstreet, Kooiman, Pappageorge, Jelinek, Gosselin, Van Woerkom, Birkholz, Ruth Johnson, Hummel, Voorhees, Stewart and Caul introduced

House Joint Resolution W, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 4 of article I, to allow the state to make contributions made to any place of religious worship exempt from state income tax.

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

Rep. Gosselin moved that the House adjourn.

The motion prevailed, the time being 4:20 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, April 24, at 2:00 p.m.

GARY L. RANDALL
Clerk of the House of Representatives.

