

**No. 6**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**91st Legislature**  
**REGULAR SESSION OF 2002**

---

---

House Chamber, Lansing, Wednesday, January 30, 2002.

2:00 p.m.

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

Rep. Carl Williams, from the 95th District, offered the following invocation:

“O Lord, Our Lord, how excellent is Thy name in all the earth. We stand before Thy throne of grace thanking You for all the many blessings You have so richly bestowed upon us. We thank You for the opportunity to come together, once again, as we work on the behalf of the citizens of this great state. We ask that You be with us today, guide our hearts and minds as we make decisions that effect all of the people in Michigan.

Dear Lord, we ask a special blessing for our nation during this time of peril. Please continue to embrace and protect our men and women who bravely defend our nation in foreign places as well as here at home. Be with our leaders and guide them as they make decisions which will have global implications and shape our lives in the years to come.

Continue to be with the families who have suffered the loss of loved ones. Father, we ask that You comfort them and give them peace. Be with all of us, Lord, in times of joy and sorrow, in our seeking and finding, in past memories and future hopes.

Keep us in Your protection and anoint us with Your grace and mercy. Accept our prayers, dear Father, for we know that all things come through You and without You we have nothing. In Your name, we pray. Amen.”

### Reports of Standing Committees

The Speaker laid before the House

#### **House Resolution No. 281.**

A resolution to memorialize the Congress of the United States to increase the number of customs inspectors at Michigan’s international border crossings.

(For text of resolution, see House Journal No. 86 of 2001, p. 2651.)

(The resolution was reported by the Committee on Commerce on January 22, consideration of which, under the rules, was postponed until January 23.)

The question being on the adoption of the resolution,

The resolution was adopted.

The Speaker laid before the House

#### **House Resolution No. 282.**

A resolution to urge United States and Canadian customs officials to consider relocating customs for border crossings so that inspections take place before the border is crossed.

(For text of resolution, see House Journal No. 86 of 2001, p. 2651.)

(The resolution was reported by the Committee on Commerce on January 22, consideration of which, under the rules, was postponed until January 23.)

The question being on the adoption of the resolution,

The resolution was adopted.

---

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

The motion prevailed.

### Third Reading of Bills

#### **House Bill No. 5434, entitled**

A bill to amend 1939 PA 141, entitled “Grain dealers act,” by amending the title and sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 18, 19, 20, 21, and 22 (MCL 285.62, 285.63, 285.64, 285.65, 285.66, 285.67, 285.68, 285.69, 285.70, 285.71, 285.72, 285.73, 285.74, 285.75, 285.76, 285.78, 285.79, 285.80, 285.81, and 285.82), the title as amended by 1984 PA 169, sections 2, 3, 5, 6, and 18 as amended and section 21 as added by 1996 PA 311, and section 7 as amended by 1982 PA 33, and by adding sections 17, 23, 24, 25, 26, and 27; 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. 24****Yeas—105**

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

**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 1939 PA 141, entitled "Grain dealers act," by amending the title and sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 18, 19, 20, 21, and 22 (MCL 285.62, 285.63, 285.64, 285.65, 285.66, 285.67, 285.68, 285.69, 285.70, 285.71, 285.72, 285.73, 285.74, 285.75, 285.76, 285.78, 285.79, 285.80, 285.81, and 285.82), the title as amended by 1984 PA 169, sections 2, 3, 5, 6, and 18 as amended and section 21 as added by 1996 PA 311, and section 7 as amended by 1982 PA 33, and by adding sections 17, 23, 24, 25, 26, 27, and 28; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

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

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

Reps. Basham, Birkholz, Bishop, Cameron Brown, Caul, Clarke, DeRossett, DeVuyst, Ehardt, Gielegem, Hansen, Hummel, Jansen, Jelinek, Julian, Kuipers, Lemmons, Mans, McConico, Mead, Middaugh, Newell, Pappageorge, Phillips, Pumford, Richardville, Richner, Rivet, Shackleton, Sheltrown, Stallworth, Stamas, Vander Roest, Vear, Voorhees, Williams and Woodward were named co-sponsors of the bill.

**Second Reading of Bills****House Bill No. 5501, entitled**

A bill to amend 1967 PA 150, entitled "Michigan military act," by amending sections 105, 179, and 310 (MCL 32.505, 32.579, and 32.710), sections 105 and 179 as amended by 1998 PA 212 and section 310 as amended by 1990 PA 301, and by adding section 372a.

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

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

Rep. Richardville moved to amend the bill as follows:

1. Amend page 3, line 14, after "PROPERTY," by striking out the balance of the subdivision and inserting "FUNCTION, OR LOCATION, THE PROTECTION OF WHICH IS CONSIDERED NECESSARY TO THE PUBLIC HEALTH, SAFETY, AND WELFARE AND WHICH THE GOVERNOR HAS DESIGNATED, IN WRITING, AS A VITAL RESOURCE OF THIS STATE."

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.

#### **House Bill No. 5404, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 442 (MCL 380.442), as amended by 1985 PA 22.

The bill was read a second time.

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

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

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

The motion prevailed.

#### **House Bill No. 5405, entitled**

A bill to amend 1961 PA 108, entitled "An act to provide for loans by the state of Michigan to school districts for the payment of principal and interest upon school bonds; to prescribe the terms and conditions of the loans and the conditions upon which levies for bond principal and interest shall be included in computing the amount to be so loaned by the state; to prescribe the powers and duties of the superintendent of public instruction and the state treasurer in relation to such loans; to provide for the repayment of such loans; to provide incentives for repayment of such loans; to provide for other matters in respect to such loans; and to make an appropriation," by amending section 4 (MCL 388.954), as amended by 1992 PA 228.

The bill was read a second time.

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

The motion prevailed.

#### **House Bill No. 5406, entitled**

A bill to repeal 1973 PA 12, entitled "An act to provide for emergency financial assistance for school districts; to prescribe certain powers and duties of the intermediate board of education in connection therewith; to provide certain powers and duties of the state board of education in connection therewith; to create an emergency loan revolving fund; and to make an appropriation," (MCL 388.251 to 388.271).

The bill was read a second time.

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

The motion prevailed.

#### **House Bill No. 5407, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 629 (MCL 380.629), as amended by 1997 PA 152.

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.

**House Bill No. 5408, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 687 (MCL 380.687), as amended by 1995 PA 289.

The bill was read a second time.

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

The motion prevailed.

**House Bill No. 5409, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1215 (MCL 380.1215).

The bill was read a second time.

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

The motion prevailed.

**House Bill No. 5410, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1216 (MCL 380.1216), as amended by 1992 PA 236.

The bill was read a second time.

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

The motion prevailed.

**House Bill No. 5411, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1225 (MCL 380.1225), as amended by 1997 PA 152.

The bill was read a second time.

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

The motion prevailed.

**House Bill No. 5412, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1227 (MCL 380.1227), as added by 1995 PA 289.

The bill was read a second time.

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

The motion prevailed.

**House Bill No. 5413, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1351 (MCL 380.1351), as amended by 1997 PA 152.

The bill was read a second time.

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

The motion prevailed.

**House Bill No. 5414, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1351a (MCL 380.1351a), as amended by 1997 PA 152.

The bill was read a second time.

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

The motion prevailed.

**House Bill No. 5415, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1356 (MCL 380.1356), as amended by 1993 PA 312.

The bill was read a second time.

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

The motion prevailed.

**House Bill No. 5417, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1363 (MCL 380.1363).

The bill was read a second time.

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

The motion prevailed.

**House Bill No. 5418, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1731 (MCL 380.1731).

The bill was read a second time.

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

The motion prevailed.

**House Bill No. 5419, entitled**

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 17a (MCL 388.1617a), as amended by 1996 PA 300.

The bill was read a second time.

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

The motion prevailed.

**House Bill No. 5416, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1362 (MCL 380.1362).

The bill was read a second time.

Rep. Lemmons moved to amend the bill as follows:

1. Amend page 1, line 1, after "The" by inserting "ELECTED".

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

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

The motion prevailed.

**House Bill No. 5511, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 212a (MCL 750.212a), as added by 1998 PA 207.

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. Gielegem moved to amend the bill as follows:

1. Amend page 3, following line 9, by inserting:

"(xiv) A VEHICLE, LOCOMOTIVE OR RAILROAD CAR, AIRCRAFT, OR WATERCRAFT USED TO PROVIDE TRANSPORTATION SERVICES TO THE PUBLIC OR TO PROVIDE FOR THE MOVEMENT OF GOODS IN COMMERCE."

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

Rep. Callahan moved to amend the bill as follows:

1. Amend page 3, line 9, after “OWNED” by striking out “BUILDING” and inserting “OR CONTROLLED BUILDING OPEN TO THE PUBLIC”.

The motion prevailed and the amendment 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. Middaugh 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. Pappageorge, Pumford, Jelinek, Richner, Gielegem, Mans, Julian, Kowall, Hager, DeWeese, Woodward, Cassis, Mead, Stewart, Vander Roest, Richardville, Toy, Faunce, DeRossett, Birkholz, Shulman, Ehardt, Kuipers, Koetje, Drolet, Gosselin, Lemmons, Shackleton, Voorhees, Meyer, Raczkowski, Murphy, Scranton, Van Woerkom, Bovin, Anderson, Bogardus, Spade, Kooiman, Thomas, Vear, Tabor, George, Clark, Rick Johnson, Bishop, Kolb, Wojno, Bernero, Rich Brown, Jamnick, Neumann, Adamini, Hansen, Schermesser, Clarke, Hale, Plakas, Switalski, Phillips, Zelenko and Jacobs offered the following resolution:

#### **House Resolution No. 306.**

A resolution commemorating March 2002 as Ethnic and Cultural Heritage Month in Michigan.

Whereas, The culture of the people of the state of Michigan has been continually renewed and enriched by the many different people who have chosen to move here over many decades and become citizens; and

Whereas, Each individual brings with them a part of his or her own heritage, which over time becomes part of our common heritage leading us to become a more united people; and

Whereas, Michigan is fortunate to count among its population large numbers of citizens of numerous descents, who together make important contributions to our economy and society through their commitment to numerous professions, commerce, family, and the arts; and

Whereas, We must foster an interest in the heritage, culture, and history of all peoples and pass that understanding and knowledge on to the next generation. This awakens in every American community, the awareness of the quality of the contributions that all types of ethnicity’s can bring to our modern American lifestyle; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body commemorate March 2002 as Ethic and Cultural Heritage Month in the state of Michigan.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Ehardt, Raczkowski, Kuipers, Richardville, Pappageorge, Vander Veen, Jelinek, Stewart, Ruth Johnson, Birkholz, Mortimer, Bovin, Neumann, Scranton, Julian, Mans, Kowall, Hager, Middaugh, DeWeese, Woodward, Cassis, Mead, Vander Roest, Toy, Faunce, DeRossett, Shulman, Gosselin, Lemmons, Shackleton, Voorhees, Meyer, Van Woerkom, Bogardus, Kooiman, Vear, George, Rick Johnson, Bishop, Wojno, Rich Brown, Lipsey, Jamnick, Adamini, Hansen, Clarke, Switalski, Schermesser, Zelenko and Jacobs offered the following resolution:

#### **House Resolution No. 307.**

A resolution to memorialize the Congress of the United States to enact the Renewable Fuels for Energy Security Act.

Whereas, Increasing dependence on foreign energy sources represents a multifaceted problem for the United States. Our economy is hurt by the fact that imported petroleum is the single largest component of our trade deficit. With foreign nations selling us more than half of the oil we consume each year and projections of this figure reaching 75 percent by the decade’s end, America is vulnerable to the threat of interruptions in crude oil production and delivery; and

Whereas, In spite of our country's dependence on foreign energy, there are options available that could reduce our imports significantly. Biodiesel fuels and ethanol, products of American agriculture, could meet a much larger part of the country's energy needs. In addition to supplementing traditional energy sources, biodiesel fuel and ethanol are renewable energy sources that burn cleanly and with minimal modifications to diesel engines. It is also significant to note that this technology is not new, and that it offers performance levels in horsepower, economy, and torque similar to petroleum diesel fuel and is superior in other areas; and

Whereas, Congress is currently considering the Renewable Fuels for Energy Security Act. This bill, S. 1006, takes graduated steps to promote the use of renewable fuels by setting up a schedule that would increase the percentage of biodiesel, biogas, or ethanol used in the United States each year for several years. Under this formula, by the year 2015, five percent of the country's vehicle fuel would be from renewable sources; and

Whereas, The enactment of the Renewable Fuels for Energy Security Act would provide a major boost to the American economy, help reduce pollution from vehicles, and reduce our dependence on foreign energy. Clearly, this is an idea that merits support; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to enact the Renewable Fuels for Energy Security Act; and be it further

Resolved, That copies of this resolution be transmitted to 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 Energy and Technology.

### Reports of Standing Committees

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

**House Bill No. 4091, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 323d (MCL 257.323d), as added by 1993 PA 359.

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

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

"Enacting section 1. This amendatory act takes effect January 1, 2003."

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

Favorable Roll Call

**HB 4091** To Report Out:

Yeas: Reps. Howell, Hummel, Faunce, Koetje, Voorhees, Adamini, McConico, Waters,

Nays: None.

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

**House Bill No. 5454, 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 the title and sections 8 and 9 (MCL 691.1408 and 691.1409), the title as amended by 1986 PA 175.

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 5454** To Report Out:

Yeas: Reps. Howell, Hummel, Faunce, Koetje, Voorhees, Adamini, McConico, 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: Tuesday, January 29, 2002, at 3:23 p.m.,

Present: Reps. Howell, Hummel, Faunce, Koetje, Voorhees, Adamini, McConico, Waters,

Absent: Reps. Bisbee, Richner, Lipsey,

Excused: Reps. Bisbee, Richner, Lipsey.

The Committee on Criminal Justice, by Rep. Faunce, Chair, reported

**House Bill No. 4401, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 2a of chapter IV (MCL 764.2a).

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 4401** To Report Out:

Yeas: Reps. Faunce, Kowall, Bishop, George, Howell, Callahan, O'Neil, Rison,

Nays: None.

The Committee on Criminal Justice, by Rep. Faunce, Chair, reported

**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.

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

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

## Favorable Roll Call

**HB 4781** To Report Out:

Yeas: Reps. Faunce, Kowall, Bishop, George, Howell, McConico, Callahan, O'Neil, Rison,

Nays: None.

The Committee on Criminal Justice, by Rep. Faunce, Chair, reported

**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.

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

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

## Favorable Roll Call

**HB 4782** To Report Out:

Yeas: Reps. Faunce, Kowall, Bishop, DeWeese, George, Howell, McConico, Callahan, O'Neil, Rison,

Nays: None.

The Committee on Criminal Justice, by Rep. Faunce, Chair, reported

**House Bill No. 5399, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 411a (MCL 750.411a), as amended by 2000 PA 370.

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

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

## Favorable Roll Call

**HB 5399** To Report Out:

Yeas: Reps. Faunce, Kowall, Bishop, George, Howell, McConico, Callahan, O'Neil, Rison,  
Nays: None.

The Committee on Criminal Justice, by Rep. Faunce, Chair, reported

**House Bill No. 5440, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 81d. With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

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

## Favorable Roll Call

**HB 5440** To Report Out:

Yeas: Reps. Faunce, Kowall, Bishop, DeWeese, George, Howell, McConico, Callahan, O'Neil, Rison,  
Nays: None.

The Committee on Criminal Justice, by Rep. Faunce, Chair, reported

**House Bill No. 5441, 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 2001 PA 20.

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 5441** To Report Out:

Yeas: Reps. Faunce, Kowall, Bishop, DeWeese, George, Howell, McConico, Callahan, O'Neil, Rison,  
Nays: None.

The Committee on Criminal Justice, by Rep. Faunce, Chair, reported

**House Bill No. 5442, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 479 and 479a (MCL 750.479 and 750.479a), section 479a as amended by 1998 PA 344.

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

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

## Favorable Roll Call

**HB 5442** To Report Out:

Yeas: Reps. Faunce, Kowall, Bishop, DeWeese, George, Howell, McConico, Callahan, O'Neil, Rison,  
Nays: None.

The Committee on Criminal Justice, by Rep. Faunce, Chair, reported

**House Bill No. 5443, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16x of chapter XVII (MCL 777.16x), as amended by 2000 PA 473.

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

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

## Favorable Roll Call

**HB 5443** To Report Out:

Yeas: Reps. Faunce, Kowall, Bishop, George, Howell, McConico, Callahan, O'Neil, Rison,  
Nays: None.

The Committee on Criminal Justice, by Rep. Faunce, Chair, reported

**House Bill No. 5444, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 483a (MCL 750.483a), as added by 2000 PA 451.

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

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

## Favorable Roll Call

**HB 5444** To Report Out:

Yeas: Reps. Faunce, Kowall, Bishop, DeWeese, George, Howell, McConico, Callahan, O'Neil, Rison,  
Nays: None.

The Committee on Criminal Justice, by Rep. Faunce, Chair, reported

**House Bill No. 5445, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 122 (MCL 750.122), as added by 2000 PA 452.

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

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

## Favorable Roll Call

**HB 5445** To Report Out:

Yeas: Reps. Faunce, Kowall, Bishop, DeWeese, George, Howell, McConico, Callahan, O'Neil, Rison,  
Nays: None.

The Committee on Criminal Justice, by Rep. Faunce, Chair, reported

**House Bill No. 5446, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 120a (MCL 750.120a), as amended by 2000 PA 450.

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 5446** To Report Out:

Yeas: Reps. Faunce, Kowall, Bishop, DeWeese, George, Howell, McConico, Callahan, O'Neil, Rison,  
Nays: None.

## COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, January 29, 2002, at 10:30 a.m.,

Present: Reps. Faunce, Kowall, Bishop, DeWeese, George, Howell, McConico, Callahan, O'Neil, Rison,

Absent: Rep. Raczkowski,

Excused: Rep. Raczkowski.

The Committee on Family and Children Services, by Rep. Hart, Chair, reported  
**House Bill No. 5484, entitled**

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 18e. 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 5484** To Report Out:

Yeas: Reps. Hart, Vander Veen, DeWeese, Hager, Tabor, Murphy, Bernero, Rison,  
 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: Tuesday, January 29, 2002, at 3:30 p.m.,  
 Present: Reps. Hart, Vander Veen, DeWeese, Hager, Tabor, Murphy, Bernero, Rison,  
 Absent: Rep. Garza,  
 Excused: Rep. Garza.

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

**House Bill No. 5479, entitled**

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.1100) by adding section 79.

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 5479** To Report Out:

Yeas: Reps. Gilbert, DeRossett, Hummel, Ruth Johnson, Julian, Anderson, Bovin, Daniels, Jamnick,  
 Nays: None.

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

**House Bill No. 5497, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 51a, 209, 303, and 314 (MCL 257.51a, 257.209, 257.303, and 257.314), section 303 as amended by 2001 PA 159 and section 314 as amended by 2000 PA 173.

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 5497** To Report Out:

Yeas: Reps. Gilbert, George, Gosselin, Hart, Hummel, Ruth Johnson, Julian, Scranton, Neumann,  
 Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, January 30, 2002, at 9:00 a.m.,  
 Present: Reps. Gilbert, George, DeRossett, Drolet, Gosselin, Hart, Hummel, Ruth Johnson, Julian, Scranton, Anderson, Bovin, Daniels, Jamnick, Murphy, Neumann, Schermesser.

### COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, January 30, 2002, at 10:30 a.m.,

Present: Reps. Richner, Bisbee, Ehardt, Hager, Hummel, Julian, Middaugh, Scranton, Van Woerkom, Wojno, Anderson, Clark, Daniels, Schermesser, Woodward.

### Messages from the Senate

#### House Bill No. 5026, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 231a (MCL 750.231a).

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.

### Notices

The Speaker appointed as conferees, on the part of the House of Representatives for **House Bill No. 4042**, Reps. Bradstreet, Faunce and Rivet.

The Speaker appointed as conferees, on the part of the House of Representatives for **House Bill No. 4632**, Reps. Bradstreet, Faunce and Rivet.

### Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members, Thursday, January 24:

**Senate Bill Nos. 1000 1001 1002 1003 1004**

The Clerk announced that the following bills had been printed and placed upon the files of the members, Friday, January 25:

**Senate Bill Nos. 1005 1006 1007**

The Clerk announced that the following bills had been printed and placed upon the files of the members, Wednesday, January 30:

**House Bill Nos. 5575 5576 5577 5578 5579**

### Introduction of Bills

Reps. Stewart, Mead, Pumford, Jelinek, Hansen, Mans, Basham, Plakas, Vear and DeWeese introduced

#### House Bill No. 5580, entitled

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

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

Reps. Lockwood, Raczkowski, Bovin, Plakas, Bernero, Phillips, Callahan, Jacobs, Vander Veen, Spade, Mans, Richardville, Bogardus, Dennis, Wojno, Vander Roest, Neumann, Anderson, Lipsey, Kolb, Minore, Hale, Rich Brown, Frank, Murphy, Garza, Schermesser, Richner, Woronchak, Sheltroun, Voorhees, O'Neil, Waters, Williams, Whitmer, Jannick, Zelenko, Rocca, Basham, Gosselin and Shackleton introduced

#### House Bill No. 5581, entitled

A bill to amend 2000 PA 499, entitled "Elder prescription insurance coverage act," by amending section 3 (MCL 550.2003).

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

Reps. Shackleton, Allen, Mead, Pumford, Pappageorge, Bradstreet, Bovin, Adamini, Rich Brown and Kuipers introduced

**House Bill No. 5582, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 82119 (MCL 324.82119), as added by 1995 PA 58.

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

Reps. Voorhees, Vander Veen, Bradstreet, Kooiman, Meyer, Kuipers, Patterson, Pappageorge, Gosselin, Vander Roest and Richner introduced

**House Bill No. 5583, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1285a (MCL 380.1285a), as added by 1996 PA 285.

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

Reps. Jacobs and Kuipers introduced

**House Bill No. 5584, entitled**

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts," by amending section 1 (MCL 722.111), as amended by 1994 PA 205.

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

---

Rep. Bernero moved that the House adjourn.  
The motion prevailed, the time being 3:40 p.m.

Associate Speaker Pro Tempore Julian declared the House adjourned until Thursday, January 31, at 12:00 Noon.

GARY L. RANDALL  
Clerk of the House of Representatives.