

No. 42
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
91st Legislature
REGULAR SESSION OF 2001

House Chamber, Lansing, Thursday, May 17, 2001.

12:00 Noon.

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

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

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

e/d/s = entered during session

Rev. Paul Amstutz, Pastor of Lennon United Methodist Church in Lennon, offered the following invocation:

“O God, give guidance today in the activities that we take part in. Help us to be concerned about what happens in the communities in which we live. Help us to be aware of those things which are important to human well-being. Help us to look at things realistically—not just party-wise, but across the party line. Help us to serve people and honor You. Give guidance today in all that we do. In Your name we pray, and for Your sake. Amen.”

Rep. Jacobs moved that Reps. Kilpatrick, Neumann, Reeves, Schermesser and Stallworth be excused from today’s session.

The motion prevailed.

Second Reading of Bills

Senate Bill No. 283, entitled

A bill to make, supplement, and adjust appropriations for capital outlay and certain state departments and agencies for the fiscal year ending September 30, 2001; to implement the appropriations within the budgetary process; to provide for the expenditure of appropriations; and to repeal acts and parts of acts.

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

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

Rep. Cameron Brown moved to amend the bill as follows:

1. Amend page 29, line 2, by striking out “(104,200)” and inserting “(179,200)”.
2. Amend page 29, line 6, by striking out all of subsection (4).
3. Amend page 29, line 11, by striking out all of subsection (5) and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. Whitmer moved to amend the bill as follows:

1. Amend page 45, following line 18, by inserting:

“(6) The e-Michigan office shall conduct a study involving the potential use of paid advertising on any state website under its jurisdiction. The study shall include the potential use of paid advertising on any state websites, the revenue that could be generated from the sale of paid advertising, and the use of the advertising revenue. This study shall be completed by September 30, 2001 and transmitted to the senate and house appropriations committees and the senate and house fiscal agencies. Websites under the jurisdiction of the e-Michigan office shall not contain paid advertising before September 30, 2001.”

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

Rep. Whitmer demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 162

Yeas—47

Adamini	Dennis	Lockwood	Schauer
Anderson	Frank	Mans	Sheltrown
Basham	Garza	McConico	Spade
Bernero	Gielegghem	Minore	Switalski
Bogardus	Hale	Murphy	Thomas
Bovin	Hansen	O’Neil	Waters
Brown, B.	Hardman	Pestka	Whitmer
Brown, R.	Jacobs	Phillips	Williams
Callahan	Jamnick	Plakas	Wojno

Clark, I.	Kolb	Quarles	Woodward
Clarke, H.	Lemmons	Rison	Zelenko
Daniels	Lipsey	Rivet	

Nays—56

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

In The Chair: Julian

Rep. Schauer moved to amend the bill as follows:

1. Amend page 42, following line 13, by inserting:

“(3) Notwithstanding subsection (2), \$10,000,000.00 is appropriated for smoking prevention programs in the department of community health.”

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

Rep. Schauer demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 163**Yeas—46**

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

Nays—56

Allen	Gilbert	Kuipers	Sanborn
Birkholz	Godchaux	LaSata	Scranton
Bisbee	Gosselin	Mead	Shackleton

Bishop	Hager	Meyer	Shulman
Bradstreet	Hart	Middaugh	Stamas
Brown, C.	Howell	Mortimer	Stewart
Cassis	Jansen	Newell	Switalski
Caul	Jelinek	Pappageorge	Tabor
DeRossett	Johnson, Rick	Patterson	Toy
DeVuyst	Johnson, Ruth	Pumford	Van Woerkom
Drolet	Julian	Raczkowski	Vander Roest
Ehardt	Koetje	Richardville	Vander Veen
Faunce	Kooiman	Richner	Vear
George	Kowall	Rocca	Voorhees

In The Chair: Julian

Rep. Frank moved to amend the bill as follows:

1. Amend page 25, line 5, by striking out all of line 5.
2. Amend page 25, line 7, by striking out all of line 7 and adjusting the subtotals, totals, and section 201 accordingly.
3. Amend page 44, following line 6, by inserting:

“Sec. 705. The department shall form a youth alliance commission consisting of the director of the family independence agency or his designees, 2 members of the house and senate, 2 child advocacy agency representatives, and 2 directors of child care agencies to recommend to the legislature ways to maximize the use of the \$30,000,000.00 available for expenditure in the current fiscal year. The commission shall report back to the legislature by September 1, 2001.”.

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

Rep. Frank demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 164

Yeas—45

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

Nays—58

Allen	Gilbert	LaSata	Scranton
Birkholz	Godchaux	Mead	Shackleton
Bisbee	Gosselin	Meyer	Shulman
Bishop	Hager	Middaugh	Stamas
Bradstreet	Hart	Mortimer	Stewart
Brown, C.	Howell	Newell	Switalski

Cassis	Jansen	Pappageorge	Tabor
Caul	Jelinek	Patterson	Toy
DeRossett	Johnson, Rick	Pumford	Van Woerkom
DeVuyst	Johnson, Ruth	Raczkowski	Vander Roest
DeWeese	Julian	Richardville	Vander Veen
Drolet	Koetje	Richner	Vear
Ehardt	Kooiman	Rocca	Voorhees
Faunce	Kowall	Sanborn	Woronchak
George	Kuipers		

In The Chair: Julian

Rep. Murphy moved to amend the bill as follows:

1. Amend page 44, following line 6, by inserting:

“Sec. 705. It is the intent of the legislature that maximum benefits of the low income energy assistance program continue to be available during the current fiscal year to assist eligible recipients and applicants in meeting their utility obligations.”.

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

Rep. Murphy demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 165

Yeas—47

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

Nays—57

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

Ehardt
Faunce
George

Kooiman
Kowall

Richner
Rocca

Voorhees
Woronchak

In The Chair: Julian

Rep. Adamini moved to amend the bill as follows:

1. Amend page 40, line 11, after “use” by striking out the balance of the sentence and inserting a period.

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

Rep. Adamini moved to amend the bill as follows:

1. Amend page 40, line 14, after “are” by striking out “retained” and inserting “not used for municipal purposes”.

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

Rep. Adamini demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 166

Yeas—99

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

Nays—2

Bisbee

Koetje

In The Chair: Julian

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

The question being on the adoption of the substitute (H-2) offered by Rep. Whitmer,

Rep. Whitmer demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the substitute (H-2) offered by Rep. Whitmer,

The substitute (H-2) was not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 167

Yeas—44

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

Nays—57

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

In The Chair: Julian

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

The motion prevailed.

Senate Bill No. 72, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 81c.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Criminal Justice (for amendment, see House Journal No. 31, p. 470),

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.

Senate Bill No. 73, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 217e.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Criminal Justice (for amendment, see House Journal No. 31, p. 470),

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.

Senate Bill No. 74, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16d of chapter XVII (MCL 777.16d), 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. Richardville moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Senate Bill No. 75, entitled

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

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Criminal Justice (for amendment, see House Journal No. 31, p. 471),

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.

House Bill No. 4333, entitled

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

The bill was read a second time.

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

The motion prevailed.

House Bill No. 4603, entitled

A bill to amend 1986 PA 255, entitled "Prepaid funeral contract funding act," by amending section 19 (MCL 328.229).

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 adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

House Bill No. 4734, entitled

A bill to amend 1982 PA 432, entitled "Motor bus transportation act," by amending section 31 (MCL 474.131), as amended by 1996 PA 420.

The bill was read a second time.

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

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

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

The motion prevailed.

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

Motions and Resolutions

Reps. Allen, Richardville, Sheltroun, Kolb, Basham, Rocca, Sanborn, Rivet, Howell, Neumann, Cassis, Patterson, Zelenko, Bovin, Spade, Birkholz, Ehardt, Middaugh, Kuipers, Bisbee, Vander Roest, DeWeese, George, Bishop, Mortimer, Faunce, Bradstreet, Newell, Voorhees, Vander Veen, Tabor, Scranton, Koetje, Hart, Vear, Gilbert, Ruth Johnson, Stamas, DeVuyst, Caul, Jelinek, Van Woerkom, Mead, Hager, Woronchak, Cameron Brown, Pumford, Kooiman, Pappageorge, Shackleton, Toy and Jansen offered the following resolution:

House Resolution No. 124.

A resolution to memorialize the President and Congress of the United States to enact legislation to provide for government-furnished markers for the graves of all veterans.

Whereas, An important measure of a country's character is how it respects the men and women who have devoted themselves to their fellow citizens through a commitment of military service. This respect is productive not only in expressing thanks to those who have secured our freedoms through sacrifice and, for many, the cost of their lives, but also to remind all of our citizens of the price of our way of life. This lesson is most valuable for our young people; and

Whereas, Under present federal law, the Secretary of Veterans Affairs furnishes, upon request, an appropriate grave marker for veterans buried without any other marker. The stipulation that a veteran's grave must be unmarked has the impact of depriving many veterans of this honor. For example, a veteran's grave marked by a private headstone would be deprived of the honor of a veterans marker. This could happen because the family of the veteran did not know of the Veteran Affairs program at the time of passing. This law needs to be amended to extend markers of military service to mark the final resting places of all veterans for whom this designation is requested; and

Whereas, Congress is presently considering a bill, H.R. 1351, that would provide for a veterans marker or headstone for any veteran, including those whose gravesites may already be marked. Enacting this measure will extend due respect to all veterans and foster a greater sense of national gratitude to those who have preserved our liberties; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the President and Congress of the United States to enact legislation to provide for government-furnished markers for the graves of all veterans; and be it further

Resolved, That copies of this resolution be transmitted to the Office of the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

The resolution was referred to the Committee on Veterans Affairs.

Reports of Standing Committees

The Committee on Conservation and Outdoor Recreation, by Rep. DeVuyst, Chair, reported

House Bill No. 4697, entitled

A bill to repeal 1939 LA 4, entitled "An act to prevent hunting for game on Sunday, in the county of St. Clair; to authorize the arrest of persons violating the provisions of this act, and to prescribe the penalty therefor; to repeal Act No. 5 of the Local Acts of 1929; and to provide a referendum thereon."

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 4697 To Report Out:

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

Nays: None.

The Committee on Conservation and Outdoor Recreation, by Rep. DeVuyst, Chair, reported

Senate Bill No. 106, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 5303 (MCL 324.5303).

The committee recommended that the bill be referred to the Committee on Land Use and Environment.

Favorable Roll Call

SB 106 To Report Out:

Yeas: Reps. DeVuyst, Tabor, Kowall, Rocca, Callahan, Basham, Sheltroun,

Nays: None.

The recommendation was concurred in and the bill was referred to the Committee on Land Use and Environment.

The Committee on Conservation and Outdoor Recreation, by Rep. DeVuyst, Chair, reported

Senate Bill No. 108, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 8807 (MCL 324.8807), as added by 1998 PA 287, and by adding section 3112d.

The committee recommended that the bill be referred to the Committee on Land Use and Environment.

Favorable Roll Call

SB 108 To Report Out:

Yeas: Reps. DeVuyst, Tabor, Kowall, Rocca, Callahan, Basham, Sheltroun,

Nays: None.

The recommendation was concurred in and the bill was referred to the Committee on Land Use and Environment.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, May 17, 2001, at 10:00 a.m.,

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

Absent: Rep. Garza,

Excused: Rep. Garza.

The Committee on Insurance and Financial Services, by Rep. Sanborn, Chair, reported

Senate Bill No. 431, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 115 (MCL 500.115), as added by 1992 PA 182, and by adding chapter 5.

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 431 To Report Out:

Yeas: Reps. Sanborn, Bisbee, Ehardt, Hager, Julian, Middaugh, Richner, Van Woerkom, Wojno, Anderson, Clark, Woodward,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, May 17, 2001, at 10:30 a.m.,

Present: Reps. Sanborn, Bisbee, Ehardt, Hager, Julian, Middaugh, Richner, Van Woerkom, Wojno, Anderson, Clark, Woodward,

Absent: Reps. Scranton, Daniels, Schermesser,

Excused: Reps. Scranton, Daniels, Schermesser.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Kuipers, Chair of the Committee on Education, was received and read:
Meeting held on: Thursday, May 17, 2001, at 9:00 a.m.,

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, May 17, 2001, at 10:30 a.m.,

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

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members, Tuesday, May 15:

Senate Bill Nos. 473 474 475 476

The Clerk announced that the following bills had been printed and placed upon the files of the members, Thursday, May 17:

House Bill Nos. 4779 4780

The Clerk announced that the following Senate bills had been received on Thursday, May 17:

Senate Bill Nos. 184 433

By unanimous consent the House returned to the order of

Messages from the Senate**House Bill No. 4099, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 115q.

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

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

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

Senate Bill No. 184, entitled

A bill to amend 1963 PA 17, entitled "An act to relieve certain persons from civil liability when rendering emergency care, when rendering care to persons involved in competitive sports under certain circumstances, or when participating in a mass immunization program approved by the department of public health," by amending sections 1 and 2 (MCL 691.1501 and 691.1502), section 1 as amended by 1987 PA 30.

The Senate has passed the bill.

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

Senate Bill No. 433, entitled

A bill to provide for a streamlined system of sales and use tax collection; to prescribe the requirements necessary for this state to adopt a multistate agreement; to provide for a board with certain powers and duties; to provide for the registration of sellers who select a model of collection and remittance; to forgive liability of collection of sales and use taxes on past transactions for certain sellers; to assure privacy of buyers; to prescribe certain powers and duties of state departments; and to repeal acts and parts of acts.

The Senate has passed the bill.

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

Communications from State Officers

The following communication from the Central Area Partnership Consortium was received and read:

May 14, 2001

The Workforce Investment Act (WIA) and the Michigan Department of Career Development require that program plans and modifications be available for review and comment. The Central Area Michigan Works! Consortium has revised the Comprehensive 5-Year Youth Plan for the period April 1, 2000, through June 30, 2005, and the Comprehensive 5-Year Local Plan for the period July 1, 2000, through June 30, 2005. The need for the modification is to incorporate the region's strategic plan goals.

Please feel free to direct your questions to Janet Bloomfield at 616-754-9315, ext. 337.

Sincerely,
Ralph F. Loeschner
President Central Area
Partnership Consortium

The communication was referred to the Clerk.

Introduction of Bills

Reps. Sanborn, Richner and Bisbee introduced

House Bill No. 4781, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 215 (MCL 750.215), as amended by 1991 PA 145.

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

Reps. Sanborn, Richner and Bisbee introduced

House Bill No. 4782, entitled

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

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

Reps. Sanborn, Richner and Bisbee introduced

House Bill No. 4783, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3355 (MCL 500.3355).

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

Reps. Sanborn, Richner and Bisbee introduced

House Bill No. 4784, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3230 (MCL 500.3230).

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

Rep. Tabor introduced

House Bill No. 4785, entitled

A bill to amend 1986 PA 255, entitled "Prepaid funeral contract funding act," by amending sections 14 and 19 (MCL 328.224 and 328.229).

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

Rep. Tabor introduced

House Bill No. 4786, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 2080 (MCL 500.2080), as amended by 1986 PA 318.

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

Rep. Newell introduced

House Bill No. 4787, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7401 (MCL 333.7401), as amended by 2000 PA 314.

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

Reps. Patterson, Howell, Bishop, Shulman, Sanborn, Meyer, Faunce, Adamini, Jamnick, Minore and Lipsey introduced

House Bill No. 4788, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 8121, 8123, and 8130 (MCL 600.8121, 600.8123, and 600.8130), section 8121 as amended by 2000 PA 449, section 8123 as amended by 2000 PA 448, and section 8130 as amended by 1988 PA 135.

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

Reps. Allen and Voorhees introduced

House Bill No. 4789, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 61 (MCL 38.1361), as amended by 1999 PA 68.

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

Reps. Shulman and LaSata introduced

House Bill No. 4790, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 353c (MCL 18.1353c), as added by 1995 PA 195.

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

Reps. Shackleton, Stallworth, Adamini, Pappageorge, Allen and Kooiman introduced

House Bill No. 4791, entitled

A bill to amend 1976 PA 295, entitled "State transportation preservation act of 1976," (MCL 474.51 to 474.70) by amending the title, as amended by 1984 PA 210, and by adding section 17a.

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

Rep. LaSata introduced

House Bill No. 4792, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 5522 (MCL 324.5522), as amended by 1998 PA 245.

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

Reps. Richner, Howell, Gosselin and Godchaux introduced

House Bill No. 4793, entitled

A bill to amend 1964 PA 170, entitled "An act to make uniform the liability of municipal corporations, political subdivisions, and the state, its agencies and departments, officers, employees, and volunteers thereof, and members of certain boards, councils, and task forces when engaged in the exercise or discharge of a governmental function, for injuries to property and persons; to define and limit this liability; to define and limit the liability of the state when engaged in a proprietary function; to authorize the purchase of liability insurance to protect against loss arising out of this liability; to provide for defending certain claims made against public officers and paying damages sought or awarded against them; to provide for the legal defense of public officers and employees; to provide for reimbursement of public officers and employees for certain legal expenses; and to repeal certain acts and parts of acts," by amending section 1 (MCL 691.1401), as amended by 1999 PA 205.

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

Reps. Lemmons, Richardville, Neumann, Waters, McConico, Hansen, Minore, Daniels, Rison, Pestka, Stallworth, Garza, Schauer and Hardman introduced

House Bill No. 4794, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 82103, 82105, 82106, and 82116 (MCL 324.82103, 324.82105, 324.82106, and 324.82116), sections 82103 and 82116

as added by 1995 PA 58 and sections 82105 and 82106 as amended by 1998 PA 297, and by adding sections 82103a, 82103b, 82103c, 82103d, 82103e, 82103f, 82103g, 82103h, 82103i, 82103j, 82103k, 82103l, and 82116a.

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

Reps. Dennis, Basham, Kolb, Neumann, Stewart, Van Woerkom, Hardman, Reeves, Gielegem, Williams, Bernero and Lemmons introduced

House Bill No. 4795, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 35301, 63701, 63702, 63704, 63708, 63709, and 63711 (MCL 324.35301, 324.63701, 324.63702, 324.63704, 324.63708, 324.63709, and 324.63711), section 35301 as amended by 1995 PA 262 and sections 63701, 63702, 63704, 63708, 63709, and 63711 as added by 1995 PA 57.

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

Reps. Williams, Voorhees and Woronchak introduced

House Bill No. 4796, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 2611 (MCL 333.2611), as amended by 1989 PA 264.

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

Rep. O'Neil moved that the House adjourn.

The motion prevailed, the time being 2:50 p.m.

Associate Speaker Pro Tempore Julian declared the House adjourned until Tuesday, May 22, at 2:00 p.m.

GARY L. RANDALL
Clerk of the House of Representatives.