

**No. 71**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**91st Legislature**  
**REGULAR SESSION OF 2002**

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House Chamber, Lansing, Thursday, December 5, 2002.

12:00 Noon.

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

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

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

Rep. Andrew Raczkowski, from the 37th District, offered the following invocation:

“Heavenly Father, we come to You today with happy and humble hearts. We are grateful for the advent season and grateful for the opportunity to serve. May the things that we do and say in this Chamber be pleasing in Your sight and may You add Your blessing to us and those we serve. These things we ask in the name of Your Son and our Savior, Jesus Christ. Amen.”

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  
**Senate Concurrent Resolution No. 73.**

A concurrent resolution to waive the legislative notice requirement for increases in rates of compensation for certain employees in the state classified service.

(For text of resolution, see House Journal No. 68, p. 2678.)

(The concurrent resolution was reported by the Committee on Appropriations on December 4, with substitute (H-1), consideration of which, under the rules, was postponed until today.)

(For substitute, see House Journal No. 70, p. 2768.)

The question being on the adoption of the proposed substitute (H-1) recommended by the Committee,

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

The question being on the adoption of the concurrent resolution,

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

### Roll Call No. 1174

### Yeas—99

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

DeWeese  
Drolet  
Durhal  
Ehardt

Kolb  
Kooiman  
Kowall  
Kuipers

Rackowski  
Reeves  
Richardville  
Rocca

Woodward  
Woronchak  
Zelenko

**Nays—0**

In The Chair: Julian

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

Rep. Richardville moved that Rule 45(c) be suspended.  
The motion prevailed, 3/5 of the members voting therefor.

Rep. Richardville moved that the Committee on Tax Policy be discharged from further consideration of **House Bill No. 5863**.

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

**Second Reading of Bills**

**House Bill No. 5863, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 51 (MCL 206.51), as amended by 1999 PA 6; and to repeal acts and parts of acts.

The bill was read a second time.

Rep. Callahan 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.

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Reps. Mortimer and Richner entered the House Chambers.

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

**House Bill No. 5863, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 51 (MCL 206.51), as amended by 1999 PA 6; and to repeal acts and parts of acts.

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

**Roll Call No. 1175**

**Yeas—10**

Callahan  
Dennis  
Godchaux

Hansen  
Jamnick  
Kolb

Minore  
Pumford

Rivet  
Switalski

**Nays—58**

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

In The Chair: Julian

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

“Mr. Speaker and members of the House:

I have vocally opposed and voted against every single tax increase that has come before this legislature since my arrival here. Wealth belongs to those who create it, not to those of us who push green buttons in this room so that we can take it away. Some of us in the party of small government have occasionally gotten confused on that point when some of those other tax increases came up. Recently, some of us redefined cigarette taxes as ‘fee increases’. Another time, some told themselves that legislation taxing internet sales wasn’t really a new tax. Reasonable people can have disagreements, and I think that we have all had some reasonable disagreements regarding whether some of these taxes were really taxes. That’s the nature of this ongoing debate, and it is a debate that we will surely resume in the future.

However, there is no room for debate or discussion on this legislation. It repeals a tax cut. When we passed the tax cut, we called it a tax cut. The taxpayers will pay less in income taxes without this bill, and its only purpose is to take more money from them. It is bad enough when we impose new taxes, but this bill deliberately seeks to reinstate OLD taxes. This isn’t as bad as a tax increase – it’s worse!

The supporters of this bill look at a government that is far too big, and economy that is regrettably weak, and decide that the real problem is that taxpayers are not being punished enough. Indeed, that we have gone too easy on them, promised too much, and need to give them another kick when they need it least.”

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

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

**Second Reading of Bills****House Bill No. 6338, entitled**

A bill to enact the uniform securities act (2002) relating to the issuance, offer, sale, or purchase of securities; to prohibit fraudulent practices in relation to securities; to establish civil and criminal sanctions for violations of the act and civil sanctions for violation of the rules promulgated pursuant to the act; to require the registration of broker-dealers, agents, investment advisers, and securities; to make uniform the law with reference to securities; and to repeal acts and parts of acts.

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

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

Rep. Woodward moved to amend the bill as follows:

1. Amend page 93, line 10, after “within” by striking out “1 year” and inserting “3 years”.

2. Amend page 93, line 13, after the first “of” by striking out “2” and inserting “3”.

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

Rep. Woodward demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 1176**

**Yeas—54**

Adamini	DeWeese	Lemmons	Schauer
Anderson	Durhal	Lockwood	Scranton
Basham	Frank	McConico	Sheltrown
Bernero	Garza	Minore	Shulman
Bishop	Gielegem	Murphy	Spade
Bogardus	Godchaux	Neumann	Stewart
Bovin	Hale	Pappageorge	Switalski
Brown, B.	Hansen	Pestka	Waters
Brown, R.	Hardman	Phillips	Whitmer
Callahan	Jacobs	Plakas	Williams
Caul	Jamnick	Pumford	Wojno
Clark, I.	Jansen	Reeves	Woodward
Clarke, H.	Kolb	Rison	Zelenko
Dennis	LaSata		

**Nays—47**

Allen	Gosselin	Mans	Rocca
Birkholz	Hager	Mead	Schermesser
Bisbee	Hart	Meyer	Shackleton
Bradstreet	Howell	Middaugh	Stamas
Brown, C.	Hummel	Mortimer	Tabor
Cassis	Jelinek	Newell	Toy
DeRossett	Johnson, Ruth	O’Neil	Van Woerkom
DeVuyst	Julian	Palmer	Vander Roest
Drolet	Koetje	Patterson	Vander Veen
Ehardt	Kooiman	Rackowski	Vear
George	Kowall	Richardville	Voorhees
Gilbert	Kuipers	Richner	

In The Chair: Julian

Rep. Thomas moved to reconsider the vote by which the House did not adopt the amendments.

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

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

Rep. Woodward demanded the yeas and nays.

The demand was supported.

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

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

The motion prevailed.

**House Bill No. 6494, entitled**

A bill to amend 2000 PA 251, entitled "Patient's right to independent review act," by amending sections 11, 13, 15, and 23 (MCL 550.1911, 550.1913, 550.1915, and 550.1923), as amended by 2000 PA 398.

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

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

Rep. LaSata 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.

The motion prevailed.

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

The motion prevailed.

By unanimous consent the House returned to the order of

**Third Reading of Bills****House Bill No. 6494, entitled**

A bill to amend 2000 PA 251, entitled "Patient's right to independent review act," by amending sections 11, 13, 15, and 23 (MCL 550.1911, 550.1913, 550.1915, and 550.1923), as amended by 2000 PA 398.

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

**Roll Call No. 1177****Yeas—103**

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

**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.

Reps. Daniels and Stallworth entered the House Chambers.

### Second Reading of Bills

#### House Bill No. 6495, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3580 (MCL 500.3580), as added by 2000 PA 249.

The bill was read a second time.

Rep. Newell 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. 6495, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3580 (MCL 500.3580), as added by 2000 PA 249.

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

#### Roll Call No. 1178

#### Yeas—108

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

DeWeese	Kooiman	Richardville	Wojno
Drolet	Kowall	Richner	Woodward
Durhal	Kuipers	Rison	Woronchak
Ehardt	LaSata	Rivet	Zelenko

**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.

**Second Reading of Bills****Senate Bill No. 1401, entitled**

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” (MCL 436.1101 to 436.2303) by adding section 518.

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.

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****Senate Bill No. 1401, entitled**

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” (MCL 436.1101 to 436.2303) by adding section 518.

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

**Roll Call No. 1179****Yeas—101**

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



DeRossett	Kooiman	Raczkowski	Williams
DeVuyst	Kowall	Richardville	Wojno
DeWeese	Kuipers	Richner	Woodward
Drolet	LaSata	Rison	Woronchak
Durhal	Lemmons	Rocca	Zelenko
Ehardt			

### Nays—3

Hardman	Reeves	Voorhees
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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 create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state liquor stores; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; and to repeal acts and parts of acts.”

The House agreed to the full title.

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

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

### Second Reading of Bills

#### House Bill No. 6343, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 5453, 5454, 5455, 5456, 5457, 5458, 5459, 5460, 5462, 5463, 5467, 5468, 5471, 5472, 5473a, 5475, 5476, and 5477 (MCL 333.5453, 333.5454, 333.5455, 333.5456, 333.5457, 333.5458, 333.5459, 333.5460, 333.5462, 333.5463, 333.5467, 333.5468, 333.5471, 333.5472, 333.5473a, 333.5475, 333.5476, and 333.5477), sections 5453, 5454, 5455, 5456, 5462, 5463, 5467, 5471, and 5476 as added by 1998 PA 220 and sections 5457, 5458, 5459, 5460, 5468, 5472, 5473a, 5475, and 5477 as added by 1998 PA 219.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Regulatory Reform (for amendments, see House Journal No. 70, p. 2763),

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

Rep. Scranton 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. 6343, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 5453, 5454, 5455, 5456, 5457, 5458, 5459, 5460, 5462, 5463, 5467, 5468, 5471, 5472, 5473a, 5475, 5476, and 5477 (MCL 333.5453, 333.5454, 333.5455, 333.5456, 333.5457, 333.5458, 333.5459, 333.5460, 333.5462, 333.5463, 333.5467, 333.5468, 333.5471, 333.5472, 333.5473a, 333.5475, 333.5476, and 333.5477), sections 5453, 5454, 5455, 5456, 5462, 5463, 5467, 5471, and 5476 as added by 1998 PA 220 and sections 5457, 5458, 5459, 5460, 5468, 5472, 5473a, 5475, and 5477 as added by 1998 PA 219.

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

**Roll Call No. 1180****Yeas—104**

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

**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.

**Second Reading of Bills****House Bill No. 6356, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 178 and 634 (MCL 168.178 and 168.634), section 178 as amended by 1980 PA 261 and section 634 as amended by 1996 PA 583.

The bill was read a second time.

Rep. Durhal 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.

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

By unanimous consent the House returned to the order of

**Third Reading of Bills**

**House Bill No. 6356, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 178 and 634 (MCL 168.178 and 168.634), section 178 as amended by 1980 PA 261 and section 634 as amended by 1996 PA 583.

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

**Roll Call No. 1181**

**Yeas—106**

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

**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.

**Comments and Recommendations**

Rep. Richardville moved that Rule 82 be suspended.

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

Rep. Richardville moved that the following remarks be printed in the Journal.  
The motion prevailed.

Rep. Callahan

“House Colleagues and Staff:

Today I rise to thank the residence of St. Clair Shores, Harrison Township and Lake Township of Macomb County for the privilege and honor to have been chosen—above all others—to represent them for the past six years here in the Michigan Legislature.

As I complete my third term here in the House of Representatives (the maximum permitted by law, I might add) I shall reflect back on this opportunity and experience and recall some very fond memories.

I have learned a lot about the reality of the law-making process, a lot about the unique characteristics, wants and needs of the various areas of the State of Michigan and my fellow legislators, and a whole lot about myself as to the ability to negotiate issues and points of difference, without over-compromising my commitment to my own values and conscience—or the welfare of my constituents in the 26th District.

There is an old saying of how ‘there are two things that you should never see being made, sausage and laws; because with either, the more you know—the less you like’. I think that’s true.

I would like to report to the people of this State, that there are some very fine professionals that even though behind the scenes, keep the trains running on time and do a great service to the taxpayers of this state; I’m speaking of the House Clerks, the recording clerks, committee clerks, policy analysts and specialists, legislative service bureau, auditors, and House Fiscal Agency—to name a few. With term limits taking it’s biggest bite out of institutional memory and knowledge; it is those people I just mentioned who will temper the influence of the special interest groups and the lobby corp. and keep future legislatures on track.

I want to thank my staff Geri Hofmann and Jamie Johnston for their high work ethic and dedication.

Let me close with Merry Christmas to all, and to all—farewell.”

Rep. Cassis:

“Colleagues and friends, I take the floor having been afforded the privilege to address you on my feelings and sentiments upon the occasion of my imminent departure as a state representative.

This awesome oval hall has been our place of work for the past few years. The renderings that adorn its ceiling have had a deep meaning and effect on my life. We are an inseparable part of a country of many states, bound and unified by an indivisible union under one sacred form of government and joined with other states to form a more perfect union.

And, as in other halls in sister states, we representatives of our constituents meet to serve the highest and most noble interests of our people—and remold the laws that are always based on the principles of life, liberty and the pursuit of happiness of the governed.

As I prepare for a new life journey and move along with many others of you to another sacred ‘hall’ across this building different in shape and appearance but not in essence, allow me to reflect on the experiences that molded and shaped my political life.

And as I share with you a few thoughts, I am reminded of an expression that my late grandmother and mother used to say—‘I am learning something new every day...’ Having lived till the age of 97, my grandmother’s wisdom resonates in my own life today and that expression truly reflects my life experiences.

In 1982 I advocated an issue that had a great economic bearing on my family’s life—that of zoning—made it that of my neighbors’ and ultimately a cause for the whole community.

In advocating and eventually succeeding in bringing this issue to the Novi City Council it was enacted into law and became a model ordinance for other communities across some counties—It is commonly known as the similar/dissimilar ordinance.

As a political novice, I learned from this experience a basic lesson—to be successful in persuading the powers of government you must articulate a cause, persuade others that it affects them as well and that it will better serve the whole community—rally the people and achieve a cause.

Later as a member of the City Council I learned how to weigh the opposing views and come to a decision which is fair to all concerned. Also that you may not always have your views adopted—in fact what may eventually evolve is a compromise.

When the death of a dear young friend, an aide to former Senator Honigman, and the resignation of this state senator thrust me into the realm of state politics, I learned much about the power of fate and being there at the ‘right time’ in the ‘right place’ and how it can direct your life. Getting to be a state rep. involved a not too simple process—answering questionnaires and interviews, attending debates, putting up signs and having to bear negative campaigns among other trials and challenges.

And most of all, having the support and love of my husband Victor—the true polished and persevering politician in my heart.

Being with my graduating class the last few years, ‘the divine nine’ I again have learned another important edict. That serving my constituents with all my heart and soul is the most rewarding experience that will endure with me as I graduate to the upper chamber.

And the fellowships and friendships I was fortunate to cultivate among you have added so much to my character and sense of being.

Being in this chamber at the time of a cataclysmic tragedy in the life of our nation made me so conscious of the blessings of freedom and of the higher spiritual character of our nation and its people. And as we go forth to another political venue, let us build on these blessings of friendships and fellowships as we serve our people, state and nation.

I want you to know that you, my friends and colleagues, have had an immense impact on my life. We shared many days and nights of debate, exchange of ideas, red lights, green lights that registered our views, our beliefs and what we thought was of benefit to our constituents.

To my grandmother and mother, children and grandchildren—yes I am still learning. Most of all I am grateful, fortunate and thankful for being a representative of the people.

I have a feeling that all of us have someone or someones in our background, who like me, have been our inspiration. Importantly, you and I are truly linked by the experiences we’ve shared and forevermore will be joined by this common bond.

Wherever we may wander or roam from this day forward, we will delight in hearing from or seeing each other. We are peers who shared a common history and destiny over the last 4 or 6 years. Fate brought us together but friendship sealed the knot. Thank you for the memories!”

Rep. Durhal

“Thank you Presiding Speaker, Officers of the House of Representatives, my fellow colleagues, staff of the House and visitors:

How often in life does one get to realize his/her dream? Today, I stand before this honorable body having realized my dream of serving in the Michigan House of Representatives. Today, I have come not to reflect upon how I got here although the journey was historic. I am here to rejoice that I am a member of the 92nd Legislature. I represent the symbol of perseverance, courage of conviction in the face of extreme adversity, success in overcoming that adversity, dedication and unswerving work ethic and loyalty to our constitutional guarantee of representative democracy.

In a few days, I will have served the shortest term of office here. Yet I hope that it will be said by those of you whom I’ve met and worked with, that Fred Durhal was a person of integrity, and of competence. I hope that you will say that in four months he represented his constituents and the great people of this state with honor. I hope that you will say Fred Durhal was a good state representative. You know, politicians love to reflect upon how great they were, are, and will be. If at the end of my term, you can say that Fred Durhal stayed shortly but gave his all to this honorable profession and to this great legislature, I will be grateful.

Because it took me a long time to get here, and my stay was to be brief, I came here ready. For all of my life it seems I have studied and worked in progressive steps to sit in one of these seats. I have served on four levels of government: federal, state, county and city. I have served in two branches of government. I have been political director of the state Democratic Party. But, I’d rather be remembered as a representative who took pride in what he did and a representative who performed his job in keeping with the highest standard of conduct of this great institution.

I want to thank the staff of the House of Representatives, our esteemed Clerk, and Deputy Clerk and their staff. I thank the Sergeants at Arms and Page Corps, who have assisted me courteously and with the highest professionalism, and all of my colleagues who have warmly welcomed me from both sides of the aisle. Special thanks go to Alan Canady, David Newman, Janell Freeman, Carole Davenport, Eric Pate, Morgan Trinkaus and Rachanee Therakulsathit for service above and beyond the call of duty.

Finally I thank Speaker Johnson, Democratic Leader Buzz Thomas, Associate Speaker Pro Tem Julian, Majority Floor Leader Bruce Patterson and Minority Floor Leader Gilda Jacobs for their support, advise and counsel during my stay. I am proud to be a member of this legislature and look forward to the day that I can again be privileged to serve. God Bless you and God Bless the Michigan House of Representatives.”

Rep. Godchaux:

“Upon leaving the Michigan House of Representatives. I was challenged this a.m. to remember a tradition of this house, I apologize to those that have gone before... The Blues Brothers and their wooden nickels, Bill and Bill... But this is my contribute to this tradition... I thank my community, I thank my colleagues, I thank my committee mates, my seatmate, And especially those that have worked these six years making me look good, our support staff. I remind my colleagues, past present and future, I remind my colleagues of our grounding in common law, I remind my colleagues to respect the rights of others, And urge my colleagues to respect those that created our law. I caution future legislators, those here and those yet to take their seats, I caution those that would create laws to solve others’ problems, I caution those that would create laws to impose belief, Respect for our law is to create new, sparingly. So with this advice I have finished. Now I will sit down and take my place, Among those that have taught us, To respect those that got us here, And respect the citizens of this great state to do what is right. Thank you. I hope I have, in some small, contributed to the tradition of this House.”

Rep. Jansen:

“Mr. Speaker, I first want to introduce and thank my faithful and hardworking staff Carol Cruz and Chris McClean. Both ladies are retiring as I leave the House and I want to publicly thank them for their hard work and commitment to making the 72nd District a very well cared for constituency. Both have worked for a total of 23 years for the people of Michigan. I also want to give a huge thank you to our central staffs and the House Fiscal Agency staff as they have spent hundreds of hours reviewing budgets and policy in my office to satisfy the Chair. It is hard to believe that 6 years ago I was standing on this House floor in awe of this chamber and what it meant for this Iowa farm boy. I was speechless. I was privileged to watch leaders like parliamentarian expert Frank Fitzgerald and statesman Speaker of the House Paul Hillegonds. I experienced time with leaders like Hertel, Hood, Gagliardi, Matthieu, Gilmer and Jellema just to name a few. My staff just researched the Republican legislative experience of the 1996 session members compared to the 2003 Republican legislative members. 1996 had about 421 years of legislative experience in 56 members and the class of 2003 has 101 years with 63 members. I was drilled by my 1996 caucus to remember that honesty, integrity and your word is all you have in the House. I believe these core values should never change. It is up to each of you remaining here to carry out your core values. I often heard the phrase that ‘good policy makes good politics’! As I think about my 6 years of service in the House I must say that phrase is invaluable. I would like to thank the citizens of the 72nd district for the honor and privilege of serving you in Lansing. Above all, many thanks to my family for their love and patience even though I missed many ball games, meals and memories for the sake of good government. I have made some good friends on both sides of the aisle and want to thank you for that honor and hope they will somehow stay alive. As we think back on these days as a legislator, may we always remember the times we fought to make this state a better place for all. Thank you and May God Bless you and yours in your days ahead.”

By unanimous consent the House returned to the order of

### **Motions and Resolutions**

Reps. Clark, Neumann, Richardville, Murphy, DeRossett, Vander Roest, Waters, Jamnick, Dennis, Spade, Hansen, Wojno, Gieleghem, Minore, Rison, Kolb, Thomas, McConico, Lipsey, DeWeese, Rich Brown, Jacobs, Plakas, Woodward, Richner, Garza, Hale, Phillips, Shulman, Durhal, Hardman, Adamini, Ehardt, Lemmons and Reeves offered the following resolution:

#### **House Resolution No. 605.**

A resolution honoring the life of Reverend Dr. Herbert B. Robinson, Sr.

Whereas, The Reverend Dr. Herbert B. Robinson, Sr., was a wonderful symbol of Christian life in our community. He was a minister with a life-long calling to serve. He made his peaceful transition on Saturday, November 23, 2002, having lived a long and fulfilled life of loving and being loved in return; and

Whereas, As a child of 13 years, young Herbert entered the Christian Ministry, just one year after publicly confessing Jesus Christ as his Lord and Savior. For the next sixty-years, he worked diligently to win souls for the Lord. Those who knew him well would say that he was a living example of the Book of Proverbs, 11th Chapter, 30th verse, which reads, “. . .and he that winneth souls is wise.”; and

Whereas, Herbert B. Robinson was an educated man, who earned his B.B.S. at the Anchor Theological Seminary and a bachelor’s degree in theology from the Wright School of Religion. He also attended Michigan Theological Seminary until his death; and

Whereas, A great and wise shepherd, Reverend Dr. Herbert B. Robinson, Sr., has held pastorates in Mississippi, Tennessee, Illinois, Missouri, Kansas, and Nebraska. In Michigan, in the city of Detroit, on September of 1970, he was elected to the pastorate of True Love Baptist Church and began a full-time ministry of over 32 blessed years; and

Whereas, As a dedicated teacher and leader, Dr. Robinson was Second Vice-President of the Baptist Missionary and Education State Congress of Christian Education, a teacher for the National Baptist Congress of Christian Education, guest lecturer on divorce and remarriage at the William Tyndale Bible College, moderator for the Prospect District Baptist Association, and author of four publications in Christian education, leadership, and counseling. He was frequently called upon to serve as guest lecturer and evangelist and he never failed to accept such requests; and

Whereas, Dr. Robinson was a loving husband to his wife, Mrs. Verdie Robinson. He simply took his life in stride, no questions asked, and embraced the happy moments along with the sad, accepted all things and all persons for what they were. For these reasons he will be well remembered, loved, and respected in the annals of church history for all time; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body honor the life of Reverend Dr. Herbert B. Robinson, Sr. May our hearts always be filled with the joy of knowing him; and be it further

Resolved, That a copy of this resolution be transmitted to the family of Reverend Dr. Herbert B. Robinson, Sr., as a token of our esteem.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. DeVuyst, Waters, Dennis, Rison, Kolb, Thomas, Bovin, McConico, Lipsey, Rocca, Toy, Howell, Richner, Durhal, Clark, Ehardt and Lemmons offered the following resolution:

**House Resolution No. 606.**

A resolution to approve, and urge the Governor to execute, a certain tribal-state gaming compact between the Match-E-Be-Nash-She-Wish Band of Pottawatomi Indians of Michigan (the Gun Lake Band) and the State of Michigan.

Whereas, Federally recognized Indian tribes have a right under federal law to operate gaming as a means of economic development within states that allow such gaming for any purpose by any person, organization, or entity; and

Whereas, The State of Michigan permits Class III gaming to be operated by nontribal entities under the Michigan Gaming Control and Revenue Act; and

Whereas, The Governor of the State of Michigan has negotiated tribal-state gaming compacts with 11 federally recognized Indian tribes, and the Michigan Legislature has approved all 11 compacts by resolution; and

Whereas, The Match-E-Be-Nash-She-Wish Band of Pottawatomi Indians of Michigan, which is also known as the Gun Lake Band, is a federally recognized Indian tribe; and

Whereas, The principles of fairness, equity, and justice dictate that the State of Michigan enter into a Class III gaming compact with the Gun Lake Band on terms consistent with the tribal-state compacts previously approved by the Michigan Legislature; and

Whereas, A tribal-state gaming compact between the State of Michigan and the Match-E-Be-Nash-She-Wish Band of Pottawatomi Indians of Michigan (the Gun Lake Band) has been prepared. This compact was filed with the Clerk of the Michigan House of Representatives on December 5, 2002, and is available for review; and

Whereas, The compact that has been prepared contains terms and conditions consistent with the previous 11 compacts signed by the Governor of the State of Michigan and approved by the Michigan Legislature; and

Whereas, This compact is the only Michigan compact that contains the additional requirements of adherence to Michigan laws and regulations concerning the production, distribution, and sale of tobacco; and

Whereas, This compact directs that the 8 percent revenue payments are to be made to the Michigan School Aid Fund to the extent permitted by law, or, if for any reason not permitted by state law, the Michigan Strategic Fund or its successor as determined by state law; now, therefore, be it

Resolved by the House of Representatives, That we approve, and urge the Governor to execute, the tribal-state gaming compact on file with the Clerk of the House of Representatives between the Match-E-Be-Nash-She-Wish Band of Pottawatomi Indians (the Gun Lake Band) and the State of Michigan to govern the establishment of one Class III gaming facility located on lands that are the subject of a federal fee-to trust process to become tribal lands of the Match-E-Be-Nash-She-Wish Band of Pottawatomi Indians of Michigan at the northeast corner of the intersection of U.S. 131 and 129th Street, which lands are located in Wayland Township in Allegan County, Michigan (a site of approximately 147 acres); and be it further

Resolved, That copies of this resolution be transmitted to the Governor, representatives of the Match-E-Be-Nash-She-Wish Band of Pottawatomi Indians of Michigan, and the United States Secretary of the Interior.

The resolution was referred to the Committee on Regulatory Reform.

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following concurrent resolution:

**House Concurrent Resolution No. 79.**

A concurrent resolution honoring Douglas E. Howard, Director of the Michigan Family Independence Agency.

Whereas, Douglas E. Howard has served as Director of the Michigan Family Independence Agency since March of 1999. Since then, he has diligently and aggressively maintained and expanded the agency's nationally recognized welfare reform initiatives with expertise, enthusiasm, and administrative efficiency; and

Whereas, Douglas Howard is well-respected at the national level as a result of his active participation in the development of the 1996 federal Personal Responsibility and Work Opportunity Reconciliation Act and his work as a prominent member, and as president, of the American Public Human Services Association; and

Whereas, In his capacity as Director of the Michigan Family Independence Agency, Douglas Howard has served as a member of the Michigan State Housing Development Authority, State Interagency Coordinating Council for Handicapped Infants and Toddlers, State Child Abuse and Prevention Board, Michigan Workforce Investment Board, State Court Information Management Commission, and Governor's Task Force on Children's Justice; and

Whereas, During his tenure as Director of the Michigan Family Independence Agency, Douglas Howard has provided outstanding leadership in diverse areas including child protection, child support collections, adoptions, food assistance, Electronic Benefits Transfer, and Project Zero; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the members of this legislative body honor Douglas Howard, Director of the Michigan Family Independence Agency; and be it further

Resolved, That a copy of this resolution be transmitted to Douglas Howard as evidence of our deepest appreciation and enduring esteem.

Pending the reference of the concurrent resolution to a committee, Rep. Patterson moved that Rule 77 be suspended and the concurrent 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 concurrent resolution, The concurrent resolution was adopted.

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following concurrent resolution:

**House Concurrent Resolution No. 80.**

A concurrent resolution honoring Major General E. Gordon Stump, Director of the Department of Military and Veterans Affairs and Adjutant General of Michigan.

Whereas, Major General E. Gordon Stump was appointed to his current position as the Director of the Department of Military and Veterans Affairs and Adjutant General of Michigan by Governor John Engler on February 3, 1991; and

Whereas, In this position he commands 150 units of the Michigan Army and Air National Guard, directs operations of two veterans' nursing homes with a capacity of 1,000 beds, and administers grants to 12 veterans' service organizations; and

Whereas, General Stump began his military career in June 1965 when he received an ROTC commission as a second lieutenant from the University of Akron. Upon graduation, he earned a degree in mechanical engineering. He received his wings and the commander's trophy for placing first in his pilot training class at Webb Air Force Base, Texas in September of 1966. From July 1967 through July 1969, he flew 241 combat missions out of South Vietnam and Thailand. Forty-one of these missions were over North Vietnam; and

Whereas, General Stump was released from active duty on December 31, 1969, and joined the Ohio National Guard. He moved to Michigan in March of 1973 when he was promoted in his civilian occupation as an engineer for B.F. Goodrich. Shortly after he arrived, he joined the 107th Tactical Fighter Squadron at Selfridge Air National Base to fly F-100s. The General has maintained his aeronautical rating throughout his career and is currently qualified to fly F-16s and has over 4,000 flight hours to his credit; and

Whereas, Since 1973, General Stump has held a long list of impressive command and staff positions with the Michigan Air National Guard, including flight commander, squadron commander, chief of the command post, and commander of the Michigan Air National Guard. Among his many military decorations and awards are the Legion of Merit, Meritorious Service Medal, Air Medal with Silver Oak Leaf Cluster, Air Force Commendation Medal, Vietnam Service Medal, Republic of Vietnam Campaign Medal, State Legion of Merit, and many more; and

Whereas, General Stump has served as the President of the National Guard Association of the United States and currently serves as an advisor to the Secretary of Defense as a member of the Reserve Forces Policy Board; and

Whereas, Upon accepting the Governor's appointment, General Stump retired from the Michelin Tire Corporation, formerly Uniroyal/Goodrich, as vice president of automotive engineering. He serves as a committee member on a wide range of state, military, and professional organizations. He lives in Okemos with his wife, Marie, and has two married children, Scott and Traci; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the members of this legislative body honor Major General E. Gordon Stump, Director of the Department of Military and Veterans Affairs and Adjutant General of Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to General Stump as a symbol of our appreciation and gratitude of his accomplishments and the high esteem in which he is held by the state of Michigan.

Pending the reference of the concurrent resolution to a committee,

Rep. Patterson moved that Rule 77 be suspended and the concurrent 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 concurrent resolution,

The concurrent resolution was adopted.

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following concurrent resolution:

**House Concurrent Resolution No. 81.**

A concurrent resolution honoring K.L. Cool, Director of the Michigan Department of Natural Resources.

Whereas, K.L. Cool was selected Director of the Michigan Department of Natural Resources by the Michigan Natural Resources Commission and came to Michigan with his wife, Vicki, in 1996; and

Whereas, The DNR is a cabinet-level state agency with an annual budget of \$250 million and nearly 2,300 employees, with far-reaching programs in forestry, fisheries, wildlife, parks and recreation, law-enforcement, and land and mineral services; and

Whereas, K.L. Cool brought to Michigan an outstanding background in conservation management, having served previously as Director of the North Dakota Game and Fish Department, Director of the Montana Department of Fish, Wildlife and Parks, Director of the South Dakota's Wildlife division, and Regional Director for Ducks Unlimited; and



Whereas, His impressive repertoire includes a Master's Degree in wildlife management from South Dakota State University and experience as a Conservation Officer and Wildlife Biologist; and

Whereas, His career has been marked by countless professional awards in every state he has worked in, including Conservationist of the Year by the South Dakota Wildlife Federation, Professional Award from the South Dakota Chapter of the Wildlife Society, Distinguished Alumnus Centennial Certificate from South Dakota State University, Director of the Year from the Western Association of Fish and Wildlife enforcement Programs, and an award for habitat conservation to safeguard the Northern Yellowstone Elk Herd, by the Rocky Mountain Elk Foundation; and

Whereas, As Michigan's DNR Director, K.L. Cool has united the divisions of the agency with a strong, collaborative team management focus, embarked the agency on a philosophy of holistic ecosystem management, crafted clear, productive rapport with conservation constituencies throughout the state, and recommitted the agency as a whole to sound, science-based stewardship of the state's resources for present and future generations; and

Whereas, Under K.L. Cool's leadership, Michigan has enjoyed unprecedented accomplishments including massive infrastructural rehabilitation of the State Parks system, establishment of programs to educate young people about Michigan's rich conservation and outdoor heritage, completion of some of the most vital property acquisitions in the history of our state, successful negotiation of tribal fishing rights with the 2000 Consent Decree, creation of Pocket Parks at both the Detroit and Escanaba State Fairs, reintroduction and rehabilitation of myriad wildlife species, the state's most successful annual firearm deer harvest on record, and the safest hunting season on record; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the members of this legislative body honor K.L. Cool, Director of the Michigan Department of Natural Resources; and be it further

Resolved, That a copy of this resolution be transmitted to K.L. Cool, as a token of our admiration for all his work.

Pending the reference of the concurrent resolution to a committee,

Rep. Patterson moved that Rule 77 be suspended and the concurrent 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 concurrent resolution,

The concurrent resolution was adopted.

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following concurrent resolution:

**House Concurrent Resolution No. 82.**

A concurrent resolution honoring Gregory J. Rosine, Director of the Michigan Department of Transportation.

Whereas, Gregory J. Rosine was named Director of the Michigan Department of Transportation (MDOT) on January 1, 2001, and was responsible for overseeing Michigan's highway construction, public transit programs, and the state's aeronautics bureau; and

Whereas, Mr. Rosine is a graduate of Central Michigan University and earned a bachelor's of science degree in political science with a public administration emphasis. He served as MDOT's Chief Administrative Officer for three years prior to his appointment as director; and

Whereas, Beginning his career in state service in 1979, Mr. Rosine started out as a House Fiscal Agency analyst for the Michigan House of Representatives. In 1987, he was promoted to Associate Director of the Education Regulatory Services Unit and in 1995 assumed the position of Associate Director of Human Resources; and

Whereas, Mr. Rosine is a shining example of a quality state leader. His hard work, transportation experience, and extensive knowledge of state government have been a great asset to this state. His outstanding leadership and achievements are to be commended; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the members of this legislative body honor Gregory J. Rosine, Director of the Michigan Department of Transportation; and be it further

Resolved, That a copy of this resolution be transmitted to Gregory J. Rosine as a token of our admiration for all his work.

Pending the reference of the concurrent resolution to a committee,

Rep. Patterson moved that Rule 77 be suspended and the concurrent 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 concurrent resolution,

The concurrent resolution was adopted.

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following concurrent resolution:

**House Concurrent Resolution No. 83.**

A concurrent resolution honoring Andrew Henry, Director of the Center for Educational Performance and Information, for his dedicated service to the state of Michigan.

Whereas, It is with great respect that we salute Andrew Henry. His commitment to providing better services in education through the use of technology for all citizens of the state of Michigan and the excellence he has demonstrated in his many duties are to be commended; and

Whereas, Andrew Henry has served as Director of the Center for Educational Performance and Information and directed the implementation of the Michigan Education Information System (MEIS) to collect, manage, and report educational data about the performance of Michigan's public schools and students. During his leadership, the MEIS continued to grow in scope and stature and the state of Michigan was recognized nationally as being ahead of the curve in implementing quality data systems; and

Whereas, His distinguished service to the state of Michigan includes serving as a senior project manager in the e-Michigan office, where he managed major technology projects and contributed to the successful migration of state agencies' Web sites to a universal Michigan.gov portal. At Michigan State University's College of Education, he was the director of edtech.connect, where his administrative leadership contributed to the development of educational technology throughout the state of Michigan; and

Whereas, Andrew Henry has had a far-reaching and positive impact on the integration of curriculum and technology in the Okemos School District and throughout the state. He began his career in education as a permanent substitute in the Rochester School District, where he taught chemistry. He continued as a hard-working public servant, genuinely concerned with excellence in education, employed as a public school teacher for 10 years with the Okemos School District, where he taught English, computer skills, and managed various district-wide information projects. Ever interested in expanding his knowledge in order to assist others, after completing a bachelor of science degree in physiology at Michigan State University, with an additional major in English, he went on to earn a secondary teaching certificate in chemistry and English from Oakland University and a master's degree in English from Michigan State University. He is currently pursuing a doctoral degree in technology and cognition from MSU. His community service also includes being active with the Cub Scouts, boys' soccer and the Okemos Community Church; and

Whereas, Andrew Henry's leadership, knowledge, and enthusiasm for improving education have truly made a difference for students and schools in Michigan, we are proud to join with his many admirers in honoring him; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the members of this legislative body honor Andrew Henry for his dedicated service to the State of Michigan and to the Center for Educational Performance and Information; and be it further

Resolved, That a copy of this resolution be transmitted to Andrew Henry as a token of our esteem.

Pending the reference of the concurrent resolution to a committee,

Rep. Patterson moved that Rule 77 be suspended and the concurrent 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 concurrent resolution,

The concurrent resolution was adopted.

### Reports of Select Committees

#### House Bill No. 4042, entitled

A bill to amend 1971 PA 227, entitled "An act to prescribe the rights and duties of parties to home solicitation sales," by amending the title and sections 1, 1a, 2, 3, 4, 5, 6, and 7 (MCL 445.111, 445.111a, 445.112, 445.113, 445.114, 445.115, 445.116, and 445.117), section 1 as amended by 1999 PA 18 and sections 2 and 3 as amended by 2000 PA 15.

(For text of conference report, see House Journal No. 69, p. 2731.)

The Senate has adopted the report of the Committee of Conference.

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

#### House Bill No. 4632, entitled

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending section 3 (MCL 445.903), as amended by 2000 PA 14, and by adding section 9a.

(For text of conference report, see House Journal No. 68, p. 2737.)

The Senate has adopted the report of the Committee of Conference.

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

### Introduction of Bills

Reps. Vear and Raczkowski introduced

#### House Bill No. 6569, entitled

A bill to amend 1965 PA 290, entitled "Boiler act of 1965," by amending section 7a (MCL 408.757a), as amended by 1982 PA 176.

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

Rep. Cassis introduced

**House Bill No. 6570, entitled**

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," by amending section 74 (MCL 125.2074), as amended by 1987 PA 278.

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

Reps. Vear and Bovin introduced

**House Joint Resolution JJ, entitled**

A joint resolution proposing an amendment to the state constitution of 1963, by amending sections 2 and 3 of article IV and section 8 of article VII, to modify the term of office for certain state and local offices.

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

By unanimous consent the House returned to the order of

**Messages from the Governor**

The following message from the Governor was received December 5, 2002 and read:

**EXECUTIVE ORDER**

**No. 2002 - 22**

**IMPLEMENTATION OF EXPENDITURE REDUCTIONS UNDER  
PROVISIONS OF ARTICLE V, SECTION 20,  
OF THE MICHIGAN CONSTITUTION OF 1963**

WHEREAS, Article V, Section 20, of the Michigan Constitution of 1963 states that no appropriation is a mandate to spend, and that the Governor, with the approval of the appropriating committees of the House of Representatives and Senate, shall reduce expenditures authorized by appropriations whenever it appears that actual revenues for a fiscal period will fall below the revenue estimates on which appropriations for that period were based, and that reductions shall be made in accordance with procedures prescribed by law; and

WHEREAS, it appears that actual revenues for the fiscal period October 1, 2002 to September 30, 2003, will fall below the revenue estimates on which appropriations for that period were based, said estimates having been determined by the Legislature in accordance with Article IV, Section 31, of the Constitution of the State of Michigan; and

WHEREAS, under provisions of Section 391, Act 431 of the Public Acts of 1984, on the basis of written information from the State Budget Director and the State Treasurer, a finding has been made that actual revenue will fall below such revenue estimates; and

WHEREAS, there is an unanticipated loss of funding which the departments and agencies of state government do not expect to obtain or make up during the current fiscal year; and

WHEREAS, expenditure reductions totaling \$230,586,391.00 general fund-general purpose and \$106,810,500.00 special purpose funds are necessary.

NOW, THEREFORE, I, John Engler, Governor of the State of Michigan, pursuant to the authority vested in me by the Michigan Constitution of 1963 and the laws of the State of Michigan, and with the approval of a majority of members of each appropriations committee, do hereby order the following reductions:

- A. Portions of general fund-general purpose appropriations amounting to \$227,188,891.00 contained in the following public acts are hereby reduced. Where the expenditure reductions of general fund-general purpose appropriations in this order reduce the restricted portions of gross appropriations and sources of financing that will be earned, the amounts to be reduced shall be provided separately to the State Budget Director for approval and entry into the accounts.

<u>Public Act</u>	<u>Department</u>	<u>Reduction Amount</u>
2002 PA 516	Agriculture	976,900
2002 PA 528	Attorney General	844,200
2002 PA 518	Capital Outlay	427,700
2002 PA 517	Career Development	694,600
2002 PA 528	Civil Rights	335,800
2002 PA 528	Civil Service	250,400
2002 PA 161	Community Colleges	7,993,308
2002 PA 519	Community Health	83,031,200
2002 PA 527	Consumer and Industry Services	899,400
2002 PA 524	Corrections	12,602,500
2002 PA 522	Education	419,300
2002 PA 520	Environmental Quality	2,210,800

2002 PA 528	Executive Office	125,500
2002 PA 529	Family Independence Agency	8,031,000
2002 PA 144	Higher Education	45,306,783
2002 PA 523	History, Arts and Libraries	1,522,400
2002 PA 528	Management and Budget	1,100,900
2002 PA 517	Michigan Strategic Fund	3,000,000
2002 PA 514	Military and Veterans Affairs	400,800
2002 PA 525	Natural Resources	1,095,600
2002 PA 528	State	424,200
2002 PA 526	State Police	4,305,700
2002 PA 528	Treasury	51,189,900
		227,188,891

- B. Unless otherwise provided in Section C, reductions in appropriations for departments and agencies contained in the public acts enumerated in Section A are in amounts equal to 2.5 percent of the total general fund-general purpose appropriation for the respective departments and agencies.
- C. The reduction totals for the department and agencies in Section A include the following appropriation items or are predicated upon the following actions:

**1. Department of Agriculture**

Appropriation authorization adjustments required to implement general fund expenditure reductions of \$976,900.00, shall be conducted pursuant to section 224, 2002 PA 516.

**2. Department of Attorney General**

Appropriation authorization adjustments required to implement general fund expenditure reductions of \$844,200.00, shall be conducted pursuant to section 216, 2002 PA 528.

**3. Capital Outlay**

Appropriation Number	Item	Reduction Amount
74775	Major special maintenance and remodeling for department of community health	52,200
74776	Major special maintenance and remodeling for department of corrections	216,900
74777	Major special maintenance and remodeling for family independence agency	57,400
74778	Major special maintenance and remodeling for department of management and budget	74,400
74779	Major special maintenance and remodeling for department of state police	<u>26,800</u>
		427,700

**4. Department of Career Development**

Appropriation authorization adjustments required to implement general fund expenditure reductions of \$694,600.00, shall be conducted pursuant to section 261, 2002 PA 517.

**5. Department of Civil Rights**

Appropriation authorization adjustments required to implement general fund expenditure reductions of \$335,800.00, shall be conducted pursuant to section 216, 2002 PA 528.

**6. Department of Civil Service**

Appropriation authorization adjustments required to implement general fund expenditure reductions of \$250,400.00, shall be conducted pursuant to section 216, 2002 PA 528.

**7. Community Colleges**

a. Appropriation Number	Item	Reduction Amount
07600	Alpena Community College	133,022
07605	Bay de Noc Community College	128,464
07610	Delta College	370,968
07620	Glen Oaks Community College	62,242
07625	Gogebic Community College	109,311
07630	Grand Rapids Community College	466,617
07635	Henry Ford Community College	568,666
07645	Jackson Community College	314,789
07650	Kalamazoo Valley Community College	321,188
07655	Kellogg Community College	252,347
07660	Kirtland Community College	76,589
07665	Lake Michigan College	135,814

07670	Lansing Community College	806,929
07675	Macomb Community College	860,968
07680	Mid Michigan Community College	114,853
07685	Monroe County Community College	111,743
07690	Montcalm Community College	80,824
07615	C.S. Mott Community College	407,970
07695	Muskegon Community College	232,168
07700	North Central Michigan College	78,637
07705	Northwestern Michigan College	236,901
07710	Oakland Community College	543,110
07715	St. Clair County Community College	181,920
07720	Schoolcraft College	318,753
07725	Southwestern Michigan College	171,108
07730	Washtenaw Community College	323,974
07735	Wayne County Community College	431,316
07740	West Shore Community College	59,659
09020	At-risk student success program	92,458
		7,993,308

b. Amend subsection (3) of Section 401 of Act No. 161 of the Public Acts of 2002 as follows:

(3) For the fiscal year ending September 30, 2003, the at-risk student success program money is allocated as follows:

Alpena Community College	<del>\$85,654</del>	\$83,509
Bay de Noc Community College	<del>93,194</del>	90,860
Delta College	<del>109,215</del>	106,480
Glen Oaks Community College	<del>138,528</del>	135,060
Gogebic Community College	<del>78,171</del>	76,213
Grand Rapids Community College	<del>88,959</del>	86,731
Henry Ford Community College	<del>163,814</del>	159,713
Jackson Community College	<del>113,121</del>	110,288
Kalamazoo Valley Community College	<del>116,085</del>	113,179
Kellogg Community College	<del>156,823</del>	152,896
Kirtland Community College	<del>169,343</del>	165,102
Lake Michigan College	<del>186,759</del>	182,082
Lansing Community College	<del>162,796</del>	158,719
Macomb Community College	<del>92,395</del>	90,081
Mid Michigan Community College	<del>138,950</del>	135,470
Monroe County Community College	<del>99,550</del>	97,057
Montcalm Community College	<del>69,465</del>	67,725
Mott Community College	<del>111,102</del>	108,320
Muskegon Community College	<del>209,919</del>	204,662
North Central Community College	<del>156,702</del>	152,778
Northwestern Michigan College	<del>129,025</del>	125,794
Oakland Community College	<del>157,358</del>	153,417
St. Clair Community College	<del>88,500</del>	86,284
Schoolcraft Community College	<del>152,307</del>	148,493
Southwestern Michigan College	<del>180,889</del>	176,359
Washtenaw Community College	<del>170,388</del>	166,121
Wayne County Community College	<del>142,398</del>	138,832
West Shore Community College	<del>130,693</del>	127,420

**8. Department of Community Health**

a. Appropriation		Reduction
<u>Number</u>	<u>Item</u>	<u>Amount</u>
33680	Long-term care services	16,600,000
14262	Local MCH services	2,985,100
		19,585,100

b. In addition, the 2.5 percent reduction from the adjusted general fund appropriations for the Department of Community Health shall not reduce the state's maintenance of effort requirement under the Temporary Assistance for Needy Families program.

Appropriation authorization adjustments required to implement general fund expenditure reductions of \$63,446,100.00, shall be conducted pursuant to section 261, 2002 PA 519.

**9. Department of Consumer and Industry Services**

Appropriation authorization adjustments required to implement general fund expenditure reductions of \$899,400.00, shall be conducted pursuant to section 261, 2002 PA 527.

**10. Department of Corrections**

The reductions in this section and in Section D for the Department of Corrections are in an amount equal to 1.0 percent of the adjusted general fund-general purpose appropriation.

Appropriation Number	Item	Reduction Amount
01050	Executive direction	100,000
02070	Administrative services	325,000
04133	Substance abuse testing and treatment	200,000
02072	Training	1,500,000
23322	Special alternative incarceration program	7,300
19333	Probation residential centers	1,312,000
19335	Community corrections comprehensive plans and services	27,000
19337	Public education and training	20,000
28531	County jail reimbursement program	800,000
10370	DOJ psychiatric plan - MDCH mental health services	511,700
16380	Health care administration	100,000
16382	Vaccination program	500,000
29005	Academic / vocational programs	750,000
46002	Alger maximum correctional facility - Munising	133,100
47002	Baraga maximum correctional facility - Baraga	156,500
49002	Chippewa correctional facility - Kincheloe	255,100
50002	Kinross correctional facility - Kincheloe	278,800
51002	Marquette branch prison - Marquette	127,600
54002	Newberry correctional facility - Newberry	141,400
52002	Oaks correctional facility - Eastlake	139,800
55002	Ojibway correctional facility - Marenisco	145,400
56002	Pugsley correctional facility - Kingsley	141,300
83002	Saginaw correctional facility - Freeland	127,600
53002	Standish maximum correctional facility - Standish	145,900
35002	Cooper Street correctional facility - Jackson	161,100
36002	G. Robert Cotton correctional facility - Jackson	127,600
32002	Charles Egeler reception center - Jackson	127,500
79002	Gus Harrison correctional facility - Adrian	285,100
78002	Huron Valley correctional facility - Ypsilanti	157,500
89002	Macomb correctional facility - New Haven	132,600
87002	Mound correctional facility - Detroit	127,500
34002	Parnall correctional facility - Jackson	127,600
86002	Ryan correctional facility - Detroit	127,500
82002	Robert Scott correctional facility - Plymouth	184,600
33002	Southern Michigan correctional facility - Jackson	127,600
80002	Thumb correctional facility - Lapeer	189,100
85002	Western Wayne correctional facility - Plymouth	127,500
67002	Bellamy Creek correctional facility - Ionia	617,600
72002	Earnest C. Brooks correctional facility - Muskegon	285,100
48002	Carson City correctional facility - Carson City	255,100
76002	Florence Crane correctional facility - Coldwater	193,900
63002	Deerfield correctional facility - Ionia	138,000
61002	Richard A. Handlon correctional facility - Ionia	127,600
62002	Ionia maximum correctional facility - Ionia	127,500
77002	Lakeland correctional facility - Coldwater	127,500
66002	Muskegon correctional facility - Muskegon	127,500
70002	Pine River correctional facility - St. Louis	127,500
64002	Riverside correctional facility - Ionia	157,600
69002	St. Louis correctional facility - St. Louis	319,300
05083	Information technology services and projects	50,000
		12,602,500

**11. Department of Education**

The 2.5 percent reduction from the adjusted general fund appropriations for the Department of Education shall not reduce the state's maintenance of effort requirement under the Temporary Assistance for Needy Families program. Appropriation authorization adjustments required to implement general fund expenditure reductions of \$419,300.00, shall be conducted pursuant to section 222, 2002 PA 522.

**12. Department of Environmental Quality**

- |                  |                           |
|------------------|---------------------------|
| a. Appropriation | Reduction                 |
| <u>Number</u>    | <u>Amount</u>             |
| 01017            | Office of the Great Lakes |
|                  | 400,000                   |
- b. In addition, appropriation authorization adjustments required to implement general fund expenditure reductions of \$1,810,800.00, shall be conducted pursuant to section 1501, 2002 PA 520.

**13. Executive Office**

Appropriation authorization adjustments required to implement general fund expenditure reductions of \$125,500.00, shall be conducted pursuant to section 216, 2002 PA 528.

**14. Family Independence Agency**

The reduction in appropriations for the Family Independence Agency is in an amount equal to 1.0 percent of the adjusted general fund-general purpose appropriation.

The 1.0 percent reduction in general fund appropriations for the Family Independence Agency shall not reduce the state's maintenance of effort requirement under the Temporary Assistance for Needy Families program.

Appropriation authorization adjustments required to implement general fund expenditure reductions of \$8,031,000.00, shall be conducted pursuant to section 265, 2002 PA 529.

**15. Higher Education**

a. Appropriation	Reduction
<u>Number</u>	<u>Amount</u>
01001	Central Michigan University
01501	Eastern Michigan University
02001	Ferris State University
02501	Grand Valley State University
04001	Lake Superior State University
03001	Michigan State University
03501	Michigan Technological University
04501	Northern Michigan University
03201	Oakland University
05001	Saginaw Valley State University
05501	University of Michigan - Ann Arbor
05801	University of Michigan - Dearborn
05701	University of Michigan - Flint
06501	Wayne State University
06001	Western Michigan University
03301	Agricultural experiment station
03401	Cooperative extension service
03101	Japan center for Michigan universities
07002	Higher education database modernization and conversion
07350	Select student supportive services
07352	Michigan college/university partnership program
07368	Morris Hood, Jr. educator development program
03510	State competitive scholarships
03512	Tuition grants
03514	Michigan work-study program
03516	Part-time independent student program
03518	Grant for Michigan resident dental graduates
03520	Grant for general degree graduates
03522	Grant for allied health graduates
03526	Michigan education opportunity grants
	45,306,783

- b. Amend subsection (1) of Section 401 of Act No. 144 of the Public Acts of 2002 as follows:  
 Sec. 401. (1) Included in part 1 is ~~\$6,356,023.00~~ \$6,197,115.00 to Wayne State University for the Joseph F. Young, Sr. psychiatric research and training program. Wayne State University shall use these funds for psychiatric laboratory and clinical research, training, and treatment services. Within the available appropriation, services shall not be denied to any patient who meets established research guidelines for treatment on the basis of personal financial circumstances, age, geographic residence, or projected/actual length of treatment as medically warranted.
- c. Amend subsection (1) of Section 433 of Act No. 144 of the Public Acts of 2002 as follows:  
 Sec. 433. (1) Included in part 1 is ~~\$3,281,500.00~~ \$3,199,459.00 for the agricultural experiment station and ~~\$2,910,000.00~~ \$2,837,247.00 for the cooperative extension service for project GREEN. Project GREEN is intended to address critical regulatory, food safety, economic, and environmental problems faced by this

state’s plant-based agriculture, forestry, and processing industries. ‘GREEN’ is an acronym for generating research and extension to meet environmental and economic needs.

**16. Department of History, Arts and Libraries**

The 2.5 percent reduction in general fund appropriations for the Department of History, Arts and Libraries shall not reduce the appropriation for Renaissance Zone Tax Reimbursement funding. Appropriation authorization adjustments required to implement general fund expenditure reductions of \$1,522,400.00, shall be conducted pursuant to section 261, 2002 PA 523.

**17. Department of Management and Budget**

Appropriation authorization adjustments required to implement general fund expenditure reductions of \$1,100,900.00, shall be conducted pursuant to section 216, 2002 PA 528.

In order to meet the general fund reduction, the Department of Management and Budget may reduce building occupancy and parking expenditures. The State Budget Director is hereby authorized to take any and all actions necessary to adjust restricted revenue reductions and general fund reductions for the Department of Management and Budget.

**18. Michigan Strategic Fund**

The reduction in general fund appropriations for the Michigan Strategic Fund is in an amount equal to \$3,000,000.00.

Appropriation authorization adjustments required to implement general fund expenditure reductions of \$3,000,000.00, shall be conducted pursuant to section 261, 2002 PA 517.

**19. Department of Military and Veterans Affairs**

The reduction in general fund appropriations for the Department of Military and Veterans Affairs is in an amount equal to 1.0 percent of the total general fund-general purpose appropriation.

The 1.0 percent reduction in general fund appropriations for the Department of Military and Veterans Affairs shall not reduce funding to Veterans Service Organizations nor to veterans homes.

Appropriation authorization adjustments required to implement general fund expenditure reductions of \$400,800.00, shall be conducted pursuant to section 261, 2002 PA 514.

**20. Department of Natural Resources**

Appropriation authorization adjustments required to implement general fund expenditure reductions of \$1,095,600.00, shall be conducted pursuant to section 1301, 2002 PA 525.

The Department of Natural Resources may reduce restricted revenue appropriations authorized in a prior fiscal year in order to meet the general fund reduction amount. The State Budget Director is hereby authorized to take any and all actions necessary to adjust restricted revenue reductions and general fund reductions for the Department of Natural Resources.

**21. Department of State**

Appropriation authorization adjustments required to implement general fund expenditure reductions of \$424,200.00, shall be conducted pursuant to section 216, 2002 PA 528.

**22. Department of State Police**

The reduction in general fund appropriations for the Department of State Police is in an amount equal to 1.5 percent of the total general fund-general purpose appropriation.

The 1.5 percent reduction in general fund appropriations for the Department of State Police shall not result in the layoff of state troopers.

Appropriation authorization adjustments required to implement general fund expenditure reductions of \$4,305,700.00, shall be conducted pursuant to section 261, 2002 PA 526.

**23. Department of Treasury**

a. Appropriation

<u>Number</u>	<u>Item</u>	<u>Reduction Amount</u>
09476	Grants to local governmental units	9,900,000
08330	Quality of life bond	40,000,000
		49,900,000

b. In addition, the 2.5 percent reduction in general fund appropriations for the Department of Treasury shall not reduce the appropriation for Debt Service obligations.

Appropriation authorization adjustments required to implement general fund expenditure reductions of \$1,289,900.00, shall be conducted pursuant to section 216, 2002 PA 528.

D. The following general fund-general purpose amounts from work project accounts, totaling \$ 3,397,500.00, are hereby reduced:

<u>Appropriation Number</u> <u>(Appropriation Year)</u>	<u>Item</u>	<u>Reduction Amount</u>
02072 (AY 01)	<b>Department of Corrections</b>	1,998,800
	New employee training program	
04138 (AY 95)	<b>Department of Corrections</b>	1,398,700
	Workload automation and imaging	
		3,397,500



E. Portions of appropriations financed with special purpose revenue amounting to \$106,810,500.00 contained in the following public acts are hereby reduced.

<u>Public Act</u>	<u>Department</u>	<u>Reduction Amount</u>
2002 PA 144	Higher Education	50,000,000
2002 PA 56	Transportation	3,710,500
2002 PA 528	Treasury	53,100,000
		<u>106,810,500</u>

F. The reduction totals for the department and agencies in Section E include the following appropriation items or are predicated upon the following actions:

**1. Higher Education**

<u>Appropriation Number</u>	<u>Item</u>	<u>Reduction Amount</u>
80000	Michigan merit award program	50,000,000

**2. Department of Transportation**

<u>Appropriation Number</u>	<u>Item</u>	<u>Reduction Amount</u>
00023	Fire protection grants	3,710,500

**3. Department of Treasury**

<u>Appropriation Number</u>	<u>Item</u>	<u>Reduction Amount</u>
09466	Statutory state general revenue sharing grants	53,100,000

The State Budget Director is hereby authorized to take any and all actions necessary to implement the provisions of this order so that expenditures authorized by appropriations shall be reduced as specified above for the fiscal year October 1, 2002 to September 30, 2003.

[SEAL]

Given under my hand and the Great Seal of the State of Michigan this 5th day of December, in the Year of Our Lord, Two Thousand Two.

John Engler  
Governor  
By the Governor:  
Candice S. Miller  
Secretary of State

The message was referred to the Clerk.

By unanimous consent the House returned to the order of  
**Notices**

December 5, 2002

Mr. Gary L. Randall, Clerk  
House of Representatives  
State Capitol Building  
Lansing, Michigan 48909  
Dear Mr. Randall:

Pursuant to the authority vested in Governor John Engler by Article V, Section 20 of the Constitution of the State of Michigan and language contained in P.A. 431 of 1984, as amended: I, Representative Marc Shulman, Chair of the House Appropriations Committee of the Michigan State Legislature, hereby certify that the official minutes of our Committee show that the majority of the members of our Committee, elected and serving, are recorded as approving Executive Order No. 2002-22 dated December 5, 2002.

Sincerely,  
Marc Shulman, Chair  
House Appropriations Committee

By unanimous consent the House returned to the order of  
**Reports of Standing Committees**

The Committee on Family and Children Services, by Rep. Hart, Chair, reported  
**House Bill No. 5439, entitled**  
A bill to amend 1956 PA 205, entitled "The paternity act," by amending section 2 (MCL 722.712), as amended by 1998 PA 113.  
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 5439** To Report Out:

Yeas: Reps. Hart, Vander Veen, DeWeese, Hager, Tabor, Garza,  
Nays: None.

The Committee on Family and Children Services, by Rep. Hart, Chair, reported

**House Bill No. 6444, entitled**

A bill to prescribe the Amber alert of Michigan as the official response to reports of child abductions.  
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 6444** To Report Out:

Yeas: Reps. Hart, Vander Veen, DeWeese, Tabor, Garza,  
Nays: None.

The Committee on Family and Children Services, by Rep. Hart, Chair, reported

**House Bill No. 6445, entitled**

A bill to provide for the broadcast of information concerning a child abduction on radio and television stations; and to prescribe the content of the information broadcast.  
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 6445** To Report Out:

Yeas: Reps. Hart, Vander Veen, DeWeese, Hager, Tabor, Garza,  
Nays: None.

The Committee on Family and Children Services, by Rep. Hart, Chair, reported

**House Bill No. 6552, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 115b, 115f, 115g, and 117e (MCL 400.115b, 400.115f, 400.115g, and 400.117e), section 115b as amended by 1998 PA 516, section 115f as amended by 1998 PA 22, section 115g as amended by 1994 PA 238, and section 117e as amended by 1983 PA 222.  
Without amendment and with the recommendation that the bill pass.  
The bill was referred to the order of Second Reading of Bills.

## Favorable Roll Call

**HB 6552** To Report Out:

Yeas: Reps. Hart, Vander Veen, DeWeese, Hager, Tabor, Garza,  
Nays: None.

The Committee on Family and Children Services, by Rep. Hart, Chair, reported

**House Bill No. 6553, entitled**

A bill to amend 1971 PA 174, entitled "Office of child support act," by amending section 3 (MCL 400.233), as amended by 2001 PA 564, and by adding section 6a.  
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 6553** To Report Out:

Yeas: Reps. Hart, Vander Veen, DeWeese, Hager, Tabor, Garza,  
Nays: None.

The Committee on Family and Children Services, by Rep. Hart, Chair, reported

**House Bill No. 6554, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2529 (MCL 600.2529), as amended by 2001 PA 202.

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 6554** To Report Out:

Yeas: Reps. Hart, Vander Veen, DeWeese, Hager, Tabor, Garza,  
Nays: None.

The Committee on Family and Children Services, by Rep. Hart, Chair, reported

**House Bill No. 6555, entitled**

A bill to amend 1982 PA 295, entitled "Support and parenting time enforcement act," by amending sections 7, 13, 27, and 35 (MCL 552.607, 552.613, 552.627, and 552.635), section 7 as amended by 2002 PA 572, section 13 as amended by 1998 PA 334, section 27 as amended by 2001 PA 106, and section 35 as amended by 2002 PA 567.

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 6555** To Report Out:

Yeas: Reps. Hart, Vander Veen, DeWeese, Hager, Tabor, Garza,  
Nays: None.

The Committee on Family and Children Services, by Rep. Hart, Chair, reported

**Senate Bill No. 1505, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 115f, 115g, 115i, 115j, 115l, and 115m (MCL 400.115f, 400.115g, 400.115i, 400.115j, 400.115l, and 400.115m), section 115f as amended by 1998 PA 22, section 115g as amended and sections 115i and 115l as added by 1994 PA 238, section 115j as amended by 2000 PA 61, and section 115m as added by 1994 PA 207, and by adding sections 115r and 115s.

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 1505** To Report Out:

Yeas: Reps. Hart, Vander Veen, DeWeese, Tabor, Garza,  
Nays: None.

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, December 5, 2002, at 9:00 a.m.,

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

Absent: Reps. Bernero, Rison,

Excused: Reps. Bernero, Rison.

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

**Senate Bill No. 1221, entitled**

A bill to amend 1967 PA 150, entitled "Michigan military act," by amending section 302 (MCL 32.702).

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 1221** To Report Out:

Yeas: Reps. Richardville, Woronchak, Allen, Patterson, Woodward,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, December 5, 2002, at 9:00 a.m.,

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

Absent: Reps. Schermesser, Mans,

Excused: Reps. Schermesser, Mans.

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

**House Bill No. 5586, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 57b (MCL 257.57b).

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 5586** To Report Out:

Yeas: Reps. Kuipers, Meyer, Allen, Bradstreet, Palmer, Van Woerkom, Voorhees, Clark, Gielegem, Spade, Zelenko,

Nays: Reps. Hansen, Bogardus.

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

**Senate Bill No. 1506, entitled**

A bill to prescribe the powers and duties of the Michigan public educational facilities authority; to provide for the issuance of notes and bonds of the authority; to create funds and accounts; to authorize certain forms of assistance to public schools; to make investments; to exempt certain property from certain taxes; to grant powers and impose duties on officers and agencies of this state and political subdivisions of this state; and to make, accept, and expend certain appropriations.

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 1506** To Report Out:

Yeas: Reps. Kuipers, Meyer, Allen, Bradstreet, Hager, Hart, Palmer, Van Woerkom, Voorhees,

Nays: Reps. Hansen, Bogardus, Clark, Gielegem, Zelenko.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, December 5, 2002, at 9:00 a.m.,

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

Absent: Reps. Ruth Johnson, McConico,

Excused: Reps. Ruth Johnson, McConico.

The Committee on Civil Law and the Judiciary, by Rep. Howell, Chair, reported  
**House Bill No. 4092, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8122 (MCL 600.8122), as amended by 1988 PA 135, and by adding section 9938a.

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 4092** To Report Out:

Yeas: Reps. Howell, Hummel, Palmer, Voorhees, Adamini, Lipsey, Waters,  
Nays: None.

The Committee on Civil Law and the Judiciary, by Rep. Howell, Chair, reported  
**House Bill No. 6186, entitled**

A bill to amend 1927 PA 372, entitled "An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act," by amending section 1 (MCL 28.421), as amended by 2000 PA 381.

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 6186** To Report Out:

Yeas: Reps. Howell, Hummel, Koetje, Palmer, Voorhees, Adamini, Waters,  
Nays: None.

The Committee on Civil Law and the Judiciary, by Rep. Howell, Chair, reported  
**Senate Bill No. 1400, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 1005, 1011, 1019, 1021, and 1023 (MCL 600.1005, 600.1011, 600.1019, 600.1021, and 600.1023), sections 1005, 1019, and 1023 as added by 1996 PA 388, section 1011 as amended by 1998 PA 298, and section 1021 as amended by 2000 PA 56; and to repeal acts and parts of acts.

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 1400** To Report Out:

Yeas: Reps. Howell, Hummel, Koetje, Palmer, Voorhees, Adamini, Lipsey, Waters,  
Nays: None.

The Committee on Civil Law and the Judiciary, by Rep. Howell, Chair, reported  
**Senate Bill No. 1448, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 1307a and 1344 (MCL 600.1307a and 600.1344), section 1307a as amended by 1986 PA 104 and section 1344 as amended by 1982 PA 226.

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

1. Amend page 3, line 25, by striking out the balance of the bill and inserting:  
“(a) Senate Bill No. 1452.

- (b) House Bill No. 4090.
- (c) House Bill No. 4551.
- (d) House Bill No. 4552.
- (e) House Bill No. 4553.”.

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

#### Favorable Roll Call

#### **SB 1448** To Report Out:

Yeas: Reps. Howell, Hummel, Koetje, Palmer, Voorhees, Adamini,  
Nays: None.

The Committee on Civil Law and the Judiciary, by Rep. Howell, Chair, reported

#### **Senate Bill No. 1452, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 2529 and 8371 (MCL 600.2529 and 600.8371), section 2529 as amended by 2001 PA 202 and section 8371 as amended by 1996 PA 388.

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

1. Amend page 9, line 19, by striking out the balance of the enacting section and inserting:

“(a) Senate Bill No. 1448.

- (b) House Bill No. 4090.
- (c) House Bill No. 4551.
- (d) House Bill No. 4552.
- (e) House Bill No. 4553.”.

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

#### Favorable Roll Call

#### **SB 1452** To Report Out:

Yeas: Reps. Howell, Hummel, Koetje, Palmer, Voorhees, Adamini, Waters,  
Nays: None.

#### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, December 5, 2002, at 9:00 a.m.,

Present: Reps. Howell, Hummel, Koetje, Palmer, Voorhees, Adamini, Lipsey, Waters,

Absent: Reps. Mortimer, Richner, McConico,

Excused: Reps. Mortimer, Richner, McConico.

#### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, December 5, 2002, at 8:30 a.m.,

Present: Reps. Shulman, LaSata, Cameron Brown, Caul, Godchaux, Jansen, Jelinek, Kooiman, Mead, Mortimer, Newell, Pappageorge, Pumford, Shackleton, Stamas, Stewart, Toy, Vander Roest, Frank, Rich Brown, Clarke, Lockwood, Pestka, Phillips, Plakas, Reeves, Stallworth, Switalski, Whitmer.

#### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, December 5, 2002, at 9:30 a.m.,

Present: Reps. Shulman, LaSata, Cameron Brown, Caul, Godchaux, Jansen, Jelinek, Kooiman, Mead, Mortimer, Newell, Pappageorge, Pumford, Shackleton, Stamas, Stewart, Toy, Vander Roest, Frank, Rich Brown, Clarke, Lockwood, Pestka, Phillips, Plakas, Reeves, Stallworth, Switalski, Whitmer.

**Second Reading of Bills****House Bill No. 5523, 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 section 10c (MCL 247.660c), as amended by 1990 PA 73.

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

The substitute (H-2) was not adopted, a majority of the members serving not voting therefor.

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

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

Rep. Scranton 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.

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Rep. Jacobs moved that Reps. Thomas and Mans be excused temporarily from today's session.

The motion prevailed.

Rep. Vander Roest moved that Reps. Vear and Kuipers be excused temporarily from today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

**Third Reading of Bills****House Bill No. 5523, 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 section 10c (MCL 247.660c), as amended by 1990 PA 73.

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

**Roll Call No. 1182****Yeas—93**

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

**Nays—8**

Anderson	Drolet	Johnson, Ruth	Plakas
Basham	Gosselin	Patterson	Rocca

In The Chair: Julian



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

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

A bill to amend 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 3 2 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 10c, 10h, 10l, and 10n (MCL 247.660c, 247.660h, 247.660l, and 247.660n), sections 10c and 10h as amended by 2002 PA 498, section 10l as amended by 1987 PA 234, and section 10n as amended by 2002 PA 329.

The motion prevailed.

The House agreed to the title as amended.

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

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

## Second Reading of Bills

### House Bill No. 5977, entitled

A bill to improve the training and education of local corrections officers; to provide for the certification of local corrections officers and the development of standards and requirements for local corrections officers; to provide for the creation of a local corrections officers' advisory council; and to prescribe the powers and duties of certain state officers and agencies.

The bill was read a second time.

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

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

Rep. Richardville moved to amend the bill as follows:

1. Amend page 7, line 26, after "than" by striking out "24" and inserting "12".

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

Rep. Richardville moved to amend the bill as follows:

1. Amend page 9, line 24, after "unless" by striking out the balance of the enacting section and inserting "House Bill No. 5978 of the 91st Legislature is enacted into law."

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

Rep. Richardville 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. Richardville moved that Rep. DeVuyst be excused temporarily from today's session.  
The motion prevailed.

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

**House Bill No. 5977, entitled**

A bill to improve the training and education of local corrections officers; to provide for the certification of local corrections officers and the development of standards and requirements for local corrections officers; to provide for the creation of a local corrections officers' advisory council; and to prescribe the powers and duties of certain state officers and agencies.

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

**Roll Call No. 1183**

**Yeas—99**

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

**Nays—2**

Drolet Gosselin

In The Chair: Julian

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

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

A bill to improve the training and education of local corrections officers; to provide for the certification of local corrections officers and the development of standards and requirements for local corrections officers; to provide for the creation of a sheriffs coordinating and training office and a local corrections advisory board; and to prescribe the powers and duties of certain local and state officers and agencies.

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

**Second Reading of Bills**

**House Bill No. 5978, entitled**

A bill to amend 1846 RS 171, entitled "Of county jails and the regulation thereof," (MCL 801.1 to 801.27) by adding section 4b.

The bill was read a second time.

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

Rep. Richardville moved to amend the bill as follows:

- 1. Amend page 2, line 14, after "TION" by striking out "(5)" and inserting "(4)".

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

Rep. Kowall 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. Koetje moved that Rep. Raczkowski be excused temporarily from today's session.  
The motion prevailed.

By unanimous consent the House returned to the order of

**Third Reading of Bills**

**House Bill No. 5978, entitled**

A bill to amend 1846 RS 171, entitled "Of county jails and the regulation thereof," (MCL 801.1 to 801.27) by adding section 4b.

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

**Roll Call No. 1184**

**Yeas—98**

Adamini	Frank	Lemmons	Rocca
Allen	Garza	Lipsey	Schauer
Anderson	George	Lockwood	Schermesser
Basham	Gielegghem	McConico	Shackleton
Bernero	Gilbert	Mead	Sheltrown
Birkholz	Gosselin	Meyer	Shulman
Bisbee	Hager	Middaugh	Spade
Bishop	Hansen	Minore	Stallworth
Bogardus	Hardman	Mortimer	Stamas
Bovin	Hart	Murphy	Stewart
Bradstreet	Howell	Neumann	Switalski
Brown, B.	Hummel	Newell	Tabor
Brown, C.	Jacobs	O'Neil	Toy

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

### 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.

Reps. Anderson, Basham, Cassis, Caul, Dennis, DeRossett, Julian, Mortimer, Plakas, Shackleton and Shulman were named co-sponsors of the bill.

### Second Reading of Bills

#### House Bill No. 6186, entitled

A bill to amend 1927 PA 372, entitled “An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act,” by amending section 1 (MCL 28.421), as amended by 2000 PA 381.

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

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

Rep. Middaugh 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. 6186, entitled

A bill to amend 1927 PA 372, entitled “An act to regulate and license the selling, purchasing, possessing, and carrying of certain firearms and gas ejecting devices; to prohibit the buying, selling, or carrying of certain firearms and gas ejecting devices without a license or other authorization; to provide for the forfeiture of firearms under certain circumstances; to provide for penalties and remedies; to provide immunity from civil liability under certain circumstances; to prescribe the powers and duties of certain state and local agencies; to prohibit certain conduct against individuals who apply for or receive a license to carry a concealed pistol; to make appropriations; to prescribe certain conditions for the appropriations; and to repeal all acts and parts of acts inconsistent with this act,” by amending section 1 (MCL 28.421), as amended by 2000 PA 381.

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

**Roll Call No. 1185****Yeas—101**

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

**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.

**Second Reading of Bills****House Bill No. 4092, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8122 (MCL 600.8122), as amended by 1988 PA 135, and by adding section 9938a.

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

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

Rep. Switalski 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. 4092, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8122 (MCL 600.8122), as amended by 1988 PA 135, and by adding section 9938a.

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

**Roll Call No. 1186****Yeas—98**

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

**Nays—1**

Drolet

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.

**Second Reading of Bills****House Bill No. 6444, entitled**

A bill to prescribe the Amber alert of Michigan as the official response to reports of child abductions.

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

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

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.

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

The motion prevailed.

Rep. Anderson moved that Rep. McConico be excused temporarily from today's session.  
The motion prevailed.

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

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

**House Bill No. 6444, entitled**

A bill to prescribe the Amber alert of Michigan as the official response to reports of child abductions.

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

**Roll Call No. 1187**

**Yeas—100**

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

**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.

Reps. Allen, Anderson, Basham, Birkholz, Bisbee, Bogardus, Rich Brown, Caul, Clarke, DeRossett, DeWeese, Durhal, Hager, Hardman, Hummel, Jacobs, Jamnick, Jansen, Jelinek, Julian, Kowall, Lipsey, Mead, Middaugh, Mortimer, Murphy, Newell, Pappageorge, Richardville, Rocca, Schauer, Schermesser, Shackleton, Shulman, Spade, Stamas, Wojno, Woronchak and Zelenko were named co-sponsors of the bill.

### Second Reading of Bills

#### House Bill No. 6445, entitled

A bill to provide for the broadcast of information concerning a child abduction on radio and television stations; and to prescribe the content of the information broadcast.

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

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

Rep. Toy 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. 6445, entitled

A bill to provide for the broadcast of information concerning a child abduction on radio and television stations; and to prescribe the content of the information broadcast.

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

#### Roll Call No. 1188

#### Yeas—103

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

#### Nays—0



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.

Reps. Anderson, Basham, Bernero, Bogardus, Bisbee, Bishop, Bogardus, Bovin, Bob Brown, Rich Brown, Caul, Clarke, Daniels, Dennis, DeRossett, Durhal, Frank, Hager, Hardman, Howell, Hummel, Jacobs, Jamnick, Jansen, Ruth Johnson, Julian, Kowall, LaSata, Lemmons, Lipse, McConico, Mead, Middaugh, Mortimer, Murphy, Neumann, Newell, Patterson, Pestka, Phillips, Pumford, Richardville, Rocca, Schauer, Schermesser, Sheltroun, Spade, Stamas, Waters, Williams, Wojno, Woronchak and Zelenko were named co-sponsors of the bill.

**Second Reading of Bills**

**House Bill No. 6234, entitled**

A bill to authorize the department of natural resources to convey certain state owned property in Huron county; to prescribe conditions for the conveyance; and to provide for disposition of the revenue from the conveyance.

The bill was read a second time.

Rep. Meyer 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. Sheltroun moved that Rep. Neumann be excused temporarily from today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

**Third Reading of Bills**

**House Bill No. 6234, entitled**

A bill to authorize the department of natural resources to convey certain state owned property in Huron county; to prescribe conditions for the conveyance; and to provide for disposition of the revenue from the conveyance.

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

**Roll Call No. 1189**

**Yeas—98**

Adamini	Frank	Lemmons	Rocca
Allen	Garza	Lipse	Schauer
Anderson	George	Lockwood	Schermesser
Basham	Gielegem	McConico	Shackleton
Bernero	Gilbert	Mead	Sheltroun
Birkholz	Godchaux	Meyer	Shulman
Bisbee	Gosselin	Middaugh	Spade
Bishop	Hager	Minore	Stamas
Bogardus	Hale	Mortimer	Stewart
Bovin	Hansen	Murphy	Switalski
Bradstreet	Hardman	Newell	Tabor
Brown, B.	Hart	O'Neil	Toy
Brown, C.	Howell	Palmer	Van Woerkom
Brown, R.	Hummel	Pappageorge	Vander Roest
Callahan	Jamnick	Patterson	Vander Veen
Cassis	Jansen	Pestka	Vear
Caul	Jelinek	Phillips	Voorhees

Clark, I.	Johnson, Ruth	Plakas	Waters
Clarke, H.	Julian	Quarles	Whitmer
Daniels	Koetje	Rackowski	Williams
Dennis	Kolb	Reeves	Wojno
DeRossett	Kooiman	Richardville	Woodward
DeWeese	Kowall	Richner	Woronchak
Drolet	Kuipers	Rison	Zelenko
Durhal	LaSata		

### 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.

### Second Reading of Bills

#### House Bill No. 5829, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20180 (MCL 333.20180), as added by 1994 PA 52.

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

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

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

The motion prevailed.

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

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

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

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### House Bill No. 5829, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20180 (MCL 333.20180), as added by 1994 PA 52.

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

### Roll Call No. 1190

### Yeas—103

Adamini	Frank	Lemmons	Rocca
Allen	Garza	Lipsey	Schauer
Anderson	George	Lockwood	Schermesser
Basham	Gielegem	McConico	Scranton

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

### 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.

### Second Reading of Bills

#### House Bill No. 4330, entitled

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

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

The substitute (H-1) was not adopted, a majority of the members serving not voting therefor.

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

The motion did not prevail and the substitute (H-2) was not adopted, a majority of the members serving not voting therefor.

Rep. Pumford moved to substitute (H-4) the bill.

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

Rep. Vander Roest 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.

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Rep. Lockwood moved that Reps. O'Neil and Bob Brown be excused temporarily from today's session.  
The motion prevailed.

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

**House Bill No. 4330, entitled**

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

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

**Roll Call No. 1191**

**Yeas—101**

Adamini	Garza	LaSata	Schauer
Allen	George	Lemmons	Schermesser
Anderson	Gielegem	Lipsey	Scranton
Basham	Gilbert	Lockwood	Shackleton
Bernero	Godchaux	McConico	Sheltrown
Birkholz	Gosselin	Mead	Shulman
Bisbee	Hager	Meyer	Spade
Bishop	Hale	Middaugh	Stallworth
Bogardus	Hansen	Minore	Stamas
Bovin	Hardman	Mortimer	Stewart
Bradstreet	Hart	Murphy	Switalski
Brown, C.	Howell	Newell	Tabor
Brown, R.	Hummel	Palmer	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	Rackowski	Whitmer
DeRossett	Koetje	Reeves	Williams
DeWeese	Kolb	Richardville	Wojno
Drolet	Kooiman	Richner	Woodward
Durhal	Kowall	Rivet	Woronchak
Ehardt	Kuipers	Rocca	Zelenko
Frank			

**Nays—1**

Rison

In The Chair: Julian

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

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

A bill to amend 1999 PA 94, entitled "Michigan merit award scholarship act," by amending sections 2, 7, and 8 (MCL 390.1452, 390.1457, and 390.1458), sections 7 and 8 as amended by 2002 PA 537.

The motion prevailed.

The House agreed to the title as amended.

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

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

By unanimous consent the House returned to the order of  
**Reports of Standing Committees**

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

**House Bill No. 6063, entitled**

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," (MCL 125.2001 to 125.2093) by adding section 14a. 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 6063** To Report Out:

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

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

**Senate Bill No. 795, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 32504a.

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 795** To Report Out:

Yeas: Reps. Allen, Bishop, Bisbee, DeVuyst, Gilbert, Middaugh, Van Woerkom, Vear, Rivet, Kolb, Lemmons, Zelenko,  
Nays: None.

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

**Senate Bill No. 1419, entitled**

A bill to amend 2001 PA 122, entitled "Equitable sales and use tax administration act," by amending section 17 (MCL 205.167).

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 1419** To Report Out:

Yeas: Reps. Allen, Bishop, Bisbee, DeVuyst, Gilbert, Van Woerkom, Vear, Rivet, Kolb, Lemmons, Lipsey, Waters, Zelenko,  
Nays: Rep. Middaugh.

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

**Senate Bill No. 1437, entitled**

A bill to amend 1979 PA 152, entitled "State license fee act," by amending section 37 (MCL 338.2237), as amended by 1988 PA 461.

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 1437** To Report Out:

Yeas: Reps. Allen, Bishop, Bisbee, DeVuyst, Gilbert, Middaugh, Vear, Rivet, Kolb, Lemmons, Waters, Zelenko,  
Nays: None.

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

**Senate Bill No. 1438, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 409, 411, and 2504 (MCL 339.409, 339.411, and 339.2504), section 409 as added by 1988 PA 463, section 411 as amended by 1989 PA 261, and section 2504 as amended by 1984 PA 413, and by adding section 2502a.

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

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

Favorable Roll Call

**SB 1438** To Report Out:

Yeas: Reps. Allen, Bishop, Bisbee, DeVuyst, Gilbert, Middaugh, Van Woerkom, Vear, Rivet, Kolb, Lemmons, Lipsey, Waters, Zelenko,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, December 5, 2002, at 9:00 a.m.,

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

**Second Reading of Bills**

**House Bill No. 6063, entitled**

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," (MCL 125.2001 to 125.2093) by adding section 14a. The bill was read a second time.

Rep. Drolet 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.

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

By unanimous consent the House returned to the order of

**Third Reading of Bills**

**House Bill No. 6063, entitled**

A bill to amend 1984 PA 270, entitled "Michigan strategic fund act," (MCL 125.2001 to 125.2093) by adding section 14a. The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

**Second Reading of Bills**

**Senate Bill No. 3, entitled**

A bill to amend 1947 PA 179, entitled "An act to provide for the incorporation of certain municipal authorities for the collection or disposal, or both, of garbage or rubbish, or both, and for the operation of a dog pound; and to prescribe the powers, rights and duties thereof," (MCL 123.301 to 123.310) by adding section 11.

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

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

Rep. Bisbee moved to amend the bill as follows:

1. Amend page 1, line 1, after the second "THE" by striking out "2001" and inserting "2002".

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

Rep. Jacobs moved to amend the bill as follows:

1. Amend page 3, line 5, after "pay" by inserting "OR ADOPT A RESOLUTION AS PROVIDED IN THIS SUBSECTION PROVIDING FOR PAYMENT".

2. Amend page 4, line 9, after "(B)" by inserting "AN AUTHORITY MAY SATISFY THE PROVISIONS OF THIS SUBSECTION BY ADOPTING A RESOLUTION PROVIDING FOR THE PAYMENT TO THE WITHDRAWING MEMBER OF THE AMOUNTS REQUIRED BY THIS SUBSECTION OVER A PERIOD NOT TO EXCEED 15 YEARS FROM THE WITHDRAWAL DATE. THE AMOUNT SHALL BE PAYABLE IN ANNUAL INSTALLMENTS OR MORE FREQUENTLY AS PROVIDED FOR IN THE RESOLUTION. THE RESOLUTION SHALL PROVIDE FOR THE PAYMENT OF INTEREST AT A RATE NOT LESS THAN THE CURRENT RATE FOR TEN-YEAR TREASURY BILLS AT THE TIME OF THE ADOPTION OF THE RESOLUTION. IF THE AUTHORITY FAILS TO PROVIDE A PAYMENT TO A WITHDRAWING MEMBER WITHIN 90 DAYS AFTER A PAYMENT DATE PROVIDED FOR IN THE RESOLUTION, ALL REMAINING AMOUNTS DUE THE WITHDRAWING MEMBER SHALL IMMEDIATELY BECOME DUE AND THE RESOLUTION SHALL NO LONGER BE EFFECTIVE. A RESOLUTION PROVIDING FOR PAYMENT UNDER THIS SUBSECTION SHALL BE ADOPTED BY A MAJORITY VOTE OF THE MEMBERS OF THE AUTHORITY, WEIGHTED BY THE RECENT PERCENTAGE OF WASTE DELIVERY AND EXCLUDING THE WITHDRAWING MEMBER.".

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

Rep. Bishop moved to amend the bill as follows:

1. Amend page 3, following line 23, by inserting:

"(C) THE MEMBER'S FAIR SHARE OF ANY OBLIGATION TO REIMBURSE THE AUTHORITY FOLLOWING THE MEMBER'S WITHDRAWAL FOR LIABILITY INCURRED BY THE AUTHORITY AS A RESULT OF LITIGATION OR ARBITRATION PROCEEDINGS THAT WERE INITIATED BEFORE THE DATE OF WITHDRAWAL, OR LITIGATION OR ARBITRATION INVOLVING A CAUSE OF ACTION ARISING BEFORE THE DATE OF WITHDRAWAL, IF THE TOTAL AMOUNT OF THE MEMBER'S FAIR SHARE OF THE OBLIGATION CANNOT BE EXACTLY DETERMINED BY THE DATE OF WITHDRAWAL.".

2. Amend page 5, line 10, after "FOR" by inserting "BOTH OF THE FOLLOWING:

(i)".

3. Amend page 5, following line 14, by inserting:

"(ii) THE MEMBER'S FAIR SHARE OF ANY OBLIGATION TO REIMBURSE THE AUTHORITY FOLLOWING THE DISSOLUTION FOR LIABILITY INCURRED BY THE AUTHORITY AS A RESULT OF LITIGATION OR ARBITRATION PROCEEDINGS THAT WERE INITIATED BEFORE THE DATE OF DISSOLUTION, OR LITIGATION OR ARBITRATION INVOLVING A CAUSE OF ACTION ARISING BEFORE THE DATE OF DISSOLUTION, IF THE TOTAL AMOUNT OF THE MEMBER'S FAIR SHARE OF THE OBLIGATION CANNOT BE EXACTLY DETERMINED BY THE TIME THE REQUIREMENTS OF SUBSECTION (7) ARE MET.".

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

Rep. Jacobs moved to amend the bill as follows:

1. Amend page 4, line 13, after the first "OF" by striking out "A MAJORITY" and inserting "60%".

2. Amend page 6, line 13, after "AUTHORITY" by inserting "EXCLUDING CONTRIBUTIONS OF CAPITAL ATTRIBUTED TO THE CLEAN MICHIGAN INITIATIVE BOND FUND".

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

Rep. Woodward moved to amend the bill as follows:

1. Amend page 2, line 3, after "PRICE" by striking out "EQUAL TO THE LESSER" and inserting "NOT LESS THAN THE GREATER".

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

Rep. Woodward moved to amend the bill as follows:

1. Amend page 5, line 3, after "(8)" by striking out "IMMEDIATELY".

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

Rep. Woodward moved to amend the bill as follows:

1. Amend page 7, line 1, after "PERCENTAGE" by striking out the balance of the subdivision and inserting "DETERMINED BY TAKING THE TONNAGE OF MUNICIPAL SOLID WASTE, RECYCLABLE MATERIALS,

AND YARD WASTE CONTRIBUTED BY THE MEMBER AND DISPOSED OF BY THE AUTHORITY SINCE ITS INCORPORATION AND DIVIDING THAT AMOUNT BY THE TONNAGE OF MUNICIPAL SOLID WASTE, RECYCLABLE MATERIALS, AND YARD WASTE CONTRIBUTED BY ALL MEMBERS AND DISPOSED OF BY THE AUTHORITY SINCE ITS INCORPORATION, AS DETERMINED, IN THE EVENT OF A DISPUTE, BY STATUTORY AND BINDING ARBITRATION.”.

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

Rep. Woodward moved to amend the bill as follows:

1. Amend page 5, line 11, after “TIES” by striking out “SUBSEQUENTLY”.

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

Rep. Woodward moved to amend the bill as follows:

1. Amend page 2, line 10, after “OF” by striking out “AN AUTHORITY CONTRACT UNDER SECTION 6” and inserting “ANY CONTRACT”.

2. Amend page 2, line 16, by striking out “PUBLIC GOOD FOR WHICH IT WAS CREATED” and inserting “MEMBER’S NEEDS”.

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

Rep. Woodward moved to amend the bill as follows:

1. Amend page 5, line 2, after “PROPERTY.” by inserting “IN ADDITION, THE AUTHORITY SHALL ESTABLISH A MECHANISM FOR HANDLING FUTURE ENVIRONMENTAL LIABILITIES.”.

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

Rep. Woodward moved to amend the bill as follows:

1. Amend page 6, line 13, after “IN” by striking out the balance of the line through “STATEMENTS” on line 14 and inserting “AN AUDIT CONDUCTED FOR THIS PURPOSE”.

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

Rep. Woodward moved to amend the bill as follows:

1. Amend page 4, line 23, after “SHALL” by inserting “ESTABLISH A MECHANISM TO MANAGE AND PAY FOR ENVIRONMENTAL ACTIVITIES REQUIRED UNDER EXISTING LAW AND”.

2. Amend page 4, line 25, after “CEASING” by striking out “SUCH ACTIVITIES” and inserting “ACTIVITIES DESCRIBED IN SECTION 1”.

3. Amend page 5, line 2, after “PROPERTY.” by inserting “A QUALIFIED AUTHORITY WITH RESPECT TO WHICH THE REQUIREMENTS OF SUBSECTION (6) HAVE BEEN MET AND A NEW AUTHORITY INCORPORATED UNDER SUBSECTION (10) MAY AGREE TO THE ASSIGNMENT OF CONTRACTS FROM THE QUALIFIED AUTHORITY TO THE NEW AUTHORITY.”.

4. Amend page 5, line 16, after “THE” by inserting “MEMBERS OR”.

5. Amend page 5, line 17, after “AUTHORITY” by striking out the balance of the subsection and inserting “WITH RESPECT TO WHICH THE REQUIREMENTS OF SUBSECTION (6) HAVE BEEN MET.”.

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

Rep. Woodward moved to amend the bill as follows:

1. Amend page 3, line 23, after “CONTRACT.” by inserting “IF 2 OR MORE MEMBERS WITHDRAW, THEY ARE JOINTLY LIABLE FOR DAMAGES UNDER THIS SUBDIVISION.”.

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

Rep. Birkholz moved to reconsider the vote by which the House adopted the amendment offered previously by Rep. Jacobs.

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

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

Rep. Jacobs withdrew the amendment.

Rep. Richardville 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**

**Senate Bill No. 3, entitled**

A bill to amend 1947 PA 179, entitled “An act to provide for the incorporation of certain municipal authorities for the collection or disposal, or both, of garbage or rubbish, or both, and for the operation of a dog pound; and to prescribe the powers, rights and duties thereof,” (MCL 123.301 to 123.310) by adding section 11.

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

**Roll Call No. 1192**

**Yeas—70**

Allen	Gielegem	Lemmons	Sheltrown
Anderson	Gilbert	Mead	Shulman
Basham	Gosselin	Meyer	Stallworth
Bernero	Hager	Middaugh	Stamas
Birkholz	Hansen	Mortimer	Stewart
Bisbee	Howell	Newell	Switalski
Bishop	Hummel	Palmer	Tabor
Bradstreet	Jansen	Pappageorge	Thomas
Brown, C.	Jelinek	Patterson	Toy
Cassis	Johnson, Rick	Pumford	Van Woerkom
Caul	Johnson, Ruth	Raczkowski	Vander Roest
Dennis	Julian	Reeves	Vander Veen
DeRossett	Koetje	Richardville	Vear
DeWeese	Kolb	Richner	Voorhees
Drolet	Kooiman	Rocca	Wojno
Ehardt	Kowall	Schauer	Woodward
Garza	Kuipers	Shackleton	Woronchak
George	LaSata		

**Nays—22**

Adamini	Godchaux	Murphy	Spade
Bovin	Hardman	Pestka	Waters
Brown, R.	Jacobs	Phillips	Whitmer
Clark, I.	Jamnick	Rivet	Williams
Durhal	Lockwood	Scranton	Zelenko
Frank	Minore		

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.

**Second Reading of Bills**

The House returned to the consideration of  
**House Bill No. 6338, entitled**

A bill to enact the uniform securities act (2002) relating to the issuance, offer, sale, or purchase of securities; to prohibit fraudulent practices in relation to securities; to establish civil and criminal sanctions for violations of the act and civil sanctions for violation of the rules promulgated pursuant to the act; to require the registration of broker-dealers, agents, investment advisers, and securities; to make uniform the law with reference to securities; and to repeal acts and parts of acts.

(The bill was considered earlier today, see today's Journal p. 2826)

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

Reps. LaSata and Woodward moved to amend the bill as follows:

1. Amend page 93, line 10, after "within" by striking out "1 year" and inserting "2 years".

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

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

The motion prevailed.

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

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

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Rep. Kolb moved that Rep. Schermesser be excused from the balance of today's session.

The motion prevailed.

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

The motion prevailed.

Rep. Bogardus moved that Rep. Hale be excused temporarily from today's session.

The motion prevailed.

Rep. Stamas moved that Rep. Hart be excused temporarily from today's session.

The motion prevailed.

Rep. Quarles moved that Rep. Rison 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. 6338, entitled**

A bill to enact the uniform securities act (2002) relating to the issuance, offer, sale, or purchase of securities; to prohibit fraudulent practices in relation to securities; to establish civil and criminal sanctions for violations of the act and civil sanctions for violation of the rules promulgated pursuant to the act; to require the registration of broker-dealers, agents, investment advisers, and securities; to make uniform the law with reference to securities; and to repeal acts and parts of acts.

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

#### **Roll Call No. 1193**

#### **Yeas—95**

Adamini	Gielegem	McConico	Scranton
Allen	Gilbert	Mead	Shackleton
Anderson	Godchaux	Meyer	Sheltrown
Basham	Gosselin	Middaugh	Shulman
Bernero	Hager	Minore	Spade
Birkholz	Hansen	Mortimer	Stamas
Bisbee	Hardman	Murphy	Stewart
Bishop	Howell	Neumann	Switalski
Bogardus	Hummel	Newell	Tabor
Bovin	Jacobs	Palmer	Thomas
Bradstreet	Jamnick	Pappageorge	Toy
Brown, C.	Jansen	Patterson	Van Woerkom

Brown, R.	Jelinek	Pestka	Vander Roest
Cassis	Johnson, Rick	Phillips	Vander Veen
Caul	Johnson, Ruth	Plakas	Vear
Dennis	Julian	Pumford	Voorhees
DeRossett	Koetje	Quarles	Waters
DeWeese	Kolb	Raczkowski	Whitmer
Drolet	Kooiman	Reeves	Williams
Durhal	Kowall	Richardville	Wojno
Ehardt	Kuipers	Richner	Woodward
Frank	LaSata	Rivet	Woronchak
Garza	Lemmons	Rocca	Zelenko
George	Lockwood	Schauer	

**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.

**House Bill No. 6491, entitled**

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 602 (MCL 500.602), as amended by 1989 PA 35, and by adding section 603.

(The bill was read a third time and bill postponed temporarily on December 4, see House Journal No. 70, p. 2775.)  
 The question being on the passage of the bill,

Rep. Richner moved to amend the bill as follows:

1. Amend page 4, line 3, after “SURGERY,” by inserting “ACQUIRED IMMUNE DEFICIENCY SYNDROME,”.  
 The motion was seconded and the amendment was adopted, a majority of the members serving voting therefor.  
 The question being on the passage of the bill,  
 The bill was then passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1194****Yeas—93**

Adamini	George	Lemmons	Rocca
Allen	Gielegem	Lockwood	Schauer
Anderson	Gilbert	McConico	Scranton
Basham	Godchaux	Mead	Shackleton
Bernero	Gosselin	Meyer	Sheltrown
Birkholz	Hager	Middaugh	Shulman
Bisbee	Hansen	Minore	Spade
Bishop	Hardman	Mortimer	Stamas
Bogardus	Howell	Murphy	Stewart
Bovin	Hummel	Neumann	Switalski
Bradstreet	Jacobs	Newell	Tabor
Brown, C.	Jamnick	Palmer	Thomas
Brown, R.	Jansen	Pappageorge	Toy
Cassis	Jelinek	Patterson	Van Woerkom
Caul	Johnson, Rick	Pestka	Vander Veen
Clark, I.	Johnson, Ruth	Phillips	Vear
Clarke, H.	Julian	Pumford	Voorhees
DeRossett	Koetje	Quarles	Waters

DeWeese  
Drolet  
Durhal  
Ehardt  
Frank  
Garza

Kolb  
Kooiman  
Kowall  
Kuipers  
LaSata

Raczkowski  
Reeves  
Richardville  
Richner  
Rivet

Whitmer  
Williams  
Woodward  
Woronchak  
Zelenko

### Nays—1

Vander Roest

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.

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

Rep. Shulman moved that the Committee on Senior Health, Security and Retirement be discharged from further consideration of **House Bill No. 4605**.

(For first notice see House Journal No. 70, p. 2821.)

The motion prevailed.

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

### Second Reading of Bills

#### House Bill No. 6238, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 675e.

The bill was read a second time.

Rep. Richner 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. 6238, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 675e.

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

### Roll Call No. 1195

### Yeas—92

Adamini  
Allen  
Anderson  
Basham  
Bernero  
Birkholz  
Bisbee  
Bishop

George  
Gielegem  
Gilbert  
Godchaux  
Gosselin  
Hager  
Hansen  
Hardman

Lockwood  
McConico  
Mead  
Meyer  
Middaugh  
Mortimer  
Murphy  
Neumann

Scranton  
Shackleton  
Sheltrown  
Shulman  
Spade  
Stallworth  
Stamas  
Stewart

Bogardus	Howell	Newell	Switalski
Bovin	Hummel	Palmer	Tabor
Brown, C.	Jacobs	Pappageorge	Toy
Brown, R.	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
Dennis	Julian	Rackowski	Waters
DeRossett	Koetje	Reeves	Whitmer
DeWeese	Kolb	Richardville	Williams
Durhal	Kooiman	Richner	Wojno
Ehardt	Kowall	Rivet	Woodward
Frank	Kuipers	Rocca	Woronchak
Garza	LaSata	Schauer	Zelenko

### Nays—2

Bradstreet                      Drolet

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.

Reps. Adamini, Anderson, Bisbee, Bogardus, Rich Brown, Clarke, Durhal, Gilbert, Hager, Jacobs, Jamnick, Jelinek, Julian, Kolb, Kooiman, Minore, Murphy, Phillips, Pumford, Quarles, Rackowski, Richardville, Shackleton, Sheltroun, Stewart, Switalski, Van Woerkom, Vear and Zelenko were named co-sponsors of the bill.

### Second Reading of Bills

#### House Bill No. 5149, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 535 (MCL 750.535), as amended by 1998 PA 311.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Criminal Justice (for amendments, see House Journal No. 68, p. 2642),

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

Rep. Toy 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.

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Rep. Vander Roest moved that Rep. Hart be excused temporarily from today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### House Bill No. 5149, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 535 (MCL 750.535), as amended by 1998 PA 311.

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

**Roll Call No. 1196****Yeas—94**

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

**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.

Reps. Bovin, Hardman, Howell, Jacobs, Kooiman, Kowall, McConico, Raczkowski, Richardville and Shackleton were named co-sponsors of the bill.

**Second Reading of Bills****House Bill No. 5150, entitled**

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

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

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

Rep. Toy 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 Reps. Plakas and Thomas be excused temporarily from today's session.  
The motion prevailed.

By unanimous consent the House returned to the order of

**Third Reading of Bills**

**House Bill No. 5150, entitled**

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

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

**Roll Call No. 1197**

**Yeas—95**

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

**Nays—0**

In The Chair: Julian

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

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

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16z of chapter XVII (MCL 777.16z), as amended by 2002 PA 271.

The motion prevailed.

The House agreed to the title as amended.

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

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

Reps. Basham, Bovin, Clarke, Hardman, Kowall, Lemmons, McConico, Murphy, Richardville and Zelenko were named co-sponsors of the bill.

**Second Reading of Bills**

**House Bill No. 6119, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 438.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Tax Policy (for amendments, see House Journal No. 54, p. 1917),

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

Rep. Birkholz 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. 6119, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 438.  
Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1198**

**Yeas—95**

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

**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.

**Second Reading of Bills**

**House Bill No. 6120, entitled**

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

The bill was read a second time.



Rep. Birkholz 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. 6120, entitled**

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

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

**Roll Call No. 1199**

**Yeas—94**

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

**Nays—0**

In The Chair: Julian

The question being on agreeing to the title of the bill,  
 Rep. Patterson moved to amend the title to read as follows:  
 A bill to establish the Amanda’s fund for breast cancer research in the department of community health; to provide for the distribution of money from the fund; to prescribe the powers and duties of certain agencies and officials; and to provide for appropriations.  
 The motion prevailed.  
 The House agreed to the title as amended.  
 Rep. Richardville moved that the bill be given immediate effect.  
 The motion prevailed, 2/3 of the members serving voting therefor.

### Second Reading of Bills

#### House Bill No. 4492, entitled

A bill to amend 1971 PA 140, entitled "Glenn Steil state revenue sharing act of 1971," by amending sections 11 and 13 (MCL 141.911 and 141.913), as amended by 1998 PA 532.

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

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

Rep. Shackleton 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. 4492, entitled

A bill to amend 1971 PA 140, entitled "Glenn Steil state revenue sharing act of 1971," by amending sections 11 and 13 (MCL 141.911 and 141.913), as amended by 1998 PA 532.

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

#### Roll Call No. 1200

#### Yeas—73

Allen	Gilbert	LaSata	Rocca
Anderson	Godchaux	Lockwood	Schauer
Basham	Gosselin	Mead	Scranton
Bernero	Hager	Meyer	Shackleton
Birkholz	Hansen	Middaugh	Sheltrown
Bisbee	Howell	Mortimer	Shulman
Bishop	Hummel	Neumann	Spade
Bradstreet	Jacobs	Newell	Stamas
Brown, C.	Jansen	Palmer	Stewart
Brown, R.	Jelinek	Pappageorge	Switalski
Cassis	Johnson, Rick	Patterson	Tabor
Caul	Johnson, Ruth	Pestka	Toy
DeRossett	Julian	Plakas	Van Woerkom
DeWeese	Koetje	Pumford	Vander Roest
Drolet	Kolb	Quarles	Vander Veen
Ehardt	Kooiman	Richardville	Vear
Frank	Kowall	Richner	Voorhees
George	Kuipers	Rivet	Wojno
Gielegem			

#### Nays—25

Bogardus	Hardman	Murphy	Waters
Bovin	Jamnick	Phillips	Whitmer
Clark, I.	Lemmons	Rackowski	Williams
Clarke, H.	Lipsey	Reeves	Woodward
Dennis	McConico	Stallworth	Woronchak
Durhal	Minore	Thomas	Zelenko
Garza			

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.

### Second Reading of Bills

#### House Bill No. 4605, entitled

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending sections 45, 46, and 47 (MCL 38.45, 38.46, and 38.47), section 45 as amended by 1988 PA 351.

The bill was read a second time.

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

The motion prevailed.

### Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bill had been printed and placed upon the files of the members, Thursday, December 5:

**House Bill No. 6568**

The Clerk announced that the following Senate bills had been received on Thursday, December 5:

**Senate Bill Nos. 63 614 694 1213 1398 1498 1499 1500 1507 1519**

By unanimous consent the House returned to the order of

### Messages from the Senate

#### House Bill No. 6480, entitled

A bill to amend 1941 PA 122, entitled "An act to establish a revenue division of the department of treasury; to prescribe its powers and duties as the revenue collection agency of the state; to prescribe certain powers and duties of the state treasurer; to regulate the importation, stamping, and disposition of certain tobacco products; to create the position and to define the powers and duties of the state commissioner of revenue; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," by amending section 30c (MCL 205.30c), as amended by 2001 PA 168.

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

The Senate has passed the bill as substituted (S-1) and ordered that it be given immediate effect.

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

#### Senate Bill No. 63, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2567 (MCL 600.2567), as amended by 1990 PA 346, and by adding section 2568.

The Senate has passed the bill.

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

#### Senate Bill No. 614, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 217i.

The Senate has passed the bill.

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

#### Senate Bill No. 694, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 725a (MCL 257.725a), as amended by 1980 PA 311.

The Senate has passed the bill.

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

**Senate Bill No. 1213, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 456, 2236, 2401, and 2601 (MCL 500.456, 500.2236, 500.2401, and 500.2601), section 456 as amended by 2002 PA 26, section 2236 as amended by 1993 PA 200 and section 2401 as amended by 1982 PA 8.

The Senate has passed the bill.

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

**Senate Bill No. 1398, entitled**

A bill to amend 1990 PA 187, entitled "The pupil transportation act," by amending sections 7 and 10a (MCL 257.1807 and 257.1810a), as amended by 2000 PA 49.

The Senate has passed the bill.

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

**Senate Bill No. 1498, entitled**

A bill to allow for the recovery of certain costs by electric public utilities; to prescribe powers and duties of certain state agencies and officials; and to provide protection against the disclosure of certain information.

The Senate has passed the bill.

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

**Senate Bill No. 1499, entitled**

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts," by amending section 10d (MCL 460.10d), as added by 2000 PA 141.

The Senate has passed the bill.

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

**Senate Bill No. 1500, entitled**

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending sections 39b and 39e (MCL 208.39b and 208.39e), section 39b as added by 1996 PA 441 and section 39e as added by 2002 PA 531.

The Senate has passed the bill.

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

**Senate Bill No. 1507, entitled**

A bill to amend 1969 PA 306, entitled "Administrative procedures act of 1969," by amending section 45a (MCL 24.245a), as added by 1999 PA 262.

The Senate has passed the bill.

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

**Senate Bill No. 1519, entitled**

A bill to amend 1992 PA 147, entitled "Neighborhood enterprise zone act," by amending section 4 (MCL 207.774), as amended by 2001 PA 93.

The Senate has passed the bill.

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

Rep. Adamini moved that Rep. Neumann be excused temporarily from today’s session.  
The motion prevailed.

Rep. Garza moved that Rep. Thomas be excused temporarily from today’s session.  
The motion prevailed.

Rep. Koetje moved that Rep. Raczkowski be excused temporarily from today’s session.  
The motion prevailed.

Rep. Lipsey moved that Rep. McConico be excused temporarily from today’s session.  
The motion prevailed.

**Third Reading of Bills**

Rep. Richardville moved that **House Bill No. 4605** be placed on its immediate passage.  
The motion prevailed, a majority of the members serving voting therefor.

**House Bill No. 4605, entitled**

A bill to amend 1943 PA 240, entitled “State employees’ retirement act,” by amending sections 45, 46, and 47 (MCL 38.45, 38.46, and 38.47), section 45 as amended by 1988 PA 351.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion was seconded and the substitute (H-3) was adopted, a majority of the members serving voting therefor.  
The question being on the passage of the bill,

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

**Roll Call No. 1201**

**Yeas—90**

Adamini	Garza	LaSata	Schauer
Allen	George	Lemmons	Scranton
Anderson	Gielegem	Lipsey	Sheltrown
Basham	Gilbert	Lockwood	Shulman
Bernero	Godchaux	Mead	Spade
Birkholz	Gosselin	Meyer	Stallworth
Bisbee	Hager	Middaugh	Stamas
Bishop	Hansen	Mortimer	Stewart
Bovin	Hardman	Murphy	Switalski
Bradstreet	Howell	Newell	Tabor
Brown, C.	Hummel	Palmer	Toy
Brown, R.	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
Dennis	Johnson, Ruth	Quarles	Waters
DeRossett	Julian	Reeves	Williams
DeWeese	Koetje	Richardville	Wojno
Drolet	Kolb	Richner	Woodward
Durhal	Kooiman	Rivet	Woronchak
Ehardt	Kowall	Rocca	Zelenko
Frank	Kuipers		

**Nays—0**

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 1943 PA 240, entitled "State employees' retirement act," by amending sections 45, 46, and 47 (MCL 38.45, 38.46, and 38.47), section 45 as amended by 1988 PA 351 and section 46 as amended by 2002 PA 93, and by adding section 19i.

The motion prevailed.

The House agreed to the title as amended.

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

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

Reps. Caul, Clarke, DeRossett, Ehardt, Godchaux, Howell, Hummel, Jacobs, Julian, LaSata, Lockwood, Mead, Newell, Pappageorge, Shulman, Stewart, Thomas, Toy, Vander Veen, Van Woerkom, Vear and Voorhees were named co-sponsors of the bill.

Rep. Jamnick moved that his name be removed as sponsor of the bill.

The motion prevailed.

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

"Mr. Speaker and members of the House:

I did not vote on Roll Call No. 1201 because of a possible conflict of interest."

By unanimous consent the House returned to the order of

### **Messages from the Senate**

#### **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 the fiscal year ending September 30, 2003; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

The Senate has substituted (S-2) the bill.

The Senate has passed the bill as substituted (S-2) and ordered that it be given immediate effect.

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

Rep. Richardville moved that Rule 45 be suspended.

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

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

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

1. Amend page 19, line 1, by striking out all of section 156a and adjusting the subtotals, totals, and section 1201 accordingly.

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

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

1. Amend page 38, following line 13, by inserting:

#### **"MISCELLANEOUS**

Sec. 1950. The appropriations in sections 153(3), 157(3) through (20), and 1275 and the appropriation for at-risk student success program in section 153(2) are not appropriated and shall not be expended unless, pursuant to state statute enacted into law by January 15, 2003 and effective prior to January 1, 2004, the election of the members of the board of trustees for Michigan State University, the board of regents for the University of Michigan, and the board of governors for Wayne State University shall be by the electors from districts that are numbered and constituted the same as the 4 judicial districts for the election of judges of the court of appeals set forth in section 302 of the revised judicature act of 1961, 1961 PA 236, MCL 600.302."

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

Rep. Godchaux moved to reconsider the vote by which the House adopted the amendment offered by Rep. Koetje, The question being on the motion made by Rep. Godchaux,  
Rep. Godchaux demanded the yeas and nays.  
The demand was supported.

The question being on the motion by Rep. Godchaux,

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

**Roll Call No. 1202****Yeas—48**

Adamini	Gielegem	Middaugh	Sheltrown
Anderson	Godchaux	Minore	Spade
Basham	Hansen	Murphy	Stewart
Bernero	Hardman	Neumann	Switalski
Bogardus	Jacobs	Pestka	Toy
Bovin	Jamnick	Phillips	Waters
Brown, R.	Kolb	Quarles	Whitmer
Cassis	LaSata	Reeves	Williams
Clark, I.	Lemmons	Richner	Wojno
Dennis	Lipsey	Rivet	Woodward
Durhal	Lockwood	Schauer	Woronchak
Garza	McConico	Scranton	Zelenko

**Nays—42**

Allen	Hager	Kuipers	Shackleton
Bisbee	Howell	Mead	Shulman
Bishop	Hummel	Meyer	Stallworth
Bradstreet	Jansen	Newell	Stamas
Brown, C.	Jelinek	Palmer	Tabor
Caul	Johnson, Rick	Pappageorge	Van Woerkom
Drolet	Johnson, Ruth	Patterson	Vander Roest
Ehardt	Julian	Pumford	Vander Veen
George	Koetje	Raczkowski	Vear
Gilbert	Kooiman	Rocca	Voorhees
Gosselin	Kowall		

In The Chair: Julian

Reps. Gosselin, Bradstreet, Vander Veen and Drolet moved to amend the Senate substitute (S-2) as follows:

1. Amend page 38, following line 13, by inserting:

“Sec. 1803. The bureau of state lottery shall not expend funds for the purchase or operation of instant lottery ticket vending machines or a changeplay lottery game.”.

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

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

1. Amend page 38, following line 9, following subsection (3), by inserting:

**“DEPARTMENT OF STATE POLICE**

Sec. 1651. It is the intent of the legislature that up to 10% of federal funds received by the state of Michigan for homeland security equipment upgrade grants to local units be allocated for construction of an upgraded Detroit crime lab.”.

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

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

1. Amend page 38, following line 13, by inserting:

“Sec. 1803. The bureau of state lottery or any other agent or agency of state government shall not expend funds for the purchase or operation of instant lottery ticket vending machines or a changeplay lottery game ever.”.

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

Rep. Gosselin demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 1203**

**Yeas—32**

Birkholz	Gilbert	Lemmons	Stamas
Bishop	Gosselin	Middaugh	Van Woerkom
Bradstreet	Hager	Newell	Vander Roest
Brown, C.	Hummel	Palmer	Vander Veen
Caul	Jansen	Pappageorge	Vear
DeWeese	Johnson, Ruth	Patterson	Voorhees
Drolet	Kooiman	Rackowski	Wojno
George	Kuipers	Schauer	Woodward

**Nays—41**

Adamini	Durhal	Julian	Shackleton
Allen	Ehardt	Koetje	Sheltrown
Anderson	Frank	LaSata	Shulman
Basham	Gielegem	Lockwood	Spade
Bernero	Hansen	Mead	Stallworth
Bisbee	Hardman	Meyer	Stewart
Bovin	Howell	Neumann	Tabor
Brown, R.	Jacobs	Pestka	Waters
Clarke, H.	Jamnick	Richardville	Whitmer
Dennis	Johnson, Rick	Rocca	Zelenko
DeRossett			

In The Chair: Julian

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

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

The motion prevailed.

By unanimous consent the House returned to the order of

**Motions and Resolutions**

Rep. Drolet moved that the Committee on Local Government and Urban Policy be discharged from further consideration of **House Bill No. 5788**.

(For first notice see House Journal No. 70, p. 2821.)

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

Rep. Drolet moved that consideration of the motion be postponed for the day.

The motion prevailed.



### Reports of Standing Committees

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

**Senate Bill No. 1121, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16261, 16401, and 16411 (MCL 333.16261, 333.16401, and 333.16411).

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

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

#### Favorable Roll Call

**SB 1121** To Report Out:

Yeas: Reps. Ehardt, Raczkowski, George, Ruth Johnson, Rocca, Vander Veen, Woronchak, Neumann, Adamini, Hardman, Schauer, Williams,

Nays: Reps. Bradstreet, Scranton.

#### COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Ehardt, Chair, of the Committee on Health Policy, was received and read:  
Meeting held on: Thursday, December 5, 2002, at 10:45 a.m.,

Present: Reps. Ehardt, Raczkowski, Bradstreet, George, Ruth Johnson, Rocca, Scranton, Vander Veen, Woronchak, Neumann, Adamini, Garza, Hardman, Schauer, Williams.

The Committee on Local Government and Urban Policy, by Rep. Birkholz, Chair, reported

**Senate Bill No. 63, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2567 (MCL 600.2567), as amended by 1990 PA 346, and by adding section 2568.

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 63** To Report Out:

Yeas: Reps. Birkholz, Hager, Gilbert, Hummel, Richardville, Jamnick, Hardman, Minore,

Nays: Rep. Gosselin.

#### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, December 5, 2002, at 10:30 a.m.,

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

#### Notices

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Senior Health, Security and Retirement from further consideration of **House Bill No. 5469**.

Rep. Richardville

I hereby give notice that on the next legislative session day I will move to discharge the Appropriations from further consideration of **House Bill No. 5691**.

Rep. Richardville

Rep. Stamas moved that the House adjourn.  
The motion prevailed, the time being 11:55 p.m.

Associate Speaker Pro Tempore Julian declared the House adjourned until Friday, December 6, at 12:05 a.m.

GARY L. RANDALL  
Clerk of the House of Representatives.