No. 23 STATE OF MICHIGAN

JOURNAL OF THE

House of Representatives

91st Legislature REGULAR SESSION OF 2001

House Chamber, Lansing, Wednesday, March 21, 2001.

2:00 p.m.

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

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

Adamini—present Allen—present Anderson—present Basham—present Bernero—present Birkholz-present Bisbee-present Bishop—present Bogardus—present Bovin—present Bradstreet—present Brown, Bob—present Brown, Cameron—present Brown, Rich-present Callahan—present Cassis—present Caul—present Clark—present Clarke—present Daniels—present Dennis—present DeRossett—present DeVuyst-present DeWeese—present Ehardt—present Faunce—present Frank—present

Garza—present George—present Gieleghem—present Gilbert—present Godchaux-present Gosselin—present Hager—present Hale-present Hansen—present Hardman—present Hart—present Howell—present Jacobs—present Jamnick—present Jansen—present Jelinek—present Johnson, Rick-present Johnson, Ruth—present Julian—present Kilpatrick—present Koetje—present Kolb-present Kooiman—present Kowall—present Kuipers—present LaSata—present Lemmons—present Lipsey—present

Mans—present McConico—present Mead—present Meyer—present Middaugh—present Minore—present Mortimer—present Murphy-present Neumann—present Newell—present O'Neil-present Pappageorge—present Patterson—present Pestka—present Phillips—present Plakas—present Pumford—present Quarles—present Raczkowski—present Reeves—present Richardville-present Richner—present Rison—e/d/s Rivet—present Rocca—present

Sanborn—present

Lockwood—present

Schermesser—present Scranton—present Shackleton—present Sheltrown—present Shulman—present Spade—present Stallworth—present Stamas—present Stewart—present Switalski—present Tabor—present Thomas—present Toy-present Vander Roest—present Vander Veen—present Van Woerkom-present Vear—present Voorhees-present Waters—present Whitmer—present Williams—present Wojno-present Woodward—present

Woronchak—present

Zelenko—present

Schauer—present

Garcia—present

Rep. Paul DeWeese, from the 67th District, offered the following invocation:

"Dear Lord, thank You for bringing us to this moment and for equipping us with intellect, passion, energy and drive to represent the people, who You alone have created. Remind us that we are stewards of our public positions, that we are not simply answerably to our constituents or our party, but we are responsible to You. The history of Abraham and Joseph and Moses helps us understand that You are a God that cares deeply about the least of these, those who are without social position or power or prestige. You help us understand that there are no little people and this history also helps us and encourages us to believe that You are a God that emancipates and liberates and invites all people, the lame and the blind to Your banquet table. Lord, help us, therefore, to be broken with the things that break the heart of God. Where there is injustice and mischief by statute, help us to lift our voices in protest because we are the custodians of the community's highest ideals. Help us to do justice, to love mercy and to walk humbly in Your sight. And help us to know that You are asking the question, 'who speaks for God in the public square?' Give us the courage today to stand and say, 'here I am Lord, I will speak for You.' Amen."

Third Reading of Bills

House Bill No. 4255, entitled

A bill to make appropriations for the department of corrections and certain state purposes related to corrections for the fiscal year ending September 30, 2002; to provide for the expenditure of the appropriations; to provide for reports; to provide for the creation of certain advisory committees and boards; to prescribe certain powers and duties of the department of corrections, certain other state officers and agencies, and certain advisory committees and boards; to provide for the collection of certain funds; and to provide for the disposition of fees and other income received by certain state agencies.

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

Roll Call No. 30 Yeas—108

Adamini Garcia Allen Garza Anderson George Gieleghem Basham Bernero Gilbert Birkholz Godchaux Bisbee Gosselin Bishop Hager **Bogardus** Hale **Bovin** Hansen Bradstreet Hardman Brown, B. Hart Brown, C. Howell Brown, R. Jacobs Callahan Jamnick Cassis Jansen Caul Jelinek Johnson, Rick Clark, I. Clarke, H. Johnson, Ruth **Daniels** Julian Dennis Kilpatrick Koetie **DeRossett DeVuyst** Kolb DeWeese Kooiman Ehardt Kowall Faunce **Kuipers** Frank LaSata

Lipsey Lockwood Mans McConico Mead Meyer Middaugh Minore Mortimer Murphy Neumann Newell O'Neil Pappageorge Patterson Pestka **Phillips** Plakas Pumford **Ouarles** Raczkowski Reeves Richardville Richner Rivet

Rocca

Lemmons

Schauer Schermesser Scranton Shackleton Sheltrown Shulman Spade Stallworth Stamas Stewart Switalski Tabor **Thomas** Tov Van Woerkom Vander Roest Vander Veen Vear Voorhees Waters Whitmer Williams Wojno Woodward Woronchak

Zelenko

Sanborn

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

Rep. Rison entered the House Chambers.

Second Reading of Bills

House Bill No. 4253, entitled

A bill to make appropriations for community colleges and certain state purposes related to education for the fiscal year ending September 30, 2002; to provide for the expenditure of those appropriations; to establish or continue certain funds, programs, and categories; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

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

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

Reps. Kooiman and Bisbee moved to amend the bill as follows:

1. Amend page 15, line 19, by striking out all of section 235.

The question being on the adoption of the amendment offered by Reps. Kooiman and Bisbee,

Rep. Kooiman demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Reps. Kooiman and Bisbee,

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

Roll Call No. 31 Yeas—48

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

Nays-59

Adamini	Gieleghem	Murphy	Sheltrown
Anderson	Hale	Neumann	Spade
Basham	Hansen	O'Neil	Stallworth
Bernero	Hardman	Pestka	Stamas
Bogardus	Jacobs	Phillips	Stewart
Bovin	Jamnick	Plakas	Switalski

Pumford Brown, B. Julian Thomas Brown, R. Kilpatrick Ouarles Waters Callahan Kolb Reeves Whitmer Clark, I. Richardville Williams Lemmons Clarke, H. Lipsey Richner Wojno Lockwood Rison Woodward Daniels Woronchak Rivet Dennis Mans Frank McConico Schauer Zelenko Garza Minore Schermesser

In The Chair: Julian

The Speaker Pro Tempore assumed the Chair.

Rep. Stallworth moved to amend the bill as follows:

- 1. Amend page 24, following line 2, by inserting:
- "Community colleges shall not use the merit award scholarship to reduce financial aid eligibility for the PASS Program.".

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

Rep. Stallworth demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 32 Yeas—51

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

Nays-57

Allen	Gilbert	Kuipers	Sanborn
Birkholz	Godchaux	LaSata	Scranton
Bisbee	Gosselin	Mead	Shackleton
Bishop	Hager	Meyer	Shulman
Bradstreet	Hart	Middaugh	Stamas
Brown, C.	Howell	Mortimer	Stewart
Cassis	Jansen	Newell	Tabor

Caul Jelinek
DeRossett Johnson, Rick
DeVuyst Johnson, Ruth
DeWeese Julian
Ehardt Koetje
Faunce Kooiman
Garcia Kowall
George

Pappageorge Toy
Patterson Van Woerkom
Pumford Vander Roest
Raczkowski Vander Veen
Richardville Vear
Richner Voorhees
Rocca Woronchak

In The Chair: Birkholz

Rep. Phillips moved to amend the bill as follows:

- 1. Amend page 16, following line 17, by inserting:
- "Sec. 303. (1) Community colleges shall use a portion of the money appropriated in part 1 for operations to implement and institute the ideas and goals embodied by the partnerships for employment program or another program with similar nature and intent as the ideas and goals embodied in the partnership for employment program. For this program, community colleges shall form identifiable links with local businesses or local business alliances to ascertain the immediate and lasting employment needs of the community. In so doing, the colleges in conjunction with the businesses shall create specific, direct certificate programs that upon completion will lead to an increased likelihood of employment by the sponsoring businesses.
 - (2) When creating programs under subsection (1), the community colleges shall consider all of the following:
- (a) The likelihood of the project directly providing a discrete population of unemployed or underemployed workers with job skills that will lead to increased likelihood of desired employment with the sponsoring businesses.
- (b) The use of appropriations to efficiently coordinate existing, but largely unconnected, resources for worker training.
- (c) The use of performance outcome measures to detail a correlation between partnering with local businesses to provide specific training, and the population attaining employment upon successful completion of such training.
- (3) Each community college shall provide a report to the department of career development by no later than September 30, 2002, that summarizes their activities regarding this program.
- (4) The department of career development shall compile the information received under subsection (3) and shall submit this compilation to the senate and house appropriations subcommittees on community colleges, the state budget director, and the senate and house fiscal agencies by November 1, 2002."

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

Rep. Phillips demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 33 Yeas—51

Adamini Frank McConico Anderson Garza Minore Basham Gieleghem Murphy Bernero Hale Neumann **Bogardus** Hansen O'Neil Bovin Hardman Pestka Brown, B. Jacobs **Phillips** Brown, R. Jamnick Plakas Kilpatrick Callahan **Ouarles** Clark, I. Kolb Reeves Clarke, H. Lemmons Rison **Daniels** Lipsey Rivet Lockwood Dennis Schauer

Schermesser
Sheltrown
Spade
Stallworth
Switalski
Thomas
Waters
Whitmer
Williams
Wojno
Woodward
Zelenko

Ehardt

Faunce

Garcia

Vear

Voorhees

Woronchak

Nays—58

LaSata Allen Gilbert Sanborn Birkholz Godchaux Mans Scranton Mead Shackleton Bisbee Gosselin Bishop Hager Mever Shulman Bradstreet Hart Middaugh Stamas Brown, C. Howell Mortimer Stewart Cassis Jansen Newell **Tabor** Caul Jelinek Pappageorge Toy Johnson, Rick Van Woerkom **DeRossett** Patterson DeVuvst Johnson, Ruth Pumford Vander Roest DeWeese Julian Raczkowski Vander Veen

George Kuipers

In The Chair: Birkholz

Rep. Stallworth moved to amend the bill as follows:

1. Amend page 24, following line 2, by inserting:

"(16) From the funding for the PASS program, \$5,000,000.00 shall be used solely for scholarships under that program.".

Richardville

Richner

Rocca

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

Koetje

Kowall

Kooiman

Rep. Stallworth demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 34 Yeas—51

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

Nays-58

Allen Gilbert LaSata Sanborn
Birkholz Godchaux Mans Scranton
Bisbee Gosselin Mead Shackleton

Bishop Meyer Shulman Hager Bradstreet Middaugh Stamas Hart Brown, C. Howell Mortimer Stewart Newell Cassis Jansen **Tabor** Jelinek Caul Pappageorge Toy Johnson, Rick Van Woerkom DeRossett Patterson

Pumford Vander Roest **DeVuvst** Johnson, Ruth DeWeese Julian Raczkowski Vander Veen Ehardt Koetje Richardville Vear Kooiman Richner Voorhees Faunce Woronchak Garcia Kowall Rocca

George Kuipers

In The Chair: Birkholz

Rep. Shackleton moved to amend the bill as follows:

1. Amend page 5, line 3, after "Sec. 209" by striking out the section and inserting "Funds appropriated in part 1 should not be used for the purchase of foreign goods or services, or both, if competitively priced and of comparable quality American goods and services, or both, are available. Preference should be given to goods and services, or both, manufactured or provided by Michigan businesses if they are competitively priced and of comparable value.".

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

Rep. Middaugh moved to amend the bill as follows:

1. Amend page 15, line 19, by striking out all of section 235 and inserting:

"Sec. 235. The legislature encourages each community college and the organization representing its employees to discuss at the local level staffing patterns as they relate to part-time employees and the effects on educational instruction.".

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

Rep. Middaugh demanded the yeas and nays.

The demand was supported.

Gilbert

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

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

Roll Call No. 35 Yeas—49

Allen Godchaux **Kuipers** Richner Bisbee Gosselin LaSata Rocca Mead Bishop Hager Sanborn Bradstreet Howell Meyer Scranton Brown, C. Jansen Middaugh Shulman Cassis Jelinek Mortimer **Tabor** DeRossett Johnson, Rick Newell Toy DeVuyst Johnson, Ruth Pappageorge Van Woerkom

Ehardt Julian Patterson Vander Roest Faunce Koetje Pumford Vander Veen Kooiman Garcia Raczkowski Vear George Kowall. Richardville Voorhees

N

Nays-59

Adamini DeWeese McConico Sheltrown Anderson Frank Minore Spade Basham Garza Murphy Stallworth Bernero Gieleghem Neumann Stamas

Birkholz
Bogardus
Bovin
Brown, B.
Brown, R.
Callahan
Caul
Clark, I.
Clarke, H.
Daniels
Dennis

Hale
Hansen
Hardman
Hart
Jacobs
Jamnick
Kilpatrick
Kolb
Lipsey
Lockwood
Mans

O'Neil
Pestka
Phillips
Plakas
Quarles
Reeves
Rison
Rivet
Schauer
Schermesser
Shackleton

Switalski Thomas Waters Whitmer Williams Wojno Woodward Woronchak Zelenko

Stewart

In The Chair: Birkholz

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 4253, entitled

A bill to make appropriations for community colleges and certain state purposes related to education for the fiscal year ending September 30, 2002; to provide for the expenditure of those appropriations; to establish or continue certain funds, programs, and categories; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

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

Roll Call No. 36 Yeas—108

Adamini Garcia Allen Garza Anderson George Gieleghem Basham Gilbert Bernero Birkholz Godchaux Bisbee Gosselin Hager **Bishop Bogardus** Hale Bovin Hansen Bradstreet Hardman Brown, B. Hart Brown, C. Howell Brown, R. Jacobs Callahan Jamnick Cassis Jansen Caul Jelinek Clark, I. Johnson, Rick Clarke, H. Johnson, Ruth Daniels Julian Dennis Kilpatrick **DeRossett** Koetje **DeVuyst** Kolb

Lipsey Lockwood Mans McConico Mead Meyer Middaugh Minore Mortimer Murphy Neumann Newell O'Neil Pappageorge Patterson Pestka Plakas Pumford Ouarles Raczkowski Reeves Richardville

Lemmons Sanborn Schauer Schermesser Scranton Shackleton Sheltrown Shulman Spade Stallworth Stamas Stewart Switalski **Tabor Thomas** Tov Van Woerkom Vander Roest Vander Veen Vear Voorhees Waters Whitmer Williams

DeWeese Kooiman Richner Wojno Woodward Ehardt Kowall Rison Faunce **Kuipers** Rivet Woronchak LaSata Zelenko Frank Rocca

Nays—0

In The Chair: Birkholz

The House agreed to the title of the bill.

Second Reading of Bills

House Bill No. 4099, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 115q. The bill was read a second time.

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

The motion prevailed.

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

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Rich Brown, Adamini, Bovin, Dennis, Schauer, Murphy, Ehardt, Switalski, Spade, Hansen, Jacobs, Schermesser, Bogardus, Thomas, Garza, Jamnick, Waters, Lipsey, McConico, Minore, Howell, Zelenko, Bernero, Gieleghem, Rivet, Caul, Shackleton, Whitmer, Basham, Woodward, Reeves, Lemmons, Frank, Neumann, Vear, Garcia, Gosselin, Bradstreet, Vander Veen, Van Woerkom, Faunce, Meyer, DeVuyst, Anderson, DeWeese, Plakas, Wojno, Voorhees, Jansen, Newell, DeRossett, Hardman, Clarke, Kolb, Kilpatrick, Bisbee, Scranton, Mans, Richner, Sheltrown, Hale, Kuipers, Birkholz, Pumford, Clark, Koetje, Kooiman, Mead and Phillips offered the following resolution:

House Resolution No. 61.

A resolution congratulating Finlandia University of Hancock upon winning the National Small Colleges Athletic Association National Basketball Championship.

Whereas, It is a distinct privilege and a very special pleasure to honor the Finlandia University basketball team. On Friday, March 9, 2001, the Finlandia University basketball team defeated Southern Virginia, 98-84, to capture their first National Championship; and

Whereas, The team, in only the second year of the basketball program, gained great confidence in their ability when they upset Northern Michigan University on January 10, and finished the regular season with a five-game winning streak. They then proceeded to Florida College, in Tampa, Florida, for the three-day tournament. In the quarterfinals, they pulled away from Saint Mary's with a 76-50 victory. In the semi-finals, they survived a tough battle with Northwest Christian with a final score of 69-66. In the National Championship game, they outmatched a solid Southern Virginia team winning 98-84. The Finlandia University basketball team has witnessed a dream come true and will forever be known as national champions; and

Whereas, The team consists of 11 players, nine of which are from the Upper Peninsula, one is from downstate Michigan, and one is from Finland. The head coach Art Van Damme, the assistant coach Duane Snell, and the players, Nick Forgette of Daggett, Jacob Polfus of Carney, Jeffrey Stiefel of Emmett, Jeremy Suardini of Gwinn, Mark Nolan of Munising, Jon Paul Katona of Negaunee, Pete Flaska of Ishpeming, Bill Loeks of Iron Mountain, Mike O'Donnell of Negaunee, John Abramson of Painesdale, and Marcus Ylainen of Helsinki, Finland, should be recognized for their outstanding accomplishments; now, therefore, be it

Resolved by the House of Representatives, That we hereby express praise to the Finlandia University basketball team. May the team continue to succeed on and off the basketball court; and be it further

Resolved, That a copy of this resolution be transmitted to officials from Finlandia University, the coaches, and all players as evidence of their accomplishment.

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. Hansen, Scranton, Bogardus, Rivet and Bovin offered the following resolution:

House Resolution No. 62.

A resolution honoring the 50th anniversary of Youth for Understanding and the April 8, 1907 birth date of its founder, Dr. Rachel J. Andresen.

Whereas, We are proud to join with the alumni, officers, and friends of Youth for Understanding as they gather in Lansing and Ann Arbor over the coming week to mark the 50th anniversary of this outstanding group. This milestone is a reflection of the foresight and commitment to the promotion of international understanding and tolerance envisioned by Dr. Andresen back in April of 1951. We offer our thanks for her vision of worldwide peace and understanding through the international exchange of the youth of our world; and

Whereas, Youth for Understanding can trace its origins to 1951 and the aspirations of its founder, Dr. Rachel J. Andresen. In the years that have followed since she arranged for a group of 75 students from Germany to visit the United States, this organization has adapted to changes in national borders and political philosophies. Even so, Youth for Understanding has grown in scope and numbers, with over 50 countries now participating in the youth exchange program; and

Whereas, With ceremonies to celebrate its history, the alumni and officers of Youth for Understanding will remember the vision of Dr. Andresen, her compassion, her hope, and the hours and years of commitment that she dedicated to this organization. Fittingly, as we look to the past, we will also be casting an eye to the future and to the many ways in which Youth for Understanding will continue to reach out to the youth of our world; now, therefore, be it

Resolved by the House of Representatives, That we honor Youth for Understanding on their 50th anniversary and express appreciation for its humanitarian efforts in promoting tolerance and worldwide peace and understanding; and be it further

Resolved, That a copy of this resolution be transmitted to Youth for Understanding 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.

Reports of Standing Committees

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

House Bill No. 4166, entitled

A bill to amend 1953 PA 181, entitled "An act relative to investigations in certain instances of the causes of death within this state due to violence, negligence or other act or omission of a criminal nature or to protect public health; to provide for the taking of statements from injured persons under certain circumstances; to abolish the office of coroner and to create the office of county medical examiner in certain counties; to prescribe the powers and duties of county medical examiners; to prescribe penalties for violations of the provisions of this act; and to prescribe a referendum thereon," by amending section 2 (MCL 52.202).

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

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

Favorable Roll Call

HB 4166 To Report Out:

Yeas: Reps. Howell, Richner, Bisbee, Faunce, Koetje, Voorhees, Adamini, Lipsey, Minore, Waters,

Nays: None.

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

House Bill No. 4448, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 6013 (MCL 600.6013), as amended by 1993 PA 78.

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

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

Favorable Roll Call

HB 4448 To Report Out:

Yeas: Reps. Howell, Richner, Bisbee, Faunce, Koetje, Sanborn, Voorhees,

Nays: Reps. Adamini, Lipsey, Minore, Waters.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Howell, Chair of the Committee on Civil Law and the Judiciary, was received and read:

Meeting held on: Tuesday, March 20, 2001, at 4:46 p.m.,

Present: Reps. Howell, Richner, Bisbee, Faunce, Koetje, Sanborn, Voorhees, Adamini, Lipsey, Minore, Waters.

The Committee on Energy and Technology, by Rep. Bradstreet, Chair, reported

House Bill No. 4484, entitled

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts," by amending section 10t (MCL 460.10t), as added by 2000 PA 141.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

HB 4484 To Report Out:

Yeas: Reps. Bradstreet, Middaugh, Birkholz, Bisbee, Bishop, Cassis, Howell, Kowall, Richardville, Vander Veen, Rivet, Bovin, Bob Brown, Schauer, Thomas, Woodward,

Nays: None.

The Committee on Energy and Technology, by Rep. Bradstreet, Chair, reported **House Bill No. 4485, entitled**

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public utilities and other services affected with a public interest within this state; to provide for alternative energy suppliers; to provide for licensing; to include municipally owned utilities and other providers of energy under certain provisions of this act; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit certain rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to create a fund; to provide for a restructuring of the manner in which energy is provided in this state; to encourage the utilization of resource recovery facilities; to prohibit certain acts and practices of providers of energy; to allow for the securitization of stranded costs; to reduce rates; to provide for appeals; to provide appropriations; to declare the effect and purpose of this act; to prescribe remedies and penalties; and to repeal acts and parts of acts," (MCL 460.1 to 460.10cc) by adding section 9.

Without amendment and with the recommendation that the bill pass.

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

HB 4485 To Report Out:

Yeas: Reps. Bradstreet, Middaugh, Birkholz, Bisbee, Bishop, Cassis, Howell, Kowall, Richardville, Vander Veen, Rivet, Bovin, Bob Brown, Thomas, Woodward,

Nays: None.

The Committee on Energy and Technology, by Rep. Bradstreet, Chair, reported

House Resolution No. 41.

A resolution to urge the United States Department of Energy to explore the development of new natural gas resources that do not negatively impact the environment and lead to the long-term stability of affordable natural gas prices.

(For text of resolution, see House Journal No. 16, p. 186.)

With the recommendation that the resolution be adopted.

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

Favorable Roll Call

HR 41 To Report Out:

Yeas: Reps. Bradstreet, Middaugh, Birkholz, Bisbee, Bishop, Cassis, Howell, Kowall, Richardville, Vander Veen, Rivet, Bovin, Bob Brown, Schauer, Thomas, Woodward,

Nays: None.

The Committee on Energy and Technology, by Rep. Bradstreet, Chair, reported

House Resolution No. 56.

A resolution to urge Michigan power providers to offer to their customers a program of charitable donations by rounding bills up to the nearest dollar and accepting contributions.

(For text of resolution, see House Journal No. 21, p. 242.)

With the recommendation that the resolution be adopted.

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

Favorable Roll Call

HR 56 To Report Out:

Yeas: Reps. Bradstreet, Middaugh, Birkholz, Bisbee, Bishop, Cassis, Howell, Kowall, Richardville, Vander Veen, Rivet, Bob Brown, Schauer, Thomas, Woodward,

Nays: None.

The Committee on Energy and Technology, by Rep. Bradstreet, Chair, reported

House Resolution No. 60.

A resolution to urge the Department of Consumer and Industry Services to increase public awareness of its energy programs.

(For text of resolution, see House Journal No. 22, p. 260.)

With the recommendation that the resolution be adopted.

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

Favorable Roll Call

HR 60 To Report Out:

Yeas: Reps. Bradstreet, Middaugh, Birkholz, Bisbee, Bishop, Cassis, Howell, Kowall, Richardville, Vander Veen, Rivet, Bob Brown, Schauer, Thomas, Woodward,

Nays: None.

The Committee on Energy and Technology, by Rep. Bradstreet, Chair, reported

House Concurrent Resolution No. 12.

A concurrent resolution to urge the United States Department of Energy to explore the development of new natural gas resources that do not negatively impact the environment and lead to the long-term stability of affordable natural gas prices.

(For text of resolution, see House Journal No. 16, p. 187.)

With the recommendation that the concurrent resolution be adopted.

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

Favorable Roll Call

HCR 12 To Report Out:

Yeas: Reps. Bradstreet, Middaugh, Birkholz, Bisbee, Bishop, Cassis, Howell, Kowall, Richardville, Vander Veen, Rivet, Bovin, Bob Brown, Schauer, Thomas, Woodward,

Nays: None.

The Committee on Energy and Technology, by Rep. Bradstreet, Chair, reported

House Concurrent Resolution No. 17.

A concurrent resolution to urge Michigan power providers to offer to their customers a program of charitable donations by rounding bills up to the nearest dollar and accepting contributions.

(For text of resolution, see House Journal No. 21, p. 243.)

With the recommendation that the concurrent resolution be adopted.

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

Favorable Roll Call

HCR 17 To Report Out:

Yeas: Reps. Bradstreet, Middaugh, Birkholz, Bisbee, Bishop, Cassis, Howell, Kowall, Richardville, Vander Veen, Rivet, Bob Brown, Schauer, Thomas, Woodward,

Nays: None.

The Committee on Energy and Technology, by Rep. Bradstreet, Chair, reported

House Concurrent Resolution No. 19.

A concurrent resolution to urge the Department of Consumer and Industry Services to increase public awareness of its energy programs.

(For text of resolution, see House Journal No. 22, p. 261.)

With the recommendation that the concurrent resolution be adopted.

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

Favorable Roll Call

HCR 19 To Report Out:

Yeas: Reps. Bradstreet, Middaugh, Birkholz, Bisbee, Bishop, Cassis, Howell, Kowall, Richardville, Vander Veen, Rivet, Bob Brown, Schauer, Thomas, Woodward,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, March 21, 2001, at 8:30 a.m.,

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

Absent: Rep. Daniels, Excused: Rep. Daniels.

Meeting held on March 20, 2001

The Committee on Appropriations, by Rep. Shulman, Chair, reported

House Bill No. 4258, entitled

A bill to make appropriations for the state institutions of higher education and certain state purposes related to education for the fiscal year ending September 30, 2002; to provide for the expenditures of those appropriations; and to prescribe the powers and duties of certain state departments, institutions, agencies, employees, and officers.

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

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

HB 4258 To Report Out:

Yeas: Reps. Shulman, LaSata, Cameron Brown, Caul, Jansen, Jelinek, Kooiman, Mead, Mortimer, Newell, Pappageorge, Shackleton, Stamas, Stewart, Toy, Vander Roest, Lockwood, Pestka, Phillips, Whitmer,

Nays: Reps. Pumford, Frank, Rich Brown, Clarke, Plakas, Reeves, Stallworth, Switalski.

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

House Bill No. 4235, entitled

A bill to designate highway M-109 located in Leelanau county as the "D.H. Day Highway"; and to prescribe the duties of the state transportation department.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

HB 4235 To Report Out:

Yeas: Reps. Gilbert, George, DeRossett, DeVuyst, Gosselin, Hart, Ruth Johnson, Julian, Scranton, Anderson, Bovin, Jamnick, Murphy, Schermesser,

Nays: None.

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

House Bill No. 4352, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 811e (MCL 257.811e), as added by 2000 PA 77, and by adding section 811o.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

HB 4352 To Report Out:

Yeas: Reps. Gilbert, George, DeRossett, DeVuyst, Gosselin, Hart, Ruth Johnson, Julian, Anderson, Bovin, Jamnick, Murphy, Neumann, Schermesser,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Gilbert, Chair of the Committee on Transportation, was received and read: Meeting held on: Wednesday, March 21, 2001, at 9:00 a.m.,

Present: Reps. Gilbert, George, DeRossett, DeVuyst, Gosselin, Hart, Ruth Johnson, Julian, Scranton, Anderson, Bovin, Jamnick, Murphy, Neumann, Schermesser,

Absent: Reps. Garcia, Daniels, Excused: Reps. Garcia, Daniels.

The Committee on Insurance and Financial Services, by Rep. Sanborn, Chair, reported

House Bill No. 4029, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 2117 (MCL 500.2117), as amended by 1980 PA 461.

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

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

Favorable Roll Call

HB 4029 To Report Out:

Yeas: Reps. Sanborn, Bisbee, Hager, Julian, Koetje, Middaugh, Scranton, Van Woerkom, Wojno, Anderson, Clark, Schermesser, Woodward,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, March 21, 2001, at 10:30 a.m.,

Present: Reps. Sanborn, Bisbee, Garcia, Hager, Julian, Koetje, Middaugh, Scranton, Van Woerkom, Wojno, Anderson, Clark, Schermesser, Woodward,

Absent: Rep. Daniels, Excused: Rep. Daniels.

The Committee on Appropriations, by Rep. Shulman, Chair, reported

House Bill No. 4257, entitled

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2002; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

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

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

Favorable Roll Call

HB 4257 To Report Out:

Yeas: Reps. Shulman, LaSata, Cameron Brown, Caul, Godchaux, Jansen, Jelinek, Kooiman, Mead, Mortimer, Newell, Pappageorge, Pumford, Shackleton, Stamas, Stewart, Toy, Vander Roest, Frank, Rich Brown, Clarke, Lockwood, Pestka, Phillips, Plakas, Reeves, Stallworth, Switalski, Whitmer,

Nays: None.

The Committee on Appropriations, by Rep. Shulman, Chair, reported

House Bill No. 4259, entitled

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2002; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

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

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

Favorable Roll Call

HB 4259 To Report Out:

Yeas: Reps. Shulman, LaSata, Cameron Brown, Caul, Godchaux, Jansen, Jelinek, Kooiman, Mead, Mortimer, Newell, Pappageorge, Pumford, Shackleton, Stamas, Stewart, Toy, Vander Roest, Frank, Rich Brown, Lockwood, Pestka, Phillips, Plakas, Reeves, Stallworth, Switalski, Whitmer,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, March 21, 2001, at 10:00 a.m.,

Present: Reps. Shulman, LaSata, Cameron Brown, Caul, Godchaux, Jansen, Jelinek, Kooiman, Mead, Mortimer, Newell, Pappageorge, Pumford, Shackleton, Stamas, Stewart, Toy, Vander Roest, Frank, Rich Brown, Clarke, Lockwood, Pestka, Phillips, Plakas, Reeves, Stallworth, Switalski, Whitmer.

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

House Bill No. 4411, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 527a (MCL 206.527a), as amended by 1996 PA 484.

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

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

HB 4411 To Report Out:

Yeas: Reps. Cassis, Vear, Birkholz, Faunce, Gosselin, Kowall, Meyer, Richardville, Woronchak, Quarles, Basham, Bob Brown, Hale, Wojno,

Nays: None.

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

House Bill No. 4476, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 4aa.

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

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

Favorable Roll Call

HB 4476 To Report Out:

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

Nays: None.

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

House Bill No. 4477, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," (MCL 205.91 to 205.111) by adding section 4w.

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

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

Favorable Roll Call

HB 4477 To Report Out:

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

Nays: None.

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

House Bill No. 4478, entitled

A bill to levy a replacement energy tax on the price of natural gas; to provide for the administration and collection of the replacement energy tax revenues; and to provide for the disposition of revenues.

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

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

Favorable Roll Call

HB 4478 To Report Out:

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

Nays: None.

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

House Bill No. 4479, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 269. Without amendment and with the recommendation that the bill pass.

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

HB 4479 To Report Out:

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

Nays: None.

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

House Bill No. 4480, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 527a (MCL 206.527a), as amended by 1996 PA 484.

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

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

Favorable Roll Call

HB 4480 To Report Out:

Yeas: Reps. Cassis, Vear, Birkholz, Faunce, Gosselin, Kowall, Meyer, Richardville, Woronchak, Quarles, Basham, Bob Brown, Hale, Wojno,

Nays: None.

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

House Bill No. 4481, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 527a (MCL 206.527a), as amended by 1996 PA 484.

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

- 1. Amend page I, line 6, after "years" by striking out "1996 through 2004" and inserting "AFTER THE 1996 TAX YEAR".
- 2. Amend page 2, line 5, by striking out all of line 5 through "2004" on line 6 and inserting "TAX YEARS AFTER THE 1996".

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

Favorable Roll Call

HB 4481 To Report Out:

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

Nays: None.

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

House Bill No. 4482, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," (MCL 206.1 to 206.532) by adding section 438. With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

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

Favorable Roll Call

HB 4482 To Report Out:

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

Nays: None.

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

House Bill No. 4483, entitled

A bill to establish the state home heating credit fund in the department of treasury; and to provide certain powers and duties of the department of treasury with respect to the home heating credit fund.

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

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

HB 4483 To Report Out:

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

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Cassis, Chair of the Committee on Tax Policy, was received and read: Meeting held on: Wednesday, March 21, 2001, at 10:30 a.m.,

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

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, March 21, 2001, at 10:30 a.m.,

Present: Reps. Patterson, Howell, Kuipers, Jacobs, Lipsey.

Messages from the Senate

House Bill No. 4322, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 3913 (MCL 500.3913), as added by 1992 PA 84.

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.

Announcement by the Clerk of Printing and Enrollment

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

Senate Bill Nos. 323 324 325 326 327 328 329 330

The Clerk announced that the following bills had been printed and placed upon the files of the members, Friday, March 16:

Senate Bill Nos. 331 332 333 334 335 336 337

The Clerk announced that the following bills had been printed and placed upon the files of the members, Wednesday, March 21:

House Bill Nos. 4486 4487 4488 4489 4490 4491 4492 4493 4494 4495 4496 4497 4498 4499 4500 4501 4502 4503 4504

Introduction of Bills

Reps. Gilbert and Mortimer introduced

House Bill No. 4505, entitled

A bill to amend 1998 PA 57, entitled "An act to require contractors to provide certain notices to governmental entities concerning improvements on real property; to allow for the modification of contracts for improvement to real property; to provide for remedies; and to repeal acts and parts of acts," by repealing section 6 (MCL 125.1596).

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

Rep. Shackleton moved that the House adjourn. The motion prevailed, the time being 4:40 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, March 22, at 12:00 Noon.

GARY L. RANDALL Clerk of the House of Representatives.