

**No. 49**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**91st Legislature**  
**REGULAR SESSION OF 2002**

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House Chamber, Lansing, Thursday, May 23, 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—e/d/s	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—excused	Jansen—present	Pestka—present	Vander Roest—present
Caul—present	Jelinek—excused	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—excused	Woronchak—present
Ehardt—excused	LaSata—present	Rivet—present	Zelenko—present
Fauce—present	Lemmons—present	Rocca—present	
Frank—present	Lipsey—present		

e/d/s = entered during session

Rep. Jim Howell, from the 94th District, offered the following invocation:

“Dear heavenly Father, we ask You to bless us on this day. We pray that You guide us with the faith and hope to effectively serve You and the great state of Michigan. We pray that You grant us the wisdom and patience to work together as a body of one, so that a sense of unity and confidence will be realized by the citizens of our great State. Also heavenly Father, we pray that You will bless and watch over our families. Give them the reassurance that we are here to serve the people, and by doing so, are serving You. Please bless our local and national leaders as well. We pray that all realize the condition of our world today, cast political affiliation aside, and work as one to bring peace on earth. In the name of our Lord, Jesus Christ, we pray. Amen.”

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Rep. Patterson moved that Reps. Cassis, Ehardt and Jelinek be excused from today’s session.  
The motion prevailed.

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

### **Motions and Resolutions**

Rep. Patterson moved to discharge the Committee on House Oversight and Operations from further consideration of **House Resolution No. 448.**

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

Rep. Patterson moved to suspend rule 45,

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

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.

### **Second Reading of Bills**

#### **House Bill No. 5958, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 8313, 8314, 8327, 8329, 8333, and 30113 (MCL 324.8313, 324.8314, 324.8327, 324.8329, 324.8333, and 324.30113), section 30113 as amended by 1995 PA 171, and by adding part 33; 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 Conservation and Outdoor Recreation,

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

Rep. DeVuyst 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.

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Rep. Richner moved that Rep. DeVuyst be excused temporarily from today’s session.

The motion prevailed.

Rep. Scranton moved that Rep. Godchaux be excused temporarily from today’s session.

The motion prevailed.

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

**House Bill No. 5958, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 8313, 8314, 8327, 8329, 8333, and 30113 (MCL 324.8313, 324.8314, 324.8327, 324.8329, 324.8333, and 324.30113), section 30113 as amended by 1995 PA 171, and by adding part 33; 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. 798**

**Yeas—60**

Allen	Gosselin	Mans	Rocca
Birkholz	Hager	Mead	Scranton
Bisbee	Hart	Meyer	Shackleton
Bishop	Howell	Middaugh	Sheltrown
Bovin	Hummel	Mortimer	Shulman
Bradstreet	Jansen	Neumann	Spade
Brown, C.	Johnson, Rick	Newell	Stamas
Brown, R.	Johnson, Ruth	O’Neil	Stewart
Caul	Julian	Palmer	Tabor
DeRossett	Koetje	Pappageorge	Toy
DeWeese	Kooiman	Patterson	Vander Roest
Drolet	Kowall	Pumford	Vander Veen
Faunce	Kuipers	Raczkowski	Vear
George	LaSata	Richner	Voorhees
Gilbert	Lockwood	Rivet	Woronchak

**Nays—35**

Adamini	Dennis	McConico	Switalski
Anderson	Garza	Minore	Van Woerkom
Basham	Gielegem	Murphy	Waters
Bernero	Hansen	Pestka	Whitmer
Brown, B.	Jacobs	Phillips	Williams
Callahan	Jamnick	Plakas	Wojno
Clark, I.	Kolb	Quarles	Woodward
Clarke, H.	Lemmons	Reeves	Zelenko
Daniels	Lipsey	Stallworth	

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 1994 PA 451, entitled “Natural resources and environmental protection act,” by amending sections 8313, 8314, 8327, 8329, 8333, and 30113 (MCL 324.8313, 324.8314, 324.8327, 324.8329, 324.8333, and 324.30113), section 30113 as amended by 1995 PA 171, and by adding part 33 and section 8316a; and to repeal acts and parts of acts.

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.

Rep. Frank moved to reconsider the vote by which the House passed the bill.  
 The question being on the motion made by Rep. Frank,  
 Rep. Frank moved that consideration of the motion be postponed for the day.  
 The motion prevailed.

### Second Reading of Bills

**Senate Bill No. 794, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 2882 (MCL 333.2882), as amended by 1997 PA 54.

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.

**House Bill No. 5291, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 1, 22, and 35 of chapter XVII (MCL 777.1, 777.22, and 777.35), as amended by 2000 PA 279.

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

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

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

The motion prevailed.

Rep. Patterson moved to reconsider the vote by which the House placed the bill on the order of Third Reading of Bills.

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

Rep. Faunce moved to amend the bill as follows:

1. Amend page 4, following line 9, by inserting:

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

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

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

The motion prevailed.

**House Bill No. 4581, entitled**

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending section 45 (MCL 38.45), as amended by 1988 PA 351.

The bill was read a second time.

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

The motion prevailed.

**House Bill No. 5336, entitled**

A bill to amend 1989 PA 24, entitled "The district library establishment act," by amending section 13 (MCL 397.183), as amended by 1994 PA 114.

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

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

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

The motion prevailed.

**Senate Bill No. 841, entitled**

A bill to amend 1981 PA 80, entitled "Fiscal stabilization act," by amending section 4 (MCL 141.1004), as amended by 1987 PA 279; and to repeal acts and parts of acts.

The bill was read a second time.

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

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

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

The motion prevailed.

**Senate Bill No. 1062, entitled**

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

The bill was read a second time.

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

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

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

The motion prevailed.

#### **Senate Bill No. 1074, entitled**

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

The bill was read a second time.

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

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

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

The motion prevailed.

#### **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.

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. 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.

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

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

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

The motion prevailed.

#### **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.

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

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

Rep. Spade moved to amend the bill as follows:

1. Amend page 34, line 23, after "DEPARTMENT" by striking out the balance of the sentence and inserting a period.

2. Amend page 34, line 26, after the first "THE" by striking out "STATE TREASURER" and inserting "SUPERINTENDENT OF PUBLIC INSTRUCTION".

3. Amend page 34, line 26, after "DEPARTMENT" by striking out "OF TREASURY".

4. Amend page 35, line 5, after "THE" by striking out "STATE TREASURER" and inserting "SUPERINTENDENT OF PUBLIC INSTRUCTION".

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

Rep. Spade demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 799****Yeas—47**

Adamini	Garza	Neumann	Stallworth
Anderson	Godchaux	O'Neil	Stewart
Basham	Gosselin	Pestka	Switalski
Bernero	Hale	Phillips	Thomas
Bovin	Hansen	Pumford	Toy
Brown, B.	Jacobs	Quarles	Waters
Brown, R.	Jamnick	Rackowski	Whitmer
Callahan	Lemmons	Reeves	Williams
Clarke, H.	Lipsey	Richardville	Wojno
Dennis	Lockwood	Schauer	Woodward
DeRossett	Mans	Sheltrown	Zelenko
Frank	Minore	Spade	

**Nays—41**

Allen	Gielegem	Kooiman	Richner
Bisbee	Gilbert	Kowall	Rocca
Bishop	Hager	Kuipers	Shackleton
Bradstreet	Hart	LaSata	Shulman
Brown, C.	Hummel	Mead	Stamas
Caul	Jansen	Meyer	Van Woerkom
Clark, I.	Johnson, Rick	Middaugh	Vander Roest
DeWeese	Johnson, Ruth	Palmer	Vander Veen
Drolet	Julian	Pappageorge	Vear
Faunce	Koetje	Patterson	Voorhees
George			

In The Chair: Julian

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

**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).

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

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

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

The motion prevailed.

**House Bill No. 6066, entitled**

A bill to amend 2001 PA 63, entitled "History, arts, and libraries act," by amending sections 2 and 21 (MCL 399.702 and 399.721) and by adding sections 7 and 22.

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

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

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

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

Rep. Allen 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. 6066, entitled**

A bill to amend 2001 PA 63, entitled “History, arts, and libraries act,” by amending sections 2 and 21 (MCL 399.702 and 399.721) and by adding sections 7 and 22.

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

**Roll Call No. 800**

**Yeas—96**

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

**Nays—5**

Bradstreet	Drolet	Gosselin	Palmer
Callahan			

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. 6062, entitled**

A bill to amend 1987 PA 230, entitled “Municipal health facilities corporations act,” by amending section 305 (MCL 331.1305), as amended by 1988 PA 502.

The bill was read a second time.  
 Rep. LaSata 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. 6062, entitled**

A bill to amend 1987 PA 230, entitled "Municipal health facilities corporations act," by amending section 305 (MCL 331.1305), as amended by 1988 PA 502.

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

**Roll Call No. 801**

**Yeas—100**

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

**Nays—1**

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. 4852, entitled**

A bill to provide for the exemption of certain property from certain taxes; to levy and collect a specific tax upon the owners of certain property; to provide for the disposition of the tax; to clarify the ownership of certain parcels of property; to prescribe the powers and duties of certain local government officials; and to provide penalties.

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

The substitute (H-2) was adopted, a majority of the members serving voting therefor.  
Rep. DeRossett 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. 4852, entitled**

A bill to provide for the exemption of certain property from certain taxes; to levy and collect a specific tax upon the owners of certain property; to provide for the disposition of the tax; to clarify the ownership of certain parcels of property; to prescribe the powers and duties of certain local government officials; and to provide penalties.

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

**Roll Call No. 802**

**Yeas—96**

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

**Nays—1**

Sheltrown

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. 4853, entitled

A bill to amend 1855 PA 105, entitled "An act to regulate the disposition of the surplus funds in the state treasury; to provide for the deposit of surplus funds in certain financial institutions; to lend surplus funds pursuant to loan agreements secured by certain commercial, agricultural, or industrial real and personal property; to authorize the loan of surplus funds to certain municipalities; to authorize the participation in certain loan programs; to authorize an appropriation; and to prescribe the duties of certain state agencies," by amending section 4 (MCL 21.144) and by adding section 2e.

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

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

Rep. Richner 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. 4853, entitled

A bill to amend 1855 PA 105, entitled "An act to regulate the disposition of the surplus funds in the state treasury; to provide for the deposit of surplus funds in certain financial institutions; to lend surplus funds pursuant to loan agreements secured by certain commercial, agricultural, or industrial real and personal property; to authorize the loan of surplus funds to certain municipalities; to authorize the participation in certain loan programs; to authorize an appropriation; and to prescribe the duties of certain state agencies," by amending section 4 (MCL 21.144) and by adding section 2e.

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

#### Roll Call No. 803

#### Yeas—99

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

**Nays—1**

Sheltrown

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 1855 PA 105, entitled "An act to regulate the disposition of the surplus funds in the state treasury; to provide for the deposit of surplus funds in certain financial institutions; to lend surplus funds pursuant to loan agreements secured by certain commercial, agricultural, or industrial real and personal property; to authorize the loan of surplus funds to certain municipalities; to authorize the participation in certain loan programs; to authorize an appropriation; and to prescribe the duties of certain state agencies," by amending section 4 (MCL 21.144) and by adding section 2f.

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.

**Second Reading of Bills****House Bill No. 6008, entitled**

A bill to amend 1971 PA 174, entitled "Office of child support act," by amending sections 1, 3, 3a, 4b, 6, 7, and 9 (MCL 400.231, 400.233, 400.233a, 400.234b, 400.236, 400.237, and 400.239), section 1 as amended and sections 6, 7, and 9 as added by 1999 PA 161 and sections 3 and 3a as amended and section 4b as added by 1998 PA 112, and by adding section 10.

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

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

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

The motion prevailed.

Rep. Jacobs moved to reconsider the vote by which the House placed the bill on the order of Third Reading of Bills. The motion did not prevail, a majority of the members not voting therefor.

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

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

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Rep. Hardman entered the House Chambers.

By unanimous consent the House returned to the order of

**Third Reading of Bills****House Bill No. 6008, entitled**

A bill to amend 1971 PA 174, entitled "Office of child support act," by amending sections 1, 3, 3a, 4b, 6, 7, and 9 (MCL 400.231, 400.233, 400.233a, 400.234b, 400.236, 400.237, and 400.239), section 1 as amended and sections 6, 7, and 9 as added by 1999 PA 161 and sections 3 and 3a as amended and section 4b as added by 1998 PA 112, and by adding section 10.

Was read a third time and not passed, a majority of the members serving not voting therefor, by yeas and nays, as follows:

**Roll Call No. 804****Yeas—54**

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

**Nays—48**

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

In The Chair: Julian

Rep. Jamnick, having reserved the right to explain her protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I have voted no on this bill because it constitutes ‘privatization’ of the 12 month arrearages of child support payments with no discussion of a proper bidding process and no discussion of how to pay the cost of the collection services. Generally collection agencies charge on average 30% of the amount being collected. Having been a single mother, I have first hand knowledge of what this loss of monies will mean in the care of a child, let alone children should there be more than one child involved.”

Rep. Spade, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

This bill is a poor attempt to address many concerns and issues that relate to the fundamental principle of parents being responsible for the financial needs of their children. Ideally, parents should want to ensure that the basic needs of their children are met. Unfortunately in Michigan there are over a million children who are owed back child support by their parents. These parents have failed to provide for their children for many reasons including but not limited to unemployment, illness, misplaced anger towards the custodial parent and just plain apathy. When child support is paid, parents and the Legislature expect that that payment would reach the child expeditiously and intact without any deductions taken from the support.

This bill does not address one of the best ways to improve the overburdened system, more staff. This bill may also jeopardize funding to the Friends of the Court and adversely impact their federal incentive award. Finally, this bill would allow the Family Independence Agency to contract out and privatize child support collections to various collection agencies. There has been no evidence to substantiate that they would do a better job than the current Friend of the Court employees. In fact, it may result in the loss of child support dollars to the very children who need the money.”

Rep. Minore, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

This bill is a poor attempt to address many concerns and issues that relate to the fundamental principle of parents being responsible for the financial needs of their children. Ideally, parents should want to ensure that the basic needs of their children are met. Unfortunately in Michigan there are over a million children who are owed back child support by their parents. These parents have failed to provide for their children for many reasons including but not limited to unemployment, illness, misplaced anger towards the custodial parent and just plain apathy. When child support is paid, parents and the Legislature expect that that payment would reach the child expeditiously and intact without any deductions taken from the support.

Unfortunately, this is not the case. There are many reports of numerous problems with the Friends of the Court throughout the entire state. There are problems with scheduling hearings, problems with insensitive caseworkers, problems with delayed payments, problems with numerous pending paternity claims and so on. This is not to say that the employees of the Friend of the Court are not doing a great job. They are doing their best under the current conditions. This bill does not address one of the best ways to improve the overburdened system, more staff. This bill may also jeopardize funding to the Friends of the Court and adversely impact their federal incentive award. Finally, this bill would allow the Family Independence Agency to contract out and privatize child support collections to various collection agencies. There has been no evidence to substantiate that they would do a better job than the current Friend of the Court employees. In fact, it may result in the loss of child support dollars to the very children who need the money. Finally, given the record of this administration on ‘no-bid’ contracts, this proposal has all the signs of yet another boondoggle.”

Rep. Patterson moved to reconsider the vote by which the House did not pass the bill.

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

The question being on the passage of the bill,

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

The motion prevailed.

## Second Reading of Bills

### Senate Bill No. 1101, entitled

A bill to make appropriations for the department of community health and certain state purposes related to mental health, public health, and medical services for the fiscal year ending September 30, 2003; to provide for the expenditure of those appropriations; to create funds; to require and provide for reports; to prescribe the powers and duties of certain local and state agencies and departments; and to provide for disposition of fees and other income received by the various state agencies.

(The bill was read a second time, substitute (H-1) and amendments adopted and bill postponed temporarily on May 22, see House Journal No. 48, p. 1651.)

Rep. Bernero moved to amend the bill as follows:

1. Amend page 4, line 25, after “services” by striking out “500,000” and inserting “1,000,000” and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 54, following line 15, by inserting:

“Sec. 445. (1) From the funds appropriated in part 1 for adolescents mental health services, \$500,000.00 shall be allocated to support pilot programs by CMHSPs to provide school and community-based mental health services to at-risk nonspecial education children and adolescents. The appropriated funds shall also be used by CMHSPs to provide consultation to local school districts for meeting the mental health needs of at-risk nonspecial education children and adolescents.

(2) CMHSPs shall collaborate with local school districts and local family independence agencies in implementing the pilot projects. Local school districts and local family independence agencies shall also be required to provide matching funds in implementing the pilot projects.

(3) The pilot projects described in this section shall be completely voluntary for CMHSPs.

(4) The department, in consultation with CMHSPs, shall provide quarterly reports to the members of the house and senate appropriations subcommittees on community health, the house and senate fiscal agencies, and the state budget office as to any activities by CMHSPs to pilot projects under this section.”

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

Rep. Bernero moved to amend the bill as follows:

1. Amend page 54 following line 15, by inserting:

“Sec. 445. (1) A community mental health services program recipient, after failing to obtain resolution of a problem through a local CMHSP grievance process, may request and receive a department organized review of his or her complaint by a clinician or clinicians independent of the consumer, provider, and service manager.

(2) This review opportunity shall apply to any CMHSPs determination resulting in the denial, reduction, or termination of an admission, availability of care, continued stay or other specialty service or support.

(3) The final decision emanating from the department-organized review shall be binding on the service manager and provider.

(4) Procedures shall be in place to expedite the opportunity for the department-organized review in the event emergency circumstances exist.

(5) If the recipient is enrolled in Medicaid and grieving a Medicaid covered service, nothing in subsections (2) through (4) may supplant the recipient’s right under federal provisions to seek a Medicaid fair hearing.”

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

Rep. Bernero moved to amend the bill as follows:

1. Amend page 4, line 20, by striking out “274,813,800” and inserting “275,063,800”.

2. Amend page 5, following line 11, by inserting:

“Tobacco settlement revenue ..... 250,000”

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

3. Amend page 54, following line 15, following section 445, by inserting:

“Sec. 446. Of the funds appropriated in part 1 for community mental health non-Medicaid services, \$250,000.00 shall be allocated to a law enforcement fund to reimburse local sheriffs and police officers for the transportation of mental health patients. This fund may be accessed by CMHSPs to reimburse local sheriff and police departments for transportation of mental health patients.”

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

Rep. Bernero demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 805**

**Yeas—52**

Anderson	Frank	Mans	Rocca
Basham	George	McConico	Schauer
Bernero	Gielegem	Minore	Sheltrown
Bishop	Gilbert	Murphy	Spade
Bovin	Hale	Neumann	Switalski
Brown, B.	Hansen	Patterson	Thomas
Brown, R.	Hardman	Pestka	Toy
Callahan	Jacobs	Plakas	Waters
Caul	Jamnick	Quarles	Whitmer
Clark, I.	Kolb	Rackowski	Wojno
Clarke, H.	Lemmons	Reeves	Woodward
Daniels	Lipsey	Richardville	Woronchak
Dennis	Lockwood	Rivet	Zelenko

**Nays—32**

Allen	Howell	Kowall	Richner
Birkholz	Hummel	Kuipers	Shackleton

Bisbee	Jansen	LaSata	Stewart
Brown, C.	Johnson, Rick	Mead	Tabor
DeRossett	Johnson, Ruth	Meyer	Van Woerkom
Drolet	Julian	Middaugh	Vander Veen
Faunce	Koetje	Newell	Vear
Hager	Kooiman	Palmer	Voorhees

In The Chair: Julian

Rep. Daniels moved to amend the bill as follows:

1. Amend page 11, line 1, by striking out “1,025,000” and inserting “1,225,000”.
2. Amend page 11, line 18, by striking out “9,273,500” and inserting “9,473,500” and adjusting the subtotals, totals, and section 201 accordingly.

3. Amend page 66, following line 14, following section 1026, by inserting:

“Sec. 1028. From the funds appropriated for injury control intervention, \$200,000.00 shall be allocated to the Mohican homeowners association for fire prevention education programming.”.

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

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

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

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

Rep. Daniels withdrew the amendments.

Rep. Switalski moved to amend the bill as follows:

1. Amend page 9, line 26, by striking out “462,300” and inserting “512,300”.

2. Amend page 61, following line 24, by inserting:

“Sec. 906. From the funds appropriated in part 1 for local health services, the department shall allocate \$50,000.00 for the continuation of a study to identify the sources of pollution and those responsible for polluting in the Clinton river watershed, and, upon completion of the pollution study, for a hydrology analysis of the Clinton river watershed.”.

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

Rep. Stallworth moved to amend the bill as follows:

1. Amend page 66, following line 14, following section 1027, by inserting:

“Sec. 1028. From the funds appropriated in part 1 for the African-American male health initiative, \$500,000.00 shall be allocated to the African-American male health initiative program at Henry Ford health system.”.

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

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Rep. Switalski moved that Rep. Whitmer be excused temporarily from today’s session.

The motion prevailed.

Rep. Neumann moved to amend the bill as follows:

1. Amend page 105, line 15, by striking out all of section 1684a.

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

Rep. Neumann demanded the yeas and nays.

The demand was supported.

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

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

### Roll Call No. 806

### Yeas—24

Anderson	Hansen	O’Neil	Spade
Bovin	Hardman	Pestka	Switalski

Brown, R.	Jacobs	Phillips	Thomas
Clark, I.	Kolb	Rivet	Toy
Frank	Mans	Schauer	Wojno
Gielegem	Neumann	Sheltrown	Woodward

**Nays—57**

Allen	Gosselin	Mead	Richner
Birkholz	Hager	Meyer	Rocca
Bisbee	Hale	Middaugh	Scranton
Bishop	Howell	Mortimer	Shackleton
Brown, C.	Hummel	Newell	Stallworth
Callahan	Jansen	Palmer	Stamas
Caul	Johnson, Ruth	Pappageorge	Stewart
DeRossett	Julian	Patterson	Tabor
DeWeese	Koetje	Plakas	Van Woerkom
Drolet	Kooiman	Pumford	Vander Roest
Faunce	Kowall	Quarles	Vander Veen
Garza	Kuipers	Raczkowski	Vear
George	LaSata	Reeves	Voorhees
Gilbert	Lemmons	Richardville	Woronchak
Godchaux			

In The Chair: Julian

Rep. Bernero moved to amend the bill as follows:

1. Amend page 81, following line 4, by inserting:

“Sec. 1604. (1) The department shall ascertain the steps required for federal approval to utilize the social security substantial gainful activity level as the state’s Medicaid spend-down protected income level for nonelderly individuals receiving social security disability income.

(2) The department, after appropriate consultation with the federal government, shall project an annual cost to the department’s budget if federal approval for the protected income level change referenced in subsection (1) were granted.

(3) Not later than November 1, 2002, the department shall report its findings regarding subsections (1) and (2) to the members of the house and senate appropriations subcommittees on community health, the house and senate fiscal agencies, and the state budget director.”

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

Rep. Bernero moved to amend the bill as follows:

1. Amend page 112, following line 27, following section 1709, by inserting:

“Sec. 1710. (1) A recipient under the Medicaid program or other state-funded health care services may not be denied access to or restricted in the use of a prescription drug or the treatment of a mental illness.

(2) The department and any entity that provides prescription drugs to recipients of Medicaid or other state-funded health care services shall make available to recipients prescription drugs that are used for the treatment of mental illness without any restrictions or limitations, including prior authorization, when the prescription drug is used for the treatment of mental illness.”

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 89, line 23, by striking out “school of medicine at Michigan State University,” and inserting “schools of medicine at Michigan State University and Wayne State University.”

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

Rep. Mortimer moved to reconsider the vote by which the House did not adopt the amendment.

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

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

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

Rep. Stallworth moved to amend the bill as follows:

1. Amend page 81, line 18, by striking out all of section 1607 and inserting:

“Sec. 1607. (1) An applicant for Medicaid, whose qualifying condition is pregnancy, shall immediately be presumed to be eligible for Medicaid coverage unless the preponderance of evidence in her application indicates otherwise. The applicant who is qualified as described in this subsection shall be allowed to select and/or remain with the obstetrician of her choice.

(2) An applicant qualified as described in subsection (1) shall be given a letter of authorization to receive Medicaid covered services related to her pregnancy. All qualifying applicants shall be entitled to receive all medically necessary obstetrical and prenatal care without preauthorization from a health plan. All claims submitted for payment for obstetrical and prenatal care shall be paid at the Medicaid fee-for-service rate in the event a contract does not exist between the obstetrical and/or prenatal care provider and the managed care plan. The applicant shall receive a listing of Medicaid physicians and managed care plans in the immediate vicinity of the applicant’s residence.”.

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

Rep. Mortimer moved to reconsider the vote by which the House adopted the amendment.

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

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.

Rep. Neumann moved to amend the bill as follows:

1. Amend page 16, following line 25, by inserting:

“Long-term care innovations grants ..... 10,000,000”.

2. Amend page 17, line 11, by striking out “65,007,200” and inserting “75,007,200” and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. Neumann demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 807**

**Yeas—48**

Anderson	Frank	Minore	Sheltrown
Basham	Garza	Neumann	Spade
Bernero	Gielegem	O’Neil	Stamas
Bovin	Hale	Pestka	Switalski
Brown, B.	Hansen	Phillips	Thomas
Brown, R.	Jacobs	Plakas	Vear
Callahan	Jamnick	Quarles	Voorhees
Caul	Kolb	Reeves	Williams
Clarke, H.	Lemmons	Rivet	Wojno
Daniels	Lipsey	Rocca	Woodward
Dennis	Lockwood	Schauer	Woronchak
DeWeese	Mans	Scranton	Zelenko

**Nays—43**

Allen	Godchaux	Kowall	Pumford
Birkholz	Gosselin	Kuipers	Rackowski
Bisbee	Hager	LaSata	Richardville
Bishop	Hart	Mead	Richner
Bradstreet	Howell	Meyer	Stewart
Brown, C.	Hummel	Middaugh	Tabor
DeRossett	Jansen	Mortimer	Toy

Drolet  
Faunce  
George  
Gilbert

Johnson, Ruth  
Julian  
Koetje  
Kooiman

Newell  
Palmer  
Pappageorge  
Patterson

Van Woerkom  
Vander Roest  
Vander Veen

In The Chair: Julian

Rep. Vander Roest moved that Reps. Rick Johnson, Shulman and Bisbee be excused temporarily from today's session.

The motion prevailed.

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

The motion prevailed.

Rep. Zelenko moved that Rep. Murphy be excused temporarily from today's session.

The motion prevailed.

Rep. Phillips moved to amend the bill as follows:

1. Amend page 11, line 21, by striking out "5,242,300" and inserting "5,742,300".
2. Amend page 12, line 26, by striking out "43,117,700" and inserting "43,617,700".
3. Amend page 66, following line 23, by inserting:

"Sec. 1101a. From the funds appropriated in part 1 for adolescent and child health care, \$500,000.00 shall be allocated for the teen pregnancy prevention program in the city of Pontiac."

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

Rep. Phillips demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 808**

**Yeas—40**

Adamini  
Anderson  
Basham  
Bernero  
Bovin  
Brown, R.  
Callahan  
Clark, I.  
Clarke, H.  
Daniels

Dennis  
Frank  
Garza  
Gielegem  
Hale  
Hansen  
Hardman  
Jacobs  
Jammnick  
Kolb

Lemmons  
Lipsey  
Lockwood  
Mans  
McConico  
Minore  
O'Neil  
Phillips  
Plakas  
Quarles

Reeves  
Rivet  
Stallworth  
Switalski  
Thomas  
Waters  
Williams  
Wojno  
Woodward  
Zelenko

**Nays—54**

Allen  
Birkholz  
Bishop  
Bradstreet  
Brown, C.

Hart  
Howell  
Hummel  
Jansen  
Johnson, Ruth

Mortimer  
Neumann  
Newell  
Palmer  
Pappageorge

Shackleton  
Sheltrown  
Spade  
Stamas  
Stewart

Caul	Julian	Patterson	Tabor
DeRossett	Koetje	Pumford	Toy
DeWeese	Kooiman	Raczkowski	Van Woerkom
Drolet	Kowall	Richardville	Vander Roest
Faunce	Kuipers	Richner	Vander Veen
George	LaSata	Rocca	Vear
Gilbert	Mead	Schauer	Voorhees
Gosselin	Meyer	Scranton	Woronchak
Hager	Middaugh		

In The Chair: Julian

Rep. George moved to amend the bill as follows:

1. Amend page 54, following line 5, by inserting:

“Sec. 445. The department shall provide to the community mental health services programs a fixed net cost rate for services provided by the state. This rate shall be equal to the operating cost of providing the service to the resident, minus that part of the operating cost paid by federal and private funds, and minus the amount received by the state as reimbursement from those persons and insurers who are financially liable for the cost of such service. These rates shall be developed by October 1, 2002, and included in the contract between the department and community mental health services programs. The department shall use this rate for community mental health services programs general fund authorization as well as the rate which the department bills community mental health services programs for state provided services.”.

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

Rep. Mortimer moved to amend the bill as follows:

1. Amend page 112, following line 27, following section 1709, by inserting:

“Sec. 1710. Any proposed changes by the department to the MICchoice home and community based services waiver program screening process shall be provided to the members of the house and senate appropriations subcommittees on community health at least 30 days prior to implementation of the proposed changes.”.

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 112, following line 27, following section 1710, by inserting:

“Sec. 1711. The department shall provide an annual program report to the members of the house and senate appropriations subcommittees on community health and the house and senate fiscal agencies on the hospitalization utilization of Medicaid recipients by disease category.”.

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 88, following line 5, by inserting:

“Sec. 1625. Implementation of the pharmaceutical best practice initiative is subject to the following conditions:

(a) By May 15, 2003, the department shall provide a report to the members of the house and senate appropriations subcommittees on community health and the house and senate fiscal agencies identifying the prescribed drugs that are grandfathered in as preferred drugs and available without prior authorization. The report shall assess strategies to improve the drug prior authorization process.

(b) The department’s pharmacy and therapeutics committee shall conduct all business at public meetings held in compliance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275. Public notice of the time, date, and place of each meeting shall be given in the manner required by the open meetings act, 1976 PA 267, MCL 15.261 to 15.275.

(c) The department shall assure compliance with the published Medicaid bulletin implementing the Michigan pharmaceutical best practices initiative program. The department shall also include this information on its website.”.

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

Rep. Mortimer moved to amend the bill as follows:

1. Amend page 86, following line 25, by inserting:

“(h) The department shall recommend to the governor, for appointment, an individual to represent consumers on the pharmacy and therapeutics committee.”.

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 88, following line 5, by inserting:

“Sec. 1625. Implementation of the pharmaceutical best practice initiative is subject to the following conditions:

(a) By May 15, 2003, the department shall provide a report to the members of the house and senate appropriations subcommittees on community health and the house and senate fiscal agencies identifying the prescribed drugs that are grandfathered in as preferred drugs and available without prior authorization. The report shall assess strategies to improve the drug prior authorization process.

(b) Effective April 1, 2003, the department’s pharmacy and therapeutics committee shall conduct all business at public meetings held in compliance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275. Public notice of the time, date, and place of each meeting shall be given in the manner required by the open meetings act, 1976 PA 267, MCL 15.261 to 15.275.

(c) The department shall assure compliance with the published Medicaid bulletin implementing the Michigan pharmaceutical best practices initiative program. The department shall also include this information on its website.”.

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

Reps. Sheltroun and Stamas moved to amend the bill as follows:

1. Amend page 32, line 12, by striking out all of section 307 and inserting:

“Sec. 307. From the funds appropriated in part 1 for primary care services, an amount not to exceed \$5,490,900.00 is appropriated to enhance the service capacity of the federally qualified health centers and other health centers which are similar to federally qualified health centers, and \$150,000.00 is appropriated to the Sterling area health center.”.

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

Reps. Stallworth and Mortimer moved to amend the bill as follows:

1. Amend page 112, following line 27, section 1709, after “that county for” by striking out “any” and inserting “the entire”.

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

Rep. Schauer moved to amend the bill as follows:

1. Amend page 11, line 8, by striking out “10,007,800” and inserting “19,007,800”.

2. Amend page 11, line 16, by striking out “1,500,000” and inserting “10,500,000” and adjusting the subtotals, totals, and section 201 accordingly.

3. Amend page 66, following line 14, following section 1029, by inserting the following:

“Sec. 1030. The additional tobacco settlement revenue that the state expects to receive as a result of the 2002 agreement with Brown & Williamson Tobacco Corporation, when deposited to the Michigan tobacco settlement trust fund and to the Michigan merit award trust fund, is appropriated for smoking prevention programs. As used in this section, “tobacco settlement revenue” means that term as defined in section 2 of the Michigan Merit Award Scholarship Act, 1999 PA 94, MCL 390.1452.”.

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

Rep. Schauer demanded the yeas and nays.

The demand was supported.

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

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

## Roll Call No. 809

## Yeas—46

Adamini	Frank	Mans	Scranton
Anderson	Garza	McConico	Sheltroun
Basham	George	Minore	Spade
Bernero	Gielegem	Murphy	Stallworth
Bovin	Hale	Neumann	Switalski
Brown, B.	Hansen	O’Neil	Thomas
Brown, R.	Hardman	Plakas	Waters
Callahan	Jacobs	Raczkowski	Williams
Clark, I.	Jamnick	Reeves	Wojno
Clarke, H.	Kolb	Rivet	Woodward
Dennis	Lemmons	Schauer	Zelenko
DeWeese	Lockwood		

**Nays—47**

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

In The Chair: Julian

Rep. Daniels moved to amend the bill as follows:

1. Amend page 3, line 3, by striking out “12,448,000” and inserting “12,228,000”.
2. Amend page 3, line 21, by striking out “42,763,400” and inserting “42,563,400”.
3. Amend page 11, line 1, by striking out “1,025,000” and inserting “1,225,000”.
4. Amend page 11, line 18, by striking out “9,273,500” and inserting “9,473,500” and adjusting the subtotals, totals, and section 201 accordingly.
5. Amend page 66, following line 14, following section 1028, by inserting:  
“Sec. 1029. From the funds appropriated in part 1 for injury control intervention project, \$200,000.00 shall be allocated to the Mohican homeowners association for fire prevention education programming.”.

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

Rep. Neumann moved to amend the bill as follows:

1. Amend page 105, line 16, after “benefits” by striking out the balance of the sentence and inserting a period.

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

Rep. Neumann demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 810****Yeas—47**

Anderson	Frank	Neumann	Stallworth
Basham	Garza	O’Neil	Switalski
Bernero	Gielegem	Pestka	Toy
Bovin	Hale	Plakas	Vear
Brown, B.	Hansen	Quarles	Voorhees
Brown, R.	Hardman	Reeves	Waters
Callahan	Jacobs	Richardville	Whitmer
Clark, I.	Kolb	Rivet	Williams
Clarke, H.	Lemmons	Rocca	Wojno
Daniels	Lockwood	Schauer	Woodward
Dennis	Mans	Sheltrown	Zelenko
DeWeese	Minore	Spade	

**Nays—44**

Allen	Gosselin	Kowall	Pumford
Birkholz	Hager	Kuipers	Raczkowski

Bisbee	Hart	LaSata	Richner
Bishop	Howell	Mead	Scranton
Bradstreet	Hummel	Meyer	Stamas
Brown, C.	Jansen	Middaugh	Stewart
Caul	Johnson, Rick	Mortimer	Tabor
DeRossett	Johnson, Ruth	Newell	Van Woerkom
Faunce	Julian	Palmer	Vander Roest
George	Koetje	Pappageorge	Vander Veen
Gilbert	Kooiman	Patterson	Woronchak

In The Chair: Julian

Rep. Cassis moved to amend the bill as follows:

1. Amend page 61, line 18, after "Sec. 905." by striking out the balance of the section and inserting "In implementing the new funding distribution methodology developed by the local public health operations funding formula workgroup, the department shall allocate to local health departments in fiscal year 2002-2003 no less than 100% of their fiscal year 2001-2002 allocation."

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

Rep. Schauer moved to amend the bill as follows:

1. Amend page 32, line 12, by striking out all of section 307 and inserting:

"Sec. 307. (1) From the funds appropriated in part 1 for primary care services, \$3,972,200.00 is allocated to the following organizations:

(a) \$400,000.00 to ACCESS.

(b) \$300,000.00 to the Arab-American and Chaldean council.

(c) \$155,100.00 to the Bay Mills Indian health center.

(d) \$150,000.00 to the center for family health.

(e) \$279,500.00 to Cherry street health services.

(f) \$1,029,700.00 to the community health and social services center.

(g) \$125,000.00 to the Detroit community health connection.

(h) \$300,000.00 to the family health center-Battle Creek in which \$150,000.00 of this amount is designated for opening a family health center in Albion.

(i) \$286,300.00 to the Hamilton avenue health center.

(j) \$25,000.00 to the Mackinac Island health center.

(k) \$150,000.00 to Mid-Michigan health services.

(l) \$438,500.00 to the North Oakland medical center.

(m) \$150,000.00 to the Sterling Area health center.

(n) \$183,100.00 to the Upper Peninsula association of rural health services.

(2) A total of \$1,668,300.00 is allocated to the federally qualified health centers and federally qualified health center lookalikes to support their participation in indigent care programs. The department shall allocate the remaining funding based on the total number of users with no insurance or on Medicaid as reported in the most recent universal data system reports submitted to the United States department of health and human services of those federally qualified health centers and lookalikes."

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

Rep. Schauer demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 811**

**Yeas—45**

Anderson  
Basham

Gielegem  
Hale

McConico  
Minore

Stallworth  
Switalski

Bernero	Hansen	Mortimer	Toy
Bovin	Hardman	Neumann	Vander Roest
Brown, B.	Jacobs	O'Neil	Waters
Brown, R.	Jamnack	Plakas	Whitmer
Callahan	Kolb	Raczkowski	Williams
Clark, I.	Lemmons	Reeves	Wojno
Clarke, H.	Lipsey	Schauer	Woodward
Daniels	Lockwood	Shackleton	Woronchak
Dennis	Mans	Sheltrown	Zelenko
Garza			

**Nays—41**

Allen	Gosselin	Kowall	Richardville
Birkholz	Hager	Kuipers	Richner
Bisbee	Hart	LaSata	Rocca
Brown, C.	Howell	Mead	Spade
Caul	Hummel	Middaugh	Stamas
DeRossett	Jansen	Newell	Stewart
Drolet	Johnson, Ruth	Palmer	Tabor
Faunce	Julian	Pappageorge	Van Woerkom
George	Koetje	Patterson	Vear
Gilbert	Kooiman	Pumford	Voorhees
Godchaux			

In The Chair: Julian

Rep. Schauer moved to amend the bill as follows:

1. Amend page 86, line 15, after "website." by inserting "The membership of the pharmacy and therapeutics committee shall be modified to include 1 consumer member."

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

Rep. Schauer demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 812****Yeas—47**

Anderson	Garza	Mans	Sheltrown
Basham	George	McConico	Spade
Bernero	Gielegem	Minore	Stallworth
Bovin	Hale	Neumann	Switalski
Brown, B.	Hansen	O'Neil	Thomas
Brown, R.	Hardman	Pestka	Waters
Callahan	Jacobs	Plakas	Whitmer
Clark, I.	Jamnack	Quarles	Williams
Clarke, H.	Kolb	Reeves	Wojno
Daniels	Lemmons	Rivet	Woodward
Dennis	Lipsey	Schauer	Zelenko
Frank	Lockwood	Scranton	

**Nays—50**

Allen	Gosselin	Mead	Rocca
Birkholz	Hager	Meyer	Shackleton

Bisbee	Hart	Middaugh	Stamas
Bishop	Howell	Mortimer	Stewart
Bradstreet	Hummel	Newell	Tabor
Brown, C.	Jansen	Palmer	Toy
Caul	Johnson, Ruth	Pappageorge	Van Woerkom
DeRossett	Julian	Patterson	Vander Roest
DeWeese	Koetje	Pumford	Vander Veen
Drolet	Kooiman	Rackowski	Vear
Faunce	Kowall	Richardville	Voorhees
Gilbert	Kuipers	Richner	Woronchak
Godchaux	LaSata		

In The Chair: Julian

Rep. Bernero moved to amend the bill as follows:

1. Amend page 3, line 3, by striking out “12,448,000” and inserting “12,348,000”.
2. Amend page 3, line 21, by striking out “42,763,400” and inserting “42,663,400”.
3. Amend page 4, line 20, by striking out “274,813,800” and inserting “274,913,800”.
4. Amend page 5, line 13, by striking out “1,087,304,200” and inserting “1,087,404,200” and adjusting the subtotals, totals, and section 201 accordingly.

5. Amend page 54, following line 15, following section 445, by inserting:

“Sec. 446. Of the funds appropriated in part 1 for community mental health non-Medicaid services, \$250,000.00 shall be allocated to a crisis response team pilot project with Clinton-Eaton-Ingham community mental health services. The pilot project shall compose a team of psychiatric and police professionals to respond to mental health crises in the community.”.

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

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

Reps. Lockwood and Kowall moved to amend the bill as follows:

1. Amend page 61, line 18, by striking out all of section 905 and inserting:

“Sec. 905. In implementing the new funding distribution methodology developed by the local public health operations funding formula workgroup, the department shall allocate to local health departments in fiscal year 2002-2003 no less than 100% of their fiscal year 2001-2002 allocation.”.

The question being on the adoption of the amendment offered by Reps. Lockwood and Kowall,  
Rep. Lockwood demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Reps. Lockwood and Kowall,

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

### Roll Call No. 813

### Yeas—92

Allen	Gielegem	Lockwood	Schauer
Anderson	Gilbert	Mans	Scranton
Basham	Godchaux	McConico	Shackleton
Bernero	Hager	Mead	Sheltrown
Birkholz	Hale	Meyer	Spade
Bisbee	Hansen	Middaugh	Stallworth
Bishop	Hardman	Minore	Stamas
Bovin	Hart	Mortimer	Stewart

Brown, B.	Howell	Neumann	Switalski
Brown, C.	Hummel	Newell	Tabor
Brown, R.	Jacobs	O'Neil	Thomas
Callahan	Jamnick	Pappageorge	Toy
Caul	Jansen	Patterson	Van Woerkom
Clark, I.	Johnson, Ruth	Pestka	Vander Roest
Clarke, H.	Julian	Phillips	Vander Veen
Daniels	Koetje	Plakas	Vear
Dennis	Kolb	Pumford	Voorhees
DeRossett	Kooiman	Rackowski	Whitmer
DeWeese	Kowall	Reeves	Williams
Faunce	Kuipers	Richardville	Wojno
Frank	LaSata	Richner	Woodward
Garza	Lemmons	Rivet	Woronchak
George	Lipsev	Rocca	Zelenko

#### Nays—4

Bradstreet	Drolet	Gosselin	Palmer
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In The Chair: Julian

Rep. Patterson 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

##### Senate Bill No. 1101, entitled

A bill to make appropriations for the department of community health and certain state purposes related to mental health, public health, and medical services for the fiscal year ending September 30, 2003; to provide for the expenditure of those appropriations; to create funds; to require and provide for reports; to prescribe the powers and duties of certain local and state agencies and departments; and to provide for disposition of fees and other income received by the various state agencies.

The bill was read a third time.

The question being on the passage of the bill,

Rep. Mortimer moved to reconsider the vote by which the House placed the bill on the order of Third Reading of Bills.

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

#### Second Reading of Bills

##### Senate Bill No. 1101, entitled

A bill to make appropriations for the department of community health and certain state purposes related to mental health, public health, and medical services for the fiscal year ending September 30, 2003; to provide for the expenditure of those appropriations; to create funds; to require and provide for reports; to prescribe the powers and duties of certain local and state agencies and departments; and to provide for disposition of fees and other income received by the various state agencies.

Rep. Mortimer moved to reconsider the vote by which the House did not adopt the amendment offered previously by Rep. Bernero.

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

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

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

Rep. Bernero moved to reconsider the vote by which the House adopted the amendments offered previously by Rep. Bernero.

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

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

The amendments were not adopted, a majority of the members serving not voting therefor.

Rep. Bernero moved to amend the bill as follows:

1. Amend page 3, line 3, by striking out "12,228,000" and inserting "12,147,000".
2. Amend page 3, line 21, by striking out "42,563,400" and inserting "42,462,400".
3. Amend page 4, line 20, by striking out "274,813,800" and inserting "274,914,800".
4. Amend page 5, line 13, by striking out "1,087,304,200" and inserting "1,087,405,200" and adjusting the subtotals, totals, and section 201 accordingly.

5. Amend page 54, following line 15, following section 445, by inserting:

"Sec. 446. Of the funds appropriated in part 1 for community mental health non-Medicaid services, \$101,000.00 shall be allocated to a crisis response team pilot project with Clinton-Eaton-Ingham community mental health services. The pilot project shall compose a team of psychiatric and police professionals to respond to mental health crises in the community."

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

Rep. Patterson 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

The House returned to the consideration of

#### Senate Bill No. 1101, entitled

A bill to make appropriations for the department of community health and certain state purposes related to mental health, public health, and medical services for the fiscal year ending September 30, 2003; to provide for the expenditure of those appropriations; to create funds; to require and provide for reports; to prescribe the powers and duties of certain local and state agencies and departments; and to provide for disposition of fees and other income received by the various state agencies.

(The bill was considered earlier today, see today's Journal, p. 1683)

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. 814

#### Yeas—93

Adamini	Gielegem	Lockwood	Rocca
Allen	Gilbert	Mans	Schauer
Anderson	Godchaux	Mead	Shackleton
Basham	Hager	Meyer	Sheltrown
Bernero	Hale	Middaugh	Spade
Birkholz	Hansen	Minore	Stallworth
Bisbee	Hardman	Mortimer	Stamas
Bishop	Hart	Murphy	Stewart
Bovin	Howell	Neumann	Switalski
Bradstreet	Hummel	Newell	Tabor
Brown, B.	Jacobs	O'Neil	Toy
Brown, C.	Jamnick	Palmer	Van Woerkom
Brown, R.	Jansen	Pappageorge	Vander Roest
Caul	Johnson, Ruth	Pestka	Vander Veen
Clark, I.	Julian	Phillips	Vear
Clarke, H.	Koetje	Plakas	Voorhees
Daniels	Kolb	Pumford	Waters

Dennis	Kooiman	Quarles	Whitmer
DeRossett	Kowall	Raczkowski	Williams
DeWeese	Kuipers	Reeves	Wojno
Faunce	LaSata	Richardville	Woodward
Frank	Lemmons	Richner	Woronchak
Garza	Lipsey	Rivet	Zelenko
George			

**Nays—4**

Callahan	Drolet	Gosselin	Patterson
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In The Chair: Julian

The House agreed to the title of the bill.

Rep. Callahan, having reserved the right to explain his protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I voted against Senate Bill 1101 today because the bill before us today has a point of difference on almost every line item in this budget. By passing this bill today, we are taking away our rights as members of this chamber to work toward a bill that takes into account the economic reality of our state right now. This bill does nothing to address the deficits facing this budget in the current year or in FY 2003 and leaves the tough funding decisions to only six members—taking it out of the hands of all 146 members that represent the people of this state. It is our job as elected officials to stay here until we finish the job we were elected to do.”

By unanimous consent the House returned to the order of

**Messages from the Senate**

The Speaker laid before the House

**House Bill No. 5899, entitled**

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 801 (MCL 257.801), as amended by 2000 PA 502.

(The bill was received from the Senate on May 22, with substitute (S-2), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 48, p. 1630.)

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. 815****Yeas—84**

Adamini	George	Lockwood	Rivet
Allen	Gielegem	Mans	Rocca
Anderson	Gilbert	Mead	Schauer
Basham	Godchaux	Meyer	Scranton
Bernero	Gosselin	Middaugh	Shackleton
Birkholz	Hager	Mortimer	Sheltrown
Bisbee	Hale	Murphy	Spade

Bishop	Hansen	Neumann	Stamas
Bovin	Hart	Newell	Stewart
Bradstreet	Howell	O'Neil	Switalski
Brown, B.	Hummel	Palmer	Tabor
Brown, C.	Jamnick	Pappageorge	Toy
Brown, R.	Jansen	Patterson	Van Woerkom
Caul	Johnson, Ruth	Pestka	Vander Roest
Clark, I.	Julian	Phillips	Vander Veen
Clarke, H.	Koetje	Plakas	Vear
Dennis	Kooiman	Pumford	Voorhees
DeRossett	Kowall	Quarles	Whitmer
DeWeese	Kuipers	Raczkowski	Wojno
Drolet	LaSata	Richardville	Woodward
Faunce	Lipsey	Richner	Woronchak

**Nays—9**

Callahan	Hardman	Reeves	Waters
Daniels	Jacobs	Thomas	Zelenko
Garza			

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.

**Second Reading of Bills****Senate Bill No. 1204, entitled**

A bill to amend 1951 PA 77, entitled "An act providing for the specific taxation of low grade iron ore, of low grade iron ore mining property, and of rights to minerals in lands containing low grade iron ores; to provide for the collection and distribution of the specific tax; to make an appropriation; and to prescribe the powers and duties of the state geologist and township supervisors and treasurers with respect to the specific tax," by amending sections 3 and 4 (MCL 211.623 and 211.624), section 4 as amended by 1994 PA 367.

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.

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****Senate Bill No. 1204, entitled**

A bill to amend 1951 PA 77, entitled "An act providing for the specific taxation of low grade iron ore, of low grade iron ore mining property, and of rights to minerals in lands containing low grade iron ores; to provide for the collection and distribution of the specific tax; to make an appropriation; and to prescribe the powers and duties of the state geologist and township supervisors and treasurers with respect to the specific tax," by amending sections 3 and 4 (MCL 211.623 and 211.624), section 4 as amended by 1994 PA 367.

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

**Roll Call No. 816****Yeas—100**

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	Spade
Bishop	Hansen	Minore	Stamas
Bovin	Hardman	Mortimer	Stewart
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
Caul	Jansen	Pappageorge	Vander Roest
Clark, I.	Johnson, Rick	Patterson	Vander Veen
Clarke, H.	Johnson, Ruth	Pestka	Vear
Daniels	Julian	Phillips	Voorhees
Dennis	Koetje	Plakas	Waters
DeRossett	Kolb	Pumford	Whitmer
DeWeese	Kooiman	Quarles	Williams
Drolet	Kowall	Raczkowski	Wojno
Faunce	Kuipers	Reeves	Woodward
Frank	LaSata	Richardville	Woronchak
Garza	Lemmons	Richner	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.

### Second Reading of Bills

The House returned to the consideration of  
**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.

(The bill was considered earlier today, see today's Journal, p. 1675)

Reps. Godchaux and Switalski moved to amend the bill as follows:

1. Amend page 30, following line 14, by inserting:

"(17) EXCEPT FOR DETERMINING WHETHER A SCHOOL IS ACCREDITED OR UNACCREDITED, THE DEPARTMENT SHALL NOT ASSIGN ANY GRADE OR LABEL TO A SCHOOL BASED ON ITS ASSESSMENT OF THE SCHOOL UNDER THIS SECTION." and renumbering the remaining subsection.

The question being on the adoption of the amendment offered by Reps. Godchaux and Switalski,

Rep. Godchaux demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Reps. Godchaux and Switalski,

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

**Roll Call No. 817****Yeas—101**

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

**Nays—0**

In The Chair: Julian

Rep. Palmer moved to amend the bill as follows:

1. Amend page 28, following line 12, by inserting:

“(K) IF THE DEPARTMENT INCLUDES A SCHOOL ON THE PRIORITY SCHOOLS LIST UNDER SUBDIVISION (A), THE BOARD OR BOARD OF DIRECTORS OF THE SCHOOL DISTRICT SHALL ENSURE THAT A SCHOOL ADMINISTRATOR EMPLOYED AT THE SCHOOL IS NOT GIVEN ANY SALARY INCREASE UNTIL AFTER THE SCHOOL IS REMOVED FROM THE PRIORITY SCHOOLS LIST.” and relettering the remaining subdivision.

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

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

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

Rep. Bradstreet demanded the yeas and nays.

The demand was supported.

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

The motion prevailed, a majority of the members voting therefor, by yeas and nays, as follows:

**Roll Call No. 818****Yeas—46**

Adamini	Dennis	McConico	Richardville
Anderson	Drolet	Meyer	Rivet

Basham	Gielegem	Minore	Schauer
Bernero	Gosselin	Murphy	Sheltrown
Bishop	Hale	O'Neil	Voorhees
Bovin	Hansen	Pappageorge	Waters
Bradstreet	Hummel	Phillips	Whitmer
Brown, B.	Jacobs	Plakas	Williams
Brown, R.	Jamnick	Pumford	Wojno
Clark, I.	Kolb	Quarles	Woodward
Clarke, H.	Lipsey	Raczkowski	Zelenko
Daniels	Mans		

### Nays—23

Allen	Howell	Kuipers	Scranton
Bisbee	Johnson, Rick	LaSata	Shulman
Gilbert	Johnson, Ruth	Mead	Switalski
Godchaux	Julian	Mortimer	Toy
Hager	Koetje	Patterson	Vear
Hart	Kowall	Rocca	

In The Chair: Julian

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Rep. Frank asked and obtained a temporary excuse from today's session.

### Introduction of Bills

Reps. Allen, Bradstreet, Mead, Faunce, Anderson, Spade, Lockwood, Gosselin, Julian, Voorhees, Howell, Kowall, Shackleton, Kuipers, Toy, Pappageorge, Cassis, Patterson, Middaugh, Vear, Tabor, Van Woerkom, Gilbert, Hummel, Vander Roest, Cameron Brown, Richardville, Caul, Stamas, Bishop, Bisbee, Meyer, Scranton, Ruth Johnson, Pumford, Rivet, McConico, Rich Brown, Lipsey, Adamini, Kolb, Waters, Zelenko, Clark, DeRossett, DeWeese, Hager, Kooiman, Lemmons and Raczkowski introduced

**House Bill No. 6115, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 270. The bill was read a first time by its title and referred to the Committee on Tax Policy.

Rep. Callahan introduced

**House Bill No. 6116, entitled**

A bill to repeal 1935 PA 140, entitled "An act to prohibit endurance contests known as walkathons and similar endurance contests; to prescribe a penalty for the violation thereof, and to repeal Act No. 65 of the Public Acts of 1933," (MCL 752.161 to 752.162).

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

Reps. Koetje, Richardville, Kuipers and Vander Veen introduced

**House Bill No. 6117, entitled**

A bill to provide for the regulation, construction, and operation of manufactured housing parks.

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

Reps. Koetje, Richardville, Mead, Kuipers, Daniels and Vander Veen introduced

**House Bill No. 6118, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 252a, 252b, 252d, and 252g (MCL 257.252a, 257.252b, 257.252d, and 257.252g), section 252a as amended by 2000 PA 306, section 252b as amended and section 252g as added by 1981 PA 104, and section 252d as amended by 2000 PA 76.

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

Reps. Birkholz, Toy, Pumford, Richardville, Mead, Stewart, Basham, Middaugh, Voorhees, Schauer, Vander Veen, Hager, Kolb, Lockwood, Gosselin, Scranton, Richner, Cameron Brown, Spade, Ruth Johnson, Rocca, Caul, Stamas, Hart, Tabor, Faunce, Godchaux and Lemmons introduced

**House Bill No. 6119, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 438. The bill was read a first time by its title and referred to the Committee on Tax Policy.

Reps. Birkholz, Toy, Richardville, Mead, Stewart, Basham, Middaugh, Voorhees, Schauer, Vander Veen, Hager, Kolb, Lockwood, Gosselin, Scranton, Richner, Cameron Brown, Spade, Ruth Johnson, Rocca, Stamas, Caul, Hart, Tabor, Faunce, Godchaux and Lemmons introduced

**House Bill No. 6120, entitled**

A bill to establish the Amanda's fund for breast cancer research in the department of community health; to provide for the distribution of money from the fund; to prescribe the duties and powers of certain agencies and officials; and to provide for appropriations.

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

Reps. Richner, Bishop, Bisbee, Middaugh and Rivet introduced

**House Bill No. 6121, entitled**

A bill to prohibit certain lending practices; to require disclosure of certain information for home loans; to prescribe certain duties and obligations of the lender in a home loan transaction; to prescribe the powers and duties of certain state agencies and officials; and to prescribe penalties and provide for remedies.

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

Reps. Bishop, Bisbee and Middaugh introduced

**House Bill No. 6122, entitled**

A bill to amend 1987 PA 173, entitled "Mortgage brokers, lenders, and servicers licensing act," (MCL 445.1651 to 445.1684) by adding section 24a.

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

Reps. Middaugh, Bisbee and Bishop introduced

**House Bill No. 6123, entitled**

A bill to amend 1925 PA 285, entitled "An act to provide for the organization, operation, and supervision of credit unions; to provide for the conversion of a state credit union into a federal credit union or a credit union organized and supervised under the laws of any other state or territory of the United States or any other federally insured depository institution and for the conversion of a federal credit union or a credit union organized and supervised under the laws of any other state or territory of the United States or any other federally insured depository institution into a state credit union; and to provide for the merger of credit unions organized and supervised under the laws of this state, credit unions organized and supervised under the laws of any other state or territory of the United States, and federal credit unions," (MCL 490.1 to 490.31) by adding section 10a.

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

Reps. Koetje, Bisbee, Middaugh and Bishop introduced

**House Bill No. 6124, entitled**

A bill to amend 1996 PA 354, entitled "Savings bank act," (MCL 487.3101 to 487.3804) by adding section 435.

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

Reps. Bisbee, Middaugh and Bishop introduced

**House Bill No. 6125, entitled**

A bill to amend 1999 PA 276, entitled "Banking code of 1999," (MCL 487.11101 to 487.15105) by adding section 4206.

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

Reps. Waters, Bisbee, Middaugh, Bishop, Rivet and McConico introduced

**House Bill No. 6126, entitled**

A bill to amend 1981 PA 125, entitled "The secondary mortgage loan act," (MCL 493.51 to 493.81) by adding section 24a.

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

Reps. McConico, Bisbee, Middaugh and Bishop introduced

**House Bill No. 6127, entitled**

A bill to amend 1980 PA 307, entitled "Savings and loan act of 1980," (MCL 491.102 to 491.1202) by adding section 737. The bill was read a first time by its title and referred to the Committee on Commerce.

Rep. Kowall introduced

**House Bill No. 6128, entitled**

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts," (MCL 460.1 to 460.10cc) by adding sections 9, 9a, 9b, 9c, 9d, 9e, 9f, and 9g.

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

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. 5642**, Reps. Pumford, Vander Roest and Phillips.

The Speaker appointed as conferees, on the part of the House of Representatives for **House Bill No. 5645**, Reps. Jansen, Toy and Switalski.

The Speaker appointed as conferees, on the part of the House of Representatives for **House Bill No. 5650**, Reps. Cameron Brown, Pappageorge and Whitmer.

The Speaker appointed as conferees, on the part of the House of Representatives for **House Bill No. 5651**, Reps. Shackleton, Kooiman and Stallworth.

**Announcement by the Clerk of Printing and Enrollment**

The Clerk announced that the following bills had been printed and placed upon the files of the members, Thursday, May 23:

**House Bill Nos. 6088 6089 6090 6091 6092 6093 6094 6095 6096 6097 6098 6099 6100 6101  
6102 6103 6104 6105 6106 6107 6114**

The Clerk announced that the following Senate bills had been received on Thursday, May 23:

**Senate Bill Nos. 112 1278 1308**

**Communications from State Officers**

The following communication from the Barry, Branch and Calhoun County Michigan Works! was received and read:

May 20, 2002

Enclosed are copies of the revised Youth Plan and Comprehensive Adult Plan for the Workforce Investment Act (WIA), as developed by the Workforce Development Board and Chief Elected Officials of the Barry, Branch and Calhoun Michigan Works! service delivery area. If you have any questions, please contact our Workforce Development Team at 616-789-2409.

Sincerely,  
Elaine Furu-Baker  
Director of Workforce  
Development

The communication was referred to the Clerk.

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

Notices of Filing  
Administrative Rules

April 16, 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 (02-04-04) for the Department of Agriculture, Fairs, Exhibitions and Racing Division, entitled "*Regulation No. 851. Michigan State Fair*", effective 7 days hereafter.

April 16, 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 2:40 P.M. this date, administrative rule (02-04-05) for the Department of Agriculture, Fairs, Exhibitions and Racing Division, entitled "*Regulation No. 808. Payment of Breeder's Awards*", effective 7 days hereafter.

April 16, 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 2:42 P.M. this date, administrative rule (02-04-06) for the Department of Agriculture, Fairs, Exhibitions and Racing Division, entitled "*Regulation No. 814. Michigan Futurity*", effective 7 days hereafter.

April 16, 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 2:20 P.M. this date, administrative rule (02-04-09) for the Department of Agriculture, Pesticide and Plant Pest Management Division, entitled "*Regulation 628, Seed Potato Certificate*", effective 15 days hereafter.

May 13, 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 2:50 P.M. this date, administrative rule (02-05-01) for the Department of Consumer and Industry Services, Director's Office, entitled "*Real Estate Appraisers*", effective 7 days hereafter.

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

The communications were referred to the Clerk.

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

Rep. Patterson moved that when the House adjourns today it stand adjourned until Tuesday, May 28, at 12:00 Noon.  
The motion prevailed.

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

Reps. Ruth Johnson, Birkholz, Kolb, Raczkowski, Shulman, Pappageorge, Toy, Bishop and Lemmons offered the following resolution:

**House Resolution No. 456.**

A resolution to urge the Department of Environmental Quality to take certain actions to address the issue of the disposal of used electronic equipment and materials.

Whereas, Electronic waste, specifically the cathode ray tubes in televisions and computer monitors, is a new and significant waste product stemming from our increasingly technology-based society; and

Whereas, Hazardous components within electronics equipment often contain toxic materials, such as lead, mercury, and cadmium, which, if released into the environment, can have a harmful effect on our natural resources. This is a national concern that is shared by the people of Michigan; and

Whereas, Electronics manufacturers and trade associations have acknowledged this concern and are working on design changes, supporting pilot collection programs, and participating in state and national dialog; and

Whereas, Some Michigan communities have taken responsibility for recycling electronic waste that would otherwise go to municipal solid waste landfills and incinerators at costs that will only increase; and

Whereas, The adequacy of the infrastructure and capacity for handling electronic waste in an environmentally responsible manner is unknown; and

Whereas, Part 145 of 1994 PA 451, the Natural Resources and Environmental Protection Act, charges the Department of Environmental Quality with responsibility for facilitating pollution prevention activities, including recycling; now, therefore, be it

Resolved by the House of Representatives, That we urge the Department of Environmental Quality to conduct an assessment of the unregulated electronic waste stream generated in Michigan and of the state's capacity for managing this waste. We ask that this assessment be completed by December 1, 2003; and be it further

Resolved, That we urge the Department of Environmental Quality to establish an electronics recycling strategy that adequately and effectively addresses electronic waste generated in this state by focusing on the reuse and recycling of these materials. We urge that this strategy include public awareness initiatives to inform the public of the hazards of electronic waste; and be it further

Resolved, That copies of this resolution be transmitted to the Department of Environmental Quality.

The resolution was referred to the Committee on Land Use and Environment.

Reps. Richner, Richardville, Howell, DeVuyst, Rivet, Faunce, Vander Roest, Sheltroun, Zelenko, Julian, Neumann, Lemmons, Tabor, Vear, Kuipers, Mead, Dennis, Jacobs, Rich Brown, Wojno, Bishop, Adamini, Woodward, Jamnick, Hale, Gielegem, Lipsey, Hansen, Pappageorge, Hager, Kowall, Shackleton, Voorhees, Van Woerkom, George, Meyer, Spade, Gosselin, Drolet, Murphy, LaSata, Anderson, Kolb, DeRossett, Toy, Clarke, Switalski, DeWeese, Raczkowski, Koetje, Thomas, Lockwood, Shulman and Phillips offered the following resolution:

**House Resolution No. 457.**

A resolution honoring Richard Strowger upon his retirement as Executive Director for the Detroit Historical Society.

Whereas, It is with deep appreciation for the hard work, dedication, and professionalism that Richard Strowger has put forth on behalf of the Detroit Historical Society, that we offer this expression of our thanks and best wishes in his retirement. As the people of the Detroit Historical Society recognize the loyalty and devotion of this conscientious individual, we add our sentiments of gratitude for a job well done; and

Whereas, In the course of Mr. Strowger's long and productive service as Executive Director for the Detroit Historical Society, he contributed to the growth and the reputation of this institution. This growth included the expansion of the Detroit Historical Museum in the Cultural Center Area. In addition, Mr. Strowger was instrumental in the development of the Bank One Plaza, which creates a unique landmark that ties the museum to the rest of the cultural center; and

Whereas, Mr. Strowger's personal senses of dedication, integrity, and creativity have proven invaluable in developing the Detroit Historical Museum into a world-class museum. His superiors and colleagues alike depended upon his consistency in meeting each task with a positive attitude. There can be little doubt that the record of Richard Strowger will continue to reap rewards for the Detroit Historical Society. We offer our thanks on this personal milestone; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body honor Richard Strowger upon his retirement as Executive Director for the Detroit Historical Society. May he enjoy the happiest of retirements; and be it further

Resolved, That a copy of this resolution be transmitted to Richard Strowger 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. DeWeese, Richardville, Howell, DeVuyst, Rivet, Faunce, Vander Roest, Sheltroun, Bernero, Zelenko, Julian, Neumann, Lemmons, Tabor, Vear, Kuipers, Mead, Jacobs, Rich Brown, Bishop, Adamini, Woodward, Jamnick, Hale, Jansen, Gielegem, Lipsey, Hansen, Richner, Pappageorge, Hager, Kowall, Shackleton, Voorhees, Van Woerkom, George, Meyer, Spade, Drolet, Murphy, LaSata, Kolb, DeRossett, Toy, Clarke, Switalski, Mortimer, Raczkowski, Koetje, Thomas, Lockwood, Kooiman, Shulman and Phillips offered the following resolution:

**House Resolution No. 458.**

A resolution commemorating the 25th anniversary of the Capital Area Center for Independent Living (CACIL) and expressing appreciation for their valuable contributions to Michigan.

Whereas, We are proud to join with the members, officers, and friends of CACIL as they gather to mark the 25th anniversary of this outstanding group. This milestone is a reflection of their unselfishness and commitment to the common good that is most commendable. While the members of this distinguished organization celebrate 25 years of service, we offer our thanks for the gifts they have shared within the Lansing area and throughout Michigan; and

Whereas, CACIL can trace its origins back to 1977 and the aspirations of its founders. In the years that have followed since they first came together, this organization has continued in its mission to serve those with disabilities. Equipped with the belief that all people should have a choice and control over their daily lives, CACIL provides members of the disabled community with advocacy, peer support, independent living skills, rehabilitation nursing and counseling, case management for transitions, and accessibility consultation; and

Whereas, With ceremonies to celebrate its history, the members and officers of the CACIL remember the visions of many people and the 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 CACIL will continue to reach out in our state with programs like the Camelot Awards or the Living Well with a Disability; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body commemorate the 25th anniversary of Capital Area Center for Independent Living (CACIL) and express appreciation for their valuable contributions to Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to the Capital Area Center for Independent Living 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.

### **Messages from the Senate**

#### **House Bill No. 4874**

A bill to amend 1976 PA 442, entitled "An act to provide for public access to certain public records of public bodies; to permit certain fees; to prescribe the powers and duties of certain public officers and public bodies; to provide remedies and penalties; and to repeal certain acts and parts of acts," by amending section 13 (MCL 15.243), as amended by 2002 PA 130.

The Senate has concurred in the House amendments to the Senate substitute (S-4).

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

#### **House Bill No. 5107, entitled**

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending section 161 (MCL 418.161), as amended by 1996 PA 460.

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

The House agreed to the full title.

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

#### **House Bill No. 5750, entitled**

A bill to amend 1984 PA 44, entitled "Motor fuels quality act," by amending section 4a (MCL 290.644a), as amended by 2002 PA 13.

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

The House agreed to the full title.

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

#### **Senate Bill No. 112, entitled**

A bill to amend 1967 (Ex Sess) PA 7, entitled "Urban cooperation act of 1967," by amending sections 2, 3, 4, 10, and 12 (MCL 124.502, 124.503, 124.504, 124.510, and 124.512), section 2 as amended by 1995 PA 108 and section 10 as amended by 1985 PA 10.

The Senate has passed the bill.

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

**Senate Bill No. 1278, entitled**

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 19 (MCL 208.19), as amended by 2001 PA 278.

The Senate has passed the bill.

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

**Senate Bill No. 1308, entitled**

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending section 853 (MCL 418.853), as amended by 1994 PA 271.

The Senate has passed the bill.

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

By unanimous consent the House returned to the order of

**Reports of Standing Committees**

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

**House Bill No. 4330, entitled**

A bill to amend 1999 PA 94, entitled "Michigan merit award scholarship act," by amending sections 2 and 7 (MCL 390.1452 and 390.1457).

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 4330** To Report Out:

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

Nays: None.

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

**Senate Bill No. 143, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 951, 954, 955, and 971 (MCL 380.951, 380.954, 380.955, and 380.971), section 951 as amended by 1990 PA 147 and section 971 as amended by 1995 PA 289, and by adding section 957.

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 143** To Report Out:

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

Nays: None.

## 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 23, 2002, at 9:00 a.m.,

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

Absent: Reps. Bogardus, McConico,

Excused: Reps. Bogardus, McConico.

The Committee on Veterans Affairs, by Rep. Richardville, Chair, reported

**House Bill No. 5888, entitled**

A bill to provide for the disposition of certain military artifacts; and to require compliance with federal law. 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 5888** To Report Out:

Yeas: Reps. Richardville, Woronchak, Allen, Patterson, Mans, Woodward,  
Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Richardville, Chair of the Committee on Veterans Affairs, was received and read:

Meeting held on: Thursday, May 23, 2002, at 9:00 a.m.,  
Present: Reps. Richardville, Woronchak, Allen, Patterson, Mans, Woodward,  
Absent: Rep. Schermesser,  
Excused: Rep. Schermesser.

The Committee on Redistricting and Elections, by Rep. Patterson, Chair, reported

**House Bill No. 4754, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 482 (MCL 168.482), as amended by 1998 PA 142.

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 4754** To Report Out:

Yeas: Reps. Patterson, Hummell, Allen, Bishop, Hart, Quarles, Jamnick,  
Nays: None.

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 23, 2002, at 10:00 a.m.,  
Present: Reps. Patterson, Hummell, Allen, Bishop, Hart, Quarles, Jamnick,  
Absent: Reps. Cassis, Lemmons,  
Excused: Reps. Cassis, Lemmons.

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Rep. Kolb moved that the House adjourn.  
The motion prevailed, the time being 4:50 p.m.

Associate Speaker Pro Tempore Julian declared the House adjourned until Tuesday, May 28, at 12:00 Noon.

GARY L. RANDALL  
Clerk of the House of Representatives.