

No. 46
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House of Representatives
91st Legislature
REGULAR SESSION OF 2002

House Chamber, Lansing, Thursday, May 16, 2002.

12:00 Noon.

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

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

Adamini—present	Garza—present	Lockwood—present	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—present
Bogardus—excused	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—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
Fauce—present	Lemmons—present	Rocca—present	
Frank—present	Lipsey—present		

e/d/s = entered during session

Rep. Doug Hart, from the 73rd District, offered the following invocation:

“Let us pray. Dear Jesus, thank You very much for these kids and for giving them the opportunity to be part of the Boy Scouts and for all the cool stuff they are learning about life and citizenship. I pray that You will bless them with the tools that they are getting from this program for the rest of their lives. In Jesus’ name, Amen.”

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

Reps. Schauer, Toy and O’Neil moved that their names be removed as co-sponsors of **House Bill No. 4454**.
The motion prevailed.

Introduction of Bills

Reps. Pappageorge, Gosselin, Palmer, Pumford, Koetje, George, Ehardt, Hager, Godchaux, Faunce, Vander Veen, Jelinek, Rivet, Jacobs, Tabor, Clarke, O’Neil, Lockwood, Neumann, Plakas, Pestka, McConico, Phillips, Basham, Mortimer, Woronchak, Bishop, Schermesser, Kolb and Jansen introduced

House Bill No. 6084, entitled

A bill to amend 1921 PA 207, entitled “City and village zoning act,” by amending sections 4a, 5, 11, and 20 (MCL 125.584a, 125.585, 125.591, and 125.600), section 5 as amended by 2000 PA 20, section 11 as amended by 1986 PA 191, and section 20 as amended by 2001 PA 179, and by adding section 9a.

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

Reps. Murphy, McConico, Gielegem, Phillips, Garza, Bernero, Rison, Quarles, Schauer, Williams, Waters and Hardman introduced

House Bill No. 6085, entitled

A bill to create the community-based facilitator’s office in the executive branch; to prescribe its powers and duties; and to repeal acts and parts of acts.

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

Reps. Godchaux, Scranton, Pappageorge and Kolb introduced

House Bill No. 6086, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending section 1211 (MCL 380.1211), as amended by 1994 PA 258.

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

Rep. Voorhees introduced

House Bill No. 6087, entitled

A bill to amend 2000 PA 146, entitled “Obsolete property rehabilitation act,” by amending section 2 (MCL 125.2782).

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

By unanimous consent the House returned to the order of

Notices

The Speaker appointed as conferees, on the part of the House of Representatives for **House Bill No. 5649**, Reps. Cameron Brown, Pappageorge and Whitmer.

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, Tuesday, May 14:

Senate Bill Nos. 1307 1323

The Clerk announced the enrollment printing and presentation to the Governor on Thursday, May 16, for his approval of the following bills:

- Enrolled House Bill No. 5822 at 3:04 p.m.**
- Enrolled House Bill No. 5823 at 3:06 p.m.**
- Enrolled House Bill No. 5836 at 3:08 p.m.**
- Enrolled House Bill No. 5839 at 3:10 p.m.**
- Enrolled House Bill No. 5840 at 3:12 p.m.**
- Enrolled House Bill No. 5844 at 3:14 p.m.**
- Enrolled House Bill No. 5855 at 3:16 p.m.**

The Clerk announced that the following bills had been printed and placed upon the files of the members, Thursday, May 16:

House Bill Nos. 6082 6083

The Clerk announced that the following Senate bills had been received on Thursday, May 16:

Senate Bill Nos. 924 925 1099 1275

Rep. Williams moved that Rep. Wojno be excused temporarily from today’s session.
The motion prevailed.

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

The Speaker laid before the House
Senate Bill No. 989, entitled

A bill to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts,” 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.

(The bill was received from the Senate on May 7, with amendments to the House substitute (H-1) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until May 8, see House Journal No. 41, p. 1407.)

The question being on concurring in the amendments made to the House substitute (H-1) by the Senate,
The amendments were concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 742

Yeas—65

Allen	Gilbert	Meyer	Scranton
Anderson	Hager	Middaugh	Shackleton
Birkholz	Hart	Mortimer	Sheltrown
Bisbee	Howell	Neumann	Shulman
Bishop	Hummel	Newell	Spade
Bovin	Jansen	O’Neil	Stamas
Brown, C.	Jelinek	Pappageorge	Stewart
Brown, R.	Johnson, Rick	Patterson	Switalski

Cassis	Johnson, Ruth	Pestka	Tabor
Caul	Julian	Pumford	Thomas
DeRossett	Koetje	Rackowski	Toy
DeVuyst	Kooiman	Richardville	Van Woerkom
DeWeese	Kowall	Richner	Vander Roest
Ehardt	LaSata	Rivet	Vander Veen
Faunce	Mans	Rocca	Vear
Frank	Mead	Schauer	Woronchak
George			

Nays—41

Adamini	Garza	Kuipers	Quarles
Basham	Gielegem	Lemmons	Reeves
Bernero	Godchaux	Lipsev	Rison
Bradstreet	Gosselin	Lockwood	Stallworth
Brown, B.	Hale	McConico	Voorhees
Callahan	Hansen	Minore	Waters
Clark, I.	Hardman	Murphy	Whitmer
Clarke, H.	Jacobs	Palmer	Williams
Daniels	Jamnick	Phillips	Woodward
Dennis	Kolb	Plakas	Zelenko
Drolet			

In The Chair: Julian

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

The Speaker laid before the House

House Bill No. 4603, entitled

A bill to amend 1986 PA 255, entitled "Prepaid funeral contract funding act," by amending section 19 (MCL 328.229).
(The bill was received from the Senate on May 15, 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. 45, p. 1548.)

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. 743**Yeas—104**

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

Bovin	Hart	Murphy	Stamas
Bradstreet	Howell	Neumann	Stewart
Brown, B.	Hummel	Newell	Switalski
Brown, C.	Jacobs	O'Neil	Tabor
Brown, R.	Jamnick	Palmer	Thomas
Callahan	Jansen	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
DeWeese	Kuipers	Richardville	Wojno
Faunce	LaSata	Richner	Woodward
Frank	Lemmons	Rison	Woronchak
Garza	Lipsey	Rivet	Zelenko

Nays—1

Drolet

In The Chair: Julian

The House agreed to the full title of the bill.

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

Third Reading of Bills

Senate Bill No. 1009, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16611 (MCL 333.16611).

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

Roll Call No. 744

Yeas—105

Adamini	Garza	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
Bovin	Hansen	Mortimer	Stallworth
Bradstreet	Hardman	Murphy	Stamas
Brown, B.	Hart	Neumann	Stewart
Brown, C.	Howell	Newell	Switalski
Brown, R.	Hummel	O'Neil	Tabor
Callahan	Jacobs	Palmer	Thomas
Cassis	Jamnick	Pappageorge	Toy

Caul	Jansen	Patterson	Van Woerkom
Clark, I.	Jelinek	Pestka	Vander Roest
Clarke, H.	Johnson, Rick	Phillips	Vander Veen
Daniels	Johnson, Ruth	Plakas	Vear
Dennis	Julian	Pumford	Voorhees
DeRossett	Koetje	Quarles	Waters
DeVuyst	Kooiman	Rackowski	Whitmer
DeWeese	Kowall	Reeves	Williams
Drolet	Kuipers	Richardville	Wojno
Ehardt	LaSata	Richner	Woronchak
Faunce	Lemmons	Rison	Zelenko
Frank			

Nays—0

In The Chair: Julian

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

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

The House agreed to the full title.

Rep. 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. Basham moved to reconsider the vote by which the House gave **House Bill No. 4454** immediate effect.

The motion did not prevail, a majority of the members serving not voting therefor.

Third Reading of Bills

House Bill No. 5154, entitled

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

(The bill was read a third time and postponed temporarily on May 15, see House Journal No. 45, p. 1557.)

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. 745**Yeas—103**

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

Nays—0

In The Chair: Julian

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.

House Bill No. 5860, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 42a (MCL 211.42a), as amended by 1994 PA 415.

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

Roll Call No. 746**Yeas—104**

Adamini	Garza	Lemmons	Rivet
Allen	George	Lipsev	Rocca
Anderson	Gielegem	Lockwood	Schauer
Basham	Gilbert	Mans	Scranton
Birkholz	Godchaux	McConico	Shackleton
Bisbee	Gosselin	Mead	Sheltrown
Bishop	Hager	Meyer	Shulman
Bovin	Hale	Middaugh	Spade

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

Nays—0

In The Chair: Julian

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.

House Bill No. 5371, entitled

A bill to amend 1973 PA 116, entitled “An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts,” (MCL 722.111 to 722.128) by adding section 11b.

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

Roll Call No. 747

Yeas—102

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

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

Nays—1

Drolet

In The Chair: Julian

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.

Rep. Rich Brown moved that Rep. Lipsey be excused temporarily from today's session.

The motion prevailed.

House Bill No. 5372, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending sections 2, 3, 7, and 8a (MCL 722.622, 722.623, 722.627, and 722.628a), sections 2 and 7 as amended by 2000 PA 45, section 3 as amended by 1994 PA 177, and section 8a as added by 1992 PA 39.

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

Roll Call No. 748**Yeas—104**

Adamini	Frank	Lemmons	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
Bovin	Hansen	Mortimer	Stallworth
Bradstreet	Hardman	Murphy	Stamas
Brown, B.	Hart	Neumann	Stewart
Brown, C.	Howell	Newell	Switalski
Brown, R.	Hummel	O'Neil	Tabor
Callahan	Jacobs	Palmer	Thomas
Cassis	Jamnack	Pappageorge	Toy
Caul	Jansen	Patterson	Van Woerkom
Clark, I.	Jelinek	Pestka	Vander Roest
Clarke, H.	Johnson, Rick	Phillips	Vander Veen
Daniels	Johnson, Ruth	Plakas	Vear
Dennis	Julian	Pumford	Voorhees

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

Nays—0

In The Chair: Julian

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

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

A bill to amend 1975 PA 238, entitled “Child protection law,” by amending sections 2, 3, 7, and 8a (MCL 722.622, 722.623, 722.627, and 722.628a), sections 2 and 7 as amended by 2000 PA 45, section 3 as amended by 2002 PA 10, and section 8a as added by 1992 PA 39.

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.

House Bill No. 5928, entitled

A bill to amend 2000 PA 92, entitled “Food law of 2000,” by amending sections 1109, 1119, 3119, 4111, 4117, 6101, 6149, and 7101 (MCL 289.1109, 289.1119, 289.3119, 289.4111, 289.4117, 289.6101, 289.6149, and 289.7101); 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. 749**Yeas—107**

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

Nays—0

In The Chair: Julian

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.

House Bill No. 5929, entitled

A bill to amend 2002 PA 100, entitled “Public employee retirement benefit protection act,” by amending section 6 (MCL 38.1686).

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

Roll Call No. 750**Yeas—107**

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

Nays—0

In The Chair: Julian

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.

House Bill No. 5962, entitled

A bill to amend 1969 PA 296, entitled "An act to provide for the transfer of jurisdiction over highways; to provide for the final determination of disputes involving transfers of highway jurisdiction; and to supersede certain acts and parts of acts," by amending section 5 (MCL 247.855), as amended by 1980 PA 12, and by adding section 3a.

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

Roll Call No. 751**Yeas—57**

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

Nays—50

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

In The Chair: Julian

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.

Second Reading of Bills**House Bill No. 4719, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 12541 (MCL 333.12541).

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

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

Rep. Koetje moved to amend the bill as follows:

1. Amend page 2, line 5, by striking out all of subsection (3) and inserting:

“(3) IF THE BEACH IS TESTED UNDER SUBSECTION (1), THE OWNER OF THE BATHING BEACH SHALL POST AT THE MAIN ENTRANCE TO THE BATHING BEACH OR OTHER VISIBLE LOCATION, A SIGN THAT STATES THAT THE BATHING BEACH HAS BEEN EVALUATED UNDER SUBSECTION (1) AND THE LOCATION WHERE THE TEST RESULTS MAY BE REVIEWED.”.

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4719, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 12541 (MCL 333.12541).

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

Roll Call No. 752

Yeas—94

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

Nays—11

Bradstreet	Hummel	Newell	Vear
Callahan	Koetje	O’Neil	Voorhees
DeVuyst	Kuipers	Scranton	

In The Chair: Julian

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.

Second Reading of Bills

House Bill No. 4373, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2001; and to provide for the expenditure of the appropriations.

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

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

Rep. Mead moved to amend the bill as follows:

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

NATURAL RESOURCES

Sec. 530. The appropriation in part 1 of \$2,021,800.00 grant to counties – marine safety from the marine safety fund is made for the purpose of providing 1-time funding to correct estimated accrued liabilities for grants earned by but not yet billed by or paid to local units of government, as required by generally accepted accounting principles and state accounting policies.”.

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

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

1. Amend page 21, line 23, by striking out all of section 551 and inserting:

“Sec. 551. (1) The funds appropriated under part 1 for declining enrollment grants shall be carried forward to 2002-2003 and shall be allocated to school districts that meet all of the following:

(a) Are located in the Upper Peninsula.

(b) Have a pupil membership for 2002-2003, as calculated under section 6(4) of the state school aid act of 1979, 1979 PA 94, MCL 388.1606, of less than 1,550 pupils.

(c) Have 4.5 or fewer pupils per square mile, as determined by the department of education. If a school district educates and counts in its membership pupils in grades 9 to 12 who reside in a contiguous school district that does not operate grades 9 to 12 and if 1 or both of the affected school districts request the department of education to use the determination allowed under this sentence, the department of education shall include the square mileage of both school districts in determining the number of pupils per square mile for each of the school districts for the purposes of this subdivision.

(2) The amount paid to an eligible school district under this section shall be an amount equal to the amount the school district would have received if it were eligible for a pupil membership adjustment for 2002-2003 under section 6(4)(y) of the state school aid act of 1979, 1979 PA 94, MCL 388.1606.”.

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

Rep. Jelinek moved to amend the bill as follows:

1. Amend page 5, following line 23, by inserting:

(3) OFFICE OF SCHOOL EXCELLENCE

School excellence operations	\$ 597,000
GROSS APPROPRIATION.....	\$ 597,000

Appropriated from:

Federal revenues	\$ 597,000
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(4) FIELD SERVICES

Field services operations.....	\$ 53,000
GROSS APPROPRIATION.....	\$ 53,000

Appropriated from:

Federal revenues	\$ 53,000
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(5) GRANTS AND DISTRIBUTIONS

Reading first state grants	\$ 5,700,000
Improving teacher quality grants.....	16,500,000
Language acquisition grants.....	1,161,900
GROSS APPROPRIATION.....	\$ 23,361,900

Appropriated from:

Federal revenues	\$ 23,361,900”
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and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. Shulman moved to amend the bill as follows:

1. Amend page 17, following line 24, by inserting:

“Sec. 306. (1) The department of community health shall establish a separate contingency appropriations account, in an amount not to exceed \$100,000,000.00. The sole purpose of this account shall be to provide funding for an increase in Medicaid capitation rates, payable to community mental health services programs, for Medicaid mental health services.

(2) Each community mental health services program and affiliation of community mental health services programs shall provide, from internal resources, local funds to be used as a bona fide part of the state match required under the Medicaid program in order to increase capitation rates for community mental health services programs and affiliations of community mental health services programs. These funds shall not include either state funds received by a community mental health services program for service provided to non-Medicaid recipients or the state matching portion of the Medicaid capitation payments made to a community mental health services program or affiliations of community mental health services programs.

(3) The distribution of the increase in the aforementioned capitation payment rates, if any, shall be based on a formula developed by a committee established within the department of community health, including representatives from community mental health services programs or affiliations of community mental health services programs and department staff.

(4) The Medicaid capitation rate increase distribution formula, developed by the committee specified in subsection (3) shall be based upon an analysis of recipient characteristics, comparative needs, actuarial trends, equitable adjustments between funding sources, and other relevant considerations. The committee may also recommend changes in community mental health non-Medicaid (funding formula) payments to community mental health services programs in conjunction with establishing the formula noted above in order to maximize funding for all community mental health services programs. The committee shall report its findings to the senate and house appropriations subcommittees on community health.

(5) The enactment of this section shall not result in any increase in the local match or county match obligation above the level of funding provided for mental health services in fiscal year 2001-2002. This section shall further confirm that the Medicaid program for specialty services and supports is part of the county-based community mental health services program system.

(6) This section shall not be implemented if it is found not to be in compliance with federal laws or regulations governing these types of transactions.”

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

Rep. Ehardt moved to amend the bill as follows:

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

“(3) STATE AGENCY, COMMUNITY COLLEGE, AND UNIVERSITY PLANNING PROJECTS

St. Clair County Community College – North building renovations, for program and

planning to be paid for from college revenues \$ 100

GROSS APPROPRIATION..... \$ 100

Appropriated from:

State general fund/general purpose \$ 100”

and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. DeWeese moved to amend the bill as follows:

1. Amend page 8, following line 7, by inserting:

“Michigan State University – pavement preservation center 150,000”

and adjusting the subtotals, totals, and section 201 accordingly.

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

Reps. Toy and Woronchak moved to amend the bill as follows:

1. Amend page 3, following line 21, following subsection (3), by inserting:

“(4) STATE BUILDING AUTHORITY FINANCED CONSTRUCTION PROJECTS

University of Michigan – Dearborn – building acquisition/engineering building

renovations; phase I, building acquisition (total authorized cost \$32,800,000;

state building authority share \$24,599,800; University of Michigan – Dearborn

share \$8,200,000; state general fund share \$200); phase II, engineering building

renovations (total authorized cost \$22,200,000; state building authority share

\$16,650,000; University of Michigan – Dearborn share \$5,550,000; state general

fund share \$0) \$ 100

GROSS APPROPRIATION..... \$ 100

Appropriated from:

State general fund/general purpose \$ 100”
 and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 15, following line 10, by inserting:

“CAPITAL OUTLAY

Sec. 251. (1) From the funds appropriated in part 1 for the University of Michigan – Dearborn – building acquisition/engineering building renovations, the total authorized cost for the engineering building renovations (phase II), shall be increased from \$22,200,000.00 to \$35,000,000.00 (state building authority share increased from \$16,650,000.00 to \$26,249,900.00; University of Michigan – Dearborn share increased from \$5,550,000.00 to \$8,750,000.00; state general fund share remains \$100.00) only if the building acquisition (phase I) does not occur.

(2) The program and schematic planning approval requirements for the building acquisition (phase I) are hereby waived. The project may proceed to acquisition, contingent on the approval of the requirements of the state building authority.

(3) The engineering building renovations project (phase II) shall not move into final design and construction until program and schematic planning documents are approved by the department and the joint capital outlay subcommittee.”.

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

Rep. Stallworth moved to amend the bill as follows:

1. Amend page 22, following line 5, by inserting:

“TRANSPORTATION

Sec. 601. From funds appropriated in 2001 PA 59, the Michigan department of transportation shall allocate \$1,000,000.00 to the metro region to operate a program to remove debris from along side non-freeway state trunklines. Work shall consist of debris removal from the back of sidewalk on one side of the roadway to the back of sidewalk on the opposite side of roadway. Work may also include other highway beautification activities. The program shall seek to employ inner city youth.”.

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

Rep. Stallworth demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 753

Yeas—40

Adamini	Garza	Lockwood	Rivet
Anderson	Gielegem	Mans	Schauer
Basham	Hale	McConico	Stallworth
Bernero	Hansen	Minore	Switalski
Bovin	Hardman	Murphy	Thomas
Brown, R.	Jacobs	Phillips	Waters
Callahan	Jamnick	Plakas	Williams
Clark, I.	Kolb	Quarles	Wojno
Daniels	Lemmons	Reeves	Woodward
Dennis	Lipsey	Rison	Zelenko

Nays—59

Allen	Godchaux	LaSata	Shackleton
Birkholz	Gosselin	Mead	Sheltrown
Bisbee	Hager	Meyer	Shulman
Bishop	Hart	Middaugh	Spade
Bradstreet	Howell	Mortimer	Stamas
Brown, C.	Hummel	Neumann	Stewart
Cassis	Jansen	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	Richardville	Vear
Faunce	Kooiman	Richner	Voorhees
George	Kowall	Rocca	Woronchak
Gilbert	Kuipers	Scranton	

In The Chair: Julian

Rep. Stallworth moved to amend the bill as follows:

1. Amend page 9, following line 2, by inserting:
 "Cultural enhancement grants..... 1,000,000".
2. Amend page 9, following line 4, by inserting:
 "Other state restricted funds 1,000,000"

and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. Anderson moved to amend the bill as follows:

1. Amend page 18, following line 13, by inserting:
"DEPARTMENT OF MANAGEMENT AND BUDGET

"Sec. 430. Of the funds appropriated for the department of management and budget building demolition, in 2000 PA 291, \$50,000.00 shall be provided to the city of Westland to permanently relocate and restore the Guthrie House."

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

Rep. Stallworth moved to amend the bill as follows:

1. Amend page 18, following line 13, by inserting:
"DEPARTMENT OF MANAGEMENT AND BUDGET

"Sec. 430. Of the funds appropriated for the department of management and budget building demolition, in 2000 PA 291, \$4,000,000.00 shall be provided to local units of government with more than 400 parcels of property that became tax reverted before 1998, for abatement and demolition of dangerous buildings."

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

Rep. Stallworth moved to amend the bill as follows:

1. Amend page 18, following line 13, section 430, after "PA 291," by inserting "it is the intent of the legislature that up to".

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

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

The motion prevailed.

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

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

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

House Bill No. 4373, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2001; and to provide for the expenditure of the appropriations.

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

Roll Call No. 754

Yeas—97

Adamini	Garza	Lockwood	Rocca
Allen	George	Mans	Schauer

Anderson	Gielegem	McConico	Shackleton
Basham	Gilbert	Mead	Sheltrown
Bernero	Hager	Meyer	Shulman
Birkholz	Hale	Middaugh	Spade
Bisbee	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
Callahan	Jamnick	Palmer	Van Woerkom
Cassis	Jansen	Pappageorge	Vander Roest
Caul	Jelinek	Pestka	Vander Veen
Clark, I.	Johnson, Rick	Phillips	Vear
Clarke, H.	Julian	Plakas	Voorhees
Daniels	Koetje	Pumford	Waters
Dennis	Kolb	Quarles	Whitmer
DeRossett	Kooiman	Raczkowski	Williams
DeVuyst	Kowall	Reeves	Wojno
DeWeese	Kuipers	Richardville	Woodward
Ehardt	Lemmons	Richner	Woronchak
Faunce	Lipsey	Rison	Zelenko
Frank			

Nays—10

Bishop	Gosselin	Patterson	Scranton
Drolet	Johnson, Ruth	Rivet	Stewart
Godchaux	LaSata		

In The Chair: Julian

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

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

A bill to make, supplement, and adjust appropriations for capital outlay and certain state departments and agencies for the fiscal year ending September 30, 2002; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

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. Richner, Vander Roest, Bishop, Ehardt, Raczkowski, Zelenko, DeRossett, DeVuyst, Switalski, Lockwood, Daniels, Pappageorge, McConico, Jacobs, Julian, Lemmons, Jamnick, Neumann, Howell, Mead, Gosselin, Faunce, Voorhees, Lipsey, Callahan, Spade, Hale, Kowall, Rocca, Vander Veen, Meyer, Koetje, Hager, Shulman, Drolet, DeWeese, Toy, Richardville, Hansen, Vear, Murphy and Birkholz offered the following resolution:

House Resolution No. 450.

A resolution commemorating the 100th anniversary of the Detroit Racquet Club and expressing appreciation for their valuable contributions in Michigan.

Whereas, It is with deep appreciation for the significance of this milestone that we commend the management and staff of the Detroit Racquet Club as they gather to mark the 100th anniversary of this outstanding group. While the members of this distinguished organization celebrate 100 years of service, we offer our thanks for the many contributions they have made within Detroit and throughout Michigan; and

Whereas, The Detroit Racquet Club's building was designed by Albert Kahn, a distinguished Detroit architect, and its origins can be traced back to 1902. This facility still stands today and has served as the clubhouse of the Detroit Racquet Club for the past 100 years; and

Whereas, The Detroit Racquet Club has provided facilities throughout the years for a range of racquet sports, including the game of racquets. This game originated in England at a debtors' prison, where the prisoners engaged in sports to squander time. Eventually, various private schools and universities took up this game; and

Whereas, In the years that have followed since they first came together, the Detroit Racquet Club has adapted to changes in society, membership, and expectations. This ability to grow and change has shown that the members have maintained their purpose to provide a place suitable for racquets, curling, general athletic, and other lawful sporting purposes; and

Whereas, With ceremonies to celebrate its history, the members and officers of the Detroit Racquet Club remember the vision of the many people and the hours and years of commitment that have brought the group to this point. Fittingly, as they look to the past, they will also be casting an eye to the future and to the many ways in which the Detroit Racquet Club will continue to reach out in our state; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body commemorate the 100th anniversary of the Detroit Racquet Club and express appreciation for their valuable contributions in Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to the Detroit Racquet Club as evidence 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. Hardman, Vander Roest, Bishop, Ehardt, Raczkowski, Zelenko, DeRossett, DeVuyst, Switalski, Lockwood, Daniels, Anderson, Sheltroun, Garza, Palmer, Pappageorge, Waters, McConico, Jacobs, Julian, Lemmons, Clark, Gielegem, Adamini, Plakas, Jamnick, Neumann, Howell, Faunce, Voorhees, Bernero, Lipsey, Callahan, Spade, Rich Brown, Wojno, Hale, Kowall, Rocca, Dennis, Vander Veen, Hager, Shulman, Drolet, DeWeese, Toy, Richner, Richardville, Hansen, Vear, Kolb, Reeves, George, Murphy and Birkholz offered the following resolution:

House Resolution No. 451.

A resolution honoring St. John Hospital and Medical Center's 50th anniversary.

Whereas, We take great pride in celebrating the achievements of St. John Hospital and Medical Center on the occasion of its 50th anniversary; and

Whereas, The hospital which opened in 1952, has grown into a regional referral teaching hospital and member of a comprehensive health system. The founding values and principles of the Sisters of St. Joseph have remained a common thread that makes St. John Hospital a unique health care provider, employer, and community resource. St. John Hospital and Medical Center, as a community based facility, continues to provide close, convenient, and compassionate care to patients and their families; and

Whereas, St. John Hospital and Medical Center has achieved a national reputation for excellence and has been ranked as one of the top 100 cardiovascular hospitals in America. St. John Hospital has grown from a 250-bed community hospital with 70 employees in 1952, to a 607-bed medical center with a 700 member medical staff and 4,900 employees; and

Whereas, From the first heart by-pass surgery performed in the 1970's, cardiac innovations have led to St. John Hospital offering almost every type of diagnostic, surgical, and nonsurgical cardiac treatment available. The Emergency Center of this hospital treats more than 76,400 patients annually as the major level-one emergency center for the eastside community; and

Whereas, St. John Hospital Neonatal Care Unit was one of the first units in Michigan to specialize in caring for premature, low-birth weight, and high-risk infants and is the only neonatal intensive care unit of its kind on the east side of Detroit. St. John is also a regional referral center for high-risk pregnancies. In 2001, 3,893 babies were born at the ultra-modern St. John Birthing Center, one of the largest in the country. They were able to serve 31 mothers, infants, and families for labor, delivery, recovery, and postpartum care in homelike private rooms; and

Whereas, The first laparoscopic gallbladder removal procedure in Michigan took place in 1989, at St. John Hospital. Laparoscopic surgery techniques are used in many areas. This procedure makes it possible for patients to return home the day after surgery. More than 80 of these operations have been performed so far, the most in the state. Their organ transplant program has one of the highest success rates in the country with more than 500 transplants performed; and

Whereas, The Van Elslander Cancer Center's (VECC) state of the art facility focuses on achieving harmony of the body, mind, and spirit by offering holistic treatment and conventional cancer therapies. Affiliated with the University of Michigan Cancer Center Network, the VECC, University of Michigan Hospital, and other St. John Health System

hospitals, treat more than 14,000 new cancer cases every year, the most in the region. Its patients have access to every national clinical trial, which is one of only 13 such centers nationwide; and

Whereas, St. John's medical education programs are affiliated with Wayne State University. This opens new opportunities for cooperative teaching arrangements and provides a major teaching facility with faculty and resident doctors in numerous specialties; and

Whereas, Thousands of patients, medical staff, employees, volunteers, and community supporters have come together during the last 50 years to foster the mission of the Sisters of St. Joseph, "To Heal To Serve". Together, this assures that St. John Hospital and Medical Center will continue as a valued community health resource; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body honor St. John Hospital and Medical Center's 50th anniversary; and be it further

Resolved, That a copy of this resolution be transmitted to the St. John Hospital and Medical Center as an expression of our highest regards.

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 Regulatory Reform, by Rep. Rocca, Chair, reported

House Bill No. 4035, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 701 (MCL 436.1701).

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 4035 To Report Out:

Yeas: Reps. Rocca, Faunce, Raczkowski, Richner, Garza, Waters, Williams,

Nays: None.

The Committee on Regulatory Reform, by Rep. Rocca, Chair, reported

Senate Bill No. 540, entitled

A bill to authorize the state administrative board to convey certain state owned property in Macomb county; to prescribe conditions for the conveyance; and to provide for disposition of the revenue from the conveyance.

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 540 To Report Out:

Yeas: Reps. Rocca, Faunce, Richner, Garza, Waters, Williams,

Nays: None.

The Committee on Regulatory Reform, by Rep. Rocca, Chair, reported

Senate Bill No. 920, entitled

A bill to authorize the state administrative board to convey certain property in Branch county; to prescribe conditions for the conveyance; and to provide for disposition of the revenue from the conveyance.

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 920 To Report Out:

Yeas: Reps. Rocca, Faunce, Richner, Garza, Waters, Williams,
Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Rocca, Chair of the Committee on Regulatory Reform, was received and read:

Meeting held on: Thursday, May 16, 2002, at 11:00 a.m.,
Present: Reps. Rocca, Faunce, Raczkowski, Richner, Garza, Waters, Williams,
Absent: Reps. Scranton, Wojno,
Excused: Reps. Scranton, Wojno.

The Committee on Education, by Rep. Kuipers, Chair, reported

House Bill No. 5879, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 627, 1204a, 1277a, 1279, 1280, and 1280b (MCL 380.627, 380.1204a, 380.1277a, 380.1279, 380.1280, and 380.1280b), section 627 as amended by 1995 PA 289, section 1204a as amended by 1996 PA 159, section 1277a as added by 1993 PA 335, section 1279 as amended by 1997 PA 175, section 1280 as amended by 1997 PA 180, and section 1280b as added by 2000 PA 230, and by adding part 20c; and to repeal acts and parts of acts.

With the recommendation that the substitute (H-3) be adopted and that the bill then pass.

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

Favorable Roll Call

HB 5879 To Report Out:

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

The Committee on Education, by Rep. Kuipers, Chair, reported

House Bill No. 5880, entitled

A bill to amend 1999 PA 94, entitled "Michigan merit award scholarship act," by amending sections 4 and 9 (MCL 390.1454 and 390.1459).

With the recommendation that the substitute (H-3) be adopted and that the bill then pass.

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

Favorable Roll Call

HB 5880 To Report Out:

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

The Committee on Education, by Rep. Kuipers, Chair, reported

House Bill No. 5881, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 22b, 96, and 104a (MCL 388.1622b, 388.1696, and 388.1704a), section 22b as amended by 2001 PA 121, section 96 as added by 2000 PA 297, and section 104a as amended by 1999 PA 119.

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 5881 To Report Out:

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

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Kuipers, Chair of the Committee on Education, was received and read:
Meeting held on: Thursday, May 16, 2002, at 9:00 a.m.,

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

The Committee on Insurance and Financial Services, by Rep. Richner, Chair, reported
Senate Bill No. 991, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 2103, 2111, 2117, 2118, 2121, 2930, and 2930a (MCL 500.2103, 500.2111, 500.2117, 500.2118, 500.2121, 500.2930, and 500.2930a), section 2103 as amended by 2001 PA 147, section 2111 as amended by 1996 PA 98, section 2117 as amended by 2001 PA 25, section 2118 as amended by 1988 PA 43, section 2121 as amended by 1998 PA 26, and section 2930a as amended by 1980 PA 461.

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 991 To Report Out:

Yeas: Reps. Richner, Bisbee, DeWeese, Ehardt, Hager, Hummel, Middaugh, Scranton, Van Woerkom, Wojno, Anderson, Clark, Woodward,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Richner, Chair of the Committee on Insurance and Financial Services, was received and read:

Meeting held on: Thursday, May 16, 2002, at 11:00 a.m.,

Present: Reps. Richner, Bisbee, DeWeese, Ehardt, Hager, Hummel, Middaugh, Scranton, Van Woerkom, Wojno, Anderson, Clark, Woodward,

Absent: Reps. Daniels, Schermesser.

Excused: Reps. Daniels, Schermesser.

The Committee on Conservation and Outdoor Recreation, by Rep. DeVuyst, Chair, reported
House Bill No. 4180, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 81133 (MCL 324.81133), as amended by 1998 PA 86.

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 4180 To Report Out:

Yeas: Reps. DeVuyst, Tabor, Bradstreet, Drolet, Kowall, Rocca, Voorhees, Sheltroun,

Nays: None.

The Committee on Conservation and Outdoor Recreation, by Rep. DeVuyst, Chair, reported
Senate Bill No. 415, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 72113.

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 415 To Report Out:

Yeas: Reps. DeVuyst, Tabor, Bradstreet, Drolet, Kowall, Voorhees, Callahan, Basham, Sheltroun,
Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. DeVuyst, Chair of the Committee on Conservation and Outdoor Recreation, was received and read:

Meeting held on: Thursday, May 16, 2002, at 10:30 a.m.,

Present: Reps. DeVuyst, Tabor, Bradstreet, Drolet, Kowall, Rocca, Voorhees, Callahan, Basham, Garza, Sheltroun.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Richner, Chair of the Committee on Insurance and Financial Services, was received and read:

Meeting held on: Wednesday, May 15, 2002, at 10:30 a.m.,

Present: Reps. Richner, Bisbee, DeWeese, Ehardt, Hager, Hummel, Middaugh, Scranton, Van Woerkom, Anderson, Clark, Daniels, Schermesser, Woodward,

Absent: Rep. Wojno,

Excused: Rep. Wojno.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Patterson, Chair of the Committee on Redistricting and Elections, was received and read:

Meeting held on: Thursday, May 16, 2002, at 10:00 a.m.,

Present: Reps. Patterson, Hummel, Allen, Bishop, Cassis, Hart, Quarles, Jamnick, Lemmons.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, May 16, 2002, at 10:30 a.m.,

Present: Reps. Howell, Hummel, Faunce, Palmer, Richner, Voorhees, Adamini, Lipsey, McConico, Waters,

Absent: Rep. Koetje,

Excused: Rep. Koetje.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, May 16, 2002, at 10:30 a.m.,

Present: Reps. Hart, Vander Veen, DeWeese, Hager, Murphy, Garza, Rison,

Absent: Reps. Tabor, Bernero,

Excused: Reps. Tabor, Bernero.

Messages from the Senate**House Bill No. 4994, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16186 (MCL 333.16186), as amended by 1993 PA 80.

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

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

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; to provide for the disposition of fees and other income received by the state agencies; and to repeal acts and parts of acts.

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

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

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

House Bill No. 5645, entitled

A bill to make appropriations for the family independence agency and certain state purposes related to public welfare services for the fiscal year ending September 30, 2003; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to provide for reports; to provide for the disposition of fees and other income received by the state agency; and to provide for the powers and duties of certain individuals, local governments, and state departments, agencies, and officers.

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

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

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

House Bill No. 5646, entitled

A bill to make, supplement, and adjust appropriations for the departments of attorney general, civil rights, civil service, information technology, management and budget, state, and treasury, the executive office, and the legislative branch for the fiscal years ending September 30, 2002 and September 30, 2003; to provide for the expenditure of these appropriations; to provide for the funding of certain work projects; to provide for the imposition of certain fees; to establish or continue certain funds, programs, and categories; to transfer certain funds; to prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances for the fiscal year ending September 30, 2003; to prescribe the powers and duties of certain principal executive departments and state agencies, officials, and employees; and to provide for the disposition of fees and other income received by the various principal executive departments and state agencies.

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 make, supplement, and adjust appropriations for the departments of attorney general, civil rights, civil service, information technology, management and budget, state, and treasury, the executive office, and the legislative branch for the fiscal year ending September 30, 2003; to provide for the expenditure of these appropriations; to provide for the funding of certain work projects; to provide for the imposition of certain fees; to establish or continue certain funds, programs, and categories; to transfer certain funds; to prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances for the fiscal year ending September 30, 2003; to prescribe the powers and duties of certain principal executive departments and state agencies, officials, and employees; and to provide for the disposition of fees and other income received by the various principal executive departments and state agencies.

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

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.

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

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

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

House Bill No. 5651, entitled

A bill to make appropriations for the state transportation department and certain transportation purposes for the fiscal year ending September 30, 2003; to provide for the imposition of fees; to provide for reports; to create certain funds and programs; to prescribe requirements for certain railroad and bus facilities; to prescribe certain powers and duties of certain state departments and officials and local units of government; and to provide for the expenditure of the appropriations.

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

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

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

Senate Bill No. 924, entitled

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

The Senate has passed the bill.

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

Senate Bill No. 925, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending the title and sections 310, 310e, and 314 (MCL 257.310, 257.310e, and 257.314), the title as amended by 2000 PA 408, section 310 as amended by 2002 PA 126, section 310e as amended by 2000 PA 456, and section 314 as amended by 2000 PA 173.

The Senate has passed the bill.

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

Senate Bill No. 1099, entitled

A bill to make appropriations for certain capital outlay programs and state departments and agencies for the fiscal year ending September 30, 2003; to implement the appropriations within the budgetary process; to make appropriations for planning and construction at state agencies; to make appropriations for state building authority rent and insurance; to make a grant for state building authority rent; to provide for the acquisition of land and buildings; to provide for the elimination of fire hazards; to provide for special maintenance, remodeling and addition, alteration, renovation, demolition, and other projects; to provide for elimination of occupational safety and health hazards; to provide for the award and implementation of contracts; to provide for the purchase of furnishings and equipment relative to occupancy of a project; to provide for the development of public recreation facilities; to provide for certain advances from the general fund; to prescribe powers and duties of certain state officers and agencies; to require certain reports, plans, and agreements; to provide for leases; to provide for transfers; to prescribe standards and conditions relating to the appropriations; and to provide for the expenditure of appropriations.

The Senate has passed the bill.

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

Senate Bill No. 1275, entitled

A bill to amend 1994 PA 295, entitled "Sex offenders registration act," by amending sections 2, 5, 5a, 7, 8, 9, and 10 (MCL 28.722, 28.725, 28.725a, 28.727, 28.728, 28.729, and 28.730), sections 2, 5, 7, 8, 9, and 10 as amended and section 5a as added by 1999 PA 85, and by adding section 4a.

The Senate has passed the bill.

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

Rep. Jelinek moved that the House adjourn.

The motion prevailed, the time being 4:35 p.m.

Associate Speaker Pro Tempore Julian declared the House adjourned until Tuesday, May 21, at 2:00 p.m.

GARY L. RANDALL
Clerk of the House of Representatives.

