

No. 16
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
91st Legislature
REGULAR SESSION OF 2002

House Chamber, Lansing, Thursday, February 21, 2002.

12:00 Noon.

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

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

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

e/d/s = entered during session

Rev. Harry Johnson, Pastor of Peoples Church in East Lansing, offered the following invocation:

“Gracious God, who calls people to serve and to lead and who blesses them with the abilities to do so. Guide and inspire these men and women that their service may be for the greatest number of citizens and that their leadership may be an inspiring example of character, integrity and faith. For when it comes to governing it is not only the decisions they make, but the quality of their lives that makes the difference. Help each of those who work here to understand that. Help each of those who work here to always serve for the common good. Help each of those who work here to so live their lives, that those lives are a source of pride and not embarrassment to their families, this Chamber, our great state and to You, Gracious God. Amen.”

Rep. Jacobs moved that Reps. Basham, Hardman, McConico and Thomas be excused from today’s session. The motion prevailed.

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

Reports of Standing Committees

The Speaker laid before the House
House Resolution No. 192.

A resolution to memorialize the Congress of the United States to amend the Internal Revenue Code to accommodate certain tax issues related to the phase out of Oldsmobile.

(For text of resolution, see House Journal No. 64 of 2001, p. 1952.)

(The resolution was reported by the Committee on Commerce on February 19, consideration of which, under the rules, was postponed until February 20.)

The question being on the adoption of the resolution,
The resolution was adopted.

Messages from the Senate

The Speaker laid before the House
House Bill No. 4028, entitled

A bill to establish procedures for municipalities to designate individual lots or structures as blighting; to purchase or condemn blighting property; to transfer blighting property for development; and to repeal acts and parts of acts.

(The bill was received from the Senate on February 19, with substitute (S-4) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until February 20, see House Journal No. 14, p. 278.)

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

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

Roll Call No. 117

Yeas—73

Adamini	Gielegem	Lipsey	Schauer
Anderson	Gilbert	Lockwood	Schermesser
Bernero	Godchaux	Mans	Scranton
Birkholz	Hager	Meyer	Sheltrown
Bisbee	Hale	Mortimer	Shulman
Bogardus	Hansen	Murphy	Spade
Bovin	Howell	Neumann	Stallworth

Brown, B.	Jacobs	Newell	Stewart
Brown, R.	Jamnick	O'Neil	Switalski
Callahan	Jansen	Patterson	Tabor
Clark, I.	Johnson, Rick	Pestka	Toy
Clarke, H.	Johnson, Ruth	Phillips	Van Woerkom
Daniels	Julian	Quarles	Waters
DeRossett	Koetje	Reeves	Whitmer
DeWeese	Kolb	Richardville	Williams
Ehardt	Kooiman	Richner	Wojno
Frank	Kuipers	Rison	Woodward
Garza	Lemmons	Rivet	Zelenko
George			

Nays—27

Allen	Drolet	Mead	Stamas
Bishop	Gosselin	Middaugh	Vander Roest
Bradstreet	Hart	Pappageorge	Vander Veen
Brown, C.	Hummel	Pumford	Vear
Cassis	Jelinek	Rackowski	Voorhees
Caul	Kowall	Rocca	Woronchak
DeVuyst	LaSata	Shackleton	

In The Chair: Ehardt

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

House Bill No. 4690, entitled

A bill to enter into the interstate compact for the supervision of adult offenders; and for related purposes.

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

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

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

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

Rep. Anderson moved that Rep. Plakas be excused temporarily from today's session.

The motion prevailed.

Third Reading of Bills**House Bill No. 5136, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9948) by adding section 2972.

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

Roll Call No. 118**Yeas—100**

Adamini	Frank	LaSata	Schauer
Allen	Garza	Lemmons	Schermesser

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

Nays—0

In The Chair: Ehardt

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

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

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9948) by adding section 2973.

The motion prevailed.

The House agreed to the title as amended.

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

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

Rep. Jacobs moved that Rep. Rison be excused temporarily from today's session.

The motion prevailed.

Senate Bill No. 797, entitled

A bill to amend 1946 (Ex Sess) PA 9, entitled "An act to create the Michigan veterans' trust fund, and to define who shall be eligible to receive assistance therefrom; to provide for the disbursement of the income thereof and surplus therein; to create a board of trustees, and to prescribe its powers and duties; to provide for county and district committees, and their powers, duties, and expenses; to prescribe penalties; and to make appropriations to carry out the provisions of this act," by amending section 5 (MCL 35.605).

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

Roll Call No. 119

Yeas—101

Adamini	Garza	Lemmons	Schauer
Allen	George	Lipsey	Schermesser
Anderson	Gielegem	Lockwood	Scranton
Bernero	Gilbert	Mans	Shackleton

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

Nays—0

In The Chair: Ehardt

The House agreed to the title of the bill.

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

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

House Bill No. 5611, entitled

A bill to amend 1895 PA 16, entitled "An act requiring the secretary of state and the deputy secretary of state and the private secretary and executive clerk of the governor to give bonds for the faithful discharge of their official duties," by amending section 1 (MCL 15.51).

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

Roll Call No. 120**Yeas—99**

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

Daniels	Johnson, Ruth	Pumford	Whitmer
Dennis	Julian	Raczkowski	Williams
DeRossett	Koetje	Richardville	Wojno
DeVuyst	Kolb	Richner	Woodward
DeWeese	Kooiman	Rivet	Woronchak
Drolet	Kowall	Rocca	Zelenko
Ehardt	Kuipers	Schauer	

Nays—0

In The Chair: Ehardt

The House agreed to the title of the bill.

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

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

House Bill No. 5612, entitled

A bill to amend 1958 PA 204, entitled "An act to fix the compensation and mileage of constitutional convention delegates," by amending section 3 (MCL 2.53).

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

Roll Call No. 121**Yeas—101**

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

Nays—0

In The Chair: Ehardt

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

House Bill No. 5613, entitled

A bill to amend 1872 PA 62, entitled “An act regulating trials of impeachment and providing for the expenses thereof,” by amending section 15 (MCL 6.15).

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

Roll Call No. 122

Yeas—100

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

Nays—0

In The Chair: Ehardt

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

House Bill No. 5614, entitled

A bill to amend 1901 PA 6, entitled “An act to provide for the employment of clerks or assistants in the executive office of this state,” by amending section 1 (MCL 10.11).

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

Roll Call No. 123

Yeas—101

Adamini	Garza	Lemmons	Schauer
Allen	George	Lipsey	Schermesser

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

Nays—0

In The Chair: Ehardt

The House agreed to the title of the bill.

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

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

House Bill No. 5615, entitled

A bill to amend 1846 RS 12, entitled "Of certain state officers," by amending section 36 (MCL 15.36).

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

Roll Call No. 124**Yeas—101**

Adamini	Garza	Lemmons	Rocca
Allen	George	Lipsey	Schermesser
Anderson	Gielegem	Lockwood	Scranton
Bernero	Gilbert	Mans	Shackleton
Birkholz	Godchaux	Mead	Sheltrown
Bisbee	Gosselin	Meyer	Shulman
Bishop	Hager	Middaugh	Spade
Bogardus	Hale	Mortimer	Stallworth
Bovin	Hansen	Murphy	Stamas
Bradstreet	Hart	Neumann	Stewart
Brown, B.	Howell	Newell	Switalski
Brown, C.	Hummel	O'Neil	Tabor
Brown, R.	Jacobs	Pappageorge	Toy

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

Nays—0

In The Chair: Ehardt

The House agreed to the title of the bill.

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

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

Senate Bill No. 692, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 36105, 36106, 36109, 36111, and 36206 (MCL 324.36105, 324.36106, 324.36109, 324.36111, and 324.36206), sections 36105 and 36106 as amended by 1996 PA 233, section 36109 as amended by 2000 PA 421, and section 36111 as amended and section 36206 as added by 2000 PA 262.

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

Roll Call No. 125**Yeas—99**

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

DeWeese
Drolet
Ehardt

Kooiman
Kowall
Kuipers

Richner
Rivet
Rocca

Woronchak
Zelenko

Nays—0

In The Chair: Ehardt

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

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

A bill to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts,” by amending sections 36105, 36106, 36109, 36111, 36111a, and 36206 (MCL 324.36105, 324.36106, 324.36109, 324.36111, 324.36111a, and 324.36206), sections 36105 and 36106 as amended and section 36111a as added by 1996 PA 233, section 36109 as amended by 2000 PA 421, and section 36111 as amended and section 36206 as added by 2000 PA 262.

The motion prevailed.

The House agreed to the title as amended.

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

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

Associate Speaker Pro Tempore Julian assumed the Chair.

Senate Bill No. 1029, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending sections 449, 450, and 462 (MCL 750.449, 750.450, and 750.462).

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

Roll Call No. 126

Yeas—101

Adamini
Allen
Anderson
Bernero
Birkholz
Bisbee
Bishop
Bogardus
Bovin
Bradstreet
Brown, B.
Brown, C.
Brown, R.
Callahan
Cassis
Caul

Garza
George
Gielegem
Gilbert
Godchaux
Gosselin
Hager
Hale
Hansen
Hart
Howell
Hummel
Jacobs
Jamnick
Jansen
Jelinek

Lemmons
Lipsey
Lockwood
Mans
Mead
Meyer
Middaugh
Mortimer
Murphy
Neumann
Newell
O’Neil
Pappageorge
Patterson
Pestka
Phillips

Schauer
Schermesser
Scranton
Shackleton
Sheltrown
Shulman
Spade
Stallworth
Stamas
Stewart
Switalski
Tabor
Toy
Van Woerkom
Vander Roest
Vander Veen

Clark, I.	Johnson, Rick	Pumford	Vear
Clarke, H.	Johnson, Ruth	Quarles	Voorhees
Daniels	Julian	Raczkowski	Waters
Dennis	Koetje	Reeves	Whitmer
DeRossett	Kolb	Richardville	Williams
DeVuyst	Kooiman	Richner	Wojno
DeWeese	Kowall	Rison	Woodward
Drolet	Kuipers	Rivet	Woronchak
Ehardt	LaSata	Rocca	Zelenko
Frank			

Nays—0

In The Chair: Julian

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

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

The House agreed to the full title.

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

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

Second Reading of Bills

Senate Bill No. 592, entitled

A bill to amend 1984 PA 218, entitled “Third party administrator act,” by amending sections 14 and 18 (MCL 550.914 and 550.918); and to repeal acts and parts of acts.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5108, entitled

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

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5109, entitled

A bill to amend 1943 PA 240, entitled “State employees’ retirement act,” by amending sections 31, 40, and 69 (MCL 38.31, 38.40, and 38.69), section 31 as amended by 1998 PA 205, section 40 as amended by 1991 PA 48, and section 69 as added by 1996 PA 487.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5110, entitled

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

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5111, entitled

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

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5112, entitled

A bill to amend 1992 PA 234, entitled "The judges retirement act of 1992," by amending sections 308, 506, and 720 (MCL 38.2308, 38.2506, and 38.2670), section 506 as amended by 1999 PA 215 and section 720 as added by 1996 PA 523.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5113, entitled

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

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5114, entitled

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

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5021, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 320a (MCL 257.320a), as amended by 2000 PA 460.

The bill was read a second time.

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

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

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

The motion prevailed.

House Bill No. 5591, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 471 (MCL 206.471), as amended by 1996 PA 484.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5674, entitled

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

The bill was read a second time.

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

The motion prevailed.

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

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

Rep. Jacobs moved that Rep. Plakas be excused from the balance of today’s session.
The motion prevailed.

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

House Bill No. 5674, entitled

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

The bill was read a third time.

The question being on the passage of the bill,

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

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

Rep. Adamini demanded the yeas and nays.

The demand was supported.

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

The motion did not prevail, a majority of the members present not voting therefor, by yeas and nays, as follows:

Roll Call No. 127

Yeas—38

Adamini	Dennis	Lockwood	Schermesser
Anderson	Frank	Mans	Spade
Bernero	Garza	Murphy	Stallworth
Bovin	Gielegem	O’Neil	Switalski
Brown, B.	Hale	Pestka	Whitmer
Brown, R.	Hansen	Quarles	Williams
Callahan	Jacobs	Reeves	Wojno
Clark, I.	Jamnick	Rison	Woodward
Clarke, H.	Kolb	Schauer	Zelenko
Daniels	Lipsey		

Nays—59

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

In The Chair: Julian

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. 128**Yeas—101**

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

Nays—0

In The Chair: Julian

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

Associate Speaker Pro Tempore Ehardt resumed the Chair.

Second Reading of Bills**House Bill No. 4554, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 509t and 761 (MCL 168.509t and 168.761), section 509t as amended by 1998 PA 21 and section 761 as amended by 1996 PA 207.

The bill was read a second time.

Rep. Middaugh moved to amend the bill as follows:

1. Amend page 2, line 26, after "applicant." by inserting "SUBJECT TO SUBSECTION (6),".
2. Amend page 3, line 9, after "voter." by striking out "The" and inserting "SUBJECT TO SUBSECTION (6), THE".

3. Amend page 6, following line 26, by inserting:

“(6) BEFORE AN APPLICANT RECEIVES AN ABSENT VOTER BALLOT IN PERSON, THE ELECTOR APPLYING TO VOTE BY ABSENT VOTER BALLOT SHALL IDENTIFY HIMSELF OR HERSELF BY PRESENTING AN OFFICIAL STATE IDENTIFICATION CARD ISSUED TO THAT INDIVIDUAL UNDER 1972 PA 222, MCL 28.291 TO 28.300, AN OPERATOR’S OR CHAUFFEUR’S LICENSE ISSUED TO THAT INDIVIDUAL UNDER THE MICHIGAN VEHICLE CODE, 1949 PA 300, MCL 257.1 TO 257.923, OR ANOTHER GENERALLY RECOGNIZED PICTURE IDENTIFICATION CARD. IF THE ELECTOR DOES NOT HAVE AN OFFICIAL STATE IDENTIFICATION CARD, OPERATOR’S OR CHAUFFEUR’S LICENSE AS REQUIRED IN THIS SUBSECTION, OR OTHER GENERALLY RECOGNIZED PICTURE IDENTIFICATION CARD, THE INDIVIDUAL SHALL SIGN AN AFFIDAVIT TO THAT EFFECT BEFORE AN ELECTION INSPECTOR AND BE ALLOWED TO VOTE AS OTHERWISE PROVIDED IN THIS ACT. HOWEVER, AN ELECTOR BEING ALLOWED TO VOTE WITHOUT THE IDENTIFICATION REQUIRED UNDER THIS SUBSECTION IS SUBJECT TO CHALLENGE AS PROVIDED IN SECTION 727.”.

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

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

The motion prevailed.

Rep. Richardville 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. 4554, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending sections 509t and 761 (MCL 168.509t and 168.761), section 509t as amended by 1998 PA 21 and section 761 as amended by 1996 PA 207.

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

Roll Call No. 129

Yeas—75

Adamini	Ehardt	Mans	Scranton
Allen	George	Mead	Shackleton
Anderson	Gilbert	Meyer	Sheltroun
Bernero	Gosselin	Middaugh	Shulman
Birkholz	Hager	Mortimer	Spade
Bisbee	Hansen	Murphy	Stamas
Bishop	Hart	Neumann	Stewart
Bovin	Howell	Newell	Switalski
Bradstreet	Hummel	O’Neil	Tabor
Brown, B.	Jamnick	Pestka	Van Woerkom
Brown, C.	Jelinek	Phillips	Vander Roest
Brown, R.	Johnson, Rick	Pumford	Vander Veen
Callahan	Johnson, Ruth	Rackowski	Vear
Cassis	Julian	Richardville	Voorhees
Caul	Koetje	Richner	Whitmer
DeRossett	Kooiman	Rivet	Wojno
DeVuyst	Kowall	Rocca	Woronchak
DeWeese	LaSata	Schauer	Zelenko
Drolet	Lockwood	Schermesser	

Nays—10

Clark, I.	Hale	Quarles	Stallworth
Clarke, H.	Jansen	Reeves	Waters
Daniels	Lemmons		

In The Chair: Ehardt

The House agreed to the title of the bill.

Rep. Quarles moved to reconsider the vote by which the House passed the bill.

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

Rep. Quarles demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 130**Yeas—80**

Adamini	Garza	Mans	Scranton
Allen	George	Mead	Shackleton
Bernero	Gielegem	Meyer	Shulman
Birkholz	Hager	Middaugh	Spade
Bogardus	Hale	Mortimer	Stallworth
Bovin	Hansen	Murphy	Stamas
Bradstreet	Hart	Neumann	Stewart
Brown, B.	Howell	Newell	Tabor
Brown, C.	Jacobs	O'Neil	Toy
Brown, R.	Jamnick	Pappageorge	Van Woerkom
Callahan	Johnson, Ruth	Patterson	Vander Roest
Cassis	Julian	Phillips	Vander Veen
Clark, I.	Kolb	Pumford	Voorhees
Clarke, H.	Kooiman	Quarles	Waters
Daniels	Kowall	Reeves	Whitmer
Dennis	Kuipers	Richardville	Williams
DeRossett	LaSata	Rison	Wojno
DeWeese	Lemmons	Rocca	Woodward
Drolet	Lipsey	Schauer	Woronchak
Frank	Lockwood	Schermesser	Zelenko

Nays—17

Anderson	Ehardt	Jansen	Rackowski
Bisbee	Gilbert	Jelinek	Richner
Bishop	Gosselin	Johnson, Rick	Switalski
Caul	Hummel	Koetje	Vear
DeVuyst			

In The Chair: Ehardt

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. 131**Yeas—96**

Adamini	Ehardt	Kuipers	Rocca
Allen	Frank	LaSata	Schauer
Anderson	Garza	Lemmons	Schermesser
Bernero	George	Lipsey	Scranton
Birkholz	Gielegem	Lockwood	Shackleton
Bisbee	Gilbert	Mans	Sheltrown
Bishop	Godchaux	Mead	Shulman
Bogardus	Gosselin	Meyer	Spade
Bovin	Hager	Middaugh	Stamas

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

Nays—5

Hale	Reeves	Stallworth	Waters
Quarles			

In The Chair: Ehardt

The House agreed to the title of the bill.

Second Reading of Bills

House Bill No. 4642, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 509t (MCL 168.509t), as amended by 1998 PA 21.

The bill was read a second time.

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

The motion prevailed.

Rep. Richardville 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. 4642, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 509t (MCL 168.509t), as amended by 1998 PA 21.

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

Roll Call No. 132

Yeas—95

Adamini	Frank	Kuipers	Schauer
Allen	Garza	LaSata	Schermesser
Anderson	George	Lipsey	Scranton
Bernero	Gielegem	Lockwood	Shackleton

Birkholz	Gilbert	Mans	Sheltrown
Bisbee	Godchaux	Mead	Shulman
Bishop	Gosselin	Meyer	Spade
Bogardus	Hager	Middaugh	Stallworth
Bovin	Hale	Mortimer	Stamas
Bradstreet	Hansen	Murphy	Stewart
Brown, B.	Hart	Neumann	Switalski
Brown, C.	Howell	Newell	Tabor
Brown, R.	Hummel	O'Neil	Toy
Callahan	Jacobs	Pappageorge	Van Woerkom
Cassis	Jamnack	Patterson	Vander Roest
Caul	Jansen	Pestka	Vander Veen
Clark, I.	Jelinek	Pumford	Vear
Clarke, H.	Johnson, Rick	Rackowski	Voorhees
Dennis	Johnson, Ruth	Reeves	Whitmer
DeRossett	Julian	Richardville	Wojno
DeVuyst	Koetje	Richner	Woodward
DeWeese	Kolb	Rison	Woronchak
Drolet	Kooiman	Rivet	Zelenko
Ehardt	Kowall	Rocca	

Nays—0

In The Chair: Ehardt

The House agreed to the title of the bill.

By unanimous consent the House returned to the order of

Messages from the Senate

The Speaker laid before the House

House Bill No. 4009, entitled

A bill to amend 1855 PA 105, entitled "An act to regulate the disposition of the surplus funds in the state treasury; to provide for the deposit of surplus funds in certain financial institutions; to lend surplus funds pursuant to loan agreements secured by certain commercial, agricultural, or industrial real and personal property; to authorize the loan of surplus funds to certain municipalities; to authorize the participation in certain loan programs; to authorize an appropriation; and to prescribe the duties of certain state agencies," by amending section 2a (MCL 21.142a), as amended by 1987 PA 27.

(The bill was received from the Senate on February 20, with substitute (S-2) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 15, p. 308.)

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

Rep. Jelinek moved to amend the Senate substitute (S-2) as follows:

1. Amend page 3, line 1, after "first" by striking out "25" and inserting "24".
2. Amend page 4, line 19, by striking out "January" and inserting "OCTOBER".
3. Amend page 4, line 23, after "beyond" by striking out "JANUARY" and inserting "OCTOBER".
4. Amend page 4, line 27, after "THAN" by striking out "25" and inserting "24".
5. Amend page 5, line 4, after "(7)" by striking out the balance of the subsection and inserting "ANNUALLY, EACH FINANCIAL INSTITUTION IN WHICH THE STATE TREASURER HAS MADE AN INVESTMENT UNDER THIS SECTION SHALL FILE AN AFFIDAVIT, SIGNED BY A SENIOR EXECUTIVE OFFICER OF THE FINANCIAL INSTITUTION, STATING THAT THE FINANCIAL INSTITUTION IS IN COMPLIANCE WITH THE TERMS OF THE INVESTMENT AGREEMENT AND THIS ACT."
6. Amend page 6, line 1, after "(d)" by striking out the balance of the line through "THE" on line 2 and inserting "ANY".
7. Amend page 11, line 17, after "before" by striking out "DECEMBER 31," and inserting "OCTOBER 1,".
8. Amend page 11, line 21, after "SUBSIDY" by striking out "OF" and inserting "EQUAL TO".
9. Amend page 11, line 21, after "THE" by striking out the balance of the sentence and inserting "STATE TREASURER'S COMMON CASH EARNINGS RATE."

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

Rep. Shulman offered the following resolution:

House Resolution No. 336.

A resolution proclaiming Wednesday, March 20, 2002, as Iranian-American Day in Michigan.

Whereas, Iranian/Persian history dates back to 3000 B.C. The people of Iran have celebrated Noruz, the New Year, on the first day of spring for 3,000 years; and

Whereas, The Iranian people have a long tradition of tolerance and respect for human rights, including the establishment, in 550 B.C., of the earliest democratic kingdom, under Cyrus the Great. Cyrus the Great freed the Jewish people from Babylonian oppression and established the first bill of rights. This abolished slavery, guaranteed freedom of speech, and outlawed discrimination against all races and religions; and

Whereas, Throughout their long history, Iranians have made great contributions to the arts, sciences, and philosophy. These include the writings of Omar Khayyam and Rumi, contributions to medicine of Avicenna, advances in chemistry of Razi, and the invention of algebra; and,

Whereas, The Iranian-American community contributes greatly to Michigan's economy, cultural richness, and diversity. They are a highly educated population and preserve their rich culture and heritage, while contributing to the community as doctors, lawyers, engineers, business people, and university professors; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body proclaim Wednesday, March 20, 2002, as Iranian-American Day in Michigan.

Pending the reference of the resolution to a committee,

Rep. Patterson moved that Rule 77 be suspended and the resolution be considered at this time.

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Shackleton, Stamas, Allen, Neumann, Sheltroun, Rivet, Lockwood, Middaugh, Bovin, Rich Brown, Adamini and Ehardt offered the following resolution:

House Resolution No. 337.

A resolution to urge the United States Fish and Wildlife Service to permit Michigan to implement appropriate management practices for the double-crested cormorant.

Whereas, In 1972, strong steps were taken to extend federal protection to the double-crested cormorant under the provisions of the Migratory Bird Treaty Act of 1972. Several factors, including the use of the pesticide DDT, had devastated this species. Since the 1972 protections went into effect, however, the double-crested cormorant has prospered to a remarkable degree. In 1971, there were thought to be 89 nesting pairs of this bird in the Great Lakes region. By 1997, the Great Lakes population had reached 93,000 pairs. Recent estimates of this bird's total in the United States and Canada are at 2 million; and

Whereas, The return of the cormorants to such high numbers has also brought significant problems, especially to commercial fishing and aquaculture. The double-crested cormorant, which can go underwater for its food, feeds on small fish, including hatchlings. Many people in Michigan and elsewhere feel there is great need for a new approach to managing the double-crested cormorant to help bring stability to certain categories of fishing, especially on the Great Lakes; and

Whereas, The United States Fish and Wildlife Service (USFWS) has prepared and circulated a draft of an environmental impact statement. The USFWS is seeking input on its proposals. Of the USFWS proposals, we favor Alternative D, which would establish a Public Resource Depredation Order authorizing the states and tribal and federal land management agencies to implement a double breasted cormorant management program under federal oversight. The goals of the USFWS actions are to minimize the harm done while ensuring stable cormorant population levels. Clearly, these goals can be reached and effective measures can be found to reverse negative impacts on fish, plants, and other wildlife from the double-crested cormorant; now, therefore, be it

Resolved by the House of Representatives, That we urge the United States Fish and Wildlife Service to permit Michigan to implement appropriate management practices for the double-crested cormorant; and be it further

Resolved, That copies of this resolution be transmitted to the United States Fish and Wildlife Service as part of the public commentary process.

The resolution was referred to the Committee on Conservation and Outdoor Recreation.

Reps. Pappageorge, Raczkowski, Vander Roest, Hansen, Stewart, Neumann, Wojno, Gosselin, Drolet, Vander Veen, Mead, Julian, Ehardt, Kuipers, DeVuyt, Hager, Richardville, Kooiman, Cassis, Richner, Clarke, Voorhees, Bradstreet, Vear, Shulman, Bishop, Meyer, Van Woerkom, George, Woronchak, Spade, Lipsey, Rich Brown, Gielegem, Bovin, Zelenko, Adamini, Callahan, Sheltroun, Lemmons, Toy, Rocca, Jacobs, Jamnick, Hale, Frank, Lockwood, Patterson, Anderson, Schermesser, Bogardus, Newell, Caul, Jansen, Scranton, Koetje, DeRossett, Birkholz, Whitmer, Murphy and Switalski offered the following resolution:

House Resolution No. 338.

A resolution commemorating the 200th anniversary of the United States Military Academy in West Point, New York.

Whereas, It is with great respect for the role that this outstanding school has played in graduating dedicated military leaders, public servants, and contributors to society in a variety of areas, that we join with the Virginia House of

Delegates in marking the 200th anniversary of the United States Military Academy at West Point. On behalf of the state of Michigan, we offer our thanks in celebrating this milestone; and

Whereas, West Point was originally established as an academic institution devoted to the arts and sciences of warfare, but its focus turned to engineering to eliminate our country's reliance on foreign engineers and artillerymen. As a result, the United States Military Academy graduates were responsible for the construction of many of the nation's first railway lines, bridges, harbors, and roads. Academy graduates helped build the vital infrastructure our great state, including the Sault Saint Marie Locks, and more recently, the new Midfield Terminal at Detroit Metro Airport; and

Whereas, Much has changed since the United States Military Academy first opened its doors March 16, 1802, through the original congressional act signed by President Thomas Jefferson. West Point graduates have served as Presidents and Generals, and today are deployed worldwide to protect and defend our country. Today, the cadets of the United States Corps of Cadets are being trained and educated to be our nation's next leaders as West Point moves into its third century of service. They are still guided by their motto, "Duty, Honor, Country"; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body commemorate the 200th anniversary of the United States Military Academy. We commend all the men and women who graduated or attend West Point from the great state of Michigan and staff who have contributed to its growth in excellence; and be it further

Resolved, That a copy of this resolution be transmitted to the United States Military Academy and the Virginia House of Delegates as a token of our high esteem.

Pending the reference of the resolution to a committee,

Rep. Patterson moved that Rule 77 be suspended and the resolution be considered at this time.

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Hardman, Spade, Reeves, Waters, Murphy, Garza, Clarke, Clark, Daniels, Hale, Thomas, Anderson, Lemmons, Hansen, Stewart, Neumann, Wojno, Gosselin, Rivet, Lipsey, Rich Brown, Gielegem, Bovin, Zelenko, Adamini, Kolb, Dennis, Sheltroun, Jacobs, Jammick, Lockwood, Schermesser, Bogardus, Quarles, Bernero, Whitmer and Switalski offered the following resolution:

House Resolution No. 339.

A resolution to urge the Governor to call immediately a special election to fill the vacancy in the Ninth District of the Michigan House of Representatives.

Whereas, Under the provisions of Article V, Section 13 of the Michigan Constitution, the Governor is responsible for setting a special election to fill a vacancy in the Senate or the House of Representatives. Doing so as soon as possible is a means of ensuring that citizens regain their voice in the legislative process quickly; and

Whereas, The vacancy created in the Ninth House District occurred at the start of the year, when the former representative was sworn in as mayor of the state's largest city. Unlike vacancies created by an unexpected departure, this vacancy was certain shortly after the November election. As a result, the need to fill this vacancy has been apparent for a considerable length of time; and

Whereas, It is important for all of the citizens of this state to enjoy their right to full participation in the Michigan Legislature. It is wrong for tens of thousands of people to be deprived of their right to a voice in decision making while issues that directly impact their lives, their schools, their homes, and their jobs are debated. With the significance of the challenges before our state, the new dynamics of a term-limited environment, and the need for the input from the people of the Ninth District, the date for a special election needs to be in place. The longer this is delayed, the longer the people of the district are without their full participation in state government; now, therefore, be it

Resolved by the House of Representatives, That we urge the Governor to call immediately a special election to fill the vacancy in the Ninth District of the Michigan House of Representatives; and be it further

Resolved, That copies of this resolution be transmitted to the Office of the Governor.

The resolution was referred to the Committee on Redistricting and Elections.

Reps. Lemmons, Raczkowski, Vander Roest, Hansen, Stewart, Neumann, Wojno, Gosselin, Drolet, Vander Veen, Mead, Rivet, Julian, Ehardt, DeVuyst, Hager, Richardville, Richner, Clarke, Bradstreet, Vear, Shulman, Bishop, Meyer, Van Woerkom, George, Woronchak, Spade, Lipsey, Rich Brown, Gielegem, Bovin, Zelenko, Clark, Adamini, Callahan, Kolb, Dennis, Sheltroun, Rocca, Jacobs, Jammick, Hale, Lockwood, Patterson, Pappageorge, Garza, Anderson, Schermesser, Bogardus, Quarles, Newell, Caul, Jansen, Scranton, Tabor, DeRossett, Bernero, Birkholz, Whitmer, Murphy and Switalski offered the following resolution:

House Resolution No. 340.

A resolution honoring the life of Michael Timothy Scanlon, police officer, for his dedicated service to, and great sacrifice for, the people of the city of Detroit.

Whereas, Michael Scanlon was born on February 2, 1967, and raised with his seven brothers and sisters in the Detroit metropolitan area by his parents, Charles and Frances Scanlon; and

Whereas, Wishing to serve the community of the city of Detroit, Michael Scanlon entered the Detroit Police Academy and graduated in November of 1996. As a police officer in the Eighth Precinct, Michael Scanlon always gave more than was expected of him; and

Whereas, In the seven years since Michael Scanlon enlisted in the department, he has handled a wide variety of duties and situations. His fellow officers came to rely upon the professionalism Michael Scanlon gave to every challenge, no matter how routine or how dangerous. Michael Scanlon was always quick to respond to runs with other officers to give them moral support; and

Whereas, When a snowstorm hit Detroit this year, Officer Scanlon took it upon himself to plow the Eighth Precinct parking lot. He never let his squad car leave the lot until it was buffed every day with Armor-All. It was Officer Scanlon's mission to improve life for precinct residents and help people to see Detroit in a good way. His personal mission and sense of duty drove him to volunteer for the DARE anti-drug program. He spent his own money to add chrome wheels, low-profile tires, and decals to the DARE car; and

Whereas, Officer Michael T. Scanlon was killed in what should have been a routine traffic stop on Tuesday, February 12, 2002. He was the devoted son of Charles and Frances Scanlon, beloved husband of Leah, and the proud father of David and Michaela. He was also a loving brother of Chuck, Kevin, Rob, Jean, Cathy, Terry, and Debbie; and

Whereas, Michael Scanlon's service was deeply appreciated by his colleagues and superiors alike, but most especially by the citizens and visitors of Michigan. He will be greatly missed; now, therefore, be it

Resolved by the House of Representatives, That members of this legislative body honor the life of Michael Timothy Scanlon, police officer, for his dedicated service to, and great sacrifice for, the people of the city of Detroit; and be it further

Resolved, That a copy of this resolution be transmitted to the family of Michael Scanlon as a token of our esteem and to express our sorrow for their loss.

The question being on the adoption of the resolution,

The resolution was adopted.

Reports of Standing Committees

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

House Bill No. 4377, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1206.

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

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

Favorable Roll Call

HB 4377 To Report Out:

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

Nays: Rep. Bogardus.

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

Senate Bill No. 645, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 303, 310e, 319, and 732 (MCL 257.303, 257.310e, 257.319, and 257.732), sections 303 and 319 as amended by 2001 PA 159, section 310e as amended by 2000 PA 456, and section 732 as amended by 2001 PA 134.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

SB 645 To Report Out:

Yeas: Reps. Kuipers, Meyer, Allen, Bradstreet, DeWeese, Hager, Hart, Ruth Johnson, Van Woerkom, Voorhees, Bogardus, Clark, Spade, Zelenko,

Nays: Rep. Hansen.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, February 21, 2002, at 9:00 a.m.,

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

Absent: Rep. McConico,

Excused: Rep. McConico.

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

House Bill No. 4436, entitled

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

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

HB 4436 To Report Out:

Yeas: Reps. Rocca, Scranton, Richner, Garza, Waters, Williams, Wojno,

Nays: None.

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

Senate Bill No. 116, entitled

A bill to amend 1917 PA 273, entitled "An act to regulate and license pawnbrokers in cities and incorporated villages of this state, having a population of more than 3,000," by amending the title and sections 1, 2, 3, 5, 6, 8, and 19 (MCL 446.201, 446.202, 446.203, 446.205, 446.206, 446.208, and 446.219), section 5 as amended by 1998 PA 233.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

SB 116 To Report Out:

Yeas: Reps. Rocca, Scranton, Waters, Williams, Wojno,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, February 21, 2002, at 11:00 a.m.,

Present: Reps. Rocca, Scranton, Richner, Garza, Waters, Williams, Wojno,

Absent: Reps. Faunce, Raczkowski,

Excused: Reps. Faunce, Raczkowski.

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

House Bill No. 5057, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 737a (MCL 168.737a), as added by 1996 PA 461.

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

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

Favorable Roll Call

HB 5057 To Report Out:

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

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

House Bill No. 5185, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 952 and 968 (MCL 168.952 and 168.968), section 952 as amended by 1993 PA 137 and section 968 as amended by 1989 PA 26.

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

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

Favorable Roll Call

HB 5185 To Report Out:

Yeas: Reps. Patterson, Allen, Hart, Quarles, Jamnick,
Nays: Rep. Bishop.

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

House Bill No. 5237, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 685 (MCL 168.685), as amended by 1990 PA 329.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

HB 5237 To Report Out:

Yeas: Reps. Patterson, Allen, Bishop, Cassis, Hart, Jamnick, Lemmons,
Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, February 21, 2002, at 10:30 a.m.,

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

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

Senate Bill No. 994, entitled

A bill to amend 1955 PA 133, entitled "An act to provide for the granting of military leaves and providing re-employment protection for officers and enlisted men of the military or naval forces of the state or of the United States," by amending section 3 (MCL 32.273).

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

SB 994 To Report Out:

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, February 21, 2002, at 9:00 a.m.,

Present: Reps. Richardville, Woronchak, Allen, Patterson, Schermesser, Mans, Woodward.

The Committee on Transportation, by Rep. Gilbert, Chair, reported

House Bill No. 5504, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 312f (MCL 257.312f), as amended by 1992 PA 180, and by adding section 312g.

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

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

Favorable Roll Call

HB 5504 To Report Out:

Yeas: Reps. Gilbert, DeRossett, Drolet, Gosselin, Hart, Hummel, Anderson, Bovin, Jannick, Murphy, Schermesser, Nays: None.

The Committee on Transportation, by Rep. Gilbert, Chair, reported

Senate Bill No. 934, entitled

A bill to amend 1945 PA 327, entitled "Aeronautics code of the state of Michigan," (MCL 259.1 to 259.208) by adding section 85a.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

SB 934 To Report Out:

Yeas: Reps. Gilbert, DeRossett, Drolet, Gosselin, Hart, Hummel, Ruth Johnson, Anderson, Bovin, Jannick, Murphy, Neumann, Schermesser,

Nays: None.

The Committee on Transportation, by Rep. Gilbert, Chair, reported

Senate Bill No. 943, entitled

A bill to amend 1963 PA 181, entitled "Motor carrier safety act of 1963," by amending section 7c (MCL 480.17c), as amended by 2000 PA 298.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

SB 943 To Report Out:

Yeas: Reps. Gilbert, DeRossett, Drolet, Gosselin, Hummel, Julian, Anderson, Bovin, Jannick, Murphy, Neumann, Schermesser,

Nays: None.

The Committee on Transportation, by Rep. Gilbert, Chair, reported

Senate Bill No. 1006, entitled

A bill to amend 1945 PA 327, entitled "Aeronautics code of the state of Michigan," by amending section 85 (MCL 259.85), as amended by 1996 PA 370.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

SB 1006 To Report Out:

Yeas: Reps. Gilbert, DeRossett, Drolet, Gosselin, Hart, Hummel, Ruth Johnson, Anderson, Bovin, Jamnick, Murphy, Neumann, Schermesser,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, February 21, 2002, at 9:00 a.m.,

Present: Reps. Gilbert, DeRossett, Drolet, Gosselin, Hart, Hummel, Ruth Johnson, Julian, Anderson, Bovin, Daniels, Jamnick, Murphy, Neumann, Schermesser,

Absent: Reps. George, Scranton,

Excused: Reps. George, Scranton.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. DeRossett, Chair of the Committee on Agriculture and Resource Management, was received and read:

Meeting held on: Thursday, February 21, 2002, at 8:00 a.m.,

Present: Reps. DeRossett, Julian, Ehardt, Gilbert, Meyer, Van Woerkom, Vear, Sheltroun, Bogardus, Hansen, Spade.

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, February 20:

Senate Bill Nos. 1100 1105

The Clerk announced the enrollment printing and presentation to the Governor on Thursday, February 21, for his approval of the following bills:

Enrolled House Bill No. 5389 at 11:09 a.m.

Enrolled House Bill No. 5390 at 11:11 a.m.

Enrolled House Bill No. 5391 at 11:13 a.m.

The Clerk announced that the following bills had been printed and placed upon the files of the members, Thursday, February 21:

House Bill Nos. 5681 5682 5683 5684 5685

The Clerk announced that the following Senate bill had been received on Thursday, February 21:

Senate Bill No. 1028

By unanimous consent the House returned to the order of

Messages from the Senate**House Bill No. 5393, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 12 of chapter XVII (MCL 777.12), as amended by 2001 PA 160, and by adding sections 12a, 12b, 12c, 12d, 12e, 12f, 12g, 12h, 12j, 12k, 12m, and 12n to chapter XVII.

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

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

A bill to amend 1927 PA 175, entitled "An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the

provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act," by amending sections 1 and 12 of chapter XVII (MCL 777.1 and 777.12), section 1 as amended by 2000 PA 279 and section 12 as amended by 2001 PA 160, and by adding sections 12a, 12b, 12c, 12d, 12e, 12f, 12g, 12h, 12j, 12k, 12m, and 12n to chapter XVII.

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

Senate Bill No. 1028, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 503 and 504 (MCL 750.503 and 750.504).

The Senate has passed the bill.

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

Introduction of Bills

Rep. Shulman introduced

House Bill No. 5686, entitled

A bill to make appropriations for the department of agriculture for the fiscal year ending September 30, 2003; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by various agencies.

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

Rep. Shulman introduced

House Bill No. 5687, entitled

A bill to provide for a capital outlay program; to set forth the provisions for its implementation within the budgetary process; to make appropriations for planning and construction at state institutions and the acquisition of land; to provide for the elimination of fire hazards at the institutions; to provide for certain special maintenance, remodeling, alteration, renovation, or demolition of and additions to projects at state institutions; to provide for elimination of occupational safety and health hazards at state agencies and institutions; to provide for the award of contracts; and to provide for the expenditure thereof under the supervision of the director of the department of management and budget and the state administrative board.

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

Rep. Shulman introduced

House Bill No. 5688, entitled

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

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

Rep. Shulman introduced

House Bill No. 5689, entitled

A bill to make appropriations for community and junior colleges for the fiscal year ending September 30, 2003; and to provide for the expenditure of the appropriations.

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

Rep. Shulman introduced

House Bill No. 5690, entitled

A bill to make appropriations for the department of consumer and industry services and certain other state purposes for the fiscal year ending September 30, 2003; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agencies.

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

Rep. Shulman introduced

House Bill No. 5691, entitled

A bill to make appropriations for the department of community health for the fiscal year ending September 30, 2003; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agency.

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

Rep. Shulman introduced

House Bill No. 5692, entitled

A bill to make appropriations for the department of corrections and certain state purposes related to adult corrections for the fiscal year ending September 30, 2003; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by state agencies.

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

Rep. Shulman introduced

House Bill No. 5693, entitled

A bill to make appropriations for the department of education and certain other purposes relating to education for the fiscal year ending September 30, 2003; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agency.

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

Rep. Shulman introduced

House Bill No. 5694, entitled

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2003; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the various state agencies.

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

Rep. Shulman introduced

House Bill No. 5695, entitled

A bill to make appropriations for the family independence agency and certain state purposes related to public welfare services for the fiscal year ending September 30, 2003; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agency.

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

Rep. Shulman introduced

House Bill No. 5696, entitled

A bill to make appropriations for the legislature, the judiciary, the executive, the department of attorney general, the department of state, the department of treasury, the department of management and budget, the department of civil service, the department of civil rights, and certain state purposes related thereto for the fiscal year ending September 30, 2003; to provide for the expenditure of the appropriations; to provide for the disposition of fees and other income received by the state agencies; and to declare the effect of this act.

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

Rep. Shulman introduced

House Bill No. 5697, entitled

A bill to make appropriations for the state institutions of higher education for the fiscal year ending September 30, 2003; and to provide for the expenditures of the appropriations.

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

Rep. Shulman introduced

House Bill No. 5698, entitled

A bill to make appropriations for the department of history, arts, and libraries and certain other state purposes for the fiscal year ending September 30, 2003; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the state agencies.

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

Rep. Shulman introduced

House Bill No. 5699, entitled

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 2003; to provide for the expenditure of these appropriations; to place certain restrictions on the expenditure of these appropriations; to prescribe the powers and duties of certain officials and employees; to require certain reports; and to provide for the disposition of fees and other income received by the judicial branch.

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

Rep. Shulman introduced

House Bill No. 5700, entitled

A bill to make appropriations for the department of military affairs and certain other state purposes for the fiscal year ending September 30, 2003; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the various state agencies.

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

Rep. Shulman introduced

House Bill No. 5701, entitled

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2003; to provide for the expenditure of the appropriations; and to provide for the disposition of fees and other income received by the various state agencies.

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

Rep. Shulman introduced

House Bill No. 5702, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending sections 11 and 17b (MCL 388.1611 and 388.1617b), section 11 as amended by 2001 PA 121 and section 17b as amended by 2000 PA 297.

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

Rep. Shulman introduced

House Bill No. 5703, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 11 (MCL 388.1611), as amended by 2001 PA 121.

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

Rep. Shulman introduced

House Bill No. 5704, entitled

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

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

Rep. Shulman introduced

House Bill No. 5705, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2002; and to provide for the expenditure of the appropriations.

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

Rep. Shulman introduced

House Bill No. 5706, entitled

A bill to make appropriations for the state transportation department and certain state purposes from the funds designated in this act for the fiscal year ending September 30, 2003; and to provide for the expenditure of the appropriations.

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

Rep. Patterson introduced

House Bill No. 5707, entitled

A bill to amend 1899 PA 188, entitled "Michigan estate tax act," by amending sections 1a, 6, 11, 14, and 17 (MCL 205.201a, 205.206, 205.211, 205.214, and 205.217), section 6 as amended by 1993 PA 54.

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

Rep. Patterson introduced

House Bill No. 5708, entitled

A bill to amend 1889 PA 226, entitled "An act to provide for the collection of specific taxes from corporations, copartnerships, parties or persons, subject under any laws of this state to the payment of such taxes; to fix the time when such taxes become a lien upon the property of such corporations, copartnerships, parties or persons, and to define the property to which the lien shall attach; and to repeal Act No. 57 of the session laws of 1872, approved March twenty-ninth, 1872, and Acts No. 10 and 11 of the session laws of 1873, approved February fourteenth, 1873, being sections numbered 1249 to 1256, both inclusive, of Howell's annotated statutes of 1882," by amending sections 1, 2, 3, 4, and 5 (MCL 207.441, 207.442, 207.443, 207.444, and 207.445).

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

Rep. Patterson introduced

House Bill No. 5709, entitled

A bill to amend 1931 PA 292, entitled "An act to authorize counties to extend the time of payment of certain drain taxes and highway assessments," by amending section 3 (MCL 211.393).

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

Rep. Patterson introduced

House Bill No. 5710, entitled

A bill to amend 1933 PA 133, entitled "An act to authorize the acceptance of bonds and coupons and other obligations of municipalities and special assessment districts and bonds and coupons of the Home Owners Loan Corporation in payment of certain taxes and special assessments under certain conditions, and to prescribe the effect thereof; and to prescribe the powers and duties of certain officials and bodies with respect thereto," by amending sections 3a, 4, and 6 (MCL 211.403a, 211.404, and 211.406).

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

Rep. Patterson introduced

House Bill No. 5711, entitled

A bill to amend 1915 PA 59, entitled "An act to provide for the construction, improvement and maintenance of highways; for the levying, spreading and collecting of taxes and of special assessments therefor; to authorize the borrowing of money and the issuance of bonds under certain restrictions, regulations and limitations; to prescribe the powers and duties of certain officers with reference thereto; and to validate certain proceedings heretofore taken," by amending sections 34, 35, and 67 (MCL 247.434, 247.435, and 247.467).

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

Rep. Patterson introduced

House Bill No. 5712, entitled

A bill to amend 1945 PA 327, entitled "Aeronautics code of the state of Michigan," by amending section 35 (MCL 259.35).

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

Rep. Julian introduced

House Bill No. 5713, entitled

A bill to amend 1956 PA 40, entitled "The drain code of 1956," by amending sections 271 and 323 (MCL 280.271 and 280.323).

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

Rep. Julian introduced

House Bill No. 5714, entitled

A bill to amend 1915 PA 294, entitled "An act to promote the public welfare; to create a commission to be known as the agricultural fair commission; to provide for the appointment of such a commission and to fix their terms of office; to prescribe their powers and duties; and to make an appropriation to carry out the provisions of this act," by amending sections 2 and 8 (MCL 285.122 and 285.128).

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

Rep. Jacobs introduced

House Bill No. 5715, entitled

A bill to amend 1846 RS 12, entitled "Of certain state officers," by amending sections 29 and 32 (MCL 14.29 and 14.32).

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

Rep. Jacobs introduced

House Bill No. 5716, entitled

A bill to amend 1941 PA 230, entitled "An act to authorize the auditor general of the state of Michigan to sell or lease real estate, the title to which is vested in the state of Michigan by grant, devise or gift, or in payment for care or medical treatment rendered in any Michigan state hospital or institution," by amending the title and sections 1, 2, 3, and 4 (MCL 322.1, 322.2, 322.3, and 322.4).

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

Rep. Lipsey introduced

House Bill No. 5717, entitled

A bill to amend 1883 PA 197, entitled "An act to provide for the disposition of certain lands granted to the state of Michigan for railroad purposes by acts of congress of June 3, 1856, and March 4, 1879, upon the route from Grand Haven to Flint and thence to Port Huron, in the state of Michigan; to secure the title thereto to bona fide settlers and purchasers; to provide for the further sale thereof, and to provide for the adjustment of certain taxes heretofore assessed thereon," by amending section 10 (MCL 322.460).

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

Rep. Lipsey introduced

House Bill No. 5718, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 33934, 42506, 47104, and 52706 (MCL 324.33934, 324.42506, 324.47104, and 324.52706), section 33934 as added by 1995 PA 59 and sections 42506, 47104, and 52706 as added by 1995 PA 57.

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

Rep. Kuipers introduced

House Bill No. 5719, entitled

A bill to amend 1942 (1st Ex Sess) PA 16, entitled "An act to designate the superintendent of public instruction as the state agency to apply to and receive from the federal government, or any agency thereof, grants in aid of the public schools of this state and educational activities in this state; and to provide for the disbursement thereof," by amending section 3 (MCL 388.803).

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

Rep. Kuipers introduced

House Bill No. 5720, entitled

A bill to amend 1893 PA 116, entitled "An act to provide for the maintenance, management and control, of the Michigan school for the deaf, and to repeal all laws inconsistent herewith," by amending sections 10, 12, 14, and 16 (MCL 393.60, 393.62, 393.64, and 393.66).

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

Rep. Kuipers introduced

House Bill No. 5721, entitled

A bill to amend 1893 PA 123, entitled "An act to provide for the maintenance, supervision and government of the Michigan school for the blind, and to repeal all acts and parts of acts inconsistent herewith," by amending sections 9 and 10 (MCL 393.109 and 393.110).

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

Rep. Patterson introduced

House Bill No. 5722, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending sections 35, 41, 57a, 58, 62, 63, 64, 66, 67, 70, 73, 73a, 73b, 75, 83, 85, 86, 87, 88, 90, 95, 96, 97, 98, 98a, 99, 101, 102, 103, 105, 113, 121, 122, 127b, 130, 135, 138, 139, and 144 (MCL 211.35, 211.41, 211.57a, 211.58, 211.62, 211.63, 211.64, 211.66, 211.67, 211.70, 211.73, 211.73a, 211.73b, 211.75, 211.83, 211.85, 211.86, 211.87, 211.88, 211.90, 211.95, 211.96, 211.97, 211.98, 211.98a, 211.99, 211.101, 211.102, 211.103, 211.105, 211.113, 211.121, 211.122, 211.127b, 211.130, 211.135, 211.138, 211.139, and 211.144).

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

Rep. Frank introduced

House Bill No. 5723, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 43a (MCL 38.1343a), as amended by 1990 PA 298.

The bill was read a first time by its title and referred to the Committee on Senior Health, Security and Retirement.

Reps. Richner, Scranton, Drolet, Vander Roest, DeVuyst and Jansen introduced

House Bill No. 5724, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 465 (MCL 750.465).

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

Reps. Howell, Lipsey, Ruth Johnson, Mans and Birkholz introduced

House Bill No. 5725, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 328.

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

Reps. Middaugh, Jelinek, Kowall, Julian, Patterson, Richardville, Birkholz, Ruth Johnson, Rivet and Lemmons introduced

House Bill No. 5726, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 9f (MCL 211.9f), as amended by 2000 PA 415.

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

Reps. Voorhees, Richardville, Meyer, Vander Roest, Hart, Birkholz, Vander Veen and Lemmons introduced

House Bill No. 5727, entitled

A bill to amend 1971 PA 140, entitled "Glenn Steil state revenue sharing act of 1971," by amending section 17a (MCL 141.917a), as amended by 1987 PA 283.

The bill was read a first time by its title and referred to the Committee on Senior Health, Security and Retirement.

Reps. Vander Roest, Birkholz, Richardville, Meyer, Vander Veen, Hart and Lemmons introduced

House Bill No. 5728, entitled

A bill to amend 1965 PA 314, entitled "Public employee retirement system investment act," by amending section 20h (MCL 38.1140h), as amended by 1996 PA 485, and by adding section 20m.

The bill was read a first time by its title and referred to the Committee on Senior Health, Security and Retirement.

Reps. Woronchak, Richardville, Birkholz, Meyer, Vander Roest, Vander Veen, Hart and Lemmons introduced

House Bill No. 5729, entitled

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

The bill was read a first time by its title and referred to the Committee on Senior Health, Security and Retirement.

Reps. Williams, Richardville, Birkholz, Meyer, Vander Veen, Vander Roest and Lemmons introduced

House Bill No. 5730, entitled

A bill to amend 1851 PA 156, entitled "An act to define the powers and duties of the county boards of commissioners of the several counties, and to confer upon them certain local, administrative and legislative powers; and to prescribe penalties for the violation of the provisions of this act," by amending section 12a (MCL 46.12a), as amended by 1998 PA 502.

The bill was read a first time by its title and referred to the Committee on Senior Health, Security and Retirement.

Reps. Jansen, Birkholz, Richardville, Meyer, Vander Roest, Vander Veen, Hart and Lemmons introduced

House Bill No. 5731, entitled

A bill to amend 1990 PA 72, entitled "Local government fiscal responsibility act," by amending the title and section 2 (MCL 141.1202) and by adding article 4.

The bill was read a first time by its title and referred to the Committee on Senior Health, Security and Retirement.

Reps. DeWeese, Hummel, Julian, Stewart, Vear, Woronchak, Drolet, Middaugh, Kooiman, Hager, Birkholz, Van Woerkom, Shackleton, Voorhees, Neumann and Tabor introduced

House Bill No. 5732, entitled

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending sections 1b, 1d, 5, 11, 13, 19, 20, 20d, 21, 24, 33, 38, 46, 48, 49, and 52 (MCL 38.1b, 38.1d, 38.5, 38.11, 38.13, 38.19, 38.20, 38.20d, 38.21, 38.24, 38.33, 38.38, 38.46, 38.48, 38.49, and 38.52), section 1b as amended by 1996 PA 33, sections 1d and 49 as added by 1995 PA 176, sections 11 and 13 as amended and section 52 as added by 1996 PA 487, section 19 as amended by 1998 PA 205, section 20 as amended by 1996 PA 521, section 20d as amended by 1996 PA 532, section 38 as amended by 1996 PA 279, and section 48 as added by 1990 PA 110, and by adding section 19g.

The bill was read a first time by its title and referred to the Committee on Senior Health, Security and Retirement.

Reps. Gilbert, Hummel, Julian and Stallworth introduced

House Bill No. 5733, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain

other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts,” by amending sections 10, 11b, 18b, and 18e (MCL 247.660, 247.661b, 247.668b, and 247.668e), section 10 as amended by 2000 PA 188, section 11b as amended by 1992 PA 223, and sections 18b and 18e as amended by 1985 PA 201, and by adding section 11f; and to repeal acts and parts of acts.

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

Reps. Stallworth, Gilbert, Hummel and Julian introduced

House Bill No. 5734, entitled

A bill to amend 1980 PA 119, entitled “Motor carrier fuel tax act,” by amending sections 1, 2, and 4 (MCL 207.211, 207.212, and 207.214), sections 1 and 4 as amended by 2000 PA 406 and section 2 as amended by 1996 PA 584.

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

Reps. Hart, Gilbert and Stallworth introduced

House Bill No. 5735, entitled

A bill to amend 2000 PA 403, entitled “Motor fuel tax act,” by amending sections 8, 92, and 152 (MCL 207.1008, 207.1092, and 207.1152); and to repeal acts and parts of acts.

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

Reps. Julian, Gilbert, Vear and Stallworth introduced

House Bill No. 5736, entitled

A bill to amend 1937 PA 94, entitled “Use tax act,” by amending sections 2, 3, 4, and 4k (MCL 205.92, 205.93, 205.94, and 205.94k), section 2 as amended by 2000 PA 391, section 3 as amended by 1999 PA 117, section 4 as amended by 2001 PA 39, and section 4k as amended by 2000 PA 200.

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

Reps. Callahan and Scranton introduced

House Bill No. 5737, entitled

A bill to amend 1976 PA 442, entitled “Freedom of information act,” by amending section 13 (MCL 15.243), as amended by 2001 PA 74.

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

Reps. Callahan and Hale introduced

House Bill No. 5738, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 6107 (MCL 500.6107), as added by 1992 PA 174.

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

Reps. Rivet and Middaugh introduced

House Bill No. 5739, entitled

A bill to amend 1933 PA 167, entitled “General sales tax act,” by amending section 4o (MCL 205.54o), as added by 1994 PA 156, and by adding section 4aa.

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

Reps. Allen, Mead, Birkholz, Gosselin and Toy introduced

House Bill No. 5740, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 520d and 520e (MCL 750.520d and 750.520e), section 520d as amended by 1996 PA 155 and section 520e as amended by 2000 PA 227.

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

Reps. Pappageorge, Gosselin, DeRossett, Kowall, Kuipers, Koetje, Vander Veen, Godchaux and Scranton introduced

House Bill No. 5741, entitled

A bill to amend 1980 PA 497, entitled "Construction lien act," by amending the title and sections 104, 107, 114, 201, 202, and 203 (MCL 570.1104, 570.1107, 570.1114, 570.1201, 570.1202, and 570.1203), sections 104, 107, 114, and 203 as amended by 1982 PA 17, section 201 as amended by 1984 PA 190, and section 202 as amended by 1981 PA 191, and by adding section 114a.

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

Rep. Rich Brown moved that the House adjourn.

The motion prevailed, the time being 2:45 p.m.

Associate Speaker Pro Tempore Ehardt declared the House adjourned until Tuesday, February 26, at 2:00 p.m.

GARY L. RANDALL
Clerk of the House of Representatives.

