

**No. 27**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**91st Legislature**  
**REGULAR SESSION OF 2002**

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House Chamber, Lansing, Wednesday, March 20, 2002.

12:00 Noon.

The House was called to order by the Speaker.

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

Adamini—present	Garza—present	Lockwood—present	Schauer—present
Allen—present	George—present	Mans—present	Schermesser—present
Anderson—present	Gielegem—present	McConico—present	Scranton—present
Basham—present	Gilbert—present	Mead—present	Shackleton—present
Bernero—present	Godchaux—present	Meyer—present	Sheltrown—present
Birkholz—present	Gosselin—present	Middaugh—present	Shulman—present
Bisbee—present	Hager—present	Minore—present	Spade—present
Bishop—present	Hale—present	Mortimer—present	Stallworth—present
Bogardus—present	Hansen—present	Murphy—present	Stamas—present
Bovin—present	Hardman—present	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—excused	Vander Veen—present
Clark—present	Johnson, Rick—present	Plakas—present	Vear—present
Clarke—present	Johnson, Ruth—present	Pumford—present	Voorhees—present
Daniels—present	Julian—present	Quarles—e/d/s	Waters—present
Dennis—present	Koetje—present	Raczkowski—present	Whitmer—excused
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—excused	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

Rep. Rich Brown, from the 110th District, offered the following invocation:

As we gather together on this first day of Spring, we ask You to be with us. Guide us as we make our decisions today. Give us wisdom to do what is right. Give us courage to do what is necessary. Give us compassion to help all of our fellow residents. As we complete the important job ahead of us, let us treat each other with respect and dignity. And most importantly, we ask that You bless this great state of ours and every resident that lives within it. Amen.”

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Rep. Jacobs moved that Reps. Phillips, Rison and Whitmer be excused from today’s session.  
The motion prevailed.

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

### Motions and Resolutions

By unanimous consent the House considered **House Resolution No. 380** out of numerical order.

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution:  
**House Resolution No. 380.**

A resolution of tribute offered as a memorial for Charles R. Towner, former member of the House of Representatives.

Whereas, The members of this legislative body were saddened to learn of the passing of Charles R. Towner, who served his community and this state in many capacities over the years. A member of the Michigan House of Representatives for the 1963-64 legislature, Mr. Towner distinguished himself in public service in the Macomb County area. We offer our sincere condolences to his beloved family; and

Whereas, A native of Muskegon, Charles Towner was a World War II veteran who exemplified a commitment to his fellow Americans all his life. A graduate of Wayne State University and the Detroit College of Law, he was a teacher with the Roseville Public Schools for five years before devoting himself to the law. His long and distinguished legal career included his tenure as the chief trial attorney for the Macomb County Prosecutor’s Office, his accomplishments in private practice, and his long years of legal service on behalf of Clinton Township. A significant measure of the respect his knowledge and integrity earned was the Civility Award presented to him by the Macomb County Bar Association in 2001; and

Whereas, Charles Towner’s public-mindedness was also evident in his commitment and leadership with AMVETS and with legal organizations. In 1963, he brought his insights and energies to Lansing as the State Representative from the Third District, in Macomb County. During his term as a lawmaker, he contributed to the work of the committees on juvenile corrections, drains, and marine affairs; and

Whereas, Through his unselfish service to his country, our state, and his home community, Charles Towner provided an outstanding example of high standards of citizenship; now, therefore, be it

Resolved by the House of Representatives, That we offer this expression of our highest tribute to honor the memory of Charles R. Towner, a member of this legislative body in 1963-64; and be it further

Resolved, That copies of this resolution be transmitted to the Towner family as evidence of our respect for his memory.

The question being on the adoption of the resolution,

The resolution was adopted by unanimous standing vote.

### Reports of Standing Committees

The Committee on Tax Policy, by Rep. Cassis, Chair, reported

**House Bill No. 4660, entitled**

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 7cc (MCL 211.7cc), as amended by 1996 PA 476.

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 4660** To Report Out:

Yeas: Reps. Cassis, Vear, Drolet, Faunce, Gosselin, Kowall, Meyer, Newell, Richardville, Woronchak, Quarles, Basham, Bob Brown, Hale, Minore, O'Neil, Wojno,

Nays: None.

The Committee on Tax Policy, by Rep. Cassis, Chair, reported

**House Bill No. 5743, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 53b (MCL 211.53b), as amended by 2000 PA 284, and by adding section 7gg.

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 5743** To Report Out:

Yeas: Reps. Cassis, Vear, Drolet, Faunce, Gosselin, Kowall, Meyer, Newell, Richardville, Woronchak, Quarles, Basham, Bob Brown, Hale, Minore, O'Neil, Wojno,

Nays: None.

The Committee on Tax Policy, by Rep. Cassis, Chair, reported

**Senate Bill No. 1165, entitled**

A bill to amend 1993 PA 331, entitled "State education tax act," by amending the title and sections 3 and 5 (MCL 211.903 and 211.905), as amended by 1994 PA 187, and by adding section 5b.

Without amendment and with the recommendation that the bill pass.

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

## Favorable Roll Call

**SB 1165** To Report Out:

Yeas: Reps. Cassis, Vear, Drolet, Faunce, Meyer, Newell, Richardville, Woronchak, Quarles, Basham, Hale, Minore, O'Neil,

Nays: Rep. Gosselin.

The Committee on Tax Policy, by Rep. Cassis, Chair, reported

**Senate Bill No. 1166, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," (MCL 211.1 to 211.157) by adding section 44d.

Without amendment and with the recommendation that the bill pass.

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

## Favorable Roll Call

**SB 1166** To Report Out:

Yeas: Reps. Cassis, Vear, Drolet, Faunce, Meyer, Newell, Richardville, Woronchak, Quarles, Basham, Hale, Minore, O'Neil,

Nays: Rep. Gosselin.

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Cassis, Chair of the Committee on Tax Policy, was received and read:

Meeting held on: Wednesday, March 20, 2002, at 10:00 a.m.,

Present: Reps. Cassis, Vear, Drolet, Faunce, Gosselin, Kowall, Meyer, Newell, Richardville, Woronchak, Quarles, Basham, Bob Brown, Hale, Minore, O'Neil, Wojno.

**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, March 14:

**Senate Bill Nos. 1202 1203**

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

**Senate Bill Nos. 1204 1205 1206 1207**

The Clerk announced that the following bills had been printed and placed upon the files of the members, Wednesday, March 20:

**House Bill Nos. 5805 5806 5807 5808 5809 5810 5811 5812 5813 5814 5815 5816**

The Clerk announced that the following Senate bills had been received on Wednesday, March 20:

**Senate Bill Nos. 926 1009 1101 1102 1104 1106**

**Communications from State Officers**

The following communication from the Department of Environmental Quality was received and read:

March 15, 2002

Section 30113(6) of Part 301, Inland Lakes and Streams, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, requires the Department of Environmental Quality (DEQ) to report annually to the Legislature. Enclosed is the required Legislative Report on FY 00/01 Permit Application Fee Fund and Processing Times.

Sincerely,  
Richard A. Powers, Chief  
Land and Water Management Division

The communication was referred to the Clerk.

**Introduction of Bills**

Rep. Bradstreet introduced

**House Bill No. 5817, entitled**

A bill to amend 1972 PA 106, entitled "Highway advertising act of 1972," by amending section 4 (MCL 252.304), as amended by 1998 PA 533.

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

Reps. Bradstreet, Sheltroun, DeVuyst, Voorhees, Drolet, Tabor and Kowall introduced

**House Bill No. 5818, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 30301 and 30321 (MCL 324.30301 and 324.30321), section 30301 as added by 1995 PA 59 and section 30321 as amended by 1996 PA 530.

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

Reps. Kuipers, Raczkowski, Ehardt, Kowall, Bishop, Bisbee, Drolet, Vear, Palmer, DeRossett, Voorhees, Vander Veen and Patterson introduced

**House Bill No. 5819, entitled**

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 2012 and 2014 (MCL 339.2012 and 339.2014), as amended by 1992 PA 103.

The bill was read a first time by its title and referred to the Committee on Employment Relations, Training and Safety.

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

**House Bill No. 5645, entitled**

A bill to make appropriations for the family independence agency and certain state purposes related to public welfare services for the fiscal year ending September 30, 2003; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to provide for reports; to provide for the disposition of fees and other income received by the state agency; and to provide for the powers and duties of certain individuals, local governments, and state departments, agencies, and officers.

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

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

Reps. Howell and Rich Brown moved to amend the bill as follows:

1. Amend page 9, line 9, by striking out “45,787,100” and inserting “47,355,100” and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 41, line 23, by striking out “\$1,114.00” and inserting “\$1,310.00”.

3. Amend page 41, line 23, after “follows:” by striking out “\$710.00” and inserting “\$835.00”.

4. Amend page 41, line 24, after “directors;” by striking out “\$234.00” and inserting “\$275.00”.

5. Amend page 41, line 24, after “and” by striking out “\$170.00” and inserting “\$200.00”.

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

Reps. Allen and Stamas moved to amend the bill as follows:

1. Amend page 20, line 10, after “offices.” by inserting “Any plans presented to the committees shall ensure that the department maintain a physical presence full-time in every county.”

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

Rep. Bernero moved to amend the bill as follows:

1. Amend page 36, following line 13, by inserting:

“Sec. 534. In addition to the funds appropriated in part 1, there is hereby appropriated up to \$500,000.00 in federal authority to be allocated to strong families/safe children local multipurpose collaborative bodies for child well-being safety checks. This appropriation is contingent upon receipt of new federal promoting safe and stable families program funds.”

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

Rep. Jacobs moved that Rep. Schermesser be excused temporarily from today’s session.

The motion prevailed.

Rep. Clark moved to amend the bill as follows:

1. Amend page 23, line 18, by striking out “\$8,785,700.00” and inserting “\$6,285,700.00”.

2. Amend page 24, line 1, after “commission,” by inserting “up to \$2,500,000.00 may be used for a 2% grant increase for kinship care cases,”.

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

Rep. Clark demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 311**

**Yeas—45**

Adamini  
Anderson

Dennis  
Frank

Lipsey  
Lockwood

Schauer  
Sheltrown

Basham	Garza	Mans	Spade
Bernero	Gielegem	McConico	Stallworth
Bogardus	Hale	Minore	Switalski
Bovin	Hansen	Murphy	Thomas
Brown, B.	Hardman	Neumann	Waters
Brown, R.	Jacobs	O'Neil	Williams
Callahan	Jamnick	Pestka	Wojno
Clark, I.	Kolb	Reeves	Woodward
Clarke, H.	Lemmons	Rivet	Zelenko
Daniels			

**Nays—58**

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

In The Chair: Ehardt

Rep. Quarles entered the House Chambers.

Rep. Hardman moved to amend the bill as follows:

1. Amend page 23, line 18, by striking out "\$8,785,700.00" and inserting "\$6,285,700.00".
2. Amend page 24, line 1, after "commission," by inserting "up to \$2,500,000.00 may be used to expand the child day care eligibility scale to 200% of poverty,".

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

Rep. Hardman demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 312****Yeas—46**

Adamini	Dennis	Lockwood	Rivet
Anderson	Frank	Mans	Schauer
Basham	Garza	McConico	Sheltrown
Bernero	Gielegem	Minore	Spade

Bogardus	Hale	Murphy	Switalski
Bovin	Hansen	Neumann	Thomas
Brown, B.	Hardman	O'Neil	Waters
Brown, R.	Jacobs	Pestka	Williams
Callahan	Jamnick	Plakas	Wojno
Clark, I.	Kolb	Quarles	Woodward
Clarke, H.	Lemmons	Reeves	Zelenko
Daniels	Lipsey		

**Nays—57**

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

In The Chair: Ehardt

Rep. Bernero moved to reconsider the vote by which the House did not adopt the amendment offered previously by Rep. Bernero.

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

Rep. Bernero demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 313****Yeas—46**

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

**Nays—58**

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

In The Chair: Ehardt

Rep. Hardman moved to amend the bill as follows:

1. Amend page 23, line 18, by striking out “\$8,785,700.00” and inserting “\$6,285,700.00”.

2. Amend page 24, line 1, after “commission,” by inserting “up to \$2,500,000.00 may be used for day care provider increases for those caring for children 2 1/2 to 5 years of age,”.

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

Rep. Hardman demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 314****Yeas—46**

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

**Nays—58**

Allen	Gilbert	Kuipers	Rocca
Birkholz	Godchaux	LaSata	Scranton
Bisbee	Gosselin	Mead	Shackleton
Bishop	Hager	Meyer	Shulman



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

In The Chair: Ehardt

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

Rep. Frank moved to amend the bill as follows:

1. Amend page 23, line 18, by striking out "\$8,785,700.00" and inserting "\$6,785,700.00".
2. Amend page 24, line 1, after "commission," by inserting "up to \$2,000,000.00 may be used to fund the serious habitual offenders comprehensive action program (SHOCAP),".

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

Rep. Frank demanded the yeas and nays.

The demand was supported.

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

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

### Roll Call No. 315

### Yeas—35

Adamini	Daniels	Jamnick	Reeves
Basham	Dennis	Kolb	Schauer
Bernero	Frank	Lemmons	Stallworth
Bogardus	Garza	Lipsey	Thomas
Bovin	Gielegem	Lockwood	Van Woerkom
Brown, R.	Hale	McConico	Waters
Callahan	Hansen	Minore	Williams
Clark, I.	Hardman	Murphy	Zelenko
Clarke, H.	Jacobs	Quarles	

### Nays—66

Allen	Gilbert	Mans	Scranton
Anderson	Godchaux	Mead	Shackleton
Birkholz	Gosselin	Meyer	Sheltrown
Bisbee	Hager	Middaugh	Shulman
Bishop	Hart	Mortimer	Spade
Bradstreet	Howell	Neumann	Stamas
Brown, B.	Hummel	Newell	Stewart
Brown, C.	Jansen	O'Neil	Switalski
Cassis	Jelinek	Palmer	Tabor

Caul	Johnson, Rick	Pappageorge	Toy
DeRossett	Johnson, Ruth	Patterson	Vander Roest
DeVuyst	Julian	Pestka	Vander Veen
DeWeese	Koetje	Raczkowski	Vear
Drolet	Kooiman	Richardville	Voorhees
Ehardt	Kowall	Richner	Wojno
Faunce	Kuipers	Rocca	Woronchak
George	LaSata		

In The Chair: Ehardt

Rep. Murphy moved to amend the bill as follows:

1. Amend page 26, following line 17, by inserting:

“Sec. 418. (1) The department shall work with the friend of the court, the state friend of the court bureau, and the department of treasury to establish a child support assurance pilot project that shall allow a child to receive a monthly stipend if that child is an eligible child based on the criteria described in subsection (2).

(2) A child who meets the following criteria is an eligible child:

(a) Is a resident of and is physically present in Michigan.

(b) Is a minor.

(c) Has not received a court-ordered child support payment within the 6 months before applying.

(d) Has an employed eligible custodian or an unemployed, disabled eligible custodian.

(e) If living with the custodial parent, that custodial parent has a household income equal to or less than 200% of the federal poverty guidelines.

(f) The custodial parent of the eligible child is cooperating with the office of child support in its attempt to collect the child support due that eligible child under the child support order.

(3) The department shall report to the legislature the number of eligible children receiving the monthly stipend, the number of child support assurance project payments returned and the reason for the returns.

(4) The department in conjunction with the friend of the court, the state friend of the court bureau, and the department of treasury shall coordinate activity to search for the owners or payers of undisbursed child support. With the goal of reducing the amount of undisbursed child support and ensuring that each eligible child is receiving the child support to which that eligible child is entitled, the office shall do all of the following:

(a) Develop an electronic database capable of monitoring undisbursed child support, both centrally and at the local level, on a monthly basis.

(b) Provide policies and procedures for, and the form and manner for reporting of, the monthly monitoring of offices of the friend of the court caseloads, child support collections, and undisbursed child support.

(c) Establish performance standards for offices of the friend of the court and identify those offices not meeting the performance standards.

(d) Develop an undisbursed child support reduction team that assists offices of the friend of the court in using procedures, including electronic databases, to ensure more timely disbursement of child support.

(e) Develop a system of communication with each of the following entities, to ensure a more timely disbursement of child support:

(i) Internal revenue service.

(ii) Bureau of revenue of the department of treasury.

(iii) United States postal service.

(iv) Other agencies of the family independence agency.

(v) Social security administration.

(vi) Department of community health.

(vii) State friend of the court bureau in the state court administrative office.

(viii) Employers required to comply with withholding orders.

(ix) Interstate child support collection programs.

(f) Develop best practice procedures to address each of the following that results in undisbursed child support:

(i) Voluntary payers.

(ii) Closed cases.

(iii) Interstate collections.

(iv) Families moving from receiving family independence program benefits to not receiving family independence program benefits.

(g) Develop a training program for offices of the friend of the court and the SDU on the best practice procedures developed under subdivision (f) and on their implementation, in order to reduce undisbursed child support.

- (h) Establish performance standards to determine acceptable limits of undisbursed child support.
- (i) Develop a payment history database of repeat unidentified payers.
- (j) Promote the use of direct deposit by payees of child support.
- (k) Provide a report to the senate and house appropriations committees on the monthly undisbursed child support amounts and on the causes of and steps taken to reduce undisbursed child support by March 1, 2003.
- (5) As used in this act:
  - (a) “Eligible custodian” means a child’s custodian who is eligible to receive child support assurance project payments on behalf of an eligible child.
  - (b) “Federal poverty guidelines” means the poverty guidelines updated annually in the federal register by the United States department of health and human services under authority of 42 U.S.C. 9902(2).
  - (c) “State disbursement unit” or “SDU” means the entity established in section 6 for centralized state receipt and disbursement of support and fees.
  - (d) “Undisbursed child support” means money paid as child support to the friend of the court or the SDU that is reportable and payable to the children’s trustee as required under the uniform unclaimed property act, 1995 PA 29, MCL 567.221 to 567.265.”.

The question being on the adoption of the amendment offered by Rep. Murphy,  
Rep. Murphy demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 316**

**Yeas—45**

Adamini	Dennis	Lipsey	Rivet
Anderson	Frank	Lockwood	Schauer
Basham	Garza	Mans	Sheltrown
Bernero	Gielegthem	McConico	Spade
Bogardus	Hale	Murphy	Stallworth
Bovin	Hansen	Neumann	Switalski
Brown, B.	Hardman	O’Neil	Thomas
Brown, R.	Jacobs	Pestka	Waters
Callahan	Jamnick	Plakas	Williams
Clark, I.	Kolb	Quarles	Wojno
Clarke, H.	Lemmons	Reeves	Zelenko
Daniels			

**Nays—58**

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

In The Chair: Ehardt

Rep. Bernero moved to amend the bill as follows:

1. Amend page 9, line 11, by striking out “456,310,000” and inserting “456,643,000”.  
 2. Amend page 9, line 18, by striking out “1,414,063,500” and inserting “1,414,396,500” and adjusting the subtotals, totals, and section 201 accordingly.

3. Amend page 55, following line 25, by inserting:

“Sec. 667. From the funds appropriated in part 1 for day care services, the department shall allocate \$333,000.00 in TANF to fund a wrap-around program for TANF eligible at-risk children in school.”.

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

Rep. Bernero demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 317**

**Yeas—47**

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

**Nays—57**

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

In The Chair: Ehardt

Rep. Dennis moved to amend the bill as follows:

1. Amend page 55, following line 25, by inserting:

“Sec. 667. The family independence agency shall develop and implement an adult prevention services program that will prevent disabled adults from becoming homeless while waiting for a determination of eligibility for supplemental security income (SSI) or retroactive social security disability insurance (RSDI) benefits. The family

independence agency shall develop this program in cooperation with the Michigan state housing development authority and the department of community health.”.

The question being on the adoption of the amendment offered by Rep. Dennis,  
Rep. Dennis demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 318****Yeas—43**

Adamini	Daniels	Lipsey	Sheltrown
Anderson	Dennis	Lockwood	Spade
Basham	Frank	Mans	Stallworth
Bernero	Gielegem	McConico	Switalski
Bogardus	Hale	Murphy	Thomas
Bovin	Hansen	Neumann	Waters
Brown, B.	Hardman	O’Neil	Williams
Brown, R.	Jacobs	Pestka	Wojno
Callahan	Jamnack	Plakas	Woodward
Clark, I.	Kolb	Quarles	Zelenko
Clarke, H.	Lemmons	Rivet	

**Nays—57**

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

In The Chair: Ehardt

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

Rep. Bernero moved to amend the bill as follows:

1. Amend page 55, following line 25, by inserting:

“Sec. 667. The department shall provide a comprehensive, quarterly report concerning the family independence program to the house and senate appropriations subcommittees on the family independence agency, house and senate

standing committees having jurisdiction over human services matters, the house and senate fiscal agencies, and the house and senate policy offices that contains all of the following information:

(a) The number of family independence program applications received, listed by county, and the number of those applicants who determined to be eligible for family independence program benefits.

(b) The total number of eligible applicants listed by district and caseworker.

(c) The total number of eligible applicants listed by caseworker.

(d) The total number of opened cases listed by caseworker.

Sec. 668. The department shall provide a comprehensive, quarterly report concerning the food assistance program to the house and senate appropriations subcommittees on the family independence agency, house and senate standing committees having jurisdiction over human services matters, the house and senate fiscal agencies, and the house and senate policy offices that contains all of the following information:

(a) The number of food assistance program applications received, listed by county, and the number of those applicants who were determined to be eligible for food assistance program benefits.

(b) The total number of eligible applicants listed by district and caseworker.

(c) The total number of eligible applicants listed by caseworker.

(d) The total number of opened cases listed by caseworker.

Sec. 669. The department shall provide a comprehensive, quarterly report concerning the medical assistance program to the house and senate appropriations subcommittees on the family independence agency, house and senate standing committees having jurisdiction over human services matters, the house and senate fiscal agencies, and the house and senate policy offices that contains all of the following information:

(a) The number of medical assistance program applications received, listed by county, and the number of those applicants who were determined to be eligible for the medical assistance program.

(b) The total number of eligible applicants listed by district and caseworker.

(c) The total number of eligible applicants listed by caseworker.

(d) The total number of opened cases listed by caseworker.”

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

Rep. Bernero demanded the yeas and nays.

The demand was supported.

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

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

### Roll Call No. 319

### Yeas—46

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

### Nays—57

Allen	Gosselin	LaSata	Scranton
Birkholz	Hager	Mead	Shackleton
Bisbee	Hart	Meyer	Sheltrown
Bishop	Howell	Middaugh	Shulman
Brown, C.	Hummel	Mortimer	Stamas
Cassis	Jansen	Newell	Stewart

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

In The Chair: Ehardt

Rep. Clarke moved to amend the bill as follows:

1. Amend page 54, following line 22, by inserting:

“(8) Any before- or after-school program funds not expended by existing pilots may be used to expand services to additional counties.”.

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

Reps. Jansen and Switalski moved to amend the bill as follows:

1. Amend page 33, line 23, after “effective” by striking out “April” and inserting “January”.

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

Rep. Scranton moved to amend the bill as follows:

1. Amend page 20, following line 10, by inserting:

“Sec. 262. The department shall obtain the consent of any county government prior to consolidation of a local family independence agency office within that county. The department shall reestablish any local family independence agency office that has been consolidated within the past year with another local family independence agency office if requested to reestablish that local office by the county government for the county in which that local office had operated prior to the consolidation.”.

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

Rep. Scranton demanded the yeas and nays.

The demand was supported.

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

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

### Roll Call No. 320

### Yeas—48

Adamini	Daniels	Kolb	Rivet
Anderson	Dennis	Lemmons	Schauer
Basham	DeWeese	Lipsey	Scranton
Bernero	Frank	Lockwood	Sheltrown
Bisbee	Garza	Mans	Spade
Bogardus	Gielegem	McConico	Switalski
Bovin	Godchaux	Minore	Thomas
Brown, B.	Hale	Murphy	Waters
Brown, R.	Hansen	Neumann	Williams
Callahan	Hardman	O’Neil	Wojno
Clark, I.	Jacobs	Pestka	Woodward
Clarke, H.	Jamnack	Quarles	Zelenko

### Nays—53

Allen	Gosselin	Kuipers	Rocca
Birkholz	Hager	LaSata	Shackleton

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

In The Chair: Ehardt

Rep. Basham moved to amend the bill as follows:

1. Amend page 20, following line 10, by inserting:

“Sec. 262. Prior to the closure of any local family independence agency office, the department shall study the impact of the closure to the community that will be effected and discuss the project community impact with the house and senate appropriations subcommittees on the family independence agency. This discussion shall include input from the residents of the community and the employees affected by the projected closure.”.

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

Rep. Koetje moved to amend the bill as follows:

1. Amend page 20, line 12, after “301.” by inserting “(1)”.

2. Amend page 20, following line 13, by inserting:

“(2) The department shall encourage all recipients of the annual child clothing allowance to consider using that allowance at thrift stores or other similar stores whenever possible.”.

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

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Rep. Jacobs moved that Rep. Minore be excused temporarily from today’s session.

The motion prevailed.

Rep. Jacobs moved to reconsider the vote by which the House adopted the amendments.

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

Rep. Jacobs demanded the yeas and nays.

The demand was supported.

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

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

### Roll Call No. 321

### Yeas—40

Adamini	Daniels	Lipsey	Rivet
Anderson	Garza	Lockwood	Rocca
Basham	Gielegem	Mans	Schauer
Bernero	Hale	McConico	Sheltrown
Bogardus	Hansen	Murphy	Spade
Bovin	Hardman	Neumann	Thomas
Brown, B.	Jacobs	O’Neil	Williams
Brown, R.	Jamnick	Pestka	Wojno
Callahan	Kolb	Plakas	Woodward
Clarke, H.	Lemmons	Quarles	Zelenko



**Nays—52**

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

In The Chair: Ehardt

Rep. Bernero moved to amend the bill as follows:

1. Amend page 20, following line 10, following section 262, by inserting:

“Sec. 263. The department shall replace all foster care workers and child protection services workers who take an early retirement on a 1-to-1 ratio.”.

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

Rep. Bernero moved to amend the bill as follows:

1. Amend page 36, following line 13, by inserting:

“Sec. 534. In addition to the funds appropriated in part 1, there is hereby appropriated up to \$500,000.00 in federal authority to be allocated to strong families/safe children local multipurpose collaborative bodies for child well-being safety checks. This appropriation is contingent upon the availability of new federal promoting safe and stable families program funds.”.

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

Rep. Bernero demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 322****Yeas—45**

Adamini	DeWeese	Lipsey	Shackleton
Anderson	Frank	Lockwood	Sheltrown
Basham	Garza	Mans	Spade
Bernero	Gielegem	McConico	Stallworth
Bogardus	Hale	Murphy	Switalski
Bovin	Hansen	Neumann	Thomas
Brown, B.	Hardman	O’Neil	Waters
Brown, R.	Jacobs	Pestka	Williams
Callahan	Jamnick	Plakas	Wojno
Clarke, H.	Kolb	Reeves	Woodward
Daniels	Lemmons	Schauer	Zelenko
Dennis			

**Nays—50**

Allen	Gosselin	Mead	Rocca
Birkholz	Hager	Meyer	Scranton

Bisbee	Hart	Middaugh	Shulman
Bishop	Howell	Mortimer	Stamas
Brown, C.	Hummel	Newell	Stewart
Cassis	Jansen	Palmer	Tabor
DeVuyst	Jelinek	Pappageorge	Toy
Drolet	Johnson, Rick	Patterson	Van Woerkom
Ehardt	Johnson, Ruth	Pumford	Vander Roest
Faunce	Julian	Raczkowski	Vander Veen
George	Kooiman	Richardville	Vear
Gilbert	Kowall	Richner	Voorhees
Godchaux	LaSata		

In The Chair: Ehardt

Rep. Phillips moved to amend the bill as follows:

1. Amend page 36, following line 13, by inserting:

“Sec. 534. Funding not distributed from the Teen Pregnancy Prevention Pilot Performance Bonus may be used to support teen pregnancy programs in the city of Pontiac.”.

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

Rep. Frank moved to amend the bill as follows:

1. Amend page 48, following line 10, by inserting:

“(5) Work first participants shall be recognized as meeting their educational requirements under this act if they are participating in an in-home educational and or counseling program related to health, mental health, parenting, nutrition, child care, child development, and financial management.”.

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

Rep. Frank demanded the yeas and nays.

The demand was supported.

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

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

### Roll Call No. 323

### Yeas—44

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

### Nays—58

Allen	Godchaux	LaSata	Scranton
Birkholz	Gosselin	Mead	Shackleton
Bisbee	Hager	Meyer	Shulman
Bishop	Hart	Middaugh	Stamas
Bradstreet	Howell	Mortimer	Stewart

Brown, C.	Hummel	Newell	Switalski
Cassis	Jansen	Palmer	Tabor
Caul	Jelinek	Pappageorge	Toy
DeRossett	Johnson, Rick	Patterson	Van Woerkom
DeVuyst	Johnson, Ruth	Pumford	Vander Roest
Drolet	Julian	Raczkowski	Vander Veen
Ehardt	Koetje	Richardville	Vear
Faunce	Kooiman	Richner	Voorhees
George	Kowall	Rocca	Woronchak
Gilbert	Kuipers		

In The Chair: Ehardt

Reps. Bob Brown and Tabor moved to amend the bill as follows:

1. Amend page 55, following line 25, by inserting:

“Sec. 667. The department may expend funds necessary to perform child day care provider background checks from fees collected.”.

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

Rep. Murphy moved to amend the bill as follows:

1. Amend page 17, following line 21, by inserting:

“(5) The department shall designate an individual to provide information on any new request for proposals available through the department to faith-based, community-based, and nonprofit organizations which have requested to be notified.”.

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

Rep. Bernero moved to amend the bill as follows:

1. Amend page 36, following line 13, by inserting:

“Sec. 534. The department shall provide a quarterly report concerning children’s protective services to the house and senate appropriations subcommittees on the family independence agency, house and senate standing committees having jurisdiction over human services matters, the house and senate fiscal agencies, and the house and senate policy offices that contains all of the following information:

(a) The number of child abuse or neglect reports received, listed by county, and the number of those child abuse or neglect reports that were assigned for investigation.

(b) The total number of assigned referrals listed by district and caseworker.

(c) The total number of assigned referrals listed by caseworker.

(d) The total number of opened cases listed by caseworker.”.

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

Rep. Bernero moved to reconsider the vote by which the House did not adopt the amendment.

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

Rep. Bernero demanded the yeas and nays.

The demand was supported.

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

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

#### Roll Call No. 324

#### Yeas—44

Adamini	Daniels	Lipsey	Schauer
Anderson	Frank	Lockwood	Sheltrown
Basham	Garza	Mans	Spade
Bernero	Gielegem	McConico	Stallworth
Bogardus	Hale	Murphy	Switalski
Bovin	Hansen	Neumann	Thomas
Brown, B.	Hardman	O’Neil	Waters

Brown, R.	Jacobs	Pestka	Williams
Callahan	Jamnick	Quarles	Wojno
Clark, I.	Kolb	Reeves	Woodward
Clarke, H.	Lemmons	Rivet	Zelenko

**Nays—53**

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

In The Chair: Ehardt

Rep. Schauer moved to amend the bill as follows:

1. Amend page 5, line 8 by striking out “77,604,700” and inserting “81,604,700”.
2. Amend page 5, line 24, by striking out “361,716,300” and inserting “365,716,300” and adjusting the subtotals, totals, and section 201 accordingly.
3. Amend page 36, following line 13, by inserting:

“Sec. 534. From the funds appropriated in part 1 for family preservation and prevention services, the department shall allocate \$4,000,000.00 in TANF to maintain teen pregnancy reduction pilots.”.

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

Rep. Schauer demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 325****Yeas—47**

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

**Nays—57**

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

In The Chair: Ehardt

Rep. Bernero moved to amend the bill as follows:

1. Amend page 36, following line 13, by inserting:

“Sec. 534. The department shall provide a quarterly report concerning children’s protective services to the house and senate appropriations subcommittees on the family independence agency, house and senate standing committees having jurisdiction over human services matters, the house and senate fiscal agencies, and the house and senate policy offices that contains the following information:

(a) The number of child abuse or neglect reports received, listed by county, and the number of those child abuse or neglect reports that were assigned for investigation.

(b) The total number of assigned referrals listed by district and caseworker.

(c) The total number of assigned referrals listed by caseworker.

(d) The total number of opened cases listed by caseworker.”

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

Rep. Bernero demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 326****Yeas—46**

Adamini	DeWeese	Lockwood	Rivet
Anderson	Frank	Mans	Schauer
Basham	Garza	McConico	Sheltrown
Bernero	Gielegem	Murphy	Spade
Bogardus	Hale	Neumann	Stallworth
Bovin	Hansen	O’Neil	Switalski
Brown, R.	Hardman	Pestka	Thomas
Callahan	Jacobs	Plakas	Waters
Clark, I.	Jamnick	Quarles	Williams
Clarke, H.	Kolb	Raczkowski	Woodward
Daniels	Lemmons	Reeves	Zelenko
Dennis	Lipsey		

**Nays—58**

Allen	Gilbert	Kuipers	Scranton
Birkholz	Godchaux	LaSata	Shackleton

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

In The Chair: Ehardt

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

1. Amend page 36, following line 13, by striking out all of section 534 and inserting:

“Sec. 534. Funding not distributed from the Teen Pregnancy Prevention Pilot Performance Bonus may be used to support teen pregnancy prevention programs in the city of Pontiac.”

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

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

The motion prevailed.

Reps. Howell and Rich Brown moved to amend the bill as follows:

1. Amend page 9, line 9, by striking out “45,787,100” and inserting “47,355,101” and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 41, line 23, by striking out “\$1,114.00” and inserting “\$1,311.00”.

3. Amend page 41, line 23, after “follows:” by striking out “\$710.00” and inserting “\$835.00”.

4. Amend page 41, line 24, after “directors;” by striking out “\$234.00” and inserting “\$275.00”.

5. Amend page 41, line 24, after “and” by striking out “\$170.00” and inserting “\$201.00”.

The question being on the adoption of the amendments offered by Reps. Howell and Rich Brown,

Rep. Howell demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendments offered by Reps. Howell and Rich Brown,

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

### Roll Call No. 327

### Yeas—86

Adamini	Faunce	Mans	Rocca
Anderson	Frank	McConico	Schauer
Basham	Garza	Mead	Shackleton
Bernero	George	Meyer	Sheltrown
Birkholz	Gielegem	Middaugh	Spade
Bisbee	Hager	Mortimer	Stallworth
Bishop	Hale	Murphy	Stamas
Bogardus	Hansen	Neumann	Stewart
Bovin	Hardman	Newell	Switalski
Bradstreet	Howell	O’Neil	Thomas

Brown, B.	Jacobs	Pappageorge	Van Woerkom
Brown, C.	Jamnick	Patterson	Vander Roest
Brown, R.	Jelinek	Pestka	Vander Veen
Callahan	Johnson, Ruth	Plakas	Vear
Cassis	Julian	Pumford	Voorhees
Caul	Koetje	Quarles	Waters
Clark, I.	Kolb	Rackowski	Williams
Clarke, H.	Kowall	Reeves	Wojno
Daniels	Kuipers	Richardville	Woodward
Dennis	Lemmons	Richner	Woronchak
DeWeese	Lipsey	Rivet	Zelenko
Ehardt	Lockwood		

**Nays—16**

Allen	Godchaux	Jansen	Palmer
DeRossett	Gosselin	Johnson, Rick	Scranton
DeVuyst	Hart	Kooiman	Shulman
Drolet	Hummel	LaSata	Tabor

In The Chair: Ehardt

Rep. Plakas moved to amend the bill as follows:

1. Amend page 20, following line 10, following section 263, by inserting:

“Sec. 264. The department shall not take disciplinary action against an employee that communicates with a member of the legislature or their staff.”.

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

Rep. Plakas demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 328****Yeas—102**

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

Daniels	Johnson, Rick	Plakas	Waters
Dennis	Johnson, Ruth	Pumford	Williams
DeRossett	Julian	Quarles	Wojno
DeVuyst	Koetje	Rackowski	Woodward
DeWeese	Kolb	Richardville	Woronchak
Drolet	Kooiman	Richner	Zelenko
Ehardt	Kowall		

**Nays—0**

In The Chair: Ehardt

Rep. Jansen moved that the bill be placed on the order of Third Reading of Bills.  
The motion prevailed.

Rep. Middaugh moved that the bill be placed on its immediate passage.  
The motion prevailed, a majority of the members serving voting therefor.

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

**House Bill No. 5645, entitled**

A bill to make appropriations for the family independence agency and certain state purposes related to public welfare services for the fiscal year ending September 30, 2003; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to provide for reports; to provide for the disposition of fees and other income received by the state agency; and to provide for the powers and duties of certain individuals, local governments, and state departments, agencies, and officers.

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

**Roll Call No. 329****Yeas—99**

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



Ehardt  
FaunceKowall  
KuipersRichardville  
Richner

Zelenko

**Nays—5**Bogardus  
Drolet

Gosselin

Rivet

Rocca

In The Chair: Ehardt

The House agreed to the title of the bill.

Associate Speaker Pro Tempore Julian assumed the Chair.

**Senate Bill No. 397, entitled**

A bill to designate an official fossil of this state.

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

**Roll Call No. 330****Yeas—75**Adamini  
Anderson  
Basham  
Bernero  
Birkholz  
Bisbee  
Bishop  
Bogardus  
Bovin  
Bradstreet  
Brown, B.  
Brown, R.  
Cassis  
Caul  
Clark, I.  
Daniels  
Dennis  
DeRossett  
DeWeeseEhardt  
Faunce  
Frank  
George  
Gielegem  
Godchaux  
Gosselin  
Hager  
Hale  
Hansen  
Hart  
Howell  
Jacobs  
Jamnick  
Johnson, Ruth  
Julian  
Koetje  
Kolb  
KowallLemmons  
Lipsey  
Lockwood  
Mans  
McConico  
Mortimer  
Murphy  
Neumann  
Newell  
O'Neil  
Pappageorge  
Patterson  
Pestka  
Plakas  
Pumford  
Rackowski  
Richardville  
Richner  
SchauerScranton  
Shackleton  
Shulman  
Spade  
Stallworth  
Stamas  
Stewart  
Tabor  
Thomas  
Toy  
Van Woerkom  
Vander Veen  
Voorhees  
Williams  
Wojno  
Woodward  
Woronchak  
Zelenko**Nays—26**Allen  
Brown, C.  
Callahan  
Clarke, H.Hardman  
Hummel  
Jansen  
JelinekLaSata  
Mead  
Meyer  
MiddaughRocca  
Sheltrown  
Switalski  
Vander Roest

DeVuyst  
Drolet  
Gilbert

Johnson, Rick  
Kooiman  
Kuipers

Palmer  
Rivet

Vear  
Waters

In The Chair: Julian

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

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Rep. Middaugh, 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 believe we have more important business to do and protest taking up time on this issue.”

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

“Mr. Speaker and members of the House:  
There are far more important issues affecting Michigan families that this legislature could address rather than naming a state fossil.”

### Second Reading of Bills

#### House Bill No. 5646, entitled

A bill to make appropriations for the departments of attorney general, civil rights, civil service, information technology, management and budget, state, and treasury, the executive office, and the legislative branch for the fiscal years ending September 30, 2002 and September 30, 2003; to provide for the expenditure of these appropriations; to provide for the funding of certain work projects; to provide for the imposition of certain fees; to establish or continue certain funds, programs, and categories; to transfer certain funds; to prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances for the fiscal year ending September 30, 2003; to prescribe the powers and duties of certain principal executive departments and state agencies, officials, and employees; and to provide for the disposition of fees and other income received by the various principal executive departments and state agencies.

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

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

Rep. Pappageorge moved to amend the bill as follows:

1. Amend page 2, line 25, by striking out “378,262,100” and inserting “378,262,800”.
2. Amend page 24, line 15, by striking out “128,554,200” and inserting “128,554,900”.

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

Rep. Pappageorge moved to amend the bill as follows:

1. Amend page 21, line 5, by striking out “65,280,400” and inserting “58,787,400”.
2. Amend page 21, line 15, by striking out “57,323,800” and inserting “50,830,800” and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. Patterson moved to amend the bill as follows:

1. Amend page 31, line 3, by striking out “846,500,400” and inserting “958,500,000” and adjusting the subtotals, totals, and section accordingly.

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

Rep. Patterson moved to amend the bill as follows:

1. Amend page 62, following line 2, by inserting:

“Sec. 718. From the funds appropriated in part 1 to the department of management and budget, the department of management and budget shall not, after the forms that are presently in stock are depleted and new forms are to be ordered, print or authorize the printing of a form that references a city or village, unless that form also references a township in the same size print and same font as the city or village is referenced.”.

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

Rep. Reeves moved to amend the bill as follows:

1. Amend page 49, following line 17, by inserting:

“Sec. 576. When used in this act, “information technology services” means services involving all aspects of managing and processing information including, but not limited to, all of the following:

- (a) Application development and maintenance.
- (b) Desktop computer support and management.
- (c) Mainframe computer support and management.
- (d) Server support and management.
- (e) Local area network support and management.
- (f) Information technology contract, project, and procurement management.
- (g) Information technology planning and budget management.
- (h) Telecommunication services, security, infrastructure, and support.”.

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

Rep. Reeves moved to amend the bill as follows:

1. Amend page 69, following line 7, by inserting:

“Sec. 817. (1) From the funds appropriated in part 1, the department of state shall authorize individuals residing in a local unit of government in which a secretary of state branch office is closed or consolidated in fiscal year 2002-2003 to register to vote on the same day of an election and to vote in that election.

(2) An individual wishing to register under this section shall apply in person at the location designated for election day registration by the city, township, or village clerk. The individual shall execute in duplicate a registration application and attestation form that complies with the registration requirements of the Michigan election law, 1954 PA 116, MCL 168.1 to 168.992. Unless the individual provides proof of identity using his or her official state personal identification card issued under 1972 PA 222, MCL 28.291 to 28.300, operator’s or chauffeur’s license issued under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, or other generally recognized picture identification, the individual must corroborate the material statements in the registration application and attestation by presenting proof of residency and signing the attestation in the presence of the clerk or an assistant clerk. An individual who signs an attestation of a material statement that is false is guilty of a misdemeanor.

(3) If an individual applying under this section is entitled to be registered, the clerk or assistant clerk shall sign the application, noting on it that the individual is a registered elector. A precinct inspector shall permit the elector to vote in the election being held on that day after the elector’s compliance with all of the following:

(a) The elector presents, at the proper precinct, 1 of the duplicate registration and attestation forms signed by the clerk or an assistant clerk.

(b) The elector complies with all other requirements for obtaining a ballot under the Michigan election law, 1954 PA 116, MCL 168.1 to 168.992.

(4) The clerk of each city, township, or village that is conducting an election shall designate 1 or more public places at which individuals can apply to register to vote on the day of the election as provided in this section. If the city’s, township’s, or village’s population is more than 250,000, the clerk shall designate at least 1 public place for the purpose of this section for each 250,000 or fraction of 250,000.

(5) The clerk or an assistant clerk shall not accept a fee from an individual or on behalf of an individual applying to register to vote under this section. A clerk or assistant clerk who violates this subsection is guilty of a misdemeanor.”.

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

Rep. Reeves demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 331**

**Yeas—45**

Adamini  
Anderson

Dennis  
Frank

Lipsey  
Lockwood

Rivet  
Schauer

Basham	Garza	Mans	Sheltrown
Bernero	Gielegem	McConico	Spade
Bogardus	Hale	Murphy	Stallworth
Bovin	Hansen	Neumann	Thomas
Brown, B.	Hardman	O'Neil	Waters
Brown, R.	Jacobs	Pestka	Williams
Callahan	Jamnick	Plakas	Wojno
Clark, I.	Kolb	Quarles	Woodward
Clarke, H.	Lemmons	Reeves	Zelenko
Daniels			

**Nays—58**

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

In The Chair: Julian

Rep. Murphy moved to amend the bill as follows:

1. Amend page 10, line 19, by striking out “29,341,300” and inserting “27,341,300”.
2. Amend page 21, line 5, by striking out “65,280,400” and inserting “67,280,400” and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. Murphy moved to amend the bill as follows:

1. Amend page 32, following line 2, by inserting:

“PART 1A

LINE-ITEM APPROPRIATIONS FOR FISCAL YEAR 2001-2002

Sec. 151. Subject to the conditions set forth in this act, the amounts listed in this part are appropriated for the departments of information technology and state, and certain other state purposes, for the fiscal year ending September 30, 2002, from the funds indicated in this part. The following is a summary of the appropriations in this part:

TOTAL GENERAL GOVERNMENT  
APPROPRIATION SUMMARY:

GROSS APPROPRIATION.....	\$	0
Interdepartmental grant revenues:		
Total interdepartmental grants and intradepartmental transfers .....		0
ADJUSTED GROSS APPROPRIATION .....	\$	0
Federal revenues:		
Total federal revenues .....		0
Special revenue funds:		
Total local revenues .....		0
Total private revenues .....		0
Total other state restricted revenues .....		0
State general fund/general purpose .....	\$	0

Sec. 152. DEPARTMENT OF INFORMATION TECHNOLOGY

(1) APPROPRIATIONS SUMMARY:

GROSS APPROPRIATION.....	\$ (2,000,000)
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers .....	0
ADJUSTED GROSS APPROPRIATION .....	\$ (2,000,000)
Federal revenues:	
Total federal revenues .....	0
Special revenue funds:	
Total local revenues .....	0
Total private revenues .....	0
Total other state restricted revenues .....	0
State general fund/general purpose .....	\$ (2,000,000)
(2) INFORMATION TECHNOLOGY SERVICES	
Enterprise wide services.....	\$ (2,000,000)
GROSS APPROPRIATION.....	\$ (2,000,000)
Appropriated from:	
State general fund/general purpose .....	\$ (2,000,000)

Sec. 153. DEPARTMENT OF STATE

(1) APPROPRIATIONS SUMMARY:

GROSS APPROPRIATION.....	\$ 2,000,000
Interdepartmental grant revenues:	
Total interdepartmental grants and intradepartmental transfers .....	0
ADJUSTED GROSS APPROPRIATION .....	\$ 2,000,000
Federal revenues:	
Total federal revenues .....	0
Special revenue funds:	
Total local revenues .....	0
Total private revenues .....	0
Total other state restricted revenues .....	0
State general fund/general purpose .....	\$ 2,000,000
(2) CUSTOMER DELIVERY SERVICES	
Branch operations .....	\$ 2,000,000
GROSS APPROPRIATIONS.....	\$ 2,000,000
Appropriated from:	
State general fund/general purpose .....	\$ 2,000,000”

and adjusting the subtotals, totals, and section 201 accordingly.

2. Amend page 91, following line 6, by inserting:

“Sec. 1200. Pursuant to section 30 of article IX of the state constitution of 1963, total state spending from state resources under part 1 for fiscal year 2001-2002 is \$0.00 and state spending from state sources to be paid to local units of government for fiscal year 2001-2002 is \$0.00.”.

3. Amend page 92, following line 11, by inserting:

**“DEPARTMENT OF INFORMATION TECHNOLOGY**

Sec. 1401. The \$2,000,000.00 appropriated to the department of state for branch operations from the department of information technology shall be made available by a reduction in the appropriation for the e-Michigan office, which was created pursuant to executive order 2000-6, effective May 1, 2000. The original appropriation for the e-Michigan office occurred in 2000 PA 291 and was considered a work project account. A subsequent appropriation for the e-Michigan office occurred in 2001 PA 81. Executive order 2001-3, effective October 14, 2001, established the department of information technology, to which all funding for e-Michigan was transferred.”.

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

Rep. Murphy demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 332**

**Yeas—47**

Adamini  
Anderson

Dennis  
Frank

Lockwood  
Mans

Sheltrown  
Spade

Basham	Garza	McConico	Stallworth
Bernero	Gielegem	Murphy	Switalski
Bogardus	Hale	Neumann	Thomas
Bovin	Hansen	O'Neil	Van Woerkom
Brown, B.	Hardman	Pestka	Waters
Brown, R.	Jacobs	Plakas	Williams
Callahan	Jamnick	Quarles	Wojno
Clark, I.	Kolb	Reeves	Woodward
Clarke, H.	Lemmons	Rivet	Zelenko
Daniels	Lipsey	Schauer	

**Nays—57**

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

In The Chair: Julian

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The Speaker resumed the Chair.

**Quorum Call**

Rep. Middaugh questioned the presence of a quorum and moved that the roll be called and printed in the Journal.

The motion prevailed.

The roll was called and the Clerk announced that a quorum was present.

The following is the roll call:

**Roll Call No. 333****Yeas—76**

Allen	Gielegem	Kowall	Rivet
Anderson	Gilbert	Kuipers	Rocca
Basham	Godchaux	LaSata	Shackleton
Bernero	Gosselin	Lipsey	Sheltrown
Bishop	Hager	McConico	Shulman
Bradstreet	Hale	Mead	Spade

Brown, C.	Hansen	Meyer	Stallworth
Caul	Hardman	Middaugh	Stewart
Clark, I.	Hart	Murphy	Switalski
Daniels	Howell	Newell	Tabor
Dennis	Hummel	O'Neil	Toy
DeRossett	Jacobs	Palmer	Van Woerkom
DeVuyst	Jamnick	Pappageorge	Vander Veen
Drolet	Jansen	Patterson	Voorhees
Ehardt	Jelinek	Pestka	Waters
Faunce	Johnson, Rick	Pumford	Williams
Frank	Julian	Quarles	Wojno
Garza	Koetje	Reeves	Woodward
George	Kooiman	Richardville	Woronchak

In The Chair: Johnson, Rick

Associate Speaker Pro Tempore Ehardt resumed the Chair.

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

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

Rep. Jacobs moved that Reps. Adamini, Bogardus, Bob Brown, Rich Brown, Lockwood, Mans, Minore, Neumann, Plakas, Thomas and Zelenko be excused temporarily from today's session. The motion prevailed.

Rep. Switalski moved to amend the bill as follows:

1. Amend page 31, line 3, by striking out "846,500,000" and inserting "871,491,700".
2. Amend page 31, line 4, by striking out "10,000,000" and inserting "1,655,000".
3. Amend page 31, line 9, by striking out "10,000,000" and inserting "26,646,700" and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. Switalski demanded the yeas and nays.

The demand was supported.

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

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

### Roll Call No. 334

Yeas—38

Anderson	Garza	McConico	Sheltrown
Basham	Gielegem	Murphy	Spade
Bernero	Hale	O'Neil	Stallworth
Bovin	Hansen	Pestka	Switalski
Callahan	Hardman	Quarles	Waters
Clark, I.	Jacobs	Reeves	Williams
Clarke, H.	Jamnick	Rivet	Wojno
Daniels	Kolb	Rocca	Woodward
Dennis	Lemmons	Schauer	Woronchak
Frank	Lipsey		

## Nays—52

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

In The Chair: Ehardt

Rep. Murphy moved to amend the bill as follows:

1. Amend page 86, following line 15, by inserting:

“Sec. 937. (1) The department shall designate a children’s trustee who shall have the responsibility for unclaimed property that is paid or delivered to the administrator. The children’s trustee has control over and is responsible for the proper distribution of undisbursed child support. The children’s trustee has the power or duty to the exclusion of the administrator, but only as to undisbursed child support.

(2) Annually before February 1, the children’s trustee shall report to the appropriations committees of the senate and house of representatives all of the following for the previous fiscal year:

(a) Amount of undisbursed child support paid to the undisbursed child support fund.

(b) Number of children who received money from the undisbursed child support fund.

(c) Recommendations for the future distribution of money from the undisbursed child support fund.

(d) The administrator shall provide the children’s trustee with sufficient staff and other resources for the children’s trustee to carry out his or her duties.

(e) The children’s trustee shall ensure that a holder of undisbursed child support reports the names of possible recipients of the undisbursed child support.

(3) Ensure that published notices shall include notice of names of payees of undisbursed child support, and shall include, as possible owners of undisbursed child support, the names of the custodial parent and each child for whom support has been paid. Notices shall include public service announcements on filing a claim for undisbursed child support.

(4) The children’s trustee shall conduct a diligent search for identifying information for each owner of undisbursed child support listed in the notice published under this section on all of the family independence agency’s electronic data systems, including, but not limited to, the client information system, client services system, child support automation systems, state parent locator services, and federal parent locator service. The electronic data source shall not be released for databases containing confidential information.

(5) For purposes of this section, “undisbursed child support” means money paid as child support to a friend of the court or the state disbursement unit that is reportable and payable to the children’s trustee under this section.

(6) For purposes of this section, “friend of the court” means an office of the friend of the court created under section 3 of the friend of the court act, 1982 PA 294, MCL 552.503.

(7) For purposes of this section, “children’s trustee” means the position established with the responsibility for undisbursed child support collections.”.

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

Rep. Murphy demanded the yeas and nays.

The demand was supported.

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

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



**Roll Call No. 335****Yeas—35**

Anderson	Frank	Lipsey	Spade
Basham	Garza	McConico	Stallworth
Bernero	Gielegthem	Murphy	Switalski
Bovin	Hale	O'Neil	Waters
Callahan	Hansen	Pestka	Williams
Clark, I.	Jacobs	Quarles	Wojno
Clarke, H.	Jamnack	Reeves	Woodward
Daniels	Kolb	Schauer	Zelenko
Dennis	Lemmons	Sheltrown	

**Nays—57**

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

In The Chair: Ehardt

Rep. Kooiman moved that Rep. DeWeese be excused temporarily from today's session.  
The motion prevailed.

Rep. Murphy moved to amend the bill as follows:

1. Amend page 10, line 19, by striking out "29,341,300" and inserting "27,341,350".
2. Amend page 21, line 5, by striking out "65,280,400" and inserting "67,280,450" and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. Murphy demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 336****Yeas—39**

Anderson	Gielegthem	McConico	Spade
Basham	Hale	Murphy	Stallworth

Bernero	Hansen	Neumann	Switalski
Bovin	Hardman	O'Neil	Van Woerkom
Callahan	Jacobs	Pestka	Waters
Clark, I.	Jamnick	Quarles	Williams
Clarke, H.	Kolb	Reeves	Wojno
Daniels	Lemmons	Rivet	Woodward
Dennis	Lipsey	Schauer	Zelenko
Frank	Lockwood	Sheltrown	

**Nays—54**

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

In The Chair: Ehardt

Rep. Frank moved to amend the bill as follows:

1. Amend page 11, line 26, by striking out “14,773,700” and inserting “15,678,700” and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. Frank demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 337****Yeas—44**

Anderson	Frank	Lipsey	Schauer
Basham	Garza	Lockwood	Sheltrown
Bernero	Gielegthem	McConico	Spade
Bogardus	Hale	Minore	Stallworth
Bovin	Hansen	Murphy	Stewart
Callahan	Hardman	Neumann	Switalski
Caul	Jacobs	O'Neil	Waters
Clark, I.	Jamnick	Pestka	Williams
Clarke, H.	Kolb	Quarles	Wojno
Daniels	LaSata	Reeves	Woodward
Dennis	Lemmons	Rivet	Zelenko

**Nays—52**

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

In The Chair: Ehardt

Rep. Frank moved to amend the bill as follows:

1. Amend page 49, following line 17, following section 576, by inserting:

“Sec. 577. Funds appropriated in part 1 shall not be used by the department of information technology to compensate a state contractor who is convicted of a criminal offense in connection with performing duties related to fulfilling the contract with the state. The department of information technology shall request an audit of the expenses of any state contractor who is convicted of a criminal offense.”.

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

Rep. Frank demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 338****Yeas—42**

Anderson	Frank	Lockwood	Rivet
Basham	Garza	McConico	Schauer
Bernero	Gielegem	Middaugh	Sheltrown
Birkholz	Hale	Minore	Spade
Bogardus	Hansen	Murphy	Stallworth
Bovin	Hardman	Neumann	Waters
Callahan	Jacobs	O’Neil	Williams
Clark, I.	Jamnick	Patterson	Wojno
Clarke, H.	Kolb	Pestka	Woodward
Daniels	Lemmons	Reeves	Zelenko
Dennis	Lipsev		

**Nays—53**

Allen	Gilbert	Kooiman	Rocca
Bisbee	Godchaux	Kowall	Shackleton
Bishop	Gosselin	Kuipers	Shulman
Bradstreet	Hager	LaSata	Stamas
Brown, C.	Hart	Mead	Stewart
Cassis	Howell	Meyer	Tabor
Caul	Hummel	Mortimer	Toy

DeRossett	Jansen	Newell	Van Woerkom
DeVuyst	Jelinek	Palmer	Vander Roest
DeWeese	Johnson, Rick	Pappageorge	Vander Veen
Drolet	Johnson, Ruth	Pumford	Vear
Ehardt	Julian	Richardville	Voorhees
Faunce	Koetje	Richner	Woronchak
George			

In The Chair: Ehardt

Rep. Stallworth moved to amend the bill as follows:

1. Amend page 86, following line 15, by inserting:

“Sec. 937. The credit authorized by section 4(3) of the motor carrier fuel tax act, 1980 PA 119, MCL 207.214(3), equal to 6 cents per gallon of the sales tax paid on diesel fuel purchased in this state during the preceding calendar quarter, shall be made from the state general fund and not the Michigan transportation fund.”.

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

Rep. Stallworth demanded the yeas and nays.

The demand was supported.

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

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

#### Roll Call No. 339

#### Yeas—41

Anderson	Gielegem	Minore	Sheltrown
Basham	Hale	Murphy	Spade
Bernero	Hansen	Neumann	Stallworth
Bogardus	Hardman	O’Neil	Switalski
Bovin	Jacobs	Pestka	Thomas
Callahan	Jamnick	Quarles	Waters
Clark, I.	Kolb	Reeves	Williams
Clarke, H.	Lipsey	Rivet	Wojno
Daniels	Lockwood	Rocca	Woodward
Dennis	McConico	Schauer	Zelenko
Garza			

#### Nays—54

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

In The Chair: Ehardt

Rep. Frank moved to amend the bill as follows:

1. Amend page 30, line 10, by striking out “18,372,000” and inserting “8,372,000”.

2. Amend page 30, line 14, by striking out “32,197,600” and inserting “22,197,600” and adjusting the subtotals, totals, and section 201 accordingly.

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

Rep. Frank demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 340**

**Yeas—43**

Anderson	Garza	Lockwood	Sheltrown
Basham	Gielegem	McConico	Spade
Bernero	Hager	Minore	Stallworth
Bogardus	Hale	Murphy	Switalski
Bovin	Hansen	Neumann	Thomas
Callahan	Hardman	O’Neil	Waters
Clark, I.	Jacobs	Pestka	Williams
Clarke, H.	Jamnick	Quarles	Wojno
Daniels	Kolb	Reeves	Woodward
Dennis	Lemmons	Rivet	Zelenko
Frank	Lipsey	Schauer	

**Nays—55**

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

In The Chair: Ehardt

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

**Third Reading of Bills**

**House Bill No. 5646, entitled**

A bill to make appropriations for the departments of attorney general, civil rights, civil service, information technology, management and budget, state, and treasury, the executive office, and the legislative branch for the fiscal

years ending September 30, 2002 and September 30, 2003; to provide for the expenditure of these appropriations; to provide for the funding of certain work projects; to provide for the imposition of certain fees; to establish or continue certain funds, programs, and categories; to transfer certain funds; to prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances for the fiscal year ending September 30, 2003; to prescribe the powers and duties of certain principal executive departments and state agencies, officials, and employees; and to provide for the disposition of fees and other income received by the various principal executive departments and state agencies.

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

**Roll Call No. 341****Yeas—55**

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

**Nays—46**

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

In The Chair: Ehardt

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

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

A bill to make, supplement, and adjust appropriations for the departments of attorney general, civil rights, civil service, information technology, management and budget, state, and treasury, the executive office, and the legislative branch for the fiscal years ending September 30, 2002 and September 30, 2003; to provide for the expenditure of these appropriations; to provide for the funding of certain work projects; to provide for the imposition of certain fees; to establish or continue certain funds, programs, and categories; to transfer certain funds; to prescribe certain requirements for bidding on state contracts; to provide for disposition of year-end balances for the fiscal year ending September 30, 2003; to prescribe the powers and duties of certain principal executive departments and state agencies, officials, and employees; and to provide for the disposition of fees and other income received by the various principal executive departments and state agencies.

The motion prevailed.

The House agreed to the title as amended.

Rep. Bogardus, 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 voted no on the general government budget because it contains a 300 million dollar boondoggle. The money left over in the new department of technology budget after paying for salaries will be an astounding slush fund which will be handed out probably in contracts. This is an example of pork barrel government waste on a level I have not seen in my tenure in office. “

Rep. Schauer, having reserved the right to explain his protest against the passage of the bill, made the following statement:  
 “Mr. Speaker and members of the House:

I voted no on House Bill 5646 (H-1) for the following reasons: This bill is all about finance and little about programming. I. There is funding gap of over \$35 million in this budget: 1. There is a \$10.2 million deficit due to the \$0 funding of the IDG line from the Michigan Department of Transportation’s Michigan Transportation Fund to the Department of Treasury for costs of the motor fuel tax collection. 2. In addition, the Secretary of State budget counts on a \$96.4 million IDG from the Michigan Transportation Fund to cover the costs of processing vehicle registration, but the Transportation budget authorizes only \$76 million creating a \$20 million hole. 3. Finally, the funding source for the debt service on the School Bond Loan Fund is transferred back from the School Aid Fund to the General Fund. While I do not oppose using the General Fund to support this debt service, there is no specific provision in this bill to support this transfer. It adds another \$4.7 million to the funding gap. 4. An amendment was adopted to add \$112 million to revenue sharing to replace what would have been transferred to the General Fund to cover shortfalls. Yet, there is no specific provision in this bill to cover this appropriation. II Uncertain Debt Service Payments 1. This bill contains \$40 million in savings from the refinancing and restructuring of debt service for Quality of Life bonds and School Bond Loan Fund. While the actual refinance and restructure of these bonds began in the current fiscal year there was insufficient explanation as to the long term savings. The refinance entails using an ‘adjustable rate’ instrument that is rarely used, and thus prompts several questions regarding the long term impact of refinancing such as: • The terms of these new notes • the length of time for which the bonds will be sold • the payment schedule • the interest rate • lock-in features, if there are any • the existence of balloon provision and what effect does it have on debt service? The restructure entails slowing down the state’s repayment (incurred to assist school districts with their debt) to the schedule on which the school districts are repaying the state. III No Solid Plan for Future Expenses 1. The bill contains no funding to retrain state workers who will replace those employees taking advantage of the early retirement program. 2. The bill contains no appropriation for the costs that will be incurred due to annual pay outs of sick time and other benefits of early retirees. IV Future Plans for Technology Sketchy At Best Creation of DIT • This department is built entirely with \$333 million in IDGs from almost all state departments, yet only one-third of the \$333 million is allocated to salaries and wages. The IDGs consist of funding for FTE positions that have been transferred to the new DIT, even though the employees physically remain with their current department. In turn, many of those departments, in turn, are using other IDG s from other departments to IDG to the new department which is confounding at best. Finally, the IDG’s FTEs are somehow ‘morphed’ into user fees with little explanation as to how this will occur. • There is no definition of ‘technology,’ only a definition of ‘technological services’ added by Democrats through floor amendment. • A majority of programs to be offered by DIT are currently being administered by other departments. • There is no indication as to which departments will be held accountable for federal sanctions like the non-certification of FIA’s Child Support Enforcement System (CSES). V. Interfund Borrowing Budgetwide, depending on who you listen to, we are funding the FY 03 budget with anywhere from \$600 million to \$1.3 billion with one-time funding sources. What is more worrisome than the expenditures are the fund balances, or lack thereof.: • The \$207 million Budget Stabilization Fund transfer to the GF, the ending balance would be approximately \$255 million-extraneous circumstances that could very well affect this balance. • The transfer of \$100 million in Merit Award Surplus to GF, the projected balance for FY 03 approximately \$26 million. • The transfer of \$79.5 million in Michigan Employment Security Contingent (MESC) Fund to GF, the fund balance is \$87.6 million. • Almost full appropriation of \$534.4 million in Medicaid Benefits Trust Fund leaving a near \$0 balance

Will certainly affect this state’s ability to manage day-to-day fiscal management through short term borrowing. Coupled with the change in the SET payments, we may again return to a negative balance in our common cash fund similar to 1997 when we had a common cash fund beginning balance of negative (\$700 million) and had to borrow \$900 million. This occurred when we had a substantial balance in the BSF, a flush GF and School Aid Fund.. In FY 02 our ending balance is positive, but it is slipping and we DON’T have a GF and SAF surplus • \$1 billion in BSF • and we are changing payment schedules, namely the School Aid SET”

Reps. Lipsey, Waters, Murphy, Callahan, Zelenko, Williams, Minore, Jamnick, Hale, Clark, Basham, Kolb, Garza, Lockwood, Spade, Lemmons, Reeves, Dennis and Anderson, having reserved the right to explain their protests against passage of the bill, made the following statement:

“Mr. Speaker and member of the House:

I voted no on House Bill 5646 (H-1) for the following reasons:

This bill is all about finance and little about programming.

**I. There is funding gap of over \$35 million in this budget:**

1. There is a **\$10.2 million deficit** due to the \$0 funding of the IDG from the Department of Transportation’s MTF to the Department of Treasury to cover motor fuel tax collection.

2. The Secretary of State budget counts on a \$96.4 million IDG from the Michigan Transportation Fund to cover the costs of processing vehicle registration, but the Transportation budget authorizes only \$76 million creating a **\$20 million hole**.
3. Finally, the funding source for the debt service on the School Bond Loan Fund is transferred back from the School Aid Fund to the General Fund. While I do not oppose using the General Fund to support this debt service, there is no specific provision in this bill to support this transfer: another **\$4.7 million to the funding gap**
4. Revenue sharing is frozen at Fiscal Year 02 to allow for coverage of general fund shortfalls.

## II Uncertain Debt Service Payments

1. This bill contains \$40 million in savings from the refinancing and restructuring of debt service for Quality of Life bonds and School Bond Loan Fund. While the actual refinance and restructure of these bonds began in the current fiscal year, there was insufficient explanation as to the long term savings.

## III No Solid Plan for Future Expenses

1. There is no funding to retrain state workers who will replace those employees taking advantage of the early retirement program.
2. There is no appropriation for the costs that incurred due to annual pay outs of sick time and other benefits of early retirees.

## IV Future Plans for Technology Sketchy At Best

### Creation of DIT

- This department is built entirely with \$333 million in IDGs from almost all state departments, with only one-third of the \$333 million allocated to salaries and wages. The IDGs are FTE positions that have been transferred to DIT, yet, the employees remain in their current department Many of those departments, are using IDGs from other departments to IDG to the new department which is confounding at best.
- There is no definition of “technology,”
- “New“ DIT are currently administered by other departments.
- What department will be held accountable for federal sanctions like the non-certification of FIA’s Child Support Enforcement System (CSES).

## V. Interfund Borrowing

Budgetwide, depending on who you listen to, we are funding the FY 03 budget with anywhere from \$600 million to \$1.3 billion with one-time funding sources. What is more worrisome than the expenditures are the fund balances, or lack thereof that won’t be available to accommodate short term borrowing. We DON’T

- have a GF and SAF surplus
- \$1 billion in BSF
- and we are changing the School Aid SET.”

## Second Reading of Bills

### House Bill No. 5647, entitled

A bill to make appropriations for the department of history, arts and libraries and certain other state purposes for the fiscal year ending September 30, 2003; to provide for the expenditure of those appropriations; to provide for the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

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

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

Rep. LaSata moved to amend the bill as follows:

1. Amend page 4, line 26, by striking out “199,200” and inserting “72,900”.
2. Amend page 5, line 1, by striking out “2,877,100” and inserting “1,053,300”.



3. Amend page 5, line 5, by striking out “13,327,000” and inserting “15,277,100” and adjusting the subtotals, totals, and section 201 accordingly.

The question being on the adoption of the amendments offered by Rep. LaSata,  
Rep. LaSata demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 342****Yeas—37**

Allen	Ehardt	Julian	Richardville
Birkholz	Faunce	LaSata	Rocca
Bisbee	George	Mead	Shackleton
Bovin	Gilbert	Middaugh	Spade
Bradstreet	Gosselin	Mortimer	Stewart
Brown, C.	Howell	Newell	Toy
Brown, R.	Hummel	Palmer	Vander Roest
Caul	Jelinek	Patterson	Vear
DeVuyst	Johnson, Ruth	Pumford	Wojno
Drolet			

**Nays—63**

Anderson	Godchaux	Lipsey	Sheltrown
Basham	Hager	Lockwood	Shulman
Bernero	Hale	McConico	Stallworth
Bishop	Hansen	Meyer	Stamas
Bogardus	Hardman	Minore	Switalski
Callahan	Hart	Murphy	Tabor
Cassis	Jacobs	Neumann	Thomas
Clark, I.	Jamnack	O’Neil	Van Woerkom
Clarke, H.	Jansen	Pappageorge	Vander Veen
Daniels	Johnson, Rick	Pestka	Voorhees
Dennis	Koetje	Quarles	Waters
DeRossett	Kolb	Reeves	Williams
DeWeese	Kooiman	Richner	Woodward
Frank	Kowall	Rivet	Woronchak
Garza	Kuipers	Schauer	Zelenko
Gielegem	Lemmons	Scranton	

In The Chair: Ehardt

Rep. Lockwood moved to amend the bill as follows:

1. Amend page 19, following line 22, by inserting:

“Sec. 655. The department shall submit a report on or before October 31, 2003, to the senate and house standing committees on appropriations that details the use of funds appropriated in part 1 within the Grand Rapids public library appropriation line and the grant to the Detroit public library appropriation line.”.

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

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

The motion prevailed.

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

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

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

**House Bill No. 5647, entitled**

A bill to make appropriations for the department of history, arts and libraries and certain other state purposes for the fiscal year ending September 30, 2003; to provide for the expenditure of those appropriations; to provide for the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

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

**Roll Call No. 343**

**Yeas—97**

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

**Nays—3**

LaSata	Middaugh	Vander Roest
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In The Chair: Ehardt

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

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

A bill to make appropriations for the department of history, arts, and libraries for the fiscal year ending September 30, 2003; to provide for the expenditure of those appropriations; to provide for the disposition of fees and other income received by the state agencies; to provide for the disbursement of certain grants; to provide for reports; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

The motion prevailed.

The House agreed to the title as amended.

### Second Reading of Bills

#### House Bill No. 5651, entitled

A bill to make appropriations for the department of transportation and certain transportation purposes for the fiscal year ending September 30, 2003; to provide for the imposition of fees; to provide for reports; to create certain funds and programs; to prescribe requirements for certain railroad and bus facilities; to prescribe certain powers and duties of certain state departments and officials and local units of government; and to provide for the expenditure of the appropriations.

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

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

Rep. Kolb moved that Rep. Garza be excused temporarily from today's session.  
The motion prevailed.

Rep. Switalski moved to amend the bill as follows:

1. Amend page 22, following line 16, by inserting:

“Sec. 349. The department shall develop a plan to implement the policy of the state transportation commission on noise abatement. The department shall report on its efforts to implement the commission's policy to the house and senate appropriations subcommittees on transportation and to the house and senate fiscal agencies on or before October 1, 2002.”.

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

Rep. Switalski demanded the yeas and nays.

The demand was supported.

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

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

#### Roll Call No. 344

#### Yeas—98

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

Ehardt  
Faunce

Kowall  
Kuipers

Rivet

Zelenko

**Nays—0**

In The Chair: Ehardt

Rep. Drolet moved to amend the bill as follows:

1. Amend page 11, line 8, by striking out “12,000,000” and inserting “11,000,000”.
2. Amend page 11, line 23, by striking out “21,677,700” and inserting “20,677,700” and adjusting the totals, subtotals, and sec 201 accordingly.
3. Amend page 40, line 24, by striking out all of section 723.

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

Rep. Drolet demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 345**

**Yeas—23**

Bradstreet  
Brown, C.  
Caul  
Drolet  
Faunce  
George

Gosselin  
Jansen  
Johnson, Ruth  
Julian  
Kuipers  
Middaugh

Palmer  
Patterson  
Rocca  
Sheltrown  
Spade  
Stamas

Toy  
Vander Roest  
Vander Veen  
Vear  
Voorhees

**Nays—77**

Adamini  
Allen  
Anderson  
Basham  
Bernero  
Birkholz  
Bisbee  
Bishop  
Bogardus  
Bovin  
Brown, R.  
Callahan  
Cassis  
Clark, I.  
Clarke, H.  
Daniels  
Dennis  
DeRossett  
DeVuyst  
DeWeese

Ehardt  
Garza  
Gielegem  
Gilbert  
Godchaux  
Hager  
Hale  
Hansen  
Hardman  
Hart  
Howell  
Hummel  
Jacobs  
Jamnack  
Jelinek  
Johnson, Rick  
Koetje  
Kolb  
Kooiman

Kowall  
LaSata  
Lemmons  
Lipsey  
Lockwood  
McConico  
Mead  
Meyer  
Minore  
Mortimer  
Murphy  
Neumann  
Newell  
O’Neil  
Pappageorge  
Pestka  
Pumford  
Quarles  
Reeves

Richardville  
Richner  
Rivet  
Schauer  
Scranton  
Shackleton  
Shulman  
Stallworth  
Stewart  
Switalski  
Tabor  
Thomas  
Van Woerkom  
Waters  
Williams  
Wojno  
Woodward  
Woronchak  
Zelenko

In The Chair: Ehardt

Rep. Bovin moved to amend the bill as follows:

- 1. Amend page 4, line 2, by striking out “70,000,000” and inserting “55,814,100”.
- 2. Amend page 4, line 26, by striking out “\$77,085,100” and inserting “62,899,200”.
- 3. Amend page 8, following line 21, by inserting:

“Snow and ice removal ..... \$ 14,185,900”.

4. Amend page 9, line 4, by striking out “989,170,300” and inserting “\$1,003,356,200” and adjusting the subtotals, totals, and section 201 accordingly.

- 5. Amend page 30, following line 6, by inserting:

“Sec 508. Funds appropriated in part 1 for snow and ice removal shall be distributed to eligible county road commissions, cities, and villages for winter maintenance activities in accordance with sections 12(3), 12a, and section 13(2) of 1951 PA 51, as amended.”.

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

Rep. Bovin demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 346**

**Yeas—46**

Adamini	Clarke, H.	Lockwood	Sheltrown
Allen	Daniels	McConico	Spade
Basham	Dennis	Middaugh	Stallworth
Bernero	Frank	Minore	Stamas
Birkholz	Gielegem	Murphy	Switalski
Bogardus	Hale	Neumann	Vander Roest
Bovin	Hansen	O’Neil	Vear
Bradstreet	Hardman	Pestka	Williams
Brown, R.	Jacobs	Quarles	Wojno
Callahan	Kolb	Schauer	Woodward
Cassis	Lemmons	Shackleton	Zelenko
Clark, I.	Lipsey		

**Nays—47**

Bisbee	Godchaux	Kowall	Richner
Bishop	Gosselin	Kuipers	Rocca
Brown, C.	Hager	LaSata	Scranton
Caul	Howell	Mead	Shulman
DeRossett	Hummel	Meyer	Stewart
DeVuyst	Jansen	Mortimer	Tabor
DeWeese	Jelinek	Newell	Toy
Drolet	Johnson, Rick	Palmer	Van Woerkom
Ehardt	Johnson, Ruth	Pappageorge	Vander Veen
Faunce	Julian	Patterson	Voorhees
George	Koetje	Pumford	Woronchak
Gilbert	Kooiman	Richardville	

In The Chair: Ehardt

Rep. Vander Roest moved to amend the bill as follows:

- 1. Amend page 39, following line 5, by inserting:

“(5) The rail carrier shall, as a condition to receiving a state operating subsidy, establish a system to monitor, collect, and resolve customer complaints and shall make the information available to the department, the house and senate appropriations subcommittees on transportation, and to the house and senate fiscal agencies.

(6) If the chosen rail carrier is Amtrak, the department shall require Amtrak to provide information to the department to identify direct and indirect operating costs prior to receiving any state funding. Any state subsidy shall only provide for the direct operating costs in Michigan.”

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

Rep. Stallworth moved to amend the bill as follows:

1. Amend page 30, following line 6, by inserting:

“Sec. 506. The credit authorized by section 4(3) of the motor fuel carrier tax act, 1980 PA 119, MCL 207.214(3), equal to 6 cents per gallon of the sales tax paid on diesel fuel purchased in the state during the preceding calendar quarter, shall be made from the state general fund and not the Michigan transportation fund.”

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

Rep. Williams moved to amend the bill as follows:

1. Amend page 30, following line 6, by inserting:

“Sec. 506. The county of Saginaw shall be exempt from any reduction in the receipt of Michigan transportation fund revenues resulting from an unconstitutional interdepartment grant.”

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

Rep. Williams demanded the yeas and nays.

The demand was supported.

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

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

#### Roll Call No. 347

#### Yeas—43

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

#### Nays—57

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

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

1. Amend page 30, following line 6, by inserting:

“Sec. 506. The counties of Baraga, Gogebic, Houghton, Iron, Keweenaw, and Ontonagon shall be exempt from any reduction in the receipt of Michigan transportation fund revenues resulting from an unconstitutional interdepartment grant.”.

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

Rep. Rich Brown demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 348**

**Yeas—44**

Adamini	Dennis	Lemmons	Schauer
Anderson	DeWeese	Lipsey	Sheltrown
Basham	Frank	Lockwood	Spade
Bernero	Garza	McConico	Stallworth
Bogardus	Gielegthem	Minore	Switalski
Bovin	Hale	Murphy	Thomas
Brown, R.	Hansen	Neumann	Waters
Callahan	Hardman	O’Neil	Williams
Clark, I.	Jacobs	Quarles	Wojno
Clarke, H.	Jamnick	Reeves	Woodward
Daniels	Kolb	Rivet	Zelenko

**Nays—56**

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

In The Chair: Ehardt

Rep. Adamini moved to amend the bill as follows:

1. Amend page 30, following line 6, by inserting:

“Sec. 506. The counties of Alger, Luce, Marquette, and Schoolcraft shall be exempt from any reduction in the receipt of Michigan transportation fund revenues resulting from an unconstitutional interdepartment grant.”.

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

Rep. Adamini demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 349****Yeas—43**

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

**Nays—56**

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

In The Chair: Ehardt

Rep. Plakas moved to amend the bill as follows:

1. Amend page 30, following line 6, by inserting:

“Sec. 506. The county of Wayne shall be exempt from any reduction in the receipt of Michigan transportation fund revenues resulting from an unconstitutional interdepartment grant.”.

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

Rep. Anderson demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 350****Yeas—42**

Adamini	Garza	McConico	Stallworth
Anderson	Gielegem	Minore	Stewart
Basham	Hale	Murphy	Switalski
Bernero	Hansen	Neumann	Thomas
Bogardus	Hardman	O'Neil	Waters
Bovin	Jacobs	Quarles	Williams
Callahan	Jamnick	Reeves	Wojno



Clark, I.	Kolb	Rivet	Woodward
Clarke, H.	Lemmons	Sheltrown	Woronchak
Daniels	Lipsey	Spade	Zelenko
Dennis	Lockwood		

**Nays—51**

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

In The Chair: Ehardt

Rep. Minore moved to amend the bill as follows:

1. Amend page 30, following line 6, by inserting:

“Sec. 506. The county of Genessee shall be exempt from any reduction in the receipt of Michigan transportation fund revenues resulting from an unconstitutional interdepartment grant.”.

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

Rep. Minore demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 351****Yeas—42**

Adamini	Dennis	Lipsey	Sheltrown
Anderson	Frank	Lockwood	Spade
Basham	Garza	McConico	Stallworth
Bernero	Gielegem	Minore	Switalski
Bogardus	Hale	Murphy	Thomas
Bovin	Hansen	Neumann	Waters
Brown, R.	Hardman	O’Neil	Williams
Callahan	Jacobs	Quarles	Wojno
Clark, I.	Jamnack	Reeves	Woodward
Clarke, H.	Kolb	Rivet	Zelenko
Daniels	Lemmons		

**Nays—56**

Allen	George	Kooiman	Rocca
Birkholz	Gilbert	Kowall	Scranton

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

In The Chair: Ehardt

Rep. Mortimer moved to amend the bill as follows:

1. Amend page 39, following line 5, by inserting:

“Sec. 714. The department, in cooperation with local transit agencies, shall work to ensure that demand-response services are provided throughout Michigan. The department shall continue to work with local units of government to address the unmet transit needs in Michigan.”.

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

Rep. Adamini moved to amend the bill as follows:

1. Amend page 32, following line 9, by inserting:

“Sec. 612. In order to enhance safety and relieve traffic congestion associated with new retail development, \$800,000.00 from the funds appropriated in section 113, target industries/economic redevelopment, shall be appropriated for the relocation of county road number 492 between US 41 and Wright street in Marquette county.”.

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

Rep. Adamini demanded the yeas and nays.

The demand was supported.

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

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

### Roll Call No. 352

### Yeas—38

Adamini	Daniels	Lemmons	Schauer
Anderson	Dennis	Lipsey	Sheltrown
Basham	Garza	Lockwood	Stallworth
Bernero	Gielegem	McConico	Switalski
Bogardus	Hale	Minore	Thomas
Bovin	Hansen	Murphy	Williams
Brown, R.	Hardman	Neumann	Wojno
Callahan	Jacobs	O’Neil	Woodward
Clark, I.	Jamnick	Rivet	Zelenko
Clarke, H.	Kolb		

### Nays—56

Allen	George	Kowall	Scranton
Birkholz	Gilbert	Kuipers	Shackleton
Bisbee	Gosselin	LaSata	Shulman
Bishop	Hager	Mead	Spade

Bradstreet	Hart	Middaugh	Stamas
Brown, C.	Howell	Mortimer	Stewart
Cassis	Hummel	Newell	Tabor
Caul	Jansen	Palmer	Toy
DeRossett	Jelinek	Pappageorge	Van Woerkom
DeVuyst	Johnson, Rick	Patterson	Vander Roest
DeWeese	Johnson, Ruth	Pumford	Vander Veen
Drolet	Julian	Richardville	Vear
Ehardt	Koetje	Richner	Voorhees
Faunce	Kooiman	Rocca	Woronchak

In The Chair: Ehardt

Rep. Bovin moved to amend the bill as follows:

1. Amend page 4, line 2, by striking out “70,000,000” and inserting “60,000,000”.
2. Amend page 4, line 26, by striking out “77,085,100” and inserting “67,085,100”.
3. Amend page 8, following line 21, by inserting:  
“Snow and ice removal ..... 10,000,000”.
4. Amend page 9, line 4, by striking out “989,170,300” and inserting “999,170,300” and adjusting the subtotals, totals, and section 201 accordingly.
5. Amend page 30, following line 6, by inserting:  
“Sec 508. Funds appropriated in part 1 for snow and ice removal shall be distributed to eligible county road commissions, cities, and villages for winter maintenance activities in accordance with sections 12(3), 12a, and 13(2) of 1951 PA 51, as amended.”.

The question being on the adoption of the amendments offered by Rep. Bovin, Rep. Bovin demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 353**

**Yeas—46**

Adamini	Frank	McConico	Spade
Anderson	Gielegem	Mead	Stallworth
Basham	Hale	Middaugh	Stamas
Bogardus	Hansen	Minore	Switalski
Bovin	Hardman	Murphy	Thomas
Bradstreet	Jacobs	Neumann	Vear
Brown, R.	Jamnack	O’Neil	Waters
Callahan	Jelinek	Rivet	Williams
Clark, I.	Kolb	Schauer	Wojno
Clarke, H.	Lemmons	Shackleton	Woodward
Daniels	Lipsey	Sheltrown	Zelenko
Dennis	Lockwood		

**Nays—45**

Allen	George	Kooiman	Rocca
Bisbee	Gosselin	Kowall	Scranton
Bishop	Hager	Kuipers	Shulman
Brown, C.	Hart	LaSata	Stewart
Cassis	Howell	Meyer	Tabor

Caul	Hummel	Newell	Toy
DeRossett	Jansen	Palmer	Van Woerkom
DeVuyst	Johnson, Rick	Pappageorge	Vander Roest
DeWeese	Johnson, Ruth	Patterson	Vander Veen
Drolet	Julian	Richardville	Voorhees
Ehardt	Koetje	Richner	Woronchak
Faunce			

In The Chair: Ehardt

Rep. Middaugh moved that consideration of the bill be postponed temporarily.  
The motion prevailed.

By unanimous consent the House returned to the order of  
**Messages from the Senate**

**House Bill No. 5763, entitled**

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending sections 19, 20, 27, 29, 32, and 48 (MCL 421.19, 421.20, 421.27, 421.29, 421.32, and 421.48), section 19 as amended by 1996 PA 535, section 20 as amended by 1994 PA 162, section 27 as amended by 1995 PA 181, section 29 as amended by 1995 PA 25, section 32 as amended by 1996 PA 503, and section 48 as amended by 1983 PA 164, and by adding sections 13l and 32b.

The Senate has substituted (S-3) the bill.

The Senate has passed the bill as substituted (S-3) and amended the title to read as follows:

A bill to amend 1936 (Ex Sess) PA 1, entitled "An act to protect the welfare of the people of this state through the establishment of an unemployment compensation fund, and to provide for the disbursement thereof; to create certain other funds; to create the Michigan employment security commission, and to prescribe its powers and duties; to provide for the protection of the people of this state from the hazards of unemployment; to levy and provide for contributions from employers; to provide for the collection of such contributions; to enter into reciprocal agreements and to cooperate with agencies of the United States and of other states charged with the administration of any unemployment insurance law; to furnish certain information to certain governmental agencies for use in administering public benefit and child support programs and investigating and prosecuting fraud; to provide for the payment of benefits; to provide for appeals from redeterminations, decisions and notices of assessments; and for referees and a board of review to hear and decide the issues arising from redeterminations, decisions and notices of assessment; to provide for the cooperation of this state and compliance with the provisions of the social security act and the Wagner-Peyser act passed by the Congress of the United States of America; to provide for the establishment and maintenance of free public employment offices; to provide for the transfer of funds; to make appropriations for carrying out the provisions of this act; to prescribe remedies and penalties for the violation of the provisions of this act; and to repeal all acts and parts of acts inconsistent with the provisions of this act," by amending sections 3, 4, 4a, 10, 19, 20, 27, 29, 32, 44, 48, 54, and 54c (MCL 421.3, 421.4, 421.4a, 421.10, 421.19, 421.20, 421.27, 421.29, 421.32, 421.44, 421.48, 421.54, and 421.54c), section 4 as amended by 1996 PA 498, section 10 as amended by 1989 PA 224, section 19 as amended by 1996 PA 535, sections 20 and 54 as amended by 1994 PA 162, section 27 as amended by 1995 PA 181, section 29 as amended by 1995 PA 25, section 32 as amended by 1996 PA 503, section 44 as amended by 1996 PA 504, section 48 as amended by 1983 PA 164, and section 54c as amended by 1993 PA 277, and by adding sections 5b, 13l, and 32b; and to repeal acts and parts of acts.

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

Rep. Middaugh moved that Rule 45 be suspended.

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

The question being on concurring in the substitute (S-3) made to the bill by the Senate,

The substitute (S-3) was not concurred in, a majority of the members serving not voting therefor, by yeas and nays, as follows:

**Roll Call No. 354**

**Yeas—4**

Birkholz

Gosselin

Vander Roest

Voorhees

**Nays—94**

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

In The Chair: Ehardt

The Speaker appointed as conferees, on the part of the House of Representatives for **House Bill No. 5763**, Reps. Rick Johnson, Bisbee and Thomas.

**Second Reading of Bills****Senate Bill No. 897, entitled**

A bill to amend 1946 (1st Ex Sess) PA 9, entitled "An act to create the Michigan veterans' trust fund, and to define who shall be eligible to receive assistance therefrom; to provide for the disbursement of the income thereof and surplus therein; to create a board of trustees, and to prescribe its powers and duties; to provide for county and district committees, and their powers, duties, and expenses; to prescribe penalties; and to make appropriations to carry out the provisions of this act," by amending sections 7 and 8 (MCL 35.607 and 35.608).

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. 898, entitled**

A bill to amend 1911 PA 44, entitled "An act to create a state board of equalization; to prescribe its powers and duties; to provide that said board shall be furnished with certain information by the several boards of supervisors and by the state tax commission; to provide for meeting the expense authorized by this act, and to repeal all acts or parts of acts contravening the provisions of this act," by amending sections 3 and 4 (MCL 209.3 and 209.4), section 4 as amended by 2001 PA 36.

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. 899, entitled**

A bill to amend 1917 PA 99, entitled "An act to provide for the construction, maintenance and improvement of federal aided roads; to authorize townships, good roads districts and counties to raise money by taxation and by loan for the purpose of contributing thereto; to validate and legalize proceedings heretofore taken to raise money for the purpose contemplated by this act; and to provide an appropriation for paying the state's portion of the expense incurred hereunder," by amending section 1 (MCL 249.1).

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. 900, entitled**

A bill to repeal 1921 PA 358, entitled "An act authorizing the state to reimburse counties and townships to the extent of 1/2 of the amounts spent by such counties and townships in connection with the destruction of grasshoppers and similar pests, making an appropriation therefor, and providing a tax to meet the same," (MCL 286.131 to 286.135).

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. 901, entitled**

A bill to amend 1863 PA 140, entitled "An act to provide for the selection, care and disposition of the lands donated to the state of Michigan, by act of congress, approved July second, 1862, for the endowment of colleges for the benefit of agriculture and the mechanic arts," by amending sections 8 and 10 (MCL 322.178 and 322.180).

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

The motion prevailed.

**Senate Bill No. 902, entitled**

A bill to amend 1909 PA 139, entitled "An act relative to the maintenance and construction of hospitals and sanatoria within the counties of this state and to provide a tax to raise moneys therefor," by amending section 5 (MCL 331.105).

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. 5710, entitled**

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

The bill was read a second time.

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

The motion prevailed.

**House Bill No. 5711, entitled**

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

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

The amendments were 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. 5712, entitled**

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

The bill was read a second time.

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

The motion prevailed.

**House Bill No. 5722, entitled**

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

The bill was read a second time.

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

The motion prevailed.

**House Bill No. 5742, entitled**

A bill to amend 1921 PA 302, entitled "An act to provide for the supervision of private, denominational and parochial schools; to provide the manner of securing funds in payment of the expense of such supervision; to provide the qualifications of the teachers in such schools; and to provide for the endorsement of the provisions hereof," by amending section 1 (MCL 388.551).

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.

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Associate Speaker Pro Tempore Julian resumed the Chair.

**House Bill No. 5665, entitled**

A bill to amend 1919 PA 71, entitled "An act to provide for the formulation and establishment of a uniform system of accounting and reporting in the several departments, offices, and institutions of the state government, and in all county offices; to provide for the examination of the books and accounts of each state department, office, and institution, and of each county office; to provide for financial reports from all such departments, institutions, and offices, and for the tabulation and publication of comparative financial statistics relating thereto; to provide for the administration of this act; to provide for the powers and duties of the department of treasury, the auditor general, the library of Michigan and depository libraries, and other officers and entities; to provide penalties; and to provide for meeting the expense authorized by this act," by amending the title and sections 1, 2, 5, 6, 7, 8, 9, 10, 11, and 12 (MCL 21.41, 21.42, 21.45, 21.46, 21.47, 21.48, 21.49, 21.50, 21.51, and 21.52), the title as amended by 1996 PA 426, section 5 as amended by 1993 PA 196, and sections 11 and 12 as amended by 1985 PA 48; and to repeal acts and parts of acts.

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

**House Bill No. 5750, entitled**

A bill to amend 1984 PA 44, entitled "Motor fuels quality act," by amending section 4a (MCL 290.644a), as added by 1986 PA 127.

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

The motion prevailed.

**House Bill No. 5752, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by repealing sections 712 and 713 (MCL 257.712 and 257.713).

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. 5754, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by repealing part 51 (MCL 324.5101 to 324.5103).

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. 5755, entitled**

A bill to repeal 1927 PA 98, entitled "An act authorizing the state highway commissioner of the state of Michigan to enter into an agreement with the Wisconsin state highway commission to construct an interstate bridge project extending from approximately the intersection of Ogden avenue and Chandler street in the city of Menominee, Michigan, in a straight line terminating at the approximate center of Dunlap square in the city of Marinette, Wisconsin, and to provide for the cost and expense thereof," (MCL 254.121 to 254.123).

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.

**Senate Bill No. 829, entitled**

A bill to amend 1967 PA 55, entitled "An act relating to the management of state funds; to prescribe the powers and duties of the state treasurer and the state administrative board; and to repeal certain acts and parts of acts," by amending section 1 (MCL 12.51).

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. 830, entitled**

A bill to amend 1965 PA 380, entitled "Executive organization act of 1965," by repealing section 88 (MCL 16.188).

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. 831, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 389 (MCL 18.1389), as amended by 1988 PA 504.

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. 832, entitled**

A bill to amend 1955 PA 70, entitled "An act to authorize cities to acquire and operate exhibition areas for commercial, industrial and agricultural products; to provide for the issuance of bonds to finance the cost thereof; to authorize the fixing and collecting of fees and other charges for the use of facilities therein; and to authorize the making of reasonable rules and regulations relative to the public use of facilities therein," by amending section 5 (MCL 123.655).

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. 833, entitled**

A bill to amend 1933 PA 99, entitled "An act to authorize villages, townships, cities, and school districts to enter into contracts and agreements for the purchase of real or personal property for public purposes; to provide for the payment of the purchase price thereof; to authorize school districts to enter into certain other contracts; and to prescribe the use of the real or personal property," by amending section 1 (MCL 123.721), as amended by 1997 PA 77.

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. 835, entitled**

A bill to amend 1980 PA 450, entitled "The tax increment finance authority act," by amending section 15 (MCL 125.1815), as amended by 1996 PA 271.

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. 5680, entitled**

A bill to amend 1945 PA 47, entitled "An act to authorize 2 or more cities, townships, and villages, or any combination of cities, townships, and villages, to incorporate a hospital authority for planning, promoting, acquiring, constructing, improving, enlarging, extending, owning, maintaining, and operating 1 or more community hospitals and related buildings or structures and related facilities; to provide for the sale, lease, or other transfer of a hospital owned by a hospital authority to a nonprofit corporation established under the laws of this state for no or nominal monetary consideration; to define hospitals and community hospitals; to provide for changes in the membership therein; to authorize the cities, townships, and villages to levy taxes for community hospital purposes; to provide for the issuance of bonds; to provide for the pledge of assessments; to provide for borrowing money for operation and maintenance and issuing notes for operation and maintenance; to validate elections heretofore held and notes heretofore issued; to validate bonds heretofore issued; to authorize condemnation proceedings; to grant certain powers of a body corporate; to validate and ratify the organization, existence, and membership of entities acting as hospital authorities under the act and the actions taken by hospital authorities and by the members of the hospital authorities; and to prescribe penalties and provide remedies," by amending sections 5, 6, and 7 (MCL 331.5, 331.6, and 331.7), section 5 as amended by 1984 PA 17 and section 7 as amended by 1983 PA 78.

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

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

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

The motion prevailed.

**House Bill No. 5631, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 34141 (MCL 324.34141), as added by 1995 PA 59.

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. 5632, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 34146 (MCL 324.34146), as added by 1995 PA 59.

The bill was read a second time.

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

The motion prevailed.

**House Bill No. 5633, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 50162 (MCL 324.50162), as added by 1995 PA 57.

The bill was read a second time.

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

The motion prevailed.

**House Bill No. 5634, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 74112 (MCL 324.74112), as added by 1995 PA 58.

The bill was read a second time.

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

The motion prevailed.

**Senate Bill No. 971, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 87c (MCL 211.87c), as amended by 1999 PA 123; and to repeal acts and parts of acts.

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

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. 973, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 89 (MCL 211.89), as amended by 1982 PA 503.

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. 5466, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 46, 544c, 552, 590f, 590h, and 759 (MCL 168.46, 168.544c, 168.552, 168.590f, 168.590h, and 168.759), section 544c as amended by 1999 PA 219, section 552 as amended by 1999 PA 220, sections 590f and 590h as added by 1988 PA 116, and section 759 as amended by 1995 PA 261.

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

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

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

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

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

The motion prevailed.

**Senate Bill No. 811, entitled**

A bill to amend 1941 PA 205, entitled "An act to provide for the construction, establishment, opening, use, discontinuing, vacating, closing, altering, improvement, and maintenance of limited access highways and facilities ancillary to those highways; to permit the acquiring of property and property rights and the closing or other treatment of intersecting roads for these purposes; to provide for the borrowing of money and for the issuing of bonds or notes payable from special funds for the acquisition, construction or improvement of such highways; and to provide for the receipt and expenditure of funds generated from the facilities," by amending section 2 (MCL 252.52), as amended by 2001 PA 47.

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. 812, entitled**

A bill to amend 1925 PA 368, entitled "An act to prohibit obstructions and encroachments on public highways, to provide for the removal thereof, to prescribe the conditions under which telegraph, telephone, power, and other public utility companies, cable television companies and municipalities may enter upon, construct and maintain telegraph, telephone, power or cable television lines, pipe lines, wires, cables, poles, conduits, sewers and like structures upon,

over, across or under public roads, bridges, streets and waters and to provide penalties for the violation of this act,” by amending section 13 (MCL 247.183), as amended by 1994 PA 306, and by adding section 1a.

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.



Rep. Williams moved that Rep. Wojno be excused temporarily from today’s session.

The motion prevailed.

The House returned to the consideration of

**House Bill No. 5651, entitled**

A bill to make appropriations for the department of transportation and certain transportation purposes for the fiscal year ending September 30, 2003; to provide for the imposition of fees; to provide for reports; to create certain funds and programs; to prescribe requirements for certain railroad and bus facilities; to prescribe certain powers and duties of certain state departments and officials and local units of government; and to provide for the expenditure of the appropriations.

(The bill was considered earlier today, see today’s Journal, p. 749.)

Rep. Spade moved to amend the bill as follows:

1. Amend page 30, following line 6, by inserting:

“Sec. 506. All counties in Michigan shall be exempt from any reduction in the receipt of Michigan transportation fund revenues resulting from an unconstitutional interdepartment grant.”.

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

Rep. Spade demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 355**

**Yeas—41**

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

**Nays—56**

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

Cassis	Hummel	Mortimer	Tabor
Caul	Jansen	Newell	Toy
DeRossett	Jelinek	Palmer	Van Woerkom
DeVuyst	Johnson, Rick	Pappageorge	Vander Roest
DeWeese	Johnson, Ruth	Patterson	Vander Veen
Drolet	Julian	Pumford	Vear
Faunce	Koetje	Richardville	Voorhees
George	Kooiman	Richner	Woronchak

In The Chair: Julian

Rep. Drolet moved to amend the bill as follows:

1. Amend page 39, line 4, after “exceed” by striking out “\$5,700,000.00” and inserting “\$1.00”.

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

Rep. Drolet demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 356**

**Yeas—15**

Bradstreet	Faunce	Palmer	Vander Veen
Caul	Gosselin	Rocca	Vear
DeVuyst	Johnson, Ruth	Stamas	Voorhees
Drolet	Kuipers	Vander Roest	

**Nays—85**

Adamini	Garza	Kowall	Richardville
Allen	George	LaSata	Richner
Anderson	Gielegem	Lemmons	Rivet
Basham	Gilbert	Lipsey	Schauer
Bernero	Godchaux	Lockwood	Scranton
Birkholz	Hager	McConico	Shackleton
Bisbee	Hale	Mead	Sheltrown
Bishop	Hansen	Meyer	Shulman
Bogardus	Hardman	Middaugh	Spade
Bovin	Hart	Minore	Stallworth
Brown, C.	Howell	Mortimer	Stewart
Brown, R.	Hummel	Murphy	Switalski
Callahan	Jacobs	Neumann	Tabor
Cassis	Jamnick	Newell	Thomas
Clark, I.	Jansen	O’Neil	Toy
Clarke, H.	Jelinek	Pappageorge	Van Woerkom
Daniels	Johnson, Rick	Patterson	Waters
Dennis	Julian	Pestka	Williams
DeRossett	Koetje	Pumford	Woodward
DeWeese	Kolb	Quarles	Woronchak
Ehardt	Kooiman	Reeves	Zelenko
Frank			

In The Chair: Julian

Rep. Bovin moved to amend the bill as follows:

1. Amend page 30, following line 6, by inserting:

“Sec. 506. The counties of Delta, Dickinson, and Menominee shall be exempt from any reduction in the receipt of Michigan transportation fund revenues resulting from an unconstitutional interdepartment grant.”.

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

Rep. Bovin demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 357**

**Yeas—42**

Adamini	Dennis	Lipsey	Schauer
Anderson	Frank	Lockwood	Sheltrown
Basham	Garza	McConico	Spade
Bernero	Gielegem	Minore	Stallworth
Bogardus	Hale	Murphy	Switalski
Bovin	Hansen	Neumann	Thomas
Brown, R.	Hardman	O’Neil	Waters
Callahan	Jacobs	Pestka	Williams
Clark, I.	Jamnick	Reeves	Woodward
Clarke, H.	Kolb	Rivet	Zelenko
Daniels	Lemmons		

**Nays—57**

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

In The Chair: Julian

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

**Third Reading of Bills**

**House Bill No. 5651, entitled**

A bill to make appropriations for the department of transportation and certain transportation purposes for the fiscal year ending September 30, 2003; to provide for the imposition of fees; to provide for reports; to create certain funds

and programs; to prescribe requirements for certain railroad and bus facilities; to prescribe certain powers and duties of certain state departments and officials and local units of government; and to provide for the expenditure of the appropriations.

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

**Roll Call No. 358****Yeas—99**

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

**Nays—1**

Drolet

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 make appropriations for the state transportation department and certain transportation purposes for the fiscal year ending September 30, 2003; to provide for the imposition of fees; to provide for reports; to create certain funds and programs; to prescribe requirements for certain railroad and bus facilities; to prescribe certain powers and duties of certain state departments and officials and local units of government; and to provide for the expenditure of the appropriations.

The motion prevailed.

The House agreed to the title as amended.

By unanimous consent the House returned to the order of

**Messages from the Senate****Senate Bill No. 930, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding chapter LXXXIII-A.

The Senate has amended the House substitute (H-1) as follows:

1. Amend page 1, line 5, after "A" by striking out "WILLFUL, DELIBERATE, AND PREMEDITATED" and inserting "WILLFUL AND DELIBERATE".
2. Amend page 4, line 3, after "BY" by striking out "THE" and inserting "A PREMEDITATED".
3. Amend page 6, following line 2, by striking out all of Enacting section 2 and renumbering the remaining enacting section.

The Senate has concurred in the House substitute (H-1) as amended and ordered that the bill be given immediate effect.

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

Rep. Middaugh moved that Rule 45 be suspended.

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

The Senate requested the return of

**Senate Bill No. 930, entitled**

A bill to amend 1931 PA 328, entitled "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," (MCL 750.1 to 750.568) by adding chapter LXXXIII-A; and to repeal acts and parts of acts.

Rep. Middaugh moved that the request of the Senate be granted.

The motion prevailed.

The Speaker laid before the House

**Senate Bill No. 1105, entitled**

A bill to make appropriations for the state institutions of higher education and certain state purposes related to education for the fiscal year ending September 30, 2003; to provide for the expenditures of those appropriations; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

(The bill was received from the Senate on March 19, with amendments to the House substitute (H-1), and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 26, p. 705.)

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

Rep. Caul moved to amend the Senate amendments as follows:

1. Amend Senate Amendment No. 2, page 19, line 1, after "Sec. 312." by striking out the balance of the amendment and inserting "(1) From the funds appropriated in part 1, the Michigan higher education assistance authority shall establish and administer the nursing scholarship program. The department of treasury shall disburse the amount of the scholarship awards determined under subsection (2) to recipients.

(2) The authority shall review applications for and determine recipients of the scholarships, which are intended for tuition, fees, and associated costs of a nursing education program.

(3) The scholarships may be used by enrollees in a licensed practical nurse (LPN), associate degree of nursing (ADN), or bachelor's of science nursing (BSN) program approved by the Michigan department of education.

(4) The authority shall develop and adopt rules regarding the required commitment by graduates of a program described in subsection (3) who received scholarships under the nursing scholarship program to employment in a direct patient care setting. It shall also determine the amount of the scholarship for each of the educational tracks identified in subsection (3).

(5) Any unexpended and unencumbered funds remaining on September 30, 2003 from the amounts appropriated in part 1 for the nursing scholarship program shall not lapse on September 30, 2003, but shall continue to be available for expenditure for nursing scholarships provided in the 2003-2004 fiscal year. The use of these unexpended fiscal year 2002-2003 funds shall terminate at the end of the 2003-2004 fiscal year.

(6) When statutory provisions are enacted to provide for a nursing scholarship program, the provisions of subsections (2) through (5) are superseded."

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

The question being on concurring in the amendments to the House substitute (H-1) made to the bill by the Senate, The amendments, as amended, were concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 359****Yeas—95**

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

**Nays—5**

Bogardus	Frank	McConico	Minore
Callahan			

In The Chair: Julian

Rep. Minore, having reserved the right to explain his nay vote, made the following statement:

“Mr. Speaker and members of the House:

Over the past two decades, the state has consistently shortchanged colleges and universities by reducing the proportion of operating funds provided by the state—and thereby forcing the institutions of higher education to increasingly rely on tuition from students. At one point the state provided about 75% of the operating costs, with tuition making up the balance. Today the state provides only about 50% of the funding. Student tuition has increased dramatically because of the state’s failure to pay its fair share of college & university costs. I am therefore casting this “token” NO vote in protest of the state funding trend.”



Rep. Bogardus, having reserved the right to explain her nay vote, made the following statement:

“Mr. Speaker and members of the House:

I voted no on Senate Bill 1105 because the universities of this state have been unwilling to control their costs or their tuition. During testimony on this bill, Dr. Stevens of the President’s Council admitted that university president’s can cut their budget without cutting services to faculty or students. Yet this budget allows universities to raise their tuition by up to ten percent! I chose to stand with the tuition paying parents and students of this state and vote no on this budget.”

Rep. Callahan, having reserved the right to explain his nay vote, made the following statement:

“Mr. Speaker and members of the House:

While I support certain items within this budget, I voted no because I believe that the budget is a license to increase tuition over 10% on the working families of Michigan. In the limited testimony that was given on the budget, even the council that represents universities agreed that universities could trim their budgets and the waste within their budgets. Also the universities of this state have continued to let their costs spiral out of control as the state continued to increase their already ample budgets. The administrative costs keep on climbing along with the tuition payments of this state’s students.

Also, the universities of this state are not required to face the painful cuts that other sate departments are required to face. While we are cutting funds for other critical programs, the universities get to continue with their hefty budgets.

Finally, at one time this budget included language that would have required that university presidents get around town like the rest of us, and not in limousines. This mandate was inexplicable removed from the final version.

I choose to stand with the tuition paying parents of my district and the entire state and reject this budget.”

### **Second Reading of Bills**

#### **House Bill No. 4826, entitled**

A bill to provide compensation to law enforcement officers who are killed in the line of duty.

Was read a second time, and the question being on the adoption of the proposed substitute (H-6) previously recommended by the Committee on Appropriations,

The substitute (H-6) was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

#### **Senate Bill No. 346, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 2922a (MCL 600.2922a), as added by 1998 PA 211.

The bill was read a second time.

Rep. Howell moved to amend the bill as follows:

1. Amend page 2, following line 11, by inserting:

“Enacting section 1. This amendatory act applies to a cause of action arising on or after May 1, 2002.”.

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.

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

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

By unanimous consent the House returned to the order of

### **Third Reading of Bills**

#### **Senate Bill No. 346, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 2922a (MCL 600.2922a), as added by 1998 PA 211.

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

**Roll Call No. 360****Yeas—78**

Allen	Faunce	LaSata	Schauer
Anderson	Frank	Lockwood	Shackleton
Basham	George	McConico	Sheltrown
Bernero	Gielegem	Mead	Shulman
Birkholz	Gilbert	Meyer	Spade
Bisbee	Gosselin	Middaugh	Stamas
Bishop	Hager	Mortimer	Stewart
Bovin	Hart	Neumann	Switalski
Bradstreet	Howell	Newell	Tabor
Brown, C.	Hummel	O'Neil	Thomas
Brown, R.	Jacobs	Palmer	Toy
Callahan	Jansen	Pappageorge	Van Woerkom
Cassis	Jelinek	Patterson	Vander Roest
Caul	Johnson, Rick	Pestka	Vander Veen
Clarke, H.	Johnson, Ruth	Pumford	Vear
DeRossett	Julian	Richardville	Voorhees
DeVuyst	Koetje	Richner	Woodward
DeWeese	Kooiman	Rivet	Woronchak
Drolet	Kowall	Rocca	Zelenko
Ehardt	Kuipers		

**Nays—22**

Adamini	Godchaux	Lemmons	Reeves
Bogardus	Hale	Lipsey	Scranton
Clark, I.	Hansen	Minore	Stallworth
Daniels	Hardman	Murphy	Waters
Dennis	Jamnick	Quarles	Williams
Garza	Kolb		

In The Chair: Julian

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

“An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal 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.

**Second Reading of Bills****House Bill No. 5127, entitled**

A bill to name a certain portion of highway I-94 the “94th Combat Infantry Division Memorial Highway”; and to prescribe certain duties of the state transportation department.

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

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

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

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

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

The motion prevailed.

**House Bill No. 4827, entitled**

A bill to amend 1937 PA 345, entitled "Fire fighters and police officers retirement act," by amending sections 6, 6a, and 6b (MCL 38.556, 38.556a, and 38.556b), section 6 as amended by 1991 PA 54, section 6a as amended by 1982 PA 145, and section 6b as added by 1986 PA 30.

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

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

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

The motion prevailed.

**Senate Bill No. 468, entitled**

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

The bill was read a second time.

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

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

Rep. Thomas moved to amend the bill as follows:

1. Amend page 3, line 22, by striking out the balance of the page through line 11, page 8.

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.

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

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

By unanimous consent the House returned to the order of

**Third Reading of Bills**

**Senate Bill No. 468, entitled**

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

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

**Roll Call No. 361**

**Yeas—100**

Adamini	Faunce	Kowall	Rivet
Allen	Frank	Kuipers	Rocca
Anderson	Garza	LaSata	Schauer
Basham	George	Lemmons	Scranton
Bernero	Gielegem	Lipsey	Shackleton
Birkholz	Gilbert	Lockwood	Sheltrown
Bisbee	Godchaux	McConico	Shulman
Bishop	Gosselin	Mead	Spade
Bogardus	Hager	Meyer	Stallworth
Bovin	Hale	Middaugh	Stamas
Bradstreet	Hansen	Minore	Stewart
Brown, C.	Hardman	Mortimer	Switalski

Brown, R.	Hart	Murphy	Tabor
Callahan	Howell	Neumann	Thomas
Cassis	Hummel	Newell	Toy
Caul	Jacobs	O'Neil	Van Woerkom
Clark, I.	Jamnick	Palmer	Vander Roest
Clarke, H.	Jansen	Pappageorge	Vander Veen
Daniels	Jelinek	Patterson	Vear
Dennis	Johnson, Rick	Pestka	Voorhees
DeRossett	Johnson, Ruth	Pumford	Waters
DeVuyst	Julian	Quarles	Williams
DeWeese	Koetje	Reeves	Woodward
Drolet	Kolb	Richardville	Woronchak
Ehardt	Kooiman	Richner	Zelenko

### 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 authorize the department of natural resources to convey certain state owned parcels of property in Genesee county and Kalkaska county; to authorize the state administrative board to convey certain parcels of state owned property in Wayne county; to prescribe conditions for the conveyances; and to provide for disposition of the revenue from the conveyances.

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.

By unanimous consent the House returned to the order of

### Motions and Resolutions

Reps. Toy, Schauer, Zelenko, Richardville, Sheltroun, Vander Veen, Koetje, Kooiman, Spade, Middaugh, Stewart, DeRossett, Rivet, Pappageorge, Mead, Ehardt, Raczkowski, Julian, Vander Roest, Lockwood, Thomas, Dennis, George, Faunce, Van Woerkom, Schermesser, Gielegem, Jamnick, Anderson, Cassis, Hansen, Adamini, Kolb, Murphy, Shulman, Waters, Wojno, McConico, Hardman, Clarke, Lemmons, Bovin, Basham, Jansen, Bradstreet, DeWeese, Voorhees, Jacobs, Rocca, Howell, Richner, Hager, Kuipers, Meyer, Bernero, Callahan, Woodward, Scranton, Woronchak and Birkholz offered the following resolution:

#### House Resolution No. 374.

A resolution commemorating the 125th anniversary of the Michigan Humane Society.

Whereas, The Michigan Humane Society marks its 125th anniversary in 2002. Throughout those many years, the Michigan Humane Society has tirelessly worked to directly aid and protect hundreds of thousands of animals in need. In the process of coming to the aid of homeless, lost, unwanted, injured, abused, and stray animals, they have also benefitted people who care about animals; and

Whereas, The Michigan Humane Society operates three full-service animal shelters and three full-service veterinary medical clinics in our state. They sterilize thousands of pets each year in their low-cost spay/neuter program. They will soon begin operation of a mobile Spay-Neuter Clinic that can travel anywhere needed to address the moral and financial tragedy of pet over-population; and

Whereas, The Michigan Humane Society medically treats thousands of animals in their clinics annually. Most notably, it includes a reduced or no-cost option through their Charitable Animal Hospitals program. The services of the Charitable Animal Hospitals program is also of direct benefit to low income pet owners and fixed income elderly pet owners who might otherwise not be able to afford medical care for their pets; and

Whereas, The Michigan Humane Society's Detroit facility is one of only a few sheltering humane societies in the United States that has not been abandoned and has willingly chosen to remain in a poor inner-city environment where the need for their services is so overwhelming. They receives no financial compensation for these services. They operate an Emergency Ambulance Rescue Service in the Detroit Metro region that helps over 5,000 animals annually; and

Whereas, The Humane Society's Detroit facility adopts out thousands of pets annually into new loving homes and operate a Pet Training Center in order to help pet owners resolve pet behavior problems. They offers humane education programs to young people in schools throughout the Detroit Metro region, creating more responsible pet owners for the future. They utilize the media and their adult-oriented humane education programs to help them reach out to pet owners and the general public about the need for responsible pet ownership; and

Whereas, The Society operates a Wildlife Rehabilitation Center that accepts injured wildlife and exotic animals until they can be rehabilitated and released into the wild or placed in a safe refuge. In addition, they have come to the assistance of countless local units of government whose law and animal control officers have confiscated dangerous wild and exotic animals and have contractually provided animal sheltering services to numerous western Wayne County cities who do not have shelters of their own, saving those cities and their taxpayers money; and

Whereas, The Michigan Humane Society's Cruelty Investigation Division investigates over 5,000 cases of animal cruelty annually. They maintain a conviction rate of over 98%. Their Cruelty Investigation Division offers free assistance and training to the employees of public animal control shelters and private humane societies around the state. The Michigan Humane Society also offers free assistance and training in humane euthanasia techniques, or other animal sheltering-related procedures, to the employees of public animal control shelters and private humane societies around the state. They operate a visiting pet-facilitated therapy program that improves the physical and emotional health of thousands of people in nursing homes and other institutions; and

Whereas, Since 1981, they have maintained a full-time lobbying presence at the State Capitol. They have been responsible for the passage of numerous progressive animal protection laws that, not only benefit animals but often also, enhance public safety. They have also conducted themselves as a mainstream animal protection organization that promotes respect for all life, both nonhuman and human, and as has distinguished itself by respecting the views of others. They work responsibly and cooperatively with others while avoiding the extremism of the left or right when trying to pass or defeat state legislation; and

Whereas, Though selflessly providing these and many other services to the animals and people of the state of Michigan, the Michigan Humane Society has never asked for, nor received, any public taxpayer dollars. They have been blessed with numerous employees and volunteers who unselfishly and tirelessly dedicate themselves to making this state and world a more compassionate and better place for animals and people alike; now, therefore, be it

Resolved by The House of Representatives, That the member of this legislative body commemorate the 125th anniversary of the Michigan Humane Society; and it be further

Resolved, That a copy of this resolution be transmitted to the Michigan Humane Society as evidence of our esteem.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Garza, Schauer, Zelenko, Richardville, Sheltroun, Toy, Kooiman, Spade, Rivet, Pappageorge, Ehardt, Lockwood, Thomas, Dennis, George, Faunce, Van Woerkom, Schermesser, Gielegem, Jammick, Anderson, Hansen, Adamini, Kolb, Murphy, Shulman, Waters, Wojno, Lipsey, McConico, Stallworth, Clark, Minore, Hardman, Clarke, Lemmons, Basham, Tabor, Pestka, Jansen, DeWeese, Voorhees, Jacobs, Howell, Hager, Kuipers, Bernero, Callahan, Woodward, Scranton and Birkholz offered the following resolution:

**House Resolution No. 375.**

A resolution to commemorate the birthday of Cesar E. Chavez.

Whereas, Cesar E. Chavez was born March 31, 1927, on a small farm near Yuma, Arizona, and died on April 23, 1993; and

Whereas, Numerous holidays, schools, parks, libraries, and other structures and events have been named after Cesar E. Chavez, internationally and in California, New York, Michigan, Indiana, Oklahoma, Arizona, Illinois, Minnesota, Colorado, New Mexico, Massachusetts, Texas, and Hawaii, with many more planned; and

Whereas, Cesar E. Chavez was a recipient of the Martin Luther King, Jr., Peace Prize during his lifetime and was awarded the Presidential Medal of Freedom by President Clinton on August 8, 1994; and

Whereas, The grandson of a Mexican immigrant and settler, he grew up working with migrant farm workers, himself picking grapes, melons, beans, and other staple crops at low wages and for long hours, during which time he developed a strong work ethic and respect for the farm workers his father called 'the children of God'; and

Whereas, At the age of 18, Cesar E. Chavez entered the United States Navy and served his country with distinction for 2 years; and

Whereas, As early as 1949, Cesar E. Chavez committed himself to organizing farm workers to campaign for safe and fair working conditions, reasonable wages, decent housing, and the outlawing of child labor; and

Whereas, In 1962, Cesar E. Chavez founded the National Farm Workers Association, predecessor of the United Farm Workers of America, which brought hope to farm workers that they might one day realize the basic protections and workers' rights to which all Americans aspire; and

Whereas, Through his commitment to nonviolence, Cesar E. Chavez brought dignity and respect to the farm workers who organized themselves, and became an inspiration and a resource to other Americans and people engaged in human rights struggles throughout the world; and

Whereas, Cesar E. Chavez was an advocate for nonviolence at a time when violence penetrated every level of our society; and

Whereas, Cesar E. Chavez and his family also dedicated themselves to the education of farm workers' children through migrant schools, many of whom graduated and worked as teachers, doctors, nurses, and in other professional occupations; and

Whereas, The legacy of Cesar E. Chavez includes healthy working conditions that yield uncontaminated food for America's tables and the enforcement of employer sanctions for those who hire illegal immigrants; and

Whereas, Cesar E. Chavez's influence extends far beyond agriculture and provides inspiration for those working to better human rights through his example of organizing voter registration drives in urban and farm areas, initiating complaints against mistreatment by police and welfare officials, and empowering everyday workers to seek advancement in education and politics; and

Whereas, Cesar E. Chavez lived alongside his campesino brothers and sisters in humble surroundings and upon his passing was laid to rest where he lived and worked for 23 years on the grounds of the headquarters of the United Farm Workers of America, known as Nuestra Senora de La Paz (Our Lady of Peace), located in the Tehachapi Mountains at Keene, California: now, therefore, be it

Resolved by the House of Representatives, That Cesar E. Chavez be honored for his tireless commitment to improve the plight of farm workers and the poor throughout the United States and for the inspiration his heroic efforts gave to so many Americans to work nonviolently for justice in their communities and that a Federal holiday be recognized throughout the United States, and that all Americans be encouraged to commit themselves to working for justice through nonviolence in their communities and remind themselves of the work of the people who put food on the tables of America.

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. Godchaux, Zelenko, Richardville, Rivet, Pappageorge, Ehardt, Raczkowski, Lockwood, Thomas, Faunce, Van Woerkom, Schermesser, Gielegem, Jamnick, Anderson, Hansen, Adamini, Kolb, Murphy, Shulman, McConico, Stallworth, Minore, Hardman, Clarke, Lemmons, DeWeese, Jacobs, Howell, Richner, Hager, Meyer, Bernero and Woodward offered the following resolution:

**House Resolution No. 376.**

A resolution honoring Thomas G. Denomme.

Whereas, It is with deep appreciation for the outstanding service that Thomas G. Denomme has put forth during his five-year tenure as member and chairman of the Michigan Gaming Control Board that we offer this recognition and expression of our thanks. As the people of the state of Michigan acknowledge his excellent service and outstanding contributions to the proper implementation and regulation of legalized casino gaming in the city of Detroit, we add our sentiments of gratitude for a job well-done; and

Whereas, On December 20, 1996, Governor John Engler appointed Thomas G. Denomme as one of the first five members of the Michigan Gaming Control Board and designated him to serve as the Board's first chairperson. From that date until his resignation on February 6, 2002, Mr. Denomme never missed a Board meeting, demonstrating his personal sense of duty; and

Whereas, Thomas G. Denomme's accomplishments while leading the Board included amending the original Voter-Initiated Act to sufficiently ensure stringent licensing standards and adequate Board authority to effectively promulgate licensing and regulation of casino gaming in Detroit and presiding over background investigations and licensing proceedings for the three licensed Detroit casinos and their respective licensed suppliers and employees. Mr. Denomme met these challenges with enthusiasm and a genuine interest in security and keeping the casino operations free of corrupt influences. This has been deeply appreciated by the state of Michigan's citizens and organizations that have benefited from Thomas G. Denomme's efforts; and

Whereas, There can be little doubt that the record of Thomas G. Denomme, serving as five-year member and chairman of the Michigan Gaming Control Board, will continue to reap rewards for the people of the state of Michigan. We offer our thanks; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body honor Thomas G. Denomme. We join with the citizens of the state of Michigan in saluting him in recognition of his five outstanding years with the Michigan Gaming Control Board; and be it further

Resolved, That a copy of this resolution be transmitted to Thomas G. Denomme as a token of our esteem.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Tabor, George, Schauer, Zelenko, Richardville, Sheltroun, Vander Veen, Koetje, Toy, Kooiman, Spade, Middaugh, Stewart, DeRossett, Rivet, Pappageorge, Mead, Ehardt, Raczkowski, DeVuyst, Julian, Vander Roest, Lockwood, Thomas, Drolet, Faunce, Van Woerkom, Schermesser, Gielegem, Anderson, Cassis, Hansen, Adamini, Kolb, Murphy, Shulman, Wojno, Lipsey, McConico, Hardman, Clarke, Lemmons, Pestka, Jansen, Gosselin, Bradstreet, DeWeese, Voorhees, Ruth Johnson, Vear, Rocca, Howell, Richner, Hager, Kowall, Kuipers, Meyer, Bernero, Callahan, Woodward, Scranton and Birkholz offered the following resolution:

**House Resolution No. 377.**

A resolution honoring the achievements of the late Susan B. Anthony.

Whereas, We recognize the achievements of one of the first woman activists, Susan B. Anthony, for her success in the fight for women's suffrage, abolition of slavery and the passage of the Thirteenth Amendment, and the abolition of abortion; and

Whereas, In 1856 Susan B. Anthony became an agent for the American Anti-Slavery Society, making speeches, distributing leaflets, and arranging meetings, despite strong opposition to her cause. In 1863, Susan B. Anthony organized a Women's National Loyal League to support and petition for the Thirteenth Amendment outlawing slavery. She went on to campaign for black and women's full citizenship, including the right to vote in the Fourteenth and Fifteenth Amendments. However, she was bitterly disappointed when women were excluded from each of the amendments. Susan B. Anthony went on to attack lynchings and racial prejudice in Rochester, New York newspapers in the 1890's; and

Whereas, Susan B. Anthony played a tremendous roll in educational reform. She called for equal educational opportunities for all, regardless of race, and for all schools, colleges, and universities to open their doors to women and ex-slaves, as well as the admittance of the children of ex-slaves into public schools. In the 1890's, she worked hard to raise \$50,000 in pledges to ensure the admittance of women to the University of Rochester. Along with the pledges, she put up the cash value of her own life insurance policy for this cause. Based upon her work, the University admitted women for the first time in 1900; and

Whereas, Susan B. Anthony spoke against the "evils" of abortion, which she called the symptoms of women's exploitation in the United States, including rape and prostitution. She called abortion "child murder" and fought hard for the rights of the unborn. In 1860, largely as the result of her efforts, the New York State Married Women's Property bill became law, allowing married women to own property, keep their own wages, and have custody of their children; and

Whereas, The suffrage movement was greatly influenced by the work of Susan B. Anthony, who was even arrested after voting with three of her sisters and a total of fifty women in 1872. In 1877, she gathered 10,000 signatures from 26 different states on petitions asking for the passage of a women's suffrage amendment. Fourteen years after her death in 1906, the Nineteenth Amendment was passed in congress allowing women the right to vote, greatly on the behalf of the work of Susan B. Anthony

"There will never be equality until women  
themselves help to make laws and elect lawmakers."

Susan B. Anthony

; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body honor the achievements of Susan B. Anthony in the fight for the rights of all Americans.

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.

THIS RESOLUTION IS OFFERED TO COMPLY WITH ARTICLE III, SECTION 8 OF THE MICHIGAN CONSTITUTION OF 1963.

Reps. Bradstreet and Bob Brown offered the following resolution:

**House Resolution No. 378.**

A resolution to request the opinion of the Michigan Supreme Court on the constitutionality of certain questions of law pertaining to provisions of 2002 PA 48.

Whereas, Article III, Section 8 of the Michigan Constitution of 1963 provides that either house of the legislature may request the opinion of the Supreme Court on important questions of law upon solemn occasions as to the constitutionality of legislation after it has been enacted but before its effective date; and

Whereas, On March 14, 2002, Enrolled Senate Bill No. 880, having been duly enacted by the Michigan Legislature, was signed by the Governor and became 2002 PA 48. This act becomes effective November 1, 2002; and

Whereas, The bill was supported by numerous parties, including the Michigan Municipal League, the Michigan Township Association, Ameritech, Michigan Cable Telecommunications Association, AT&T Broadband, the Education Alliance of Michigan, Association of Independent Colleges and Universities of Michigan, Michigan Manufacturers' Association, Small Business Association of Michigan, and others; and

Whereas, The general purpose of 2002 PA 48 is to encourage competition and the introduction of new broadband services throughout the state. This act contemplates streamlining the process for authorizing access to and use of public rights-of-way by telecommunications providers, and provides for a common public rights-of-way maintenance fee applicable to telecommunications providers; and

Whereas, Section 3(1) of 2002 PA 48 creates the Metropolitan Extension Telecommunications Rights-of-Way Oversight Authority, pursuant to Article VII, Section 27 of the Michigan Constitution of 1963 and any other applicable law. Section 3(3) of 2002 PA 48 provides that the Rights-of-Way Oversight Authority has the power to assess fees on telecommunications providers owning telecommunications facilities in public rights-of-way. Section 5(2) of 2002 PA 48 states that a telecommunications provider asserting rights under 1883 PA 129 is subject to the permit and fee requirements of 2002 PA 48; and

Whereas, Section 4(1) of 2002 PA 48 provides that a...municipality in a metropolitan area shall not enact, maintain, or enforce an ordinance, local law, or other legal requirement applicable to telecommunication providers that is inconsistent with this act or that assesses fees or requires other consideration for access to or use of the public rights-of-way that are in addition to the fees required under this Act

; and

Whereas, The resolution of questions relating to the constitutionality of 2002 PA 48 is important to its certain and orderly implementation; now, therefore, be it

Resolved by the House of Representatives, That, pursuant to Article III, Section 8 of the Michigan Constitution of 1963, we respectfully request the Michigan Supreme Court to issue an advisory opinion on the following questions:

1. Whether the Metropolitan Extension Telecommunications Rights-of-Way Oversight Authority may constitutionally require a permit, under Section 5 of 2002 PA 48, and assess an annual maintenance fee, under Section 8 of 2002 PA 48, on all telecommunications providers in Michigan, including those providers that assert pre-existing franchise rights under 1883 PA 129.
2. Whether the Metropolitan Extension Telecommunications Rights-of-Way Oversight Authority, as established and empowered under Section 3 of 2002 PA 48, is duly constituted as a metropolitan authority under Article VII, Section 27 of the Michigan Constitution of 1963.
3. Whether the creation of an authority under Article VII, Section 27 of the Michigan Constitution of 1963 possessing the powers and duties provided for in 2002 PA 48 is a constitutional exercise of the Legislature's powers consistent with Article VII, Section 29 of the Michigan Constitution of 1963.
4. Whether the annual maintenance fee required to be paid by telecommunications providers under the provisions of 2002 PA 48 to recover the costs and in consideration of the right to use public rights-of-way constitutes a valid fee that is not prohibited from being imposed without voter approval by Article IX, Section 31 of the Michigan Constitution of 1963.
5. Whether Section 8 of 2002 PA 48, in requiring an annual maintenance fee on telecommunications providers with facilities located in the public rights-of-way, constitutes a tax that a unit of local government is prohibited from levying without approval of a majority of electors of that unit of local government in violation of the requirements of Article IX, Section 31 of the Michigan Constitution of 1963.

The questions involved are of great importance and solemn concern to the people of the state of Michigan; and be it further



Resolved, That a copy of this resolution be transmitted to the Michigan Supreme Court.  
 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. Bogardus, Schauer, Zelenko, Richardville, Sheltroun, Spade, Rivet, Pappageorge, Ehardt, Raczkowski, DeVuyst, Julian, Vander Roest, Lockwood, Thomas, Dennis, Drolet, George, Faunce, Van Woerkom, Schermesser, Gieleghem, Jamnick, Anderson, Cassis, Hansen, Adamini, Kolb, Murphy, Shulman, Wojno, Lipsey, McConico, Stallworth, Clark, Minore, Garza, Hardman, Clarke, Bovin, Basham, Bradstreet, DeWeese, Voorhees, Vear, Jacobs, Rocca, Howell, Richner, Hager, Meyer, Bernero, Callahan, Woodward, Scranton and Birkholz offered the following resolution:

**House Resolution No. 379.**

A resolution honoring the players and coaches of the Davison Cardinals Wrestling Team as the 2002 State Division 1 High School Champions.

Whereas, In a dominating display of skill, consistency, and determination, the Davison High School Wrestling Team has laid claim to the State Division 1 High School Wrestling Championship and brought home to Davison and Genesee County the coveted trophy, having defeated every Michigan team they faced this season; and

Whereas, These young men not only began their season by setting high individual goals, they brought those goals into fruition by constant hard work and total dedication throughout the entire season. Under the direction of Coach Hall, this Cardinal team blended their individual strengths into an almost indestructible unit that earned an 11th place national ranking, losing only once to an out-of-state power team ranked 4th nationally; and

Whereas, The Davison Cardinal wrestling team has earned from other state wrestling coaches accolades such as “Without a doubt, that’s the best collection of athletes I’ve seen in a while at the high school level” and “That’s the best high school team I’ve ever seen.”; and

Whereas, We are proud to commend the dedication of the following student-athletes and coaches:

Coaches

Roy Hall                      Kent Elliot                      Jim Bailey                      Bob Smith                      Rick Burns

Wrestlers

Derek Alonzi	Kevin Austin	Quinn Boyce	Tyree Broadway
Justin Brown	Nathan Bundy	Dan Charron	Adam Chmiel
Chris Clark	Zachary Denkins	Vance Denooijer	Paul Donahoe
Srdjan Dortenzio	Adam Koss	Brent Metcalf	Chase Metcalf
Justin Miller	Doug Olds	Trevor Perry	Brandon Peterson
Jesse Reader	Kevin Reynolds	Cory Rogers	Chad Roush
Jason Sargent	Joe Schaffer	Derek Skinner	Casey Streeter
Paul Thomas	Aaron Wells	Casey West	Ryan West
Jason Whitman	John Whitman	Adam Wilmoth	

; now, therefore, be it

Resolved by the House of Representative, That the members of this legislative body honor the players and coaches of the Davison Cardinals Wrestling Team as the 2002 State Division 1 High School Champions; and be it further

Resolved, That a copy of this resolution be transmitted to the wrestlers and coaches as a token of our esteem.  
 Pending the reference of the resolution to a committee,

Rep. Patterson moved that Rule 77 be suspended and the resolution be considered at this time.  
 The motion prevailed, 3/5 of the members present voting therefor.  
 The question being on the adoption of the resolution,  
 The resolution was adopted.

**Messages from the Senate**

**House Bill No. 5328, entitled**

A bill to amend 1879 PA 237, entitled “An act to provide for the execution, acknowledgment, and recording of contracts for the sale of land,” by amending section 6 (MCL 565.356), as added by 1998 PA 106.

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

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

**House Bill No. 5400, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 5208 (MCL 500.5208), as amended by 1984 PA 267, and by adding section 407a.

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. 5216, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 2, 31, 770, 770a, 771, 773, and 794a (MCL 168.2, 168.31, 168.770, 168.770a, 168.771, 168.773, and 168.794a), section 2 as amended by 1999 PA 216, section 31 as amended by 1999 PA 220, and section 794a as amended by 1995 PA 261, and by adding section 37; and to repeal acts and parts of acts.

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 amended the title to read as follows:

A bill to amend 1954 PA 116, entitled "An act to reorganize, consolidate, and add to the election laws; to provide for election officials and prescribe their powers and duties; to prescribe the powers and duties of certain state departments, state agencies, and state and local officials and employees; to provide for the nomination and election of candidates for public office; to provide for the resignation, removal, and recall of certain public officers; to provide for the filling of vacancies in public office; to provide for and regulate primaries and elections; to provide for the purity of elections; to guard against the abuse of the elective franchise; to define violations of this act; to provide appropriations; to prescribe penalties and provide remedies; and to repeal certain acts and all other acts inconsistent with this act," by amending sections 2, 33, 770, 770a, 771, 773, 794a, 795, and 971 (MCL 168.2, 168.33, 168.770, 168.770a, 168.771, 168.773, 168.794a, 168.795, and 168.971), section 2 as amended by 1999 PA 216, section 33 as amended by 1996 PA 583, section 794a as amended by 1995 PA 261, section 795 as amended by 2001 PA 269, and section 971 as amended by 1976 PA 66, and by adding section 37; and to repeal acts and parts of acts.

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

**House Bill No. 5486, entitled**

A bill to amend 1978 PA 59, entitled "Condominium act," by amending sections 58, 67, 69, 71, 90, 90a, 108, 112, 135, 173, and 176 (MCL 559.158, 559.167, 559.169, 559.171, 559.190, 559.190a, 559.208, 559.212, 559.235, 559.273, and 559.276), sections 58, 67, 69, 90, 108, 112, and 135 as amended and sections 90a and 176 as added by 2000 PA 379, section 71 as amended by 1982 PA 538, and section 173 as amended by 1983 PA 113; and to repeal acts and parts of acts.

The Senate has amended the bill as follows:

1. Amend page 1, following "THE PEOPLE OF THE STATE OF MICHIGAN ENACT:" by inserting:

"Sec. 54. (1) The bylaws shall contain provisions for the designation of persons to administer the affairs of the condominium project and shall require that those persons keep books and records with a detailed account of the expenditures and receipts affecting the condominium project and its administration, and which specify the operating expenses of the project.

(2) The bylaws shall provide that the person designated to administer the affairs of the project shall be assessed as the person in possession for any tangible personal property of the project owned or possessed in common by the co-owners. Personal property taxes based on that tangible personal property shall be treated as expenses of administration.

(3) The bylaws shall contain specific provisions directing the courses of action to be taken in the event of partial or complete destruction of the building or buildings in the project.

(4) The bylaws shall provide that expenditures affecting the administration of the project shall include costs incurred in the satisfaction of any liability arising within, caused by, or connected with, the common elements or the administration of the condominium project, and that receipts affecting the administration of the condominium project shall include all sums received as the proceeds of, or pursuant to, a policy of insurance securing the interest of the co-owners against liabilities or losses arising within, caused by, or connected with the common elements or the administration of the condominium project.

(5) The bylaws shall provide that the association of co-owners shall prepare and distribute to each owner at least once each year a financial statement, the contents of which shall be defined by the association of co-owners.

(6) The bylaws shall provide an indemnification clause for the board of directors of the association of co-owners. The indemnification clause shall require that 10 days' notice, before payment under the clause, be given to the co-owners. The indemnification clause shall exclude indemnification for willful and wanton misconduct and for gross negligence.

(7) The bylaws may allocate to each condominium unit a number of votes in the association of co-owners proportionate to the percentage of value appertaining to each condominium unit, or an equal number of votes in the association of co-owners.

(8) The bylaws shall contain a provision providing that arbitration of disputes, claims, and grievances arising out of or relating to the interpretation of the application of the condominium document or arising out of disputes among or between co-owners shall be submitted to arbitration and that the parties to the dispute, claim, or grievance shall accept the arbitrator's decision as final and binding, upon the election and written consent of the parties to the disputes, claims, or grievances and upon written notice to the association. The commercial arbitration rules of the American arbitration association are applicable to any such arbitration.

(9) In the absence of the election and written consent of the parties under subsection (8), neither a co-owner nor the association is prohibited from petitioning a court of competent jurisdiction to resolve any dispute, claim, or grievance.

(10) The election by the parties to submit any dispute, claim, or grievance to arbitration prohibits the parties from petitioning the courts regarding that dispute, claim, or grievance.

(11) SUBSECTIONS (8), (9), AND (10) APPLY ONLY TO CONDOMINIUM PROJECTS ESTABLISHED ON OR AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION.”.

2. Amend page 20, line 12, after “84A(1).” by inserting “THIS SUBSECTION APPLIES ONLY TO CONDOMINIUM PROJECTS ESTABLISHED ON OR AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION.”.

3. Amend page 22, line 14, by striking out all of subsection (4).

4. Amend page 22, line 17, after “Sec. 176.” by inserting “(1)”.

5. Amend page 22, line 22, after “DATE” by striking out the comma and inserting a period and “FURTHER, A PERSON SHALL NOT MAINTAIN AN ACTION DESCRIBED IN THIS SUBSECTION”.

6. Amend page 22, following line 25, by inserting:

“(2) SUBSECTION (1) APPLIES ONLY TO CONDOMINIUM PROJECTS ESTABLISHED ON OR AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION.”.

The Senate has passed the bill as amended, ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1978 PA 59, entitled “An act relative to condominiums and condominium projects; to prescribe powers and duties of the administrator; to provide certain protections for certain tenants, senior citizens, and persons with disabilities relating to conversion condominium projects; to provide for escrow arrangements; to provide an exemption from certain property tax increases; to impose duties on certain state departments; to prescribe remedies and penalties; and to repeal acts and parts of acts,” by amending sections 54, 58, 67, 69, 71, 90, 90a, 108, 112, 135, 173, and 176 (MCL 559.154, 559.158, 559.167, 559.169, 559.171, 559.190, 559.190a, 559.208, 559.212, 559.235, 559.273, and 559.276), sections 54, 58, 67, 69, 90, 108, 112, and 135 as amended and sections 90a and 176 as added by 2000 PA 379, section 71 as amended by 1982 PA 538, and section 173 as amended by 1983 PA 113; and to repeal acts and parts of acts.

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

#### **Senate Bill No. 1107, entitled**

A bill to amend 1979 PA 94, entitled “The state school aid act of 1979,” by amending sections 11, 19, 20, 22a, 22b, 24, 26a, 31a, 31d, 32d, 37, 38, 39, 41, 51a, 51c, 56, 57, 61a, 62, 67, 68, 74, 81, 94, 94a, 96, 98, 99, 105, 107, 108, 147, and 169a (MCL 388.1611, 388.1619, 388.1620, 388.1622a, 388.1622b, 388.1624, 388.1626a, 388.1631a, 388.1631d, 388.1632d, 388.1637, 388.1638, 388.1639, 388.1641, 388.1651a, 388.1651c, 388.1656, 388.1657, 388.1661a, 388.1662, 388.1667, 388.1668, 388.1674, 388.1681, 388.1694, 388.1694a, 388.1696, 388.1698, 388.1699, 388.1705, 388.1707, 388.1708, 388.1747, and 388.1769a), sections 11, 20, 22a, 22b, 24, 26a, 31a, 31d, 32d, 41, 51a, 51c, 56, 57, 61a, 62, 67, 68, 74, 81, 94, 94a, 98, 99, 107, and 147 as amended by 2001 PA 121, and sections 19, 37, 38, 39, 96, 105, and 108 as amended by 2000 PA 297, and section 169a as amended by 1997 PA 93, and by adding sections 11j, 39a, 51d, 99a, and 121a; and to repeal acts and parts of acts.

The Senate has nonconcurred in the House substitute (H-1) and appointed Senators Stille, DeGrowth and DeBeaussaert as conferees.

The message was referred to the Clerk for record.

The Speaker appointed as conferees, on the part of the House of Representatives, Reps. Jelinek, Rick Johnson and Switalski.

#### **Senate Bill No. 926, entitled**

A bill to amend 1999 PA 94, entitled “Michigan merit award scholarship act,” by amending sections 5, 6, 7, and 8 (MCL 390.1455, 390.1456, 390.1457, and 390.1458).

The Senate has passed the bill.

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

**Senate Bill No. 1009, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16611 (MCL 333.16611).

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. 1101, entitled**

A bill to make appropriations for the department of community health and certain state purposes related to mental health, public health, and medical services for the fiscal year ending September 30, 2003; to provide for the expenditure of those appropriations; to create funds; to require and provide for reports; to prescribe the powers and duties of certain local and state agencies and departments; and to provide for disposition of fees and other income received by the various state agencies.

The Senate has passed the bill.

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

**Senate Bill No. 1102, entitled**

A bill to make appropriations for the department of corrections and certain state purposes related to corrections for the fiscal year ending September 30, 2003; to provide for the expenditure of the appropriations; to provide for reports; to provide for the creation of certain advisory committees and boards; to prescribe certain powers and duties of the department of corrections, certain other state officers and agencies, and certain advisory committees and boards; to provide for the collection of certain funds; and to provide for the disposition of fees and other income received by certain state agencies.

The Senate has passed the bill.

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

**Senate Bill No. 1104, entitled**

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2003; to provide for the expenditure of those appropriations; to create certain funds and accounts; to require certain reports; to prescribe the powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

The Senate has passed the bill.

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

**Senate Bill No. 1106, entitled**

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2003; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

The Senate has passed the bill.

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

**Senate Concurrent Resolution No. 53**

A concurrent resolution to memorialize the Congress of the United States to turn over the management of federal forest lands to the states through a block grant program along with all appropriate accompanying federal funds.

Whereas, In recent years, our country has benefited from public policy encouraging the states to assume responsibility for tasks long handled by the federal government. Experts in many fields have come to accept the wisdom of utilizing state expertise and resources to deal with problems that are best addressed locally rather than from Washington, D.C.; and

Whereas, The management of public forest lands is another area that should be turned over to states through a program of block grants. Michigan, with more public forests than any other state in the eastern portion of the country, has compiled an impressive record of success in the management of its resources. The condition of Michigan's state forest acreage is a model for other parts of the country; and

Whereas, There are several sound reasons why forest management would be more efficiently and productively managed by the state instead of the federal government. State management offers flexibility, rather than a "one size

fits all” approach; shorter lines of communication; better communication within local regions; and generally lower overall costs. State control over forest operations in Michigan will more accurately reflect our citizens’ historic sense of commitment and investment in this vitally important resource; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we memorialize the Congress of the United States to turn over the management of federal forest lands to the states through a block grant program along with all appropriate accompanying federal funds; 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 Senate has adopted the concurrent resolution.

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

**House Bill No. 5763, entitled**

A bill to amend 1936 (Ex Sess) PA 1, entitled “Michigan employment security act,” by amending sections 19, 20, 27, 29, 32, and 48 (MCL 421.19, 421.20, 421.27, 421.29, 421.32, and 421.48), section 19 as amended by 1996 PA 535, section 20 as amended by 1994 PA 162, section 27 as amended by 1995 PA 181, section 29 as amended by 1995 PA 25, section 32 as amended by 1996 PA 503, and section 48 as amended by 1983 PA 164, and by adding sections 13l and 32b.

The Senate has appointed Senators Steil, DeGrow and Cherry as conferees to join with Reps. Rick Johnson, Bisbee and Thomas.

The bill was referred to the Conference Committee on March 20, 2002.

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Rep. Drolet moved that the House adjourn.

The motion prevailed, the time being 11:05 p.m.

Associate Speaker Pro Tempore Julian declared the House adjourned until Thursday, March 21, at 12:00 Noon.

GARY L. RANDALL  
Clerk of the House of Representatives.

