

No. 86
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
91st Legislature
REGULAR SESSION OF 2001

House Chamber, Lansing, Tuesday, December 11, 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	Garza—present	Lipsey—present	Schauer—present
Allen—present	George—present	Lockwood—present	Schermesser—excused
Anderson—present	Gielegthem—present	Mans—present	Scranton—present
Basham—present	Gilbert—present	McConico—present	Shackleton—present
Bernero—present	Godchaux—present	Mead—present	Sheltrown—present
Birkholz—present	Gosselin—present	Meyer—present	Shulman—present
Bisbee—present	Hager—present	Middaugh—present	Spade—present
Bishop—present	Hale—present	Minore—present	Stallworth—present
Bogardus—present	Hansen—present	Mortimer—present	Stamas—present
Bovin—present	Hardman—present	Murphy—present	Stewart—present
Bradstreet—present	Hart—present	Neumann—present	Switalski—present
Brown, Bob—present	Howell—present	Newell—present	Tabor—present
Brown, Cameron—present	Hummel—present	O’Neil—present	Thomas—present
Brown, Rich—present	Jacobs—present	Pappageorge—present	Toy—present
Callahan—present	Jamnack—present	Patterson—present	Vander Roest—present
Cassis—present	Jansen—present	Pestka—present	Vander Veen—excused
Caul—present	Jelinek—present	Phillips—present	Van Woerkom—present
Clark—present	Johnson, Rick—present	Plakas—e/d/s	Vear—present
Clarke—present	Johnson, Ruth—present	Pumford—present	Voorhees—present
Daniels—present	Julian—present	Quarles—present	Waters—present
Dennis—present	Kilpatrick—present	Raczkowski—present	Whitmer—present
DeRossett—present	Koetje—present	Reeves—present	Williams—present
DeVuyst—present	Kolb—present	Richardville—present	Wojno—present
DeWeese—present	Kooiman—present	Richner—present	Woodward—present
Drolet—present	Kowall—present	Rison—present	Woronchak—present
Ehardt—present	Kuipers—present	Rivet—present	Zelenko—present
Fauce—present	LaSata—present	Rocca—present	
Frank—present	Lemmons—present		

e/d/s = entered during session

Reverend Michael Arbanas, Pastor of St. Clement Orthodox Church in Dearborn, offered the following invocation:

“O Lord, we find ourselves now in a season of light, when men and women of all faiths are encouraged by Your tremendous gifts to us. Help us shine with Your Light, and lead us to act as responsible stewards of all that You have given us. Especially bless the members of this House as they once again take up the work of the people of Michigan. Grant them wisdom and guide them to govern in a way that reflects both Your justice and Your love for humanity. Amen.”

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

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

Second Reading of Bills

House Joint Resolution E, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 12 of article IV, to provide that the state officers compensation commission’s determination of certain salaries and expense allowances become effective only upon approval by the legislature for the following legislative session.

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

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

Rep. Bisbee 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 Joint Resolution E, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 12 of article IV, to provide that the state officers compensation commission’s determination of certain salaries and expense allowances become effective only upon approval by the legislature for the following legislative session.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

Second Reading of Bills

Senate Bill No. 109, entitled

A bill to amend 1964 PA 170, entitled “An act to make uniform the liability of municipal corporations, political subdivisions, and the state, its agencies and departments, officers, employees, and volunteers thereof, and members of certain boards, councils, and task forces when engaged in the exercise or discharge of a governmental function, for injuries to property and persons; to define and limit this liability; to define and limit the liability of the state when engaged in a proprietary function; to authorize the purchase of liability insurance to protect against loss arising out of this liability; to provide for defending certain claims made against public officers and paying damages sought or awarded against them; to provide for the legal defense of public officers and employees; to provide for reimbursement of public officers and employees for certain legal expenses; and to repeal certain acts and parts of acts,” (MCL 691.1401 to 691.1415) by adding section 16.

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

The substitute (H-4) was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 109, entitled

A bill to amend 1964 PA 170, entitled “An act to make uniform the liability of municipal corporations, political subdivisions, and the state, its agencies and departments, officers, employees, and volunteers thereof, and members of certain boards, councils, and task forces when engaged in the exercise or discharge of a governmental function, for injuries to property and persons; to define and limit this liability; to define and limit the liability of the state when engaged in a proprietary function; to authorize the purchase of liability insurance to protect against loss arising out of this liability; to provide for defending certain claims made against public officers and paying damages sought or awarded against them; to provide for the legal defense of public officers and employees; to provide for reimbursement of public officers and employees for certain legal expenses; and to repeal certain acts and parts of acts,” (MCL 691.1401 to 691.1415) by adding section 16.

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

Roll Call No. 728

Yeas—106

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

Nays—0

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 1964 PA 170, entitled "An act to make uniform the liability of municipal corporations, political subdivisions, and the state, its agencies and departments, officers, employees, and volunteers thereof, and members of certain boards, councils, and task forces when engaged in the exercise or discharge of a governmental function, for injuries to property and persons; to define and limit this liability; to define and limit the liability of the state when engaged in a proprietary function; to authorize the purchase of liability insurance to protect against loss arising out of this liability; to provide for defending certain claims made against public officers and paying damages sought or awarded against them; to provide for the legal defense of public officers and employees; to provide for reimbursement of public officers and employees for certain legal expenses; and to repeal certain acts and parts of acts," (MCL 691.1401 to 691.1415) by adding sections 16, 17, 18, and 19.

The motion prevailed.

The House agreed to the title as amended.

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

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

Comments and Recommendations

Rep. Patterson moved that Rule No. 82 be suspended.

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

Rep. Raczkowski moved that the following remarks be printed in the Journal.

The motion prevailed.

Rep. Kilpatrick:

"I rise in front of my colleagues today to bid a hearty farewell. As I leave the office of State Representative and begin to enter the office as the next Mayor of the city of Detroit, I wanted to take this time and just say a few words about my colleagues here on the floor and this process and what it has meant to me and my family. I ran for this position at 25 years old, in 1996. I was just a young guy out there who couldn't get any support. Nobody would support us. Everyone told us to pay our dues, that we're not old enough, come back when you learn a little more and you have a little more money. We just decided that it was the right time for us to be running for Mayor. I say us, because, I had a meeting and I asked for everyone that wanted to support me and endorse me to come to that meeting and two people showed up. Those two people were Christine Beatty and Derek Miller. We ran a three person campaign with ten thousand dollars. We walked and knocked on every single door in our district and we worked as hard as we could. We didn't get any of the endorsements, none of those big Democratic endorsements that you want. None from labor and none from the Congressional districts. We just knocked on doors and we ran a real grass-roots and focused campaign and by God, we won! When I got to this legislature I sat in this House with people that are legends in this institutions, as far as this institution is concerned. My class had the opportunity to sit in the same House and work with people like Morris Hood, people like then Speaker Curtis Hertel and even people like Tom Alley, who is on my staff today, who took me by the hand and showed me how to work within this process. All of those people told me that 'we don't come to Lansing to fight Republicans, we come here to effectuate good public policy first. If you do that, you will see the clear differences between the two parties and that is when you have the chance to fight. Other than that, every single day, come here and make the best out of it and do the best that you can for the people who went inside a ballot box and actually punched your name for you to come here and represent them every single day that you come to this institution.' That is what I believe that I have done. My mom gave me some great advice and told me that 'the best policy is bipartisan.' That is something that I came here believing and that is something that I am going to leave believing. Once we all get together and start to talk about the issues that are on the table, the best policy comes out of this process. In turn, the worst policy comes out of this process when one group goes in the corner and another group goes in the corner and tries to rush something through. That is something that I will always believe.

In 1998, we began, I think, the turning point of this institution. We had an election that not only changed the majority in this institution but elected new leadership. It was the first leadership elected that was under the term limit constraints. Everyone was finding themselves. In that process of rigorous and aggressive change this institution took a significant dip. We didn't know who we were and what we should be doing. There was anger every day. People began to dread coming to work. I had members on this side of the aisle who got stomach aches when they thought of having to come and represent the people of this state. That was wrong, but we endured it. Two years later, we began a new

type of leadership in this House, one that I am most proud of with my friend, Rick Johnson. I believe this speaks to the American dream. When someone from Linwood and West Grand Boulevard in the city of Detroit, educated in the Detroit Public School System, who went to school from kindergarten and almost all the way through the twelfth grade with not one single white person in my school, can meet somebody from Leroy, Michigan that dealt with a dairy farm and a tree farm and actually form a genuine friendship and relationship and figure out how to move this state forward I think speaks to what America is built on. I think it speaks to what all come here for and what we truly represent when we stand up for our constituents back home. I also would like to say, in that same spirit, that all of you will be coming down to the city of Detroit at one time or another—if you accept my invitation to be a part of our family in the city of Detroit. This not only marks the beginning of a new era for Detroit, but a new era for the people all over the state of Michigan to have a genuine relationship with the people from the largest city in this state.

In closing, I would like to say, as I leave this institution some tremendous things have happened to me since I have been in this institution. My wife gave birth to twin boys. I completed law school while working at this institution. I worked here every single day and drove back to downtown Detroit to make class. I studied for the bar while being floor leader in this institution and actually passed it and then my wife, the other day, gave birth to our third son, Jonas Isaiah Kilpatrick, which is the accomplishment that I think put the exclamation point on this entire year for my family. I would just like to say to you, the members of the House on both sides of the aisle, that you have supported me through all of that. You have been there for me and your words of encouragement have helped me throughout that entire process. I know many of your husbands and your wives. We have talked, we have been on trips together, we have learned together and I think the relationships that we have started in this House chamber today will speak volumes if it continues into the future. Let us not allow simply the politics to divide what we have started here in this institution today. Let us not allow policy strictly to be formed on a Republican or Democratic basis. Let us figure out how we move back to a place and cement that place where we come here to effectuate good public policy. And let me just say that this has been a tremendous experience for Kwame Kilpatrick and but for the friendship and general family relationships that I have on this House floor I would not be here where I stand today. I would not have been able to achieve what my family and I and the community have achieved in the city of Detroit. Thank you very much. Thank you for allowing me to have the opportunity to serve you.”

Rep. Patterson moved that the following remarks be printed in the Journal.
The motion prevailed.

Rep. Rick Johnson:

“I could not just sit here and not say something about how my last three years have been working with my good friend from the city of Detroit, Kwame, which is how I have normally addressed him even as we started in the Transportation Committee three years ago. I just want to say that I think the city of Detroit went a long way to elect a mayor that I believe is going to be great for the city and great for this state. I never knew four years ago before I came here that I would have the opportunity to personally know and be good friends with a mayor of any major city in this country, much less the city of Detroit. I truly appreciate that and I look forward to working with the new mayor. As a parting gift, we started our great friendship in January over a bag of cookies in my office one day and my kids gave me something a few months ago that I am going to pass along to my good friend. I think it is fitting that the new Mayor of Detroit would have his very own cookie jar that resembles something that is dear to me. Thank you.”

Introduction of Bills

Rep. Tabor introduced

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

Reps. Rivet, Frank, Howell, Shackleton, Gilbert, Allen, Dennis, Lemmons and Neumann introduced

House Bill No. 5485, entitled

A bill to amend 1964 PA 286, entitled “An act to provide for the organization, powers, and duties of the state transportation commission and the state transportation department; to provide for the appointment, powers, and duties of the state transportation director; to abolish the office of state highway commissioner and the commissioner’s advisory board and to transfer their powers and duties; to provide for penalties and remedies; and to repeal certain acts and parts of acts,” (MCL 247.801 to 247.816) by adding section 6b.

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

Reps. Bishop, DeRossett and Shulman introduced

House Bill No. 5486, entitled

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

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

Rep. Kuipers introduced

House Bill No. 5487, entitled

A bill to amend 1984 PA 192, entitled "Forbes mechanical contractors act," by amending section 2 (MCL 338.972). The bill was read a first time by its title and referred to the Committee on Regulatory Reform.

Rep. DeWeese introduced

House Bill No. 5488, entitled

A bill to amend 1976 PA 390, entitled "Emergency management act," by amending section 6 (MCL 30.406), as amended by 1990 PA 50.

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

Rep. Middaugh introduced

House Bill No. 5489, entitled

A bill to amend 1945 PA 327, entitled "Aeronautics code of the state of Michigan," (MCL 259.1 to 259.208) by adding section 1b.

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

Reps. Godchaux, Raczkowski, Voorhees, Birkholz, Pumford, Richardville, LaSata, Hart, Van Woerkom, Tabor, Scranton, Pappageorge, Vander Veen, Woronchak, Jelinek, Stewart, Lipsey, Kooiman, Cassis, Howell, Jamnick, Minore, Clark, Hansen, Bogardus, Bovin, Thomas, Jacobs, Lockwood, Jansen, O'Neil, Ruth Johnson and Lemmons introduced

House Bill No. 5490, entitled

A bill to amend 1980 PA 300, entitled "The public school employees retirement act of 1979," by amending section 75 (MCL 38.1375), as amended by 1989 PA 194.

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

Reps. George, Tabor, Bernero, Faunce, Spade, Ehardt and Voorhees introduced

House Bill No. 5491, entitled

A bill to amend 1984 PA 379, entitled "An act to define and regulate certain credit card transactions, agreements, charges, and disclosures; to prescribe the powers and duties of the financial institutions bureau and certain state agencies; to provide for the promulgation of rules; and to provide for fines and penalties," (MCL 493.101 to 493.114) by adding section 10a.

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

Reps. Jelinek, Switalski, Bovin, Pumford, Godchaux, DeRossett, Patterson and Hager introduced

House Bill No. 5492, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1266. The bill was read a first time by its title and referred to the Committee on Education.

Rep. Plakas entered the House Chambers.

By unanimous consent the House returned to the order of
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, Friday, December 7:

House Bill Nos. 5480 5481 5482 5483

By unanimous consent the House returned to the order of
Reports of Standing Committees

The Committee on Transportation, by Rep. Gilbert, Chair, reported
Senate Bill No. 563, 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," (MCL 247.651 to 247.675) by adding section 1i.

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

1. Amend page 2, line 12, after "COST-EFFECTIVENESS" by striking out the balance of the sentence and inserting "AND PERFORMANCE OF THE PAVEMENT MATERIALS AND DESIGN USED IN THE PROJECT AND COMPARES THE RESULTS TO THE PAVEMENT MATERIAL IDENTIFIED UNDER THE DEPARTMENT'S STANDARD PAVEMENT SELECTION PROCESS."

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

Favorable Roll Call

SB 563 To Report Out:

Yeas: Reps. Gilbert, George, DeRossett, Drolet, Gosselin, Hummel, Julian, Anderson, Bovin, Jamnick,
Nays: None.

The Committee on Transportation, by Rep. Gilbert, Chair, reported
Senate Bill No. 615, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.1100) by adding section 68.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

SB 615 To Report Out:

Yeas: Reps. Gilbert, George, DeRossett, Drolet, Gosselin, Hummel, Julian, Anderson, Bovin, Jamnick,
Nays: None.

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

Senate Bill No. 813, entitled

A bill to amend 1925 PA 17, entitled "An act to provide for the construction, improvement and maintenance of trunk line highways," by amending section 2 (MCL 250.62), as amended by 1987 PA 188.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

SB 813 To Report Out:

Yeas: Reps. Gilbert, George, DeRossett, Drolet, Gosselin, Hummel, Julian, Scranton, Anderson, Bovin, Jamnick, Neumann,

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: Tuesday, December 11, 2001, at 8:00 a.m.,

Present: Reps. Gilbert, George, DeRossett, Drolet, Gosselin, Hummel, Julian, Scranton, Anderson, Bovin, Daniels, Jamnick, Murphy, Neumann,

Absent: Reps. Hart, Ruth Johnson, Schermesser,

Excused: Reps. Hart, Ruth Johnson, Schermesser.

The Committee on Commerce, by Rep. Allen, Chair, reported

House Bill No. 5472, entitled

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

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 5472 To Report Out:

Yeas: Reps. Allen, Bishop, Bisbee, Gilbert, Howell, Koetje, Middaugh, Van Woerkom, Vear, Thomas, Kolb, Rivet, Waters, Zelenko,

Nays: None.

The Committee on Commerce, by Rep. Allen, Chair, reported

House Bill No. 5482, entitled

A bill to provide for the formation, regulation, and registration of distance learning corporations; to prescribe their duties, rights, powers, immunities, and liabilities; and to provide for the powers and duties of certain state officers and entities.

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 5482 To Report Out:

Yeas: Reps. Allen, Bishop, Bisbee, Gilbert, Howell, Koetje, Middaugh, Van Woerkom, Vear, Thomas, Kolb, Rivet, Waters, Zelenko,

Nays: None.

The Committee on Commerce, by Rep. Allen, Chair, reported

House Bill No. 5483, entitled

A bill to amend 1982 PA 162, entitled "Nonprofit corporation act," by amending section 124 (MCL 450.2124).

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 5483 To Report Out:

Yeas: Reps. Allen, Bishop, Bisbee, Gilbert, Howell, Koetje, Middaugh, Van Woerkom, Vear, Thomas, Kolb, Rivet, Waters, Zelenko,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, December 11, 2001, at 9:00 a.m.,

Present: Reps. Allen, Bishop, Bisbee, Gilbert, Howell, Koetje, Middaugh, Van Woerkom, Vear, Thomas, Kolb, Lemmons, Rivet, Waters, Zelenko,

Absent: Reps. DeVuyst, Lipsey,

Excused: Reps. DeVuyst, Lipsey.

The Committee on Conservation and Outdoor Recreation, by Rep. DeVuyst, Chair, reported

House Bill No. 5118, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 502, 32503, and 33938 (MCL 324.502, 324.32503, and 324.33938), section 502 as amended by 1998 PA 114 and sections 32503 and 33938 as added by 1995 PA 59, and by adding section 61505a.

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 5118 To Report Out:

Yeas: Reps. Kowall, Rocca, Voorhees, Callahan, Basham, Garza, Sheltroun,

Nays: Reps. DeVuyst, Bradstreet, Drolet.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. DeVuyst, Chair of the Committee on Conservation and Outdoor Recreation, was received and read:

Meeting held on: Tuesday, December 11, 2001, at 9:00 a.m.,

Present: Reps. DeVuyst, Tabor, Bradstreet, Drolet, Kowall, Rocca, Voorhees, Callahan, Basham, Garza, Sheltroun.

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

Senate Bill No. 660, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16204a, 16204b, 16204c, and 16204d (MCL 333.16204a, 333.16204b, 333.16204c, and 333.16204d), section 16204a as amended by 1998 PA 421, section 16204b as added by 1998 PA 422, and sections 16204c and 16204d as added by 1998 PA 423.

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

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

Favorable Roll Call

SB 660 To Report Out:

Yeas: Reps. Ehardt, Raczkowski, Bradstreet, George, Ruth Johnson, Rocca, Woronchak, Neumann, Adamini, Lemmons, Schauer, Williams,

Nays: None.

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

Senate Bill No. 661, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," by amending section 402a (MCL 550.1402a), as amended by 1998 PA 426.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

SB 661 To Report Out:

Yeas: Reps. Ehardt, Raczkowski, Bradstreet, George, Ruth Johnson, Rocca, Scranton, Woronchak, Neumann, Adamini, Lemmons, Schauer, Williams,

Nays: None.

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

Senate Bill No. 662, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 2212a (MCL 500.2212a), as amended by 1998 PA 424.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

SB 662 To Report Out:

Yeas: Reps. Ehardt, Raczkowski, Bradstreet, George, Ruth Johnson, Rocca, Scranton, Woronchak, Neumann, Adamini, Lemmons, Schauer, Williams,

Nays: None.

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

Senate Bill No. 781, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 5656, 5657, 5658, 5659, and 5660 (MCL 333.5656, 333.5657, 333.5658, 333.5659, and 333.5660), as added by 1996 PA 594.

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

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

Favorable Roll Call

SB 781 To Report Out:

Yeas: Reps. Ehardt, Raczkowski, Bradstreet, George, Ruth Johnson, Rocca, Scranton, Woronchak, Neumann, Adamini, Lemmons, Schauer, Williams,

Nays: None.

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

Senate Bill No. 826, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 21766 (MCL 333.21766), as amended by 1994 PA 73.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

SB 826 To Report Out:

Yeas: Reps. Ehardt, Raczkowski, Bradstreet, George, Ruth Johnson, Rocca, Scranton, Woronchak, Neumann, Adamini, Lemmons, Schauer, Williams,

Nays: None.

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

Senate Bill No. 827, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 7401, 7403, 7407, and 7521 (MCL 333.7401, 333.7403, 333.7407, and 333.7521), sections 7401 and 7403 as amended by 2000 PA 314, section 7407 as amended by 1993 PA 80, and section 7521 as amended by 2000 PA 302; and to repeal acts and parts of acts.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

SB 827 To Report Out:

Yeas: Reps. Ehardt, Raczkowski, Bradstreet, George, Ruth Johnson, Rocca, Scranton, Woronchak, Neumann, Adamini, Lemmons, Schauer, Williams,

Nays: None.

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

Senate Bill No. 828, entitled

A bill to amend 1972 PA 222, entitled "An act to provide for an official personal identification card; to provide for its form, issuance and use; to regulate the use and disclosure of information obtained from the card; to prescribe the powers and duties of the secretary of state; to prescribe fees; and to prescribe certain penalties for violations," by amending section 2 (MCL 28.292), as amended by 1999 PA 89.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

SB 828 To Report Out:

Yeas: Reps. Ehardt, Raczkowski, Bradstreet, George, Ruth Johnson, Rocca, Scranton, Woronchak, Neumann, Adamini, Hardman, Lemmons, Schauer, 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: Tuesday, December 11, 2001, at 9:00 a.m.,

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

Absent: Rep. Vander Veen,

Excused: Rep. Vander Veen.

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

House Bill No. 4009, entitled

A bill to amend 1855 PA 105, entitled "An act to regulate the disposition of the surplus funds in the state treasury; to provide for the deposit of surplus funds in certain financial institutions; to lend surplus funds pursuant to loan agreements secured by certain commercial, agricultural, or industrial real and personal property; to authorize the loan of surplus funds to certain municipalities; to authorize the participation in certain loan programs; to authorize an appropriation; and to prescribe the duties of certain state agencies," by amending section 2a (MCL 21.142a), as amended by 1987 PA 27.

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 4009 To Report Out:

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

Nays: None.

The Committee on Appropriations, by Rep. Shulman, Chair, reported
House Bill No. 4675, entitled

A bill to amend 1992 PA 234, entitled "The judges retirement act of 1992," (MCL 38.2101 to 38.2670) by adding section 512.

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 4675 To Report Out:

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

Nays: Rep. Frank.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, December 11, 2001, at 9:30 a.m.,

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

Absent: Reps. Toy, Plakas, Stallworth,

Excused: Reps. Toy, Plakas, Stallworth.

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

Senate Bill No. 527, entitled

A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," by amending section 205 (MCL 436.1205), as amended by 1998 PA 416, and by adding section 206.

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

1. Amend page 8, line 24, after "COMMISSION." by inserting "THE COMMISSION MAY, THROUGH ISSUANCE OF AN ORDER, ALLOW BANNER ADVERTISING IN CONJUNCTION WITH THE ON-LINE ORDERING SYSTEM AS A MEANS OF DEFRAYING THE COSTS OF OPERATION OR MAINTENANCE, OR BOTH, OF THE SYSTEM."

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

Favorable Roll Call

SB 527 To Report Out:

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

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, December 11, 2001, at 1:00 p.m.,

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

Absent: Rep. Scranton,

Excused: Rep. Scranton.

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

House Bill No. 5125, entitled

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

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 5125 To Report Out:

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

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

House Bill No. 5126, entitled

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

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 5126 To Report Out:

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

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

House Bill No. 5295, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 2 to chapter II.

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 5295 To Report Out:

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

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

House Bill No. 5398, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," (MCL 760.1 to 777.69) by adding section 37 to chapter VIII.

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

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

Favorable Roll Call

HB 5398 To Report Out:

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

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

Senate Bill No. 180, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 451 (MCL 750.451).

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

SB 180 To Report Out:

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

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Faunce, Chair of the Committee on Criminal Justice, was received and read:
 Meeting held on: Tuesday, December 11, 2001, at 10:30 a.m.,
 Present: Reps. Faunce, Kowall, Bishop, DeWeese, George, Julian, Raczkowski, McConico, Callahan, O'Neil,
 Absent: Rep. Rison,
 Excused: Rep. Rison.

The Committee on Local Government and Urban Policy, by Rep. Birkholz, Chair, reported
Senate Bill No. 3, entitled

A bill to amend 1947 PA 179, entitled "An act to provide for the incorporation of certain municipal authorities for the collection or disposal, or both, of garbage or rubbish, or both, and for the operation of a dog pound; and to prescribe the powers, rights and duties thereof," (MCL 123.301 to 123.310) by adding section 11.

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

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

Favorable Roll Call

SB 3 To Report Out:

Yeas: Reps. Birkholz, Hager, Drolet, Gilbert, Gosselin, Richardville, Dennis,
 Nays: Reps. Hummel, Jamnick, Hardman, McConico.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Birkholz, Chair of the Committee on Local Government and Urban Policy, was received and read:

Meeting held on: Tuesday, December 11, 2001, at 12:00 Noon,

Present: Reps. Birkholz, Hager, Drolet, Gilbert, Gosselin, Hummel, Richardville, Jamnick, Dennis, Hardman, McConico.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Voorhees, Chair of the Committee on Senior Health, Security and Retirement, was received and read:

Meeting held on: Tuesday, December 11, 2001, at 10:30 a.m.,

Present: Reps. Voorhees, Woronchak, Cassis, Kuipers, Vear, Williams, Bovin, Spade, Zelenko.

Rep. Jacobs moved that Reps. Kilpatrick and Gielegem be excused temporarily from today's session.
 The motion prevailed.

Quorum Call

Rep. Patterson questioned the presence of a quorum and moved that the roll be called and printed in the Journal.
 The motion prevailed.

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

The following is the roll call:

Roll Call No. 729

Yeas—103

Adamini
 Allen
 Anderson

Frank
 Garza
 George

Lemmons
 Lipsey
 Lockwood

Rivet
 Rocca
 Schauer

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

In The Chair: Julian

Rep. Rivet moved that Rep. Sheltroun be excused temporarily from today's session.
The motion prevailed.

Third Reading of Bills

The House returned to the consideration of

Senate Bill No. 109, entitled

A bill to amend 1964 PA 170, entitled "An act to make uniform the liability of municipal corporations, political subdivisions, and the state, its agencies and departments, officers, employees, and volunteers thereof, and members of certain boards, councils, and task forces when engaged in the exercise or discharge of a governmental function, for injuries to property and persons; to define and limit this liability; to define and limit the liability of the state when engaged in a proprietary function; to authorize the purchase of liability insurance to protect against loss arising out of this liability; to provide for defending certain claims made against public officers and paying damages sought or awarded against them; to provide for the legal defense of public officers and employees; to provide for reimbursement of public officers and employees for certain legal expenses; and to repeal certain acts and parts of acts," (MCL 691.1401 to 691.1415) by adding section 16.

(The bill was considered earlier today, see today's journal, p. 2619.)

Rep. Patterson moved to reconsider the vote by which the House passed the bill.
The motion prevailed, a majority of the members present voting therefor.

The question being on the passage of the bill,

Rep. Howell moved to substitute (H-5) the bill.

The motion was seconded and the substitute (H-5) was adopted, a majority of the members serving voting therefor.

The question being on the passage of the bill,

The bill was then passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 730**Yeas—102**

Adamini	Faunce	LaSata	Rivet
Allen	Frank	Lemmons	Rocca
Anderson	Garza	Lipsey	Schauer
Basham	George	Lockwood	Scranton
Bernero	Gilbert	Mans	Shackleton
Birkholz	Godchaux	McConico	Shulman
Bisbee	Gosselin	Mead	Spade
Bishop	Hager	Meyer	Stallworth
Bogardus	Hale	Middaugh	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	Pappageorge	Van Woerkom
Cassis	Jamnick	Patterson	Vander Roest
Caul	Jansen	Pestka	Vear
Clark, I.	Jelinek	Phillips	Voorhees
Clarke, H.	Johnson, Rick	Plakas	Waters
Daniels	Johnson, Ruth	Pumford	Whitmer
Dennis	Julian	Raczkowski	Williams
DeRossett	Koetje	Reeves	Wojno
DeVuyst	Kolb	Richardville	Woodward
DeWeese	Kooiman	Richner	Woronchak
Drolet	Kowall	Rison	Zelenko
Ehardt	Kuipers		

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 1964 PA 170, entitled "An act to make uniform the liability of municipal corporations, political subdivisions, and the state, its agencies and departments, officers, employees, and volunteers thereof, and members of certain boards, councils, and task forces when engaged in the exercise or discharge of a governmental function, for injuries to property and persons; to define and limit this liability; to define and limit the liability of the state when engaged in a proprietary function; to authorize the purchase of liability insurance to protect against loss arising out of this liability; to provide for defending certain claims made against public officers and paying damages sought or awarded against them; to provide for the legal defense of public officers and employees; to provide for reimbursement of public officers and employees for certain legal expenses; and to repeal certain acts and parts of acts," (MCL 691.1401 to 691.1415) by adding sections 16, 17, 18, and 19.

The motion prevailed.

The House agreed to the title as amended.

The House returned to the consideration of

House Joint Resolution E, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 12 of article IV, to provide that the state officers compensation commission's determination of certain salaries and expense allowances become effective only upon approval by the legislature for the following legislative session.

(The joint resolution was considered earlier today, see today's journal, p. 2618.)

The question being on the adoption of the joint resolution,

The joint resolution was then adopted, 2/3 of the members serving voting therefor, by yeas and nays as follows:

Roll Call No. 731**Yeas—104**

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

Nays—0

In The Chair: Julian

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

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

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 12 of article IV, to provide that the state officers compensation commission's determinations of certain salaries and expense allowances only become effective with approval of the legislature for the legislative session immediately following the next general election and for the amendment of those determinations.

The motion prevailed.

The House agreed to the title as amended.

Reps. Basham, Rich Brown, Callahan, Caul, Clark, Clarke, Daniels, Dennis, DeRossett, Drolet, George, Gosselin, Hardman, Howell, Hummel, Jacobs, Jamnick, Jelinek, Julian, Koetje, LaSata, Lemmons, McConico, Mead, Meyer, Minore, Mortimer, Murphy, Neumann, Newell, Pestka, Richardville, Richner, Rocca, Shackleton, Shulman, Stallworth, Tabor, Toy, Vander Roest, Vear, Voorhees, Whitmer and Zelenko were named co-sponsors to the joint resolution.

By unanimous consent the House returned to the order of

Messages from the Senate

The Speaker laid before the House

House Bill No. 5146, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 20155 (MCL 333.20155), as amended by 2000 PA 171.

(The bill was received from the Senate on December 5, with substitute (S-1), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until December 6, see House Journal No. 84, p. 2549.)

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. 732**Yeas—100**

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

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

The Speaker laid before the House

House Bill No. 4621, entitled

A bill to amend 1992 PA 147, entitled "Neighborhood enterprise zone act," by amending sections 2, 3, 9, 10, 11, and 12 (MCL 207.772, 207.773, 207.779, 207.780, 207.781, and 207.782), section 9 as amended by 1996 PA 449 and section 12 as amended by 1994 PA 391; and to repeal acts and parts of acts.

(The bill was received from the Senate on December 6, 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. 85, p. 2556.)

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. 733**Yeas—101**

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

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.

Third Reading of Bills**House Bill No. 4037, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 310 (MCL 257.310), as amended by 1998 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. 734**Yeas—103**

Adamini	Faunce	LaSata	Rocca
Allen	Frank	Lemmons	Schauer
Anderson	Garza	Lipsey	Scranton
Basham	George	Lockwood	Shackleton
Bernero	Gilbert	Mans	Sheltrown
Birkholz	Godchaux	McConico	Shulman

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

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

House Bill No. 5041, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 12 of chapter XVII (MCL 777.12), as amended by 2000 PA 459.

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

Roll Call No. 735**Yeas—101**

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

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

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 1927 PA 175, entitled “The code of criminal procedure,” by amending section 12 of chapter XVII (MCL 777.12), as amended by 2001 PA 104.

The motion prevailed.

The House agreed to the title as amended.

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

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

House Bill No. 4915, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending section 867 (MCL 168.867), as amended by 1980 PA 200.

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

Roll Call No. 736**Yeas—103**

Adamini	Faunce	LaSata	Rocca
Allen	Frank	Lipsey	Schauer
Anderson	Garza	Lockwood	Scranton
Basham	George	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	Pappageorge	Van Woerkom
Cassis	Jamnick	Patterson	Vander Roest
Caul	Jansen	Pestka	Vear
Clark, I.	Jelinek	Phillips	Voorhees
Clarke, H.	Johnson, Rick	Plakas	Waters
Daniels	Johnson, Ruth	Pumford	Whitmer
Dennis	Julian	Raczkowski	Williams
DeRossett	Koetje	Reeves	Wojno
DeVuyst	Kolb	Richardville	Woodward

DeWeese
Drolet
Ehardt

Kooiman
Kowall
Kuipers

Richner
Rison
Rivet

Woronchak
Zelenko

Nays—0

In The Chair: Julian

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

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

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 867 and 881 (MCL 168.867 and 168.881), section 867 as amended by 1980 PA 200 and section 881 as amended by 1995 PA 261.

The motion prevailed.

The House agreed to the title as amended.

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

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

House Bill No. 4162, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," (MCL 168.1 to 168.992) by adding section 659.

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

Roll Call No. 737

Yeas—105

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

Frank
Garza
George
Gilbert
Godchaux
Gosselin
Hager
Hale
Hansen
Hardman
Hart
Howell
Hummel
Jacobs
Jamnick
Jansen
Jelinek
Johnson, Rick
Johnson, Ruth
Julian
Koetje
Kolb
Kooiman
Kowall
Kuipers
LaSata

Lemmons
Lipsey
Lockwood
Mans
McConico
Mead
Meyer
Middaugh
Minore
Mortimer
Murphy
Neumann
Newell
O'Neil
Pappageorge
Patterson
Pestka
Phillips
Plakas
Pumford
Quarles
Rackowski
Reeves
Richardville
Richner
Rison

Rivet
Rocca
Schauer
Scranton
Shackleton
Sheltrown
Shulman
Spade
Stallworth
Stamas
Stewart
Switalski
Tabor
Thomas
Toy
Van Woerkom
Vander Roest
Vear
Voorhees
Waters
Whitmer
Williams
Wojno
Woodward
Woronchak
Zelenko

Nays—0

In The Chair: Julian

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

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

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 662 (MCL 168.662), as amended by 1999 PA 216, and by adding section 659.

The motion prevailed.

The House agreed to the title as amended.

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

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

House Bill No. 5330, 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 section 3 (MCL 205.3), as amended by 1986 PA 58.

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

Roll Call No. 738

Yeas—105

Adamini	Frank	Lemmons	Rivet
Allen	Garza	Lipsey	Rocca
Anderson	George	Lockwood	Schauer
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	Mortimer	Stamas
Bradstreet	Hart	Murphy	Stewart
Brown, B.	Howell	Neumann	Switalski
Brown, C.	Hummel	Newell	Tabor
Brown, R.	Jacobs	O'Neil	Thomas
Callahan	Jamnick	Pappageorge	Toy
Cassis	Jansen	Patterson	Van Woerkom
Caul	Jelinek	Pestka	Vander Roest
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	Reeves	Wojno
DeWeese	Kowall	Richardville	Woodward
Drolet	Kuipers	Richner	Woronchak
Ehardt	LaSata	Rison	Zelenko
Faunce			

Nays—0

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

House Bill No. 4987, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by amending section 2512 (MCL 339.2512), as amended by 2000 PA 436.

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

Roll Call No. 739

Yeas—105

Adamini	Frank	Lemmons	Rivet
Allen	Garza	Lipsey	Rocca
Anderson	George	Lockwood	Schauer
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	Mortimer	Stamas
Bradstreet	Hart	Murphy	Stewart
Brown, B.	Howell	Neumann	Switalski
Brown, C.	Hummel	Newell	Tabor
Brown, R.	Jacobs	O'Neil	Thomas
Callahan	Jamnack	Pappageorge	Toy
Cassis	Jansen	Patterson	Van Woerkom
Caul	Jelinek	Pestka	Vander Roest
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	Reeves	Wojno
DeWeese	Kowall	Richardville	Woodward
Drolet	Kuipers	Richner	Woronchak
Ehardt	LaSata	Rison	Zelenko
Faunce			

Nays—0

In The Chair: Julian

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

Senate Bill No. 819, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 9101 (MCL 324.9101), as amended by 2000 PA 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. 740**Yeas—105**

Adamini	Frank	Lemmons	Rivet
Allen	Garza	Lipsey	Rocca
Anderson	George	Lockwood	Schauer
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	Mortimer	Stamas
Bradstreet	Hart	Murphy	Stewart
Brown, B.	Howell	Neumann	Switalski
Brown, C.	Hummel	Newell	Tabor
Brown, R.	Jacobs	O'Neil	Thomas
Callahan	Jamnick	Pappageorge	Toy
Cassis	Jansen	Patterson	Van Woerkom
Caul	Jelinek	Pestka	Vander Roest
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	Reeves	Wojno
DeWeese	Kowall	Richardville	Woodward
Drolet	Kuipers	Richner	Woronchak
Ehardt	LaSata	Rison	Zelenko
Faunce			

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. Patterson moved that the bill be given immediate effect.

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

House Bill No. 5182, entitled

A bill to amend 1956 PA 217, entitled “Electrical administrative act,” by amending section 7 (MCL 338.887), as amended by 1992 PA 130.

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

Roll Call No. 741**Yeas—103**

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

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Second Reading of Bills

Senate Bill No. 478, 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 the title and sections 1, 1a, 2, 3, and 3a (MCL 28.241, 28.241a, 28.242, 28.243, and 28.243a), the title and sections 1 and 2 as amended by 1988 PA 40, section 1a as amended by 1996 PA 259, section 3 as amended by 1999 PA 266, and section 3a as amended by 1986 PA 231, and by adding section 8.

The bill was read a second time.

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

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

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

The motion prevailed.

Senate Bill No. 479, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16a of chapter IX (MCL 769.16a), as amended by 2000 PA 220.

The bill was read a second time.

Rep. Faunce moved to amend the bill as follows:

1. Amend page 3, line 1, after "in" by striking out "subsection (5)" and inserting "SUBSECTIONS (4) AND (6)".
2. Amend page 3, following line 18, by inserting:

"(4) UNLESS ORDERED BY THE COURT, THE CLERK OF A COURT IS NOT REQUIRED TO REPORT A CONVICTION OF A MISDEMEANOR OFFENSE FOR A VIOLATION OF SECTION 904(3)(A) OF THE MICHIGAN VEHICLE CODE, 1949 PA 300, MCL 257.904, OR A LOCAL ORDINANCE SUBSTANTIALLY CORRESPONDING TO SECTION 904(3)(A) OF THE MICHIGAN VEHICLE CODE, 1949 PA 300, MCL 257.904."

and renumbering the remaining subsections.

3. Amend page 4, following line 17, by inserting:

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

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

Rep. Faunce moved to amend the bill as follows:

1. Amend page 1, line 3, after "disposition" by inserting "of an original charge against a person".
2. Amend page 2, line 1, after "court" by inserting "entering the disposition".

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

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

The motion prevailed.

Senate Bill No. 502, entitled

A bill to amend 1945 PA 327, entitled "Aeronautics code of the state of Michigan," (MCL 259.1 to 259.208) by adding section 80f.

Was read a second time, and the question being on the adoption of the proposed amendment previously recommended by the Committee on Criminal Justice (for amendment, see House Journal No. 81, p. 2458),

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

Rep. Faunce moved to amend the bill as follows:

1. Amend page 3, line 26, by striking out "January" and inserting "April".

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

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

The motion prevailed.

Senate Bill No. 505, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 12 of chapter XVII (MCL 777.12), as amended by 2001 PA 104.

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

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

Rep. Faunce moved to substitute (H-3) the bill.

The motion prevailed and the substitute (H-3) was adopted, a majority of the members serving voting therefor.

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

The motion prevailed.

Senate Bill No. 721, 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 bill was read a second time.

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

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

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

The motion prevailed.

Senate Bill No. 722, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16a of chapter IX (MCL 769.16a), as amended by 2000 PA 220.

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

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

Rep. Faunce moved to amend the bill as follows:

1. Amend page 2, line 4, after "600.2950A," by inserting "OR FINAL DISPOSITION OF A CHARGE OF CRIMINAL CONTEMPT FOR VIOLATING A FOREIGN PROTECTION ORDER THAT SATISFIES THE CONDITIONS FOR VALIDITY PROVIDED IN SECTION 2950I OF THE REVISED JUDICATURE ACT OF 1961, 1961 PA 236, MCL 600.2950I."

2. Amend page 4, line 24, by striking out "April" and inserting "October".

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

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

The motion prevailed.

Senate Bill No. 725, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9948) by adding section 2972.

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. 83, p. 2515),

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

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

The motion prevailed.

Senate Bill No. 758, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 15 of chapter IV (MCL 764.15), as amended by 2000 PA 208.

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. 83, p. 2518),

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

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

The motion prevailed.

Senate Bill No. 677, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 629e (MCL 257.629e), as amended by 2000 PA 268.

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

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

Rep. LaSata moved to amend the bill as follows:

1. Amend page 3, line 7, after "MCL 28.614." by striking out the balance of the line through "(3)" on line 24.

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

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

The motion prevailed.

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

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

Associate Speaker Pro Tempore Ehardt assumed the Chair.

Rep. Vander Roest moved that Rep. Kooiman 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. 677, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 629e (MCL 257.629e), as amended by 2000 PA 268.

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

Roll Call No. 742

Yeas—97

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

Nays—5

Bradstreet	Gosselin	Johnson, Ruth	Voorhees
Drolet			

In The Chair: Ehardt

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. Patterson moved that the bill be given immediate effect.

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

Reps. Drolet and Gosselin having reserved the right to explain their protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

This bill is a tax increase. Its sole purpose is to raise more money from the taxpayers because we – their elected representatives – are too timid to make sufficient cuts to the state budget. This so-called ‘ticket tax’ will take about \$35 million from the taxpayers over the next three years. Meanwhile, the Strategic Fund budget will give away substantially more than that in corporate welfare over just one year. Likewise, more pork spending is concentrated in the newly created Department of History, Arts and Libraries, or the General Government budget, or any number of other places that I could name. Government wants this money, but it certainly does not need it.

Aside from the matter of need, there is the question of what this tax will do. Tourism is a big employer in this state, and tourism is presently in a national slump due to both the national economy and the international crisis. This tax on tickets is an additional \$10 per infraction. Motorists heading up to spend money in Traverse City will now pay an additional ten bucks if they want to get there just a little bit too fast. That’s ten dollars that won’t be spent in Traverse City, and ten dollars which will leave a bad taste in that tourist’s mouth the next time he or she thinks of that trip up north. ‘Ticket Tax’ is the wrong euphemism for this proposal. This is a ‘Tourism Tax’.

Very recently, the Attorney General of this state, and even some lawmakers, were critical of service station owners who were allegedly charging too much for gasoline. Hefty fines and even criminal sanctions were advocated for those who engaged in what was called ‘price gouging’. There was some debate back then over what would constitute ‘price gouging’, but there should be no such debate in this instance. This is price gouging by politicians. Where are the bills that would put us in jail?”

Second Reading of Bills

Senate Bill No. 808, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 907 (MCL 257.907), as amended by 1998 PA 103.

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

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 808, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 907 (MCL 257.907), as amended by 1998 PA 103.

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

Roll Call No. 743

Yeas—88

Adamini
Allen
Anderson
Basham
Birkholz

Frank
George
Gilbert
Godchaux
Hager

Lemmons
Lockwood
Mans
McConico
Mead

Rocca
Schauer
Scranton
Shackleton
Sheltrown

Bisbee	Hale	Meyer	Shulman
Bishop	Hansen	Middaugh	Spade
Bogardus	Hart	Minore	Stallworth
Bovin	Howell	Mortimer	Stamas
Bradstreet	Hummel	Neumann	Stewart
Brown, B.	Jacobs	Newell	Tabor
Brown, C.	Jamnick	O'Neil	Toy
Brown, R.	Jansen	Pappageorge	Van Woerkom
Callahan	Jelinek	Patterson	Vander Roest
Cassis	Johnson, Rick	Pestka	Vear
Caul	Julian	Phillips	Voorhees
Clarke, H.	Koetje	Plakas	Whitmer
DeRossett	Kolb	Pumford	Williams
DeVuyst	Kooiman	Rackowski	Wojno
DeWeese	Kowall	Richardville	Woodward
Ehardt	Kuipers	Richner	Woronchak
Faunce	LaSata	Rivet	Zelenko

Nays—16

Bernero	Drolet	Johnson, Ruth	Rison
Clark, I.	Garza	Lipsey	Switalski
Daniels	Gosselin	Murphy	Thomas
Dennis	Hardman	Reeves	Waters

In The Chair: Ehardt

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. Patterson moved that the bill be given immediate effect.

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

Associate Speaker Pro Tempore Julian resumed the Chair.

Second Reading of Bills

Senate Bill No. 490, entitled

A bill to amend 1975 PA 228, entitled “Single business tax act,” by amending section 35 (MCL 208.35), as amended by 2000 PA 429.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 4414, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 859, 1053, and 1059 (MCL 380.859, 380.1053, and 380.1059), section 1053 as amended by 1993 PA 9 and section 1059 as amended by 1992 PA 263.

The bill was read a second time.

Rep. Birkholz 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. 4414, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 859, 1053, and 1059 (MCL 380.859, 380.1053, and 380.1059), section 1053 as amended by 1993 PA 9 and section 1059 as amended by 1992 PA 263.

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

Roll Call No. 744**Yeas—105**

Adamini	Frank	Lemmons	Rivet
Allen	Garza	Lipsey	Rocca
Anderson	George	Lockwood	Schauer
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	Mortimer	Stamas
Bradstreet	Hart	Murphy	Stewart
Brown, B.	Howell	Neumann	Switalski
Brown, C.	Hummel	Newell	Tabor
Brown, R.	Jacobs	O'Neil	Thomas
Callahan	Jamnick	Pappageorge	Toy
Cassis	Jansen	Patterson	Van Woerkom
Caul	Jelinek	Pestka	Vander Roest
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	Reeves	Wojno
DeWeese	Kowall	Richardville	Woodward
Drolet	Kuipers	Richner	Woronchak
Ehardt	LaSata	Rison	Zelenko
Faunce			

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Messages from the Governor

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

Date: December 11, 2001
Time: 10:45 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4868 (Public Act No. 173, I.E.), being

An act to amend 1909 PA 279, entitled “An act to provide for the incorporation of cities and for revising and amending their charters; to provide for certain powers and duties; to provide for the levy and collection of taxes by cities, borrowing of money, and issuance of bonds or other evidences of indebtedness; to validate actions taken, bonds issued, and obligations heretofore incurred; to prescribe penalties and provide remedies; and to repeal acts and parts of acts on specific dates,” by amending sections 5i and 35a (MCL 117.5i and 117.35a), section 5i as added by 1994 PA 431.

(Filed with the Secretary of State December 11, 2001, at 4:15 p.m.)

Date: December 11, 2001
Time: 11:00 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4753 (Public Act No. 174, I.E.), being

An act to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts,” by amending section 2131 (MCL 324.2131), as added by 1995 PA 60.

(Filed with the Secretary of State December 11, 2001, at 4:17 p.m.)

Date: December 11, 2001
Time: 11:05 a.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4448 (Public Act No. 175), being

An act to amend 1961 PA 236, entitled “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,” by amending section 6013 (MCL 600.6013), as amended by 1993 PA 78.

(Filed with the Secretary of State December 11, 2001, at 4:19 p.m.)

Date: December 11, 2001
Time: 1:00 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5013 (Public Act No. 176, I.E.), being

An act to amend 1994 PA 451, entitled “An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts,” (MCL 324.101 to 324.90106) by adding part 82.

(Filed with the Secretary of State December 11, 2001, at 4:21 p.m.)

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Callahan, Phillips, Adamini, Whitmer, Minore, Rivet, Hale, Kolb, Plakas, Wojno, Spade, Bogardus, O'Neil, Bernero, Schauer, Neumann, Rich Brown, Murphy, Hardman, Dennis, Woodward, Basham, Jacobs, Thomas, Lipsey, Anderson, Lemmons, Julian, DeVuyst, Shulman, Kilpatrick, Woronchak, Mans, Hansen, Bovin, Gielegem, Sheltroun, Zelenko, Pestka, Jamnick, Switalski, Meyer, Clark, Rocca, Clarke, DeWeese and Richardville offered the following resolution:

House Resolution No. 279.

A resolution calling for expanded efforts to bring relief to unemployed workers.

Whereas, President Bush has gone on record in support of legislation to improve unemployment benefits for certain workers impacted by the September 11th attacks. This recognition of the importance of helping workers who have lost their jobs through no fault of their own is an appropriate reflection of the significance of unemployment insurance to our state and national economies; and

Whereas, The Michigan Legislature, through 1995 PA 25, froze the maximum amount of weekly unemployment insurance (UI) benefits at \$300 per week by removing the rate from an automatic indexing formula tied to wages; and

Whereas, As wages increased for workers during their periods of employment, UI benefits remained the same when they were laid off. As a result, corporations and other business employers saved millions of dollars in unemployment insurance costs over the years; and

Whereas, The freeze on unemployment benefit levels has drastically lowered Michigan's responsiveness to the needs of working families, especially as benefit levels are now compared to other states; and

Whereas, Almost every working family can relate to this injustice to Michigan workers through a relative, a friend, or a neighbor who is currently laid off or will be in the very near future. Unemployment insurance and benefit levels are issues of great concern for working families. This is a concern that goes beyond partisanship. It is a universal pocketbook issue that affects all unemployed workers in the same way—adapting to the challenge of providing for a family when regular paychecks stop; and

Whereas, The Michigan Legislature has the opportunity to follow up on the President's call for economic stimulus by adopting legislation that would deliver a tremendous economic boost to Michigan's slowing economy by removing the freeze on unemployment insurance benefits for workers victimized by the economy. This single legislative act, coupled with leadership from the federal government in extending the length of time for unemployment benefits, would shift millions of dollars in unemployment insurance breaks from the coffers of corporations to the household budgets of Michigan families. Unemployed workers would immediately begin injecting the money into the Michigan economy for the basics of life that their families need; now, therefore, be it

Resolved by the House of Representatives, That we call for expanded efforts to bring relief to unemployed workers; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

The resolution was referred to the Committee on Employment Relations, Training and Safety.

Reps. Kooiman, Vander Roest, Toy, Voorhees, Van Woerkom, Faunce, Mead, Julian, Bishop, DeVuyst, Shulman, Kuipers, Raczkowski, Ehardt, Woodward, Gosselin, Thomas, Hansen, Cassis, Bovin, Hale, Gielegem, Sheltroun, Jansen, Lemmons, Zelenko, Wojno, Rich Brown, Pestka, Jamnick, Spade, Anderson, Switalski, George, Meyer, Hardman, Neumann, Jacobs, Rocca, Pappageorge, Clarke, DeWeese, Koetje and Birkholz offered the following resolution:

House Resolution No. 280.

A resolution congratulating Cornerstone University on its 60th anniversary.

Whereas, We are proud to recognize the outstanding role Cornerstone University, located in Grand Rapids, has played in educating our young people over the past 60 years. As the students, faculty, administration, alumni, and the numerous friends of the Cornerstone University family celebrate their faith and the triumphs they have shared during the past 60 years, we are pleased to add our voice of thanks for the many ways in which Cornerstone University has touched and enriched not only its student body and alumni, but also the entire community of Grand Rapids; and

Whereas, Since its inception in 1941, at the Wealthy Street Baptist Church, the university has been committed to the Bible as God's infallible Word as the authority for life. Cornerstone University, which began with 200 students, now has nearly 2,400 undergraduate students in 75 academic programs including arts, sciences, humanities, religion, teacher education, computers, and business and continues to enable individuals to apply unchanging biblical principles in a rapidly changing world; and

Whereas, The world today is a much different place than it was 60 years ago. The students who fill the classrooms now face a world in which change will likely occur even faster. While they utilize tools to help them learn what their grandparents could never have imagined, they will need many of the same skills of generations past. These skills

include the ability to think clearly, make decisions based on reason, and to accept the responsibilities we all share as unselfish citizens. In this way, the impact that Cornerstone University has had over the years will only grow stronger; and

Whereas, Dr. Rex M. Rogers is the 7th president in the history of Cornerstone University and under his transformational leadership Cornerstone University has experienced significant growth in mission and in the number of students enrolled. Dr. Rogers continually challenges Cornerstone's students, faculty, alumni, and individuals in our community to make a difference; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body congratulate Cornerstone University on its 60th anniversary. We add our thanks and prayers for God's blessing on this momentous occasion; and be it further

Resolved, That a copy of this resolution be transmitted to Cornerstone University as a token of our esteem and gratefulness for their ministry.

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. Woodward, Cameron Brown, Vander Roest, Julian, Bishop, DeVuyst, Shulman, Kilpatrick, Raczkowski, Woronchak, Ehardt, Thomas, Hansen, Dennis, Schauer, Bovin, Adamini, Hale, Gielegem, Sheltroun, Bogardus, Lemmons, Callahan, Lockwood, Kolb, Zelenko, Wojno, Rich Brown, Jamnick, Spade, Basham, Anderson, Switalski, Meyer, Minore, Hardman, Neumann, Clark, Jacobs, Rocca, Pappageorge, Clarke and DeWeese offered the following resolution:

House Resolution No. 281.

A resolution to memorialize the Congress of the United States to increase the number of customs inspectors at Michigan's international border crossings.

Whereas, The events of September 11, 2001, have shattered the illusion that past practices are adequate when it comes to security issues. One of the most important elements of security for our state is the need for stronger and more thorough measures at Michigan's international points of entry. While some people have long called for increased resources at border crossings, there is little disputing the significance of this now; and

Whereas, Because of its unique and mutually beneficial relationship with Ontario, Michigan includes some of the busiest crossing points along the entire United States-Canada border. In addition to the number of people who cross the border each year, the amount of equipment and goods here far surpasses the traffic in other regions. The importance of free trade to both our countries is reflected in the volume of material that comes into Michigan each day; and

Whereas, Although there may eventually be other ways to heighten security at border crossings with new technologies and other strategies, the most effective, immediate, and practical approach to take is to increase significantly the number of customs agents working at entry points. No single step offers a greater return than putting more trained and dedicated customs agents at our international border crossings. In addition to the added measure of security from better inspections and examinations of people and goods entering the country, the increased staffing would also bring benefits by reducing delays as much as is practical; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to increase the number of customs inspectors at Michigan's international border crossings; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

The resolution was referred to the Committee on Commerce.

Reps. Spade, Vander Roest, Voorhees, Julian, Bishop, DeVuyst, Shulman, Kuipers, Kilpatrick, Raczkowski, Woronchak, Ehardt, Woodward, Thomas, Hansen, Dennis, Schauer, Bovin, Adamini, Hale, Gielegem, Sheltroun, Bogardus, Lemmons, Callahan, Lockwood, Kolb, Zelenko, Wojno, Rich Brown, Jamnick, Basham, Anderson, Switalski, Meyer, Minore, Hardman, Neumann, Clark, Jacobs, Rocca, Pappageorge, DeWeese, Kowall and Richardville offered the following resolution:

House Resolution No. 282.

A resolution to urge United States and Canadian customs officials to consider relocating customs for border crossings so that inspections take place before the border is crossed.

Whereas, The need for increased security in the wake of the terrorist attacks of September 11, 2001, and subsequent threats includes a significant need for greater efforts at our nation's international border crossings. Much of the need is focused on the crossings along the border shared by Canada and the United States, the world's longest unmilitarized border; and

Whereas, Some of the busiest border crossing points with our northern neighbor are between Michigan and Ontario. In addition to handling a large number of people, these crossings accommodate a very large volume of goods and equipment. The economies of our two nations, our states and provinces, and local units of government are dependent upon not only a secure border, but also upon the smooth passage of people and goods; and

Whereas, The wonderful relationship between the United States and Canada offers a unique opportunity to consider a new approach to customs inspections. Instead of the current practice of inspecting travelers and equipment after entering the new country and after vulnerable bridges or tunnels have been traversed, customs inspections may be more effective if the inspection takes place before the border is crossed. The security of both countries could be strengthened through the greater cooperation this would require. Such a move may prove to be an effective deterrent in some situations. This is an idea worth serious consideration as a potential safeguard for both of our nations; now, therefore, be it

Resolved by the House of Representatives, That we urge United States and Canadian customs officials to consider relocating customs for border crossings so that inspections take place before the border is crossed; and be it further

Resolved, That copies of this resolution be transmitted to the United States Customs Service of the Department of Treasury and to the United States Department of State to forward to Canadian customs authorities.

The resolution was referred to the Committee on Commerce.

Reps. Zelenko, Cameron Brown, Vander Roest, Toy, Voorhees, Julian, Bishop, DeVuyst, Shulman, Kuipers, Kooiman, Kilpatrick, Raczkowski, Ehardt, Woodward, Mans, Thomas, Hansen, Cassis, Dennis, Schauer, Bovin, Adamini, Hale, Gielegem, Sheltroun, Bogardus, Lemmons, Callahan, Lockwood, Kolb, Wojno, Rich Brown, Jamnick, Spade, Basham, Anderson, Switalski, Meyer, Minore, Hardman, Neumann, Clark, Jacobs, Rocca, Pappageorge, Clarke, DeWeese, Kowall and Richardville offered the following resolution:

House Resolution No. 283.

A resolution to memorialize the Congress of the United States to provide a program of low-interest loans for military personnel called to active duty.

Whereas, The recent events in our country have served to remind us of the degree to which our nation relies upon the sacrifices of our men and women in the military. With the call to active duty of thousands of members of National Guard and reserve units for overseas deployment and an increasing range of domestic security assignments, it is clear that our military strength is rooted in both the professional ranks and those working in civilian life while serving as ready reserves; and

Whereas, The men and women called to active duty to help the country respond to a crisis such as we have faced since September 11, 2001, do so at great cost to their families and, often, their careers. The uncertain length of the activation in the current situation can make the return to active duty a devastating blow to the finances of a family or a small business. When the person called to duty is the primary breadwinner in a family, for example, as is often the case, the family can face many difficulties. The mortgage payments, food and utility bills, and costs of raising children do not go away when the regular paycheck is replaced by a military paycheck that is usually far less; and

Whereas, While it would be impossible to cover the entire burden facing many families, it would be helpful for the federal government to do all it can to address this issue. A low-interest loan program for those whose active duty pay is less than civilian levels can provide short-term help with the monthly bills. For families who have sent someone to fight terrorism, whether overseas or on assignments at airports or border crossings, this would be an appropriate step to take; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to provide a program of low-interest loans for military personnel called to active duty; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

The resolution was referred to the Committee on Veterans Affairs.

Reps. Kowall, Drolet, Rocca, Callahan, DeVuyst, Basham, Vander Roest, Toy, Voorhees, Faunce, Mead, Julian, LaSata, Shulman, Kuipers, Kooiman, Kilpatrick, Raczkowski, Ehardt, Mans, Gosselin, Thomas, Cassis, Hale, Bogardus, Lemmons, Lockwood, Zelenko, Rich Brown, Jamnick, Spade, Switalski, Meyer, Neumann, Jacobs, Hager, Pappageorge, Clarke, DeWeese, Koetje and Richardville offered the following resolution:

House Resolution No. 284.

A resolution to commend and congratulate the Huron-Clinton Metropolitan Authority commissioners for their efforts in urban deer management.

Whereas, The Huron-Clinton Metropolitan Authority (HCMA) commissioners are to be commended for their endeavors to manage an urban deer population through close cooperation with various conservation groups; and

Whereas, In the fall of 1997, the problems of a growing deer population became evident through noticed damage to the forest understories, landscape planting, and loss of individual plant species; and

Whereas, The commissioners of the HCMA took a leadership role to address this controversial issue concerning urban deer management at one of the largest regional park systems in the country and the largest regional park system in Michigan; and

Whereas, In March of 1998, the commissioners established a Metroparks Wildlife Management Advisory Committee, consisting of representatives of the Michigan Department of Natural Resources (MDNR), Michigan United Conservation Clubs, Michigan Humane Society, Michigan Botanical Society, Michigan Audubon Society, Michigan Natural Areas Council, Michigan Bowhunters Association/United Sportsmen of America, and two wildlife photographers; and

Whereas, The advisory committee was directed to analyze the problem and recommend a wildlife management plan that would repair and maintain the biodiversity within the metroparks, while maintaining a visible deer herd; and

Whereas, The HCMA commissioners have ensured that the public has had many opportunities for input on this issue, not only at their monthly commission meetings, but at a series of public information meetings held in the spring and summer of 1999; and

Whereas, As stewards of the parks and the natural resources of the parks, the commissioners have a responsibility to manage for the benefit of the entire natural ecosystem of the parks and not just for the benefit of an individual species; and

Whereas, After an exhaustive study of both lethal and nonlethal methods of controlling deer populations, the commissioners approved a plan based upon sound scientific wildlife management principles; and

Whereas, The plan provides for organized deer management using firearms and archery as management tools. It utilizes partnerships with various conservation groups and requires the distribution of harvested meat through Sportsmen Against Hunger. Any deer removed under special permits issued to HCMA by the MDNR will be donated to area food banks; and

Whereas, That plan, which was first adopted for one year in 1999 and now as a permanent and long-term management policy, allows deer populations in the metroparks to be managed using lethal methods; and

Whereas, The safety of the public, volunteers, and employees will remain the highest priority with strict adherence to state safety guidelines and proficiency testing of volunteers; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body commend and congratulate the Huron-Clinton Metropolitan Authority commissioners for adopting a balanced program of natural resource management and deer population control. This program will benefit the citizens of Michigan and the entire natural ecosystem of the parks for many years to come; and be it further

Resolved, That copies of this resolution be transmitted to the Huron-Clinton Metropolitan Authority commissioners as a reflection of our support for their efforts.

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.

Quorum Call

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

The motion prevailed.

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

The following is the roll call:

Roll Call No. 745

Yeas—99

Adamini	Garza	Lipsey	Rivet
Allen	George	Lockwood	Rocca
Anderson	Gilbert	Mans	Schauer
Basham	Gosselin	McConico	Shackleton
Bernero	Hager	Mead	Sheltrown
Birkholz	Hale	Meyer	Shulman
Bisbee	Hansen	Middaugh	Spade

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

In The Chair: Julian

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

Messages from the Senate

The Speaker laid before the House

House Bill No. 5189, entitled

A bill to enter into the interstate emergency management assistance compact.

(The bill was received from the Senate on November 27, with substitute (S-1) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until November 28, see House Journal No. 80, p. 2406.)

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

Rep. Ehardt moved to substitute (H-3) the Senate substitute (S-1).

The motion prevailed and the substitute (H-3) 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,

The substitute (S-1), as substituted (H-3), was concurred in, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 746

Yeas—101

Adamini	Faunce	Kuipers	Rison
Allen	Frank	LaSata	Rocca
Anderson	Garza	Lemmons	Schauer
Basham	George	Lipsey	Scranton
Bernero	Gilbert	Lockwood	Shackleton
Birkholz	Godchaux	Mans	Sheltrown
Bisbee	Gosselin	McConico	Shulman
Bishop	Hager	Mead	Spade
Bogardus	Hale	Meyer	Stallworth

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

Nays—1

Rackowski

In The Chair: Julian

Reps. Basham, Birkholz, Cassis, Caul, Daniels, George, Hardman, Jacobs, Jelinek, Julian, Lemmons, Lipsey, Lockwood, McConico, Mead, Meyer, Newell, O'Neil, Pappageorge, Plakas, Pumford, Richardville, Schauer, Shackleton, Shulman, Stamas, Stewart, Vander Roest and Voorhees were named co-sponsors of the bill.

Second Reading of Bills

Senate Bill No. 76, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 507 (MCL 600.507), as amended by 1994 PA 138.

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Civil Law and the Judiciary (for amendments, see House Journal No. 85, p. 2606),

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 76, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 507 (MCL 600.507), as amended by 1994 PA 138.

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

Roll Call No. 747

Yeas—102

Adamini	Frank	Lipsey	Rocca
Allen	Garza	Lockwood	Schauer
Anderson	George	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	Pappageorge	Toy
Callahan	Jamnick	Patterson	Van Woerkom
Cassis	Jansen	Pestka	Vander Roest
Caul	Jelinek	Phillips	Vear
Clark, I.	Johnson, Rick	Plakas	Voorhees
Daniels	Johnson, Ruth	Pumford	Waters
Dennis	Julian	Rackowski	Whitmer
DeRossett	Koetje	Reeves	Williams
DeVuyst	Kooiman	Richardville	Wojno
DeWeese	Kowall	Richner	Woodward
Drolet	Kuipers	Rison	Woronchak
Ehardt	LaSata	Rivet	Zelenko
Faunce	Lemmons		

Nays—1

Clarke, H.

In The Chair: Julian

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

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

The House agreed to the full title.

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

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

Second Reading of Bills

Senate Bill No. 674, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” (MCL 500.100 to 500.8302) by adding section 221.

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

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

Rep. Richardville moved to amend the bill as follows:

1. Amend page 2, line 4, after “PRIVILEGED.” by inserting “A PERSON INVOLVED IN PREPARING AN INSURANCE COMPLIANCE SELF-EVALUATIVE AUDIT OR INSURANCE COMPLIANCE SELF-EVALUATIVE AUDIT DOCUMENT, WHO BECOMES AWARE OF ANY ALLEGED CRIMINAL VIOLATION OF THIS ACT SHALL REPORT THAT ACT TO THE INSURER. WITHIN 30 DAYS AFTER RECEIVING THE REPORT, THE INSURER SHALL PROVIDE THE INFORMATION TO THE COMMISSIONER.”.

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

The demand was supported.

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

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

Roll Call No. 748**Yeas—73**

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

Nays—30

Adamini	Hale	Minore	Stallworth
Anderson	Hansen	Murphy	Thomas
Bovin	Hardman	Phillips	Waters
Brown, R.	Jamnick	Plakas	Whitmer
Clark, I.	Kolb	Quarles	Williams
Clarke, H.	Lemmons	Rison	Woodward
Daniels	Lipsey	Sheltrown	Zelenko
Garza	McConico		

In The Chair: Julian

Reps. LaSata and Shulman moved to amend the bill as follows:

1. Amend page 6, following line 10, by inserting:

“(D) DOCUMENTS, COMMUNICATION, DATA, REPORTS, MEMORANDA, DRAWINGS, PHOTOGRAPHS, EXHIBITS, COMPUTER RECORDS, MAPS, CHARTS, GRAPHS, AND SURVEYS KEPT OR PREPARED IN THE ORDINARY COURSE OF BUSINESS.”.

2. Amend page 7, line 4, after “OR” by striking out “DEVELOPED FOR THE PRIMARY PURPOSE AND” and inserting “PREPARED”.

3. Amend page 7, line 6, after “AUDIT” by inserting “OR ATTACHED AS AN EXHIBIT TO THE AUDIT”.

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

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

Rep. Woodward moved to amend the bill as follows:

1. Amend page 2, line 4, after "PRIVILEGED." by inserting "A PERSON INVOLVED IN PREPARING AN INSURANCE COMPLIANCE SELF-EVALUATIVE AUDIT OR INSURANCE COMPLIANCE SELF-EVALUATIVE AUDIT DOCUMENT WHO BECOMES AWARE OF ANY ACT THAT VIOLATES ANY CRIMINAL LAWS OF THIS STATE SHALL REPORT THAT ACT TO THE ATTORNEY GENERAL WITHIN 30 DAYS OF BECOMING AWARE OF THE ACT. A PERSON WHO PROVIDES INFORMATION TO THE ATTORNEY GENERAL UNDER THIS SUBSECTION IS ENTITLED TO THE PROTECTION OF THE WHISTLEBLOWERS' PROTECTION ACT, 1980 PA 469, MCL 15.361 TO 15.369."

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

Rep. Woodward demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 749

Yeas—50

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

Nays—54

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

In The Chair: Julian

Rep. Daniels moved to amend the bill as follows:

1. Amend page 6, line 15, after "ASSESSMENT," by striking out the balance of the subdivision and inserting "OR AUDIT CONDUCTED BY OR ON BEHALF OF AN INSURER LICENSED OR REGULATED UNDER THIS ACT OF THE INSURER'S FINANCIAL RECORDS, ACCOUNTS, OR PROCEDURES."

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

The demand was supported.

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

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

Roll Call No. 750**Yeas—49**

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

Nays—54

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

In The Chair: Julian

Rep. Woodward moved to amend the bill as follows:

1. Amend page 6, following line 12, by inserting:

“(15) THE PRIVILEGES PROVIDED UNDER SUBSECTIONS (1) AND (2) APPLY ONLY TO LIFE INSURERS AND ONLY FOR THE PURPOSE OF SEEKING OR RETAINING CERTIFICATION BY THE INSURANCE MARKETING STANDARDS ASSOCIATION.” and renumbering the remaining subsection.

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

Rep. Woodward demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 751**Yeas—42**

Adamini	Daniels	McConico	Spade
Anderson	Dennis	Minore	Stallworth
Basham	Frank	Pestka	Switalski
Bernero	Garza	Phillips	Thomas
Bogardus	Hale	Plakas	Waters
Bovin	Hansen	Reeves	Whitmer
Brown, B.	Hardman	Rison	Williams
Brown, R.	Jacobs	Rivet	Wojno
Callahan	Lemmons	Schauer	Woodward
Clark, I.	Lipsey	Sheltrown	Zelenko
Clarke, H.	Lockwood		

Nays—57

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

In The Chair: Julian

Rep. Woodward moved to amend the bill as follows:

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

“(C) IF A COURT, AFTER AN IN CAMERA REVIEW, REQUIRES DISCLOSURE AFTER DETERMINING 1 OR MORE OF THE FOLLOWING:

(i) THE PRIVILEGE ASSERTED WOULD CAUSE SUBSTANTIAL INJURY TO THE PUBLIC INTEREST.

(ii) THERE IS EVIDENCE THAT THE INSURER ASSERTING THE PRIVILEGE HAS ENGAGED IN BAD FAITH DEALING WITH POLICY HOLDERS.

(iii) THERE IS EVIDENCE THAT THE INSURER ASSERTING THE PRIVILEGE HAS VIOLATED CHAPTER 20 OR OTHERWISE ENGAGED IN ILLEGAL CONDUCT.”.

2. Amend page 6, following line 12, by inserting:

“(15) THE PRIVILEGES PROVIDED UNDER SUBSECTIONS (1) AND (2) APPLY ONLY TO LIFE INSURERS AND ONLY FOR THE PURPOSE OF SEEKING OR RETAINING CERTIFICATION BY THE INSURANCE MARKETING STANDARDS ASSOCIATION.” and renumbering the remaining subsection.

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

Rep. Woodward demanded the yeas and nays.

The demand was supported.

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

After debate,

Rep. Ehardt demanded the previous question.

The demand was supported.

The question being, "Shall the main question now be put?"

The previous question was ordered.

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

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

Roll Call No. 752**Yeas—45**

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

Nays—56

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

In The Chair: Julian

Rep. Woodward moved to amend the bill as follows:

1. Amend page 1, line 8, after "THAT" by striking out "AUDIT OR".

2. Amend page 1, line 9, after "PROCEEDING." by striking the balance of the subsection and inserting "THE PRIVILEGE DESCRIBED IN THIS SUBSECTION APPLIES ONLY WITH REGARD TO THE INSURANCE COMPLIANCE SELF-EVALUATIVE AUDIT DOCUMENT, AND DOES NOT APPLY TO DOCUMENTS, RECORDS, FINDINGS, OR INFORMATION USED OR EXAMINED IN PREPARING THAT DOCUMENT.".

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

Rep. Woodward demanded the yeas and nays.

The demand was supported.

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

After debate,

Rep. Ehardt demanded the previous question.

The demand was supported.

The question being, "Shall the main question now be put?"

The previous question was ordered.

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

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

Roll Call No. 753

Yeas—49

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

Nays—56

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

In The Chair: Julian

Rep. Woodward moved to amend the bill as follows:

1. Amend page 6, line 23, after "AUDIT." by striking out the balance of the subdivision and inserting "AN INSURANCE COMPLIANCE SELF-EVALUATIVE AUDIT DOCUMENT DOES NOT INCLUDE ANY DOCUMENTS, RECORDS, FINDINGS, OR INFORMATION OF ANY TYPE THAT COULD OTHERWISE BE DISCOVERABLE IN A CIVIL, CRIMINAL, OR ADMINISTRATIVE PROCEEDING, EVEN IF THOSE DOCUMENTS, RECORDS, FINDINGS, OR OTHER INFORMATION WERE USED, EXAMINED, OR INCORPORATED AS A PART OF AN INSURANCE COMPLIANCE AUDIT."

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

Rep. Woodward demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 754**Yeas—47**

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

Nays—57

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

In The Chair: Julian

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills**Senate Bill No. 674, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 221.

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

Roll Call No. 755**Yeas—62**

Allen	Gilbert	LaSata	Rocca
Basham	Godchaux	Mans	Schauer
Birkholz	Gosselin	Mead	Scranton
Bisbee	Hager	Meyer	Shackleton
Bishop	Hart	Middaugh	Shulman

Bradstreet	Howell	Mortimer	Stamas
Brown, C.	Hummel	Newell	Stewart
Cassis	Jansen	O'Neil	Switalski
Caul	Jelinek	Pappageorge	Tabor
DeRossett	Johnson, Rick	Patterson	Toy
DeVuyst	Johnson, Ruth	Pumford	Van Woerkom
DeWeese	Julian	Rackowski	Vander Roest
Drolet	Koetje	Richardville	Vear
Ehardt	Kooiman	Richner	Voorhees
Faunce	Kowall	Rivet	Woronchak
George	Kuipers		

Nays—43

Adamini	Dennis	Lockwood	Sheltrown
Anderson	Frank	McConico	Spade
Bernero	Garza	Minore	Stallworth
Bogardus	Hale	Murphy	Thomas
Bovin	Hansen	Neumann	Waters
Brown, B.	Hardman	Pestka	Whitmer
Brown, R.	Jacobs	Phillips	Williams
Callahan	Jamnick	Plakas	Wojno
Clark, I.	Kolb	Quarles	Woodward
Clarke, H.	Lemmons	Reeves	Zelenko
Daniels	Lipsey	Rison	

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 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 repeal acts and parts of acts; and to provide penalties for the violation of this act.”

The House agreed to the full title.

Second Reading of Bills

Senate Bill No. 764, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 508, 803, and 8134 (MCL 600.508, 600.803, and 600.8134), section 803 as amended by 1998 PA 55 and section 8134 as amended by 1987 PA 75.

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. 85, p. 2607), The amendment was adopted, a majority of the members serving voting therefor.

Rep. Howell moved to amend the bill as follows:

1. Amend page 2, line 26, by striking out all of line 26.
2. Amend page 3, line 16, after “~~years.~~” by inserting “THE FOLLOWING NUMBER OF JUDGES OF PROBATE: (A) UNTIL SUBDIVISION (B) TAKES EFFECT, THE COUNTY OF WAYNE SHALL HAVE 9 JUDGES OF PROBATE. (B) THE COUNTY OF WAYNE SHALL HAVE 8 JUDGES OF PROBATE BEGINNING ON THE EARLIEST OF THE FOLLOWING DATES: (i) UPON THE EXPIRATION OF THE TERM OF AN INCUMBENT PROBATE JUDGE WHO IS ELIGIBLE TO SEEK REELECTION BUT WHO DOES NOT FILE BY AFFIDAVIT TO SEEK REELECTION TO THAT OFFICE OR WHO WITHDRAWS WITHIN 3 DAYS AFTER FILING BY AFFIDAVIT TO SEEK REELECTION TO THAT OFFICE. (ii) UPON THE EXPIRATION OF THE TERM OF AN INCUMBENT PROBATE JUDGE WHO IS NOT ELIGIBLE TO SEEK REELECTION TO THAT OFFICE.”.

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

Rep. Minore moved to amend the bill as follows:

1. Amend page 1, line 4, after “2003” by striking out the balance of the section and inserting a period.
2. Amend page 2, line 5, after “probate.” by striking out the balance of the subsection.
3. Amend page 2, line 7, after “of” by inserting “Genesee,”.
4. Amend page 2, line 7, after “Macomb” by inserting a comma.
5. Amend page 2, line 8, after “probate.” by striking out the balance of the subsection.

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. 756

Yeas—46

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

Nays—56

Allen	George	Kooiman	Richner
Birkholz	Gilbert	Kowall	Rocca
Bisbee	Godchaux	Kuipers	Scranton

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

In The Chair: Julian

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

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

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

Senate Bill No. 764, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 508, 803, and 8134 (MCL 600.508, 600.803, and 600.8134), section 803 as amended by 1998 PA 55 and section 8134 as amended by 1987 PA 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. 757

Yeas—105

Adamini	Frank	Lemmons	Rivet
Allen	Garza	Lipsey	Rocca
Anderson	George	Lockwood	Schauer
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	Mortimer	Stamas
Bradstreet	Hart	Murphy	Stewart
Brown, B.	Howell	Neumann	Switalski
Brown, C.	Hummel	Newell	Tabor
Brown, R.	Jacobs	O'Neil	Thomas
Callahan	Jamnick	Pappageorge	Toy
Cassis	Jansen	Patterson	Van Woerkom
Caul	Jelinek	Pestka	Vander Roest
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	Reeves	Wojno

DeWeese
Drolet
Ehardt
Faunce

Kowall
Kuipers
LaSata

Richardville
Richner
Rison

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

The House agreed to the full title.

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

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

Second Reading of Bills

Senate Bill No. 765, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 504 (MCL 600.504), 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. 85, p. 2607),

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

Rep. Waters moved to amend the bill as follows:

1. Amend page 1, line 4, after “JUDGES” by inserting a comma and “AS RECOMMENDED BY THE SUPREME COURT’S JUDICIAL RESOURCES REPORT ISSUED PURSUANT TO SECTION 11 OF ARTICLE VI OF THE STATE CONSTITUTION OF 1963”.

2. Amend page 1, line 6, after “2003,” by striking out the balance of the line through “2005,” on line 7.

3. Amend page 1, line 8, by striking out all of subdivision (C).

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

Rep. Waters demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 758

Yeas—51

Adamini
Anderson
Basham
Bernero
Bogardus
Bovin
Brown, B.
Brown, R.

Frank
Garza
Hale
Hansen
Hardman
Jacobs
Jamnick
Kolb

Minore
Neumann
O’Neil
Patterson
Phillips
Plakas
Quarles
Reeves

Spade
Stallworth
Stewart
Thomas
Toy
Waters
Whitmer
Williams

Callahan	Lemmons	Richner	Wojno
Clark, I.	Lipsey	Rison	Woodward
Clarke, H.	Lockwood	Rivet	Woronchak
Daniels	Mans	Schauer	Zelenko
Dennis	McConico	Sheltrown	

Nays—51

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

In The Chair: Julian

Rep. Richner moved to amend the bill as follows:

1. Amend page 1, line 7, after “2005,” by striking out “62” and inserting “63”.

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills**Senate Bill No. 765, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 504 (MCL 600.504), 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. 759**Yeas—55**

Allen	George	Kooiman	Rocca
Birkholz	Gilbert	Kuipers	Scranton
Bisbee	Godchaux	LaSata	Shackleton
Bishop	Gosselin	Mead	Sheltrown
Bradstreet	Hager	Meyer	Shulman
Brown, C.	Hart	Middaugh	Spade
Callahan	Howell	Mortimer	Stamas
Caul	Hummel	Newell	Switalski
DeRossett	Jansen	Pappageorge	Tabor
DeVuyst	Jelinek	Pestka	Van Woerkom

DeWeese	Johnson, Rick	Pumford	Vander Roest
Drolet	Johnson, Ruth	Raczkowski	Vear
Ehardt	Julian	Richardville	Voorhees
Faunce	Koetje	Rivet	

Nays—47

Anderson	Garza	McConico	Schauer
Basham	Hale	Minore	Stallworth
Bernero	Hansen	Murphy	Stewart
Bogardus	Hardman	Neumann	Thomas
Bovin	Jacobs	O'Neil	Toy
Brown, B.	Jamnick	Patterson	Waters
Cassis	Kolb	Phillips	Whitmer
Clark, I.	Kowall	Plakas	Williams
Clarke, H.	Lemmons	Quarles	Woodward
Daniels	Lipsey	Reeves	Woronchak
Dennis	Lockwood	Richner	Zelenko
Frank	Mans	Rison	

In The Chair: Julian

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

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

The House agreed to the full title.

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

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

Second Reading of Bills**Senate Bill No. 786, entitled**

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 8121 (MCL 600.8121), as amended by 2000 PA 449.

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. 85, p. 2607),

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

Rep. McConico moved to amend the bill as follows:

1. Amend page 4, line 3, after “has” by striking out “1 JUDGE” and inserting “2 judges”.

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

Rep. McConico demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 760**Yeas—50**

Adamini	DeWeese	Minore	Schauer
Anderson	Garza	Murphy	Sheltrown
Basham	Hale	Neumann	Spade

Bernero	Hansen	O'Neil	Stallworth
Bogardus	Hardman	Patterson	Stewart
Bovin	Jacobs	Phillips	Thomas
Brown, B.	Jamnick	Plakas	Toy
Brown, R.	Kolb	Quarles	Waters
Callahan	Lemmons	Raczkowski	Whitmer
Clark, I.	Lipsey	Reeves	Williams
Clarke, H.	Lockwood	Rison	Woodward
Daniels	Mans	Rivet	Zelenko
Dennis	McConico		

Nays—51

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

In The Chair: Julian

Rep. McConico moved to amend the bill as follows:

1. Amend page 3, line 20, after "has" by striking out the balance of the line through "HAS" on line 22.
2. Amend page 3, line 24, by striking out all of line 24 through line 1 of page 4.

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills**Senate Bill No. 786, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8121 (MCL 600.8121), as amended by 2000 PA 449.

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

Roll Call No. 761**Yeas—59**

Allen	George	Kowall	Scranton
Birkholz	Gilbert	Kuipers	Shackleton
Bisbee	Godchaux	LaSata	Sheltrown

Bishop	Gosselin	Mead	Shulman
Bradstreet	Hager	Meyer	Spade
Brown, C.	Hart	Middaugh	Stamas
Callahan	Howell	Mortimer	Switalski
Cassis	Hummel	Newell	Tabor
Caul	Jansen	Pappageorge	Van Woerkom
DeRossett	Jelinek	Pestka	Vander Roest
DeVuyst	Johnson, Rick	Pumford	Vear
DeWeese	Johnson, Ruth	Rackowski	Voorhees
Drolet	Julian	Richardville	Wojno
Ehardt	Koetje	Rivet	Woronchak
Faunce	Kooiman	Rocca	

Nays—44

Anderson	Garza	McConico	Rison
Basham	Hale	Minore	Schauer
Bernero	Hansen	Murphy	Stallworth
Bogardus	Hardman	Neumann	Stewart
Bovin	Jacobs	O'Neil	Thomas
Brown, B.	Jamnick	Patterson	Toy
Brown, R.	Kolb	Phillips	Waters
Clark, I.	Lemmons	Plakas	Whitmer
Clarke, H.	Lipsey	Quarles	Williams
Daniels	Lockwood	Reeves	Woodward
Dennis	Mans	Richner	Zelenko

In The Chair: Julian

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

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

The House agreed to the full title.

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

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

Second Reading of Bills

Senate Bill No. 825, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 518 and 521 (MCL 600.518 and 500.521), section 518 as amended by 1988 PA 134 and section 521 as amended by 1990 PA 54.

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. 85, p. 2608),

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

Rep. Caul moved to amend the bill as follows:

1. Amend page 1, following line 8, by inserting:

“Sec. 522. (1) ~~Except as provided in subsection (2), the twenty first judicial circuit consists of the counties of Clare, Isabella, and Gladwin and has 2 judges.~~

(2) ~~If the county of Isabella approves the reformation of the twenty first judicial circuit pursuant to law and the counties of Clare and Gladwin approve the creation of the fifty fifth judicial circuit pursuant to law, the~~ THE twenty-

first judicial circuit consists of the county of Isabella and has 1 judge. ~~effective January 1, 1982.~~ SUBJECT TO SECTION 550, THIS JUDICIAL CIRCUIT MAY HAVE 1 ADDITIONAL JUDGE EFFECTIVE JANUARY 1, 2005. IF A NEW OFFICE OF JUDGE IS ADDED TO THIS CIRCUIT BY ELECTION IN 2004, THE CANDIDATE RECEIVING THE HIGHEST NUMBER OF VOTES IN THE NOVEMBER 2004 GENERAL ELECTION SHALL BE ELECTED FOR A TERM OF 8 YEARS.”.

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 825, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending sections 518 and 521 (MCL 600.518 and 500.521), section 518 as amended by 1988 PA 134 and section 521 as amended by 1990 PA 54.

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

Roll Call No. 762

Yeas—73

Adamini	Godchaux	Lockwood	Scranton
Allen	Gosselin	Mead	Shackleton
Birkholz	Hager	Meyer	Sheltrown
Bisbee	Hart	Middaugh	Shulman
Bishop	Howell	Minore	Spade
Bovin	Hummel	Mortimer	Stamas
Bradstreet	Jacobs	Newell	Stewart
Brown, C.	Jansen	Pappageorge	Switalski
Callahan	Jelinek	Patterson	Tabor
Cassis	Johnson, Rick	Pestka	Thomas
Caul	Johnson, Ruth	Phillips	Toy
DeRossett	Julian	Pumford	Van Woerkom
DeVuyst	Koetje	Rackowski	Vander Roest
DeWeese	Kooiman	Richardville	Vear
Drolet	Kowall	Richner	Voorhees
Ehardt	Kuipers	Rivet	Whitmer
Faunce	LaSata	Rocca	Wojno
George	Lipsey	Schauer	Woronchak
Gilbert			

Nays—31

Anderson	Daniels	Lemmons	Reeves
Basham	Frank	Mans	Rison
Bernero	Garza	McConico	Stallworth
Bogardus	Hale	Murphy	Waters
Brown, B.	Hansen	Neumann	Williams
Brown, R.	Hardman	O’Neil	Woodward
Clark, I.	Jamnack	Plakas	Zelenko
Clarke, H.	Kolb	Quarles	

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 1961 PA 236, entitled "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," by amending sections 518, 521, and 522 (MCL 600.518, 500.521, and 600.522), section 518 as amended by 1988 PA 134, section 521 as amended by 1990 PA 54, and section 522 as amended by 1981 PA 182.

The motion prevailed.

The House agreed to the title as amended.

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

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

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

"Mr. Speaker and members of the House:

I voted no on SB 825 because it adds judges to Kent County at the expense of eliminating needed judges in Wayne County. The decision on where to place judges should take into account more than just population. Judges should be retained in the 3rd Circuit because this court is efficient, handles more court filings and serves the largest population of any judicial circuit in the state. This administration policy of eliminating a judgeship for each judgeship created is a disservice to the citizens of this state based on the current 7% increase in population. I also opposed other tie-barred bills for these reasons."

Second Reading of Bills

Senate Bill No. 817, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending sections 57d, 57e, 57f, and 57g (MCL 400.57d, 400.57e, 400.57f, and 400.57g), as added by 1995 PA 223, and by adding section 14h.

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

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

Rep. Bernero moved to amend the bill as follows:

1. Amend page 6, line 23, by striking out all of line 23 through "(i)" on line 3, page 7 and inserting "(E)".
2. Amend page 7, line 3, after "of" by inserting "supplemental security income,".
3. Amend page 7, line 6, by striking out "(ii)" and inserting "(F)".
4. Amend page 7, line 9, by striking out "(iii)" and inserting "(G)".
5. Amend page 7, line 10, by striking out "SUBPARAGRAPH (i) OR (ii)" and inserting "SUBDIVISION (E) OR (F)".
6. Amend page 7, line 12, by striking out "(iv)" and inserting "(H)".

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

Rep. Bernero demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 763

Yeas—51

Adamini
Anderson
Basham

DeWeese
Frank
Garza

McConico
Minore
Murphy

Sheltrown
Spade
Stallworth

Bernero	Hale	Neumann	Switalski
Bogardus	Hansen	O'Neil	Thomas
Bovin	Hardman	Pestka	Toy
Brown, B.	Jacobs	Phillips	Waters
Brown, R.	Jamnick	Plakas	Whitmer
Callahan	Kolb	Quarles	Williams
Clark, I.	Lemmons	Reeves	Wojno
Clarke, H.	Lipsey	Rison	Woodward
Daniels	Lockwood	Rivet	Zelenko
Dennis	Mans	Schauer	

Nays—54

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

In The Chair: Julian

Rep. Woodward moved to amend the bill as follows:

1. Amend page 10, following line 13, by inserting:

“(8) THIS STATE SHALL NOT ENGAGE IN A POLICY REGARDING HUMAN SERVICES BENEFITS THAT WILL INCREASE THE POVERTY RATE, AS DEFINED BY THE MOST RECENT FEDERAL DECENNIAL CENSUS.”.

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

Rep. Woodward demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 764**Yeas—50**

Adamini	DeWeese	McConico	Schauer
Anderson	Frank	Minore	Sheltrown
Basham	Garza	Murphy	Spade
Bernero	Hale	Neumann	Stallworth
Bogardus	Hansen	O'Neil	Switalski
Bovin	Hardman	Pestka	Thomas
Brown, B.	Jacobs	Phillips	Waters
Brown, R.	Jamnick	Plakas	Whitmer

Callahan	Kolb	Quarles	Williams
Clark, I.	Lemmons	Reeves	Wojno
Clarke, H.	Lipsey	Rison	Woodward
Daniels	Lockwood	Rivet	Zelenko
Dennis	Mans		

Nays—54

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

In The Chair: Julian

Rep. Hardman moved to amend the bill as follows:

1. Amend page 10, following line 13, by inserting:

“(8) THE FAMILY INDEPENDENCE AGENCY SHALL IMPLEMENT A PILOT PROGRAM THROUGH THE HEAD START PROGRAM IN WAYNE AND GENESEE COUNTIES TO ESTABLISH 8 CHILD CARE CENTERS THAT WILL PROVIDE BOTH OF THE FOLLOWING:

(A) CHILD CARE SERVICES FOR CHILDREN WITH SPECIAL NEEDS.

(B) CHILD CARE SERVICES DURING TRADITIONAL AND NONTRADITIONAL BUSINESS HOURS AND ON WEEKENDS.”.

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

Rep. Hardman demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 765**Yeas—48**

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

Nays—56

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

In The Chair: Julian

Rep. Rivet moved that Rep. Sheltroun 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.

Rep. Garza moved to amend the bill as follows:

1. Amend page 8, following line 3, by inserting:

“(6) THE FAMILY INDEPENDENCE AGENCY SHALL PROVIDE REIMBURSEMENT FOR TRANSPORTATION TO RECIPIENTS FOR THE TIME THEY ARE ENGAGING IN EDUCATION, TRAINING, COMMUNITY SERVICE ACTIVITIES, VOLUNTEER ACTIVITIES, CLASSROOM INSTRUCTION, OR STUDY TIME OUTSIDE OF THE HOME TO FULFILL A WORK FIRST REQUIREMENT.”.

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

Rep. Garza demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 766**Yeas—46**

Anderson	DeWeese	McConico	Spade
Basham	Garza	Minore	Stallworth
Bernero	Hale	Murphy	Switalski
Bogardus	Hansen	Neumann	Thomas
Bovin	Hardman	O'Neil	Toy
Brown, B.	Jacobs	Phillips	Waters
Brown, R.	Jamnack	Plakas	Whitmer
Callahan	Kolb	Reeves	Williams
Clark, I.	Lemmons	Rison	Wojno
Clarke, H.	Lipsey	Rivet	Woodward
Daniels	Lockwood	Schauer	Zelenko
Dennis	Mans		

Nays—54

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

In The Chair: Julian

Rep. Murphy moved to substitute (H-3) the bill.

The question being on the adoption of the substitute (H-3) offered by Rep. Murphy,

Rep. Murphy demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the substitute (H-3) offered by Rep. Murphy,

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

Roll Call No. 767**Yeas—48**

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

Nays—53

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

DeRossett	Jelinek	Pappageorge	Van Woerkom
DeVuyst	Johnson, Ruth	Patterson	Vander Roest
Drolet	Julian	Pumford	Vear
Ehardt	Koetje	Raczkowski	Voorhees
Faunce	Kooiman	Richardville	Woronchak
George			

In The Chair: Julian

Rep. Minore moved to amend the bill as follows:

1. Amend page 10, line 14, by striking out all of enacting section 1 and inserting:

“Enacting section 1. This amendatory act does not take effect unless the unemployment rate for the state of Michigan, Wayne county and Genesee county is at, or below 4.7%.”.

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

Associate Speaker Pro Tempore Ehardt resumed the Chair.

Rep. Rison moved to amend the bill as follows:

1. Amend page 4, line 12, after “WEEK” by inserting a comma and “WHICH MAY INCLUDE 10 HOURS OF EDUCATION, CLASSROOM INSTRUCTION, STUDY TIME, OR VOLUNTEER ACTIVITIES, OR ANY COMBINATION OF THOSE ACTIVITIES. IF AVAILABLE EMPLOYMENT REQUIRES A PARENT OR RECIPIENT TO WORK MORE THAN 1 PART-TIME JOBS TO REACH THE 40 HOURS PER WEEK WORK REQUIREMENT, THAT PARENT OR RECIPIENT SHALL NOT BE REQUIRED TO WORK 40 HOURS PER WEEK.”.

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

Rep. Rison demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 768

Yeas—50

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

Nays—54

Allen	Gilbert	Kowall	Richner
Birkholz	Godchaux	Kuipers	Rocca
Bisbee	Gosselin	LaSata	Scranton

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

In The Chair: Ehardt

Associate Speaker Pro Tempore Julian resumed the Chair.

Rep. Minore moved to amend the bill as follows:

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

“Enacting section 2. This amendatory act does not take effect unless House Bill No. 4049 of the 91st Legislature is enacted into law.”.

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

Rep. Minore demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 769

Yeas—47

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

Nays—54

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

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

In The Chair: Julian

Rep. Daniels moved to amend the bill as follows:

1. Amend page 8, following line 3, by inserting:

“(6) A PARENT WHO INCREASES HIS OR HER WORK HOURS UNDER THE PROVISIONS OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION SHALL RETAIN ELIGIBILITY FOR REIMBURSEMENT FOR TRANSPORTATION SERVICES FOR A MINIMUM OF 1 YEAR AFTER INCREASING HIS OR HER WORK HOURS.”.

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

Rep. Daniels demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 770

Yeas—48

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

Nays—55

Allen	George	Kooiman	Richner
Birkholz	Gilbert	Kowall	Rocca
Bisbee	Godchaux	Kuipers	Scranton
Bishop	Gosselin	LaSata	Shackleton
Bradstreet	Hager	Mead	Shulman
Brown, C.	Hart	Meyer	Stamas
Cassis	Howell	Middaugh	Stewart
Caul	Hummel	Mortimer	Tabor
DeRossett	Jansen	Newell	Van Woerkom
DeVuyst	Jelinek	Pappageorge	Vander Roest
DeWeese	Johnson, Rick	Patterson	Vear

Drolet
Ehardt
Faunce

Johnson, Ruth
Julian
Koetje

Pumford
Raczkowski
Richardville

Voorhees
Woronchak

In The Chair: Julian

Rep. Daniels moved to amend the bill as follows:

1. Amend page 8, following line 3, by inserting:

“(6) A PARENT WHO INCREASES HIS OR HER WORK HOURS UNDER THE PROVISIONS OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION SHALL RETAIN ELIGIBILITY FOR REIMBURSEMENT FOR CHILD CARE SERVICES FOR A MINIMUM OF 1 YEAR AFTER INCREASING HIS OR HER WORK HOURS.”.

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

Rep. Daniels demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 771

Yeas—49

Adamini
Anderson
Basham
Bernero
Bogardus
Bovin
Brown, B.
Brown, R.
Callahan
Clark, I.
Clarke, H.
Daniels
Dennis

DeWeese
Frank
Hale
Hansen
Hardman
Jacobs
Jamnick
Kolb
Lemmons
Lipse
Lockwood
Mans

McConico
Minore
Murphy
Neumann
O’Neil
Pestka
Phillips
Plakas
Quarles
Rison
Rivet

Schauer
Spade
Stallworth
Switalski
Thomas
Toy
Waters
Whitmer
Williams
Wojno
Woodward
Zelenko

Nays—54

Allen
Birkholz
Bisbee
Bishop
Bradstreet
Brown, C.
Cassis
Caul
DeRossett
DeVuyst
Drolet
Ehardt
Faunce
George

Gilbert
Godchaux
Gosselin
Hager
Hart
Howell
Hummel
Jansen
Jelinek
Johnson, Rick
Johnson, Ruth
Julian
Koetje
Kooiman

Kowall
Kuipers
LaSata
Mead
Meyer
Middaugh
Mortimer
Newell
Pappageorge
Patterson
Pumford
Raczkowski
Richardville

Richner
Rocca
Scranton
Shackleton
Shulman
Stamas
Stewart
Tabor
Van Woerkom
Vander Roest
Vear
Voorhees
Woronchak

In The Chair: Julian

Rep. Daniels moved to amend the bill as follows:

1. Amend page 8, following line 3, by inserting:

“(6) FOR THE PURPOSES OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION, CHILD CARE REIMBURSEMENT IS INCREASED TO \$2.50 PER HOUR.”.

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

Rep. Daniels demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 772

Yeas—50

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

Nays—53

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

In The Chair: Julian

Rep. Woodward moved to amend the bill as follows:

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

“Enacting section 2. This amendatory act does not take effect unless House Bill No. 4499 of the 91st Legislature is enacted into law.”.

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

Rep. Woodward demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 773**Yeas—49**

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

Nays—54

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

In The Chair: Julian

Rep. Bogardus moved to amend the bill as follows:

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

“Enacting section 2. This amendatory act does not take effect unless House Bill No. 4188 of the 91st Legislature is enacted in law.”.

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

Rep. Bogardus demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 774**Yeas—45**

Adamini	DeWeese	Mans	Schauer
Anderson	Garza	McConico	Spade
Basham	Hale	Minore	Stallworth

Bernero	Hansen	Neumann	Switalski
Bogardus	Hardman	O'Neil	Thomas
Bovin	Jacobs	Pestka	Waters
Brown, B.	Jamnick	Phillips	Whitmer
Brown, R.	Kolb	Plakas	Williams
Clark, I.	Lemmons	Reeves	Wojno
Clarke, H.	Lipsey	Rison	Woodward
Daniels	Lockwood	Rivet	Zelenko
Dennis			

Nays—55

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

In The Chair: Julian

Rep. Schauer moved to amend the bill as follows:

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

“(F) IF NO ALTERNATIVE OTHER THAN A JOB OPPORTUNITY THAT WILL RESULT IN A CHILD BEING PLACED IN A CHILD CARE SITUATION FOR A PERIOD IN EXCESS OF 40 HOURS A WEEK, THAT RECIPIENT WILL BE EXEMPT FROM ANY ADDITIONAL WORK REQUIREMENTS OF THIS ACT.” and relettering the remaining subdivision.

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

Rep. Schauer demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 775**Yeas—44**

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

Nays—58

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

In The Chair: Julian

Rep. Hart moved to amend the bill as follows:

1. Amend page 10, line 15, by striking out “January” and inserting “February”.

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

Rep. Bernero moved to amend the bill as follows:

1. Amend page 8, following line 3, by inserting:

“(6) THE OBLIGATION OF EACH PRIMARY CAREGIVER OF A CHILD UNDER THE AGE OF 6 TO ENGAGE IN EMPLOYMENT, WORK FIRST ACTIVITIES, EDUCATION OR TRAINING, COMMUNITY SERVICE ACTIVITIES, OR SELF-IMPROVEMENT ACTIVITIES, UP TO 20 HOURS PER WEEK.”.

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

Rep. Bernero demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 776**Yeas—50**

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

Nays—54

Allen	Gilbert	Kowall	Richner
Birkholz	Godchaux	Kuipers	Rocca
Bisbee	Gosselin	LaSata	Scranton

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

In The Chair: Julian

Rep. Frank moved to amend the bill as follows:

1. Amend page 10, following line 13, by inserting:

“(8) THE FAMILY INDEPENDENCE AGENCY SHALL SUBMIT A REPORT FOR THE PERIOD BETWEEN FEBRUARY 1, 2002 AND DECEMBER 31, 2002 TO THE LEGISLATURE, THE HOUSE AND SENATE FISCAL AGENCIES, AND THE APPROPRIATE HOUSE AND SENATE STANDING COMMITTEES THAT HANDLE FAMILY AND CHILDREN’S ISSUES, THAT CONTAINS ALL OF THE FOLLOWING INFORMATION FOR THAT TIME PERIOD:

(A) THE NUMBER OF SANCTIONS IMPOSED AND REAPPLICATIONS MADE.

(B) THE NUMBER OF FAMILY INDEPENDENCE PROGRAM CASES REOPENED.

(C) THE NUMBER OF REFERRALS TO EMERGENCY SHELTERS BY THE DEPARTMENT.

(D) THE NUMBER OF SANCTIONS IMPOSED ON FAMILIES WITH AT LEAST 1 DISABLED PARENT.

(E) THE NUMBER OF SANCTIONS IMPOSED ON FAMILIES WITH DISABLED CHILDREN.”.

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

Rep. Garza moved to amend the bill as follows:

1. Amend page 8, line 19, after “participate” by inserting “IN EDUCATION, TRAINING, COMMUNITY SERVICE ACTIVITIES, VOLUNTEER ACTIVITIES, CLASSROOM INSTRUCTION, OR STUDY TIME OUTSIDE OF THE HOME TO FULFILL A WORK FIRST REQUIREMENT, SHALL RECEIVE REIMBURSEMENT, AND”.

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

Rep. Garza demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 777

Yeas—47

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

Nays—55

Allen	Gilbert	Kowall	Rocca
Birkholz	Godchaux	Kuipers	Scranton

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

In The Chair: Julian

Rep. Murphy moved to amend the bill as follows:

1. Amend page 2, following line 7, by inserting:

“SEC. 14I. SECTION 57F (3)(C), (E), AND (F) AND SECTION 57G (4), (5), (6), AND (7) SHALL NOT APPLY AFTER DECEMBER 31, 2004.”.

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

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

The motion prevailed.

Rep. Cassis moved that the House adjourn.

The motion prevailed, the time being 11:40 p.m.

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

GARY L. RANDALL

Clerk of the House of Representatives.

