

**No. 75**  
**STATE OF MICHIGAN**  
**JOURNAL**  
**OF THE**  
**House of Representatives**  
**91st Legislature**  
**REGULAR SESSION OF 2002**

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House Chamber, Lansing, Thursday, December 12, 2002.

10:00 a.m.

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

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

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

Rep. Paul Wojno, from the 28th District, offered the following invocation:

“Dear Father, we thank You for the opportunity to be Your servants here in government. May we all remember to begin and end each day in prayer and thanksgiving to You. We thank You for Your gracious and continued blessings. In Jesus’ name. Amen.”

Rep. Vander Roest moved that Rep. Faunce be excused from today’s session.  
The motion prevailed.

Rep. Kolb moved that Rep. Reeves be excused from today’s session.  
The motion prevailed.

### Reports of Standing Committees

The Committee on Health Policy, by Rep. Ehardt, Chair, reported

**Senate Bill No. 1436, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 22203, 22205, 22207, 22209, 22211, 22213, 22215, 22221, 22226, 22230, 22231, 22235, 22239, 22241, 22247, 22255, and 22260 (MCL 333.22203, 333.22205, 333.22207, 333.22209, 333.22211, 333.22213, 333.22215, 333.22221, 333.22226, 333.22230, 333.22231, 333.22235, 333.22239, 333.22241, 333.22247, 333.22255, and 333.22260), sections 22203, 22207, 22209, 22213, 22215, 22221, 22231, 22239, 22241, 22247, and 22260 as amended by 1993 PA 88, section 22205 as amended by 2000 PA 253, sections 22211, 22230, 22235, and 22255 as added by 1988 PA 332, and section 22226 as added by 1988 PA 331, and by adding section 22231a; and to repeal acts and parts of acts.

With the recommendation that the substitute (H-7) 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 1436** To Report Out:

Yeas: Reps. Ehardt, Raczkowski, Bradstreet, George, Ruth Johnson, Scranton, Vander Veen, Woronchak, Garza, Hardman, Williams,

Nays: Reps. Rocca, Neumann, Adamini.

The Committee on Health Policy, by Rep. Ehardt, Chair, reported

**House Resolution No. 604.**

A resolution to urge the Michigan Department of Education to develop a program to teach better health habits to children.

(For text of resolution, see House Journal No. 70, p. 2816.)

With the recommendation that the following substitute (H-2) be adopted and that the resolution then be adopted.

**Substitute for House Resolution No. 604.**

A resolution to urge the Michigan Department of Education to identify incentives encouraging schools to promote better health habits in children.

Whereas, There are alarming trends in the health habits of American children, including young people in Michigan. Lack of exercise and poor nutrition are contributing to health problems that may jeopardize not only the well-being of a large segment of our population, but also the stability of certain elements of our economy in the long run. Some health experts have used terms like “epidemic” to describe the increasing incidents of childhood obesity and related conditions, including Type II diabetes; and

Whereas, One of the avenues available to educate children on the direct correlation between daily decision making and health is through the schools. This practical application of basic facts of physiology can be a way to impart to young people lessons that can help them all their lives. It is certainly true that teaching children what they need to do to stay healthy in life is as worthy a goal as other personal safety information our schools regularly impart through various programs and materials; and

Whereas, The Department of Education and schools can play an important role in addressing a problem that may well be one of the most serious issues facing us in the long run. In addition to the clear health benefits of promoting better health habits, getting students to exercise regularly, to eat better, and to take better care of themselves can only help academic performance as well; now, therefore, be it

Resolved by the House of Representatives, That we urge the Michigan Department of Education to identify incentives encouraging schools to promote better health habits in children, including strategies to increase physical activity, wellness and nutrition education, and more nutritional choices for students; and be it further

Resolved, That copies of this resolution be transmitted to the Michigan Department of Education.

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

#### Favorable Roll Call

#### **HR 604** To Report Out:

Yeas: Reps. Ehardt, Raczkowski, George, Vander Veen, Woronchak, Neumann, Adamini, Garza, Hardman, Williams,

Nays: None.

#### COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Ehardt, Chair, of the Committee on Health Policy, was received and read:  
Meeting held on: Wednesday, December 11, 2002, at 9:00 a.m.,

Present: Reps. Ehardt, Raczkowski, Bradstreet, George, Ruth Johnson, Rocca, Scranton, Vander Veen, Woronchak, Neumann, Adamini, Garza, Hardman, Schauer, Williams.

#### COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Rick Johnson, Chair, of the Committee on House Television and Oversight, was received and read:

Meeting held on: Thursday, December 12, 2002, at 9:30 a.m.,

Present: Reps. Rick Johnson, Patterson, Meyer, Jacobs,

Absent: Reps. Thomas, Williams,

Excused: Reps. Thomas, Williams.

By unanimous consent the House returned to the order of

#### **Motions and Resolutions**

Rep. Rocca moved that the Committee on Regulatory Reform be discharged from further consideration of **Senate Bill No. 717**.

(For first notice see House Journal No. 74, p. 3004.)

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

The motion prevailed.

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

#### **Messages from the Senate**

The Senate requested the return of

#### **House Bill No. 5947, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 44 (MCL 211.44), as amended by 2000 PA 364.

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

The motion prevailed.

**House Bill No. 6219, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 80166 (MCL 324.80166), as added by 1995 PA 58, and by adding section 80166a.

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.

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

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

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

**Second Reading of Bills****Senate Bill No. 1422, entitled**

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 7 (MCL 208.7), as amended by 2001 PA 229.

Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on Tax Policy,

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

Rep. Vear moved to amend the bill as follows:

1. Amend page 5, line 10, after "October 1," by striking out "2002" and inserting "2003".

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

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

The motion prevailed.

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

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

Rep. Vander Roest moved that Reps. Shackleton and Allen be excused temporarily from today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

**Third Reading of Bills****Senate Bill No. 1422, entitled**

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 7 (MCL 208.7), as amended by 2001 PA 229.

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

**Roll Call No. 1244****Yeas—90**

Adamini	Gielegem	Lipsey	Rocca
Bernero	Gilbert	Lockwood	Schauer
Birkholz	Godchaux	Mans	Scranton
Bisbee	Gosselin	Mead	Sheltrown
Bishop	Hager	Meyer	Shulman
Bovin	Hansen	Middaugh	Spade
Bradstreet	Hardman	Minore	Stamas
Brown, B.	Hart	Mortimer	Stewart
Brown, C.	Howell	Murphy	Tabor
Brown, R.	Hummel	Neumann	Thomas

Cassis	Jacobs	Newell	Toy
Caul	Jansen	O'Neil	Van Woerkom
Clark, I.	Jelinek	Palmer	Vander Roest
Clarke, H.	Johnson, Rick	Pappageorge	Vander Veen
Daniels	Johnson, Ruth	Patterson	Vear
DeRossett	Julian	Pestka	Voorhees
DeVuyst	Koetje	Phillips	Waters
DeWeese	Kolb	Quarles	Whitmer
Drolet	Kooiman	Raczkowski	Williams
Ehardt	Kowall	Richardville	Woodward
Frank	Kuipers	Richner	Woronchak
Garza	LaSata	Rison	Zelenko
George	Lemmons		

### Nays—15

Anderson	Dennis	Plakas	Stallworth
Basham	Durhal	Pumford	Switalski
Bogardus	Jamnick	Rivet	Wojno
Callahan	McConico	Schermesser	

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 provide for the imposition, levy, computation, collection, assessment and enforcement, by lien or otherwise, of taxes on certain commercial, business, and financial activities; to prescribe the manner and times of making certain reports and paying taxes; to prescribe the powers and duties of public officers and state departments; to permit the inspection of records of taxpayers; to provide for interest and penalties on unpaid taxes; to provide exemptions, credits, and refunds; to provide penalties; to provide for the disposition of funds; to provide for the interrelation of this act with other acts; and to provide an appropriation.”

The House agreed to the full title.

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

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

Rep. Dennis, 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 SB 1422 because it further reduces revenues into the State's General Fund as well as the School Aid Fund. Any reduction in the Single Business Tax will have an adverse effect on the State's ability to act responsibly in dealing with a 1.8 billion dollar deficit projected for budget year 2004 and beyond. Therefore, I respectfully vote no.”

### Second Reading of Bills

#### Senate Bill No. 719, entitled

A bill to amend 1978 PA 389, entitled “An act to provide for the prevention and treatment of domestic violence; to develop and establish policies, procedures, and standards for providing domestic violence assistance programs and services; to create a domestic violence prevention and treatment board and prescribe its powers and duties; to establish a domestic violence prevention and treatment fund and provide for its use; and to prescribe powers and duties of the family independence agency,” (MCL 400.1501 to 400.1511) by adding section 11.

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

The motion prevailed.

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

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

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

By unanimous consent the House returned to the order of

**Third Reading of Bills**

**Senate Bill No. 719, entitled**

A bill to amend 1978 PA 389, entitled "An act to provide for the prevention and treatment of domestic violence; to develop and establish policies, procedures, and standards for providing domestic violence assistance programs and services; to create a domestic violence prevention and treatment board and prescribe its powers and duties; to establish a domestic violence prevention and treatment fund and provide for its use; and to prescribe powers and duties of the family independence agency," (MCL 400.1501 to 400.1511) by adding section 11.

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

**Roll Call No. 1245**

**Yeas—102**

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

**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 1978 PA 389, entitled “An act to provide for the prevention and treatment of domestic violence; to develop and establish policies, procedures, and standards for providing domestic violence assistance programs and services; to create a domestic violence prevention and treatment board and prescribe its powers and duties; to establish a domestic violence prevention and treatment fund and provide for its use; to prescribe powers and duties of the family independence agency; to prescribe immunities and liabilities of certain persons and officials; and to prescribe penalties for violations of this act,” by amending section 11 (MCL 400.1511), as added by 2001 PA 192.

The motion prevailed.

The House agreed to the title as amended.

Rep. Richardville 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. 1448, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 1307a and 1344 (MCL 600.1307a and 600.1344), section 1307a as amended by 1986 PA 104 and section 1344 as amended by 1982 PA 226.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Civil Law and the Judiciary (for amendment, see House Journal No. 71, p. 2851),

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

Rep. Minore moved to amend the bill as follows:

1. Amend page 2, line 6, after “Not” by striking out “HAVE BEEN CONVICTED OF” and inserting “be under sentence for”.

2. Amend page 2, line 7, after “felony” by striking out the period and inserting “at the time of jury selection.”.

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

Rep. Minore demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 1246**

**Yeas—30**

Adamini	DeWeese	Lipsey	Schauer
Bernero	Garza	McConico	Thomas
Bogardus	Gielegem	Minore	Waters
Callahan	Hansen	Murphy	Whitmer
Clark, I.	Hardman	Phillips	Williams
Clarke, H.	Jacobs	Quarles	Woodward
Daniels	Kolb	Rison	Zelenko
Dennis	Lemmons		

**Nays—67**

Allen	Gosselin	Middaugh	Shackleton
Anderson	Hager	Mortimer	Sheltrown

Birkholz	Hart	Neumann	Shulman
Bisbee	Howell	Newell	Spade
Bishop	Hummel	O'Neil	Stamas
Bovin	Jansen	Palmer	Stewart
Bradstreet	Jelinek	Pappageorge	Switalski
Brown, B.	Johnson, Rick	Patterson	Tabor
Brown, C.	Johnson, Ruth	Pestka	Toy
Brown, R.	Julian	Plakas	Van Woerkom
Cassis	Koetje	Pumford	Vander Roest
Caul	Kooiman	Rackowski	Vander Veen
DeRossett	Kowall	Richardville	Vear
DeVuyst	LaSata	Richner	Voorhees
Drolet	Mans	Rocca	Wojno
George	Mead	Schermesser	Woronchak
Gilbert	Meyer	Scranton	

In The Chair: Julian

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

Rep. Richardville 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. 1448, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 1307a and 1344 (MCL 600.1307a and 600.1344), section 1307a as amended by 1986 PA 104 and section 1344 as amended by 1982 PA 226.

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

#### **Roll Call No. 1247**

#### **Yeas—101**

Adamini	Ehardt	LaSata	Schauer
Allen	Garza	Lemmons	Schermesser
Anderson	George	Lipsey	Scranton
Basham	Gielegem	Mans	Shackleton
Bernero	Gilbert	Mead	Sheltrown
Birkholz	Godchaux	Meyer	Shulman
Bisbee	Gosselin	Middaugh	Spade
Bishop	Hager	Minore	Stallworth
Bogardus	Hansen	Murphy	Stamas
Bovin	Hardman	Neumann	Stewart
Bradstreet	Hart	Newell	Switalski
Brown, B.	Howell	O'Neil	Tabor
Brown, C.	Hummel	Palmer	Thomas
Brown, R.	Jacobs	Pappageorge	Toy
Callahan	Jamnick	Patterson	Van Woerkom
Cassis	Jansen	Pestka	Vander Roest
Caul	Jelinek	Phillips	Vander Veen
Clark, I.	Johnson, Rick	Plakas	Vear
Clarke, H.	Johnson, Ruth	Pumford	Voorhees
Daniels	Julian	Rackowski	Whitmer
Dennis	Koetje	Richardville	Williams



DeRossett  
DeVuyst  
DeWeese  
Drolet  
Durhal

Kolb  
Kooiman  
Kowall  
Kuipers

Richner  
Rison  
Rivet  
Rocca

Wojno  
Woodward  
Woronchak  
Zelenko

### Nays—1

Waters

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.

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Rep. Waters, 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 SB 1448 because this state endorses rehabilitation of convicted criminals, thus those individuals should not be treated as second class citizens by excluding them from carrying out their civic duty in the juror process.”

### Second Reading of Bills

#### Senate Bill No. 1452, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 2529 and 8371 (MCL 600.2529 and 600.8371), section 2529 as amended by 2001 PA 202 and section 8371 as amended by 1996 PA 388.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Civil Law and the Judiciary (for amendment, see House Journal No. 71, p. 2852),

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

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

The motion prevailed.

Rep. Richardville 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. 1452, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 2529 and 8371 (MCL 600.2529 and 600.8371), section 2529 as amended by 2001 PA 202 and section 8371 as amended by 1996 PA 388.

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

**Roll Call No. 1248****Yeas—94**

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

**Nays—7**

Bishop	Drolet	Kuipers	Vander Roest
Bradstreet	Gosselin	Patterson	

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. Richardville 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. 1436, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 22203, 22205, 22207, 22209, 22211, 22213, 22215, 22221, 22226, 22230, 22231, 22235, 22239, 22241, 22247, 22255, and 22260 (MCL 333.22203, 333.22205, 333.22207, 333.22209, 333.22211, 333.22213, 333.22215, 333.22221, 333.22226, 333.22230, 333.22231, 333.22235, 333.22239, 333.22241, 333.22247, 333.22255, and 333.22260), sections 22203, 22207, 22209, 22213,

22215, 22221, 22231, 22239, 22241, 22247, and 22260 as amended by 1993 PA 88, section 22205 as amended by 2000 PA 253, sections 22211, 22230, 22235, and 22255 as added by 1988 PA 332, and section 22226 as added by 1988 PA 331, and by adding section 22231a; 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-7) previously recommended by the Committee on Health Policy,

The substitute (H-7) was adopted, a majority of the members serving voting therefor.

Rep. Adamini moved to amend the bill as follows:

1. Amend page 12, line 2, after “THAN” by striking out “35%” and inserting “200”.

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. 1249

### Yeas—44

Adamini	Dennis	Lockwood	Schauer
Anderson	Durhal	McConico	Sheltrown
Basham	Frank	Minore	Spade
Bernero	Gielegem	Murphy	Stallworth
Bishop	Godchaux	Neumann	Switalski
Bogardus	Hansen	Pestka	Waters
Bovin	Hardman	Phillips	Whitmer
Brown, R.	Jacobs	Quarles	Williams
Callahan	Jamnick	Rison	Wojno
Clark, I.	Kolb	Rivet	Woodward
Daniels	Lipsey	Rocca	Zelenko

### Nays—60

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

In The Chair: Julian

Rep. Adamini moved to amend the bill as follows:

1. Amend page 12, line 2, after “THAN” by striking out “35%” and inserting “20%”.

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. 1250****Yeas—37**

Adamini	Gielegthem	Minore	Sheltrown
Anderson	Godchaux	Murphy	Spade
Basham	Hansen	Neumann	Switalski
Bishop	Jacobs	Pestka	Waters
Bogardus	Jamnack	Phillips	Whitmer
Bovin	Kolb	Richner	Williams
Brown, R.	Lipsey	Rison	Wojno
Callahan	Lockwood	Rivet	Woodward
Dennis	McConico	Rocca	Zelenko
Frank			

**Nays—63**

Allen	Ehardt	Kowall	Richardville
Birkholz	Garza	Kuipers	Schauer
Bisbee	George	LaSata	Shackleton
Bradstreet	Gilbert	Lemmons	Shulman
Brown, B.	Gosselin	Mans	Stallworth
Brown, C.	Hager	Mead	Stamas
Cassis	Hardman	Meyer	Stewart
Caul	Hart	Middaugh	Tabor
Clark, I.	Howell	Mortimer	Toy
Clarke, H.	Jansen	Newell	Van Woerkom
Daniels	Jelinek	O'Neil	Vander Roest
DeRossett	Johnson, Rick	Palmer	Vander Veen
DeVuyst	Johnson, Ruth	Pappageorge	Vear
DeWeese	Julian	Patterson	Voorhees
Drolet	Koetje	Pumford	Woronchak
Durhal	Kooiman	Rackowski	

In The Chair: Julian

Rep. Adamini moved to amend the bill as follows:

1. Amend page 12, line 5, after "SUBSECTION" by striking out the balance of the subsection and inserting a period.

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

Rep. Adamini demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 1251****Yeas—90**

Adamini	George	Mead	Schauer
Allen	Gielegthem	Meyer	Shackleton

Anderson	Godchaux	Middaugh	Sheltrown
Basham	Gosselin	Minore	Shulman
Bernero	Hager	Mortimer	Spade
Birkholz	Hansen	Murphy	Stamas
Bisbee	Hart	Neumann	Stewart
Bogardus	Howell	Newell	Switalski
Bovin	Hummel	O'Neil	Tabor
Bradstreet	Jacobs	Palmer	Toy
Brown, B.	Jamnack	Pappageorge	Van Woerkom
Brown, R.	Jansen	Patterson	Vander Roest
Callahan	Jelinek	Pestka	Vander Veen
Caul	Johnson, Rick	Phillips	Vear
Clark, I.	Julian	Plakas	Voorhees
Dennis	Koetje	Pumford	Waters
DeRossett	Kooiman	Quarles	Whitmer
DeVuyst	Kowall	Richardville	Williams
DeWeese	Kuipers	Richner	Wojno
Drolet	LaSata	Rison	Woodward
Durhal	Lipsey	Rivet	Woronchak
Ehardt	Lockwood	Rocca	Zelenko
Frank	Mans		

**Nays—11**

Bishop	Garza	Johnson, Ruth	Scranton
Brown, C.	Gilbert	Lemmons	Stallworth
Cassis	Hardman	Rackowski	

In The Chair: Julian

Rep. Dennis moved to amend the bill as follows:

1. Amend page 28, line 12, by striking out all of section 22224A.

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. 1252****Yeas—17**

Adamini	Gielegem	Neumann	Waters
Bogardus	Hardman	Quarles	Whitmer
Clark, I.	Jamnack	Rison	Williams
Dennis	Minore	Rivet	Zelenko
Garza			

**Nays—82**

Allen	Durhal	LaSata	Schauer
Anderson	Ehardt	Lemmons	Schermesser

Basham	Frank	Lockwood	Shackleton
Bernero	George	Mans	Sheltrown
Birkholz	Gilbert	Mead	Shulman
Bisbee	Gosselin	Meyer	Spade
Bishop	Hager	Middaugh	Stallworth
Bovin	Hansen	Mortimer	Stamas
Bradstreet	Hart	Murphy	Stewart
Brown, B.	Howell	Newell	Switalski
Brown, C.	Hummel	O'Neil	Tabor
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
Daniels	Julian	Raczkowski	Voorhees
DeRossett	Koetje	Richardville	Wojno
DeVuyst	Kooiman	Richner	Woodward
DeWeese	Kowall	Rocca	Woronchak
Drolet	Kuipers		

In The Chair: Julian

Rep. Ehardt moved to amend the bill as follows:

1. Amend page 11, line 17, after "STANDARD" by inserting "UNLESS THE FEDERAL VETERANS HEALTH CARE FACILITY HAS OBTAINED A CERTIFICATE OF NEED FOR THE COVERED CLINICAL SERVICE PROVIDED AT THE FEDERAL VETERANS HEALTH CARE FACILITY UNDER THIS SECTION".

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

Rep. Basham moved to amend the bill as follows:

1. Amend page 14, following line 10, by inserting:

"(12) FACILITIES RECEIVING BEDS RELOCATED UNDER THIS ACT SHALL BE BOUND BY THE EXISTING COLLECTIVE BARGAINING AGREEMENTS FROM THE PRIVATELY OR PUBLICLY OWNED ENTITIES THAT TRANSFERRED THE BEDS. MEMBERS AND BENEFICIARIES OF ANY PENSION AND RETIREMENT SYSTEM ACQUIRED BY THE FACILITIES THAT RECEIVED THESE BEDS UNDER THIS ACT SHALL CONTINUE TO HAVE RIGHTS, PRIVILEGES, BENEFITS, OBLIGATIONS, AND STATUS UNDER THE ACQUIRED PENSION AND RETIREMENT SYSTEM OR BENEFITS. THE FACILITIES RECEIVING RELOCATED BEDS SHALL ASSUME THE OBLIGATIONS OF THE ENTITIES THAT TRANSFERRED THE BEDS WITH REGARD TO ALL OF THE FOLLOWING:

(A) WAGES AND SALARIES.

(B) HOURS AND WORKING CONDITIONS.

(C) SICK LEAVE AND HEALTH AND WELFARE BENEFITS.

(D) PENSION OR RETIREMENT BENEFITS, INCLUDING RETIREE HEALTH CARE BENEFITS.

(2) NO EMPLOYEE IMPACTED BY THE TRANSFER OF BEDS TO A NEW FACILITY UNDER THIS ACT, SHALL, BY REASON OF THE TRANSFER OF BEDS, BE PLACED IN A WORSE POSITION WITH RESPECT TO ANY OF THE FOLLOWING:

(A) WORKER'S COMPENSATION.

(B) PENSION.

(C) SENIORITY.

(D) WAGES.

(E) SICK LEAVE.

(F) VACATION.

(G) HEALTH AND WELFARE BENEFITS.

(H) REASONABLE RELOCATION AND TRAVEL EXPENSES.

(I) ANY OTHER BENEFITS AND/OR STATUS THAT HE OR SHE ENJOYED AS AN EMPLOYEE OF THE HEALTH CARE FACILITY THAT TRANSFERRED THE BEDS."

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

Rep. Basham demanded the yeas and nays.

The demand was supported.

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

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

**Roll Call No. 1253****Yeas—49**

Adamini	Durhal	Mans	Rocca
Anderson	Frank	Mead	Schauer
Basham	Garza	Minore	Schermesser
Bernero	Gielegem	Murphy	Sheltrown
Bogardus	Hansen	Neumann	Spade
Bovin	Hardman	O'Neil	Stallworth
Brown, B.	Jacobs	Pestka	Switalski
Brown, R.	Jamnick	Phillips	Waters
Callahan	Kolb	Plakas	Whitmer
Clark, I.	Lemmons	Quarles	Williams
Clarke, H.	Lipsey	Rison	Wojno
Daniels	Lockwood	Rivet	Zelenko
Dennis			

**Nays—54**

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

In The Chair: Julian

Rep. Woronchak moved to amend the bill as follows:

1. Amend page 10, line 2, after "ON" by striking out the balance of the line through line 3 and inserting "DECEMBER 2, 2002:".

2. Amend page 10, line 4, after "BY" by striking out "THE SAME PERSON AS" and inserting a comma and "UNDER COMMON CONTROL OF, OR HAS AS A COMMON PARENT".

3. Amend page 10, line 13, after "ANOTHER" by striking out "HOSPITAL" and inserting "SITE".

4. Amend page 10, line 14, after "BY" by striking out "THE SAME PERSON AS" and inserting a comma and "UNDER COMMON CONTROL OF, OR HAS AS A COMMON PARENT".

5. Amend page 10, following line 15, by inserting:

"(E) THE PHYSICAL RELOCATION OF LICENSED BEDS FROM A HOSPITAL LICENSED UNDER PART 215 TO ANOTHER HOSPITAL LICENSED UNDER PART 215 AND LOCATED WITHIN THE SAME HOSPITAL SUBAREA IF THE SITE RECEIVING THE LICENSED BED IS OWNED BY, UNDER COMMON CONTROL OF, OR HAS A COMMON PARENT THE HOSPITAL SEEKING TO RELOCATE ITS LICENSED BEDS. A HOSPITAL SHALL TRANSFER BEDS UNDER THIS SUBDIVISION NO MORE THAN 1 TIME PER FACILITY AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION."

6. Amend page 11, line 24, after "(3)(C)" by striking out "OR (D)".
7. Amend page 12, line 1, after "FOR" by inserting "PATIENT CARE AT".
8. Amend page 12, line 14, after "(3)(C)" by striking out "OR (D)".
9. Amend page 12, line 14, after "THAT" by striking out "ARE" and inserting "WERE".
10. Amend page 12, line 15, after "CARE" by inserting "AS OF DECEMBER 2, 2002".
11. Amend page 12, line 16, after "(3)(C)" by striking out "OR (D)".
12. Amend page 12, line 17, after "WERE" by striking out "NOT".

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

Rep. Woronchak moved to amend the bill as follows:

1. Amend page 10, line 4, after "BY" by striking out "THE SAME PERSON AS" and inserting a comma and "UNDER COMMON CONTROL OF, OR HAS AS A COMMON PARENT".
2. Amend page 10, line 13, after "ANOTHER" by striking out "HOSPITAL" and inserting "SITE".
3. Amend page 10, line 14, after "BY" by striking out "THE SAME PERSON AS" and inserting a comma and "UNDER COMMON CONTROL OF, OR HAS A COMMON PARENT".

4. Amend page 10, following line 15, by inserting:

"(E) THE PHYSICAL RELOCATION OF LICENSED BEDS FROM A HOSPITAL LICENSED UNDER PART 215 TO ANOTHER HOSPITAL LICENSED UNDER PART 215 AND LOCATED WITHIN THE SAME HEALTH SERVICE SUBAREA IF THE SITE RECEIVING THE LICENSED BED IS OWNED BY, UNDER COMMON CONTROL OF, OR HAS A COMMON PARENT THE HOSPITAL SEEKING TO RELOCATE ITS LICENSED BEDS. A HOSPITAL SHALL TRANSFER BEDS UNDER THIS SUBDIVISION NO MORE THAN 1 TIME PER FACILITY AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION."

5. Amend page 11, line 24, after "(3)(C)" by striking out "OR (D)".
6. Amend page 12, line 1, after "FOR" by inserting "PATIENT CARE AT".
7. Amend page 12, line 14, after "(3)(C)" by striking out "OR (D)".
8. Amend page 12, line 14, after "THAT" by striking out "ARE" and inserting "WERE".
9. Amend page 12, line 15, after "CARE" by inserting "AS OF DECEMBER 2, 2002".
10. Amend page 12, line 16, after "(3)(C)" by striking out "OR (D)".
11. Amend page 12, line 17, after "WERE" by striking out "NOT".

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

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

The motion prevailed.

Rep. Richardville 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. 1436, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 22203, 22205, 22207, 22209, 22211, 22213, 22215, 22221, 22226, 22230, 22231, 22235, 22239, 22241, 22247, 22255, and 22260 (MCL 333.22203, 333.22205, 333.22207, 333.22209, 333.22211, 333.22213, 333.22215, 333.22221, 333.22226, 333.22230, 333.22231, 333.22235, 333.22239, 333.22241, 333.22247, 333.22255, and 333.22260), sections 22203, 22207, 22209, 22213, 22215, 22221, 22231, 22239, 22241, 22247, and 22260 as amended by 1993 PA 88, section 22205 as amended by 2000 PA 253, sections 22211, 22230, 22235, and 22255 as added by 1988 PA 332, and section 22226 as added by 1988 PA 331, and by adding section 22231a; 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. 1254

Yeas—76

Allen  
Bernero  
Birkholz  
Bisbee

Garza  
George  
Gilbert  
Hager

Kuipers  
LaSata  
Lemmons  
Mans

Richner  
Schauer  
Scranton  
Shackleton



Bogardus	Hansen	McConico	Shulman
Bradstreet	Hardman	Mead	Stallworth
Brown, B.	Hart	Meyer	Stamas
Brown, C.	Howell	Middaugh	Stewart
Callahan	Hummel	Mortimer	Switalski
Cassis	Jamnick	Murphy	Tabor
Caul	Jansen	Newell	Thomas
Clark, I.	Jelinek	O'Neil	Toy
Clarke, H.	Johnson, Rick	Palmer	Van Woerkom
Daniels	Johnson, Ruth	Patterson	Vander Roest
DeRossett	Julian	Pestka	Vander Veen
DeVuyst	Koetje	Pumford	Vear
DeWeese	Kolb	Quarles	Voorhees
Drolet	Kooiman	Rackowski	Waters
Ehardt	Kowall	Richardville	Woronchak

### Nays—29

Adamini	Gielegem	Neumann	Schermesser
Anderson	Godchaux	Pappageorge	Sheltrown
Basham	Gosselin	Phillips	Spade
Bishop	Jacobs	Plakas	Williams
Bovin	Lipsey	Rison	Wojno
Brown, R.	Lockwood	Rivet	Woodward
Dennis	Minore	Rocca	Zelenko
Frank			

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 1978 PA 368, entitled "An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates," by amending sections 22203, 22205, 22207, 22209, 22211, 22213, 22215, 22221, 22226, 22230, 22231, 22235, 22239, 22241, 22247, 22255, and 22260 (MCL 333.22203, 333.22205, 333.22207, 333.22209, 333.22211, 333.22213, 333.22215, 333.22221, 333.22226, 333.22230, 333.22231, 333.22235, 333.22239, 333.22241, 333.22247, 333.22255, and 333.22260), sections 22203, 22207, 22209, 22213, 22215, 22221, 22231, 22239, 22241, 22247, and 22260 as amended by 1993 PA 88, section 22205 as amended by 2000 PA 253, sections 22211, 22230, 22235, and 22255 as amended by 1988 PA 332, and section 22226 as added by 1988 PA 331, and by adding sections 22219 and 22224a; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

By unanimous consent the House returned to the order of  
**Motions and Resolutions**

Rep. Richardville moved that Rule 45(c) be suspended.  
 The motion prevailed, 3/5 of the members present voting therefor.

Rep. Richardville moved that the Committee on Regulatory Reform be discharged from further consideration of  
**Senate Bill No. 638.**

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

### Second Reading of Bills

#### **Senate Bill No. 1000, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 252a (MCL 257.252a), as amended by 2000 PA 306.

The bill was read a second time.

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

The motion prevailed.

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

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

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

Rep. Rich Brown moved that Rep. Adamini be excused temporarily from today's session.  
 The motion prevailed.

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

#### **Senate Bill No. 1000, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 252a (MCL 257.252a), as amended by 2000 PA 306.

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

#### **Roll Call No. 1255**

#### **Yeas—89**

Allen	Garza	Lemmons	Richner
Anderson	George	Lipsey	Schauer
Basham	Gilbert	Lockwood	Schermesser
Bernero	Godchaux	Mans	Shackleton
Birkholz	Gosselin	McConico	Shulman
Bisbee	Hager	Mead	Spade
Bishop	Hansen	Meyer	Stallworth
Bovin	Hardman	Middaugh	Stamas
Brown, B.	Hart	Mortimer	Stewart
Brown, C.	Howell	Murphy	Switalski
Brown, R.	Jacobs	Neumann	Tabor

Callahan	Jamnick	Newell	Thomas
Cassis	Jansen	O'Neil	Toy
Caul	Jelinek	Palmer	Van Woerkom
Clark, I.	Johnson, Rick	Pappageorge	Vander Roest
Clarke, H.	Julian	Patterson	Vander Veen
Daniels	Koetje	Pestka	Voorhees
Dennis	Kolb	Phillips	Whitmer
DeRossett	Kooiman	Plakas	Williams
DeVuyst	Kowall	Pumford	Wojno
DeWeese	Kuipers	Rackowski	Woronchak
Durhal	LaSata	Richardville	Zelenko
Frank			

### Nays—11

Bogardus	Gielegem	Minore	Vear
Bradstreet	Hummel	Rocca	Woodward
Drolet	Johnson, Ruth	Sheltrown	

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 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.”

The House agreed to the full title.

Rep. Richardville 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. 1446, entitled

A bill to amend 1941 PA 122, entitled “An act to establish a revenue division of the department of treasury; to prescribe its powers and duties as the revenue collection agency of the state; to prescribe certain powers and duties of the state treasurer; to regulate the importation, stamping, and disposition of certain tobacco products; to create the position and to define the powers and duties of the state commissioner of revenue; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act.” by amending the title and sections 1, 3, 4, 12, 19, 21, 24, 25, 26, 27a, 28, 30c, and 31 (MCL 205.1, 205.3, 205.4, 205.12, 205.19, 205.21, 205.24, 205.25, 205.26, 205.27a, 205.28, 205.30c, and 205.31), the title as amended by 1999 PA 182, sections 3, 12, 25, and 26 as amended by 1986 PA 58, section 4 as added and section 27a as amended by 1993 PA 14, section 19 as amended by

1996 PA 479, section 21 as amended by 1993 PA 13, sections 24, 30c, and 31 as amended by 2001 PA 168, and section 28 as amended by 2000 PA 308; 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. Cassis moved to amend the bill as follows:

1. Amend page 27, line 9, by striking out all of section 30c.

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

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

The motion prevailed.

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

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

Rep. Anderson moved that Rep. Plakas be excused temporarily from today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

### **Third Reading of Bills**

#### **Senate Bill No. 1446, entitled**

A bill to amend 1941 PA 122, entitled "An act to establish a revenue division of the department of treasury; to prescribe its powers and duties as the revenue collection agency of the state; to prescribe certain powers and duties of the state treasurer; to regulate the importation, stamping, and disposition of certain tobacco products; to create the position and to define the powers and duties of the state commissioner of revenue; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," by amending the title and sections 1, 3, 4, 12, 19, 21, 24, 25, 26, 27a, 28, 30c, and 31 (MCL 205.1, 205.3, 205.4, 205.12, 205.19, 205.21, 205.24, 205.25, 205.26, 205.27a, 205.28, 205.30c, and 205.31), the title as amended by 1999 PA 182, sections 3, 12, 25, and 26 as amended by 1986 PA 58, section 4 as added and section 27a as amended by 1993 PA 14, section 19 as amended by 1996 PA 479, section 21 as amended by 1993 PA 13, sections 24, 30c, and 31 as amended by 2001 PA 168, and section 28 as amended by 2000 PA 308; 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. 1256**

#### **Yeas—106**

Adamini	Frank	Lipsey	Schauer
Allen	Garza	Lockwood	Schermesser
Anderson	George	Mans	Scranton
Basham	Gielegem	McConico	Shackleton
Bernero	Gilbert	Mead	Sheltrown
Birkholz	Godchaux	Meyer	Shulman
Bisbee	Gosselin	Middaugh	Spade
Bishop	Hager	Minore	Stallworth
Bogardus	Hansen	Mortimer	Stamas
Bovin	Hardman	Murphy	Stewart
Bradstreet	Hart	Neumann	Switalski
Brown, B.	Howell	Newell	Tabor

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

### 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 1941 PA 122, entitled "An act to establish a revenue division of the department of treasury; to prescribe its powers and duties as the revenue collection agency of the state; to prescribe certain powers and duties of the state treasurer; to regulate the importation, stamping, and disposition of certain tobacco products; to create the position and to define the powers and duties of the state commissioner of revenue; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," by amending the title and sections 1, 3, 4, 12, 19, 21, 24, 25, 26, 27a, 28, and 31 (MCL 205.1, 205.3, 205.4, 205.12, 205.19, 205.21, 205.24, 205.25, 205.26, 205.27a, 205.28, and 205.31), the title as amended by 1999 PA 182, sections 3, 12, 25, and 26 as amended by 1986 PA 58, section 4 as added and section 27a as amended by 1993 PA 14, section 19 as amended by 1996 PA 479, section 21 as amended by 1993 PA 13, sections 24 and 31 as amended by 2001 PA 168, and section 28 as amended by 2000 PA 308; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

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

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

Rep. Hale entered the House Chambers.

By unanimous consent the House returned to the order of

### Motions and Resolutions

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution:  
**House Resolution No. 663.**

A resolution of tribute for the Honorable Cameron S. Brown.

Whereas, It is with great appreciation for his service to the people of Michigan in the House of Representatives that we join together in commending Cameron Brown. We mark his departure from this legislative body by extending our thanks to a business leader and public servant who brought unique insights to the legislative process; and

Whereas, Cameron Brown earned his bachelor's degree in history from the University of Missouri-Kansas City, and went on to the College of William and Mary and Western Michigan University, where he earned his master of public administration degree. In addition to his experience as vice president for marketing at Freeman Manufacturing Company, Cameron Brown served the public in a number of capacities prior to his election to the Michigan Legislature. He won election five times to the St. Joseph County Board of Commissioners and was thrice elected board chairman. He also served from 1981 to 1986 on the Sturgis City Commission. In his community, he has been involved with the Sturgis Rotary Club and United Fund; and

Whereas, The election of 1998 sent Cameron Brown to Lansing, where he has served with distinction. He served as Assistant Majority Whip and was a member of the Legislative Council and Appropriations Committee, working on the subcommittees addressing School Aid, the Department of Education, and Retirement. In addition, he was the Chair of State Police and Vice Chair of the General Government Subcommittees of the Appropriations Committee. His efforts have made Michigan a better state and we thank him for his commitment to public service; now, therefore, be it

Resolved by the House of Representatives, That we honor Representative Cameron Brown as he concludes his service with the Michigan House of Representatives; and be it further

Resolved, That a copy of this resolution be transmitted to Representative Brown 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.

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution:

**House Resolution No. 664.**

A resolution of tribute for the Honorable Andy Neumann.

Whereas, The members of this legislative body extend our gratitude to Representative Andy Neumann as he completes his distinguished tenure with the Michigan House of Representatives. Representative Neumann has been a valuable colleague and an effective advocate for his constituents of the One Hundred and Sixth District; and

Whereas, A life-long resident of Alpena, Andy Neumann is a versatile individual deeply committed to the well-being of his community. After earning a business management degree at Alpena Community College, he established the Northern Healthcare Management Company. For seventeen years, he worked for the city of Alpena as a professional fire fighter and paramedic. Further, in 1995, he became a certified real estate agent. From 1996 to 1998, Andy Neumann served on the Alpena Board of Commissioners, and he is a board member of the Child and Family Services of Northeast Michigan, Michigan Center for Rural Health, and Northeast Medical Control Board; and

Whereas, Andy Neumann was elected to the House of Representatives in 1998. During the Ninety-first Legislature, he served on the Appropriations Subcommittee on Community Health, Vice Chaired the Health Policy Committee, and was a member of the Transportation Committee; now, therefore, be it

Resolved by the House of Representatives, That we honor Representative Neumann as he concludes his service with the Michigan House of Representatives; and be it further

Resolved, That a copy of this resolution be transmitted to Representative Neumann as an acknowledgment of his longstanding dedication to public service.

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.

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution:

**House Resolution No. 665.**

A resolution of tribute for the Honorable Steve Pestka.

Whereas, It is truly an honor for us to extend best wishes and thanks to Representative Steve Pestka as his service to the Michigan House of Representatives draws to a close. His tenure has been marked by a strong sense of commitment and sensitivity to the many issues vital to Michigan's future; and

Whereas, Steve Pestka came to Lansing following his 1998 election and brought with him a diverse range of experiences and accomplishments. In addition to his nearly two decades in the private practice of law, he is a former assistant prosecuting attorney for Kent County and served three terms on the Kent County Board of Commissioners. This background proved to be invaluable to the people of his district and his colleagues in the House; and

Whereas, Highlights of Representative Pestka's tenure in the House of Representatives include his work on the House Appropriations Subcommittee on School Aid and the Department of Education as well as the Subcommittee on State Police and Military Affairs. In addition, he currently serves as minority vice chair of the Subcommittee on Community Colleges. In fulfilling his myriad responsibilities, Steve Pestka has demonstrated a personal sense of conviction and the highest standards of public service; now, therefore, be it

Resolved by the House of Representatives, That we commend and thank State Representative Steve Pestka as he concludes his tenure of service to this legislative body; and be it further

Resolved, That a copy of this document be presented to Representative Pestka and his family as evidence of our best wishes.

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.

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution:  
**House Resolution No. 666.**

A resolution of tribute to the Honorable Judith Scranton.

Whereas, We are pleased to honor Representative Judith Scranton as she concludes her memorable career in the Michigan House of Representatives. A firm believer in the ideal that bipartisanship is the key component to legislating good public policy, she has earned the respect of colleagues from both sides of the political aisle; and

Whereas, As a graduate of Cleary College, where she earned a degree in business administration, Judith Scranton owns and administers a convalescent and nursing home. In addition, Judith Scranton is deeply committed to the well being of her Livingston County community. She has served as a board member to the Livingston Area Council Against Spouse Abuse and the Livingston chapter of the American Heart Association, as well as being the founding member of the Community Coordinated Child Care Council; and

Whereas, Representative Scranton was elected to the Michigan House in 1996, and in 1999 to 2000 was chosen Speaker Pro Tempore by her caucus. Throughout her tenure, she has numerous legislative accomplishments, including sponsoring legislation ensuring that 9-1-1 operators can automatically determine the location of distressed cell phone callers; authoring a law that created a new Michigan business that allows entrepreneurs to reclaim valuable sunken logs from Great Lakes bottomlands; and promoting a consumer protection act that protects the elderly living in senior citizen housing; now, therefore, be it

Resolved by the House of Representatives, That we honor Representative Judith Scranton as she concludes her service with the Michigan House of Representatives; and be it further

Resolved, That a copy of this resolution be transmitted to Representative Scranton as a tribute to her dedication to public service.

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.

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution:

**House Resolution No. 667.**

A resolution of tribute for the Honorable Keith Stallworth.

Whereas, It is with appreciation for his contributions to the Michigan House of Representatives that we take this opportunity to thank Representative Keith B. Stallworth. Representative Stallworth leaves this legislative body after three terms of noteworthy service; and

Whereas, Keith Stallworth attended the Detroit Public Schools and earned his bachelor's degree from Michigan State University. He embarked on a wide ranging business career, and holds professional licenses in the fields of insurance, gaming, sports, and entertainment. His private sector experience includes ownership of a restaurant, tavern, commercial insurance brokerage, and utility line construction companies. He has also served as a marketing executive for several major businesses. In addition, he has been an active community leader; and

Whereas, His introduction to government and the legislative process began early, and includes work as a congressional aide and in the executive branch. In 1996, Keith Stallworth was elected to the House of Representatives. His breadth of experience provided Representative Stallworth with a varied perspective that was invaluable to drafting laws beneficial to all Michigianians. He has made an impact on the vital Appropriations Committee, where the direction

of the state is decided. Truly, the energetic and dedicated Representative Stallworth has tirelessly worked for his district and state; now, therefore, be it

Resolved by the House of Representatives, That we honor Representative Keith Stallworth as he concludes his tenure in this legislative body; and be it further

Resolved, That a copy of this resolution be transmitted to Representative Stallworth as a tribute to his public service.

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.

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution:

**House Resolution No. 668.**

A resolution for the Honorable Tony Stamas.

Whereas, The members of this legislative body are proud to commend and thank our colleague Representative Tony Stamas as he brings to a close his distinguished service to the Michigan House of Representatives. His sense of commitment, thoroughness, and energy have contributed significantly to the legislative process over the past four years, and we have appreciated his ideas in several areas of concern for our state; and

Whereas, A graduate of Michigan State University, Tony Stamas distinguished himself in business and civic leadership in the Midland region. His record of business and civic leadership includes involvement in his family's small business in downtown Midland, his membership and involvement with the Midland Chamber of Commerce, and his service as former district director for State Senator Bill Schuette. His sense of commitment to his local community is also exhibited in his service as Midland County Commissioner, his membership on the Midland/Gladwin County Mental Health Board, and his membership with the Midland Jaycees and the Michigan Farm Bureau; and

Whereas, In the two terms since his 1998 election to the Michigan House of Representatives, Tony Stamas has devoted his talents to many areas of policymaking. As a member of the House Appropriations Committee, he directed his efforts and knowledge to the development of legislative initiatives on matters of fundamental importance to our state. He has been especially active in the budget process and in trying to keep Michigan's fiscal house in order; now, therefore, be it

Resolved by the House of Representatives, That we offer this expression of tribute to commend and thank the Honorable Tony Stamas for his notable contributions to this legislative body and to our entire state; and be it further

Resolved, That a copy of this resolution be transmitted to Representative Stamas as evidence of our gratitude and best wishes.

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.

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution:

**House Resolution No. 669.**

A resolution for the Honorable Michael Switalski.

Whereas, It is most appropriate to offer this expression of respect and commendation to Michael Switalski as he completes his service to the Michigan House of Representatives. Throughout his two terms as a lawmaker in the House, Representative Switalski has dedicated himself to the people of his district and our entire state. He has contributed admirably in debates on issues that will shape Michigan's future, and we are proud to extend our thanks for his hard work in this legislative body; and

Whereas, Michael Switalski, who earned his bachelor's degree from Louisiana State University and graduate degrees from the University of Aberdeen in Scotland and Louisiana State University, came to the Capitol following his 1998 election. He brought with him an extensive array of experiences in the private and public sectors, as chief of labor relations at the Detroit Arsenal Tank Plant of General Dynamics, as Roseville City Councilman, as Macomb County Commissioner, and as a member of other Macomb county commissions and boards; and

Whereas, Representative Switalski has contributed to the work of the Employment Relations, Training and Safety; Family and Civil Law; and Tax Policy Committees. His work in the House over the past four years has been deeply appreciated by colleagues, staff members, and the people of his district and our state; now, therefore, be it

Resolved by the House of Representatives, That we offer this expression of tribute to commend and thank the Honorable Michael Switalski for his notable contributions to this legislative body and to our entire state; and be it further



Resolved, That a copy of this resolution be transmitted to Representative Switalski as evidence of our gratitude and best wishes.

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.

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution:

**House Resolution No. 670.**

A resolution for the Honorable Samuel Buzz Thomas.

Whereas, As he brings to a close his tenure with the Michigan House of Representatives, it is a pleasure to offer this expression of respect and thanks to Samuel Buzz Thomas for his contributions to this legislative body. His sense of energy, dedication, and commitment have been beneficial not only to his Wayne County district, but our entire state; and

Whereas, Samuel Buzz Thomas, who studied at the University of Pennsylvania, has been an active leader in the Detroit area community. A Construction Manager for Parkside Building Company and Avis Tech Park Partners, he compiled a political career that includes being a senior congressional legislative assistant and campaign director for a U.S. Senate candidate. Representative Thomas' community leadership also includes being a founding member of Independent Policy Group, a member of the Board of Directors for Matthew McNeely Neighborhood Foundation, a member of the Trade Union Leadership Council, and a member of numerous other community organizations; and

Whereas, Representative Thomas has contributed to the Energy and Technology and the Insurance and Financial Services Committees. His work in the House over the past four years on issues such as economic development and education among others, and his leadership as Democratic leader of the House has been deeply appreciated by colleagues, staff members, and the people of our state; now, therefore, be it

Resolved by the House of Representatives, That we offer this expression of tribute to commend and thank the Honorable Samuel Buzz Thomas for his notable contributions to this legislative body and to our entire state; and be it further

Resolved, That a copy of this resolution be transmitted to Representative Thomas as evidence of our gratitude and best wishes.

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.

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution:

**House Resolution No. 671.**

A resolution for the Honorable Laura Toy.

Whereas, As she completes her service in the House of Representatives, it is most appropriate to salute Laura Toy and thank her for her contributions to this legislative body. Her sense of commitment, thoroughness, and energy have contributed significantly to the legislative process over the past four years, and we have appreciated her insights in several areas of concern for our state; and

Whereas, Laura Toy, a graduate of the University of Michigan and Schoolcraft Community College, distinguished herself in business and civic leadership in the Livonia area. Her record of business achievement includes being a partner in Cardwell Florist for 21 years, and her record of public service includes working on the Livonia City Council and as Livonia City Treasurer, as well as membership in a number of organizations, including the Livonia Business and Professional Women's Club, the Livonia Historical Society, and the League of Women Voters, among other well-known groups; and

Whereas, In the two terms since her 1998 election to the Michigan House of Representatives, Laura Toy has devoted her talents to many areas of policymaking. Representative Toy has contributed to the work of the Appropriations Committee, including the House Appropriations Subcommittee on the Family Independence Agency, as well as the subcommittees on the Joint Capital Outlay, Judiciary, and Retirement. Her work in the House over the past four years has been deeply appreciated by colleagues, staff members, and the people of her district and our state; now, therefore, be it

Resolved by the House of Representatives, That we offer this expression of tribute to commend and thank the Honorable Laura Toy for her notable contributions to this legislative body and to our entire state; and be it further,

Resolved, That a copy of this resolution be transmitted to Representative Toy as evidence of our gratitude and best wishes.

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.

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution:  
**House Resolution No. 672.**

A resolution for the Honorable Jerry Vander Roest.

Whereas, It is a great pleasure to offer this expression of gratitude to commend Representative Jerry Vander Roest for his commitment to the people of his district and our state. As he completes his responsibilities as a lawmaker, we thank him for his hard work and dedication; and

Whereas, Jerry Vander Roest, a lifelong Kalamazoo County resident, has devoted himself to public service at the local and state levels in a wide variety of capacities over the years. A graduate of Western Michigan University, he gained invaluable experience as an assessor, farmer, volunteer fire fighter and medical first responder, small business owner, and local official for many years. In addition, he served as a key legislative staffer to several area lawmakers prior to his own election as State Representative in 1998; and

Whereas, Representative Vander Roest's strong ties to his community gave him insights that have been very helpful in the lawmaking process. Throughout his tenure as a legislator, he has shared his understanding of the true impact of state government action on local communities. He also distinguished himself through his work on the House Appropriations Committee, which included his service on the subcommittees for Agriculture, Consumer and Industry Services/Michigan Economic Development Corporation, General Government, and Retirement, which he chaired; now, therefore, be it

Resolved by the House of Representatives, That we offer this expression of tribute to commend and thank the Honorable Jerry Vander Roest for his notable contributions to this legislative body and to our entire state; and be it further

Resolved, That a copy of this resolution be transmitted to Representative Vander Roest as evidence of our gratitude and best wishes.

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.

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution:  
**House Resolution No. 673.**

A resolution for the Honorable Gerald Van Woerkom.

Whereas, It is with the utmost gratitude for his service on behalf of the people of his district and our entire state that the members of this legislative body join in saluting our friend, the Honorable Gerald Van Woerkom. An individual known for his concern for the well-being of others and his deep personal commitment to effective government, he has handled his responsibilities with integrity and dedication; and

Whereas, Gerald Van Woerkom's distinguished record in the Michigan House of Representatives is a continuation of his service as an educator. The same spirit of commitment that he demonstrated as superintendent of Muskegon Christian Schools has been reflected in his efforts as a lawmaker. Indeed, he has served with distinction on the House Committee on Agriculture and Resource Management, as chair of the Subcommittee on Tourism of the House Commerce Committee, and with the Education Committee and Insurance and Financial Services Committee; and

Whereas, In each aspect of his career, Gerald Van Woerkom has proven to be a leader with vision and insight. His efforts to better our state merit our praise and heartfelt congratulations; now, therefore, be it

Resolved by the House of Representatives, That a unanimous accolade of tribute be hereby extended to the Honorable Gerald Van Woerkom; and be it further

Resolved, That a copy of this resolution be presented to Representative Van Woerkom 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.

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution:  
**House Resolution No. 674.**

A resolution of tribute to the Honorable Paul J. Wojno.

Whereas, It is with the utmost gratitude for his outstanding record of public service to the people of his district and the entire state of Michigan that we unite in saluting Representative Paul J. Wojno. As he brings to a close his distinguished tenure as a lawmaker, he can reflect with pride on a job well done; and

Whereas, A native of Detroit, Paul Wojno is a graduate of Wayne State University who served as Assistant Personnel Director and Executive Administrator for the City of Warren. He has been active in both civic and church affairs, and he was appointed as a member of the National Democratic Platform Poll Committee; and

Whereas, During his six years as a member of the Michigan House of Representatives, Paul Wojno has been known for his leadership and capacity for hard work. In addition to holding the positions of House Majority Whip and House Minority Whip, he has sponsored significant consumer protection legislation. He currently is the vice-chair of the House Committee on Insurance and Financial Services and serves on the Committees on Regulatory Reform and Tax Policy; and

Whereas, Clearly, Representative Wojno has exemplified the finest qualities of public service and is well worthy of our highest respect; now, therefore, be it

Resolved by the House of Representatives, That the highest tribute be extended to the Honorable Paul J. Wojno in grateful recognition of his distinguished tenure in this legislative body; and be it further

Resolved, That a copy of this document be transmitted to Mr. Wojno as evidence of our highest 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.

The Speaker, on behalf of the entire membership of the House of Representatives, offered the followed resolution:  
**House Resolution No. 675.**

A resolution for the Honorable Steve Vear.

Whereas, It is with gratitude for his myriad contributions to this legislative body and to the entire citizenry of the Great Lake State that we are pleased to pay tribute to our friend and colleague, Steve Vear. As Representative of the Fifty-eighth District since 1999, he has earned our respect and that of his constituents for his dedication and determination to do the best possible job on their behalf; and

Whereas, A native of Indianapolis and a graduate of Hillsdale College, Steve Vear has become highly regarded for his extensive knowledge of all aspects of small business administration and his success in a host of civic activities. His enthusiasm and thorough approach to every undertaking have earned for him an enviable reputation as a can-do leader; and

Whereas, Since his election to the Michigan Legislature, Steve Vear has become well known for his strong convictions and his leadership, as well as for his exceptional work as vice chair of the House Tax Policy Committee and chair of its subcommittee on Tax Simplification. He has also been chair of the Commerce Subcommittee on Auditor General Reports and a member of both the House Committee on Agriculture and Resource Management and the House Committee on Senior Health, Security and Retirement. In addition, he was selected to serve as Assistant Majority Whip; and

Whereas, In each of these capacities, Steve Vear has exhibited the traits and qualities which have always been desirable in public service. It is our sincere wish that he know of our respect and admiration for a job well done; now, therefore, be it

Resolved by the House of Representatives, That the highest tribute be hereby accorded the Honorable Steve Vear in recognition of his sterling service as a member of this legislative body; and be it further

Resolved, That a copy of this resolution be transmitted to Representative Vear 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. Dennis, Kolb, Hansen, Durhal, Wojno, Waters, McConico, Bob Brown, Lipsey, Anderson, Plakas, Zelenko, Gielegem, Jamnick, Clark, Jacobs, Spade, Thomas, Bogardus, Daniels, Phillips, Jansen, Van Woerkom, Shulman,

Vander Veen, Minore, DeRossett, Pestka, Lemmons, Rivet, Pappageorge, Garza, Voorhees, Birkholz, Quarles, Murphy, Richner and DeWeese offered the following resolution:

**House Resolution No. 676.**

A resolution honoring United Auto Workers Local 1231 upon the occasion of the 50th anniversary of its founding on October 29, 1952, in Grand Rapids.

Whereas, It is with deep appreciation that we commend the workforce and members of United Auto Workers Local 1231 as they mark its 50th anniversary; and

Whereas, Local 1231 has a rich heritage in excellence, which is the direct result of the workers' commitment to work together and offer the best in products. A leader in contract settlements and working conditions, the Grand Rapids plant also was the first in the corporation to establish programs for adult education, work release for jailed employees, and combating alcoholism. It also provides a family and child counseling service. Local 1231 has adapted with its workers through several ownership transfers, from Fisher Body to General Motors to Delphi to Lear Seating Corporation. Local 1231 workers went from fabricating F-84 Thunder Streak jet propelled fighter planes to auto interior trim components, then onto foam-in-place development and manual adjusters; and

Whereas, Local 1231's workers and members are loyal, efficient, and productive, receiving many awards for their commitment to excellence. In 1977, the plant's statement on Quality of Work Life became a model for General Motors, and, by 1986 the plant's Quality Improvement Team set records for quality and cost performance. Exceeding 1989 and 1990 budget goals, the Grand Rapids Quality Council established itself as the champion of the Quality Network Process in 1990. The Grand Rapids plant received awards for the "1.1 Rating" in the Delivery Section of Targets for Excellence as well as the Planned Maintenance Process Implemented Award. We are grateful for all that Local 1231 and its workers and members have contributed to western Michigan and all of Michigan; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body honor United Auto Workers Local 1231 upon the occasion of the 50th anniversary of its founding on October 29, 1952, in Grand Rapids. We salute them on this happy occasion; and be it further

Resolved, That a copy of this resolution be transmitted to United Auto Workers Local 1231 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. Lemmons, Kolb, Hansen, Switalski, Durhal, Wojno, Waters, McConico, Lipsey, Zelenko, Gielegem, Jamnick, Clark, Jacobs, Spade, Thomas, Bogardus, Daniels, Phillips, Shulman, Dennis, Minore, DeRossett, Rivet, Pappageorge, Garza, Quarles, Murphy, Richner and DeWeese offered the following resolution:

**House Resolution No. 677.**

A resolution honoring Bronson L. Gentry in acknowledgment of his outstanding years making the city of Detroit a better place to live.

Whereas, It is with deep appreciation for the hard work, dedication, and professionalism that Bronson L. Gentry has put forth on behalf of the people of the city of Detroit that we offer this expression of our thanks and best wishes for his good works. As the people of the city of Detroit recognize the loyalty and devotion to public service of this conscientious individual, we add our sentiments of gratitude for a job well done; and

Whereas, Bronson Gentry was born in Detroit on February 21, 1925. His experiences in the Boy Scouts began in 1937 and it inspired him in his lifelong interest in community service. His mother, Eudora Gentry and sisters, Eudora, Josie and Helen, also instilled in him the desire to help others; and

Whereas, Bronson L. Gentry founded Boy Scout Troop 187 and, as its scoutmaster, undertook a campaign to stem vandalism which was costing Detroit over 500,000 dollars in 1966 and 1967. During 1968, one of his troop's main projects was to prepare an exhibit on vandalism for the Detroit Area Scout-O-Rama. This was accompanied by 2,000 copies of a book called "Vandalism to City Property." As President of the Jefferson-Chalmers Community Council, he organized a citizens vigilance committee to watch buses troubled by children. His strong efforts eliminated petty trouble and averted incidents of major proportions. Mr. Gentry sponsored a program on crime and vandalism for local merchants and churches which photographed children in the act of committing acts of vandalism. His actions greatly reduced the crime and vandalism rate among juveniles in the area;

Whereas; One of Mr. Gentry's many pet projects was petitioning City Hall for the improvement of Maheras Field, a recreational facility that had deteriorated to the extent that it was no longer safe for children. His tireless work inspired the city of Detroit to rename the facility the Peter Maheras-Bronson Gentry Historical Playfield in his honor. Mr. Gentry also helped bring about the construction of G.W. Stark Elementary School, which four of his grandchildren have attended; and

Whereas, For his scouting skills, Mr. Gentry has received the National Lane Bryant Volunteer Award in the United States of America and the "Silver Beaver" in the Boy Scouts of America. Mr. Gentry has been celebrated by Presidents and has received more awards than can be detailed but include Certificates of Appreciation from the Detroit Police Department and the Detroit Health Department, the Borg-Warner Citizenship Award, the WGPR Community Leadership Award, and a Testimonial Resolution from the Detroit City Council; and

Whereas, Mr. Gentry has been married to the love of his life, Lois Gentry, for over 53 wonderful years. Bronson L. Gentry's life exemplifies the motto he holds dear, "A man with God is an unstoppable man." This spirit has been deeply appreciated, both by citizens and organizations in the city of Detroit that have benefited directly from Bronson L. Gentry's work as well as other public servants who have witnessed this fine example; and

Whereas, There can be little doubt that the record of Bronson L. Gentry in his responsibilities and great deeds over the past years will continue to reap rewards for the people of the city of Detroit. We offer our thanks on these personal milestones in an exceptional life; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body honor Bronson L. Gentry in acknowledgment of his outstanding years making the city of Detroit a better place to live; and be it further

Resolved, That a copy of this resolution be transmitted to Bronson L. Gentry 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. Lemmons, Kolb, Hansen, Switalski, Durhal, Wojno, Waters, McConico, Lipsey, Zelenko, Gielegem, Jamnick, Clark, Jacobs, Spade, Thomas, Bogardus, Daniels, Phillips, Shulman, Dennis, Minore, DeRossett, Rivet, Pappageorge, Garza, Quarles, Murphy, Richner and DeWeese offered the following resolution:

**House Resolution No. 678.**

A resolution saluting Gladys R. Morant for her outstanding years working to make her community a better place.

Whereas, It is with deep appreciation for the hard work, dedication, and professionalism that Gladys R. Morant has put forth on behalf of the people of the city of Detroit that we offer this expression of our thanks and best wishes for all of her effort. As the people of the city of Detroit recognize the loyalty and devotion to service of this conscientious individual, we add our sentiments of gratitude for a job well done; and

Whereas, In her many years of service to the people of the city of Detroit, Gladys R. Morant has been working in the public arena during an era of great change. As Gladys R. Morant well knows, financial pressures and changing expectations have combined to make the recent past a challenging time to work for the people. With the personal sense of duty that Gladys R. Morant brings to work each day, she has been able to meet this challenge with enthusiasm and a genuine interest in efficiency in service. This has been deeply appreciated, both by citizens and organizations in the city of Detroit that have benefited directly from Gladys R. Morant's work, as well as other public servants who have witnessed this fine example; and

Whereas, Gladys R. Morant is a native of Detroit and the loving wife of Stephen Morant, Jr., for over 34 years. She is the proud mother of two daughters, Meredith and Nalo. She graduated from the Detroit Public School system and then attended Wayne County Community College where she graduated in 1982 with a business major; and

Whereas, Gladys R. Morant is a member of the New Home Full Gospel Christian Center, where she is choir president and involved in the Church's daily administration. She is vice-president of the Corbett Block Club and is affiliated with Eastside Community Slate. Gladys R. Morant's affiliation with the Inner City Sub Center Board of Directors has brought many blessings to the community. From 1971 to 1975, she worked with that organization's Volunteer Parent Board. She was the Inner City Sub Center's office coordinator from 1975 to 1989, and worked in the recruitment office from 1989 to 1994. Gladys R. Morant has been deservedly honored for all of this fine work, including receiving such awards as the Spirit of Detroit, United Way, Women and Mothers of Action Honor, and the Full Gospel Baptist Church Servant Award; and

Whereas, There can be little doubt that the record of Gladys R. Morant will continue to reap rewards for the people of the city of Detroit. We offer our thanks on these personal milestones; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body salute Gladys R. Morant for her outstanding years working to make her community a better place; and be it further

Resolved, That a copy of this resolution be transmitted to Gladys R. Morant 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. Lemmons, Kolb, Hansen, Switalski, Durhal, Wojno, Waters, McConico, Lipsey, Zelenko, Gielegem, Jamnick, Clark, Jacobs, Spade, Thomas, Bogardus, Daniels, Phillips, Shulman, Dennis, Minore, DeRossett, Rivet, Pappageorge, Garza, Quarles, Murphy, Richner and DeWeese offered the following resolution:

**House Resolution No. 679.**

A resolution honoring James Booker for his outstanding efforts to make his community a better place.

Whereas, It is with deep appreciation for the hard work, dedication, and professionalism that James Booker has put forth on behalf of the people of the city of Detroit that we offer this expression of our thanks and best wishes. As the people of the city of Detroit recognize the loyalty and devotion to service of this conscientious individual, we add our sentiments of gratitude for a job well done; and

Whereas, In his numerous years of service to the people of the city of Detroit, James Booker has been working in the public arena during an era of great change. As James Booker well knows, financial pressures and changing expectations have combined to make the recent past a challenging time to work for the community. With the personal sense of duty that James Booker brings to work each day, he has been able to meet this challenge with enthusiasm and a genuine interest in efficiency in service. This has been deeply appreciated, both by citizens and organizations in the city of Detroit that have benefited directly from James Booker's work as well as other public servants who have witnessed this fine example; and

Whereas, James Booker was born on July 27, 1932, in Birmingham, Alabama, to Rosetta Booker. He attended Dunbar High School in Bessemer, Alabama, but has been a resident of Detroit for over 50 years. James Booker served for four years in the Air Force and is a Korean veteran. He worked for Chrysler from 1951 to his retirement in 1989. He has been happily married to Cecilia Stewart for over 32 years and is the proud father of seven children. Adding further blessings to his life are his daughter-in-law, his son-in-law, his brother-in-law, his eleven grandchildren, and his nine great-grandchildren. He is a member of New Liberty Missionary Baptist Church and has contributed to the community through his affiliation with the Inner City Sub Center. He also did work for the Akebulan Martial Arts Center, Operation Get Down, and Keep the Vote No Takeover; and

Whereas, There can be little doubt that the record of James Booker will continue to reap rewards for the people of the city of Detroit. We offer our thanks on these personal milestones; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body honor James Booker for his outstanding efforts to make his community a better place; and be it further

Resolved, That a copy of this resolution be transmitted to James Booker 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. Kuipers, Allen, Bradstreet, Switalski, Durhal, Lipsey, Meyer, Julian, Bogardus, Daniels, Phillips, Jansen, Vander Roest, Van Woerkom, Palmer, Shulman, Vander Veen, Drolet, Dennis, Cassis, Richardville, Minore, DeRossett, Bishop, Hager, Voorhees, Lemmons, Rivet, Pappageorge, Garza, Kooiman, Birkholz, Koetje, Raczkowski, Quarles and DeWeese offered the following resolution:

**House Resolution No. 680.**

A resolution to urge the United States Environmental Protection Agency to select Michigan's submitted proposals for the federal Watershed Initiative program.

Whereas, The federal Watershed Initiative is a program that seeks to improve and protect water quality through a wide range of projects across the country. Under this effort, the EPA will award grants to support promising watershed-based approaches to clean water. With Michigan's unique water resources, this program is of great interest to our state, as it reflects challenges well known to Michigan officials and citizens; and

Whereas, After working with local communities in identifying needs and resources in several locations across Michigan, the Governor has nominated four outstanding projects for the Watershed Initiative program. Michigan's proposals are the Macatawa Restoration Project, submitted by the Macatawa Area Coordinating Council; Linking Watershed Management Practices with Waterway Quality in the St. Clair-Detroit River Corridor, submitted by the Water Quality Division of the Department of Environmental Quality; the LaVista Storm Drain Project, submitted by the city of Battle Creek; and the Elk River-Chain Lakes project, submitted by the Antrim Conservation District with support from the Grand Traverse Band of Ottawa and Chippewa Indians; and

Whereas, Michigan's four proposals are well matched to the aims of the Watershed Initiative. Each of these projects is focused on results using objective and measurable data, enjoys strong community support, incorporates innovations that will be helpful elsewhere, and is compatible with other efforts to clean our water and safeguard our environment. Michigan's long-term commitment to preserving our water quality for future generations will contribute significantly to the success of the Watershed Initiative; now, therefore, be it

Resolved by the House of Representatives, That we urge the United States Environmental Protection Agency to select Michigan's submitted proposals for the federal Watershed Initiative program; and be it further

Resolved, That copies of this resolution be transmitted to the United States Environmental Protection Agency.

The resolution was referred to the Committee on Land Use and Environment.

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution:  
**House Resolution No. 681.**

A resolution honoring and thanking David Gubow upon his retirement as Assistant Clerk of the Michigan House of Representatives.

Whereas, It is with great appreciation for all his hard work that we commend and thank David Gubow as he brings to a close his service as Assistant Clerk of the Michigan House of Representatives. Through his energies, commitment to the legislative process, and concern for our state and its future, David Gubow has contributed significantly to the work of the Legislative Branch of government; and

Whereas, In 1971, David Gubow graduated from the University of Michigan where he earned his bachelor's degree in urban studies and a varsity letter in hockey. David graduated from the University of Detroit Law School in 1974. Upon graduation, David worked as an attorney and an activist for a number of organizations; and

Whereas, David was elected to the Michigan House of Representatives in 1984 and served for seven terms as a representative. David Gubow worked tirelessly for the people of the 35th District. He served with distinction on the Health Policy, Mental Health, Public Utilities, Judiciary, and Tax Policy committees, and was chair of the Insurance committee. His insights in these areas will long benefit the state of Michigan. While serving the people of the state, David Gubow received many awards as a legislator. Among the honors were the Legislator of the Year award-Association of Michigan Children's Alliances in 1989, the Legislator of the Year award-Association for Children's Mental Health in 1992, the Alliance for Mentally Ill-Legislative Award in 1993, and the Mental Health Association-Snyder-KOK Award in 1997; and

Whereas, David Gubow continued his work for the people of our state when he was appointed Assistant Clerk of the Michigan House of Representatives in 1999. In this capacity, David served as a fair and hard-working parliamentarian. He was instrumental in modernizing many of the House's processes. He was an advocate and friend to the staff, he even occasionally hauled one or two of them off to his favorite market, Horrock's. The clerk's staff and Horrock's will miss him. Although no longer serving as their representative, David still cared for and helped his former house district. This led Representative Jacobs to say that David was still, "The chief shleper for the 35th District." David was elected judge of the 45B District Court in November of 2002 and will leave the House to start his duties as judge in January 2003; and

Whereas, David Gubow is the proud husband of Dottie and father of Jackie and Rachel. David takes his role as dad very seriously, rarely missing any of his daughter's functions and always packing their lunches in the morning. David is the son of Estelle and the late Larry Gubow, a former U.S. attorney and federal judge. He is also the much loved brother of Mona and Janey and the owner of his faithful dog, Corky; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body honor and thank David Gubow upon his retirement as Assistant Clerk of the Michigan House of Representatives; and be it further

Resolved, That a copy of this resolution be transmitted to David Gubow as evidence of our gratitude and best wishes.

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. Thomas, Kolb, Hansen, Switalski, Durhal, Wojno, Waters, McConico, Lipsey, Anderson, Plakas, Zelenko, Gielegghem, Jamnick, Clark, Jacobs, Spade, Bogardus, Daniels, Phillips, Shulman, Dennis, Minore, DeRossett, Sheltrown, Rivet, Pappageorge, Garza, Raczkowski, Quarles, Murphy, Richner and DeWeese offered the following resolution:

**House Resolution No. 682.**

A resolution honoring David Ericson Rudolph of D. Ericson & Associates Public Relations for his great business accomplishments.

Whereas, D. Ericson & Associates Public Relations is a full service public relations and marketing firm that specializes in providing creative, innovative, and professional public media relations services to clients in the sports, entertainment, and fashion industries; and

Whereas, Before founding D. Ericson & Associates, David worked in the corporate communications and community relations department for the Palace Sports & Entertainment and the Piston-Palace Foundation. While at the Detroit

Pistons, David initiated groundbreaking programs such as Grant Hill's Holiday Food Basket Program and the PARK Program-Partnership to Adopt and Renovate Parks for Kids. The PARK Program was an \$8 million project to renovate selected public parks in the city of Detroit; and

Whereas, David also worked for Caponigro Public Relations where he was successful in implementing public relations campaigns for Wayne County's Detroit Metro Airport, Americans for Balanced Energy Choices, Detroit Investment Fund, and American Express Financial Services. During his time spent at Caponigro, David was twice awarded best results achieved for a client and most active representative outside of the CPR; and

Whereas, Some of David's professional highlights included successfully developing and initiating public relations programs for entertainment conglomerate BMG Music Distributions and Spin Network. He worked on Virgin Records' Janet Jackson Listening Party, Motown Historical Museum's Motown 40th Anniversary, Charles Woodson's sports celebrity Gala, Columbia Records Young Soul Power Revue featuring Destiny's Child, Sony Records Maxwell Record Release Party, A&M Records Shaquille O'Neal Detroit Jam 98 Party, A&M Records Monster Magnet Autograph Signing, RCA Records Cherokee Listening Party, Polygram's Dru Hill Appreciation Party, Arista Records' Whitney Houston Media Release Party, and Interscope Records Black Eyed Peas Joins & Jam concert after party; and

Whereas, David Rudolph has a master of science degree in international affairs from Florida State University and bachelors of science degree in criminal justice from Michigan State University. He is a graduate of Indiana University's Leadership Works Fundraising program and Wayne State University's Essentials in Fundraising program. In addition, he is one of three people awarded a National Society of Fundraising Executives Minority Fellowships in 1996; and

Whereas, David Ericson Rudolph is member of the Public Relations Society of America, the nonprofit Public Relations Network, National Association of Black Journalists, and the National Association of Fundraising Executives. His leadership and volunteer experience with organizations such as the Motown Historical Museum, Detroit Opera House, UNCF, the Kellogg Foundation, and Habitat for Humanity have taught him the value of leadership and social responsibility; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body honor David Ericson Rudolph of D. Ericson & Associates Public Relations for his great business accomplishments. May the future bring great success and satisfaction; and be it further

Resolved, That a copy of this resolution be transmitted to D. Ericson & Associates Public Relations 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. Bernero, Kolb, Hansen, Switalski, Durhal, Wojno, Waters, Lipsey, Anderson, Plakas, Zelenko, Gielegem, Jamnick, Clark, Jacobs, Spade, Thomas, Bogardus, Daniels, Phillips, Stewart, Shulman, Dennis, Minore, DeRossett, Sheltroun, Lemmons, Rivet, Pappageorge, Birkholz, Quarles, Murphy, Richner and DeWeese offered the following resolution:

**House Resolution No. 683.**

A resolution honoring the life of Marion Anderson.

Whereas, It is with deep sadness at the recent passing of Marion Anderson, a woman who dedicated her life to peace and social justice, that we offer our sincere sympathy to her family. Gone from our midst is a selfless crusader whose steadfast efforts for justice and human rights helped inspire some of the greatest leaders of our time, including Presidents John F. Kennedy and Jimmy Carter, and Senator George McGovern; and

Whereas, Individuals such as Marion are rare today. It was through her commitment and determination that she bravely walked straight into a meeting of the U.S. Joint Chiefs of Staff to distribute anti-war materials during the height of the Vietnam war. Her devotion to improving the human condition also gave her the strength and insight to testify against nuclear proliferation to the Joint Committee on Atomic Energy in 1958. Her compassion and drive not only generated more people to the cause, but also drew public attention to the vast destructive potential of modern weapons of war; and

Whereas, On December 7, 2002, Marion passed away at the age of 70. Yet, Marion will forever be with us in spirit. As a mother, academic, economist, and activist she changed our lives and impacted the social conscience of our community and nation. We express our condolences to Marion's husband, James Anderson, sons Dave Anderson, Richard Krebsler, and Tom Krebsler, and sister, Diane Montie on her recent passing; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body honor the life of Marion Anderson. May her family know the respect and affection in which she and her life's work are held; and be it further

Resolved, That a copy of this resolution be transmitted to the family of Marion Anderson as a token of our esteem.

The question being on the adoption of the resolution,

The resolution was adopted.



Reps. Palmer, Callahan, Rocca, Switalski, Durhal, Lipsey, Zelenko, Meyer, Gosselin, Jamnick, Jacobs, Spade, Bogardus, Daniels, Phillips, Jansen, Vander Roest, Van Woerkom, Shulman, Vander Veen, Drolet, Dennis, Cassis, Richardville, DeRossett, Sheltroun, Hager, Voorhees, Lemmons, Rivet, Pappageorge, Koetje, Raczkowski, Murphy, Richner and DeWeese offered the following resolution:

**House Resolution No. 684.**

A resolution honoring the life of Kirby Holmes, Jr.

Whereas, It is with a strong sense of admiration for all of the sacrifices he has made on behalf of the people of the township of Shelby, state of Michigan, and the United States of America that we salute the late Kirby Holmes, Jr. His unexpected death marks the end of an era of effectiveness and efficiency in his public service as a Shelby Township Trustee. He was also a United States Navy Reservist that was called up for active duty in the wake of the September 11, 2001 terrorist attacks. We acknowledge this conscientious individual and his family, including former state Representative Kirby Holmes, Sr. with gratitude and confidence that Shelby Township and the United States will long benefit from his service; and

Whereas, In the six years since Kirby Holmes, Jr. was first elected to the Board of Trustees, the people of Shelby Township have appreciated the dedication and belief in this community's future that marked all elements of his work. At a time in our history in which local officials face many challenges and changes, the late Kirby Holmes, Jr. responded with energy and a heartfelt concern for the citizens, businesses, and institutions of Shelby Township; and

Whereas, In the 13 months since Kirby Holmes, Jr. was called up for active duty by the United States Navy, the people of the United States of America have benefited from his patriotism and service to his country as a United States Naval intelligence officer; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body honor the life of Kirby Holmes, Jr. May God continue to strengthen his family, friends, and loved ones during this time of bereavement; and be it further

Resolved, That a copy of this resolution be transmitted to the Holmes family as a token of our esteem.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Shackleton and Allen offered the following resolution:

**House Resolution No. 685.**

A resolution to express the intent of the legislature that the advances made by the state to the Mackinac Bridge Authority under 1952 PA 214 and 1967 PA 5, Extra Session, are satisfied and the debt forgiven and that, pursuant to 1952 PA 214, the Mackinac Bridge should be a free bridge.

Whereas, Since the Mackinac Bridge opened to traffic four and one-half decades ago, tolls have been charged under the provisions of 1952 PA 214. Funds raised through the tolls are used to operate, maintain, and repair the bridge and to pay the principle and interest on bonds and advances made through 1952 PA 214 and 1967 PA 5, Extra Session; and

Whereas, Under the provisions of 1952 PA 214, once the bonds and advances made for the bridge are satisfied as being repaid, the bridge shall be maintained and operated by the state as a free bridge; and

Whereas, The Mackinac Bridge is clearly one of the state's most important infrastructure resources. Its impact on commerce, recreation, transportation, and Michigan's public image is indisputable. It is within the state's interest to eliminate or, at least, keep tolls affordable for this centerpiece of transportation to expedite commerce and travel between our peninsulas; and

Whereas, The Mackinac Bridge, through the collection of fare revenue, has been able to pay the original bonds of construction costs and maintenance up to this time. However, with needed maintenance on the bridge scheduled over the next twenty five years being approximately three times the original cost of the bridge, it is unreasonable to expect that the bridge remain self-sufficient indefinitely; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body hereby express our intent that the advances made by the state to the Mackinac Bridge Authority under 1952 PA 214 and 1967 PA 5, Extra Session, are satisfied and the debt forgiven and that the Mackinac Bridge should be a free bridge, and that the state shall enter discussions with the appropriate parties to determine the shared financial responsibilities of the bridge; and be it further

Resolved, That it is the intent of the legislature that this be an interim measure until such time that the state government, federal government, and bridge authority can determine appropriate shared fiscal participation in the long-term care and maintenance of the bridge; and be it further

Resolved, That copies of this resolution be transmitted the Director of the Department of Management and Budget, the Director of the Department of Transportation, and the Mackinac Bridge Authority.

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.

### Second Reading of Bills

#### Senate Bill No. 914, 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).

Was read a second time, and the question being on the adoption of the proposed substitute (H-2) previously recommended by the Committee on House Oversight and Operations,

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

Rep. Cassis moved to amend the bill as follows:

1. Amend page 2, line 5, after "law." by striking out the balance of the subdivision.

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

Rep. Cassis moved to amend the bill as follows:

1. Amend page 8, line 22, after "FIXTURE." by striking out the balance of the subdivision.

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

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

The motion prevailed.

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

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

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Rep. Allen moved that Reps. Rick Johnson and Ehardt be excused temporarily from today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### Senate Bill No. 914, 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).

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

#### Roll Call No. 1257

#### Yeas—102

Adamini	George	Mans	Schermesser
Allen	Gielegem	McConico	Scranton
Anderson	Gilbert	Mead	Shackleton
Basham	Gosselin	Meyer	Sheltrown
Bernero	Hager	Middaugh	Shulman
Birkholz	Hale	Minore	Spade
Bisbee	Hansen	Mortimer	Stallworth
Bishop	Hardman	Murphy	Stamas
Bogardus	Hart	Neumann	Stewart

Bovin	Howell	Newell	Switalski
Bradstreet	Hummel	O'Neil	Tabor
Brown, C.	Jacobs	Palmer	Thomas
Brown, R.	Jamnack	Pappageorge	Toy
Callahan	Jansen	Patterson	Van Woerkom
Cassis	Jelinek	Pestka	Vander Roest
Caul	Johnson, Ruth	Phillips	Vander Veen
Clark, I.	Julian	Plakas	Vear
Clarke, H.	Koetje	Pumford	Voorhees
Daniels	Kolb	Quarles	Waters
Dennis	Kooiman	Raczkowski	Whitmer
DeRossett	Kowall	Richardville	Williams
DeVuyst	Kuipers	Richner	Wojno
DeWeese	LaSata	Rivet	Woodward
Drolet	Lemmons	Rocca	Woronchak
Durhal	Lipsey	Schauer	Zelenko
Frank	Lockwood		

### 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 1893 PA 206, entitled “An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts,” by amending sections 2, 8, 14, 24, 24c, 27a, 34c, 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 211.2, 211.8, 211.14, 211.24, 211.24c, 211.27a, 211.34c, 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), sections 2, 8, 14, and 34c as amended by 2000 PA 415, section 24 as amended by 1994 PA 415, section 24c as amended by 1996 PA 476, and section 27a as amended by 2000 PA 260.

The motion prevailed.

The House agreed to the title as amended.

Rep. Richardville 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

### Messages from the Senate

#### Senate Bill No. 1436, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 22201, 22203, 22205, 22207, 22209, 22211, 22213, 22215, 22221, 22226, 22230, 22231, 22239, 22241, 22247, 22255, and 22260 (MCL 333.22201, 333.22203, 333.22205, 333.22207, 333.22209, 333.22211, 333.22213, 333.22215, 333.22221, 333.22226, 333.22230,

333.22231, 333.22239, 333.22241, 333.22247, 333.22255, and 333.22260), sections 22201, 22211, 22230, and 22255 as added by 1988 PA 332, sections 22203, 22207, 22209, 22213, 22215, 22221, 22231, 22239, 22241, 22247, and 22260 as amended by 1993 PA 88, section 22205 as amended by 2000 PA 253, and section 22226 as added by 1988 PA 331, and by adding section 20930 and part 132; and to repeal acts and parts of acts.

The Senate has nonconcurred in the House substitute (H-7) and appointed Senators Schwarz, DeGrow and Emerson as conferees.

The Speaker appointed as conferees, on the part of the House of Representatives, Reps. Ehardt, Rick Johnson and Thomas.

The message was referred to the Clerk for record.

### **Second Reading of Bills**

#### **Senate Bill No. 717, entitled**

A bill to amend 1972 PA 230, entitled "Stille-DeRossett-Hale single state construction code act," by amending section 19 (MCL 125.1519).

The bill was read a second time.

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

The motion prevailed.

#### **Senate Bill No. 638, entitled**

A bill to amend 1996 PA 480, entitled "An act to make appropriations for the judicial branch for the fiscal year ending September 30, 1997; to make appropriations to various state departments for the fiscal year ending September 30, 1997; to make appropriations for a capital outlay program for fiscal years ending September 30, 1997; to implement the appropriations within the budgetary process; to make appropriations for planning and construction at state agencies, universities, and community colleges; 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 certain advances from the general fund; to require certain reports, plans, and agreements; to provide for leases; to provide for transfers; to prescribe standards and conditions relating to the appropriations; to provide for the acquisition of land and the development of public recreation facilities; to provide for the powers and duties of certain state agencies, employees, and officials; and to provide for the expenditure of the appropriations," by amending section 1813.

The bill was read a second time.

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

The motion prevailed.

By unanimous consent the House returned to the order of

### **Third Reading of Bills**

#### **Senate Bill No. 1400, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 1005, 1011, 1019, 1021, and 1023 (MCL 600.1005, 600.1011, 600.1019, 600.1021, and 600.1023), sections 1005, 1019, and 1023 as added by 1996 PA 388, section 1011 as amended by 1998 PA 298, and section 1021 as amended by 2000 PA 56; 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. 1258**

#### **Yeas—97**

Adamini  
Allen  
Anderson

George  
Gielegem  
Gilbert

Lemmons  
Lipsey  
Lockwood

Rivet  
Rocca  
Schauer

Basham	Godchaux	Mans	Schermesser
Bernero	Hager	McConico	Scranton
Birkholz	Hale	Mead	Shackleton
Bisbee	Hansen	Meyer	Shulman
Bishop	Hardman	Middaugh	Spade
Bovin	Hart	Minore	Stallworth
Bradstreet	Howell	Mortimer	Stewart
Brown, B.	Hummel	Murphy	Switalski
Brown, C.	Jacobs	Newell	Tabor
Brown, R.	Jamnick	O'Neil	Toy
Callahan	Jansen	Palmer	Van Woerkom
Cassis	Jelinek	Pappageorge	Vander Roest
Caul	Johnson, Rick	Patterson	Vander Veen
Clark, I.	Johnson, Ruth	Pestka	Vear
Clarke, H.	Julian	Phillips	Voorhees
Daniels	Koetje	Plakas	Whitmer
Dennis	Kolb	Pumford	Williams
DeRossett	Kooiman	Raczkowski	Wojno
DeVuyst	Kowall	Richardville	Woodward
DeWeese	Kuipers	Richner	Woronchak
Drolet	LaSata	Rison	Zelenko
Durhal			

#### Nays—5

Frank	Sheltrown	Stamas	Waters
Neumann			

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. Richardville 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

#### Reports of Select Committees

#### First Conference Report

The Committee of Conference on the matters of difference between the two Houses concerning **House Bill No. 5705, entitled**

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2002 and the fiscal year ending September 30, 2003; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

Recommends:

First: That the House recede from its amendment numbered 2 to the Substitute of the Senate as passed by the Senate, which reads as follows:

2. Amend page 38, following line 13, by inserting:

**“MISCELLANEOUS**

Sec. 1850. The appropriations in sections 153(3), 157(3) through (20), and 1275 and the appropriation for at-risk student success program in section 153(2) are not appropriated and shall not be expended unless, pursuant to state statute enacted into law by January 15, 2003 and effective prior to January 1, 2004, the election of the members of the board of trustees for Michigan State University, the board of regents for the University of Michigan, and the board of governors for Wayne State University shall be by the electors from districts that are numbered and constituted the same as the 4 judicial districts for the election of judges of the court of appeals set forth in section 302 of the revised judicature act of 1961, 1961 PA 236, MCL 600.302.”.

Second: That the Senate agree to the House amendment numbered 1 to the Substitute of the Senate as passed by the Senate, which reads as follows:

1. Amend page 38, following line 9, following subsection (3), by inserting:

**“DEPARTMENT OF STATE POLICE**

Sec. 1651. It is the intent of the legislature that up to 10% of federal funds received by the state of Michigan for homeland security equipment upgrade grants to local units be allocated for construction of an upgraded Detroit crime lab.”.

Third: That the House and Senate agree to the title of the bill to read as follows:

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2002 and the fiscal year ending September 30, 2003; to provide for the expenditure of the appropriations; and to repeal acts and parts of acts.

Mark Shulman  
Rick Johnson  
A.T. Frank  
Conferees for the House

Harry Gast  
Dan L. DeGrow  
Alma Wheeler Smith  
Conferees for the Senate

The Speaker announced that under Joint Rule 9 the conference report would lie over one day.

Rep. Richardville moved pursuant to Joint Rule 9, that the Journal printing requirement be suspended, printed copies of the conference report having been placed on the members’ desks.

The motion prevailed.

The question being on the adoption of the conference report,

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

**Roll Call No. 1259**

**Yeas—106**

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

Clark, I.	Johnson, Rick	Plakas	Vear
Clarke, H.	Johnson, Ruth	Pumford	Voorhees
Daniels	Julian	Quarles	Waters
Dennis	Koetje	Raczkowski	Whitmer
DeRossett	Kolb	Richardville	Williams
DeVuyst	Kooiman	Richner	Wojno
DeWeese	Kowall	Rison	Woodward
Drolet	Kuipers	Rivet	Woronchak
Durhal	LaSata	Rocca	Zelenko
Frank	Lemmons		

**Nays—0**

In The Chair: Julian

**Messages from the Senate**

The Speaker laid before the House

**House Bill No. 5049, entitled**

A bill to amend 1976 PA 451, entitled “The revised school code,” (MCL 380.1 to 380.1852) by adding section 1279a. (The bill was received from the Senate on December 11, with substitute (S-2), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 74, p. 2990.)

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

The substitute (S-2) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1260****Yeas—104**

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

Drolet  
Durhal

Kuipers  
LaSata

Rivet  
Rocca

Woronchak  
Zelenko

### Nays—0

In The Chair: Julian

The House agreed to the title as amended.

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

The Speaker laid before the House

#### House Bill No. 5371, entitled

A bill to amend 1973 PA 116, entitled “An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts,” (MCL 722.111 to 722.128) by adding section 11b.

(The bill was received from the Senate on December 11, with an amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 74, p. 2991.)

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

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

#### Roll Call No. 1261

#### Yeas—103

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



**Nays—1**

Drolet

In The Chair: Julian

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

The Speaker laid before the House

**House Bill No. 5372, entitled**

A bill to amend 1975 PA 238, entitled “Child protection law,” by amending sections 2, 3, 7, and 8a (MCL 722.622, 722.623, 722.627, and 722.628a), sections 2 and 7 as amended by 2000 PA 45, section 3 as amended by 2002 PA 10, and section 8a as added by 1992 PA 39.

(The bill was received from the Senate on December 11, with substitute (S-1), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 74, p. 2991.)

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

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

**Roll Call No. 1262****Yeas—105**

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

**Nays—0**

In The Chair: Julian

The House agreed to the title as amended.

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

Rep. Rich Brown moved that Rep. Adamini be excused temporarily from today's session.  
The motion prevailed.

Rep. Allen moved that Rep. Rick Johnson be excused temporarily from today's session.  
The motion prevailed.

The Speaker laid before the House

**House Bill No. 4607, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2213c.

(The bill was received from the Senate on December 11, with substitute (S-1), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 74, p. 2989.)

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

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

**Roll Call No. 1263**

**Yeas—104**

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

**Nays—1**

Drolet

In The Chair: Julian

The House agreed to the title as amended.

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

The Speaker laid before the House

**House Bill No. 4007, entitled**

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 3104 (MCL 500.3104), as amended by 2001 PA 3.

(The bill was received from the Senate on December 11, with an amendment and full title inserted, consideration of which, under the rules, was postponed until today, see House Journal No. 74, p. 2989.)

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

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

**Roll Call No. 1264**

**Yeas—107**

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

**Nays—0**

In The Chair: Julian

The House agreed to the full title of the bill.

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

**House Bill No. 4818, entitled**

A bill to amend 1988 PA 234, entitled “Michigan Vietnam veterans memorial act,” by amending the title and sections 3 and 7 (MCL 35.1053 and 35.1057), the title as amended by 2000 PA 470 and sections 3 and 7 as amended by 1992 PA 121.

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. 5047, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 12a to chapter V.

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. 5952, entitled**

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 261c.

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. 5971, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16299, 17014, and 17015 (MCL 333.16299, 333.17014, and 333.17015), section 17014 as added by 1993 PA 133 and section 17015 as amended by 2000 PA 345.

The Senate has passed the bill 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. 5996, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 135 (MCL 750.135), as amended by 2000 PA 233.

The Senate has passed the bill 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. 5997, entitled**

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 8 (MCL 722.628), as amended by 2000 PA 234.

The Senate has passed the bill 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. 6121, entitled**

A bill to prohibit certain lending practices; to require disclosure of certain information for home loans; to prescribe certain duties and obligations of the lender in a home loan transaction; to prescribe the powers and duties of certain state agencies and officials; and to prescribe penalties and provide for remedies.

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. 6234, entitled**

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

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. 6444, entitled**

A bill to prescribe the Amber alert of Michigan as the official response to reports of child abductions.

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. 6445, entitled**

A bill to provide for the broadcast of information concerning a child abduction on radio and television stations; and to prescribe the content of the information broadcast.

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. 6446, entitled**

A bill to amend 1950 (Ex Sess) PA 27, entitled "Motor vehicle sales finance act," by amending sections 13 and 18 (MCL 492.113 and 492.118), section 13 as amended by 1990 PA 27 and section 18 as amended by 1995 PA 166.

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. 6496, entitled**

A bill to authorize and regulate electronic transactions of public funds involving local units of government; and to provide for powers and duties of certain governmental agencies and officials.

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. 6523, 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 2002 PA 498.

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.

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Rep. Vander Roest moved that Reps. Rick Johnson, Shackleton, Vear and Ehardt be excused temporarily from today's session.

The motion prevailed.

Rep. Hummel moved that Rep. Allen be excused temporarily from today's session.  
The motion prevailed.

The Speaker laid before the House

**House Bill No. 5403, entitled**

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 4 (MCL 208.4), as amended by 1999 PA 115.

(The bill was received from the Senate on December 11, with an amendment, full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 74, p. 2991.)

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

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

**Roll Call No. 1265**

**Yeas—97**

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

**Nays—3**

Bogardus

Hale

Jamnick

In The Chair: Julian

The House agreed to the full title of the bill.

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

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

The Speaker laid before the House

**House Bill No. 5729, entitled**

A bill to amend 1968 PA 2, entitled “Uniform budgeting and accounting act,” by amending section 4 (MCL 141.424), as amended by 2000 PA 493.

(The bill was received from the Senate on December 11, with substitute (S-1), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 74, p. 2992.)

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

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

**Roll Call No. 1266**

**Yeas—105**

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

**Nays—0**

In The Chair: Julian

The House agreed to the title as amended.

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

The Speaker laid before the House

**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.

(The bill was received from the Senate on December 11, with substitute (S-2), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 74, p. 2992.)

The question being on concurring in the substitute (S-2) made to the bill by the Senate,

The substitute (S-2) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1267****Yeas—107**

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

**Nays—0**

In The Chair: Julian

The House agreed to the title as amended.

Reps. Anderson, Basham, Bernero, Birkholz, Bisbee, Bovin, Bob Brown, Cameron Brown, Rich Brown, Caul, Clarke, Durhal, Frank, Gielegem, Hale, Hardman, Howell, Jelinek, Julian, Kolb, Kooiman, Kowall, Kuipers, Lemmons, Lockwood, Mans, McConico, Mead, Meyer, Minore, Mortimer, Newell, O'Neil, Patterson, Pestka, Phillips, Plakas, Pumford, Rocca, Schauer, Schermesser, Shackleton, Sheltrown, Shulman, Stewart, Toy, Vear, Woronchak and Zelenko were named co-sponsors of the bill.

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

The Speaker laid before the House

**House Bill No. 5858, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 503 (MCL 750.503).

(The bill was received from the Senate on December 11, with substitute (S-2) and full title inserted, consideration of which, under the rules, was postponed until today, see House Journal No. 74, p. 2992.)



The question being on concurring in the substitute (S-2) made to the bill by the Senate,

The substitute (S-2) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1268****Yeas—102**

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

**Nays—0**

In The Chair: Julian

The House agreed to the full title of the bill.

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

The Speaker laid before the House

**House Bill No. 5540, entitled**

A bill to amend 1995 PA 29, entitled "Uniform unclaimed property act," by amending section 16 (MCL 567.236).

(The bill was received from the Senate on December 11, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 74, p. 2991.)

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

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

**Roll Call No. 1269****Yeas—60**

Allen	Gilbert	Kuipers	Rocca
Bernero	Godchaux	LaSata	Scranton

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

**Nays—42**

Adamini	Dennis	Lemmons	Schauer
Anderson	Durhal	Lipse	Schermesser
Basham	Frank	Lockwood	Sheltrown
Bogardus	Garza	Mans	Stallworth
Bovin	Gielegem	Murphy	Switalski
Brown, B.	Hale	Neumann	Waters
Brown, R.	Hansen	O'Neil	Whitmer
Callahan	Hardman	Pestka	Wojno
Clark, I.	Jacobs	Phillips	Woodward
Clarke, H.	Jamnick	Rivet	Zelenko
Daniels	Kolb		

In The Chair: Julian

The House agreed to the full title of the bill.

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

Rep. Richardville moved that Rep. Jansen be excused temporarily from today's session.  
The motion prevailed.

The Speaker laid before the House

**House Bill No. 5984, entitled**

A bill to amend 1975 PA 238, entitled "Child protection law," by amending sections 2, 3, and 11 (MCL 722.622, 722.623, and 722.631), section 2 as amended by 2000 PA 45 and section 3 as amended by 2002 PA 10.

(The bill was received from the Senate on December 11, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 74, p. 2993.)

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

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

**Roll Call No. 1270****Yeas—105**

Adamini	Frank	Lemmons	Schauer
Allen	Garza	Lipse	Schermesser

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

### Nays—0

In The Chair: Julian

The House agreed to the full title of the bill.

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

The Speaker laid before the House

#### **House Bill No. 6079, entitled**

A bill to amend 1931 PA 328, entitled "Michigan penal code," by amending sections 16, 25, 33, 34, 44, 45, 50c, 57, 60, 64, 90c, 113, 114, 123, 125, 138, 140, 149, 150, 151, 153, 172, 173, 183, 184, 191, 192, 197a, 215, 217, 217c, 219, 220, 240, 263, 264, 287, 288, 294, 295, 298, 301, 302, 304, 305, 306, 314, 330, 331, 335, 335a, 354, 359, 368, 371, 375, 389, 393, 404, 407, 408, 410, 411a, 411d, 414, 428, 429, 430, 454, 466, 478, 482, 490a, 492, 502b, 508, 509, 519, 524, 537, 538, 540e, 540f, and 561 (MCL 750.16, 750.25, 750.33, 750.34, 750.44, 750.45, 750.50c, 750.57, 750.60, 750.64, 750.90c, 750.113, 750.114, 750.123, 750.125, 750.138, 750.140, 750.149, 750.150, 750.151, 750.153, 750.172, 750.173, 750.183, 750.184, 750.191, 750.192, 750.197a, 750.215, 750.217, 750.217c, 750.219, 750.220, 750.240, 750.263, 750.264, 750.287, 750.288, 750.294, 750.295, 750.298, 750.301, 750.302, 750.304, 750.305, 750.306, 750.314, 750.330, 750.331, 750.335, 750.335a, 750.354, 750.359, 750.368, 750.371, 750.375, 750.389, 750.393, 750.404, 750.407, 750.408, 750.410, 750.411a, 750.411d, 750.414, 750.428, 750.429, 750.430, 750.454, 750.466, 750.478, 750.482, 750.490a, 750.492, 750.502b, 750.508, 750.509, 750.519, 750.524, 750.537, 750.538, 750.540e, 750.540f, and 750.561), section 50c as added by 1994 PA 336, section 90c as amended by 2001 PA 1, section 125 as amended by 1999 PA 251, sections 215, 371, 524, 537, and 538 as amended by 1991 PA 145, section 217c as added and section 368 as amended by 1998 PA 360, sections 263 and 264 as amended by 1997 PA 155, section 302 as amended by 1989 PA 85, section 375 as amended by 1996 PA 206, section 411a as amended by 2000 PA 370, section 411d as added by 1980 PA 490, section 502b as amended by 1991 PA 44, section 508 as amended by 1990 PA 77, section 540e as amended by 1988 PA 395, and section 540f as added by 1996 PA 333.

(The bill was received from the Senate on December 11, with amendments and title amendment given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 74, p. 2993.)

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

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

**Roll Call No. 1271****Yeas—98**

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

**Nays—1**

Drolet

In The Chair: Julian

The House agreed to the title as amended.

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

The Speaker laid before the House

**House Bill No. 6260, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 601 and 841 (MCL 600.601 and 600.841), section 601 as amended by 1996 PA 388 and section 841 as amended by 2000 PA 56, and by adding chapter 4 and section 8304.

(The bill was received from the Senate on December 11, with amendments and title amendment given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 74, p. 3000.)

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

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

**Roll Call No. 1272****Yeas—71**

Allen	Hansen	Mead	Schauer
Birkholz	Hart	Meyer	Schermesser

Bisbee	Howell	Middaugh	Scranton
Bishop	Jamnick	Minore	Shackleton
Bradstreet	Jelinek	Mortimer	Shulman
Brown, C.	Johnson, Rick	Newell	Spade
Cassis	Johnson, Ruth	O'Neil	Stewart
Caul	Julian	Palmer	Switalski
DeRossett	Koetje	Pappageorge	Tabor
DeVuyst	Kolb	Patterson	Toy
DeWeese	Kooiman	Pestka	Van Woerkom
Drolet	Kowall	Phillips	Vander Roest
Ehardt	Kuipers	Pumford	Vander Veen
George	LaSata	Raczkowski	Vear
Gilbert	Lemmons	Richardville	Voorhees
Godchaux	Lipsey	Richner	Woronchak
Gosselin	Lockwood	Rivet	Zelenko
Hager	Mans	Rocca	

**Nays—27**

Adamini	Clarke, H.	Hardman	Thomas
Anderson	Daniels	Hummel	Waters
Bovin	Dennis	Jacobs	Whitmer
Brown, B.	Durhal	Murphy	Williams
Brown, R.	Frank	Neumann	Wojno
Callahan	Gielegem	Sheltrown	Woodward
Clark, I.	Hale	Stamas	

In The Chair: Julian

The House agreed to the title as amended.

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

The Speaker laid before the House

**House Bill No. 6327, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 2409, 2409a, and 2409c (MCL 500.2409, 500.2409a, and 500.2409c), sections 2409 and 2409a as amended by 1993 PA 200 and section 2409c as added by 1986 PA 318.

(The bill was received from the Senate on December 11, with substitute (S-3), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 74, p. 3001.)

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

The substitute (S-3) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1273****Yeas—104**

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

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

### Nays—0

In The Chair: Julian

The House agreed to the title as amended.

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

The Speaker laid before the House

#### **House Bill No. 6447, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 8001, 8003, 8005, and 8011 (MCL 600.8001, 600.8003, 600.8005, and 600.8011), as added by 2001 PA 262.

(The bill was received from the Senate on December 11, with an amendment, title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 74, p. 3001.)

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

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

### Roll Call No. 1274

### Yeas—76

Allen	Gielegem	Lemmons	Rocca
Birkholz	Gilbert	Lockwood	Schauer
Bisbee	Godchaux	Mans	Scranton
Bishop	Gosselin	Mead	Shackleton
Bovin	Hager	Meyer	Shulman
Bradstreet	Hansen	Middaugh	Spade
Brown, C.	Hart	Mortimer	Stamas
Brown, R.	Howell	Murphy	Stewart
Callahan	Hummel	Neumann	Switalski
Cassis	Jelinek	Newell	Tabor
Caul	Johnson, Rick	O'Neil	Thomas
Clarke, H.	Johnson, Ruth	Palmer	Toy
DeRossett	Julian	Pappageorge	Van Woerkom
DeVuyst	Koetje	Patterson	Vander Roest

DeWeese	Kolb	Pestka	Vander Veen
Drolet	Kooiman	Pumford	Vear
Ehardt	Kowall	Raczkowski	Voorhees
Frank	Kuipers	Richardville	Woodward
George	LaSata	Rivet	Woronchak

**Nays—27**

Adamini	Daniels	Lipsey	Stallworth
Anderson	Dennis	Minore	Waters
Basham	Durhal	Phillips	Whitmer
Bernero	Hale	Plakas	Williams
Bogardus	Hardman	Rison	Wojno
Brown, B.	Jacobs	Schermesser	Zelenko
Clark, I.	Jamnack	Sheltrown	

In The Chair: Julian

The House agreed to the title as amended.

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

**House Bill No. 5947, entitled**

A bill to amend 1893 PA 206, entitled “The general property tax act,” by amending section 44 (MCL 211.44), as amended by 2000 PA 364.

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

The Senate has passed the bill as substituted (S-1) and amended the title to read as follows:

A bill to amend 1893 PA 206, entitled “An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts,” by amending section 44 (MCL 211.44), as amended by 2002 PA 479.

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

Rep. Richardville 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-1) made to the bill by the Senate,

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

**Roll Call No. 1275****Yeas—102**

Adamini	Ehardt	LaSata	Schauer
Allen	Frank	Lemmons	Schermesser
Anderson	Garza	Lipsey	Scranton
Basham	George	Lockwood	Shackleton
Bernero	Gielegem	Mans	Sheltrown
Birkholz	Gilbert	McConico	Shulman

Bisbee	Godchaux	Mead	Spade
Bishop	Gosselin	Meyer	Stallworth
Bogardus	Hager	Middaugh	Stamas
Bovin	Hale	Minore	Stewart
Bradstreet	Hansen	Mortimer	Switalski
Brown, B.	Hardman	Murphy	Tabor
Brown, C.	Hart	Neumann	Thomas
Brown, R.	Howell	Newell	Toy
Callahan	Hummel	O'Neil	Van Woerkom
Cassis	Jacobs	Palmer	Vander Roest
Caul	Jamnick	Pappageorge	Vander Veen
Clark, I.	Jelinek	Patterson	Vear
Clarke, H.	Johnson, Rick	Pestka	Voorhees
Daniels	Johnson, Ruth	Pumford	Waters
Dennis	Julian	Raczkowski	Williams
DeRossett	Koetje	Richardville	Wojno
DeVuyst	Kolb	Richner	Woodward
DeWeese	Kooiman	Rison	Woronchak
Drolet	Kowall	Rocca	Zelenko
Durhal	Kuipers		

### Nays—0

In The Chair: Julian

The House agreed to the title as amended.

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

Rep. Spade moved that Rep. Bernero be excused from the balance of today's session.  
The motion prevailed.

Rep. Zelenko moved that Rep. Murphy be excused temporarily from today's session.  
The motion prevailed.

The Speaker laid before the House

#### **House Bill No. 5364, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 11 (MCL 257.11), as amended by 1990 PA 154, and by adding section 248j.

(The bill was received from the Senate on December 11, with substitute (S-7), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until today, see House Journal No. 74, p. 2990.)

The question being on concurring in the substitute (S-7) made to the bill by the Senate,

Rep. Adamini moved to amend the Senate substitute (S-7) as follows:

1. Amend page 35, line 12, after "POSSESSION" by inserting "OR CONTROL".

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

The question being on concurring in the substitute (S-7) made to the bill by the Senate,

The substitute (S-7) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:



**Roll Call No. 1276****Yeas—79**

Allen	George	Lockwood	Schermesser
Anderson	Gielegem	Mans	Scranton
Basham	Gilbert	McConico	Shackleton
Birkholz	Godchaux	Mead	Shulman
Bisbee	Hager	Meyer	Spade
Bishop	Hale	Middaugh	Stamas
Bovin	Hansen	Mortimer	Stewart
Brown, B.	Hart	Newell	Switalski
Brown, C.	Howell	O'Neil	Tabor
Brown, R.	Jacobs	Palmer	Thomas
Callahan	Johnson, Rick	Pappageorge	Toy
Cassis	Johnson, Ruth	Patterson	Van Woerkom
Caul	Julian	Pestka	Vander Roest
Clarke, H.	Koetje	Pumford	Vander Veen
DeRossett	Kolb	Raczkowski	Voorhees
DeVuyst	Kooiman	Richardville	Wojno
DeWeese	Kowall	Richner	Woodward
Durhal	Kuipers	Rivet	Woronchak
Ehardt	LaSata	Rocca	Zelenko
Garza	Lemmons	Schauer	

**Nays—21**

Adamini	Gosselin	Lipsey	Stallworth
Bogardus	Hardman	Minore	Vear
Bradstreet	Hummel	Neumann	Waters
Clark, I.	Jamnick	Phillips	Whitmer
Dennis	Jelinek	Sheltrown	Williams
Drolet			

In The Chair: Julian

The House agreed to the title as amended.

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

**Second Reading of Bills****Senate Bill No. 616, entitled**

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

Was read a second time, and the question being on the adoption of the proposed substitute (H-4) previously recommended by the Committee on Regulatory Reform,

The substitute (H-4) was not adopted, a majority of the members serving not voting therefor.

Rep. Rocca moved to substitute (H-8) the bill.

The motion did not prevail and the substitute (H-8) was not adopted, a majority of the members serving not voting therefor.

Rep. Rocca moved to substitute (H-10) the bill.

The motion prevailed and the substitute (H-10) was adopted, a majority of the members serving voting therefor.

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

Rep. Richardville 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. 616, entitled**

A bill to authorize the state administrative board to convey certain property in Jackson 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. Richardville 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. 5994, entitled**

A bill to assert the state's interest in protecting all individuals; and to prescribe responsibilities and procedures in regard to a newborn whose live birth results from an abortion.

The Senate has amended the bill as follows:

1. Amend page 2, line 1, after "extraction" by striking out the balance of the subdivision and inserting "of a product of conception from its mother, regardless of the duration of the pregnancy, that after expulsion or extraction, whether or not the umbilical cord has been cut or the placenta is attached, shows any evidence of life, including, but not limited to, 1 or more of the following:

- (a) Breathing.
- (b) A heartbeat.
- (c) Umbilical cord pulsation.
- (d) Definite movement of voluntary muscles."

The Senate has passed the bill as amended.

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

Rep. Richardville moved that Rule 45 be suspended.

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

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

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

**Roll Call No. 1277**

**Yeas—70**

Allen	Frank	Mans	Rocca
Basham	George	Mead	Schauer
Birkholz	Gilbert	Meyer	Shackleton
Bisbee	Gosselin	Middaugh	Sheltrown
Bishop	Hager	Mortimer	Spade
Bovin	Hart	Neumann	Stamas
Bradstreet	Howell	Newell	Stewart
Brown, B.	Hummel	O'Neil	Switalski
Brown, C.	Jelinek	Palmer	Tabor
Brown, R.	Johnson, Rick	Pappageorge	Toy
Callahan	Johnson, Ruth	Patterson	Van Woerkom
Cassis	Julian	Pestka	Vander Roest
Caul	Koetje	Pumford	Vander Veen
DeRossett	Kooiman	Raczkowski	Vear
DeVuyst	Kowall	Richardville	Voorhees

DeWeese	Kuipers	Richner	Wojno
Drolet	LaSata	Rivet	Woronchak
Ehardt	Lockwood		

**Nays—27**

Adamini	Godchaux	Lemmons	Thomas
Anderson	Hale	Lipsey	Waters
Bogardus	Hansen	McConico	Whitmer
Clark, I.	Hardman	Phillips	Williams
Daniels	Jacobs	Rison	Woodward
Durhal	Jamnick	Scranton	Zelenko
Garza	Kolb	Stallworth	

In The Chair: Julian

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

**House Bill No. 5995, entitled**

A bill to amend 1939 PA 288, entitled “Probate code of 1939,” by amending section 3 of chapter XII (MCL 712.3), as added by 2000 PA 232.

The Senate has amended the bill as follows:

1. Amend page 3, line 21, after “UNDER” by striking out “SECTION 3” and inserting “SECTION 3(1)”.

The Senate has passed the bill as amended and pursuant to Joint Rule 20, inserted the full title.

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

Rep. Richardville moved that Rule 45 be suspended.

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

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

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

**Roll Call No. 1278****Yeas—75**

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

**Nays—27**

Adamini	Hale	McConico	Thomas
Bogardus	Hansen	Minore	Waters
Clark, I.	Hardman	Phillips	Whitmer
Daniels	Jacobs	Rison	Williams
Durhal	Jamnick	Schauer	Woodward
Garza	Kolb	Scranton	Zelenko
Godchaux	Lipsey	Stallworth	

In The Chair: Julian

The House agreed to the full title of the bill.

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

**House Bill No. 5998, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 2822 and 2843 (MCL 333.2822 and 333.2843).

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

The Senate has passed the bill as substituted (S-1) and amended the title to read as follows:

A bill to amend 1978 PA 368, entitled “An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates,” by amending sections 2822, 2843, 2882, and 5431 (MCL 333.2822, 333.2843, 333.2882, and 333.5431), section 2882 as amended by 2002 PA 544 and section 5431 as amended by 2000 PA 33.

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

Rep. Richardville 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-1) made to the bill by the Senate,

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

**Roll Call No. 1279****Yeas—78**

Adamini	Drolet	Lemmons	Rivet
Allen	Ehardt	Lockwood	Rocca
Anderson	George	Mans	Shackleton
Basham	Gielegem	Mead	Sheltrown
Birkholz	Gilbert	Meyer	Shulman
Bisbee	Gosselin	Middaugh	Spade

Bishop	Hager	Mortimer	Stamas
Bovin	Hardman	Neumann	Stewart
Bradstreet	Hart	Newell	Switalski
Brown, B.	Howell	O'Neil	Tabor
Brown, C.	Hummel	Palmer	Toy
Brown, R.	Jelinek	Pappageorge	Van Woerkom
Callahan	Johnson, Rick	Patterson	Vander Roest
Cassis	Johnson, Ruth	Pestka	Vander Veen
Caul	Julian	Plakas	Vear
Clarke, H.	Koetje	Pumford	Voorhees
Dennis	Kooiman	Raczkowski	Wojno
DeRossett	Kowall	Richardville	Woodward
DeVuyst	Kuipers	Richner	Woronchak
DeWeese	LaSata		

**Nays—21**

Bogardus	Hale	Lipsey	Scranton
Clark, I.	Hansen	Minore	Stallworth
Daniels	Jacobs	Phillips	Whitmer
Durhal	Jamnick	Rison	Williams
Garza	Kolb	Schauer	Zelenko
Godchaux			

In The Chair: Julian

The House agreed to the title as amended.

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

**House Bill No. 4551, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9948) by adding section 151d.

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

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

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

Rep. Richardville 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-1) made to the bill by the Senate,

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

**Roll Call No. 1280****Yeas—100**

Adamini	Garza	Lemmons	Schauer
Allen	George	Lipsey	Scranton
Anderson	Gielegem	Lockwood	Shackleton
Basham	Gilbert	Mans	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, B.	Hart	Neumann	Tabor
Brown, C.	Howell	Newell	Thomas
Brown, R.	Hummel	O'Neil	Toy
Callahan	Jacobs	Palmer	Van Woerkom
Cassis	Jamnick	Pappageorge	Vander Roest
Caul	Jelinek	Patterson	Vander Veen
Clark, I.	Johnson, Rick	Pestka	Vear
Clarke, H.	Johnson, Ruth	Phillips	Voorhees
Daniels	Julian	Pumford	Waters
Dennis	Koetje	Raczkowski	Whitmer
DeRossett	Kolb	Richardville	Williams
DeWeese	Kooiman	Richner	Wojno
Drolet	Kowall	Rison	Woodward
Durhal	Kuipers	Rivet	Woronchak
Frank	LaSata	Rocca	Zelenko

### Nays—0

In The Chair: Julian

The House agreed to the full title of the bill.

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

#### House Bill No. 4552, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 321a (MCL 257.321a), as amended by 1999 PA 73.

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

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

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

Rep. Richardville 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-1) made to the bill by the Senate,

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

#### Roll Call No. 1281

#### Yeas—98

Adamini	Garza	Lemmons	Schauer
Allen	George	Lipsey	Schermesser
Anderson	Gielegem	Lockwood	Scranton
Basham	Gilbert	Mans	Shackleton
Birkholz	Godchaux	McConico	Sheltrown
Bisbee	Gosselin	Mead	Shulman
Bishop	Hager	Meyer	Spade
Bogardus	Hale	Middaugh	Stamas
Bovin	Hansen	Minore	Stewart
Bradstreet	Hardman	Mortimer	Switalski
Brown, B.	Hart	Neumann	Tabor
Brown, C.	Howell	Newell	Toy
Brown, R.	Hummel	O'Neil	Van Woerkom

Callahan	Jacobs	Palmer	Vander Roest
Cassis	Jamnick	Pappageorge	Vander Veen
Caul	Jelinek	Patterson	Vear
Clark, I.	Johnson, Rick	Pestka	Voorhees
Clarke, H.	Johnson, Ruth	Phillips	Waters
Daniels	Julian	Pumford	Whitmer
Dennis	Koetje	Raczkowski	Williams
DeRossett	Kolb	Richardville	Wojno
DeVuyst	Kooiman	Richner	Woodward
DeWeese	Kowall	Rison	Woronchak
Drolet	Kuipers	Rocca	Zelenko
Durhal	LaSata		

**Nays—1**

Stallworth

In The Chair: Julian

The House agreed to the full title of the bill.

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

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

**House Bill No. 4553, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9948) by adding section 151e.

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

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

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

Rep. Richardville 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-1) made to the bill by the Senate,

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

**Roll Call No. 1282****Yeas—97**

Adamini	Ehardt	Lemmons	Rocca
Allen	Garza	Lipsey	Schauer
Anderson	George	Lockwood	Schermesser
Basham	Gielegem	Mans	Shackleton
Birkholz	Gilbert	McConico	Sheltrown
Bisbee	Gosselin	Mead	Shulman
Bishop	Hager	Meyer	Spade

Bogardus	Hansen	Middaugh	Stallworth
Bovin	Hardman	Minore	Stamas
Bradstreet	Hart	Mortimer	Switalski
Brown, B.	Howell	Neumann	Tabor
Brown, C.	Hummel	Newell	Thomas
Brown, R.	Jacobs	O'Neil	Van Woerkom
Callahan	Jamnick	Palmer	Vander Roest
Cassis	Jelinek	Pappageorge	Vander Veen
Caul	Johnson, Rick	Patterson	Vear
Clark, I.	Johnson, Ruth	Pestka	Voorhees
Clarke, H.	Julian	Phillips	Waters
Daniels	Koetje	Plakas	Whitmer
Dennis	Kolb	Pumford	Williams
DeRossett	Kooiman	Raczkowski	Wojno
DeVuyst	Kowall	Richardville	Woodward
DeWeese	Kuipers	Richner	Woronchak
Drolet	LaSata	Rison	Zelenko
Durhal			

### Nays—1

Rivet

In The Chair: Julian

The House agreed to the full title of the bill.

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

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

### House Bill No. 5953, entitled

A bill to provide for circumstances under which certain forestry operations shall not be found to be a public or private nuisance; to provide for certain forestry management practices; to provide for certain powers and duties for certain state agencies and departments; and to provide remedies.

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

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

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

Rep. Richardville 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-1) made to the bill by the Senate,

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

### Roll Call No. 1283

### Yeas—99

Adamini	Frank	Lemmons	Schauer
Allen	Garza	Lipsey	Schermesser
Anderson	George	Lockwood	Shackleton
Basham	Gielegem	Mans	Sheltrown



Birkholz	Gilbert	McConico	Shulman
Bisbee	Gosselin	Mead	Spade
Bishop	Hager	Meyer	Stallworth
Bovin	Hale	Middaugh	Stamas
Bradstreet	Hansen	Minore	Stewart
Brown, B.	Hardman	Mortimer	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.	Jelinek	Patterson	Vear
Clarke, H.	Johnson, Rick	Pestka	Voorhees
Daniels	Johnson, Ruth	Phillips	Waters
Dennis	Julian	Pumford	Whitmer
DeRossett	Koetje	Rackowski	Williams
DeVuyst	Kolb	Richardville	Wojno
DeWeese	Kooiman	Richner	Woodward
Drolet	Kowall	Rison	Woronchak
Durhal	Kuipers	Rivet	Zelenko
Ehardt	LaSata	Rocca	

### Nays—1

Bogardus

In The Chair: Julian

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

### Second Reading of Bills

#### Senate Bill No. 1390, entitled

A bill to amend 1990 PA 187, entitled "The pupil transportation act," by amending section 53 (MCL 257.1853).

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

The motion prevailed.

Rep. Richardville 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. 1390, entitled

A bill to amend 1990 PA 187, entitled "The pupil transportation act," by amending section 53 (MCL 257.1853).

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

### Roll Call No. 1284

### Yeas—101

Adamini	Frank	LaSata	Rocca
Allen	Garza	Lemmons	Schauer

Anderson	George	Lipsey	Schermesser
Basham	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	Minore	Stewart
Brown, B.	Hardman	Mortimer	Switalski
Brown, C.	Hart	Neumann	Tabor
Brown, R.	Howell	Newell	Toy
Callahan	Hummel	O'Neil	Van Woerkom
Cassis	Jacobs	Palmer	Vander Roest
Caul	Jamnick	Pappageorge	Vander Veen
Clark, I.	Jelinek	Patterson	Vear
Clarke, H.	Johnson, Rick	Pestka	Voorhees
Daniels	Johnson, Ruth	Phillips	Waters
Dennis	Julian	Plakas	Whitmer
DeRossett	Koetje	Pumford	Williams
DeVuyst	Kolb	Raczkowski	Wojno
DeWeese	Kooiman	Richardville	Woodward
Drolet	Kowall	Richner	Woronchak
Durhal	Kuipers	Rivet	Zelenko
Ehardt			

### Nays—0

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 regulate the equipment, maintenance, operation, and use of school buses and pupil transportation vehicles; to prescribe the qualifications of school bus and pupil transportation vehicle drivers; to prescribe the powers and duties of certain state and local governmental agencies; to create an advisory committee and to prescribe its powers and duties; and to prescribe remedies and penalties.”

The House agreed to the full title.

Rep. Richardville 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. 1391, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 19a and 675 (MCL 257.19a and 257.675), section 19a as amended by 1998 PA 68 and section 675 as amended by 2001 PA 18.

The bill was read a second time.

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

The motion prevailed.

Rep. Richardville 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. 1391, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending sections 19a and 675 (MCL 257.19a and 257.675), section 19a as amended by 1998 PA 68 and section 675 as amended by 2001 PA 18.

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

**Roll Call No. 1285****Yeas—101**

Adamini	Frank	LaSata	Rocca
Allen	Garza	Lemmons	Schauer
Anderson	George	Lipsey	Schermesser
Basham	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	Minore	Stewart
Brown, B.	Hardman	Mortimer	Switalski
Brown, C.	Hart	Neumann	Tabor
Brown, R.	Howell	Newell	Toy
Callahan	Hummel	O'Neil	Van Woerkom
Cassis	Jacobs	Palmer	Vander Roest
Caul	Jamnick	Pappageorge	Vander Veen
Clark, I.	Jelinek	Patterson	Vear
Clarke, H.	Johnson, Rick	Phillips	Voorhees
Daniels	Johnson, Ruth	Plakas	Waters
Dennis	Julian	Pumford	Whitmer
DeRossett	Koetje	Raczkowski	Williams
DeVuyst	Kolb	Richardville	Wojno
DeWeese	Kooiman	Richner	Woodward
Drolet	Kowall	Rison	Woronchak
Durhal	Kuipers	Rivet	Zelenko
Ehardt			

**Nays—0**

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 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 provide appropriations for certain purposes; 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.”

The House agreed to the full title.

Rep. Richardville 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. 1356, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 2163a (MCL 600.2163a), as amended by 1998 PA 324.

The bill was read a second time.

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

Rep. Richardville 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. 1356, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 2163a (MCL 600.2163a), as amended by 1998 PA 324.

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

**Roll Call No. 1286**

**Yeas—87**

Adamini	George	LaSata	Rocca
Allen	Gielegem	Lemmons	Schauer
Anderson	Gilbert	Lipsey	Shackleton
Basham	Godchaux	Mans	Sheltrown
Birkholz	Gosselin	Mead	Shulman
Bisbee	Hager	Meyer	Spade
Bishop	Hale	Middaugh	Stallworth
Bogardus	Hansen	Minore	Stamas
Bradstreet	Hart	Mortimer	Stewart
Brown, B.	Howell	Neumann	Tabor
Brown, C.	Hummel	Newell	Toy
Brown, R.	Jacobs	Palmer	Van Woerkom
Cassis	Jamnick	Pappageorge	Vander Roest
Caul	Jelinek	Patterson	Vander Veen
Daniels	Johnson, Rick	Pestka	Vear
Dennis	Johnson, Ruth	Phillips	Voorhees
DeRossett	Julian	Pumford	Williams
DeVuyst	Koetje	Rackowski	Wojno
DeWeese	Kolb	Richardville	Woodward
Drolet	Kooiman	Richner	Woronchak
Durhal	Kowall	Rison	Zelenko
Ehardt	Kuipers	Rivet	

**Nays—1**

Switalski

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.

### Second Reading of Bills

#### Senate Bill No. 1447, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 17b of chapter XIIA (MCL 712A.17b), as amended by 1998 PA 325.

The bill was read a second time.

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

The motion prevailed.

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

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

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Rep. Koetje moved that Rep. Raczkowski be excused temporarily from today's session.

The motion prevailed.

Rep. Gielegghem moved that Rep. Rich Brown be excused temporarily from today's session.

The motion prevailed.

Rep. Anderson moved that Rep. Plakas be excused temporarily from today's session.

The motion prevailed.

Rep. Lipsey moved that Rep. McConico be excused temporarily from today's session.

The motion prevailed.

By unanimous consent the House returned to the order of

### Third Reading of Bills

#### Senate Bill No. 1447, entitled

A bill to amend 1939 PA 288, entitled "Probate code of 1939," by amending section 17b of chapter XIIA (MCL 712A.17b), as amended by 1998 PA 325.

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

#### Roll Call No. 1287

#### Yeas—95

Adamini	Ehardt	Kuipers	Schauer
Allen	Garza	LaSata	Schermesser
Anderson	George	Lemmons	Scranton
Basham	Gielegghem	Lipsey	Shackleton
Birkholz	Gilbert	Lockwood	Sheltrown
Bisbee	Godchaux	Mans	Shulman
Bishop	Gosselin	Mead	Spade
Bogardus	Hager	Meyer	Stallworth
Bovin	Hale	Middaugh	Stamas
Bradstreet	Hansen	Minore	Stewart
Brown, B.	Hardman	Mortimer	Tabor
Brown, C.	Hart	Neumann	Toy
Callahan	Howell	Newell	Van Woerkom
Cassis	Hummel	O'Neil	Vander Roest
Caul	Jacobs	Palmer	Vander Veen
Clark, I.	Jamnick	Pappageorge	Vear
Clarke, H.	Jelinek	Patterson	Voorhees
Daniels	Johnson, Rick	Phillips	Waters

Dennis	Johnson, Ruth	Pumford	Whitmer
DeRossett	Julian	Richardville	Wojno
DeVuyst	Koetje	Richner	Woodward
DeWeese	Kolb	Rison	Woronchak
Drolet	Kooiman	Rivet	Zelenko
Durhal	Kowall	Rocca	

**Nays—1**

Switalski

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 certain aspects of the family division of circuit court, to the jurisdiction, powers, and duties of the family division of circuit court and its judges and other officers, to the change of name of adults and children, and to the adoption of adults and children; to prescribe certain jurisdiction, powers, and duties of the family division of circuit court and its judges and other officers; to prescribe the manner and time within which certain actions and proceedings may be brought in the family division of the circuit court; to prescribe pleading, evidence, practice, and procedure in certain actions and proceedings in the family division of circuit court; to provide for appeals from certain actions in the family division of circuit court; to prescribe the powers and duties of certain state departments, agencies, and officers; to provide for certain immunity from liability; and to provide remedies and penalties.”

The House agreed to the full title.

**Second Reading of Bills****Senate Bill No. 795, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 32504a.

The bill was read a second time.

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

The motion prevailed.

Rep. Richardville 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. 795, entitled**

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding section 32504a.

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

**Roll Call No. 1288****Yeas—97**

Adamini	Garza	LaSata	Schauer
Allen	George	Lockwood	Schermesser
Anderson	Gielegem	Mans	Scranton
Basham	Gilbert	McConico	Shackleton
Birkholz	Godchaux	Mead	Sheltrown
Bisbee	Gosselin	Meyer	Shulman

Bishop	Hager	Middaugh	Spade
Bovin	Hale	Minore	Stallworth
Bradstreet	Hansen	Mortimer	Stamas
Brown, C.	Hardman	Neumann	Stewart
Brown, R.	Hart	Newell	Switalski
Callahan	Howell	O'Neil	Tabor
Cassis	Hummel	Palmer	Thomas
Caul	Jacobs	Pappageorge	Toy
Clark, I.	Jamnack	Patterson	Van Woerkom
Clarke, H.	Jelinek	Pestka	Vander Roest
Daniels	Johnson, Rick	Phillips	Vander Veen
Dennis	Johnson, Ruth	Plakas	Vear
DeRossett	Julian	Pumford	Voorhees
DeVuyst	Koetje	Rackowski	Waters
DeWeese	Kolb	Richardville	Whitmer
Drolet	Kooiman	Richner	Wojno
Durhal	Kowall	Rivet	Woronchak
Ehardt	Kuipers	Rocca	Zelenko
Frank			

### Nays—0

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 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.”.

The House agreed to the full title.

Rep. Richardville 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. 1385, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending sections 2213 and 2213a (MCL 500.2213 and 500.2213a), section 2213 as amended by 2000 PA 252 and section 2213a as added by 1996 PA 517, and by adding section 2213c.

The bill was read a second time.

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

The motion prevailed.

Rep. Richardville 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. 1385, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending sections 2213 and 2213a (MCL 500.2213 and 500.2213a), section 2213 as amended by 2000 PA 252 and section 2213a as added by 1996 PA 517, and by adding section 2213c.

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

**Roll Call No. 1289****Yeas—93**

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

**Nays—1**

Drolet

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, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker’s compensation



self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act.”.

The House agreed to the full title.

Rep. Richardville 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. 1410, entitled

A bill to amend 1969 PA 317, entitled “Worker’s disability compensation act of 1969,” by amending section 625 (MCL 418.625), as amended by 1995 PA 271.

The bill was read a second time.

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

The motion prevailed.

Rep. Richardville 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. 1410, entitled

A bill to amend 1969 PA 317, entitled “Worker’s disability compensation act of 1969,” by amending section 625 (MCL 418.625), as amended by 1995 PA 271.

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

#### Roll Call No. 1290

#### Yeas—96

Adamini	Durhal	LaSata	Schauer
Allen	Ehardt	Lemmons	Schermesser
Anderson	Frank	Lipsey	Scranton
Basham	George	Lockwood	Shackleton
Birkholz	Gielegem	Mans	Sheltrown
Bisbee	Gilbert	Mead	Shulman
Bishop	Godchaux	Meyer	Spade
Bogardus	Gosselin	Middaugh	Stallworth
Bovin	Hager	Minore	Stamas
Bradstreet	Hale	Mortimer	Stewart
Brown, B.	Hansen	Neumann	Switalski
Brown, C.	Hart	O’Neil	Tabor
Brown, R.	Howell	Palmer	Toy
Callahan	Hummel	Pappageorge	Van Woerkom
Cassis	Jacobs	Patterson	Vander Roest
Caul	Jelinek	Pestka	Vander Veen
Clark, I.	Johnson, Rick	Plakas	Vear
Clarke, H.	Johnson, Ruth	Pumford	Voorhees
Daniels	Julian	Rackowski	Waters
Dennis	Koetje	Richardville	Whitmer
DeRossett	Kolb	Richner	Wojno

DeVuyst  
DeWeese  
Drolet

Kooiman  
Kowall  
Kuipers

Rison  
Rivet  
Rocca

Woodward  
Woronchak  
Zelenko

### Nays—0

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 laws relating to worker’s disability compensation; to increase the administrative efficiency of the adjudicative processes of the worker’s compensation system; to improve the qualifications of the persons having adjudicative functions within the worker’s compensation system; to prescribe certain powers and duties; to create the board of worker’s compensation magistrates and the worker’s compensation appellate commission; to create certain other boards; to provide certain procedures for the resolution of claims, including mediation and arbitration; to prescribe certain benefits for persons suffering a personal injury under the act; to prescribe certain limitations on obtaining benefits under the act; to create, and provide for the transfer of, certain funds; to prescribe certain fees; to prescribe certain remedies and penalties; to repeal certain parts of this act on specific dates; and to repeal certain acts and parts of acts.”.

The House agreed to the full title.

Rep. Richardville 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. 1418, entitled

A bill to amend 1993 PA 23, entitled “Michigan limited liability company act,” by amending sections 102, 103, 104, 105, 106, 202, 203, 204, 207, 210, 214, 301, 303, 304, 307, 403, 405, 406, 501, 502, 503, 504, 506, 515, 603, 705a, 801, 804, 909, 1005, and 1101 (MCL 450.4102, 450.4103, 450.4104, 450.4105, 450.4106, 450.4202, 450.4203, 450.4204, 450.4207, 450.4210, 450.4214, 450.4301, 450.4303, 450.4304, 450.4307, 450.4403, 450.4405, 450.4406, 450.4501, 450.4502, 450.4503, 450.4504, 450.4506, 450.4515, 450.4603, 450.4705a, 450.4801, 450.4804, 450.4909, 450.5005, and 450.5101), section 102 as amended by 2000 PA 336 and sections 103, 202, 203, 204, 207, 301, 303, 304, 307, 403, 405, 501, 502, 503, 506, 603, 801, 909, and 1101 as amended and sections 214, 515, and 705a as added by 1997 PA 52, and by adding sections 207a and 215.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Insurance and Financial Services (for amendment, see House Journal No. 70, p. 2766),

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

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

The motion prevailed.

Rep. Richardville 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. 1418, entitled

A bill to amend 1993 PA 23, entitled “Michigan limited liability company act,” by amending sections 102, 103, 104, 105, 106, 202, 203, 204, 207, 210, 214, 301, 303, 304, 307, 403, 405, 406, 501, 502, 503, 504, 506, 515, 603, 705a, 801, 804, 909, 1005, and 1101 (MCL 450.4102, 450.4103, 450.4104, 450.4105, 450.4106, 450.4202, 450.4203, 450.4204, 450.4207, 450.4210, 450.4214, 450.4301, 450.4303, 450.4304, 450.4307, 450.4403, 450.4405, 450.4406, 450.4501, 450.4502, 450.4503, 450.4504, 450.4506, 450.4515, 450.4603, 450.4705a, 450.4801, 450.4804, 450.4909, 450.5005, and 450.5101), section 102 as amended by 2000 PA 336 and sections 103, 202, 203, 204, 207, 301, 303, 304, 307, 403, 405, 501, 502, 503, 506, 603, 801, 909, and 1101 as amended and sections 214, 515, and 705a as added by 1997 PA 52, and by adding sections 207a and 215.

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

**Roll Call No. 1291****Yeas—100**

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

**Nays—0**

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 provide for the organization and regulation of limited liability companies; to prescribe their duties, rights, powers, immunities, and liabilities; to prescribe the powers and duties of certain state departments and agencies; and to provide for penalties and remedies.”.

The House agreed to the full title.

Rep. Richardville 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. 1428, entitled**

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 3341 (MCL 500.3341), as added by 2002 PA 251.

The bill was read a second time.

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

The motion prevailed.

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

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

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Rep. Wojno moved that Rep. Williams be excused temporarily from today's session.  
The motion prevailed.

By unanimous consent the House returned to the order of

**Third Reading of Bills**

**Senate Bill No. 1428, entitled**

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 3341 (MCL 500.3341), as added by 2002 PA 251.

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

**Roll Call No. 1292**

**Yeas—99**

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

**Nays—0**

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, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain

procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker’s compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act.”.

The House agreed to the full title.

Rep. Richardville 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. 1434, entitled**

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 250 (MCL 500.250).

The bill was read a second time.

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

The motion prevailed.

Rep. Richardville 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. 1434, entitled**

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 250 (MCL 500.250).

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

**Roll Call No. 1293**

**Yeas—100**

Adamini	George	Lipsey	Schauer
Allen	Gielegem	Lockwood	Schermesser
Anderson	Gilbert	Mans	Scranton
Basham	Godchaux	McConico	Shackleton
Birkholz	Gosselin	Mead	Sheltrown
Bisbee	Hager	Meyer	Shulman
Bishop	Hale	Middaugh	Spade
Bogardus	Hansen	Minore	Stamas
Bovin	Hardman	Mortimer	Stewart
Bradstreet	Hart	Neumann	Switalski
Brown, B.	Howell	Newell	Tabor
Brown, C.	Hummel	O’Neil	Thomas
Brown, R.	Jacobs	Palmer	Toy
Callahan	Jamnick	Pappageorge	Van Woerkom
Cassis	Jelinek	Patterson	Vander Roest

Caul	Johnson, Rick	Pestka	Vander Veen
Clark, I.	Johnson, Ruth	Phillips	Vear
Clarke, H.	Julian	Plakas	Voorhees
Dennis	Koetje	Pumford	Waters
DeRossett	Kolb	Raczkowski	Whitmer
DeWeese	Kooiman	Richardville	Williams
Drolet	Kowall	Richner	Wojno
Durhal	Kuipers	Rison	Woodward
Ehardt	LaSata	Rivet	Woronchak
Frank	Lemmons	Rocca	Zelenko

### Nays—0

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, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to provide for assessment fees on certain health maintenance organizations; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for regulation over worker’s compensation self-insurers; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to provide for an appropriation; to repeal acts and parts of acts; and to provide penalties for the violation of this act.”

The House agreed to the full title.

Rep. Richardville 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

### Messages from the Senate

#### House Bill No. 5242, entitled

A bill to amend 1994 PA 203, entitled “Foster care and adoption services act,” by amending section 8 (MCL 722.958).

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

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

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

Rep. Richardville 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-1) made to the bill by the Senate,

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

**Roll Call No. 1294**

**Yeas—99**

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

**Nays—0**

In The Chair: Julian

The House agreed to the full title of the bill.

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

**House Bill No. 5277, entitled**

A bill to amend 1925 PA 289, entitled “An act to create a bureau of criminal identification and records within the department of state police; to require peace officers, persons in charge of certain institutions, and others to make reports respecting juvenile offenses, crimes, and criminals to the state police; to require the fingerprinting of an accused by certain persons; and to provide penalties for violation of this act,” by amending sections 2 and 3 (MCL 28.242 and 28.243), section 2 as amended by 1988 PA 40 and section 3 as amended by 1999 PA 266.

The Senate has substituted (S-2) the bill.

The Senate has passed the bill as substituted (S-2), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1925 PA 289, entitled “An act to create and maintain a fingerprint identification and criminal history records division within the department of state police; to require peace officers, persons in charge of certain institutions,

and others to make reports respecting juvenile offenses, crimes, and criminals to the state police; to require the fingerprinting of an accused by certain persons; and to provide penalties and remedies for a violation of this act," by amending section 3 (MCL 28.243), as amended by 2001 PA 203.

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

Rep. Richardville 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-2) made to the bill by the Senate,

The substitute (S-2) was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

**Roll Call No. 1295****Yeas—101**

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

**Nays—0**

In The Chair: Julian

The House agreed to the title as amended.

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

Rep. Jacobs moved that Rep. Thomas be excused temporarily from today's session.  
The motion prevailed.

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



**House Bill No. 5394, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 7401 and 7403 (MCL 333.7401 and 333.7403), as amended by 2001 PA 236.

The Senate has amended the bill as follows:

1. Amend page 9, following line 18, by inserting:

“Enacting section 1. This amendatory act takes effect March 1, 2003.” and renumbering the remaining enacting section.

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

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

Rep. Richardville moved that Rule 45 be suspended.

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

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

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

**Roll Call No. 1296**

**Yeas—89**

Adamini	Frank	Kowall	Rison
Allen	Garza	LaSata	Rivet
Anderson	George	Lemmons	Rocca
Basham	Gielegem	Lipsev	Schermesser
Birkholz	Gilbert	Lockwood	Scranton
Bisbee	Godchaux	Mans	Shackleton
Bishop	Gosselin	McConico	Shulman
Bogardus	Hager	Mead	Spade
Bovin	Hale	Meyer	Stamas
Brown, C.	Hansen	Minore	Stewart
Brown, R.	Hardman	Mortimer	Tabor
Callahan	Hart	Neumann	Thomas
Cassis	Howell	Newell	Toy
Caul	Hummel	O’Neil	Van Woerkom
Clark, I.	Jacobs	Palmer	Vander Veen
Clarke, H.	Jelinek	Pappageorge	Voorhees
Daniels	Johnson, Rick	Pestka	Waters
Dennis	Johnson, Ruth	Phillips	Whitmer
DeRossett	Julian	Plakas	Williams
DeWeese	Koetje	Pumford	Woodward
Drolet	Kolb	Rackowski	Woronchak
Durhal	Kooiman	Richardville	Zelenko
Ehardt			

**Nays—11**

Bradstreet	Kuipers	Richner	Vander Roest
Brown, B.	Middaugh	Sheltrown	Wojno
DeVuyst	Patterson	Switalski	

In The Chair: Julian

The House agreed to the full 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.

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

**House Bill No. 5395, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 34 of chapter IX, sections 1 and 2 of chapter XI, and sections 13m, 43, 45, and 57 of chapter XVII (MCL 769.34, 771.1, 771.2, 777.13m, 777.43, 777.45, and 777.57), section 34 of chapter IX and section 43 of chapter XVII as amended by 2000 PA 279, section 1 of chapter XI as amended by 2002 PA 483, section 2 of chapter XI as amended by 1998 PA 520, section 13m of chapter XVII as added by 2002 PA 30, section 45 of chapter XVII as added by 1998 PA 317, and section 57 of chapter XVII as amended by 1999 PA 227.

The Senate has amended the bill as follows:

1. Amend page 19, following line 17, by inserting:

"Enacting section 1. This amendatory act takes effect March 1, 2003." and renumbering the remaining enacting section.

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

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

Rep. Richardville moved that Rule 45 be suspended.

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

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

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

**Roll Call No. 1297****Yeas—84**

Adamini	Ehardt	Kooiman	Rison
Anderson	Garza	Kowall	Schauer
Basham	George	LaSata	Schermesser
Birkholz	Gielegem	Lemmons	Scranton
Bisbee	Gilbert	Lipsey	Shackleton
Bishop	Godchaux	Lockwood	Shulman
Bogardus	Gosselin	McConico	Spade
Bovin	Hager	Mead	Stallworth
Brown, C.	Hale	Meyer	Stamas
Brown, R.	Hansen	Minore	Stewart
Callahan	Hardman	Mortimer	Tabor
Cassis	Hart	Neumann	Toy
Caul	Howell	Newell	Van Woerkom
Clark, I.	Hummel	O'Neil	Vander Veen
Clarke, H.	Jacobs	Palmer	Voorhees
Daniels	Jamnack	Pappageorge	Waters
Dennis	Johnson, Rick	Pestka	Whitmer
DeRossett	Johnson, Ruth	Phillips	Williams
DeWeese	Julian	Plakas	Woodward
Drolet	Koetje	Raczkowski	Woronchak
Durhal	Kolb	Richardville	Zelenko

**Nays—16**

Allen	Jelinek	Patterson	Sheltrown
Bradstreet	Kuipers	Pumford	Switalski
Brown, B.	Mans	Richner	Vander Roest
DeVuyst	Middaugh	Rocca	Wojno

In The Chair: Julian

The House agreed to the full 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.

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

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

**House Bill No. 6510, entitled**

A bill to amend 1953 PA 232, entitled “Corrections code of 1953,” by amending section 34 (MCL 791.234), as amended by 1999 PA 191.

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

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1953 PA 232, entitled “An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to allow for the operation of certain facilities by private entities; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act,” by amending sections 20e and 34 (MCL 791.220e and 791.234), section 20e as amended by 1995 PA 20 and section 34 as amended by 1999 PA 191.

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

Rep. Richardville 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-1) made to the bill by the Senate,

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

**Roll Call No. 1298**

**Yeas—82**

Adamini	Durhal	Kooiman	Richardville
Anderson	Ehardt	Kowall	Rison
Basham	Garza	LaSata	Rivet
Birkholz	George	Lemmons	Schauer
Bisbee	Gielegem	Lipsey	Schermesser
Bishop	Gilbert	Lockwood	Shackleton
Bogardus	Godchaux	Mans	Shulman
Bovin	Gosselin	McConico	Stallworth
Bradstreet	Hager	Mead	Stamas
Brown, C.	Hale	Meyer	Tabor
Brown, R.	Hansen	Minore	Toy
Callahan	Hardman	Mortimer	Van Woerkom
Cassis	Hart	Murphy	Vander Veen
Caul	Howell	Neumann	Voorhees
Clark, I.	Hummel	Newell	Waters
Clarke, H.	Jacobs	O’Neil	Whitmer
Daniels	Jamnack	Palmer	Williams
Dennis	Johnson, Rick	Pappageorge	Woodward
DeRossett	Julian	Pestka	Woronchak
DeWeese	Koetje	Rackowski	Zelenko
Drolet	Kolb		

**Nays—16**

Allen	Johnson, Ruth	Pumford	Stewart
Brown, B.	Kuipers	Rocca	Switalski

DeVuyst  
Jelinek

Middaugh  
Patterson

Sheltrown  
Spade

Vander Roest  
Wojno

In The Chair: Julian

The House agreed to the title as amended.

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

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

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

### Second Reading of Bills

#### Senate Bill No. 705, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.1100) by adding section 75.

The bill was read a second time.

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

The motion prevailed.

Rep. Richardville 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. 705, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.1100) by adding section 75.

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

#### Roll Call No. 1299

#### Yeas—98

Allen	Frank	Lemmons	Schauer
Anderson	Garza	Lipsey	Schermesser
Basham	George	Lockwood	Scranton
Birkholz	Gielegem	Mans	Shackleton
Bisbee	Gilbert	Mead	Sheltrown
Bishop	Gosselin	Meyer	Shulman
Bogardus	Hager	Middaugh	Spade
Bovin	Hale	Minore	Stamas
Bradstreet	Hansen	Mortimer	Stewart
Brown, B.	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 Roest
Clark, I.	Jelinek	Patterson	Vander Veen
Clarke, H.	Johnson, Rick	Pestka	Voorhees
Daniels	Johnson, Ruth	Phillips	Waters
Dennis	Julian	Pumford	Whitmer
DeRossett	Koetje	Rackowski	Williams
DeVuyst	Kolb	Richardville	Wojno

DeWeese  
Drolet  
Durhal  
Ehardt

Kooiman  
Kowall  
Kuipers  
LaSata

Richner  
Rison  
Rivet

Woodward  
Woronchak  
Zelenko

### Nays—0

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 consolidate prior acts naming certain Michigan highways; to provide for the naming of certain highways; to prescribe certain duties of the state transportation department; and to repeal acts and parts of acts and certain resolutions.”

The House agreed to the full title.

Rep. Richardville 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. 1028, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending sections 503 and 504 (MCL 750.503 and 750.504).

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Criminal Justice (for amendments, see House Journal No. 47, p. 1612),

Rep. Kowall moved that the amendments be considered separately.

The motion prevailed.

The question being on the adoption of the proposed amendment No. 1 previously recommended by the Committee on Criminal Justice,

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

The question being on the adoption of the proposed amendment No. 2 previously recommended by the Committee on Criminal Justice,

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

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

The motion prevailed.

Rep. Richardville 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. 1028, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending sections 503 and 504 (MCL 750.503 and 750.504).

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

### Roll Call No. 1300

### Yeas—93

Adamini  
Allen  
Anderson

Garza  
George  
Gilbert

Lipsey  
Lockwood  
Mans

Rocca  
Schauer  
Scranton

Basham	Gosselin	Mead	Shackleton
Birkholz	Hager	Meyer	Sheltrown
Bisbee	Hansen	Middaugh	Shulman
Bishop	Hardman	Minore	Spade
Bovin	Hart	Mortimer	Stamas
Bradstreet	Howell	Murphy	Stewart
Brown, B.	Hummel	Neumann	Switalski
Brown, C.	Jacobs	Newell	Tabor
Brown, R.	Jamnick	O'Neil	Toy
Callahan	Jelinek	Palmer	Van Woerkom
Cassis	Johnson, Rick	Pappageorge	Vander Roest
Caul	Johnson, Ruth	Patterson	Vander Veen
Clark, I.	Julian	Pestka	Vear
Clarke, H.	Koetje	Plakas	Voorhees
Daniels	Kolb	Pumford	Whitmer
DeRossett	Kooiman	Rackowski	Williams
DeVuyst	Kowall	Richardville	Wojno
DeWeese	Kuipers	Richner	Woodward
Drolet	LaSata	Rison	Woronchak
Durhal	Lemmons	Rivet	Zelenko
Ehardt			

### Nays—3

Bogardus                                      Godchaux                                      Hale

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 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," by amending section 504 (MCL 750.504).

The motion prevailed.

The House agreed to the title as amended.

By unanimous consent the House returned to the order of

### Reports of Standing Committees

The Speaker laid before the House

#### House Resolution No. 597.

A resolution to memorialize the Congress of the United States to enact the President's proposed expansion of Medicare to include prescription drug coverage.

(For text of resolution, see House Journal No. 70, p. 2814.)

(The resolution was reported by the Committee on Health Policy on December 10, with substitute (H-1), consideration of which, under the rules, was postponed until December 11.)

(For substitute (H-1), see House Journal No. 73, p.2952.)

The question being on the adoption of the proposed substitute (H-1) recommended by the Committee,

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

The question being on the adoption of the resolution,

The resolution was adopted.

The Speaker laid before the House

**House Resolution No. 598.**

A resolution to encourage the Commissioner of the Office of Financial and Insurance Services to create a work group to establish guidelines for the processing of insurance payments for ambulance services.

(For text of resolution, see House Journal No. 70, p. 2814.)

(The resolution was reported by the Committee on Health Policy on December 10, consideration of which, under the rules, was postponed until December 11.)

The question being on the adoption of the resolution,

The resolution was adopted.

The Speaker laid before the House

**House Resolution No. 599.**

A resolution to encourage the Department of Community Health to maintain its highest priorities as primary care, prevention, and public health.

(For text of resolution, see House Journal No. 70, p. 2815.)

(The resolution was reported by the Committee on Health Policy on December 10, consideration of which, under the rules, was postponed until December 11.)

The question being on the adoption of the resolution,

The resolution was adopted.

The Speaker laid before the House

**House Resolution No. 600.**

A resolution to urge the Department of Community Health to pursue additional funding from the federal government to expand Michigan's prescription drug program for seniors.

(For text of resolution, see House Journal No. 70, p. 2815.)

(The resolution was reported by the Committee on Health Policy on December 10, consideration of which, under the rules, was postponed until December 11.)

The question being on the adoption of the resolution,

The resolution was adopted.

The Speaker laid before the House

**House Resolution No. 601.**

A resolution to memorialize Congress to enact legislation to provide that taxpayers can deduct fully the cost of their health insurance premiums.

(For text of resolution, see House Journal No. 70, p. 2815.)

(The resolution was reported by the Committee on Health Policy on December 10, consideration of which, under the rules, was postponed until December 11.)

The question being on the adoption of the resolution,

The resolution was adopted.

The Speaker laid before the House

**House Resolution No. 602.**

A resolution to memorialize the Congress of the United States to enact legislation to remove the "use it or lose it" restrictions on flexible spending accounts to permit participants to roll over unused funds to the next year.

(For text of resolution, see House Journal No. 70, p. 2816.)

(The resolution was reported by the Committee on Health Policy on December 10, consideration of which, under the rules, was postponed until December 11.)

The question being on the adoption of the resolution,

The resolution was adopted.

The Speaker laid before the House

**House Resolution No. 603.**

A resolution to memorialize the Congress of the United States to enact legislation to provide more flexibility for participants in Medical care spending accounts.

(For text of resolution, see House Journal No. 70, p. 2816.)

(The resolution was reported by the Committee on Health Policy on December 10, with substitute (H-1), consideration of which, under the rules, was postponed until December 11.)

(For substitute (H-1), see House Journal No. 73, p.2954.)

The question being on the adoption of the proposed substitute (H-1) recommended by the Committee,

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

The question being on the adoption of the resolution,

The resolution was adopted.

### Second Reading of Bills

#### House Bill No. 6556, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 508, 511, 513, and 514 (MCL 339.508, 339.511, 339.513, and 339.514), section 508 as amended by 1989 PA 261.

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.

Rep. Richardville 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. 6556, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending sections 508, 511, 513, and 514 (MCL 339.508, 339.511, 339.513, and 339.514), section 508 as amended by 1989 PA 261.

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

#### Roll Call No. 1301

#### Yeas—99

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



**Nays—0**

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.

**Second Reading of Bills****Senate Bill No. 1203, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 27 (MCL 211.27), as amended by 1994 PA 415.

The bill was read a second time.

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

The motion prevailed.

Rep. Richardville 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. 1203, entitled**

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 27 (MCL 211.27), as amended by 1994 PA 415.

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

**Roll Call No. 1302****Yeas—102**

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

Durhal  
Ehardt  
Frank

Kuipers  
LaSata  
Lemmons

Rivet  
Rocca

Woronchak  
Zelenko

### Nays—0

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 provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts.”

The House agreed to the full title.

Rep. Richardville 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

### Messages from the Senate

The Speaker laid before the House

#### House Bill No. 5761, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 20145 and 21523 (MCL 333.20145 and 333.21523), section 20145 as amended by 1993 PA 88.

(The bill was received from the Senate with substitute (S-1), title amendment and immediate effect; amendment not adopted and bill postponed temporarily on November 13, see House Journal No. 68, p. 2646.)

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

Rep. George moved to amend the Senate substitute (S-1) as follows:

1. Amend page 6, line 18, after “FACILITY” by inserting “OR HAS AN AFFILIATION WITH A MEDICAL SCHOOL THAT IS AFFILIATED WITH A FEDERAL VETERANS HEALTH CARE FACILITY AND HAS FACULTY APPOINTMENTS AT THE FEDERAL VETERANS HEALTH CARE FACILITY”.

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

Rep. George moved to amend the Senate substitute (S-1) as follows:

1. Amend page 6, line 11, after “22203(10)” by inserting “THAT ARE OWNED AND LOCATED IN A FEDERAL VETERANS HEALTH CARE FACILITY”.

2. Amend page 6, line 13, after “A” by inserting “FEDERAL”.

3. Amend page 6, line 15, after the second “THE” by inserting “FEDERAL”.

4. Amend page 6, line 18, after “THE” by inserting “FEDERAL”.

5. Amend page 6, line 23, after “BIOTERRORISM” by striking out the comma and inserting a colon.

6. Amend page 6, line 26, after “A” by inserting “FEDERAL”.

7. Amend page 6, line 27, after the second “THE” by inserting “FEDERAL”.

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

Rep. Ehardt moved to amend the Senate substitute (S-1) as follows:

1. Amend page 4, line 20, by striking out all of section 22209.

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

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

Rep. Richardville moved that consideration of the bill be postponed for the day.

The motion prevailed.

### Second Reading of Bills

#### Senate Bill No. 1506, entitled

A bill to prescribe the powers and duties of the Michigan public educational facilities authority; to provide for the issuance of notes and bonds of the authority; to create funds and accounts; to authorize certain forms of assistance to public schools; to make investments; to exempt certain property from certain taxes; to grant powers and impose duties on officers and agencies of this state and political subdivisions of this state; and to make, accept, and expend certain appropriations.

The bill was read a second time.

Rep. DeRossett moved to amend the bill as follows:

1. Amend page 25, following line 16, by inserting:

“Sec. 25. The authority shall require that all contracts for construction, rehabilitation, or refurbishing of a public school or a qualified public educational facility financed under this act shall include a provision that the contractor and all of its subcontractors must pay prevailing wage and fringe benefit rates as established under 1965 PA 166, MCL 408.551 to 408.558. A schedule of these rates shall be made part of the contract specifications, and if the contract is entered into pursuant to invitation for bids, the schedule of rates shall be included in the invitation for bids.”.

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

Rep. Gielegghem demanded the yeas and nays.

The demand was supported.

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

Rep. Richardville moved that consideration of the amendment be postponed temporarily.

The motion prevailed.

Rep. Gielegghem moved to amend the bill as follows:

1. Amend page 25, following line 16, by inserting:

“Sec. 25. (1) The authority shall provide that, before entering into a contract for the construction, rehabilitation, or refurbishing of a public school or a qualified public education facility financed under this act, the public school complies with section 1267 of the revised school code, 1976 PA 451, MCL 380.1267.

(2) The authority shall provide that, before entering into a contract for the lease of a public school or a qualified public education facility financed under this act with a developer the public school advertise and competitively bid the contract for the lease.”.

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

Rep. Gielegghem demanded the yeas and nays.

The demand was supported.

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

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

The motion prevailed.

### Comments and Recommendations

Rep. Richardville moved that Rule 82 be suspended.

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

Rep. Richardville moved that the following remarks be printed in the Journal.

The motion prevailed.

Rep. Frank:

“Thank you, Mr. Speaker,

As a chapter for many of us comes to a close, I wish to thank the people of Bay and Saginaw counties for the awesome responsibility and the opportunity to be a part of this great institution. To my family, thank you for your love and support, and to my extended family: Rebecca Dodak, Jeff Martin and Kris Kraft, I am honored and proud of their commitment to the people of the 96th District and the people of the State of Michigan.

To the people that run this place: The carpenters, painters, the mail room, LSB, the business office, the clerks, the Sergeants and all the rest, thank you for the pleasure of working with you and calling many of you friends. May God bless you and your families this holiday season.”

Rep. Scranton:

“Colleagues, caucus staff members, sergeants, clerk staff, communications staff, residents of the 66th District, my office staff members and my family:

Thank you for all of your patience. Thank you for all of your education. Thank you for all of your hard work. Thank you for your willingness to write and re-write what we need. Thank you for answering all the questions. Thank you for your honesty. I thank my seatmate, with whom I disagree with more often than most people think, but with whom I always agree that we can disagree cordially and work together to accomplish with honor and honesty what we believe in. I thank my husband Bob for his work during his entire career for the good of the public health and his continued support for everything that I want and need to do. My children, who will walk together Saturday as they graduate from college on Saturday: My son Rob for his commitment to the students and athletes of Big Rapids, Mt. Pleasant, Howell, Brighton, and for wherever his career takes him and for bringing into our family my new daughter-in-law Sarah of whom I am so proud of as she works to continue to ensure reproductive rights and pregnancy prevention through her work with Planned Parenthood. My wonderful, loving daughter Rosemary who will carry her caring consideration for people throughout her entire life as she contemplates the goals she will work towards as she leaves her academic career. My entire family for their love and support. Our constituents sent us here to do the best we can for them and for all people. Our constituents sent us here to do good work that accomplishes the best for all people. My parting advice to you who are remaining - compromise is NOT a 4 letter word. - Politics is just that - politics and it should NEVER be personal. The learning process is on-going - and I wish for you great lessons. I wish the best for the people of Michigan by you using your best. Thank you everything that I have had the honor to share in and I wish you all the best.”

Rep. Gosselin:

“For the last four years, I have served as state representative for the 42nd district, which encompasses portions of Rochester Hills and Troy in suburban Detroit. It has been an honor and privilege to serve the citizens of Michigan and to represent their interests in strengthening families and communities through the public policies of lower taxes, less regulation and smaller government. I come from a humble background as the son of a homemaker and automotive union worker. Because of my supportive parents and my wife, Jan, and children, Jennifer, Stephanie, and Andrew, I have been able to pursue my goal to serve the people of this great state.

As a conservative Republican, I believe that the policies of limited government and fiscal restraint have had a profound influence on our beloved Michigan. Ronald Reagan, the greatest U.S. President of our time, was fond of saying, ‘Double, no triple, our troubles and we’d still be better off than any other people on earth.’ It was his sense of Midwest optimism, and his belief in the traditional conservative values of God, family and limited government that made him so popular among the American people, who delivered to him the greatest electoral triumph won by a Republican in the 20th century.

What change we’ve seen over the last 20 years! In Michigan, the Reagan tax cuts served as the theoretical basis for more than 30 tax cuts we have enacted since 1990 and in this country and state no politician can survive being labeled a ‘tax raiser.’ Free markets are universally recognized as not only the most efficient way to create wealth, but the only way for free people to interact with each other. Welfare as an entitlement is dead. The notion that government is the solution to people’s problems is considered laughable to reasonable men and women.

Given this, the recent setbacks at the state level seem like a paradox, but it’s easy to understand. Big government has lots of momentum, and many defenders. But it’s a relic. The waves of politics and government in this town all roll one way, but underneath them the tide is moving in the opposite direction. The people of this state and nation are waking up and are returning to our true heritage of liberty and individual responsibility.

We conservative Republicans have grown in number in the House- the people’s chamber- in the last decade. In the 1980’s there were three representatives, Mike Nye, Margaret O’Connor and Tim Walberg, who also lost privileges here in the House due to their positions on the issues. In the 1990’s our ranks swelled to more than a dozen, including Stephen Dresch and my predecessor Greg Kaza and I have been privileged to serve among their number.

Even earlier, Dick Headlee led a successful tax limitation movement, which with term limits was one of the two most important political reforms of the past 30 years. These men and women of principle faced tremendous hostility from the Lansing establishment, but they stuck to their guns and did good work for the citizens they represented, and the citizens of the state.

Like those brave men and woman, I am fortunate to have a wonderful model of how cheerful persistence can conquer in the face of hostility and statist ‘groupthink.’ That model was provided by Ronald Reagan, who defeated the evil empire, revived our economy, and returned our traditional optimism back to Americans.

It’s a great movement, and it’s wonderful to have been a part of it. For a long time Lansing was a lonely place for the defenders of that great American and Republican tradition of freedom, but as I look at the newly elected members of the 92nd legislature who take office next year it gives me great hope. The defenders of the status quo are in for a lot of headaches in the next two years! The establishment will get its licks in, but it is clearly on the defensive now.

For the new representatives who 'go along to get along,' life will be good. You will be popular. Your bills will be taken up in committee. A few pork bones may be tossed to your district, and the campaign contributions will flow in from the special interests. If you seek higher office, or face challenges to your current position, the Lansing establishment will rally to your support with all the tools at its disposal.

But if you stick to the Republican principles that the voters who sent you here expect, the picture will be very different. You will be popular with the citizens you represent, but not here in Lansing. The establishment will bring pressure to bear. They will work to convert you. And when they realize you can't be co-opted, they will work to bring you down.

For the new conservative members, I wish you well, and will be doing all I can to support you from back in the 'grass roots.'

I wish to thank God, my family, my staff and my constituents for the privilege of serving in the Michigan Legislature."

Rep. Faunce:

"Dear colleagues of the Michigan House of Representatives:

I am very disappointed in the fact that I will not be able to join you in these last days of session.

My four years in the Michigan House of Representative have been one of the most incredible experiences in my life. It has been an honor to serve the people of the 29th District in this chamber. Most of all it has been an honor to serve with you.

The experience of being a legislator can never compare to the friendships you forge when serving with your fellow members on both sides of the aisle.

I want to personally thank Speaker Rick Johnson for being a good friend and thoughtful leader. Speaker Johnson leads our caucus and this chamber with courtesy and respect. Rick I wish you continued success as Speaker for the state of Michigan.

To all my colleagues on both sides of the aisle, I wish you all the best. I have learned so much about this great state from all of you. The memories and experience I leave with are priceless tools to take to the judicial branch.

I cannot begin to stress my appreciation to the staff for all their help. I would like to especially thank my policy advisor on the Criminal Justice Committee Bruce Timmons. Bruce's knowledge and commitment to the process are irreplaceable and he is a major asset to the entire institution.

I would also like to thank the computer technicians who probably spent more time at my desk helping me understand my laptop than Jennifer Spike DeBano did twisting my arm for tough votes.

And of course I want to thank my staff, especially Erin Riley. Erin has been with me from day one of my 1998 campaign. I could not have survived without her. Erin will be going to work for Rep. Elect Wenke. He is lucky to have her and I will miss working with her the most.

I appreciate all of your gifts and prayers over the last month. I will miss working with you, and look forward to visiting the chamber soon.

Your friend and colleague. Jennifer Faunce."

Rep. Schauer:

"I have one sister, Anne, who is two years older than I am. When we were very young, on a family trip we drove by this building and she, being no older than five or six, pointed to the Capitol dome and said, 'Look, that's America.' I think that sums up how many of us feel about our work here.

Mr. Speaker and colleagues, my six years in the state House, the maximum allowed by our Constitution, is coming to an end. It is difficult for me to fully comprehend the honor that has been bestowed upon me to serve in this room, in this incredible building, and to take my small place in our state's history.

As one of the 'seasoned veterans' leaving this chamber, I recall when I first came here. I think only those that came in with me in the 89th Legislature can really know what a privilege we had serving with the likes of Curtis Hertel-my Speaker, Morris Hood, Pat Gagliardi, Tom Mathieu, Kirk Profit, Ken Sikkema, Glenn Oxender, and so many others. These 'warhorses' were a rich part of this institution. I will never forget the lessons of civility and honor they taught me. In my mind, there is a cost to our state from term limits in the form of loss of institutional knowledge, turbulence and turnover.

I want to thank the people of the 'old' 62nd district who have put their trust in me three times to be their eyes, ears, and voice in the state House. I am proud to be from Battle Creek, the Cereal City: home of Kellogg's and Post, the Air National Guard's 110th Fighter Wing, the Battle Creek Federal Center where greats like Bob Dole, Daniel Inouye and Phil Hart recuperated after their World War II injuries, and final home and resting place of abolitionist and suffragist Sojourner Truth. I come from a diverse community-urban, suburban and rural, and diverse by race and ethnicity. This diversity is an important value to me and has made me a better legislator.

As many of you know, I battled against the odds to get here and have worked as hard as anyone to stay here-not for the sake of being here, but for the opportunity to serve the people of my district and all of Michigan. I hope all of you remember that we are here as public servants and to be loyal and accountable to the people who have sent us here. These are the people we work for.

I am proud of what I've been able to help accomplish over these six years. Eight of my bills have been signed into law, with issues ranging from international commerce, keeping our roads safe from drunk drivers, protecting small businesses, and allowing 16- and 17-year olds to serve on nonprofit boards. I am also proud of my amendment to create 211 dialing in Michigan, an important movement coming to your community soon. And believe me, I understand that none of us does it alone. I am thankful to all I worked with in getting these things done.

I want to thank my family who has believed in me and stood by me: my talented, beautiful and supportive wife Christine, my parents Robert and Myra Schauer who raised me right, my three wonderful stepchildren Heather, Holly and Nick, and all of my extended family who have helped me along the way. I also want to thank many friends who have stood by my side, especially members of the 'Albion mafia.' If you don't know what that is, you can ask Representative Richardville or Bisbee.

I want to acknowledge my hardworking, dedicated staff, Lisa Metcalf and David Randels, who truly care about the people we serve and will be going with me to the Senate. I also want to thank all those I've had a chance to work with here: my seatmate Belda Garza and seatmates Buzz Thomas and Kwame Kilpatrick who I sat between in my first term, the pages, clerks, sergeants, House and Capitol staff, our outstanding Democratic central staff and, yes, even those in the Lobby.

Campaigns are strange things. This election cycle brought out the best in us at times and at others seemed to bring out the worst. I am always an optimist, believing in the goodness of people and that we can come together to build a stronger, better Michigan. On November 5th I was blessed with a tremendous opportunity and responsibility—to serve the people of the new 19th Senate district. I am very excited about this opportunity to continue to serve. Term limits created a situation in which I was challenged by one of my House colleagues—a situation that is familiar to many of you. The campaign is history, and I want to wish the good Representative of the 65th district and his family best wishes and God's blessings.

We face incredible challenges as we end this session and as the 92nd Legislature and Governor-Elect Granholm prepare to begin a new one. Robert F. Kennedy said: 'All of us might wish at times that we lived in a more tranquil world, but we don't. And if our times are difficult and perplexing, so are they challenging and filled with opportunity.' Those of us who will be part of the next Legislature face this opportunity, and I hope we tackle it with the civility and honor taught us by those who stood before us and with a sense of fairness that the public deserves.

I leave here as I came: an advocate for children, economic opportunity and growth, and a partner in assisting people attain good health, security and prosperity. Especially in these tough times, I will look for ways to make wise investments that will pay off in brighter futures for our people and our communities.

Thanks to you and all I've served with here for sharing in this experience. I won't forget you when I take my place on the other side of the Capitol.

Best wishes, happy holidays, and God bless you."

Rep. Toy:

"Dear Colleagues from all over this great and wonderful state,

It's indeed been an honor to serve with you and a privilege to have been elected twice to this astute body of public servants.

I remember as a Representative-elect touring the Capitol at night and the guide said look up into the dome—those stars stand for infinite wisdom. Wow—what a feeling! I knew this would be a true learning experience. Term limits will give others the chance to experience this chamber and its people in traditions that should remain for years to come. Yet the limit of the term is very short.

This has been an awesome experience of freedom to help others create and do wonderful projects and lessons. I thank God for my district and I thank God for all of you and our staff that help us do all we do.

All my best to all of you! And don't forget to make great things happen! I'll be helping you from the Senate!

And by the Way—Go Blue! And Republican Caucus will meet immediately in our Caucus Room—ha ha! Happy Holidays!"

Rep. Vear:

"Thank you Mr. Speaker, and members of the house for this opportunity to offer some departing remarks. And thank you Speaker Rick Johnson for guiding this great ship of ours these last two years in magical way. Hopefully no one has gotten too ill on our voyage the last two years—unlike the passengers on the Disney Magic. I am sure you will have plenty of opportunity to show your AARP membership card, since you really do not look your age. But maybe after serving the next two years under difficult times you will look your age. I hope you will age gracefully and remember it is only politics. I again thank you for your leadership. As a polio victim of the 50's, oldest of 12 children and with a father who work as a social worker in the Chicago Boys Club, our family had very little money for extras. But, I am very fortunate to have loving parents that did not consider a handicap as an excuse. Because we all have handicaps, some are physical, some are not, such lack of math or artistic ability or lack of a caring family. Some handicaps are more easily overcome such as lack of education. But my father showed me by example how set goals

and reach for them. To achieve the impossible you must first believe you can reach your goal. My father set a goal to become a teacher and he became a teacher. Then at the age 34 with 8 children he set a goal to become a medical doctor. In 1966 he graduated with an MD. We moved to Saginaw, Michigan for his internship and a year later we moved to Hillsdale, Michigan. So I believe anyone can accomplish anything if they believe they can and have a plan to work towards their goals. Remember that the difference between a dream and a goal is a plan and taking that first step toward your goal. So never quite setting new goals to reach for. It has been an honor and privilege, as 1 of a 110 out of 10 million Michigan Citizens, to serve the citizens of our great state of Michigan. I will also treasure all the new friendships I have developed with all the members of the house as we worked through our differences to develop good public policy. Almost 4 years ago, as I sat for the first time on the floor of this great chamber of the house, I was in awe of the surroundings, the history of this incredible working museum. But serving is more than a simple honor bestowed on a person, it is the duty to serve, guide and protect our great state of Michigan for our future generation. Members and members elect Senators elect, as guardians of our government, we must be forever vigilant in guiding the path of our government. Remember as George Washington said, 'Government is not reason, it is not eloquence. It is force: like fire a troublesome servant and a fearful master. Never, for a moment, should it be left to irresponsible action.' So, I would respectfully ask that the new and returning members, who must deal with the growing budget shortfalls in the coming years, be encouraged and take pride in cutting the size of government. For reducing the size of government will be more beneficial to all our future generation than all the new spending and new programs we have put into place in the last 4 years. Like I always say 'the smaller the government the better the government.' Or as Thomas Jefferson said 'Most bad government has grown out of too much government.' Now, I am not advocating that we should do away with government, rather we need a government that will work to the benefit of our citizens to help them prosper and live without fear of their government. By giving the people all the freedoms that our forefathers fought and died for. Future members please do not allow our freedoms to be eroded or stripped in the name of terrorism. For our freedom is what has made our country, the USA, the greatest nation on earth. I will miss the serving on the committees, thank you Nancy Cassis for the privilege of serving on your very active and challenging tax committee as you're vice chair of tax. With Rep. Gosselin and later Rep. Drolet we had some very lively debates. Thank you, Gene DeRossett, for the privilege of representing the agricultural interest of my district. Did I hear Biker Gene is going to try the helmet repeal next session? The halls of our capital wouldn't look the same without a half a dozen leather jacketed bikers roaming the halls lobbying the members. Thank you, JoAnn 'Cookie lady' Voorhees for your leadership and insight on Senior Health Committee as chair. And last but diffidently not least Jason Allen for great leadership of the Commerce or should I say, 'Last chance, catch it all, Jason will do it committee.' Thanks for trying to keep us from our doctors, so we could attend all committee meetings by providing fresh apples on the floor. I would also would like to thank my all my incredibly hard working staff past and present that made me look good especially, Nick Kovacic, Aaron Baker, and my former staff member Jon Cool (who the Speaker enticed away from me) for all the great work in keeping my office running smoothly. I would also like to thank the clerk and all his staff for a job well done. The Sergeants, The capital faculties and maintenance staff for keeping our capital building the envy of the rest of the country and a shining gem as a symbol of our Great State of Michigan Government. I would like to thank all citizens who elected me to be their voice in Lansing, for the 58th district. And finally I would like thank the most important part of my life, my family, my Wife Mary and Children Chris, Travis and Chase for their support and patience while I was trying to balance family with duty, as I was doing the peoples business. Thank you all and may God guide you as you shape future legislation in these chambers. May God Bless you all, God bless Michigan and God bless America."

Rep. Switalski:

"Thank you, Mr. Speaker.

Larry, The Hammer, Julian. You're the only guy who could ever gavel me down and make me think you were doing me a favor.

Mr. Speaker and colleagues, I am humbled by the honor of having served in this August institution. I never dreamed I would be so lucky as to get to be a member, and study, debate, and vote on the great issues of the day. Personally I now have a chance to take another step toward my ultimate goal—World Domination!

I have loved every bit of the last 4 years—the good times and the bad. I think even losing and getting stabbed in the back a few times can be ennobling. I remember walking out of this chamber at 4 am after the Detroit School Takeover, and ordeal I can only compare to the birth of my son for its combination of terror, anguish and intensity.

I will always cherish the come to Jesus meeting I had up in Nancy Cassis's office. We had a frank exchange, and have been the best of friends ever since. Plus I always thought she was kind of cute.

I've enjoyed serving with the backbenchers, and especially my seatmate, Joe Rivet. He's actually the best rep in the chamber except for one fault. He's never been able to convince anyone else of this fact.

On this occasion, in accordance with the Grand Traditions of the House and the blessings of Poet Emeritus Bill Byl, I find I am moved to poetry. Please indulge me as I recall the astounding events of the last day of a session long, long ago.

A Mouse in the House  
Upon Passing a Bill in the Dying Moments of Session, December 2000

'Twas the night before recess  
in the Michigan House  
All the members were restless  
When Rep. Hale spied a mouse.

A wee sleekit, and cow'rin',  
And tim'rous beastie  
Put a panic into  
Irma Clark's comely breastie.

He scampered across  
The desks into a crack.  
Derrick Hale scampered faster  
To the arms of Kilpa'ck.

Rocky pounded the rostrum  
To call us to order.  
Still some bills to be passed  
And our time had grown shorter.

Just 10 minutes left  
To the end of the session.  
Plus the Speaker's remarks  
An important digression.

Two bills hung in the balance  
My favorites, too.  
I was for me  
And the other one, you.

That's the way it is done  
If you want some success.  
Especially when  
Your side numbers the less.

Just 10 minutes left.  
Would Chuck be verbose?  
If we go beyond midnight  
My bill's comatose.

The adoption tax credit  
Would die at midnight.  
The end of the session  
Kills all bills with spite.

But then time stood still  
By divine intervention.  
Or maybe a button  
Under Randall's attention.

The Speaker was eloquent  
The clock made no move.  
It's still 'leven fifty  
With 12 bills to approve.

My bill came to the floor  
And was passed in a rout.  
Who says that two Freshmen  
Don't have any clout?



The session then ended  
Two minutes to spare.  
How be it 1:30  
When I walked out of there?

I preferred the strange mystery  
When the truth reached my ears.  
Next day's clock inspection  
Found a mouse in the gears."

Rep. Richner:

"Thank you Mr. Speaker and colleagues for the privilege and the opportunity to speak here on the House Floor for perhaps the final time.

In my conversations with well-wishers over the past several months, two questions keep coming up:  
What are you going to miss most about being a State Representative?  
What are you going to do for a real job?

The second question is mainly from my wife, Susan, (and remains to be answered!). I am particularly grateful to her, our son Clark, and our daughter Emily, who with the ultimate in patience and understanding have endured six years of campaigns, late night phone calls from anxious constituents and meals with an absent husband and father.

I am also grateful to my mother, Georgiana (and a constituent), who continues to insist that she hates politics, but nevertheless has done her fair share of stuffing envelopes and now is willing to admit that she voted for me in the last election. And of course, I am deeply indebted to the people of Grosse Pointe, Harper Woods and Detroit who have afforded me the opportunity to serve as their representative.

I have never considered this a job—as the Marines used to say, it's not a job, it's an adventure!

I've tried to make the most of my limited time here. As Patty Birkholz, Nancy Cassis, Pan Godchaux, Judy Scranton, Rocky Raczkowski, Ron Jelinek, Mark Jansen, and Larry DeVuyst (the 'Divine Nine'), as well as our classmates and friends on the Democratic side of the aisle know, six years goes by fairly quickly.

I remember in my first term hearing from one of my colleagues on the Judiciary Committee, Mike Nye, about how it had taken fourteen years to get his sentencing guidelines legislation passed. Well, in the era of term limits we do not have the luxury of working on legislation for fourteen years anymore, at least those of us who aren't going over to the Senate.

I've worked hard here, and my staff who have worked with me over the years have worked exceedingly hard. Everyday here is so packed with meetings, activities and events that when I go home after three days in Lansing it seems like I've been gone an eon.

Years from now, when I will be thinking back on my experience here as a State Representative, I know that what will stand out in my mind is not the bills I passed or votes I cast – but the friendships that I was fortunate to have made. How could I ever forget two years of sharing popcorn and good times with my seatmate Rep. Daniels, or with my current seatmate Larry DeVuyst, who has attempted to introduce me to the virtues and rudimentaries of hunting with only limited success? I'm hoping that he will invite me back to his Texas ranch someday, even if all I may be armed with is a camera. I also appreciate the effort our speaker, Rick Johnson, has put into educating me on the finer points of milking a cow – an education that perhaps I'll be able to use in my new career!?! And how could I fail to mention my roommates, Alan Sanborn, Randy Richardville, Steve Ehardt and our occasional guests, Mickey Mortimer and Charlie LaSata. You guys have made it fun—even though I still can't figure out why I never got a key!

Whenever you're in Grosse Pointe or Ann Arbor, I hope you will stop by and say hello.  
God Bless you all, and Go Blue!"

Rep. Raczkowski:

"Thank you Mr. Speaker. How does a Representative follow Jerry Vander Roest? Jerry, you even made me cry a little bit. I had to turn to Patty Birkholz and asked her for a tissue. Just to let you know, she handed me one of those comforting wipes to use that you only get in government hospitals. That really tells you that your tears are really soft. So, Jerry, God bless you. I've only been nervous like this twice in my life. And, believe it or not, I am actually pretty nervous myself today. The first time I was nervous like this was on June 18, 1986 when I thought I was crazy to enlist in the United States Army. My hair was a little bit longer than it is today. I arrived at Fort Benning, Georgia at what they call the reception station where they receive you into the arms of Uncle Sam. And let me tell you that reception was quite an eye opener. Three drill Sergeants jumping on a bus screaming that we have 'three seconds to get out of here and two of them are already gone.' I lost my hair. Not through stress just through haircuts. It was quite a nerve racking 9 and a half weeks.

And now I find myself here at the end of, Jerry you were absolutely right, at the end of a time that seems so long but yet now that you look back in retrospect it was so entirely short. This year, for some of you that don't know, was

a real tough year for me personally. And as I mentioned as I go around the state thanking people for even voting for me, I tell them that I lost half my family this year. I lost my Dad, my Uncle, my Aunt and all that I have left is my brother and my Mom. You know my parents came here in 1958 and they taught me no matter how hard things get, listening to all the messages, A.T. Frank, what you said, Jerry and Keith and Lamar and Derrick Hale. All the comments you made about how hard it gets to pick yourself up by the bootstraps and remember the good times. And boy, it's not been that hard to remember the good times. Going hunting for Representative Richner's first time and seeing him in the Meijer's asking 'What's a blank plug?' I'll never forget hunting with Representative Richner. Don't ever do it if you cherish your life.

Larry, we vied for the same mentor when we first came in which was Representative Middaugh because we thought he was the do all and end all of all the political knowledge. And then we came to find out that we were let down.

Representative Koetje, thank you for being my seat mate, my confidant, my – all I can say is partner in legislation. Thank you. And to all of you, I remember the times that Joanne Voorhees was such a innocent person only to be corrupted by Laura Toy and Sandy Caul. And Mickey, thank you for remembering the time when we stopped time. Literally stopped time on the House floor. Judy and Pan and Terry Geiger, when we went to Israel together and we had quite a few trips even on that trip. If I could say, I actually went to India with Paul Deweese and Hansen Clarke. What a disaster! From all of you, every single one of you, from Adamani to Zelenko, I thank every single one of you for becoming my family. And I thought the best way to leave is by thanking the Rostrum staff for everything you've done when I was the Floor Leader. And to the Sergeants, for all those times you tried kicking me off the floor for no good reason when Perricone would say 'OUT!' And for Rick, the guy that taught me a lot about leadership – it starts with following. Thank you.

I'd also like to thank my staff for all the hard work they've given for me and the constituents of the 37th District over the years. They have worked tirelessly to accomplish what many thought they could not. They went well above and beyond the call of duty and for that I thank them from the bottom of my heart. Rusty Merchant and Cami Pendell my former Chief's of Staff and Joe Steele and my current Chief Randy Thompson are all with me at this podium right now for they play a great role in all the successes that we've achieved for the 37th District and for the State of Michigan.

It has been a great honor to serve Farmington and Farmington Hills for the last 6 years and I am proud to have been a part of so many people's lives from what I will always consider 'my home'. Thank you to those who gave me the opportunity to serve them. I am always indebted to you.

And before I end, I'd also say that I think I've become a better Christian serving with all of you. My faith in God is stronger than ever before. And as I grow older, I don't fear death. I look forward to what the future has in store for every single one of us. Because as the door closes, another one opens up. So, without sounding sad, I thought I'd end (isn't it sad that two Polish guys had to come up with rhymes) I thought I'd leave with Twas' the Night Before Lame Duck by Representative Raczkowski.

Twas the night before Lame duck and all through the House,  
Every member was present, except David Mead's spouse.  
The bills were all drafted and enrolled with great care,  
In hopes that John Engler would still be there.

The Republicans were all nestled all snug in their chairs  
The Dems were complaining and losing their hair.  
And Patterson with his handlebars and Rocca in his cap  
Had all nodded off for a long Speaker's nap.

And then we all heard it – from Gosselin's desk with a clatter,  
And off the Speaker went to see what was the matter.  
Another bill with a split caucus, Oh how can this be?  
We were supposed to push through all these bills can't you see.

Another promise was needed to work across the aisle,  
while Buzz and Gilda will agree (with a wink and a smile).  
Fret not Mr. Speaker about the bills that can be,  
Your worries are over when your at 63.

But away to the Caucus Room, Toy flew with a flash  
Slammed the door to prepare for another great clash.  
More rapid than angels, the curses they came  
But remember 'on the Floor' we call no one by name.  
(Remember the 'H' word?)

'Now Birkholz! Now Bishop! Now Bisbee and DeWeese!  
 Now Kowall! Now Kooiman! Now Koetje and Cassis!  
 To the top of the Chambers! To the seats - swift with tact!  
 Now let's get this bill turned into an Act.'

Now it was Patterson's turn to get things moving, but he sat clutching a camera  
 Now I realize why. He had pictures of himself with Ed McNamara.  
 But things must get done, so we had a quorum call.  
 Everyone was wondering, 'who the heck is Durhal?'

At first things went well, all huddled and tight,  
 Then off Drolet went to the podium with might.  
 'I thought we had this all worked out, what's he doing?  
 We've all had enough of this complaining and poo-pooing.'

And then in a twinkling, I heard from behind,  
 The food has arrived, it's time to dine.  
 Another break we shall take, not a vote been yet cast  
 The board remains open with memories of the past.

Perricone charging 'You'll be banned for this vote.'  
 Hanley amused, 'There still may be hope.'  
 But no! That's not us! It's a more peaceful room here.  
 We must all work together, more steady and clear.

So now, with full stomachs, can clearer heads prevail?  
 Must we listen to Woodward – Stallworth and Hale?  
 It's come from above, this is going to pass.  
 Engler has spoken, or he'll have your....tail.

The Speaker's eyes how they twinkled, a consensus for sure.  
 His cheeks were like roses, his heart had been cured.  
 Oh heavens we must fill the beautiful board with such Green,  
 There's Godchaux and Stewart, what a sight to be seen.

But wait! We need two more! Is something amiss?  
 What shall we do? Who should we kiss?  
 But with a wink of an eye and twist of the head,  
 The Speaker said 'Look, there is nothing to dread.'

And from the back room they came, all freezing and chilled.  
 It was Julian and Caul all jovial and smoke-filled.  
 The last two were on - the board with an 'aye'  
 'Close that damned thing,' screamed Bruce with a cry.

He spoke not a word, but the Speaker sat back,  
 To let us all know that it was time to relax.  
 '5 minutes – you have' – he said with a grin.  
 "Till we can start this fun all over again.'

'10 bills more to go till I let you adjourn'  
 so surely, this means, a Friday we'll spurn.  
 'Let's get to it' said Randy from the post on the aisle  
 'Monroe is quite far, it'll take quite a while'

And thus how it goes through a Lame Duck once more,  
 Look around – you'll see we're tired and sore.  
 The last one for me – albeit lonesome and sad  
 When I'm on the beach in the Bahamas, I'm sure I'll be glad.

But as I spring to my car and give everyone a whistle  
 And away I will fly like a bullet from Bishop's CCW pistol.  
 I just want to exclaim with nothing to hide  
 'Merry Christmas to all – thank you for letting me be your Floor Leader - it's been a great ride.'

God Bless you.”

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Rep. Richardville moved that House Committees be given leave to meet during the balance of today's session.  
 The motion prevailed.

Rep. Richardville moved that when the House adjourns today it stand adjourned until Friday, December 13, at 10:00 a.m.  
 The motion prevailed.

By unanimous consent the House returned to the order of  
**Notices**

I hereby give notice that on the next legislative session day I will move to discharge the Committee on Commerce from further consideration of **House Bill No. 5949**.

Rep. Lockwood

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

**House Bill No. 5716, entitled**

A bill to amend 1941 PA 230, entitled “An act to authorize the auditor general of the state of Michigan to sell or lease real estate, the title to which is vested in the state of Michigan by grant, devise or gift, or in payment for care or medical treatment rendered in any Michigan state hospital or institution,” by amending the title and sections 1, 2, 3, and 4 (MCL 322.1, 322.2, 322.3, and 322.4).

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. 5719, entitled**

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

The 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. 5720, entitled**

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

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. 5721, entitled**

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

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. 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 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. 5977, entitled**

A bill to improve the training and education of local corrections officers; to provide for the certification of local corrections officers and the development of standards and requirements for local corrections officers; to provide for the creation of a sheriffs coordinating and training office and a local corrections advisory board; and to prescribe the powers and duties of certain local and state officers and agencies.

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. 5978, entitled**

A bill to amend 1846 RS 171, entitled "Of county jails and the regulation thereof," (MCL 801.1 to 801.27) by adding section 4b.

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. 4330, entitled**

A bill to amend 1999 PA 94, entitled "Michigan merit award scholarship act," by amending sections 2, 7, and 8 (MCL 390.1452, 390.1457, and 390.1458), sections 7 and 8 as amended by 2002 PA 537.

The Senate has amended the bill as follows:

1. Amend page 10, line 18, after "before" by striking out "September 30" and inserting "JANUARY 15 IN THE 2002-2003 ACADEMIC YEAR, AND SEPTEMBER 15 IN ANY OTHER ACADEMIC YEAR, FOR DISBURSEMENT".

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

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

**House Bill No. 4492, entitled**

A bill to amend 1971 PA 140, entitled "Glenn Steil state revenue sharing act of 1971," by amending sections 11 and 13 (MCL 141.911 and 141.913), as amended by 1998 PA 532.

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

The Senate has passed the bill as substituted (S-1), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1971 PA 140, entitled "An act to provide for the distribution of certain state revenues to cities, villages, townships, and counties; to impose certain duties and confer certain powers on this state, political subdivisions of this state, and the officers of both; to create reserve funds; and to establish a revenue sharing task force and provide for its powers and duties," by amending sections 11, 12, and 13 (MCL 141.911, 141.912, and 141.913), sections 11 and 13 as amended by 1998 PA 532 and section 12 as amended by 1996 PA 342.

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

**House Bill No. 5484, entitled**

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

The Senate has amended the bill as follows:

1. Amend page 1, line 1, after "18E" by inserting "(1)".

2. Amend page 1, following line 10, by inserting

"(2) THE DEPARTMENT OF COMMUNITY HEALTH SHALL PROMULGATE RULES PURSUANT TO THE ADMINISTRATIVE PROCEDURES ACT OF 1969, ACT NO. 306 OF THE PUBLIC ACTS OF 1969, BEING SECTIONS 24.201 TO 24.328 OF THE MICHIGAN COMPILED LAWS, TO IMPLEMENT THE ESTATE

RECOVERY PROGRAM REQUIRED BY SECTION 1917 OF THE SOCIAL SECURITY ACT, 42 U.S.C. 1396p. THE RULES SHALL INCLUDE, AT A MINIMUM, ALL OF THE FOLLOWING:

(A) PROCEDURES AND STANDARDS FOR WAIVING RECOVERY BASED ON UNDUE HARDSHIP.

(B) PROCEDURES FOR THE ATTACHMENT AND ENFORCEMENT OF LIENS.

(C) STANDARDS FOR WAIVING RECOVERY BASED ON COST-EFFECTIVENESS. THESE STANDARDS SHALL INCLUDE THE DOLLAR VALUE OF ESTATES AND OF MEDICAL BENEFITS RECEIVED BELOW WHICH RECOVERY SHALL NOT BE PURSUED.

(3) FUNDS RECEIVED UNDER THE ESTATE RECOVERY PROGRAM DESCRIBED IN (2) SHALL BE FIRST USED TO OFFSET THE COSTS OF OPERATING THE ESTATE RECOVERY PROGRAM, WITH THE REMAINING FUNDS DEPOSITED IN THE MEDICAID BENEFITS TRUST FUND THAT WAS CREATED PURSUANT TO ACT NO. 489 OF THE PUBLIC ACTS OF 2000, BEING SECTIONS 12.252 TO 12.256 OF THE MICHIGAN COMPILED LAWS.”

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

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

#### **House Bill No. 6095, entitled**

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 7212, 7401, 7402, 7403, and 7404 (MCL 333.7212, 333.7401, 333.7402, 333.7403, and 333.7404), section 7212 as amended by 1998 PA 248, sections 7401 and 7403 as amended by 2001 PA 236, and sections 7402 and 7404 as amended by 2000 PA 314.

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

The Senate has passed the bill as substituted (S-1) and pursuant to Joint Rule 20, inserted the full title.

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

#### **House Bill No. 6096, entitled**

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

The Senate has substituted (S-2) the bill.

The Senate has passed the bill as substituted (S-2) and pursuant to Joint Rule 20, inserted the full title.

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

#### **House Bill No. 6202, entitled**

A bill to amend 1973 PA 116, entitled “An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts,” (MCL 722.111 to 722.128) by adding section 9.

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

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

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

#### **House Bill No. 6204, entitled**

A bill to amend 1975 PA 238, entitled “Child protection law,” (MCL 722.621 to 722.638) by adding section 7j.

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

The Senate has passed the bill as substituted (S-1) and pursuant to Joint Rule 20, inserted the full title.

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

#### **House Bill No. 6205, entitled**

A bill to amend 1973 PA 116, entitled “An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations; to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts,” (MCL 722.111 to 722.128) by adding section 3e.

The Senate has amended the bill as follows:

1. Amend page 1, line 1, after “CENTER” by inserting “OR CHILD CARING INSTITUTION”.

2. Amend page 1, line 3, after “CENTER” by inserting “OR CHILD CARING INSTITUTION”.

The Senate has passed the bill as amended.

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

**Senate Bill No. 914, 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 Senate has amended the House substitute (H-2) as follows:

1. Amend page 4, following line 9, by inserting:

"Sec. 7u. (1) The homestead of persons who, in the judgment of the supervisor and board of review, by reason of poverty, are unable to contribute toward the public charges is eligible for exemption in whole or in part from taxation under this act. This section does not apply to the property of a corporation.

(2) To be eligible for exemption under this section, a person shall do all of the following on an annual basis:

(a) Be an owner of and occupy as a homestead the property for which an exemption is requested.

(b) File a claim with the supervisor or board of review on a form provided by the local assessing unit, accompanied by federal and state income tax returns for all persons residing in the homestead, including any property tax credit returns, filed in the immediately preceding year or in the current year. The filing of a claim under this subsection constitutes an appearance before the board of review for the purpose of preserving the claimant's right to appeal the decision of the board of review regarding the claim.

(c) Produce a valid driver's license or other form of identification if requested by the supervisor or board of review.

(d) Produce a deed, land contract, or other evidence of ownership of the property for which an exemption is requested if required by the supervisor or board of review.

(e) Meet the federal poverty ~~income standards as defined and determined annually by the United States office of management and budget~~ GUIDELINES UPDATED ANNUALLY IN THE FEDERAL REGISTER BY THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES UNDER AUTHORITY OF SECTION 673 OF SUBTITLE B OF TITLE VI OF THE OMNIBUS BUDGET RECONCILIATION ACT OF 1981, PUBLIC LAW 97-35, 42 U.S.C. 9902, or alternative guidelines adopted by the governing body of the local assessing unit provided the alternative guidelines do not provide income eligibility requirements less than the federal guidelines.

(3) The application for an exemption under this section shall be filed after January 1 but before the day prior to the last day of the board of review.

(4) The governing body of the local assessing unit shall determine and make available to the public the policy and guidelines the local assessing unit uses for the granting of exemptions under this section. The guidelines shall include but not be limited to the specific income and asset levels of the claimant and total household income and assets.

(5) The board of review shall follow the policy and guidelines of the local assessing unit in granting or denying an exemption under this section unless the board of review determines there are substantial and compelling reasons why there should be a deviation from the policy and guidelines and the substantial and compelling reasons are communicated in writing to the claimant.

(6) A person who files a claim under this section is not prohibited from also appealing the assessment on the property for which that claim is made before the board of review in the same year.

(7) As used in this section, "homestead" means homestead or qualified agricultural property as those terms are defined in section 7dd."

2. Amend page 21, line 1, by striking out all of section 27a.

The Senate has concurred in the House substitute (H-2) as amended, ordered that the bill be given immediate effect, and amended the title to read as follows:

A bill to amend 1893 PA 206, entitled "An act to provide for the assessment of rights and interests, including leasehold interests, in property and the levy and collection of taxes on property, and for the collection of taxes levied; making those taxes a lien on the property taxed, establishing and continuing the lien, providing for the sale or forfeiture and conveyance of property delinquent for taxes, and for the inspection and disposition of lands bid off to the state and not redeemed or purchased; to provide for the establishment of a delinquent tax revolving fund and the borrowing of money by counties and the issuance of notes; to define and limit the jurisdiction of the courts in proceedings in connection with property delinquent for taxes; to limit the time within which actions may be brought; to prescribe certain limitations with respect to rates of taxation; to prescribe certain powers and duties of certain officers, departments, agencies, and political subdivisions of this state; to provide for certain reimbursements of certain expenses incurred by units of local government; to provide penalties for the violation of this act; and to repeal acts and parts of acts," by amending sections 2, 7u, 8, 14, 24, 24c, 34c, 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 211.2, 211.7u, 211.8, 211.14, 211.24, 211.24c, 211.34c, 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), sections 2, 8, 14, and 34c as amended by 2000 PA 415, section 7u as amended by 1994 PA 390, section 24 as amended by 1994 PA 415, and section 24c as amended by 1996 PA 476.

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

**Senate Bill No. 1448, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 1307a and 1344 (MCL 600.1307a and 600.1344), section 1307a as amended by 1986 PA 104 and section 1344 as amended by 1982 PA 226.

The Senate has amended the House amendment as follows:

1. Amend House Amendment No. 1, page 3, following line 24, after "No. 1452." by striking out the balance of the amendment and inserting:

"(b) House Bill No. 4551.

(c) House Bill No. 4552.

(d) House Bill No. 4553.".

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

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

**Senate Bill No. 1452, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 2529 and 8371 (MCL 600.2529 and 600.8371), section 2529 as amended by 2001 PA 202 and section 8371 as amended by 1996 PA 388.

The Senate has amended the House amendment as follows:

1. Amend House Amendment No. 1, page 9, following line 18, after "No. 1448." by striking out the balance of the amendment and inserting:

"(b) House Bill No. 4551.

(c) House Bill No. 4552.

(d) House Bill No. 4553.".

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

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

**House Concurrent Resolution No. 84.**

A concurrent resolution honoring James K. Haveman, Jr., Director of the Michigan Department of Community Health

(For text of resolution, see House Journal No. 73, p. 2959.)

The Senate has adopted the concurrent resolution and named all members of the Senate and the Lieutenant Governor as co-sponsors.

The concurrent resolution was referred to the Clerk for record.

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Rep. Rison moved that the House adjourn.  
The motion prevailed, the time being 8:55 p.m.

Associate Speaker Pro Tempore Julian declared the House adjourned until Friday, December 13, at 10:00 a.m.

GARY L. RANDALL  
Clerk of the House of Representatives.