

No. 52
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
91st Legislature
REGULAR SESSION OF 2002

House Chamber, Lansing, Thursday, May 30, 2002.

12:00 Noon.

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

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

| | | | |
|------------------------|-----------------------|----------------------|----------------------|
| Adamini—present | Garza—present | Lockwood—present | Schauer—present |
| Allen—present | George—present | Mans—present | Schermesser—excused |
| Anderson—present | Gielegem—present | McConico—excused | 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—excused | Hansen—present | Murphy—present | Stamas—present |
| Bovin—present | Hardman—excused | 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—excused | Jansen—present | Pestka—present | Vander Roest—present |
| Caul—present | Jelinek—present | Phillips—present | Vander Veen—present |
| Clark—excused | Johnson, Rick—present | Plakas—present | Vear—present |
| Clarke—present | Johnson, Ruth—present | Pumford—present | Voorhees—present |
| Daniels—present | Julian—present | Quarles—present | Waters—present |
| Dennis—present | Koetje—present | Raczkowski—present | Whitmer—present |
| DeRossett—present | Kolb—present | Reeves—present | Williams—present |
| DeVuyst—excused | Kooiman—present | Richardville—present | Wojno—present |
| DeWeese—present | Kowall—present | Richner—present | Woodward—present |
| Drolet—present | Kuipers—present | Rison—present | 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

Pandit Chandrashekar Sharmaji, Senior Hindu Priest from Oakland County, offered the following invocation:

“Namaste. The divine in me recognizes the divine in you. We invite You, the Lord of spiritual faith. You are the wisest among the wise, the best to be given as a standard of comparison. You are the senior Lord, Lord of the Vedic mantras, listening to our prayers. Please visit our home and this gathering of the Michigan House of Representatives and bless the State of Michigan with prosperous things and be seated here.

Salutations to You, who are competent to strike all around in diverse ways. Salutations to You, who manifests as hosts of energy, gentle and violent. Salutations to You, who runs after sense pleasures and their chiefs. Salutations to You, who are present in diverse groups and their leaders.

Salutation to You, who are in the form of attendants of the noble ones. Salutations to You, who are formless and yet manifest in universal forms. Salutations to You, who are in the form of those who ride chariots and those who do not. Salutations to You, who are in the form of chariots and chariot-owners.

Salutations to You, who are in the form of armies and army chieftains. Salutations to You, who are in the form of trained charioteers and those who learn chariot driving. Salutations to You, who are in the form of carpenters and chariot makers. Salutations to You, who are in the form of fowlers and fishermen.

Salutations to You, who are in the form of those artisans who make bows and arrows. Salutations to You, who are in the form of hunters. Salutations to You, who are in the form of hounds and their keepers.

Universal Prayer; God is perfect (infinite). This Universe is also perfect (infinite). If perfection (infinity) is taken from anything perfect (infinite) what remains is still perfect (infinite). Let there be peace, peace, peace.

May there be peace in heaven. May there be peace in the sky. May there be peace on earth. May there be peace in the water. May there be peace in the plants. May there be peace in the trees. May there be peace in the Gods. May there be peace in Brahman (Universal Spirit). May the be peace in all. May that peace, real peace, be mine.”

Rep. Jacobs moved that Reps. Bogardus, Clark, Hardman, McConico and Schermesser be excused from today’s session.

The motion prevailed.

Rep. Toy moved that Reps. DeVuyst and Cassis be excused from today’s session.

The motion prevailed.

Rep. Sheltroun, under Rule 33, made the following statement:

“Mr. Speaker and members of the House:

I was absent from the Chamber when the vote was taken on Roll Call No. 865. Had I been present, I would have voted ‘yea’.”

Announcements by the Clerk

Order Entered: May 28, 2002

SC: 121394

IN RE 2002 PA 48

HOUSE OF REPRESENTATIVES’ REQUEST FOR AN ADVISORY OPINION

On order of the Court, the request by the House of Representatives for an advisory opinion on the constitutionality of 2002 PA 48 is considered and it is GRANTED.

The questions to be considered are:

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.

Persons or groups interested in the determination of these questions may file briefs amicus curiae. We specifically invite the Attorney General of the State of Michigan and the Metropolitan Extension Telecommunications Rights-of-Way Oversight Authority to file briefs on these questions.

Briefs amicus curiae that advocate negative answers to one or more of the questions must be filed by June 28, 2002.

Briefs amicus curiae that advocate affirmative answers to one or more of the questions must be filed by July 26, 2002.

I, CORBIN R. DAVIS, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

May 28, 2002

Corbin R. Davis

Clerk

The message was referred to the Clerk.

By unanimous consent the House returned to the order of

Messages from the Governor

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

Date: May 29, 2002

Time: 2:50 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5661 (Public Act No. 384, I.E.), being

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

(Filed with the Secretary of State May 30, 2002, at 10:15 a.m.)

Date: May 29, 2002

Time: 3:12 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5850 (Public Act No. 395, I.E.), being

An act to amend 1987 PA 230, entitled "An act to authorize certain local governmental units to incorporate municipal health facilities corporations and subsidiary municipal health facilities corporations for establishing, modifying, operating, and managing health services and acquiring, constructing, adding to, repairing, remodeling, renovating, equipping, and re-equipping hospitals and other health care facilities and related purposes; to provide for the application of this act to existing municipal hospitals and for the transfer of ownership of hospital funds and personal property; to validate and ratify the existence, organization, actions, proceedings, and board membership of existing organizations acting as county public hospitals; to provide for the appointment of trustees; to grant certain powers of a public body corporate to health facilities corporations and subsidiary health facilities corporations; to empower certain local governmental units to encumber property for the benefit of, transfer or make property available to, issue bonds to construct facilities to be used by, appropriate funds for, and levy a tax for, municipal health facilities corporations and subsidiary municipal health facilities corporations; to empower certain local governmental units to guarantee obligations of municipal health facilities corporations and subsidiary municipal health facilities corporations and to permit certain local governmental units to pledge their full faith and credit to pay such guaranties; to provide for transfer of ownership or operation of health care facilities and health services to nonprofit health care organizations; to authorize municipal health facilities corporations and subsidiary municipal health facilities corporations to borrow money and issue notes for the purposes of meeting expenses of operation and to issue corporation obligations for the purpose of acquisition, construction, repair, remodeling, equipping or re-equipping of health care facilities and for the refinancing, refunding, or refunding in advance of indebtedness of the municipal health facilities corporations or the subsidiary municipal health facilities corporations or of indebtedness of certain

local governmental units undertaken on their behalf; to authorize municipal health facilities corporations and subsidiary municipal health facilities corporations to enter into mortgages, deeds of trust, and other agreements for security which may include provisions for the appointment of receivers; to exempt obligations and property of municipal health facilities corporations and subsidiary municipal health facilities corporations from taxation; and to provide other rights, powers, and duties of municipal health facilities corporations and subsidiary municipal health facilities corporations," by amending sections 401, 406, and 412 (MCL 331.1401, 331.1406, and 331.1412), as amended by 1988 PA 502.

(Filed with the Secretary of State May 30, 2002, at 10:37 a.m.)

Date: May 29, 2002
Time: 3:14 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4625 (Public Act No. 396, I.E.), being

An act to authorize the issuance of general obligation bonds of the state and to pledge the full faith and credit of the state for the payment of principal and interest on the bonds to finance sewage treatment works projects, storm water projects, and nonpoint source projects, that improve the quality of the waters of the state; to pay for issuing the bonds; to provide for other measures relating to the bonds; and to provide for the submission of the question of the issuance of the bonds to the electors of the state.

(Filed with the Secretary of State May 30, 2002, at 10:39 a.m.)

Date: May 29, 2002
Time: 3:16 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5892 (Public Act No. 397, I.E.), being

An act to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts," by amending sections 5301 and 5304 (MCL 324.5301 and 324.5304) and by adding parts 52 and 197.

(Filed with the Secretary of State May 30, 2002, at 10:41 a.m.)

Date: May 29, 2002
Time: 3:18 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5893 (Public Act No. 398, I.E.), being

An act to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts," by amending section 5303 (MCL 324.5303), as amended by 2001 PA 221.

(Filed with the Secretary of State May 30, 2002, at 10:43 a.m.)

Date: May 29, 2002
Time: 3:20 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5237 (Public Act No. 399, I.E.), being

An act 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 section 685 (MCL 168.685), as amended by 1990 PA 329.

(Filed with the Secretary of State May 30, 2002, at 10:45 a.m.)

Date: May 29, 2002

Time: 3:25 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5454 (Public Act No. 400, I.E.), being

An act to amend 1964 PA 170, entitled "An act to make uniform the liability of municipal corporations, political subdivisions, and the state, its agencies and departments, officers, employees, and volunteers thereof, and members of certain boards, councils, and task forces when engaged in the exercise or discharge of a governmental function, for injuries to property and persons; to define and limit this liability; to define and limit the liability of the state when engaged in a proprietary function; to authorize the purchase of liability insurance to protect against loss arising out of this liability; to provide for defending certain claims made against public officers and paying damages sought or awarded against them; to provide for the legal defense of public officers and employees; to provide for reimbursement of public officers and employees for certain legal expenses; and to repeal certain acts and parts of acts," by amending the title and sections 8 and 9 (MCL 691.1408 and 691.1409), the title as amended by 1986 PA 175.

(Filed with the Secretary of State May 30, 2002, at 10:47 a.m.)

Introduction of Bills

Rep. George introduced

House Bill No. 6151, entitled

A bill to amend 1972 PA 106, entitled "Highway advertising act of 1972," (MCL 252.301 to 252.325) by adding section 18b.

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

Rep. George introduced

House Bill No. 6152, entitled

A bill to amend 1972 PA 106, entitled "Highway advertising act of 1972," by amending section 9 (MCL 252.309), as amended by 1998 PA 533.

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

Rep. George introduced

House Bill No. 6153, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 21720a (MCL 333.21720a).

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

Reps. Minore, Jammick, Godchaux, Jacobs, Dennis, Clark, Stewart, Zelenko, Murphy, Bernero, Woodward, Whitmer, Daniels, Scranton, Quarles, Waters, Kolb, Garza, Hansen, Lipsey and Thomas introduced

House Bill No. 6154, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1169 and 1507 (MCL 380.1169 and 380.1507), as amended by 1993 PA 335.

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

Reps. Bernero, Schauer, Bovin, McConico, Phillips, Plakas, Anderson, Spade, Wojno, Lipsey, Rich Brown, Adamini, Waters, Switalski, Pestka, Mans, Minore, Jacobs and O'Neil introduced

House Bill No. 6155, entitled

A bill to create certain prescription programs relating to the elderly; to enhance access to prescription drugs to certain elderly residents of the state; to prescribe the powers and duties of certain state departments and agencies; to provide for a fund; and to make appropriations.

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

Reps. Ruth Johnson and Stewart introduced

House Bill No. 6156, entitled

A bill to amend 1993 PA 354, entitled "Railroad code of 1993," by amending section 391 (MCL 462.391).
The bill was read a first time by its title and referred to the Committee on Transportation.

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Speaker laid before the House

House Resolution No. 452.

A resolution to urge the United States Coast Guard to continue to operate a cutter ship out of Charlevoix.

(For text of resolution, see House Journal No. 47, p. 1606.)

(The resolution was reported by the Committee on Commerce on May 28, consideration of which, under the rules, was postponed until May 29.)

The question being on the adoption of the resolution,

The resolution was adopted.

The Speaker laid before the House

House Concurrent Resolution No. 66.

A concurrent resolution to urge the United States Coast Guard to continue to operate a cutter ship out of Charlevoix.

(For text of resolution, see House Journal No. 47, p. 1608.)

(The concurrent resolution was reported by the Committee on Commerce on May 28, consideration of which, under the rules, was postponed until May 29.)

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

Rep. Vander Roest moved that Reps. Godchaux and Scranton be excused from the balance of today's session.
The motion prevailed.

Third Reading of Bills

Senate Bill No. 920, entitled

A bill to authorize the state administrative board to convey certain property in Branch county; to prescribe conditions for the conveyance; and to provide for disposition of the revenue from the conveyance.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

Second Reading of Bills

Senate Bill No. 1201, entitled

A bill relative to the reporting of the issuance of certain debt and securities; and to prescribe powers and duties of certain departments, agencies, officials, and employees.

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

The motion prevailed.

House Bill No. 5879, entitled

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending sections 627, 1204a, 1277a, 1279, 1280, and 1280b (MCL 380.627, 380.1204a, 380.1277a, 380.1279, 380.1280, and 380.1280b), section 627 as amended by 1995 PA 289, section 1204a as amended by 1996 PA 159, section 1277a as added by 1993 PA 335, section 1279 as amended by 1997 PA 175, section 1280 as amended by 1997 PA 180, and section 1280b as added by 2000 PA 230, and by adding part 20c; and to repeal acts and parts of acts.

(The bill was read a second time, substitute (H-3) and amendment adopted and bill postponed for the day, see House Journal No. 49, p. 1699.)

Rep. Voorhees moved to amend the bill as follows:

1. Amend page 28, following line 12, by inserting:

“(K) IF THE DEPARTMENT INCLUDES A SCHOOL ON THE PRIORITY SCHOOLS LIST UNDER SUBDIVISION (A), THE BOARD OR BOARD OF DIRECTORS OF THE SCHOOL DISTRICT SHALL ENSURE THAT ANY PROFESSIONAL DEVELOPMENT FOR TEACHERS EMPLOYED AT THE SCHOOL TAKES PLACE DURING THE SUMMER RECESS OR DURING ANOTHER TIME WHEN SCHOOL IS NOT IN SESSION FOR PUPILS.” and relettering the remaining subdivision.

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

Rep. Hansen moved to amend the Voorhees amendment as follows:

1. Amend the Voorhees amendment page 28, following line 12, after “PUPILS” by inserting “AND IS PAID FOR BY THE SCHOOL DISTRICT”.

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

Rep. Frank demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 866

Yeas—50

| | | | |
|------------|----------|--------------|------------|
| Adamini | Garza | Minore | Sheltrown |
| Anderson | Gielegem | Mortimer | Spade |
| Basham | Hager | Murphy | Stallworth |
| Bernero | Hale | Neumann | Switalski |
| Bovin | Hansen | O’Neil | Thomas |
| Brown, B. | Howell | Pestka | Toy |
| Brown, R. | Jacobs | Phillips | Voorhees |
| Callahan | Jamnack | Quarles | Waters |
| Clarke, H. | Jelinek | Reeves | Williams |
| Daniels | Kolb | Richardville | Wojno |
| Dennis | Lipsey | Rison | Woodward |
| DeRossett | Lockwood | Schauer | Zelenko |
| Frank | Mans | | |

Nays—40

| | | | |
|------------|---------------|-------------|--------------|
| Allen | Faunce | Kowall | Rackowski |
| Birkholz | George | Kuipers | Shulman |
| Bisbee | Gilbert | LaSata | Stamas |
| Bishop | Hart | Mead | Stewart |
| Bradstreet | Hummel | Meyer | Tabor |
| Brown, C. | Johnson, Rick | Middaugh | Van Woerkom |
| Caul | Johnson, Ruth | Newell | Vander Roest |
| DeWeese | Julian | Palmer | Vander Veen |
| Drolet | Koetje | Pappageorge | Vear |
| Ehardt | Kooiman | Patterson | Woronchak |

In The Chair: Julian

Rep. Lipsey moved that Rep. Whitmer be excused temporarily from today's session.
The motion prevailed.

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

Rep. Spade moved to reconsider the vote by which the House did not adopt the amendments offered previously by Rep. Spade.

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

Rep. Spade demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 867

Yeas—45

| | | | |
|------------|----------|----------|------------|
| Adamini | Garza | Minore | Schauer |
| Anderson | Gielegem | Murphy | Sheltrown |
| Basham | Hale | Neumann | Spade |
| Bernero | Hansen | O'Neil | Stallworth |
| Bovin | Jacobs | Pestka | Switalski |
| Brown, B. | Jamnick | Phillips | Thomas |
| Brown, R. | Kolb | Plakas | Waters |
| Callahan | Lemmons | Quarles | Williams |
| Clarke, H. | Lipsey | Reeves | Wojno |
| Daniels | Lockwood | Rison | Woodward |
| Dennis | Mans | Rivet | Zelenko |
| Frank | | | |

Nays—52

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

In The Chair: Julian

The question being on the adoption of the amendment offered previously by Rep. Voorhees,
The amendment was not adopted, a majority of the members serving not voting therefor.

Rep. Woodward moved to amend the bill as follows:

1. Amend page 11, line 4, after "the" by striking out the balance of the sentence and inserting "NEXT FOLLOWING JULY."

2. Amend page 11, line 18, after "assessment." by inserting "IN ADDITION, THE REPORT TO A PUPIL'S SCHOOL SHALL INCLUDE AT LEAST A COPY OF EACH ASSESSMENT TEST, A REPORT OF THE PUPIL'S

ANSWER ON EACH MULTIPLE CHOICE QUESTION, A COPY OF THE PUPIL'S ANSWER ON EACH ESSAY QUESTION, AND A REPORT OF THE PUPIL'S SCORE ON EACH ESSAY QUESTION.”.

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

The demand was supported.

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

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

Roll Call No. 868**Yeas—43**

| | | | |
|------------|----------|----------|------------|
| Adamini | Frank | Mans | Sheltrown |
| Anderson | Garza | Minore | Spade |
| Basham | Gielegem | Murphy | Stallworth |
| Bernero | Hale | Neumann | Switalski |
| Bovin | Hansen | O'Neil | Thomas |
| Brown, B. | Jacobs | Pestka | Waters |
| Brown, R. | Jamnick | Phillips | Williams |
| Callahan | Kolb | Plakas | Wojno |
| Clarke, H. | Lemmons | Reeves | Woodward |
| Daniels | Lipsey | Rivet | Zelenko |
| Dennis | Lockwood | Schauer | |

Nays—52

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

In The Chair: Julian

Rep. Kuipers 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**House Bill No. 5879, entitled**

A bill to amend 1976 PA 451, entitled “The revised school code,” by amending sections 627, 1204a, 1277a, 1279, 1280, and 1280b (MCL 380.627, 380.1204a, 380.1277a, 380.1279, 380.1280, and 380.1280b), section 627 as amended by 1995 PA 289, section 1204a as amended by 1996 PA 159, section 1277a as added by 1993 PA 335, section 1279 as amended by 1997 PA 175, section 1280 as amended by 1997 PA 180, and section 1280b as added by 2000 PA 230, and by adding part 20c; and to repeal acts and parts of acts.

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

Roll Call No. 869**Yeas—66**

| | | | |
|------------|---------------|--------------|--------------|
| Allen | Gosselin | Mead | Rocca |
| Birkholz | Hager | Meyer | Shackleton |
| Bisbee | Hart | Middaugh | Shulman |
| Bishop | Howell | Mortimer | Spade |
| Bovin | Hummel | Neumann | Stamas |
| Bradstreet | Jansen | Newell | Stewart |
| Brown, C. | Jelinek | O'Neil | Switalski |
| Brown, R. | Johnson, Rick | Palmer | Tabor |
| Caul | Johnson, Ruth | Pappageorge | Thomas |
| DeRossett | Julian | Patterson | Toy |
| DeWeese | Koetje | Pestka | Van Woerkom |
| Drolet | Kooiman | Pumford | Vander Roest |
| Ehardt | Kowall | Raczkowski | Vander Veen |
| Faunce | Kuipers | Richardville | Vear |
| Frank | LaSata | Richner | Voorhees |
| George | Lemmons | Rivet | Woronchak |
| Gilbert | Mans | | |

Nays—32

| | | | |
|------------|----------|----------|------------|
| Adamini | Dennis | Lockwood | Schauer |
| Anderson | Gielegem | Minore | Sheltrown |
| Basham | Hale | Murphy | Stallworth |
| Bernero | Hansen | Phillips | Waters |
| Brown, B. | Jacobs | Plakas | Williams |
| Callahan | Jamnick | Quarles | Wojno |
| Clarke, H. | Kolb | Reeves | Woodward |
| Daniels | Lipsey | Rison | Zelenko |

In The Chair: Julian

The House agreed to the title of the bill.

Rep. Patterson 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. 5880, entitled**

A bill to amend 1999 PA 94, entitled "Michigan merit award scholarship act," by amending sections 4 and 9 (MCL 390.1454 and 390.1459).

(The bill was read a second time, substitute (H-3) adopted and bill postponed temporarily on May 23, see House Journal No. 49, p. 1676.)

Rep. Gielegem moved to amend the bill as follows:

1. Amend page 2, following line 21, by inserting:

"(G) "QUALIFYING IMPROVEMENT" MEANS A PATTERN OF ASSESSMENT TEST RESULTS, SCORES, OR RANGES OF SCORES, DETERMINED BY THE BOARD TO DEMONSTRATE A STUDENT'S CONSISTENT ACADEMIC IMPROVEMENT BEFORE GRADE 12, THAT QUALIFY THE STUDENT FOR A MICHIGAN MERIT AWARD SCHOLARSHIP." and relettering the remaining subdivisions.

2. Amend page 4, line 26, after "results" by inserting "OR TO ESTABLISH QUALIFYING IMPROVEMENT".

3. Amend page 5, line 1, after "results" by inserting "OR TO ESTABLISH QUALIFYING IMPROVEMENT".

4. Amend page 5, line 3, after “results” by inserting “OR TO ESTABLISH QUALIFYING IMPROVEMENT”.
5. Amend page 5, line 7, after “results,” by inserting “THE NUMBER OF STUDENTS WHO DEMONSTRATED QUALIFYING IMPROVEMENT,”.
6. Amend page 5, line 15, after “results” by inserting “OR CHANGING THE REQUIREMENTS TO DEMONSTRATE QUALIFYING IMPROVEMENT”.
7. Amend page 5, line 17, after “results” by inserting “OR CHANGE THE REQUIREMENTS TO DEMONSTRATE QUALIFYING IMPROVEMENT”.
8. Amend page 5, line 19, after “results” by inserting “OR CHANGE THE REQUIREMENTS TO DEMONSTRATE QUALIFYING IMPROVEMENT”.
9. Amend page 6, line 14, after “and” by inserting “HAS DEMONSTRATED QUALIFYING IMPROVEMENT OR”.
- The question being on the adoption of the amendments offered by Rep. Gieleghem,
Rep. Gieleghem demanded the yeas and nays.
The demand was supported.
- The question being on the adoption of the amendments offered by Rep. Gieleghem,
The amendments were not adopted, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 870**Yeas—45**

| | | | |
|------------|---------------|----------|------------|
| Adamini | Garza | Mans | Rivet |
| Anderson | Gieleghem | Minore | Schauer |
| Basham | Hale | Murphy | Sheltrown |
| Bernero | Hansen | Neumann | Spade |
| Bovin | Jacobs | O’Neil | Stallworth |
| Brown, B. | Jamnick | Pestka | Thomas |
| Brown, R. | Johnson, Ruth | Phillips | Waters |
| Callahan | Kolb | Plakas | Williams |
| Clarke, H. | Lemmons | Quarles | Wojno |
| Daniels | Lipsey | Reeves | Woodward |
| Dennis | Lockwood | Rison | Zelenko |
| Frank | | | |

Nays—54

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

In The Chair: Julian

Rep. Scranton moved to amend the bill as follows:

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

“(E) THE STUDENT HAS SIGNED AN AFFIDAVIT STATING THAT HE OR SHE HAS NOT USED ANY TOBACCO PRODUCTS WHILE IN HIGH SCHOOL.” and relettering the remaining subdivision.

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

Rep. Woodward moved to amend the bill as follows:

1. Amend page 6, line 9, after "student" by striking out the balance of the subsection and inserting "MEETS ANY OF THE FOLLOWING:

(A) THE STUDENT while in high school has taken the assessment test in the subject areas of reading, writing, mathematics, and science, OR BEGINNING WITH ASSESSMENT TESTS TAKEN BY STUDENTS AFTER THE 2003-2004 SCHOOL YEAR, READING, WRITING, MATHEMATICS, SCIENCE, AND SOCIAL STUDIES, and ~~meets 1 of the following: (a) Has~~ HAS received qualifying results in each of the subject areas of reading, writing, mathematics, and science, OR BEGINNING WITH ASSESSMENT TESTS TAKEN BY STUDENTS AFTER THE 2003-2004 SCHOOL YEAR, READING, WRITING, MATHEMATICS, SCIENCE, AND SOCIAL STUDIES.

(b) ~~Did not receive qualifying results in 1 or 2 of the subject areas of reading, writing, mathematics, and science, but~~ THE STUDENT HAS received an overall score in the top 25% of a nationally recognized college admission examination.

(c) ~~Did not receive qualifying results in 1 or 2 of the subject areas of reading, writing, mathematics, and science, but~~ THE STUDENT HAS received a qualifying score or scores as determined by the board on a nationally recognized job skills assessment test designated by the board."

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

Rep. Palmer 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

House Bill No. 5880, entitled

A bill to amend 1999 PA 94, entitled "Michigan merit award scholarship act," by amending sections 4 and 9 (MCL 390.1454 and 390.1459).

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

Roll Call No. 871

Yeas—55

| | | | |
|-----------|---------------|--------------|--------------|
| Allen | Hart | Mead | Rocca |
| Birkholz | Howell | Meyer | Shackleton |
| Bisbee | Hummel | Middaugh | Spade |
| Bishop | Jansen | Mortimer | Stamas |
| Bovin | Jelinek | Neumann | Stewart |
| Brown, C. | Johnson, Rick | Newell | Switalski |
| Caul | Johnson, Ruth | O'Neil | Tabor |
| DeRossett | Julian | Pappageorge | Toy |
| DeWeese | Koetje | Patterson | Van Woerkom |
| Ehardt | Kooiman | Pestka | Vander Roest |
| Faunce | Kowall | Pumford | Vander Veen |
| George | Kuipers | Raczkowski | Voorhees |
| Gilbert | LaSata | Reeves | Woronchak |
| Hager | Lemmons | Richardville | |

Nays—41

| | | | |
|------------|----------|----------|------------|
| Adamini | Drolet | Lockwood | Sheltrown |
| Anderson | Garza | Mans | Shulman |
| Basham | Gielegem | Minore | Stallworth |
| Bernero | Gosselin | Murphy | Vear |
| Bradstreet | Hale | Palmer | Waters |

| | | | |
|------------|---------|----------|----------|
| Brown, B. | Hansen | Phillips | Whitmer |
| Brown, R. | Jacobs | Quarles | Williams |
| Callahan | Jamnack | Rison | Wojno |
| Clarke, H. | Kolb | Rivet | Woodward |
| Daniels | Lipsey | Schauer | Zelenko |
| Dennis | | | |

In The Chair: Julian

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

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

A bill to amend 1999 PA 94, entitled "Michigan merit award scholarship act," by amending sections 2, 6, and 7 (MCL 390.1452, 390.1456, and 390.1457); and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

Rep. Patterson 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. 5999, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 4072 (MCL 500.4072), as amended by 1986 PA 318.

The bill was read a second time.

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

The motion prevailed.

Senate Bill No. 1124, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 717 and 719 (MCL 257.717 and 257.719), section 717 as amended by 2000 PA 7 and section 719 as amended by 2002 PA 78.

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. 1232, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 6, 7a, 212, 306, 307, 309, 312e, 312f, 319, 319b, 319c, 321, 321b, 323c, 667, 668, 669, 670, 732, 904, and 907 (MCL 257.6, 257.7a, 257.212, 257.306, 257.307, 257.309, 257.312e, 257.312f, 257.319, 257.319b, 257.319c, 257.321, 257.321b, 257.323c, 257.667, 257.668, 257.669, 257.670, 257.732, 257.904, and 257.907), section 6 as amended by 1992 PA 297, sections 7a and 323c as amended by 1991 PA 100, section 212 as amended by 1980 PA 398, section 306 as amended by 1999 PA 40, sections 307 and 319 as amended by 2001 PA 159, section 309 as amended by 2000 PA 456, section 312e as amended by 2000 PA 158, section 312f as amended by 1992 PA 180, section 319b as amended by 1998 PA 356, section 319c as added by 1988 PA 346, section 668 as amended by 1980 PA 101, section 669 as amended by 1995 PA 248, section 732 as amended by 2001 PA 134, section 904 as amended by 2000 PA 77, and section 907 as amended by 2001 PA 214, and by adding sections 319g and 669a; 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 Transportation,

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

Rep. Gielegem moved to amend the bill as follows:

1. Amend page 55, following line 27, by inserting:

"Sec. 667a. (1) The department of state police or the state transportation department; the county board of commissioners, board of county road commissioners, or county sheriff; or other local authority having jurisdiction over

a highway or street may authorize the installation and use of unmanned traffic monitoring devices at a railroad grade crossing with flashing signals and gates on a highway or street under their respective jurisdictions. Each device shall be sufficiently marked or identified or a sign shall be placed at the approach to the crossing indicating that the crossing is monitored by an unmanned traffic monitoring device.

(2) Beginning 31 days after the installation of an unmanned traffic monitoring device at a railroad grade crossing described in subsection (1), a person is responsible for a civil infraction as provided in section 667 if the person violates a provision of that section on the basis of evidence obtained from an unmanned traffic monitoring device. However, for the first 30 days after the installation of an unmanned traffic monitoring device, a person shall be issued a written warning only. It shall be an affirmative defense to a charge of violating section 667 that the mechanical warning devices at the crossing were malfunctioning.

(3) A sworn statement of a police officer from the state or local authority having jurisdiction over the highway or street upon which the railroad grade crossing described in subsection (1) is located, based upon inspection of photographs, microphotographs, videotape, or other recorded images produced by an unmanned traffic monitoring device, shall be prima facie evidence of the facts contained therein. Any photographs, microphotographs, videotape, or other recorded images indicating such a violation shall be available for inspection in any proceeding to adjudicate the responsibility for a violation of section 667. Any photographs, videotape, or digital images evidencing such a violation shall be destroyed 90 days after final disposition of the citation.

(4) In a prosecution for a violation of section 667 established by an unmanned traffic monitoring device under this section, prima facie evidence that the vehicle described in the citation issued was operated in violation of section 667, together with proof that the defendant was at the time of the violation the registered owner of the vehicle, shall constitute in evidence a rebuttable presumption that the registered owner of the vehicle was the person who committed the violation. The presumption ~~may be~~ IS rebutted if the registered owner of the vehicle files an affidavit by regular mail with the clerk of the court that he or she was not the operator of the vehicle at the time of the alleged violation or testifies in open court under oath that he or she was not the operator of the vehicle at the time of the alleged violation. The presumption also ~~may be~~ IS rebutted if a certified copy of a police report, showing that the vehicle had been reported to the police as stolen before the time of the alleged violation of this section, is presented before the appearance date established on the citation. For purposes of this subsection, the owner of a leased or rental vehicle shall provide the name and address of the person to whom the vehicle was leased or rented at the time of the violation.

(5) Notwithstanding section 742, a citation for a violation of section 667 on the basis of evidence obtained from an unmanned traffic monitoring device may be executed by mailing by first-class mail a copy to the address of the owner of the vehicle as shown on the records of the secretary of state. If the summoned person fails to appear on the date of return set out in the citation previously mailed by first-class mail pursuant to this subsection, a copy shall be sent by certified mail-return receipt requested. If the summoned person fails to appear on either of the dates of return set out in the copies of the citation mailed pursuant to this section, the citation shall be executed in the manner provided by law for personal service. The court may issue a warrant for the arrest of a person who fails to appear within the time limit established on the citation if a sworn complaint is filed with the court for that purpose. ~~as required for other civil infractions under section 744.~~

(6) If there is a fatality at a railroad grade crossing in a city, VILLAGE, OR TOWNSHIP with population of 60,000 or more, OR IN A COUNTY WITH A POPULATION 150,000 OR MORE, the state transportation department shall undertake a diagnostic review, IF THERE HAS NOT BEEN A DIAGNOSTIC REVIEW AT THE CROSSING IN THE LAST 2 YEARS. HOWEVER, A DIAGNOSTIC REVIEW IS NOT REQUIRED IF THE INITIAL INVESTIGATION OF THE FATALITY INDICATES THAT CONSUMPTION OF ALCOHOL OR A CONTROLLED SUBSTANCE CONTRIBUTED TO THE FATALITY OR THAT THE FATALITY WAS A SUICIDE. The diagnostic review shall be scheduled within 120 days. If the diagnostic review confirms that warning devices such as flashing lights and gates are needed, the state transportation department shall order such improvements. The cost for the improvements shall be financed consistent with the financing of similar projects by the state transportation department according to its annual prioritization of grade crossing safety improvements.”

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

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

The motion prevailed.

Rep. 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. 1232, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 6, 7a, 212, 306, 307, 309, 312e, 312f, 319, 319b, 319c, 321, 321b, 323c, 667, 668, 669, 670, 732, 904, and 907 (MCL 257.6, 257.7a, 257.212, 257.306, 257.307, 257.309, 257.312e, 257.312f, 257.319, 257.319b, 257.319c, 257.321, 257.321b, 257.323c, 257.667,

257.668, 257.669, 257.670, 257.732, 257.904, and 257.907), section 6 as amended by 1992 PA 297, sections 7a and 323c as amended by 1991 PA 100, section 212 as amended by 1980 PA 398, section 306 as amended by 1999 PA 40, sections 307 and 319 as amended by 2001 PA 159, section 309 as amended by 2000 PA 456, section 312e as amended by 2000 PA 158, section 312f as amended by 1992 PA 180, section 319b as amended by 1998 PA 356, section 319c as added by 1988 PA 346, section 668 as amended by 1980 PA 101, section 669 as amended by 1995 PA 248, section 732 as amended by 2001 PA 134, section 904 as amended by 2000 PA 77, and section 907 as amended by 2001 PA 214, and by adding sections 319g and 669a; and to repeal acts and parts of acts.

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

Roll Call No. 872**Yeas—95**

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

Nays—0

In The Chair: Julian

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

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

A bill to amend 1949 PA 300, entitled "An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date," by amending sections 6, 7a, 212, 306, 307, 309,

312e, 312f, 319, 319b, 319c, 321, 321b, 323c, 667, 667a, 668, 669, 670, 732, 904, and 907 (MCL 257.6, 257.7a, 257.212, 257.306, 257.307, 257.309, 257.312e, 257.312f, 257.319, 257.319b, 257.319c, 257.321, 257.321b, 257.323c, 257.667, 257.667a, 257.668, 257.669, 257.670, 257.732, 257.904, and 257.907), section 6 as amended by 1992 PA 297, sections 7a and 323c as amended by 1991 PA 100, section 212 as amended by 1980 PA 398, section 306 as amended by 1999 PA 40, sections 307, 312f, 319b, and 732 as amended by 2002 PA 259, section 309 as amended by 2000 PA 456, section 312e as amended by 2000 PA 158, section 319 as amended by 2001 PA 159, section 319c as added by 1988 PA 346, section 667a as added by 2000 PA 367, section 668 as amended by 1980 PA 101, section 669 as amended by 1995 PA 248, section 904 as amended by 2000 PA 77, and section 907 as amended by 2001 PA 214, and by adding sections 319g and 669a; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

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

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

Second Reading of Bills

Senate Bill No. 477, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 3a (MCL 205.93a), as amended by 1998 PA 366.

The bill was read a second time.

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

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

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

The motion prevailed.

Senate Bill No. 824, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending sections 3, 4, and 4q (MCL 205.93, 205.94, and 205.94q), section 3 as amended by 2002 PA 110, section 4 as amended by 2001 PA 39, and section 4q as added by 1999 PA 117, and by adding section 3b.

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. 965, entitled

A bill to amend 1933 PA 94, entitled "The revenue bond act of 1933," by amending sections 3, 12, 16, 22, 24, 26, 27, 28, and 30 (MCL 141.103, 141.112, 141.116, 141.122, 141.124, 141.126, 141.127, 141.128, and 141.130), section 3 as amended by 1992 PA 305, sections 12 and 27 as amended by 1985 PA 26, sections 16, 28, and 30 as amended by 1983 PA 76, and section 24 as amended by 1988 PA 228, and by adding section 12a.

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

The motion prevailed.

Senate Bill No. 1099, entitled

A bill to make appropriations for certain capital outlay programs and state departments and agencies for the fiscal year ending September 30, 2003; to implement the appropriations within the budgetary process; to make appropriations for planning and construction at state agencies; to make appropriations for state building authority rent and insurance; to make a grant for state building authority rent; to provide for the acquisition of land and buildings; to provide for the elimination of fire hazards; to provide for special maintenance, remodeling and addition, alteration, renovation, demolition, and other projects; to provide for elimination of occupational safety and health hazards; to provide for the award and implementation of contracts; to provide for the purchase of furnishings and equipment relative to occupancy of a project; to provide for the development of public recreation facilities; to provide for certain advances from the

general fund; to prescribe powers and duties of certain state officers and agencies; to require certain reports, plans, and agreements; to provide for leases; to provide for transfers; to prescribe standards and conditions relating to the appropriations; and to provide for the expenditure of 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. Patterson moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Senate Bill No. 1248, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 4v (MCL 205.54v), as added by 1999 PA 116.

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. 1265, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 18c (MCL 247.668c).

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. 1267, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of

deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 11 (MCL 247.661), as amended by 2000 PA 188.

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. 1268, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 18e (MCL 247.668e), as amended by 1985 PA 201.

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. 1269, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds,

and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 18f (MCL 247.668f), as amended by 1983 PA 82.

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. 1300, entitled

A bill to amend 1961 PA 112, entitled "An act to authorize and provide for the issuance, sale, and refunding of bonds, notes, or commercial paper of the state; to provide funds for making loans to school districts for payment of principal and interest on certain school bonds; to provide for use of moneys repaid to the state by school districts; and to make an appropriation," (MCL 388.981 to 388.985) by adding section 1c.

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. 1301, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 18b (MCL 247.668b), as amended by 1985 PA 201.

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. 1313, entitled

A bill to amend 1961 PA 108, entitled "An act to provide for loans by the state of Michigan to school districts for the payment of principal and interest upon school bonds; to prescribe the terms and conditions of the loans and the conditions upon which levies for bond principal and interest shall be included in computing the amount to be so loaned by the state; to prescribe the powers and duties of the superintendent of public instruction and the state treasurer in relation to such loans; to provide for the repayment of such loans; to provide incentives for repayment of such loans; to provide for other matters in respect to such loans; and to make an appropriation," (MCL 388.951 to 388.963) by adding section 3a.

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. 1314, entitled

A bill to amend 2001 PA 34, entitled "Revised municipal finance act," by amending sections 317, 403, 611, and 701 (MCL 141.2317, 141.2403, 141.2611, and 141.2701).

The bill was read a second time.

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

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

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

The motion prevailed.

House Bill No. 6137, entitled

A bill to amend 1996 PA 381, entitled "Brownfield redevelopment financing act," by amending sections 2 and 13 (MCL 125.2652 and 125.2663), section 2 as amended by 2002 PA 254 and section 13 as amended by 2000 PA 145.

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

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

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

The motion prevailed.

Rep. Patterson moved that House Committees be given leave to meet during the balance of today's session.

The motion prevailed.

Rep. Patterson moved that when the House adjourns today it stand adjourned until Tuesday, June 4, at 10:00 a.m.

The motion prevailed.

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Hart offered the following resolution:

House Resolution No. 468.

A resolution to direct the Department of Education and the Family Independence Agency to convene a task force to develop quality after-school programs for all Michigan children.

Whereas, Current studies about what happens to unsupervised children indicate that, when left alone, these children have higher absentee rates at school; have lower academic test scores; exhibit higher levels of fear, stress, nightmares, loneliness, and boredom; are 1.7 times more likely to use alcohol; and are 1.6 times more likely to smoke cigarettes; and

Whereas, Recent data shows that in communities around this state, the violent juvenile crime rate soars in the hours immediately after the school bell rings, and children are most likely to be victims of a violent crime committed by a non-family member between 2 p.m. and 6 p.m.; and

Whereas, Research indicates that children who attend high quality after-school programs have better peer relations, emotional adjustment, conflict resolution skills, grades, and conduct in school compared to their peers who are not in after-school programs; and

Whereas, Children who attend after-school programs spend more time in learning opportunities, academic activities, and enrichment activities and spend less time watching television than their peers; and

Whereas, In one study, children who attended an after-school program missed fewer days of school, had better homework completion rates, better school behavior, and higher test scores; and

Whereas, Polls show that 92% of Americans believe there should be organized activities for children and teens during after-school hours; and

Whereas, As working parents can attest, child care concerns are not over once children are old enough to go to school. A parent who is employed full time can be away from home an average of 2,400 hours a year. Children spend less than half of that time in school. If their children participate in a quality school-age care program or another organized out-of-school time activity, parents can rest easy because they know that their children are safe and supervised; now, therefore, be it

Resolved by the House of Representatives, That we direct the Department of Education and the Family Independence Agency to convene and co-chair a task force, to be known as the Michigan After-school Initiative, to develop a plan to ensure quality after-school programs for every school-age child in the state. The Michigan After-school Initiative shall be comprised of other related state agencies and private organizations representing violence prevention organizations, parents, park districts, special needs populations, private foundations, civic and cultural organizations, community-based youth service providers, law enforcement, education, local voluntary organizations, faith-based communities, health, evaluation, and research institutions, child and youth advocacy groups, alcohol, tobacco, and substance abuse prevention professionals, and mental health interests; and be it further

Resolved, That the activities of the Michigan After-school Initiative shall include (i) an assessment of the state of after-school services in this state, including identification of the number of children and youth served statewide in after-school programs, identification of the number and location of children and youth who are in need of after-school programs, and identification of the various funding streams currently supporting after-school programs, and (ii) the development of a plan for coordinating after-school services and for achieving a goal of providing after-school services for every school-age child in this state; and be it further

Resolved, That the Michigan After-school Initiative plan shall include strategies for this state to promote best-practice models for after-school programs and to promote coordination and collaboration of after-school services at the local level; and be it further

Resolved, That the Michigan After-school Initiative shall engage children and youth in development of the plan; and be it further

Resolved, That the Michigan After-school Initiative shall review and report to the Legislature on model programs operating in this state and other states and that the review shall look at program components identified as best-practices and based on proven research; and be it further

Resolved, That the Department of Education and the Family Independence Agency shall report to the Governor and Legislature on the Michigan After-school Initiative plan and submit recommendations by December 15, 2002; and be it further

Resolved, That copies of this resolution be transmitted to the Department of Education and the Family Independence Agency.

The resolution was referred to the Committee on Family and Children Services.

Reps. Bogardus, Kolb, Spade, Schauer, Howell, Minore, Hansen, Zelenko, Jacobs, Callahan, Julian, Waters, Stewart, Wojno, Thomas, DeRossett, Sheltroun, Ehardt, Raczkowski, Plakas, Quarles, George, Phillips, Rich Brown, Neumann, Murphy, Kowall, DeWeese, Vander Veen, Faunce, Vander Roest, Anderson, Bovin, Garza, Bernero, Gielegem, Hager, Toy, Switalski, Lockwood, Hale, Dennis, Lemmons, Lipsey, Jamnick, Clarke, Shulman, Birkholz and Pappageorge offered the following:

House Resolution No. 469.

A resolution honoring Dr. Robert C. Hahn upon the occasion of his retirement as Superintendent of the Davison Community School District.

Whereas, With deep appreciation for the diversity of talents that must come together for educational excellence to be possible, we honor Dr. Robert C. Hahn upon the occasion of his retirement. As Dr. Hahn brings to a close his service as superintendent, we add our voice of thanks to the teachers, students, and parents throughout the Davison Community School District; and

Whereas, Anyone who has spent time around the process of education can attest that there are fewer endeavors more complex than education. The old African adage, "It takes a whole village to raise a child," also applies to educating one, even in this age of computers and the Internet. Teachers, administrators, building personnel, lunch aides, bus

drivers, learning assistants, and specialists all have important roles to play in helping young people become motivated and productive students. Each of these people, in turn, serves to complement the work started at home by parents and family; and

Whereas, Dr. Robert Hahn has dedicated his last 33 years to the students of Genesee County. He began his educational career in 1969 as a teacher at Kearsley Community Schools. Within 5 years, he was named an assistant principal of the school district. In 1976, Linden Schools selected Dr. Hahn as its middle school principal before promoting him to superintendent in 1985. He began his career in Davison in 1989, serving 2 years as an assistant superintendent before becoming superintendent in 1991; and

Whereas, In his work as Superintendent of the Davison Community School District over the past 11 years, Dr. Robert C. Hahn was one of many with the challenging task of building and maintaining a quality educational system in a time of great change and uncertainties. Under Dr. Hahn's leadership, Davison Community Schools upgraded its technology to become one of the most comprehensive local-area networks among Genesee County's 21 school districts. The district built an intermediate school, which is named after Dr. Hahn. They also built state-of-the-art library additions to four of its elementary schools; and

Whereas, The Davison Community Schools, under Dr. Hahn's leadership, excelled in their MEAP scores. Recently, Standard and Poor's rated the district's performance-cost index as one of the best in Michigan; and

Whereas, With his heartfelt concern for young people and the realization of the importance of learning in our swiftly changing world, Dr. Hahn has helped countless students and strengthened our state and its future; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body honor Dr. Robert C. Hahn upon the occasion of his retirement as Superintendent of the Davison Community School District. May his retirement be filled with health and happiness, as well as the thrill of new "grandfatherhood"; and be it further

Resolved, That a copy of this resolution be transmitted to Dr. Robert C. Hahn 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.

Reports of Standing Committees

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

Senate Bill No. 425, entitled

A bill to amend 1968 PA 330, entitled "Private security business and security alarm act," by amending sections 2, 3, 6, 7, 9, 10, 13, 14, 17, 18, 19, 24, 25, 29, and 31 (MCL 338.1052, 338.1053, 338.1056, 338.1057, 338.1059, 338.1060, 338.1063, 338.1064, 338.1067, 338.1068, 338.1069, 338.1074, 338.1075, 338.1079, and 338.1081), sections 2, 3, 6, 7, 9, 10, 14, 17, 18, 19, 25, 29, and 31 as amended by 2000 PA 411.

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

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

Favorable Roll Call

SB 425 To Report Out:

Yeas: Reps. Faunce, Kowall, Bishop, DeWeese, George, Gosselin, Raczkowski, McConico, O'Neil, Rison,

Nays: None.

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

Senate Bill No. 927, entitled

A bill to amend 1965 PA 213, entitled "An act to provide for setting aside the conviction in certain criminal cases; to provide for the effect of such action; to provide for the retention of certain nonpublic records and their use; to prescribe the powers and duties of certain public agencies and officers; and to prescribe penalties," by amending section 1 (MCL 780.621), as amended by 1996 PA 573.

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

1. Amend page 5, line 7, by striking out all of enacting section 1 and inserting:

"Enacting section 1. This amendatory act takes effect October 1, 2002."

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

Favorable Roll Call

SB 927 To Report Out:

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

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

Senate Bill No. 929, entitled

A bill to amend 1965 PA 285, entitled "Private detective license act of 1965," by amending the title and sections 1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 16, 17, 18, 20, 21, 22, 23, 24, 25, 26, 27, 28, and 31 (MCL 338.821, 338.822, 338.823, 338.824, 338.825, 338.826, 338.827, 338.829, 338.830, 338.831, 338.832, 338.833, 338.834, 338.836, 338.837, 338.838, 338.840, 338.841, 338.842, 338.843, 338.844, 338.845, 338.846, 338.847, 338.848, and 338.851).

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

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

Favorable Roll Call

SB 929 To Report Out:

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

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

Senate Bill No. 992, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13p of chapter XVII (MCL 777.13p), as added by 2002 PA 30.

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

1. Amend page 2, following line 9, by inserting:

"Enacting section 2. This amendatory act takes effect October 1, 2002."

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

Favorable Roll Call

SB 992 To Report Out:

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

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Faunce, Chair of the Committee on Criminal Justice, was received and read:
Meeting held on: Wednesday, May 29, 2002, at 9:30 a.m.,

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

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

House Bill No. 4739, entitled

A bill to regulate persons engaged in carpentry; to create a board of carpentry; to provide for powers and duties for certain state agencies and departments; to provide for the establishing of standards; to provide for the licensing of carpenter contractors and journey carpenters; to prescribe fees; to provide for the promulgation of rules; and to prescribe remedies and penalties.

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

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

Favorable Roll Call

HB 4739 To Report Out:

Yeas: Reps. Rocca, Faunce, Garza, Waters, Williams, Wojno,
Nays: Rep. Richner.

The Committee on Regulatory Reform, by Rep. Rocca, Chair, reported
Senate Bill No. 112, entitled

A bill to amend 1967 (Ex Sess) PA 7, entitled "Urban cooperation act of 1967," by amending sections 2, 3, 4, 10, and 12 (MCL 124.502, 124.503, 124.504, 124.510, and 124.512), section 2 as amended by 1995 PA 108 and section 10 as amended by 1985 PA 10.

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 112 To Report Out:

Yeas: Reps. Rocca, Faunce, Garza, Waters, Williams, Wojno,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

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

Present: Reps. Rocca, Faunce, Richner, Garza, Waters, Williams, Wojno,

Absent: Reps. Scranton, Raczkowski.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, May 30, 2002, at 8:00 a.m.,

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

Absent: Reps. Bisbee, Cassis,

Excused: Reps. Bisbee, Cassis.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, May 30, 2002, at 10:00 a.m.,

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

Announcement by the Clerk of Printing and Enrollment

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

House Bill Nos. 6141 6142 6143 6144 6145 6146 6147 6148 6149 6150

The Clerk announced that the following Senate bills had been received on Thursday, May 30:

Senate Bill Nos. 117 1137 1323 1324 1358

By unanimous consent the House returned to the order of

Messages from the Senate

Senate Bill No. 117, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 31 (MCL 208.31), as amended by 1999 PA 115.

The Senate has passed the bill.

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

Senate Bill No. 1137, entitled

A bill to authorize the issuance of general obligation bonds of this state to finance infrastructure improvements at Michigan public schools; to pledge the full faith and credit of this state for the payment of principal and interest on the bonds; to pay for issuing the bonds; to provide for other measures relating to the bonds; and to provide for the submission of the question of the issuance of the bonds to the electors of this state.

The Senate has passed the bill.

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

Senate Bill No. 1323, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 2803, 2834, 2835, 2848, and 2888 (MCL 333.2803, 333.2834, 333.2835, 333.2848, and 333.2888), section 2835 as amended by 1999 PA 207.

The Senate has passed the bill.

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

Senate Bill No. 1324, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 806 (MCL 257.806), as amended by 2001 PA 268.

The Senate has passed the bill.

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

Senate Bill No. 1358, entitled

A bill to amend 1966 PA 189, entitled "An act to provide procedures for making complaints for, obtaining, executing and returning search warrants; and to repeal certain acts and parts of acts," by amending section 1 (MCL 780.651), as amended by 2002 PA 128.

The Senate has passed the bill.

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

Rep. Kuipers moved that the House adjourn.
The motion prevailed, the time being 4:10 p.m.

Associate Speaker Pro Tempore Julian declared the House adjourned until Tuesday, June 4, at 10:00 a.m.

GARY L. RANDALL
Clerk of the House of Representatives.

