

No. 22
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
91st Legislature
REGULAR SESSION OF 2002

House Chamber, Lansing, Thursday, March 7, 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	Garza—excused	Lockwood—present	Schauer—present
Allen—present	George—present	Mans—present	Schermesser—present
Anderson—present	Gielegem—present	McConico—present	Scranton—present
Basham—present	Gilbert—present	Mead—present	Shackleton—present
Bernero—present	Godchaux—present	Meyer—present	Sheltrown—excused
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—e/d/s	Neumann—present	Stewart—present
Bradstreet—present	Hart—present	Newell—present	Switalski—present
Brown, Bob—present	Howell—present	O’Neil—present	Tabor—present
Brown, Cameron—present	Hummel—present	Palmer—present	Thomas—present
Brown, Rich—present	Jacobs—present	Pappageorge—present	Toy—present
Callahan—present	Jamnack—present	Patterson—present	Van Woerkom—present
Cassis—present	Jansen—present	Pestka—present	Vander Roest—present
Caul—present	Jelinek—present	Phillips—present	Vander Veen—present
Clark—present	Johnson, Rick—present	Plakas—present	Vear—present
Clarke—excused	Johnson, Ruth—present	Pumford—present	Voorhees—present
Daniels—present	Julian—present	Quarles—present	Waters—present
Dennis—present	Koetje—present	Raczkowski—present	Whitmer—present
DeRossett—present	Kolb—present	Reeves—present	Williams—present
DeVuyst—present	Kooiman—present	Richardville—present	Wojno—present
DeWeese—present	Kowall—present	Richner—present	Woodward—present
Drolet—present	Kuipers—present	Rison—e/d/s	Woronchak—present
Ehardt—present	LaSata—present	Rivet—present	Zelenko—present
Fauce—present	Lemmons—present	Rocca—present	
Frank—present	Lipsey—present		

e/d/s = entered during session

Mr. Fred Stefani, from the Knights of Columbus in Warren, offered the following invocation:

“Dear Father, Thank You for Your blessings as we begin this legislative day. May Your spirit be with all of the elected officials here who represent our great lake state. Let us remember how privileged we are to live in a country where freedom and democracy are truly a direct result of Your blessings. Only You know the true needs of each and every person throughout the state. Dear God, provide those in need of food—enough to eat, those in need of health—your healing touch. Those in need of direction—your guidance. As we move forward this season of Easter, let us remember the meaning of sacrifice and how Your son, Jesus Christ, provided himself as the ultimate sacrifice for us and our sins; and that his mother, the Virgin Mary, continues to ask God, the Father for our protection when we pray and honor her throughout the rosary. May all of us here today be welcomed into Your eternal kingdom as Your good and faithful servants. Heavenly Father, we ask that You send forth Your spirit upon the members of this House, having been elected to serve the needs of the people of Michigan. Give them wisdom in their deliberations and courage to guide them. Keep them, their families and staffs always in Your love. Amen.”

Rep. Jacobs moved that Reps. Clarke, Garza, Sheltroun and Stallworth be excused from today’s session. The motion prevailed.

The Speaker Pro Tempore assumed the Chair.

Messages from the Senate

House Bill No. 5585, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 6013 (MCL 600.6013), as amended by 2001 PA 175.

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

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

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

The House agreed to the full title.

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

Rep. Kolb moved that Reps. Thomas and Basham be excused temporarily from today’s session. The motion prevailed.

Rep. Vander Roest moved that Reps. Rick Johnson and Bradstreet be excused temporarily from today’s session. The motion prevailed.

The Speaker laid before the House

House Bill No. 4859, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 7411 (MCL 333.7411), as amended by 1993 PA 169.

(The bill was received from the Senate on February 26, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until February 27, see House Journal No. 17, p. 371.)

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

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

Roll Call No. 199**Yeas—73**

Allen	George	Mans	Rocca
Anderson	Gilbert	Mead	Schauer
Bernero	Godchaux	Meyer	Schermesser
Birkholz	Gosselin	Middaugh	Scranton
Bisbee	Hager	Mortimer	Shackleton
Bishop	Hart	Neumann	Shulman
Bovin	Howell	Newell	Spade
Brown, B.	Hummel	O'Neil	Stamas
Brown, C.	Jansen	Palmer	Stewart
Brown, R.	Jelinek	Pappageorge	Tabor
Callahan	Johnson, Ruth	Patterson	Toy
Cassis	Julian	Pestka	Van Woerkom
Caul	Koetje	Plakas	Vander Roest
DeRossett	Kooiman	Pumford	Vander Veen
DeVuyst	Kowall	Rackowski	Vear
DeWeese	Kuipers	Richardville	Voorhees
Ehardt	LaSata	Richner	Wojno
Faunce	Lockwood	Rivet	Woronchak
Frank			

Nays—26

Adamini	Hale	McConico	Switalski
Bogardus	Hansen	Minore	Waters
Clark, I.	Jacobs	Murphy	Whitmer
Daniels	Jamnick	Phillips	Williams
Dennis	Kolb	Quarles	Woodward
Drolet	Lemmons	Reeves	Zelenko
Gielegem	Lipse		

In The Chair: Birkholz

The House agreed to the full title of the bill.

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

The Speaker laid before the House

House Bill No. 5205, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 719 (MCL 257.719), as amended by 2000 PA 306.

(The bill was received from the Senate on March 5, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until March 6, see House Journal No. 20, p. 445.)

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

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

Roll Call No. 200**Yeas—99**

Adamini	Faunce	Lemmons	Rocca
Allen	Frank	Lipse	Schauer

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

Nays—0

In The Chair: Birkholz

The House agreed to the full title of the bill.

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

The Speaker laid before the House

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, 27, and 28; and to repeal acts and parts of acts.

(The bill was received from the Senate on March 5, with amendments and full title inserted, consideration of which, under the rules, was postponed until March 6, see House Journal No. 20, p. 445.)

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

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

Roll Call No. 201

Yeas—101

Adamini	Frank	Lipsey	Rocca
Allen	George	Lockwood	Schauer
Anderson	Gielegem	Mans	Schermesser
Basham	Gilbert	McConico	Scranton
Bernero	Godchaux	Mead	Shackleton
Birkholz	Gosselin	Meyer	Shulman
Bisbee	Hager	Middaugh	Spade

Bishop	Hale	Minore	Stamas
Bogardus	Hansen	Mortimer	Stewart
Bovin	Hart	Murphy	Switalski
Bradstreet	Howell	Neumann	Tabor
Brown, B.	Hummel	Newell	Thomas
Brown, C.	Jacobs	O'Neil	Toy
Brown, R.	Jamnick	Palmer	Van Woerkom
Callahan	Jansen	Pappageorge	Vander Roest
Cassis	Jelinek	Patterson	Vander Veen
Caul	Johnson, Ruth	Pestka	Vear
Clark, I.	Julian	Phillips	Voorhees
Daniels	Koetje	Plakas	Waters
Dennis	Kolb	Pumford	Whitmer
DeRossett	Kooiman	Raczkowski	Williams
DeVuyst	Kowall	Reeves	Wojno
DeWeese	Kuipers	Richardville	Woodward
Drolet	LaSata	Richner	Woronchak
Ehardt	Lemmons	Rivet	Zelenko
Faunce			

Nays—0

In The Chair: Birkholz

The House agreed to the full title of the bill.

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

Rep. Hardman entered the House Chambers.

Third Reading of Bills**House Bill No. 5600, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 479c. Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 202**Yeas—104**

Adamini	Frank	Lemmons	Rivet
Allen	George	Lipsey	Rocca
Anderson	Gielegem	Lockwood	Schauer
Basham	Gilbert	Mans	Schermesser
Bernero	Godchaux	McConico	Scranton
Birkholz	Gosselin	Mead	Shackleton
Bisbee	Hager	Meyer	Shulman
Bishop	Hale	Middaugh	Spade
Bogardus	Hansen	Minore	Stamas
Bovin	Hardman	Mortimer	Stewart
Bradstreet	Hart	Murphy	Switalski

Brown, B.	Howell	Neumann	Tabor
Brown, C.	Hummel	Newell	Thomas
Brown, R.	Jacobs	O'Neil	Toy
Callahan	Jamnick	Palmer	Van Woerkom
Cassis	Jansen	Pappageorge	Vander Roest
Caul	Jelinek	Patterson	Vander Veen
Clark, I.	Johnson, Rick	Pestka	Vear
Daniels	Johnson, Ruth	Phillips	Voorhees
Dennis	Julian	Plakas	Waters
DeRossett	Koetje	Pumford	Whitmer
DeVuyst	Kolb	Quarles	Williams
DeWeese	Kooiman	Raczkowski	Wojno
Drolet	Kowall	Reeves	Woodward
Ehardt	Kuipers	Richardville	Woronchak
Faunce	LaSata	Richner	Zelenko

Nays—0

In The Chair: Birkholz

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 1931 PA 328, entitled "The Michigan penal code," by amending section 479 (MCL 750.479).

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.

House Bill No. 5601, 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.

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

Roll Call No. 203

Yeas—104

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

Daniels	Johnson, Ruth	Phillips	Voorhees
Dennis	Julian	Plakas	Waters
DeRossett	Koetje	Pumford	Whitmer
DeVuyst	Kolb	Quarles	Williams
DeWeese	Kooiman	Raczkowski	Wojno
Drolet	Kowall	Reeves	Woodward
Ehardt	Kuipers	Richardville	Woronchak
Faunce	LaSata	Richner	Zelenko

Nays—0

In The Chair: Birkholz

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

Pending the Third Reading of

House Bill No. 4410, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 52706 (MCL 324.52706), as added by 1995 PA 57.

Rep. Middaugh moved that the bill be referred to the Committee on Conservation and Outdoor Recreation.

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

Rep. Meyer moved that Rep. Gilbert be excused temporarily from today's session.
The motion prevailed.

House Bill No. 4667, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 260 (MCL 206.260), as amended by 1996 PA 484.

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

Roll Call No. 204**Yeas—103**

Adamini	Frank	Lipsey	Rocca
Allen	George	Lockwood	Schauer
Anderson	Gielegem	Mans	Schermesser
Basham	Godchaux	McConico	Scranton
Bernero	Gosselin	Mead	Shackleton
Birkholz	Hager	Meyer	Shulman
Bisbee	Hale	Middaugh	Spade
Bishop	Hansen	Minore	Stamas
Bogardus	Hardman	Mortimer	Stewart
Bovin	Hart	Murphy	Switalski
Bradstreet	Howell	Neumann	Tabor
Brown, B.	Hummel	Newell	Thomas
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	Vear
Clark, I.	Johnson, Ruth	Phillips	Voorhees
Daniels	Julian	Plakas	Waters
Dennis	Koetje	Pumford	Whitmer
DeRossett	Kolb	Quarles	Williams
DeVuyst	Kooiman	Raczkowski	Wojno
DeWeese	Kowall	Reeves	Woodward
Drolet	Kuipers	Richardville	Woronchak
Ehardt	LaSata	Richner	Zelenko
Faunce	Lemmons	Rivet	

Nays—0

In The Chair: Birkholz

The House agreed to the title of the bill.

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

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

Reps. Allen, Anderson, Bisbee, Bishop, Bogardus, Bovin, Rich Brown, Callahan, Caul, Daniels, DeRossett, DeVuyst, Ehardt, Faunce, Frank, George, Gielegem, Hager, Hansen, Hardman, Howell, Jacobs, Jamnick, Jansen, Ruth Johnson, Julian, Koetje, Kowall, Kuipers, LaSata, Lipsey, Mans, McConico, Meyer, Mortimer, Newell, Palmer, Patterson, Pestka, Phillips, Plakas, Shulman, Stewart, Switalski, Tabor, Thomas, Toy, Vander Roest, Vander Veen, Vear, Voorhees, Williams, Wojno, Woodward and Zelenko were named co-sponsors of the bill.

Senate Bill No. 678, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 3 (MCL 205.93), as amended by 1999 PA 117.

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

Roll Call No. 205**Yeas—102**

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

DeVuyst	Kooiman	Raczkowski	Williams
DeWeese	Kowall	Reeves	Wojno
Drolet	Kuipers	Richardville	Woodward
Ehardt	LaSata	Richner	Woronchak
Faunce	Lemmons	Rivet	Zelenko
Frank	Lipsev		

Nays—0

In The Chair: Birkholz

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

“An act to provide for the levy, assessment and collection of a specific excise tax on the storage, use or consumption in this state of tangible personal property and certain services; to appropriate the proceeds thereof; and to prescribe penalties for violations of the provisions of this act.”.

The House agreed to the full title.

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

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

Senate Bill No. 1005, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 21513 (MCL 333.21513), as amended by 1993 PA 79.

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

Roll Call No. 206**Yeas—104**

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

Nays—0

In The Chair: Birkholz

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

“An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates.”.

The House agreed to the full title.

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

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

House Bill No. 5661, entitled

A bill to amend 1897 PA 153, entitled “An act to provide for the payment of expenses in matters in which the state is a party or interested,” by amending sections 1 and 2 (MCL 14.111 and 14.112).

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

Roll Call No. 207**Yeas—104**

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

Ehardt
Faunce

Kuipers
LaSata

Richardville
Richner

Woronchak
Zelenko

Nays—0

In The Chair: Birkholz

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 1897 PA 153, entitled “An act to provide for the payment of expenses in matters in which the state is a party or interested,” by amending section 1 (MCL 14.111); 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.

Rep. Toy moved that Rep. Scranton be excused temporarily from today’s session.

The motion prevailed.

Senate Bill No. 994, entitled

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

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

Roll Call No. 208

Yeas—103

Adamini
Allen
Anderson
Basham
Bernero
Birkholz
Bisbee
Bishop
Bogardus
Bovin
Bradstreet
Brown, B.
Brown, C.
Brown, R.
Callahan
Cassis
Caul
Clark, I.
Daniels
Dennis
DeRossett
DeVuyst

Frank
George
Gielegem
Gilbert
Godchaux
Gosselin
Hager
Hale
Hansen
Hardman
Hart
Howell
Hummel
Jacobs
Jamnick
Jansen
Jelinek
Johnson, Rick
Johnson, Ruth
Julian
Koetje
Kolb

Lemmons
Lipsey
Lockwood
Mans
McConico
Mead
Meyer
Middaugh
Minore
Mortimer
Murphy
Neumann
Newell
O’Neil
Palmer
Pappageorge
Patterson
Pestka
Phillips
Plakas
Pumford
Quarles

Rivet
Rocca
Schauer
Schermesser
Shackleton
Shulman
Spade
Stamas
Stewart
Switalski
Tabor
Thomas
Toy
Van Woerkom
Vander Roest
Vander Veen
Vear
Voorhees
Waters
Whitmer
Williams
Wojno

DeWeese	Kooiman	Raczkowski	Woodward
Drolet	Kowall	Reeves	Woronchak
Ehardt	Kuipers	Richardville	Zelenko
Faunce	LaSata	Richner	

Nays—0

In The Chair: Birkholz

The House agreed to the title of the bill.

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

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

Rep. Rison entered the House Chambers.

Senate Bill No. 943, entitled

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

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

Roll Call No. 209**Yeas—104**

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

Nays—0

In The Chair: Birkholz

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

“An act to promote safety upon the public highways by regulating the operation of certain vehicles; to provide consistent regulation of these areas by state agencies and local units of government; to establish the qualifications of persons necessary for the safe operation of such vehicles; to limit the hours of service of persons engaged in operating such vehicles; to require the keeping of records of such operations; to provide penalties for the violation of this act; to prescribe the powers and duties of certain state agencies; and to repeal certain acts and parts of acts.”

The House agreed to the full title.

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

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

Senate Bill No. 730, entitled

A bill to amend 1966 PA 189, entitled “An act to provide procedures for making complaints for, obtaining, executing and returning search warrants; and to repeal certain acts and parts of acts,” by amending sections 1, 4, and 5 (MCL 780.651, 780.654, and 780.655), section 1 as amended by 1990 PA 43.

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

Roll Call No. 210**Yeas—75**

Allen	Frank	LaSata	Rocca
Anderson	George	Lockwood	Schauer
Basham	Gilbert	Mans	Schermesser
Birkholz	Godchaux	Mead	Scranton
Bisbee	Gosselin	Meyer	Shackleton
Bishop	Hager	Middaugh	Shulman
Bovin	Hart	Mortimer	Spade
Bradstreet	Howell	Neumann	Stamas
Brown, B.	Hummel	Newell	Stewart
Brown, C.	Jacobs	O’Neil	Tabor
Brown, R.	Jansen	Palmer	Toy
Callahan	Jelinek	Pappageorge	Van Woerkom
Cassis	Johnson, Rick	Patterson	Vander Roest
Caul	Johnson, Ruth	Pestka	Vander Veen
DeRossett	Julian	Pumford	Vear
DeVuyst	Koetje	Raczkowski	Voorhees
DeWeese	Kooiman	Richardville	Wojno
Ehardt	Kowall	Richner	Woronchak
Faunce	Kuipers	Rivet	

Nays—29

Adamini	Hale	McConico	Switalski
Bernero	Hansen	Minore	Thomas
Bogardus	Hardman	Murphy	Waters
Clark, I.	Jamnick	Phillips	Whitmer
Daniels	Kolb	Plakas	Williams
Dennis	Lemmons	Reeves	Woodward
Drolet	Lipse	Rison	Zelenko
Gielegem			

In The Chair: Birkholz

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 1966 PA 189, entitled "An act to provide procedures for making complaints for, obtaining, executing and returning search warrants; and to repeal certain acts and parts of acts," by amending sections 4 and 5 (MCL 780.654 and 780.655).

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.

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

"Mr. Speaker and members of the House:

I have serious concerns about some of the legislation being passed under the guise of being able to respond appropriately to terrorism and those who would do such terrible things. This bill allows a magistrate to suppress a warrant and/or a tabulation of seized items even from the person whose property is being seized until charged with a crime or named as a party in a civil forfeiture action."

Reps. Hansen, Williams, Lipsey, Waters, Hardman, Whitmer, Bogardus, Minore, Kolb, Hale, Dennis, Daniels, Clark, Lemmons, Rison, Murphy, Reeves, Zelenko, Woodward and Adamini, having reserved the right to explain their protest against the passage of the bill, made the following statement:

"Mr. Speaker and members of the House:

I voted no on SB 730 because it removes the ability of an individual to gain immediate access to the reasons behind a police intrusion into their homes for searches and seizures. The 4th Amendment protects citizens against governmental intrusions that are unreasonable, however, under this bill that protection is greatly diluted.

Currently when an officer comes to your home they produce a search warrant providing the specific reasons or probable cause that generated the need for the search. Once the search is made it is left at the home and persons can immediately enter the courthouse to argue their fourth amendment protections. Under SB 730, the probable cause providing the basis of the search can be withheld until that person is ultimately named in a legal action. All this under the guise of protecting persons who supplied law enforcement with the information that started the search in the first place.

If protection of witnesses is the purpose and the sole intent behind this legislation, then it is thwarted by providing the warrant to the defendant at any time and according the United States Supreme Court, the defendant has a constitutional right to this information. While I fully support the need to protect citizens who courageously come forward and provide law enforcement with crucial information to protect our society, safeguards designed to protect every citizen of this country and state should not be trampled to do so."

Senate Bill No. 936, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 19f of chapter VII (MCL 767.19f).

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

Roll Call No. 211

Yeas—104

Adamini	Frank	Lemmons	Rison
Allen	George	Lipsey	Rivet
Anderson	Gielegem	Lockwood	Rocca
Basham	Gilbert	Mans	Schauer
Bernero	Godchaux	McConico	Scranton
Birkholz	Gosselin	Mead	Shackleton
Bisbee	Hager	Meyer	Shulman
Bishop	Hale	Middaugh	Spade
Bogardus	Hansen	Minore	Stamas

Bovin	Hardman	Mortimer	Stewart
Bradstreet	Hart	Murphy	Switalski
Brown, B.	Howell	Neumann	Tabor
Brown, C.	Hummel	Newell	Thomas
Brown, R.	Jacobs	O'Neil	Toy
Callahan	Jamnick	Palmer	Van Woerkom
Cassis	Jansen	Pappageorge	Vander Roest
Caul	Jelinek	Patterson	Vander Veen
Clark, I.	Johnson, Rick	Pestka	Vear
Daniels	Johnson, Ruth	Phillips	Voorhees
Dennis	Julian	Plakas	Waters
DeRossett	Koetje	Pumford	Whitmer
DeVuyst	Kolb	Quarles	Williams
DeWeese	Kooiman	Raczkowski	Wojno
Drolet	Kowall	Reeves	Woodward
Ehardt	Kuipers	Richardville	Woronchak
Faunce	LaSata	Richner	Zelenko

Nays—0

In The Chair: Birkholz

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

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

The House agreed to the full title.

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

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

Senate Bill No. 939, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 543r.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

Senate Bill No. 940, 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 third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 212**Yeas—103**

Adamini	Frank	Lemmons	Rivet
Allen	George	Lipsey	Rocca
Anderson	Gielegem	Mans	Schauer
Basham	Gilbert	McConico	Scranton
Bernero	Godchaux	Mead	Shackleton
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	Jamnick	Pappageorge	Vander Roest
Cassis	Jansen	Patterson	Vander Veen
Caul	Jelinek	Pestka	Vear
Clark, I.	Johnson, Rick	Phillips	Voorhees
Daniels	Johnson, Ruth	Plakas	Waters
Dennis	Julian	Pumford	Whitmer
DeRossett	Koetje	Quarles	Williams
DeVuyst	Kolb	Rackowski	Wojno
DeWeese	Kooiman	Reeves	Woodward
Drolet	Kowall	Richardville	Woronchak
Ehardt	Kuipers	Richner	Zelenko
Faunce	LaSata	Rison	

Nays—0

In The Chair: Birkholz

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

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

The House agreed to the full title.

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

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

Senate Bill No. 942, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 543p.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

Second Reading of Bills**House Bill No. 5049, entitled**

A bill to amend 1976 PA 451, entitled “The revised school code,” (MCL 380.1 to 380.1852) by adding section 1279a.

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 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.

House Bill No. 5314, entitled

A bill to amend 1978 PA 397, entitled "Bullard-Plawecki employee right to know act," (MCL 423.501 to 423.512) by amending the title and by adding section 9a.

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

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

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

The motion prevailed.

Senate Bill No. 934, entitled

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

The bill was read a second time.

Rep. Gilbert moved to amend the bill as follows:

1. Amend page 4, following line 18, by inserting:

"Enacting section 1. This amendatory act takes effect May 1, 2002." and renumbering the remaining enacting section.

The motion prevailed and the amendment 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.

Senate Bill No. 1006, entitled

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

The bill was read a second time.

Rep. Gilbert moved to amend the bill as follows:

1. Amend page 6, following line 19, by inserting:

"Enacting section 1. This amendatory act takes effect May 1, 2002." and renumbering the remaining enacting section.

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

Rep. Ruth Johnson moved to amend the bill as follows:

1. Amend page 6, line 3, after "A" by inserting "VIOLENT".

2. Amend page 6, line 4, after "A" by inserting "VIOLENT".

3. Amend page 6, line 5, after "A" by inserting "VIOLENT".

4. Amend page 6, line 14, after "SECTION," by striking out the balance of the subsection and inserting " "VIOLENT FELONY" MEANS A FELONY IN WHICH AN ELEMENT IS THE USE, ATTEMPTED USE, OR THREATENED USE OF PHYSICAL FORCE AGAINST A PERSON, OR THE USE, ATTEMPTED USE, OR THREATENED USE OF A HARMFUL BIOLOGICAL SUBSTANCE, A HARMFUL BIOLOGICAL DEVICE, A HARMFUL CHEMICAL SUBSTANCE, A HARMFUL CHEMICAL DEVICE, A HARMFUL RADIOACTIVE SUBSTANCE, A HARMFUL RADIOACTIVE DEVICE, AN EXPLOSIVE DEVICE, OR AN INCENDIARY DEVICE."

The motion prevailed and the amendments were 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.

Senate Bill No. 946, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 22, 31, 37, and 49 of chapter XVII (MCL 777.22, 777.31, 777.37, and 777.49), section 22 as amended by 2000 PA 279, sections 31 and 49 as amended by 2001 PA 136, and section 37 as added by 1998 PA 317, and by adding section 49a.

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

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

Rep. Faunce moved to amend the bill as follows:

1. Amend page 4, line 26, after "tice" by striking out "OR THE RENDERING OF EMERGENCY SERVICES".
2. Amend page 5, line 4, after "SERVICES" by inserting "BY FORCE OR THREAT OF FORCE".

The motion prevailed and the amendments were 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.

Senate Bill No. 948, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 24 of chapter VII (MCL 767.24), as amended by 2001 PA 6.

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. 17, p. 369),

The amendment 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.

Senate Bill No. 949, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 1f of chapter IX (MCL 769.1f), as amended by 2001 PA 208.

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. 17, p. 369),

The amendment 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.

Senate Bill No. 995, 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 amendment previously recommended by the Committee on Criminal Justice (for amendment, see House Journal No. 17, p. 369),

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

Rep. Faunce moved to amend the bill as follows:

1. Amend page 3, line 6, after "OF" by striking out the balance of the line through "STRUCTURE" on line 7 and inserting "VULNERABLE TARGET".

The motion prevailed and the amendment 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.

Senate Bill No. 996, entitled

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

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

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.

Senate Bill No. 997, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 159g (MCL 750.159g), as amended by 1997 PA 75.

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. 17, p. 370),

The amendment 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.

House Bill No. 4599, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 172.

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

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

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

The motion prevailed.

House Bill No. 5664, entitled

A bill to amend 1921 PA 2, entitled "An act to promote the efficiency of the government of the state, to create a state administrative board, to define the powers and duties thereof, to provide for the transfer to said board of powers and duties now vested by law in other boards, commissions, departments and officers of the state, and for the abolishing of certain of the boards, commissions, departments and offices, whose powers and duties are hereby transferred," by amending section 1 (MCL 17.1).

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5713, entitled

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

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5714, entitled

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

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5715, entitled

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

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5717, entitled

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

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5718, entitled

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

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5719, entitled

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

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5720, entitled

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

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5721, entitled

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

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

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

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

The motion prevailed.

Senate Bill No. 887, entitled

A bill to amend 1937 PA 329, entitled "An act providing for compensation to certain peace officers injured in active duty, and payment to surviving spouses and dependents in case of death arising from active duty; and to make an appropriation therefor," by amending section 3 (MCL 419.103).

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.

The Speaker Pro Tempore called Associate Speaker Pro Tempore Julian to the Chair.

Senate Bill No. 889, entitled

A bill to amend 1933 PA 89, entitled "An act to prevent fraud, deception and imposition in the solicitation within the state of Michigan of the deposit of bonds, notes, debentures and other evidences of indebtedness under, and/or the

consent of the holders or owners of such securities, to a protective committee agreement, and to prevent fraud, deception and imposition in the operations and activities of protective committees organized within the state of Michigan to act for and in behalf of the holders or owners of such securities, and for such purposes to create a commission to regulate and supervise the establishment and the operations of protective committees, depositaries under protective committee agreements, and solicitors for protective committee agreements; to authorize said commission to have supervision over defaulted bonds, notes, debentures, certificates of participation and similar evidences of indebtedness; to prescribe the powers and duties of such commission; to license members of protective committees, depositaries under protective committee agreements and solicitors for protective committee agreements; to regulate and supervise and control the solicitation by anyone of bonds, notes, debentures and all other similar evidences of indebtedness, issued by the maker of any security for the purpose of procuring the modification and/or amendment and/or foreclosure of any instrument in writing securing any issue of bonds, notes, debentures and all other similar evidences of indebtedness; to authorize such commission to act as custodian or receiver and appoint custodians, agents and managers of defaulted mortgage property under orders of court or otherwise; to prescribe penalties for violation of this act; and to repeal Act No. 37 of the Public Acts of the first extra session of 1932," by amending section 13 (MCL 451.313).

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.

Senate Bill No. 892, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 204 and 208 (MCL 500.204 and 500.208).

The bill was read a second time.

Rep. Patterson moved to amend the bill as follows:

1. Amend page 2, line 2, after "the" by striking out "insurance".
2. Amend page 2, line 3, by striking out "DIVISION OF THE".

The motion prevailed and the amendments were 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.

Senate Bill No. 896, entitled

A bill to amend 1881 PA 181, entitled "An act to provide for the payment of interest on the educational funds, and to repeal section 10 of chapter 131 of the Compiled Laws of 1871, being compiler's section 3477," by amending section 1 (MCL 21.201).

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. 5623, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 4307 (MCL 324.4307).

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5624, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 4504 (MCL 324.4504), as added by 1995 PA 60.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5625, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 4709 (MCL 324.4709).

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5626, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 30705 (MCL 324.30705), as added by 1995 PA 59.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5627, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 30716 (MCL 324.30716), as added by 1995 PA 59.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5707, entitled

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

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on House Oversight and Operations (for amendment, see House Journal No. 21, p. 487),

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

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

The motion prevailed.

House Bill No. 5708, entitled

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

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5709, entitled

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

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on House Oversight and Operations (for amendment, see House Journal No. 21, p. 488),

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

Rep. Patterson 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. Kolb, Bernero, Thomas, Adamini, Jacobs, Lipsey, Rivet, Lemmons, Howell, Frank, DeRossett, Zelenko, Dennis, Mead, Raczkowski, Lockwood, Spade, Schermesser, Switalski, Jamnick, Waters, Rich Brown, McConico, Neumann, Minore, Bogardus, Daniels, Murphy, Hardman, DeWeese, Hansen, Caul, Faunce, Ehardt, Scranton and Wojno offered the following resolution:

House Resolution No. 356.

A resolution calling for state and federal funding to defray emergency management costs at Michigan's public colleges and universities.

Whereas, In response to heightened security concerns throughout our state and nation since the September terrorist attacks and subsequent threats, Michigan's public colleges and universities face far greater responsibilities in the task of safeguarding students, staff, visitors, and facilities. The Michigan Legislature is also considering legislation that would amend the Emergency Management Act, 1976 PA 390, with provisions that include significant mandates for our state's larger public colleges and universities; and

Whereas, Michigan's public colleges and universities are entities with far different resources and situations than those facing local units of government. In addition, communities that are home to large universities have responsibilities that are beyond what most local units of government face. Requirements for emergency management placed on the universities—as well as their local host communities—must include the funds to carry out the work. Without accompanying funding, a public college or university would have to raise fees or tuition or both. The only other option would be to greatly curtail other safety and security measures. This is unacceptable to these institutions of learning and the families who send their children to them; and

Whereas, Under the pending legislation amending the Emergency Management Act, public universities with combined average populations exceeding 25,000 would have to appoint an emergency management coordinator with specific duties. To impose this requirement on colleges and universities without funding will make it impossible to bring the level of homeland security on our campuses to the level we wish to achieve; now, therefore, be it

Resolved by the House of Representatives, That we call for state and federal funding to defray emergency management costs at Michigan's public colleges and universities and their local host communities; and be it further

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

Reps. Kolb, Bernero, Thomas, Adamini, Jacobs, Lipsey, Rivet, Lemmons, Howell, Frank, DeRossett, Zelenko, Dennis, Mead, Raczkowski, Lockwood, Spade, Schermesser, Switalski, Jamnick, Waters, Rich Brown, McConico, Neumann, Minore, Bogardus, Daniels, Murphy, Hardman, DeWeese, Hansen, Caul, Faunce, Ehardt, Scranton and Wojno offered the following concurrent resolution:

House Concurrent Resolution No. 59.

A concurrent resolution calling for state and federal funding to defray emergency management costs at Michigan's public colleges and universities.

Whereas, In response to heightened security concerns throughout our state and nation since the September terrorist attacks and subsequent threats, Michigan's public colleges and universities face far greater responsibilities in the task of safeguarding students, staff, visitors, and facilities. The Michigan Legislature is also considering legislation that would amend the Emergency Management Act, 1976 PA 390, with provisions that include significant mandates for our state's larger public colleges and universities; and

Whereas, Michigan's public colleges and universities are entities with far different resources and situations than those facing local units of government. In addition, communities that are home to large universities have responsibilities that are beyond what most local units of government face. Requirements for emergency management placed on the universities—as well as their local host communities—must include the funds to carry out the work. Without accompanying funding, a public college or university would have to raise fees or tuition or both. The only other option would be to greatly curtail other safety and security measures. This is unacceptable to these institutions of learning and the families who send their children to them; and

Whereas, Under the pending legislation amending the Emergency Management Act, public universities with combined average populations exceeding 25,000 would have to appoint an emergency management coordinator with specific duties. To impose this requirement on colleges and universities without funding will make it impossible to bring the level of homeland security on our campuses to the level we wish to achieve; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we call for state and federal funding to defray emergency management costs at Michigan's public colleges and universities and their local host communities; and be it further

Resolved, That copies of this resolution be transmitted to the Office of the Governor, 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 concurrent resolution was referred to the Committee on Appropriations.

Reps. Lemmons, Jacobs, Woronchak, Callahan, Zelenko, Rivet, Palmer, Raczkowski, Lockwood, Spade, Schermesser, Switalski, Jammick, Waters, Rich Brown, Lipsey, McConico, Neumann, Kolb, Rocca, Daniels, Hardman, Shackleton, Caul, Gielegem, Bishop, Faunce, Ehardt, Scranton, Drolet and Wojno offered the following concurrent resolution:

House Concurrent Resolution No. 60.

A concurrent resolution to memorialize the Congress of the United States to exempt Social Security benefits from taxation.

Whereas, Social Security benefits are a vital component of the retirement planning of almost all Americans. This successful program, when combined with other strategies and preparation, offers our older citizens the opportunity to enjoy a measure of economic security based on their lifetime of contributing to our society; and

Whereas, For most of the history of Social Security, the benefits have not been subject to taxation. In 1983, however, this was changed, and in 1993 further changes were made to subject more of a person's Social Security benefits to tax when a person's total income exceeds very modest thresholds of income. For a person receiving Social Security benefits, 85 percent of total income above the levels of \$34,000 for a single filer and \$44,000 for those married and filing jointly is subject to federal income taxes. These income triggers are not adjusted each year for inflation; and

Whereas, There are several strong arguments against taxing Social Security benefits. Taxing Social Security benefits serves as a means test for a program every worker pays taxes to fund. Doing so also amounts to double taxation, because the money that funds the benefits comes from taxes on workers. The policy of taxing these benefits also perpetuates the ill-advised practice of using this program to finance other federal government operations, which erodes trust among our citizens; and

Whereas, Most importantly, taxing these benefits can be a hardship for many seniors, which is in contrast to the historic aims of this safety net program. This is clearly an affront to people who contribute to this system with their payroll taxes throughout their working lives; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the Congress of the United States to exempt Social Security benefits from taxation; 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 concurrent resolution was referred to the Committee on House Oversight and Operations.

Reports of Standing Committees

The Committee on Agriculture and Resource Management, by Rep. DeRossett, Chair, reported

House Resolution No. 314.

A resolution to memorialize the Congress of the United States and the Immigration and Naturalization Service to determine the appropriateness of increasing the number of visas for temporary agricultural workers.

(For text of resolution, see House Journal No. 10, p. 173.)

With the recommendation that the following substitute (H-1) be adopted and that the resolution then be adopted.

Substitute for House Resolution No. 314.

A resolution to memorialize the Congress of the United States and the Immigration and Naturalization Service to determine the appropriateness of increasing the number of visas for temporary agricultural workers.

Whereas, The tragic events of September 11, 2001, have caused us to reexamine a host of policies and practices to do all we can to increase the security of our state and nation. Because of the magnitude of the attacks and the fact that the murderers plotted the attacks over a long period of time, we are now making greater efforts to address the issue of aliens who are here illegally; and

Whereas, As the issue of immigration is closely examined, it is imperative that our nation remember the vitally important role that law-abiding aliens play in our country. Temporary workers meet a necessary and productive need in many sectors of our economy. This is most apparent in the area of agriculture. Michigan, which benefits greatly from the efforts of seasonal agricultural workers, especially from Mexico, is keenly aware of how much these workers contribute to our state; and

Whereas, The country's policies toward temporary agricultural workers need to be assessed in the context of the importance of these people to our nation. The current number of visas for temporary agricultural workers may not be sufficient. If this number is too low, it may have the effect of increasing the number of aliens here without documentation, even though seasonal farm workers would rather be here by following all of the regulations. The current program used for temporary agricultural worker visa processing (H2A) should be reformed. Making the process of gaining the proper visa smoother and increasing the number of these workers who can be here lawfully may well benefit the economy as well as increase national security; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States and the Immigration and Naturalization Service to determine the appropriateness of increasing the number of visas for temporary agricultural workers; 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, the members of the Michigan congressional delegation, and the Immigration and Naturalization Service.

The Speaker announced that under Rule 77 the resolution would lie over one day.

Favorable Roll Call

HR 314 To Report Out:

Yeas: Reps. DeRossett, Julian, Gilbert, Meyer, Van Woerkom, Vear, Spade,

Nays: Rep. Bogardus.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, March 7, 2002, at 8:00 a.m.,

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

Absent: Reps. Ehardt, Sheltroun,

Excused: Reps. Ehardt, Sheltroun.

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

House Bill No. 4428, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1233 (MCL 380.1233), as amended by 2000 PA 288.

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 4428 To Report Out:

Yeas: Reps. Kuipers, Allen, Hager, Hart, Ruth Johnson, Van Woerkom, Voorhees, Clark, Gielegem, McConico, Spade, Zelenko,

Nays: Reps. Hansen, Bogardus.

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

House Bill No. 4541, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1233 (MCL 380.1233), as amended by 2000 PA 288.

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 4541 To Report Out:

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

Nays: Reps. Hansen, Bogardus, Clark, McConico, Spade, Zelenko.

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

House Bill No. 4579, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1538 (MCL 380.1538), as added by 1988 PA 339.

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 4579 To Report Out:

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

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, March 7, 2002, at 9:00 a.m.,

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

Absent: Rep. Palmer,

Excused: Rep. Palmer.

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

House Bill No. 4003, entitled

A bill to regulate the installation, alteration, maintenance, improvement, and inspection of plumbing; to provide certain powers and duties for certain state agencies and departments; to create a plumbing board; to define plumbing and the classification of plumbers and to set standards for those classifications; to provide for the licensing and regulation of classes of plumbers and plumbing contractors; to prescribe fees and the disposition of money derived from those fees; to provide for the promulgation of rules; to prescribe remedies and penalties; and to repeal acts and parts of acts.

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 4003 To Report Out:

Yeas: Reps. Rocca, Scranton, Faunce, Raczkowski, Richner, Waters, Wojno,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, March 7, 2002, at 10:30 a.m.,

Present: Reps. Rocca, Scranton, Faunce, Raczkowski, Richner, Waters, Williams, Wojno,

Absent: Rep. Garza,

Excused: Rep. Garza.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Bradstreet, Chair of the Committee on Energy and Technology, was received and read:

Meeting held on: Thursday, March 7, 2002, at 9:00 a.m.,

Present: Reps. Bradstreet, Middaugh, Birkholz, Bisbee, Bishop, Cassis, Kowall, Richardville, Vander Veen, Bob Brown, Bovin, Daniels, Lemmons, Rivet, Schauer, Woodward,

Absent: Rep. Howell.

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, March 7, 2002, at 10:30 a.m.,

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

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills and joint resolution had been printed and placed upon the files of the members, Thursday, March 7:

House Bill Nos. 5769 5770 5771 5772 5773 5774

House Joint Resolution V

The Clerk announced that the following Senate bills had been received on Thursday, March 7:

Senate Bill Nos. 686 748

By unanimous consent the House returned to the order of

Messages from the Senate**House Bill No. 4860, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 43524 (MCL 324.43524), as amended by 1996 PA 585.

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

The House agreed to the full title.

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

House Bill No. 4507, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 5 (MCL 205.95).

The Senate has substituted (S-4) the bill.

The Senate has passed the bill as substituted (S-4), 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.

House Bill No. 4937, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 43532 (MCL 324.43532), as amended by 1996 PA 585.

The Senate has amended the bill as follows:

1. Amend page 2, line 13, after "\$2.00." by striking out the balance of the line through "license." on line 14.

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

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

House Bill No. 5125, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 360a.

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.

House Bill No. 5126, entitled

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

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. 686, entitled

A bill to amend 1967 PA 270, entitled “An act to provide for the release of certain information or data relating to health care research or education, health care entities, practitioners, or professions, or certain governmentally funded programs; to limit the liability with respect to the release of certain information or data; and to safeguard the confidential character of certain information or data,” by amending section 1 (MCL 331.531), as amended by 1998 PA 59.

The Senate has passed the bill.

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

Senate Bill No. 748, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending sections 3801, 3807, 3809, 3811, 3815, 3819, and 3829 (MCL 500.3801, 500.3807, 500.3809, 500.3811, 500.3815, 500.3819, and 500.3829), as added by 1992 PA 84, and by adding sections 3830 and 3830a; 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 Insurance and Financial Services.

Messages from the Governor

The following messages from the Governor, approving and signing the following bills at the times designated below, were received and read:

Date: March 5, 2002

Time: 4:50 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4028 (Public Act No. 27, I.E.), being

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

(Filed with the Secretary of State March 6, 2002, at 4:20 p.m.)

Date: March 7, 2002

Time: 10:40 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5389 (Public Act No. 28, I.E.), being

An act to amend 1927 PA 175, entitled “An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation

cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending section 17 of chapter XVII (MCL 777.17), as amended by 2001 PA 136, and by adding sections 17b, 17c, 17d, 17f, and 17g to chapter XVII.

(Filed with the Secretary of State March 7, 2002, at 11:05 a.m.)

Date: March 7, 2002

Time: 10:42 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5390 (Public Act No. 29, I.E.), being

An act to amend 1927 PA 175, entitled “An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending section 14 of chapter XVII (MCL 777.14), as amended by 2000 PA 363, and by adding sections 14a, 14b, 14c, 14d, 14f, 14g, 14h, 14j, 14m, and 14p to chapter XVII.

(Filed with the Secretary of State March 7, 2002, at 11:07 a.m.)

Date: March 7, 2002

Time: 10:44 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5391 (Public Act No. 30, I.E.), being

An act to amend 1927 PA 175, entitled “An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending section 13 of chapter XVII (MCL 777.13), as amended by 2001 PA 156, and by adding sections 13b, 13c, 13d, 13e, 13f, 13g, 13j, 13k, 13m, 13n, and 13p.

(Filed with the Secretary of State March 7, 2002, at 11:09 a.m.)

Date: March 7, 2002
Time: 10:46 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5392 (Public Act No. 31, I.E.), being

An act to amend 1927 PA 175, entitled “An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act,” by amending section 31 of chapter IX and section 11 of chapter XVII (MCL 769.31 and 777.11), section 31 of chapter IX as amended by 1998 PA 317 and section 11 of chapter XVII as amended by 2001 PA 154, and by adding sections 11a, 11b, 11c, 11d, and 11e to chapter XVII; and to repeal acts and parts of acts.

(Filed with the Secretary of State March 7, 2002, at 11:11 a.m.)

Communications from State Officers

The following communications from the Secretary of State were received and read:

Notices of Filing Administrative Rules

February 25, 2002

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 11:00 A.M. this date, administrative rule (02-02-02) for the Department of Agriculture, Agriculture Development Division, entitled “*Value-Added Agriculture Processing and Agricultural Production Ventures*”, effective 7 days hereafter.

February 27, 2002

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 2:15 P.M. this date, administrative rule (02-02-03) for the Department of Consumer and Industry Services, Director’s Office, entitled “*OH Standard Rule 6610 - Medical Services and First Aid*”, effective 7 days hereafter.

Sincerely,
Candice S. Miller
Secretary of State
Elena L. Beasley, Manager
Office of the Great Seal

The communications were referred to the Clerk.

Introduction of Bills

Reps. Kolb, Lemmons, Woodward, Jamnick, Hansen and Dennis introduced

House Bill No. 5775, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding part 146.

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

Reps. Kolb, Lemmons, Woodward, Jamnick, Hansen and Dennis introduced

House Bill No. 5776, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13 of chapter XVII (MCL 777.13), as amended by 2001 PA 156.

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

Reps. Shulman, Ruth Johnson, Bovin, Anderson, Godchaux, Scranton, Adamini, Rich Brown, Ehardt, DeRossett, Mead, Richner, Birkholz, Murphy, Vander Veen, Van Woerkom and DeVuyst introduced

House Bill No. 5777, 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 3e.

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

Reps. Faunce and LaSata introduced

House Bill No. 5778, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 949 (MCL 600.949), as amended by 1980 PA 69.

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

Reps. Mead, Sheltroun, Pumford, Jelinek, Spade, Mans, Ehardt, Allen, Van Woerkom and Bradstreet introduced

House Bill No. 5779, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 43553 (MCL 324.43553), as amended by 1996 PA 585, and by adding section 43556a.

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

Rep. Daniels moved that the House adjourn.

The motion prevailed, the time being 2:30 p.m.

Associate Speaker Pro Tempore Julian declared the House adjourned until Tuesday, March 12, at 2:00 p.m.

GARY L. RANDALL

Clerk of the House of Representatives.

