

No. 69
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
90th Legislature
REGULAR SESSION OF 2000

House Chamber, Lansing, Wednesday, December 6, 2000.

10:00 a.m.

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

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

| | | | |
|------------------------|-----------------------|----------------------|----------------------|
| Allen—present | Frank—present | Kuipers—present | Rivet—present |
| Baird—present | Garcia—present | LaForge—present | Rocca—present |
| Basham—present | Garza—present | LaSata—present | Sanborn—present |
| Birkholz—present | Geiger—present | Law—excused | Schauer—present |
| Bisbee—present | Gielegem—present | Lemmons—present | Schermesser—excused |
| Bishop—present | Gilbert—present | Lockwood—present | Scott—present |
| Bogardus—present | Godchaux—present | Mans—present | Scranton—present |
| Bovin—present | Gosselin—present | Martinez—present | Shackleton—present |
| Bradstreet—present | Green—present | Mead—present | Sheltrown—present |
| Brater—present | Hager—present | Middaugh—present | Shulman—present |
| Brewer—present | Hale—present | Minore—present | Spade—present |
| Brown, Bob—present | Hanley—present | Mortimer—present | Stallworth—present |
| Brown, Cameron—present | Hansen—present | Neumann—present | Stamas—present |
| Byl—present | Hardman—present | O’Neil—present | Switalski—present |
| Callahan—present | Hart—present | Pappageorge—present | Tabor—present |
| Cassis—present | Howell—present | Patterson—present | Tesanovich—present |
| Caul—present | Jacobs—present | Perricone—present | Thomas—present |
| Cherry—present | Jamnack—present | Pestka—present | Toy—present |
| Clark—present | Jansen—present | Price—present | Vander Roest—present |
| Clarke—present | Jelinek—present | Prusi—present | Van Woerkom—present |
| Daniels—present | Jellema—present | Pumford—present | Vaughn—present |
| DeHart—present | Johnson, Rick—present | Quarles—present | Year—present |
| Dennis—present | Johnson, Ruth—present | Raczkowski—present | Voorhees—present |
| DeRossett—present | Julian—present | Reeves—present | Wojno—present |
| DeVuyst—present | Kelly—present | Richardville—present | Woodward—present |
| DeWeese—present | Kilpatrick—e/d/s | Richner—present | Woronchak—present |
| Ehardt—present | Koetje—present | Rison—present | |
| Faunce—present | Kowall—present | | |

e/d/s = entered during session

Rep. Deborah Cherry, from the 50th District, offered the following invocation:

“Dear Lord, we ask for Your guidance as we gather to make decisions on behalf of the citizens of our state. Grant us Your wisdom so that we might debate the issues and resolve to make better the lives of the people we serve. Thank You for the wonderful blessings You bestow on us all. Amen.”

Rep. DeWeese moved that Rep. Law be excused from today’s session.
The motion prevailed.

Rep. Scott moved that Rep. Schermesser be excused from today’s session.
The motion prevailed.

Reports of Standing Committees

The Committee on Criminal Law and Corrections, by Rep. Faunce, Chair, reported

Senate Bill No. 1095, entitled

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

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 1095 To Report Out:

Yeas: Reps. Faunce, Howell, Bishop, Julian, Richner, Shulman, Baird, Jacobs,

Nays: None.

The Committee on Criminal Law and Corrections, by Rep. Faunce, Chair, reported

Senate Bill No. 1096, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 16i of chapter XVII (MCL 777.16i), as added by 1998 PA 317.

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

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

Favorable Roll Call

SB 1096 To Report Out:

Yeas: Reps. Faunce, Howell, Bishop, Julian, Richner, Shulman, Baird, Jacobs,

Nays: None.

The Committee on Criminal Law and Corrections, by Rep. Faunce, Chair, reported

Senate Bill No. 1105, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by repealing section 494 (MCL 750.494).

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 1105 To Report Out:

Yeas: Reps. Faunce, Howell, Bishop, Julian, Richner, Shulman, Baird, Jacobs,

Nays: None.

The Committee on Criminal Law and Corrections, by Rep. Faunce, Chair, reported
Senate Bill No. 1106, entitled

A bill to amend 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," by amending sections 1 and 2 (MCL 752.161 and 752.162).

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 1106 To Report Out:

Yeas: Reps. Faunce, Howell, Bishop, Julian, Richner, Shulman, Baird, Jacobs,

Nays: None.

The Committee on Criminal Law and Corrections, by Rep. Faunce, Chair, reported

Senate Bill No. 1180, entitled

A bill to amend 1985 PA 87, entitled "Crime victim's rights act," by amending sections 2, 3, 5, 6, 8, 11, 13a, 14, 15, 16, 18a, 19, 21, 31, 32, 35, 36, 38, 39, 41, 41a, 42, 43, 44, 46, 46a, 48, 61, 63, 65, 66, 68, 71, 74, 75, 76, 78, and 78a (MCL 780.752, 780.753, 780.755, 780.756, 780.758, 780.761, 780.763a, 780.764, 780.765, 780.766, 780.768a, 780.769, 780.771, 780.781, 780.782, 780.785, 780.786, 780.788, 780.789, 780.791, 780.791a, 780.792, 780.793, 780.794, 780.796, 780.796a, 780.798, 780.811, 780.813, 780.815, 780.816, 780.818, 780.821, 780.824, 780.825, 780.826, 780.828, and 780.828a), sections 2, 6, 13a, 31, 36, 41a, and 48 as amended by 1998 PA 523, sections 3, 5, 18a, 32, 35, 41, 43, 46, 63, 66, and 78 as amended and section 46a as added by 1993 PA 341, sections 16 and 76 as amended by 1998 PA 232, sections 19 and 78a as amended by 1996 PA 105, sections 38, 39, and 42 as added by 1988 PA 22, section 44 as amended by 1996 PA 562, section 61 as amended by 1996 PA 82, and sections 65, 68, 71, 74, and 75 as added by 1988 PA 21, and by adding sections 16a, 36b, 44a, and 76a.

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

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

Favorable Roll Call

SB 1180 To Report Out:

Yeas: Reps. Faunce, Howell, Bishop, Julian, Richner, Sanborn, Shulman, Jacobs,

Nays: None.

The Committee on Criminal Law and Corrections, by Rep. Faunce, Chair, reported

Senate Bill No. 1395, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 2 and 3 of chapter X (MCL 770.2 and 770.3), as amended by 1998 PA 407, and by adding section 16 to chapter X.

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

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

Favorable Roll Call

SB 1395 To Report Out:

Yeas: Reps. Faunce, Howell, Bishop, Julian, Sanborn, Shulman, Baird, Jacobs,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Faunce, Chair of the Committee on Criminal Law and Corrections, was received and read:

Meeting held on: Tuesday, December 5, 2000, at 8:00 a.m.,

Present: Reps. Faunce, Howell, Bishop, Julian, Richner, Sanborn, Shulman, Baird, Jacobs, O'Neil,

Absent: Rep. Callahan,

Excused: Rep. Callahan.

Rep. Vander Roest moved that Reps. Perricone and Kuipers be excused temporarily from today's session. The motion prevailed.

Third Reading of Bills

Senate Bill No. 1418, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 109g. Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1058

Yeas—102

| | | | |
|------------|---------------|--------------|--------------|
| Allen | Ehardt | Kelly | Richner |
| Baird | Faunce | Koetje | Rivet |
| Basham | Frank | Kowall | Rocca |
| Birkholz | Garcia | LaForge | Sanborn |
| Bisbee | Garza | LaSata | Schauer |
| Bishop | Geiger | Lemmons | Scott |
| Bogardus | Gielegem | Lockwood | Scranton |
| Bovin | Gilbert | Mans | Shackleton |
| Bradstreet | Godchaux | Martinez | Sheltrown |
| Brater | Gosselin | Mead | Shulman |
| Brewer | Green | Middaugh | Spade |
| Brown, B. | Hager | Minore | Stallworth |
| Brown, C. | Hale | Mortimer | Stamas |
| Byl | Hanley | Neumann | Switalski |
| Callahan | Hansen | O'Neil | Tabor |
| Cassis | Hardman | Pappageorge | Tesanovich |
| Caul | Hart | Patterson | Thomas |
| Cherry | Howell | Pestka | Toy |
| Clark, I. | Jacobs | Price | Vander Roest |
| Clarke, H. | Jamnick | Prusi | Vaughn |
| Daniels | Jansen | Pumford | Vear |
| DeHart | Jelinek | Quarles | Voorhees |
| Dennis | Jellema | Raczkowski | Wojno |
| DeRossett | Johnson, Rick | Reeves | Woodward |
| DeVuyst | Johnson, Ruth | Richardville | Woronchak |
| DeWeese | Julian | | |

Nays—1

Van Woerkom

In The Chair: Scranton

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

"An act to protect the welfare of the people of this state; to provide general assistance, hospitalization, infirmary and medical care to poor or unfortunate persons; to provide for compliance by this state with the social security act; to provide protection, welfare and services to aged persons, dependent children, the blind, and the permanently and totally disabled; to administer programs and services for the prevention and treatment of delinquency, dependency and neglect of children; to create a state department of social services; to prescribe the powers and duties of the department; to provide for the interstate and intercounty transfer of dependents; to create county and district departments of social

services; to create within certain county departments, bureaus of social aid and certain divisions and offices thereunder; to prescribe the powers and duties of the departments, bureaus and officers; to provide for appeals in certain cases; to prescribe the powers and duties of the state department with respect to county and district departments; to prescribe certain duties of certain other state departments, officers, and agencies; to make an appropriation; to prescribe penalties for the violation of the provisions of this act; and to repeal certain parts of this act on specific dates.”.

The House agreed to the full title.

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

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

Senate Bill No. 1419, entitled

A bill to amend 1939 PA 280, entitled “The social welfare act,” (MCL 400.1 to 400.119b) by adding section 109f.

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

Roll Call No. 1059

Yeas—102

| | | | |
|------------|---------------|--------------|--------------|
| Allen | Ehardt | Koetje | Rison |
| Baird | Faunce | Kowall | Rivet |
| Basham | Frank | LaForge | Rocca |
| Birkholz | Garcia | LaSata | Sanborn |
| Bisbee | Garza | Lemmons | Schauer |
| Bishop | Geiger | Lockwood | Scott |
| Bogardus | Gielegem | Mans | Scranton |
| Bovin | Gilbert | Martinez | Shackleton |
| Bradstreet | Godchaux | Mead | Sheltrown |
| Brater | Green | Middaugh | Shulman |
| Brewer | Hager | Minore | Spade |
| Brown, B. | Hale | Mortimer | Stallworth |
| Brown, C. | Hanley | Neumann | Stamas |
| Byl | Hansen | O’Neil | Switalski |
| Callahan | Hardman | Pappageorge | Tabor |
| Cassis | Hart | Patterson | Tesanovich |
| Caul | Howell | Pestka | Thomas |
| Cherry | Jacobs | Price | Toy |
| Clark, I. | Jamnick | Prusi | Vander Roest |
| Clarke, H. | Jansen | Pumford | Vaughn |
| Daniels | Jelinek | Quarles | Vear |
| DeHart | Jellema | Raczkowski | Voorhees |
| Dennis | Johnson, Rick | Reeves | Wojno |
| DeRossett | Johnson, Ruth | Richardville | Woodward |
| DeVuyst | Julian | Richner | Woronchak |
| DeWeese | Kelly | | |

Nays—1

Van Woerkom

In The Chair: Scranton

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

“An act to protect the welfare of the people of this state; to provide general assistance, hospitalization, infirmary and medical care to poor or unfortunate persons; to provide for compliance by this state with the social security act; to

provide protection, welfare and services to aged persons, dependent children, the blind, and the permanently and totally disabled; to administer programs and services for the prevention and treatment of delinquency, dependency and neglect of children; to create a state department of social services; to prescribe the powers and duties of the department; to provide for the interstate and intercounty transfer of dependents; to create county and district departments of social services; to create within certain county departments, bureaus of social aid and certain divisions and offices thereunder; to prescribe the powers and duties of the departments, bureaus and officers; to provide for appeals in certain cases; to prescribe the powers and duties of the state department with respect to county and district departments; to prescribe certain duties of certain other state departments, officers, and agencies; to make an appropriation; to prescribe penalties for the violation of the provisions of this act; and to repeal certain parts of this act on specific dates.”

The House agreed to the full title.

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

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

By unanimous consent the House returned to the order of

Messages from the Senate

The Speaker laid before the House

House Bill No. 5228, entitled

A bill to amend 1962 PA 174, entitled “Uniform commercial code,” by amending sections 1105, 1201, 2103, 2210, 2326, 2502, 2716, 2A103, 2A303, 2A307, 2A309, 4210, 7503, 8103, 8106, 8110, 8301, 8302, 8510, 9102, 9103, 9104, 9105, 9106, 9107, 9108, 9109, 9110, 9201, 9202, 9203, 9204, 9205, 9206, 9207, 9208, 9301, 9302, 9303, 9304, 9305, 9306, 9307, 9308, 9309, 9310, 9311, 9312, 9313, 9314, 9315, 9316, 9317, 9318, 9401, 9402, 9403, 9404, 9405, 9406, 9407, 9408, 9409, 9501, 9502, 9503, 9504, 9505, 9506, and 9507 (MCL 440.1105, 440.1201, 440.2103, 440.2210, 440.2326, 440.2502, 440.2716, 440.2803, 440.2903, 440.2907, 440.2909, 440.4210, 440.7503, 440.8103, 440.8106, 440.8110, 440.8301, 440.8302, 440.8510, 440.9102, 440.9103, 440.9104, 440.9105, 440.9106, 440.9107, 440.9108, 440.9109, 440.9110, 440.9201, 440.9202, 440.9203, 440.9204, 440.9205, 440.9206, 440.9207, 440.9208, 2 440.9301, 440.9302, 440.9303, 440.9304, 440.9305, 440.9306, 440.9307, 440.9308, 440.9309, 440.9310, 440.9311, 440.9312, 440.9313, 440.9314, 440.9315, 440.9316, 440.9317, 440.9318, 440.9401, 440.9402, 440.9403, 440.9404, 440.9405, 440.9406, 440.9407, 440.9408, 440.9409, 440.9501, 440.9502, 440.9503, 440.9504, 440.9505, 440.9506, and 440.9507), sections 1105, 9203, and 9402 as amended by 1998 PA 489, section 1201 as amended and sections 2A103, 2A303, 2A307, and 2A309 as added by 1992 PA 101, section 2326 as amended by 1982 PA 397, section 4210 as amended by 1993 PA 130, sections 8103, 8106, 8301, 8302, 9301, 9302, 9303, 9306, 9309, and 9312 as amended and sections 8110 and 8510 as added by 1998 PA 278, sections 9103, 9104, 9105, 9106, 9304, and 9305 as amended by 1998 PA 488, section 9307 as amended by 1985 PA 199, section 9313 as amended by 1980 PA 53, section 9401 as amended by 1990 PA 288, sections 9403 and 9404 as amended by 1992 PA 186, sections 9405 and 9407 as amended by 1988 PA 130, and section 9406 as amended by 1989 PA 216, and by adding sections 5118, 9209, 9210, 9319, 9320, 9321, 9322, 9323, 9324, 9325, 9326, 9327, 9328, 9329, 9330, 9331, 9332, 9333, 9334, 9335, 9336, 9337, 9338, 9339, 9340, 9341, 9342, 9508, 9509, 9510, 9511, 9512, 9513, 9514, 9515, 9516, 9517, 9518, 9519, 9520, 9521, 9522, 9523, 9524, 9525, 9526, 9527, 9601, 9602, 9603, 9604, 9605, 9606, 9607, 9608, 9609, 9610, 9611, 9612, 9613, 9614, 9615, 9616, 9617, 9618, 9619, 9620, 9621, 9622, 9623, 9624, 9625, 9626, 9627, 9628, 9701, 9702, 9703, 9704, 9705, 9706, 9707, 9708, and 9709; and to repeal acts and parts of acts.

(The bill was received from the Senate on December 5, with substitute (S-1), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 68, p. 2555.)

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

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

Roll Call No. 1060

Yeas—103

| | | | |
|----------|--------|---------|---------|
| Allen | Faunce | Koetje | Rivet |
| Baird | Frank | Kowall | Rocca |
| Basham | Garcia | LaForge | Sanborn |
| Birkholz | Garza | LaSata | Schauer |
| Bisbee | Geiger | Lemmons | Scott |

| | | | |
|------------|---------------|--------------|--------------|
| Bishop | Gielegem | Lockwood | Scranton |
| Bogardus | Gilbert | Mans | Shackleton |
| Bovin | Godchaux | Martinez | Sheltrown |
| Bradstreet | Gosselin | Mead | Shulman |
| Brater | Green | Middaugh | Spade |
| Brewer | Hager | Minore | Stallworth |
| Brown, B. | Hale | Mortimer | Stamas |
| Brown, C. | Hanley | Neumann | Switalski |
| Byl | Hansen | O'Neil | Tabor |
| Callahan | Hardman | Pappageorge | Tesanovich |
| Cassis | Hart | Patterson | Thomas |
| Caul | Howell | Pestka | Toy |
| Cherry | Jacobs | Price | Van Woerkom |
| Clark, I. | Jamnick | Prusi | Vander Roest |
| Clarke, H. | Jansen | Pumford | Vaughn |
| Daniels | Jelinek | Quarles | Vear |
| DeHart | Jellema | Rackowski | Voorhees |
| Dennis | Johnson, Rick | Reeves | Wojno |
| DeRossett | Johnson, Ruth | Richardville | Woodward |
| DeVuyst | Julian | Richner | Woronchak |
| Ehardt | Kelly | Rison | |

Nays—0

In The Chair: Scranton

The House agreed to the title as amended.

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

The Speaker laid before the House

House Bill No. 6027, entitled

A bill to amend 1941 PA 207, entitled "Fire prevention code," by amending section 6 (MCL 29.6).

(The bill was received from the Senate on December 5, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 68, p. 2557.)

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

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

Roll Call No. 1061**Yeas—102**

| | | | |
|------------|----------|----------|------------|
| Baird | Frank | Kowall | Rison |
| Basham | Garcia | Kuipers | Rivet |
| Birkholz | Garza | LaForge | Rocca |
| Bisbee | Geiger | LaSata | Sanborn |
| Bishop | Gielegem | Lemmons | Schauer |
| Bovin | Gilbert | Lockwood | Scott |
| Bradstreet | Godchaux | Mans | Scranton |
| Brater | Gosselin | Martinez | Shackleton |
| Brewer | Green | Mead | Sheltrown |
| Brown, B. | Hager | Middaugh | Shulman |
| Brown, C. | Hale | Minore | Spade |
| Byl | Hanley | Mortimer | Stallworth |

| | | | |
|------------|---------------|--------------|--------------|
| Callahan | Hansen | Neumann | Stamas |
| Cassis | Hardman | O'Neil | Switalski |
| Caul | Hart | Pappageorge | Tesanovich |
| Cherry | Howell | Patterson | Thomas |
| Clark, I. | Jacobs | Pestka | Toy |
| Clarke, H. | Jamnack | Price | Van Woerkom |
| Daniels | Jansen | Prusi | Vander Roest |
| DeHart | Jelinek | Pumford | Vaughn |
| Dennis | Jellema | Quarles | Vear |
| DeRossett | Johnson, Rick | Raczkowski | Voorhees |
| DeVuyst | Johnson, Ruth | Reeves | Wojno |
| DeWeese | Julian | Richardville | Woodward |
| Ehardt | Kelly | Richner | Woronchak |
| Faunce | Koetje | | |

Nays—1

Allen

In The Chair: Scranton

The House agreed to the full title of the bill.

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

Rep. Kilpatrick entered the House Chambers.

The Speaker laid before the House

House Bill No. 5509, entitled

A bill to amend 1966 PA 225, entitled "Carnival-amusement safety act of 1966," by amending section 2 (MCL 408.652), as amended by 1998 PA 507, and by adding sections 18, 19, and 20.

(The bill was received from the Senate on December 5, with amendments and title amendment, consideration of which, under the rules, was postponed until today, see House Journal No. 68, p. 2556.)

The question being on concurring in the amendments made to the bill by the Senate,

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

Roll Call No. 1062

Yeas—105

| | | | |
|------------|----------|------------|------------|
| Allen | Faunce | Kilpatrick | Rison |
| Baird | Frank | Koetje | Rivet |
| Basham | Garcia | Kowall | Rocca |
| Birkholz | Garza | Kuipers | Sanborn |
| Bisbee | Geiger | LaSata | Schauer |
| Bishop | Gielegem | Lemmons | Scott |
| Bogardus | Gilbert | Lockwood | Scranton |
| Bovin | Godchaux | Mans | Shackleton |
| Bradstreet | Gosselin | Martinez | Sheltrown |
| Brater | Green | Mead | Shulman |
| Brewer | Hager | Middaugh | Spade |

| | | | |
|------------|---------------|--------------|--------------|
| Brown, B. | Hale | Minore | Stallworth |
| Brown, C. | Hanley | Mortimer | Stamas |
| Byl | Hansen | Neumann | Switalski |
| Callahan | Hardman | O'Neil | Tabor |
| Cassis | Hart | Pappageorge | Tesanovich |
| Caul | Howell | Patterson | Thomas |
| Cherry | Jacobs | Pestka | Toy |
| Clark, I. | Jamnick | Price | Van Woerkom |
| Clarke, H. | Jansen | Prusi | Vander Roest |
| Daniels | Jelinek | Pumford | Vaughn |
| DeHart | Jellema | Quarles | Vear |
| Dennis | Johnson, Rick | Raczkowski | Voorhees |
| DeRossett | Johnson, Ruth | Reeves | Wojno |
| DeVuyst | Julian | Richardville | Woodward |
| DeWeese | Kelly | Richner | Woronchak |
| Ehardt | | | |

Nays—0

In The Chair: Scranton

The House agreed to the title as amended.

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

Third Reading of Bills

Senate Bill No. 859, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 667a. (The bill was read a third time and postponed temporarily on December 5, see House Journal No. 68, p. 2510.)

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. 1063

Yeas—67

| | | | |
|------------|----------|---------------|--------------|
| Allen | DeVuyst | Johnson, Rick | Pumford |
| Baird | DeWeese | Julian | Quarles |
| Birkholz | Garcia | Kelly | Richardville |
| Bogardus | Garza | Kowall | Richner |
| Bovin | Geiger | LaForge | Rison |
| Brewer | Gielegem | LaSata | Schauer |
| Brown, B. | Gilbert | Lemmons | Shackleton |
| Brown, C. | Godchaux | Lockwood | Shulman |
| Byl | Green | Mans | Spade |
| Callahan | Hager | Martinez | Stallworth |
| Caul | Hanley | Middaugh | Switalski |
| Cherry | Hansen | Minore | Tabor |
| Clark, I. | Hart | Mortimer | Tesanovich |
| Clarke, H. | Howell | Neumann | Thomas |
| Daniels | Jacobs | O'Neil | Van Woerkom |
| Dennis | Jamnick | Patterson | Wojno |
| DeRossett | Jelinek | Pestka | |

Nays—37

| | | | |
|------------|---------------|------------|--------------|
| Basham | Gosselin | Price | Sheltrown |
| Bisbee | Hale | Prusi | Stamas |
| Bishop | Hardman | Raczkowski | Toy |
| Bradstreet | Jellema | Reeves | Vander Roest |
| Brater | Johnson, Ruth | Rivet | Vaughn |
| Cassis | Koetje | Rocca | Vear |
| DeHart | Kuipers | Sanborn | Voorhees |
| Ehardt | Mead | Scott | Woodward |
| Faunce | Pappageorge | Scranton | Woronchak |
| Frank | | | |

In The Chair: Scranton

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

“An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds and grant programs; to provide for the appropriation of money for certain grant programs; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date.”

The House agreed to the full title.

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

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

Second Reading of Bills**Senate Bill No. 1385, entitled**

A bill to amend 1998 PA 386, entitled “Estates and protected individuals code,” by amending sections 5305 and 5406 (MCL 700.5305 and 700.5406), section 5406 as amended by 2000 PA 54.

The bill was read a second time.

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

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

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

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

Rep. Quarles moved that Rep. Stallworth be excused temporarily from today’s session.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills**Senate Bill No. 1385, entitled**

A bill to amend 1998 PA 386, entitled “Estates and protected individuals code,” by amending sections 5305 and 5406 (MCL 700.5305 and 700.5406), section 5406 as amended by 2000 PA 54.

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

Roll Call No. 1064**Yeas—103**

| | | | |
|------------|---------------|--------------|--------------|
| Allen | Faunce | Koetje | Richner |
| Baird | Frank | Kowall | Rison |
| Basham | Garcia | Kuipers | Rivet |
| Birkholz | Garza | LaForge | Rocca |
| Bisbee | Geiger | LaSata | Sanborn |
| Bishop | Gielegem | Lemmons | Schauer |
| Bogardus | Gilbert | Lockwood | Scott |
| Bovin | Godchaux | Mans | Scranton |
| Bradstreet | Gosselin | Martinez | Shackleton |
| Brater | Hager | Mead | Sheltrown |
| Brewer | Hale | Middaugh | Shulman |
| Brown, B. | Hanley | Minore | Spade |
| Brown, C. | Hansen | Mortimer | Stamas |
| Byl | Hardman | Neumann | Switalski |
| Callahan | Hart | O'Neil | Tabor |
| Cassis | Howell | Pappageorge | Thomas |
| Caul | Jacobs | Patterson | Toy |
| Cherry | Jamnack | Perricone | Van Woerkom |
| Clark, I. | Jansen | Pestka | Vander Roest |
| Clarke, H. | Jelinek | Price | Vaughn |
| Daniels | Jellema | Prusi | Vear |
| DeHart | Johnson, Rick | Pumford | Voorhees |
| Dennis | Johnson, Ruth | Quarles | Wojno |
| DeRossett | Julian | Raczkowski | Woodward |
| DeVuyst | Kelly | Reeves | Woronchak |
| DeWeese | Kilpatrick | Richardville | |

Nays—0

In The Chair: Scranton

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

“An act to codify, revise, consolidate, and classify aspects of the law relating to wills and intestacy, relating to the administration and distribution of estates of certain individuals, relating to trusts, and relating to the affairs of certain individuals under legal incapacity; to provide for the powers and procedures of the court that has jurisdiction over these matters; to provide for the validity and effect of certain transfers, contracts, and deposits that relate to death; to provide procedures to facilitate enforcement of certain trusts; and to repeal acts and parts of acts.”

The House agreed to the full title.

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

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

Second Reading of Bills**Senate Bill No. 1386, entitled**

A bill to amend 1998 PA 386, entitled “Estates and protected individuals code,” (MCL 700.1101 to 700.8102) by adding section 5108.

The bill was read a second time.

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

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

Rep. Raczkowski 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. 1386, entitled

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," (MCL 700.1101 to 700.8102) by adding section 5108.

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

Roll Call No. 1065

Yeas—60

| | | | |
|------------|----------|---------------|-----------|
| Allen | Dennis | Johnson, Rick | Reeves |
| Baird | Faunce | Julian | Richner |
| Birkholz | Frank | Kelly | Rison |
| Bisbee | Garza | Kilpatrick | Sanborn |
| Bogardus | Gielegem | Lemmons | Schauer |
| Bovin | Godchaux | Lockwood | Scranton |
| Brater | Hale | Martinez | Sheltrown |
| Brewer | Hanley | Minore | Shulman |
| Brown, B. | Hansen | Mortimer | Spade |
| Byl | Hardman | Neumann | Stamas |
| Callahan | Howell | O'Neil | Switalski |
| Cherry | Jacobs | Perricone | Thomas |
| Clark, I. | Jamnick | Pestka | Vaughn |
| Clarke, H. | Jansen | Price | Wojno |
| Daniels | Jelinek | Quarles | Woodward |

Nays—45

| | | | |
|------------|---------------|--------------|--------------|
| Basham | Geiger | LaSata | Rocca |
| Bishop | Gilbert | Mans | Scott |
| Bradstreet | Gosselin | Mead | Shackleton |
| Brown, C. | Hager | Middaugh | Tabor |
| Cassis | Hart | Pappageorge | Tesanovich |
| Caul | Jellema | Patterson | Toy |
| DeHart | Johnson, Ruth | Prusi | Van Woerkom |
| DeRossett | Koetje | Pumford | Vander Roest |
| DeVuyst | Kowall | Raczkowski | Vear |
| DeWeese | Kuipers | Richardville | Voorhees |
| Ehardt | LaForge | Rivet | Woronchak |
| Garcia | | | |

In The Chair: Scranton

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

"An act to codify, revise, consolidate, and classify aspects of the law relating to wills and intestacy, relating to the administration and distribution of estates of certain individuals, relating to trusts, and relating to the affairs of certain individuals under legal incapacity; to provide for the powers and procedures of the court that has jurisdiction over these matters; to provide for the validity and effect of certain transfers, contracts, and deposits that relate to death; to provide procedures to facilitate enforcement of certain trusts; and to repeal acts and parts of acts,".

The House agreed to the full title.

Rep. Raczkowski moved that the bill be given immediate effect.
 The motion prevailed, 2/3 of the members serving voting therefor.

Second Reading of Bills

Senate Bill No. 1387, entitled

A bill to amend 1998 PA 386, entitled “Estates and protected individuals code,” by amending section 5401 (MCL 700.5401).

The bill was read a second time.

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

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

Rep. Raczkowski 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. 1387, entitled

A bill to amend 1998 PA 386, entitled “Estates and protected individuals code,” by amending section 5401 (MCL 700.5401).

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

Roll Call No. 1066

Yeas—105

| | | | |
|------------|---------------|--------------|--------------|
| Allen | Faunce | Kilpatrick | Richner |
| Baird | Frank | Koetje | Rison |
| Basham | Garcia | Kowall | Rivet |
| Birkholz | Garza | Kuipers | Rocca |
| Bisbee | Geiger | LaForge | Sanborn |
| Bishop | Gielegem | LaSata | Schauer |
| Bogardus | Gilbert | Lemmons | Scott |
| Bovin | Godchaux | Lockwood | Scranton |
| Bradstreet | Gosselin | Mans | Shackleton |
| Brater | Green | Martinez | Sheltrown |
| Brewer | Hager | Mead | Shulman |
| Brown, B. | Hale | Middaugh | Spade |
| Brown, C. | Hanley | Minore | Stamas |
| Byl | Hansen | Mortimer | Switalski |
| Callahan | Hardman | Neumann | Tabor |
| Cassis | Hart | O’Neil | Tesanovich |
| Caul | Howell | Pappageorge | Thomas |
| Cherry | Jacobs | Patterson | Toy |
| Clark, I. | Jamnack | Pestka | Van Woerkom |
| Clarke, H. | Jansen | Price | Vander Roest |
| Daniels | Jelinek | Prusi | Vaughn |
| DeHart | Jellema | Pumford | Vear |
| Dennis | Johnson, Rick | Quarles | Voorhees |
| DeRossett | Johnson, Ruth | Raczkowski | Wojno |
| DeVuyst | Julian | Reeves | Woodward |
| DeWeese | Kelly | Richardville | Woronchak |
| Ehardt | | | |

Nays—0

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

“An act to codify, revise, consolidate, and classify aspects of the law relating to wills and intestacy, relating to the administration and distribution of estates of certain individuals, relating to trusts, and relating to the affairs of certain individuals under legal incapacity; to provide for the powers and procedures of the court that has jurisdiction over these matters; to provide for the validity and effect of certain transfers, contracts, and deposits that relate to death; to provide procedures to facilitate enforcement of certain trusts; and to repeal acts and parts of acts.”.

The House agreed to the full title.

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

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

Second Reading of Bills

Senate Bill No. 1388, entitled

A bill to amend 1998 PA 386, entitled “Estates and protected individuals code,” by amending section 5314 (MCL 700.5314), as amended by 2000 PA 313.

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

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

Rep. Richner moved to amend the bill as follows:

1. Amend page 1, line 1, after “5314.” by striking out the balance of the line through “A” on line 2 and inserting “Whenever meaningful communication is possible, a”.

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

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

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

Rep. Raczkowski 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. 1388, entitled

A bill to amend 1998 PA 386, entitled “Estates and protected individuals code,” by amending section 5314 (MCL 700.5314), as amended by 2000 PA 313.

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

Roll Call No. 1067

Yeas—103

| | | | |
|------------|----------|------------|------------|
| Allen | Ehardt | Kilpatrick | Rison |
| Baird | Faunce | Koetje | Rivet |
| Basham | Frank | Kowall | Rocca |
| Birkholz | Garcia | Kuipers | Sanborn |
| Bisbee | Garza | LaForge | Schauer |
| Bishop | Gielegem | LaSata | Scott |
| Bogardus | Gilbert | Lemmons | Scranton |
| Bovin | Godchaux | Lockwood | Shackleton |
| Bradstreet | Gosselin | Mans | Sheltrown |
| Brater | Green | Martinez | Shulman |
| Brewer | Hager | Mead | Spade |
| Brown, B. | Hale | Middaugh | Stamas |
| Brown, C. | Hanley | Minore | Switalski |
| Byl | Hansen | Mortimer | Tabor |
| Callahan | Hardman | Neumann | Tesanovich |

| | | | |
|------------|---------------|--------------|--------------|
| Cassis | Hart | O'Neil | Thomas |
| Caul | Howell | Pappageorge | Toy |
| Cherry | Jacobs | Patterson | Van Woerkom |
| Clark, I. | Jamnack | Pestka | Vander Roest |
| Clarke, H. | Jansen | Prusi | Vaughn |
| Daniels | Jelinek | Pumford | Vear |
| DeHart | Jellema | Quarles | Voorhees |
| Dennis | Johnson, Rick | Raczkowski | Wojno |
| DeRossett | Johnson, Ruth | Reeves | Woodward |
| DeVuyst | Julian | Richardville | Woronchak |
| DeWeese | Kelly | Richner | |

Nays—0

In The Chair: Scranton

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

“An act to codify, revise, consolidate, and classify aspects of the law relating to wills and intestacy, relating to the administration and distribution of estates of certain individuals, relating to trusts, and relating to the affairs of certain individuals under legal incapacity; to provide for the powers and procedures of the court that has jurisdiction over these matters; to provide for the validity and effect of certain transfers, contracts, and deposits that relate to death; to provide procedures to facilitate enforcement of certain trusts; and to repeal acts and parts of acts.”.

The House agreed to the full title.

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

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

Second Reading of Bills

Senate Bill No. 1389, entitled

A bill to amend 1998 PA 386, entitled “Estates and protected individuals code,” by amending section 5303 (MCL 700.5303).

The bill was read a second time.

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

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

Rep. Raczkowski 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. 1389, entitled

A bill to amend 1998 PA 386, entitled “Estates and protected individuals code,” by amending section 5303 (MCL 700.5303).

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

Roll Call No. 1068

Yeas—105

| | | | |
|-------|--------|------------|---------|
| Allen | Faunce | Kilpatrick | Richner |
| Baird | Frank | Koetje | Rison |

| | | | |
|------------|---------------|--------------|--------------|
| Basham | Garcia | Kowall | Rivet |
| Birkholz | Garza | Kuipers | Rocca |
| Bisbee | Geiger | LaForge | Sanborn |
| Bishop | Gielegthem | LaSata | Schauer |
| Bogardus | Gilbert | Lemmons | Scott |
| Bovin | Godchaux | Lockwood | Scranton |
| Bradstreet | Gosselin | Mans | Shackleton |
| Brater | Green | Martinez | Sheltrown |
| Brewer | Hager | Mead | Shulman |
| Brown, B. | Hale | Middaugh | Spade |
| Brown, C. | Hanley | Minore | Stamas |
| Byl | Hansen | Mortimer | Switalski |
| Callahan | Hardman | Neumann | Tabor |
| Cassis | Hart | O'Neil | Tesanovich |
| Caul | Howell | Pappageorge | Thomas |
| Cherry | Jacobs | Patterson | Toy |
| Clark, I. | Jamnack | Pestka | Van Woerkom |
| Clarke, H. | Jansen | Price | Vander Roest |
| Daniels | Jelinek | Prusi | Vaughn |
| DeHart | Jellema | Pumford | Vear |
| Dennis | Johnson, Rick | Quarles | Voorhees |
| DeRossett | Johnson, Ruth | Raczkowski | Wojno |
| DeVuyst | Julian | Reeves | Woodward |
| DeWeese | Kelly | Richardville | Woronchak |
| Ehardt | | | |

Nays—0

In The Chair: Scranton

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

“An act to codify, revise, consolidate, and classify aspects of the law relating to wills and intestacy, relating to the administration and distribution of estates of certain individuals, relating to trusts, and relating to the affairs of certain individuals under legal incapacity; to provide for the powers and procedures of the court that has jurisdiction over these matters; to provide for the validity and effect of certain transfers, contracts, and deposits that relate to death; to provide procedures to facilitate enforcement of certain trusts; and to repeal acts and parts of acts.”.

The House agreed to the full title.

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

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

Second Reading of Bills

Senate Bill No. 1390, entitled

A bill to amend 1998 PA 386, entitled “Estates and protected individuals code,” by amending sections 5215, 5314, and 5423 (MCL 700.5215, 700.5314, and 700.5423), section 5314 as amended by 2000 PA 313, and by adding section 5108.

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

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

Rep. Richner moved to amend the bill as follows:

1. Amend page 3, line 21, after “guardian” by striking out “should” and inserting “SHALL”.

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

Rep. Raczkowski moved that the bill be placed on the order of Third Reading of Bills.
The motion prevailed, a majority of the members voting therefor.
Rep. Raczkowski 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. 1390, entitled

A bill to amend 1998 PA 386, entitled "Estates and protected individuals code," by amending sections 5215, 5314, and 5423 (MCL 700.5215, 700.5314, and 700.5423), section 5314 as amended by 2000 PA 313, and by adding section 5108.
Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 1069

Yeas—105

| | | | |
|------------|---------------|--------------|--------------|
| Allen | Faunce | Kilpatrick | Richner |
| Baird | Frank | Koetje | Rison |
| Basham | Garcia | Kowall | Rivet |
| Birkholz | Garza | Kuipers | Rocca |
| Bisbee | Geiger | LaForge | Sanborn |
| Bishop | Gielegem | LaSata | Schauer |
| Bogardus | Gilbert | Lemmons | Scott |
| Bovin | Godchaux | Lockwood | Scranton |
| Bradstreet | Gosselin | Mans | Shackleton |
| Brater | Green | Martinez | Sheltrown |
| Brewer | Hager | Mead | Shulman |
| Brown, B. | Hale | Middaugh | Spade |
| Brown, C. | Hanley | Minore | Stamas |
| Byl | Hansen | Mortimer | Switalski |
| Callahan | Hardman | Neumann | Tabor |
| Cassis | Hart | O'Neil | Tesanovich |
| Caul | Howell | Pappageorge | Thomas |
| Cherry | Jacobs | Patterson | Toy |
| Clark, I. | Jamnick | Pestka | Van Woerkom |
| Clarke, H. | Jansen | Price | Vander Roest |
| Daniels | Jelinek | Prusi | Vaughn |
| DeHart | Jellema | Pumford | Vear |
| Dennis | Johnson, Rick | Quarles | Voorhees |
| DeRossett | Johnson, Ruth | Raczkowski | Wojno |
| DeVuyst | Julian | Reeves | Woodward |
| DeWeese | Kelly | Richardville | Woronchak |
| Ehardt | | | |

Nays—0

In The Chair: Scranton

The question being on agreeing to the title of the bill,
Rep. Raczkowski moved to amend the title to read as follows:

A bill to amend 1998 PA 386, entitled "An act to codify, revise, consolidate, and classify aspects of the law relating to wills and intestacy, relating to the administration and distribution of estates of certain individuals, relating to trusts, and relating to the affairs of certain individuals under legal incapacity; to provide for the powers and procedures of the court that has jurisdiction over these matters; to provide for the validity and effect of certain transfers, contracts, and

deposits that relate to death; to provide procedures to facilitate enforcement of certain trusts; and to repeal acts and parts of acts," by amending sections 5215, 5314, and 5423 (MCL 700.5215, 700.5314, and 700.5423), section 5314 as amended by 2000 PA 313.

The motion prevailed.

The House agreed to the title as amended.

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

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

Senate Bill No. 1173, entitled

A bill to amend 1969 PA 317, entitled "Worker's disability compensation act of 1969," by amending section 230 (MCL 418.230), as amended by 1994 PA 271.

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

Roll Call No. 1070

Yeas—102

| | | | |
|------------|---------------|--------------|--------------|
| Allen | Ehardt | Koetje | Rison |
| Baird | Faunce | Kowall | Rivet |
| Basham | Frank | Kuipers | Rocca |
| Birkholz | Garcia | LaForge | Sanborn |
| Bisbee | Garza | LaSata | Schauer |
| Bishop | Geiger | Lemmons | Scott |
| Bogardus | Gielegem | Lockwood | Scranton |
| Bovin | Gilbert | Mans | Shackleton |
| Bradstreet | Godchaux | Mead | Sheltrown |
| Brater | Gosselin | Middaugh | Shulman |
| Brewer | Hager | Minore | Spade |
| Brown, B. | Hale | Mortimer | Stamas |
| Brown, C. | Hansen | Neumann | Switalski |
| Byl | Hardman | O'Neil | Tabor |
| Callahan | Hart | Pappageorge | Tesanovich |
| Cassis | Howell | Patterson | Thomas |
| Caul | Jacobs | Pestka | Toy |
| Cherry | Jamnick | Price | Van Woerkom |
| Clark, I. | Jansen | Prusi | Vander Roest |
| Clarke, H. | Jelinek | Pumford | Vaughn |
| Daniels | Jellema | Quarles | Vear |
| DeHart | Johnson, Rick | Raczkowski | Voorhees |
| Dennis | Johnson, Ruth | Reeves | Wojno |
| DeRossett | Julian | Richardville | Woodward |
| DeVuyst | Kelly | Richner | Woronchak |
| DeWeese | Kilpatrick | | |

Nays—0

In The Chair: Scranton

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

"An act to revise and consolidate the laws relating to worker's disability compensation; to increase the administrative efficiency of the adjudicative processes of the worker's compensation system; to improve the qualifications of the persons having adjudicative functions within the worker's compensation system; to prescribe certain powers and duties; to create the board of worker's compensation magistrates and the worker's compensation appellate commission; to create certain other boards; to provide certain procedures for the resolution of claims, including mediation and arbitration; to prescribe certain benefits for persons suffering a personal injury under the act;

to prescribe certain limitations on obtaining benefits under the act; to create, and provide for the transfer of, certain funds; to prescribe certain fees; to prescribe certain remedies and penalties; to repeal certain parts of this act on specific dates; and to repeal certain acts and parts of acts.”.

The House agreed to the full title.

Rep. Raczkowski 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. 6177, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 303, 319, 320a, 625, 625m, 732, and 904d (MCL 257.303, 257.319, 257.320a, 257.625, 257.625m, 257.732, and 257.904d), sections 303 and 732 as amended by 1999 PA 73, section 319 as amended by 2000 PA 152, section 320a as amended by 1999 PA 40, section 625 as amended by 2000 PA 77, section 625m as amended by 1998 PA 347, and section 904d as amended by 1999 PA 267.

The bill was read a second time.

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

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

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 6177, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 303, 319, 320a, 625, 625m, 732, and 904d (MCL 257.303, 257.319, 257.320a, 257.625, 257.625m, 257.732, and 257.904d), sections 303 and 732 as amended by 1999 PA 73, section 319 as amended by 2000 PA 152, section 320a as amended by 1999 PA 40, section 625 as amended by 2000 PA 77, section 625m as amended by 1998 PA 347, and section 904d as amended by 1999 PA 267.

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

Roll Call No. 1071

Yeas—103

| | | | |
|------------|----------|-------------|--------------|
| Allen | Ehardt | Kilpatrick | Rison |
| Baird | Faunce | Koetje | Rivet |
| Basham | Frank | Kowall | Rocca |
| Birkholz | Garcia | Kuipers | Sanborn |
| Bisbee | Garza | LaForge | Schauer |
| Bishop | Geiger | LaSata | Scott |
| Bogardus | Gielegem | Lemmons | Scranton |
| Bovin | Gilbert | Lockwood | Shackleton |
| Bradstreet | Godchaux | Mans | Sheltrown |
| Brater | Gosselin | Martinez | Shulman |
| Brewer | Green | Mead | Spade |
| Brown, B. | Hager | Middaugh | Stamas |
| Brown, C. | Hale | Minore | Switalski |
| Byl | Hansen | Mortimer | Tabor |
| Callahan | Hardman | Neumann | Tesanovich |
| Cassis | Hart | O’Neil | Thomas |
| Caul | Howell | Pappageorge | Toy |
| Cherry | Jacobs | Patterson | Van Woerkom |
| Clark, I. | Jamnick | Pestka | Vander Roest |
| Clarke, H. | Jansen | Price | Vaughn |

| | | | |
|-----------|---------------|--------------|-----------|
| Daniels | Jelinek | Prusi | Vear |
| DeHart | Jellema | Pumford | Voorhees |
| Dennis | Johnson, Rick | Quarles | Wojno |
| DeRossett | Johnson, Ruth | Rackowski | Woodward |
| DeVuyst | Julian | Reeves | Woronchak |
| DeWeese | Kelly | Richardville | |

Nays—0

In The Chair: Scranton

The House agreed to the title of the bill.
 Rep. Middaugh moved that the bill be given immediate effect.
 The motion prevailed, 2/3 of the members serving voting therefor.

Second Reading of Bills

Senate Bill No. 501, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1237.
 The bill was read a second time.

Rep. Bogardus moved to substitute (H-1) the bill.
 The substitute (H-1) was not adopted, a majority of the members serving not voting therefor.
 Rep. Middaugh moved that the bill be placed on the order of Third Reading of Bills.
 The motion prevailed, a majority of the members voting therefor.
 Rep. Middaugh moved that the bill be placed on its immediate passage.
 The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 501, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1237.
 The bill was read a third time.
 The question being on the passage of the bill,
 Rep. Jacobs moved that consideration of the bill be postponed temporarily.
 The motion prevailed.

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

Rep. Kelly moved that Rep. LaForge be excused temporarily from today's session.
 The motion prevailed.

Senate Bill No. 1433, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 834 (MCL 500.834), as amended by 1995 PA 274.

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

Roll Call No. 1072**Yeas—100**

| | | | |
|------------|---------------|--------------|--------------|
| Allen | Ehardt | Koetje | Rivet |
| Baird | Faunce | Kowall | Rocca |
| Basham | Frank | Kuipers | Sanborn |
| Birkholz | Garza | LaSata | Schauer |
| Bisbee | Geiger | Lemmons | Scott |
| Bishop | Gielegem | Lockwood | Scranton |
| Bogardus | Gilbert | Mans | Shackleton |
| Bovin | Godchaux | Martinez | Sheltrown |
| Bradstreet | Gosselin | Mead | Shulman |
| Brater | Green | Middaugh | Spade |
| Brewer | Hager | Minore | Stallworth |
| Brown, B. | Hanley | Mortimer | Stamas |
| Brown, C. | Hansen | Neumann | Switalski |
| Byl | Hardman | O'Neil | Tabor |
| Callahan | Hart | Pappageorge | Tesanovich |
| Cassis | Howell | Patterson | Thomas |
| Caul | Jacobs | Pestka | Toy |
| Cherry | Jamnack | Price | Van Woerkom |
| Clark, I. | Jansen | Prusi | Vander Roest |
| Clarke, H. | Jelinek | Pumford | Vaughn |
| Daniels | Jellema | Quarles | Vear |
| DeHart | Johnson, Rick | Raczkowski | Voorhees |
| DeRossett | Johnson, Ruth | Richardville | Wojno |
| DeVuyst | Julian | Richner | Woodward |
| DeWeese | Kelly | Rison | Woronchak |

Nays—1

Hale

In The Chair: Scranton

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

“An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker’s compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or

insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to repeal acts and parts of acts; and to provide penalties for the violation of this act.”.

The House agreed to the full title.

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

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

Senate Bill No. 267, entitled

A bill to amend 1986 PA 182, entitled “State police retirement act of 1986,” by amending sections 3, 14, 25, and 26 (MCL 38.1603, 38.1614, 38.1625, and 38.1626), section 3 as amended by 1995 PA 192, section 14 as amended by 1989 PA 191, and section 26 as amended by 1991 PA 53, and by adding sections 13a and 40b.

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

Roll Call No. 1073

Yeas—102

| | | | |
|------------|---------------|--------------|--------------|
| Allen | Ehardt | Kowall | Rivet |
| Baird | Faunce | Kuipers | Rocca |
| Basham | Garza | LaForge | Sanborn |
| Birkholz | Geiger | LaSata | Schauer |
| Bisbee | Gielegem | Lemmons | Scott |
| Bishop | Gilbert | Lockwood | Scranton |
| Bogardus | Godchaux | Mans | Shackleton |
| Bovin | Gosselin | Martinez | Sheltrown |
| Bradstreet | Green | Mead | Shulman |
| Brater | Hager | Middaugh | Spade |
| Brewer | Hale | Minore | Stallworth |
| Brown, B. | Hanley | Mortimer | Stamas |
| Brown, C. | Hansen | Neumann | Switalski |
| Byl | Hardman | O’Neil | Tabor |
| Callahan | Hart | Pappageorge | Tesanovich |
| Cassis | Howell | Patterson | Thomas |
| Caul | Jacobs | Pestka | Toy |
| Cherry | Jansen | Price | Van Woerkom |
| Clark, I. | Jelinek | Prusi | Vander Roest |
| Clarke, H. | Jellema | Pumford | Vaughn |
| Daniels | Johnson, Rick | Quarles | Vear |
| DeHart | Johnson, Ruth | Reeves | Voorhees |
| Dennis | Julian | Richardville | Wojno |
| DeRossett | Kelly | Richner | Woodward |
| DeVuyst | Kilpatrick | Rison | Woronchak |
| DeWeese | Koetje | | |

Nays—0

In The Chair: Scranton

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

“An act to provide for the Michigan department of state police retirement system; to create certain reserves and certain funds for this retirement system; to provide for the creation of a retirement board within the department of

management and budget; to prescribe the powers and duties of the retirement board; to prescribe the powers and duties of the department of state police, the department of management and budget, and certain state officers; and to repeal certain acts and parts of acts.”

The House agreed to the full title.

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

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

The House returned to the consideration of

Senate Bill No. 501, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” (MCL 380.1 to 380.1852) by adding section 1237. (The bill was considered earlier today, see today’s journal, p. 2578.)

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. 1074

Yeas—55

| | | | |
|------------|---------------|--------------|--------------|
| Allen | Geiger | Koetje | Rocca |
| Bisbee | Gilbert | Kuipers | Sanborn |
| Bishop | Godchaux | LaSata | Scranton |
| Bradstreet | Gosselin | Mead | Shackleton |
| Brown, C. | Green | Middaugh | Shulman |
| Byl | Hager | Mortimer | Stamas |
| Cassis | Hart | Pappageorge | Switalski |
| Caul | Howell | Patterson | Tabor |
| DeRossett | Jansen | Perricone | Toy |
| DeVuyst | Jelinek | Pumford | Van Woerkom |
| DeWeese | Jellema | Raczkowski | Vander Roest |
| Ehardt | Johnson, Rick | Reeves | Vear |
| Faunce | Johnson, Ruth | Richardville | Voorhees |
| Garcia | Julian | Rivet | |

Nays—40

| | | | |
|-----------|------------|----------|------------|
| Baird | Clarke, H. | Jamnick | Quarles |
| Basham | Daniels | Kelly | Rison |
| Bogardus | DeHart | LaForge | Schauer |
| Bovin | Dennis | Lockwood | Scott |
| Brater | Frank | Mans | Spade |
| Brewer | Garza | Martinez | Stallworth |
| Brown, B. | Gielegem | Neumann | Thomas |
| Callahan | Hale | Pestka | Vaughn |
| Cherry | Hanley | Price | Wojno |
| Clark, I. | Hansen | Prusi | Woodward |

In The Chair: Scranton

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

“An act to provide a system of public instruction and elementary and secondary schools; to revise, consolidate, and clarify the laws relating to elementary and secondary education; to provide for the organization, regulation, and maintenance of schools, school districts, public school academies, and intermediate school districts; to prescribe rights, powers, duties, and privileges of schools, school districts, public school academies, and intermediate school districts;

to provide for the regulation of school teachers and certain other school employees; to provide for school elections and to prescribe powers and duties with respect thereto; to provide for the levy and collection of taxes; to provide for the borrowing of money and issuance of bonds and other evidences of indebtedness; to establish a fund and provide for expenditures from that fund; to provide for and prescribe the powers and duties of certain state departments, the state board of education, and certain other boards and officials; to provide for licensure of boarding schools; to prescribe penalties; and to repeal acts and parts of acts.”

The House agreed to the full title.

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

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

Rep. Birkholz, under Rule 32(b), made the following statement:

“Mr. Speaker and members of the House:

I did not vote on Roll Call No. 1074 because of a possible conflict of interest.”

Second Reading of Bills

Senate Bill No. 1271, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” (MCL 206.1 to 206.532) by adding section 484.

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

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

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

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

Rep. Raczkowski 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. 1271, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” (MCL 206.1 to 206.532) by adding section 484.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

Second Reading of Bills

Senate Bill No. 1272, entitled

A bill to create incentives to locate and maintain agricultural processing facilities within this state; to create certain funds; to authorize expenditures from the funds; to finance the development of certain facilities; to provide for appropriations; and to prescribe the powers and duties of certain state officials.

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

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

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

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

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

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

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

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

Senate Bill No. 1272, entitled

A bill to create incentives to locate and maintain agricultural processing facilities within this state; to create certain funds; to authorize expenditures from the funds; to finance the development of certain facilities; to provide for appropriations; and to prescribe the powers and duties of certain state officials.

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

Roll Call No. 1075

Yeas—104

| | | | |
|------------|---------------|--------------|--------------|
| Allen | Ehardt | Kilpatrick | Richner |
| Baird | Faunce | Koetje | Rison |
| Basham | Frank | Kowall | Rivet |
| Birkholz | Garcia | Kuipers | Rocca |
| Bisbee | Garza | LaForge | Sanborn |
| Bishop | Geiger | LaSata | Schauer |
| Bogardus | Gielegem | Lemmons | Scott |
| Bovin | Gilbert | Lockwood | Scranton |
| Bradstreet | Godchaux | Mans | Shackleton |
| Brater | Gosselin | Martinez | Sheltrown |
| Brewer | Green | Mead | Shulman |
| Brown, B. | Hager | Middaugh | Spade |
| Brown, C. | Hale | Minore | Stallworth |
| Byl | Hanley | Mortimer | Stamas |
| Callahan | Hansen | Neumann | Switalski |
| Cassis | Hardman | O’Neil | Tabor |
| Caul | Hart | Pappageorge | Tesanovich |
| Cherry | Howell | Patterson | Thomas |
| Clark, I. | Jacobs | Pestka | Toy |
| Clarke, H. | Jamnick | Price | Van Woerkom |
| Daniels | Jansen | Prusi | Vander Roest |
| DeHart | Jelinek | Pumford | Vaughn |
| Dennis | Jellema | Quarles | Voorhees |
| DeRossett | Johnson, Rick | Rackowski | Wojno |
| DeVuyst | Johnson, Ruth | Reeves | Woodward |
| DeWeese | Julian | Richardville | Woronchak |

Nays—0

In The Chair: Scranton

The House agreed to the title of the bill.
Rep. Rackowski moved that the bill be given immediate effect.
The motion prevailed, 2/3 of the members serving voting therefor.

The House returned to the consideration of

Senate Bill No. 1271, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” (MCL 206.1 to 206.532) by adding section 484.
(The bill was considered earlier today, see today’s journal, p. 2582.)

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. 1076**Yeas—103**

| | | | |
|------------|---------------|--------------|--------------|
| Allen | Faunce | Koetje | Rison |
| Baird | Frank | Kowall | Rivet |
| Basham | Garcia | Kuipers | Rocca |
| Birkholz | Garza | LaForge | Sanborn |
| Bisbee | Geiger | LaSata | Schauer |
| Bishop | Gielegem | Lemmons | Scott |
| Bogardus | Gilbert | Lockwood | Scranton |
| Bovin | Godchaux | Mans | Shackleton |
| Bradstreet | Gosselin | Martinez | Sheltrown |
| Brater | Hager | Mead | Shulman |
| Brewer | Hale | Middaugh | Spade |
| Brown, B. | Hanley | Minore | Stallworth |
| Brown, C. | Hansen | Mortimer | Stamas |
| Byl | Hardman | Neumann | Switalski |
| Callahan | Hart | O'Neil | Tabor |
| Cassis | Howell | Pappageorge | Tesanovich |
| Caul | Jacobs | Patterson | Thomas |
| Cherry | Jamnack | Pestka | Toy |
| Clark, I. | Jansen | Price | Van Woerkom |
| Daniels | Jelinek | Prusi | Vander Roest |
| DeHart | Jellema | Pumford | Vaughn |
| Dennis | Johnson, Rick | Quarles | Vear |
| DeRossett | Johnson, Ruth | Raczkowski | Voorhees |
| DeVuyst | Julian | Reeves | Wojno |
| DeWeese | Kelly | Richardville | Woronchak |
| Ehardt | Kilpatrick | Richner | |

Nays—0

In The Chair: Scranton

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

“An act to meet deficiencies in state funds by providing for the imposition, levy, computation, collection, assessment, and enforcement by lien and otherwise of taxes on or measured by net income; to prescribe the manner and time of making reports and paying the taxes, and the functions of public officers and others as to the taxes; to permit the inspection of the records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits and refunds of the taxes; to prescribe penalties for the violation of this act; to provide an appropriation; and to repeal certain acts and parts of acts.”.

The House agreed to the full title.

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

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

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Committee on Economic Development, by Rep. Garcia, Chair, reported

Senate Bill No. 271, entitled

A bill to amend 1978 PA 566, entitled “An act to encourage the faithful performance of official duties by certain public officers and public employees; to prescribe standards of conduct for certain public officers and public employees; to prohibit the holding of incompatible public offices; and to provide certain judicial remedies,” by amending section 3 (MCL 15.183), as amended by 1994 PA 317.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 271 To Report Out:

Yeas: Reps. Garcia, Kowall, Bisbee, Richardville, Van Woerkom, Bob Brown, Lockwood, Mans,
Nays: None.

The Committee on Economic Development, by Rep. Garcia, Chair, reported

Senate Bill No. 1046, entitled

A bill to amend 1995 PA 24, entitled "Michigan economic growth authority act," by amending section 3 (MCL 207.803), as amended by 2000 PA 144.

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

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

Favorable Roll Call

SB 1046 To Report Out:

Yeas: Reps. Garcia, Kowall, Bisbee, Richardville, Van Woerkom, Bob Brown, Lockwood, Mans, Vaughn,
Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Garcia, Chair of the Committee on Economic Development, was received and read:

Meeting held on: Wednesday, December 6, 2000, at 8:00 a.m.,

Present: Reps. Garcia, Kowall, Bisbee, Richardville, Van Woerkom, Bob Brown, Lockwood, Mans, Vaughn.

Second Reading of Bills**Senate Bill No. 1345, entitled**

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending sections 35 and 35a (MCL 208.35 and 208.35a), section 35 as amended by 1998 PA 240 and section 35a as amended by 2000 PA 44.

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

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

Rep. Cassis moved to substitute (H-3) the bill.

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

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

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

Rep. Raczkowski 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. 1345, entitled**

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending sections 35 and 35a (MCL 208.35 and 208.35a), section 35 as amended by 1998 PA 240 and section 35a as amended by 2000 PA 44.

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

Roll Call No. 1077**Yeas—100**

Allen
Baird

Ehardt
Faunce

Koetje
Kowall

Rison
Rivet

| | | | |
|------------|---------------|--------------|--------------|
| Basham | Frank | Kuipers | Rocca |
| Birkholz | Garcia | LaForge | Sanborn |
| Bisbee | Geiger | LaSata | Schauer |
| Bishop | Gielegem | Lockwood | Scott |
| Bogardus | Gilbert | Mans | Scranton |
| Bovin | Godchaux | Martinez | Shackleton |
| Bradstreet | Gosselin | Mead | Sheltrown |
| Brater | Green | Middaugh | Shulman |
| Brewer | Hager | Mortimer | Spade |
| Brown, B. | Hale | Neumann | Stamas |
| Brown, C. | Hansen | O'Neil | Switalski |
| Byl | Hardman | Pappageorge | Tabor |
| Callahan | Hart | Patterson | Tesanovich |
| Cassis | Howell | Perricone | Thomas |
| Caul | Jacobs | Pestka | Toy |
| Cherry | Jamnick | Price | Van Woerkom |
| Clark, I. | Jansen | Prusi | Vander Roest |
| Clarke, H. | Jelinek | Pumford | Vaughn |
| DeHart | Jellema | Quarles | Vear |
| Dennis | Johnson, Rick | Raczkowski | Voorhees |
| DeRossett | Johnson, Ruth | Reeves | Wojno |
| DeVuyst | Julian | Richardville | Woodward |
| DeWeese | Kelly | Richner | Woronchak |

Nays—0

In The Chair: Scranton

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

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

A bill to amend 1975 PA 228, entitled “An act to provide for the imposition, levy, computation, collection, assessment and enforcement, by lien or otherwise, of taxes on certain commercial, business, and financial activities; to prescribe the manner and times of making certain reports and paying taxes; to prescribe the powers and duties of public officers and state departments; to permit the inspection of records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits, and refunds; to provide penalties; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; and to provide an appropriation,” by amending sections 35, 35a, 37c, and 38c (MCL 208.35, 208.35a, 208.37c, and 208.38c), section 35 as amended by 1998 PA 240, section 35a as amended by 2000 PA 44, section 37c as amended by 1999 PA 100, and section 38c as amended by 1997 PA 190.

The motion prevailed.

The House agreed to the title as amended.

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

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

The Speaker Pro Tempore assumed the Chair.

Second Reading of Bills

Senate Bill No. 1046, entitled

A bill to amend 1995 PA 24, entitled “Michigan economic growth authority act,” by amending section 3 (MCL 207.803), as amended by 2000 PA 144.

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

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

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

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

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

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

Rep. Spade moved that Rep. Mans be excused temporarily from today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 1046, entitled

A bill to amend 1995 PA 24, entitled "Michigan economic growth authority act," by amending section 3 (MCL 207.803), as amended by 2000 PA 144.

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

Roll Call No. 1078

Yeas—104

| | | | |
|------------|---------------|--------------|--------------|
| Allen | Faunce | Kilpatrick | Rison |
| Baird | Frank | Koetje | Rivet |
| Basham | Garcia | Kowall | Rocca |
| Birkholz | Garza | Kuipers | Sanborn |
| Bisbee | Geiger | LaForge | Schauer |
| Bishop | Gielegem | LaSata | Scott |
| Bogardus | Gilbert | Lemmons | Scranton |
| Bovin | Godchaux | Lockwood | Shackleton |
| Bradstreet | Gosselin | Martinez | Sheltrown |
| Brater | Green | Mead | Shulman |
| Brown, B. | Hager | Middaugh | Spade |
| Brown, C. | Hale | Mortimer | Stallworth |
| Byl | Hanley | Neumann | Stamas |
| Callahan | Hansen | O'Neil | Switalski |
| Cassis | Hardman | Pappageorge | Tabor |
| Caul | Hart | Patterson | Tesanovich |
| Cherry | Howell | Perricone | Thomas |
| Clark, I. | Jacobs | Pestka | Toy |
| Clarke, H. | Jamnack | Price | Van Woerkom |
| Daniels | Jansen | Prusi | Vander Roest |
| DeHart | Jelinek | Pumford | Vaughn |
| Dennis | Jellema | Quarles | Vear |
| DeRossett | Johnson, Rick | Rackowski | Voorhees |
| DeVuyst | Johnson, Ruth | Reeves | Wojno |
| DeWeese | Julian | Richardville | Woodward |
| Ehardt | Kelly | Richner | Woronchak |

Nays—0

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

“An act to promote economic growth and job creation within this state; to create and regulate the Michigan economic growth authority; to prescribe the powers and duties of the authority and of state and local officials; to assess and collect a fee; and to provide qualifications for incentives for authorized businesses,”.

The House agreed to the full title.

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

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

Second Reading of Bills

Senate Bill No. 1313, entitled

A bill to amend 1980 PA 299, entitled “Occupational code,” by amending sections 2512 and 2517 (MCL 339.2512 and 339.2517), section 2512 as amended by 1996 PA 430 and section 2517 as amended by 2000 PA 236.

The bill was read a second time.

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

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

Rep. Raczkowski 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. 1313, entitled

A bill to amend 1980 PA 299, entitled “Occupational code,” by amending sections 2512 and 2517 (MCL 339.2512 and 339.2517), section 2512 as amended by 1996 PA 430 and section 2517 as amended by 2000 PA 236.

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

Roll Call No. 1079

Yeas—105

| | | | |
|------------|---------------|-------------|--------------|
| Allen | Frank | Koetje | Rison |
| Baird | Garcia | Kowall | Rivet |
| Basham | Garza | Kuipers | Rocca |
| Birkholz | Geiger | LaForge | Sanborn |
| Bisbee | Gielegem | LaSata | Schauer |
| Bishop | Gilbert | Lemmons | Scott |
| Bogardus | Godchaux | Lockwood | Scranton |
| Bovin | Gosselin | Mans | Shackleton |
| Brater | Green | Martinez | Sheltrown |
| Brewer | Hager | Mead | Shulman |
| Brown, B. | Hale | Middaugh | Spade |
| Brown, C. | Hanley | Minore | Stallworth |
| Byl | Hansen | Mortimer | Stamas |
| Callahan | Hardman | Neumann | Switalski |
| Cassis | Hart | O’Neil | Tabor |
| Caul | Howell | Pappageorge | Tesanovich |
| Cherry | Jacobs | Patterson | Thomas |
| Clark, I. | Jamnack | Pestka | Toy |
| Clarke, H. | Jansen | Price | Van Woerkom |
| Daniels | Jelinek | Prusi | Vander Roest |
| DeHart | Jellema | Pumford | Vaughn |
| Dennis | Johnson, Rick | Quarles | Vear |
| DeRossett | Johnson, Ruth | Raczkowski | Voorhees |

DeVuyst
DeWeese
Ehardt
Faunce

Julian
Kelly
Kilpatrick

Reeves
Richardville
Richner

Wojno
Woodward
Woronchak

Nays—0

In The Chair: Birkholz

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

“An act to revise, consolidate, and classify the laws of this state regarding the regulation of certain occupations; to create a board for each of those occupations; to establish the powers and duties of certain departments and agencies and the boards of each occupation; to provide for the promulgation of rules; to provide for certain fees; to provide for penalties and civil fines; to establish rights, relationships, and remedies of certain persons under certain circumstances; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts.”.

The House agreed to the full title.

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

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



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

The motion prevailed.

By unanimous consent the House returned to the order of

Messages from the Senate

House Bill No. 4711, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending section 411 (MCL 750.411).

The Senate has amended the bill as follows:

1. Amend page 2, line 7, after “whereabouts,” by inserting a comma.
2. Amend page 2, line 8, after “AND” by inserting “MAY STATE”.
3. Amend page 3, line 20, by striking out “July 1, 2000” and inserting “April 1, 2001”.

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

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

Rep. Raczkowski moved that Rule 45 be suspended.

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

The question being on concurring in the amendments made to the bill by the Senate,

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

Roll Call No. 1080

Yeas—104

Allen
Baird
Basham
Birkholz

Faunce
Frank
Garcia
Garza

Koetje
Kowall
Kuipers
LaForge

Rison
Rivet
Rocca
Sanborn

| | | | |
|------------|---------------|--------------|--------------|
| Bisbee | Geiger | LaSata | Schauer |
| Bishop | Gielegem | Lemmons | Scott |
| Bogardus | Gilbert | Lockwood | Scranton |
| Bovin | Godchaux | Mans | Shackleton |
| Bradstreet | Gosselin | Martinez | Sheltrown |
| Brater | Green | Mead | Shulman |
| Brewer | Hager | Middaugh | Spade |
| Brown, B. | Hale | Minore | Stallworth |
| Brown, C. | Hanley | Mortimer | Stamas |
| Byl | Hansen | Neumann | Switalski |
| Callahan | Hardman | O'Neil | Tabor |
| Cassis | Hart | Pappageorge | Tesanovich |
| Caul | Howell | Patterson | Thomas |
| Cherry | Jacobs | Perricone | Toy |
| Clark, I. | Jamnick | Pestka | Van Woerkom |
| Clarke, H. | Jansen | Price | Vander Roest |
| Daniels | Jelinek | Prusi | Vaughn |
| DeHart | Jellema | Pumford | Vear |
| Dennis | Johnson, Rick | Quarles | Voorhees |
| DeRossett | Johnson, Ruth | Raczkowski | Wojno |
| DeVuyst | Julian | Reeves | Woodward |
| DeWeese | Kelly | Richardville | Woronchak |

Nays—0

In The Chair: Birkholz

The House agreed to the full title of the bill.

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

Second Reading of Bills

Senate Bill No. 1244, entitled

A bill to amend 1970 PA 91, entitled "Child custody act of 1970," (MCL 722.21 to 722.30) by adding section 11.

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

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

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

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

Rep. Raczkowski 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. 1244, entitled

A bill to amend 1970 PA 91, entitled "Child custody act of 1970," (MCL 722.21 to 722.30) by adding section 11.

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

Roll Call No. 1081

Yeas—60

| | | | |
|-------|--------|------------|-------|
| Allen | Frank | Kilpatrick | Rivet |
| Baird | Garcia | Koetje | Rocca |

| | | | |
|------------|---------------|--------------|--------------|
| Basham | Geiger | Kowall | Sanborn |
| Birkholz | Gilbert | Kuipers | Shackleton |
| Bisbee | Gosselin | Lemmons | Shulman |
| Bishop | Green | Mead | Stamas |
| Bradstreet | Hager | Mortimer | Switalski |
| Byl | Hart | O'Neil | Tabor |
| Cassis | Howell | Pappageorge | Toy |
| Caul | Jansen | Patterson | Van Woerkom |
| DeRossett | Jelinek | Perricone | Vander Roest |
| DeVuyst | Jellema | Pestka | Vear |
| DeWeese | Johnson, Rick | Raczkowski | Voorhees |
| Ehardt | Johnson, Ruth | Richardville | Woodward |
| Faunce | Julian | Richner | Woronchak |

Nays—46

| | | | |
|------------|----------|----------|------------|
| Bogardus | Dennis | Lockwood | Rison |
| Bovin | Garza | Mans | Schauer |
| Brater | Gielegem | Martinez | Scott |
| Brewer | Godchaux | Middaugh | Scranton |
| Brown, B. | Hale | Minore | Sheltrown |
| Brown, C. | Hansen | Neumann | Spade |
| Callahan | Hardman | Price | Stallworth |
| Cherry | Jacobs | Prusi | Tesanovich |
| Clark, I. | Jamnick | Pumford | Thomas |
| Clarke, H. | Kelly | Quarles | Vaughn |
| Daniels | LaForge | Reeves | Wojno |
| DeHart | LaSata | | |

In The Chair: Birkholz

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

“An act to declare the inherent rights of minor children; to establish rights and duties to their custody, support, and parenting time in disputed actions; to establish rights and duties to provide support for a child after the child reaches the age of majority under certain circumstances; to provide for certain procedure and appeals; and to repeal certain acts and parts of acts.”.

The House agreed to the full title.

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

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

Reps. Callahan and Dennis, having reserved the right to explain their protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

I voted no on SB 1244 because the bill creates a presumption of joint custody by indicating that we are now creating a legal residence in both parents. Not only is the term legal residence not defined anywhere in the bill, this lack of definition could result in excessive court costs by bringing cases to determine whose residence should now prevail. The bill also does not sufficiently address the increasing occurrences of domestic violence that steadily bombard our court system, by forcing a woman who is in fear of her safety to request permission from her abuser to leave. Although I believe it is important to promote parental relationships with children, this bill should not be the vehicle used to do so.”

Senate Bill No. 959, entitled

A bill to amend 1985 PA 227, entitled "Shared credit rating act," by amending the title and sections 1, 3, 5, 6, 7, 8, 16, and 20 (MCL 141.1051, 141.1053, 141.1055, 141.1056, 141.1057, 141.1058, 141.1066, and 141.1070), the title and sections 3 and 8 as amended by 1997 PA 27, section 7 as amended by 2000 PA 118, and section 20 as amended by 1988 PA 316; and to repeal acts and parts of acts.

(The bill was read a third time and postponed temporarily on December 5, see House Journal No. 68, p. 2503.)

The question being on the passage of the bill,

Reps. Pumford and Cassis moved to amend the bill as follows:

1. Amend page 11, line 7, after "A" by striking out the balance of the line through "COMPANY," on line 8 and inserting "NONPROFIT CORPORATION,".

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

The question being on the passage of the bill,

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

Roll Call No. 1082**Yeas—99**

| | | | |
|------------|---------------|--------------|--------------|
| Allen | Faunce | Kilpatrick | Richner |
| Baird | Frank | Koetje | Rivet |
| Basham | Garcia | Kowall | Rocca |
| Birkholz | Garza | Kuipers | Sanborn |
| Bisbee | Geiger | LaSata | Schauer |
| Bishop | Gielegem | Lemmons | Scott |
| Bovin | Gilbert | Lockwood | Scranton |
| Bradstreet | Godchaux | Mans | Shackleton |
| Brater | Gosselin | Martinez | Sheltrown |
| Brewer | Green | Mead | Shulman |
| Brown, B. | Hager | Middaugh | Spade |
| Brown, C. | Hanley | Minore | Stallworth |
| Byl | Hansen | Mortimer | Stamas |
| Callahan | Hardman | Neumann | Switalski |
| Cassis | Hart | O'Neil | Tabor |
| Caul | Howell | Pappageorge | Thomas |
| Cherry | Jacobs | Patterson | Toy |
| Clark, I. | Jamnack | Perricone | Van Woerkom |
| Clarke, H. | Jansen | Pestka | Vander Roest |
| Daniels | Jelinek | Price | Vaughn |
| Dennis | Jellema | Pumford | Vear |
| DeRossett | Johnson, Rick | Quarles | Voorhees |
| DeVuyst | Johnson, Ruth | Raczkowski | Wojno |
| DeWeese | Julian | Reeves | Woronchak |
| Ehardt | Kelly | Richardville | |

Nays—6

| | | | |
|----------|---------|------------|----------|
| Bogardus | LaForge | Tesanovich | Woodward |
| Hale | Prusi | | |

In The Chair: Birkholz

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

"An act to create the Michigan municipal bond authority and to prescribe its powers and duties; to provide for the issuance of, and terms and conditions for, notes and bonds of the authority; to authorize certain forms of assistance to governmental units including the creation and management of investments; to impose conditions on, grant certain

powers to political subdivisions of the state and water suppliers regarding, and allow certain agreements regarding obligations of political subdivisions of the state and water suppliers purchased by the authority; to exempt the property, income, and operation of the authority, its bonds and notes, and the interest on its bonds and notes from certain taxes; and to grant powers and impose duties on officers and agencies of the state, political subdivisions of the state, and water suppliers.”.

The House agreed to the full title.

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

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

Senate Bill No. 795, entitled

A bill to amend 1978 PA 90, entitled “Youth employment standards act,” by amending section 11 (MCL 409.111), as amended by 1996 PA 499.

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

Roll Call No. 1083

Yeas—68

| | | | |
|------------|---------------|--------------|--------------|
| Allen | Frank | Kowall | Rivet |
| Birkholz | Garcia | Kuipers | Rocca |
| Bisbee | Geiger | LaSata | Sanborn |
| Bishop | Gilbert | Lockwood | Scranton |
| Bovin | Godchaux | Mans | Shackleton |
| Bradstreet | Gosselin | Mead | Sheltrown |
| Brown, B. | Green | Middaugh | Shulman |
| Brown, C. | Hager | Mortimer | Spade |
| Byl | Hart | Neumann | Stamas |
| Cassis | Howell | O’Neil | Tabor |
| Caul | Jansen | Pappageorge | Thomas |
| Clarke, H. | Jelinek | Patterson | Toy |
| DeRossett | Jellema | Perricone | Van Woerkom |
| DeVuyst | Johnson, Rick | Pumford | Vander Roest |
| DeWeese | Johnson, Ruth | Raczkowski | Vear |
| Ehardt | Julian | Richardville | Voorhees |
| Faunce | Koetje | Richner | Woronchak |

Nays—37

| | | | |
|-----------|----------|----------|------------|
| Baird | Dennis | Kelly | Reeves |
| Basham | Garza | LaForge | Rison |
| Bogardus | Gielegem | Lemmons | Schauer |
| Brater | Hale | Martinez | Scott |
| Brewer | Hanley | Minore | Stallworth |
| Callahan | Hansen | Pestka | Switalski |
| Cherry | Hardman | Price | Vaughn |
| Clark, I. | Jacobs | Prusi | Wojno |
| Daniels | Jamnack | Quarles | Woodward |
| DeHart | | | |

In The Chair: Birkholz

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

“An act to provide for the legal employment and protection of minors; to provide for the issuance and revocation of work permits; to provide for the regulation of hours and conditions of employment of minors; to prescribe powers and

duties of the departments of labor and education; to provide for the enforcement of this act; to prescribe penalties; and to repeal certain acts and parts of acts.”.

The House agreed to the full title.

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

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

Second Reading of Bills

Senate Bill No. 1395, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending sections 2 and 3 of chapter X (MCL 770.2 and 770.3), as amended by 1998 PA 407, and by adding section 16 to chapter X.

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

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

Rep. Frank moved to amend the bill as follows:

1. Amend page 7, line 26, after “CRIMES” by striking out the balance of the sentence and inserting a period.

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

Rep. Frank demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 1084

Yeas—53

| | | | |
|------------|------------|-----------|------------|
| Baird | DeWeese | LaForge | Rison |
| Basham | Frank | Lemmons | Rivet |
| Bogardus | Garza | Lockwood | Schauer |
| Bovin | Gielegem | Mans | Scott |
| Brater | Gilbert | Minore | Sheltrown |
| Brewer | Hale | Neumann | Spade |
| Brown, B. | Hanley | O’Neil | Stallworth |
| Callahan | Hansen | Pestka | Switalski |
| Cherry | Hardman | Price | Tesanovich |
| Clark, I. | Jacobs | Prusi | Thomas |
| Clarke, H. | Jamnick | Quarles | Vaughn |
| Daniels | Kelly | Rackowski | Wojno |
| DeHart | Kilpatrick | Reeves | Woodward |
| Dennis | | | |

Nays—52

| | | | |
|------------|----------|-------------|-------------|
| Allen | Geiger | Koetje | Rocca |
| Birkholz | Godchaux | Kowall | Sanborn |
| Bisbee | Gosselin | Kuipers | Scranton |
| Bishop | Green | LaSata | Shackleton |
| Bradstreet | Hager | Mead | Shulman |
| Brown, C. | Hart | Middaugh | Stamas |
| Byl | Howell | Mortimer | Tabor |
| Cassis | Jansen | Pappageorge | Toy |
| Caul | Jelinek | Patterson | Van Woerkom |

| | | | |
|-----------|---------------|--------------|--------------|
| DeRossett | Jellema | Perricone | Vander Roest |
| DeVuyst | Johnson, Rick | Pumford | Vear |
| Ehardt | Johnson, Ruth | Richardville | Voorhees |
| Faunce | Julian | Richner | Woronchak |

In The Chair: Birkholz

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

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

Rep. Raczkowski 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. 1395, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 2 and 3 of chapter X (MCL 770.2 and 770.3), as amended by 1998 PA 407, and by adding section 16 to chapter X.

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

Roll Call No. 1085

Yeas—103

| | | | |
|------------|---------------|--------------|--------------|
| Allen | Faunce | Koetje | Rivet |
| Baird | Frank | Kowall | Rocca |
| Basham | Garcia | Kuipers | Sanborn |
| Birkholz | Garza | LaForge | Schauer |
| Bisbee | Geiger | LaSata | Scott |
| Bishop | Gielegem | Lemmons | Scranton |
| Bogardus | Gilbert | Lockwood | Shackleton |
| Bovin | Godchaux | Mans | Sheltrown |
| Bradstreet | Gosselin | Mead | Shulman |
| Brater | Green | Middaugh | Spade |
| Brown, B. | Hager | Minore | Stallworth |
| Brown, C. | Hale | Mortimer | Stamas |
| Byl | Hanley | Neumann | Switalski |
| Callahan | Hansen | O'Neil | Tabor |
| Cassis | Hardman | Pappageorge | Tesanovich |
| Caul | Hart | Patterson | Thomas |
| Cherry | Howell | Perricone | Toy |
| Clark, I. | Jacobs | Pestka | Van Woerkom |
| Clarke, H. | Jamnick | Price | Vander Roest |
| Daniels | Jansen | Prusi | Vaughn |
| DeHart | Jelinek | Pumford | Vear |
| Dennis | Jellema | Quarles | Voorhees |
| DeRossett | Johnson, Rick | Raczkowski | Wojno |
| DeVuyst | Johnson, Ruth | Richardville | Woodward |
| DeWeese | Julian | Richner | Woronchak |
| Ehardt | Kelly | Rison | |

Nays—0

In The Chair: Birkholz

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

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

The House agreed to the full title.

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

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

Second Reading of Bills

Senate Bill No. 769, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 8121 (MCL 600.8121), as amended by 1994 PA 138.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Family and Civil Law (for amendments, see House Journal No. 44, p. 991),

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

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

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

Rep. Raczkowski moved that House Committees be given leave to meet during the balance of today’s session.

The motion prevailed.

Rep. Raczkowski moved that when the House adjourns today it stand adjourned until Thursday, December 6, at 10:00 a.m.

The motion prevailed.

By unanimous consent the House returned to the order of

Reports of Standing Committees

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

Senate Bill No. 1349, entitled

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending section 531 (MCL 436.1531), as amended by 1999 PA 91.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 1349 To Report Out:

Yeas: Reps. Rocca, Vear, Faunce, Kuipers, Woronchak, Scott, Vaughn,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, December 6, 2000, at 9:00 a.m.,

Present: Reps. Rocca, Vear, Faunce, Kuipers, Woronchak, Scott, Vaughn,

Absent: Reps. Wojno, Hale,

Excused: Reps. Wojno, Hale.

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

Senate Bill No. 342, entitled

A bill to amend 1961 PA 88, entitled "Reciprocal retirement act," by amending section 4 (MCL 38.1104), as amended by 1990 PA 274.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 342 To Report Out:

Yeas: Reps. Geiger, Cameron Brown, Byl, Caul, Jansen, Jelinek, LaSata, Mead, Scranton, Stamas, Frank, Kelly, Martinez, Pestka, Prusi, Stallworth,

Nays: None.

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

Senate Bill No. 977, entitled

A bill to make, supplement, and adjust appropriations for capital outlay, the department of agriculture, the department of environmental quality, the department of natural resources, the department of treasury, the department of community health, the department of transportation, and the department of consumer and industry services for the fiscal year ending September 30, 2001; to implement the appropriations within the budgetary process; to provide for the expenditure of appropriations; and to repeal acts and parts of acts.

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

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

Favorable Roll Call

SB 977 To Report Out:

Yeas: Reps. Geiger, Jellema, Cameron Brown, Byl, Caul, Godchaux, Jansen, Jelinek, LaSata, Mead, Mortimer, Pumford, Scranton, Stamas, Price, Cherry, Frank, Kelly, Pestka, Prusi, Stallworth, Tesanovich,

Nays: None.

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

Senate Bill No. 1278, entitled

A bill to create certain prescription programs relating to the elderly; to enhance access to prescription drugs to certain elderly residents of the state; to prescribe the powers and duties of certain state departments and agencies; to make appropriations; and to repeal acts and parts of acts.

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

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

Favorable Roll Call

SB 1278 To Report Out:

Yeas: Reps. Geiger, Jellema, Cameron Brown, Byl, Caul, Godchaux, Jansen, LaSata, Mead, Mortimer, Pappageorge, Pumford, Scranton, Stamas, Cherry, Frank, Kelly, Pestka, Prusi, Stallworth,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Geiger, Chair of the Committee on Appropriations, was received and read:
Meeting held on: Wednesday, December 6, 2000, at 9:00 a.m.,

Present: Reps. Geiger, Jellema, Cameron Brown, Byl, Caul, Godchaux, Jansen, Jelinek, LaSata, Mead, Mortimer, Pappageorge, Pumford, Scranton, Stamas, Toy, Price, Cherry, Frank, Kelly, Martinez, Pestka, Prusi, Stallworth, Tesanovich,

Absent: Rep. Clarke,
Excused: Rep. Clarke.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Allen, Chair of the Committee on Education, was received and read:
Meeting held on: Tuesday, December 5, 2000, at 8:00 a.m.,

Present: Reps. Allen, Ruth Johnson, Bradstreet, DeWeese, Hager, Hart, Rick Johnson, Kuipers, Van Woerkom, Voorhees, Clark, Gielegem, Hansen, Scott, Spade,

Absent: Reps. Bogardus, Daniels,
Excused: Reps. Bogardus, Daniels.

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, Wednesday, December 6:

House Bill Nos. 6178 6179

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

House Bill No. 5028, entitled

A bill to designate the part of highway I-75 located in Monroe county as the "Medal of Honor Recipient and American Legion Memorial Highway"; and to prescribe certain duties of the state transportation department.

The Senate has passed the bill and ordered that it be given immediate effect.

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

House Bill No. 5940, entitled

A bill to amend 1909 PA 283, entitled "An act to revise, consolidate, and add to the laws relating to the establishment, opening, discontinuing, vacating, closing, altering, improvement, maintenance, and use of the public highways and private roads; the condemnation of property and gravel therefor; the building, repairing and preservation of bridges; maintaining public access to waterways under certain conditions; setting and protecting shade trees, drainage, and cutting weeds and brush within this state; providing for the election or appointment and defining the powers, duties, and compensation of state, county, township, and district highway officials; and to prescribe penalties and provide remedies," by amending section 18 (MCL 224.18), as amended by 1996 PA 218.

The Senate has passed the bill and ordered that it be given immediate effect.

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

House Bill No. 5996, entitled

A bill to name a certain portion of highway M-59 and a certain portion of highway M-36 the "Korean War 50th Anniversary Memorial Highway"; and to prescribe certain duties of the state transportation department.

The Senate has passed the bill and ordered that it be given immediate effect.

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

House Bill No. 6031, entitled

A bill to designate highway M-109 located in Leelanau county as the "D.H. Day Highway"; and to prescribe the duties of the state transportation department.

The Senate has passed the bill and ordered that it be given immediate effect.

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

House Bill No. 5951, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 5 (MCL 38.1305), as amended by 2000 PA 150.

The Senate has amended the bill as follows:

1. Amend page 3, following line 25, by inserting:

"(6) FOR PURPOSES OF SECTION 61(1), "NOT EMPLOYED BY A REPORTING UNIT" INCLUDES A RETIRANT WHO STARTING OCTOBER 20, 1996 WHO RETIRED ON OCTOBER 4, 1988 IF BOTH OF THE FOLLOWING APPLY:

(A) BEGINNING ON OCTOBER 21, 1996, THE RETIRANT WORKED IN A REPORTING UNIT AS AN EMPLOYEE OF AN INDEPENDENT CORPORATION THAT PAID THE RETIRANT.

(B) THE REPORTING UNIT THAT THE RETIRANT WORKED IN CONTRACTED WITH THE INDEPENDENT CORPORATION FOR SERVICES THAT DO NOT EXCEED 5 CONSECUTIVE YEARS OF WORK IN THE SAME REPORTING UNIT, WHICH SERVICES THE RETIRANT IS TO PROVIDE."

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

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

Senate Bill No. 746, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 20101b (MCL 324.20101b), as added by 1995 PA 71.

The Senate has substituted (S-1) the House substitute (H-1).

The Senate has concurred in the House substitute (H-1) as substituted (S-1), ordered that the bill be given immediate effect and amended the title to read as follows:

A bill to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts," by amending section 20101b (MCL 324.20101b), as amended by 2000 PA 65.

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

Senate Bill No. 1418, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 109g.

The Senate has nonconcurred in the House substitute (H-1) and appointed Senators Hammerstrom, Johnson and A. Smith as conferees.

The message was referred to the Clerk for record.

Senate Bill No. 1419, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 109f.

The Senate has nonconcurred in the House amendments and appointed Senators Hammerstrom, Johnson and A. Smith as conferees.

The message was referred to the Clerk for record.

Notices

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Criminal Law and Corrections from further consideration of **Senate Bill No. 1199**.

Rep. Faunce

The Speaker appointed as conferees, on the part of the House of Representatives for **Senate Bill No. 1418**, Reps. Law, Geiger and Schauer.

The Speaker appointed as conferees, on the part of the House of Representatives for **Senate Bill No. 1419**, Reps. Law, Geiger and Schauer.

Rep. Mortimer moved that the House adjourn.
The motion prevailed, the time being 7:50 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, December 7, at 10:00 a.m.

GARY L. RANDALL
Clerk of the House of Representatives.