

No. 4
STATE OF MICHIGAN
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House of Representatives
91st Legislature
REGULAR SESSION OF 2002

House Chamber, Lansing, Thursday, January 24, 2002.

12:00 Noon.

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

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

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

Rep. Mary D. Waters, from the 4th District, offered the following invocation:

“Dear Heavenly Father, we come before You today thanking You for giving us another day in Your world. Lord, we realize that we are sin-sick and fall short of Your grace daily. Have mercy upon us as we attempt to do the people’s will. Give us the insight, the heart and mind to listen to You and to act accordingly. In the majestic name of Jesus, we pray. Amen.”

Rep. Jacobs moved that Reps. Daniels and Stallworth be excused from today’s session.
The motion prevailed.

Reports of Standing Committees

The Speaker laid before the House
House Resolution No. 187.

A resolution to memorialize the Congress of the United States to enact legislation to provide funding for the restoration of the Great Lakes.

(For text of resolution, see House Journal No. 63 of 2001, p. 1942.)

(The resolution was reported by the Committee on Land Use and Environment on November 28, 2001, with substitute (H-1), consideration of which, under the rules, was postponed until November 29, 2001.)

(For substitute, see House Journal No. 81 of 2001, p. 2459.)

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

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

The question being on the adoption of the resolution,

Rep. Richardville moved to substitute (H-4) the resolution as follows:

Substitute for House Resolution No. 187

A resolution to memorialize the Congress of the United States to enact legislation to provide funding for the continuing restoration and protection of the Great Lakes.

Whereas, The waters of the Great Lakes constitute a resource of the utmost importance to the future of our nation, as they interact with the international community. The quality and quantity of this fresh water treasure are vital to the health and commercial well-being of millions of Americans; and

Whereas, Congress over the years has provided support for numerous projects to protect and conserve our natural resources, with the most recent being legislation to fund the restoration of the Everglades and the South Florida ecosystem. This legislation includes several billion dollars in funding to the state of Florida. While the Everglades and the South Florida ecosystem are clearly a unique resource, the Great Lakes ecosystem has a prevailing international and national economic significance due to the shipping of raw materials, industrial products, and food, not to mention being the home of 20 percent of the world’s fresh surface water, and 95 percent of the United States’ fresh surface water; and

Whereas, With the Great Lakes at the heart of American industrial and agricultural production, and the source of recreation for millions, the United States of America must do all it can to assure the viability of the health of the lakes; now, therefore, be it

Resolved by the House of Representatives, That we call upon the Congress of the United States to fund the Great Lakes Basin with similar appropriations that have been afforded the Florida Everglades and the South Florida ecosystem; 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, the members of the Michigan congressional delegation, and the United States Secretary of the Interior.

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

The question being on the adoption of the resolution,

The resolution was adopted.

The Speaker laid before the House
House Resolution No. 265.

A resolution to memorialize the Congress of the United States not to take control of the Great Lakes away from the Great Lakes states and to reaffirm authority granted to the Council of Great Lakes Governors.

(For text of resolution, see House Journal No. 80 of 2001, p. 2391.)

(The resolution was reported by the Committee on Land Use and Environment on November 28, 2001, consideration of which, under the rules, was postponed until November 29, 2001.)

The question being on the adoption of the resolution,

Rep. Vander Veen moved to substitute (H-2) the resolution as follows:

Substitute for House Resolution No. 265

A resolution to memorialize the Congress of the United States not to take control of the Great Lakes away from the Great Lakes states and to reaffirm authority granted to the Great Lakes Governors.

Whereas, The Great Lakes states have taken many steps to protect the lakes. Most recently, Annex 2001 to the Great Lakes Charter has demonstrated the concern of the people of this region that the stewardship for this fresh water resource must remain where it belongs—with the people of the Great Lakes; and

Whereas, The Great Lakes governors work closely with one another and their Canadian provincial counterparts on protecting the Great Lakes on a wide range of issues related to water management and a host of economic matters that strongly influence the lakes. This cooperation mirrors the shared stake in the quality of the lakes and reflects the appropriateness of policies that clearly affirm the authority of the Great Lakes Governors pursuant to the Great Lakes Charter; and

Whereas, Federal law states:

It is hereby determined and declared to be in the public interest that (1) title to and ownership of the lands beneath navigable waters within the boundaries of their respective states and the natural resources with such lands and water and (2) the right and power to manage, administer, lease, develop, and use the said lands and natural resources all in accordance with applicable state law be, and they are hereby, subject to the provisions hereof, recognized, confirmed, established, and vested in and assigned to the respective states or the persons who were on June 5, 1950, entitled thereto under the law of the respective states in which the land is located, and the respective granters, lessees, or successors in interest thereof

; and

Whereas, The Great Lakes states have demonstrated that we are an effective and efficient manager of Great Lakes water resources. We implore the federal government to continue to allow the Great Lakes states the ability to control the Great Lakes; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to increase protections for the Great Lakes and to affirm the authority of the Great Lakes governors on matters of the usage of Great Lakes waters; 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 motion prevailed and the substitute (H-2) was adopted, a majority of the members serving voting therefor.

The question being on the adoption of the resolution,

The resolution was adopted.

The Speaker laid before the House

House Concurrent Resolution No. 38.

A concurrent resolution to memorialize the Congress of the United States to enact legislation to provide funding for the restoration of the Great Lakes.

(For text of resolution, see House Journal No. 63 of 2001, p. 1944.)

(The concurrent resolution was reported by the Committee on Land Use and Environment on November 28, 2001, with substitute (H-1), consideration of which, under the rules, was postponed until November 29, 2001.)

(For substitute, see House Journal No. 81 of 2001, p. 2460.)

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

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

The question being on the adoption of the concurrent resolution,

Rep. Richardville moved to substitute (H-4) the concurrent resolution as follows:

Substitute for House Concurrent Resolution No. 38

A concurrent resolution to memorialize the Congress of the United States to enact legislation to provide funding for the continuing restoration and protection of the Great Lakes.

Whereas, The waters of the Great Lakes constitute a resource of the utmost importance to the future of our nation, as they interact with the international community. The quality and quantity of this fresh water treasure are vital to the health and commercial well-being of millions of Americans; and

Whereas, Congress over the years has provided support for numerous projects to protect and conserve our natural resources, with the most recent being legislation to fund the restoration of the Everglades and the South Florida ecosystem. This legislation includes several billion dollars in funding to the state of Florida. While the Everglades and the South Florida ecosystem are clearly a unique resource, the Great Lakes ecosystem has a prevailing international and national economic significance due to the shipping of raw materials, industrial products, and food, not to mention being the home of 20 percent of the world's fresh surface water, and 95 percent of the United States' fresh surface water; and

Whereas, With the Great Lakes at the heart of American industrial and agricultural production, and the source of recreation for millions, the United States of America must do all it can to assure the viability of the health of the lakes; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we call upon the Congress of the United States to fund the Great Lakes Basin with similar appropriations that have been afforded the Florida Everglades and the South Florida ecosystem; 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, the members of the Michigan congressional delegation, and the United States Secretary of the Interior.

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

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

The Speaker laid before the House

House Concurrent Resolution No. 39.

A concurrent resolution to memorialize the Congress to increase protections for the Great Lakes and to affirm the authority of the Great Lakes governors on matters of the usage of Great Lakes waters.

(For text of resolution, see House Journal No. 63 of 2001, p. 1945.)

(The concurrent resolution was reported by the Committee on Land Use and Environment on November 28, 2001, with substitute (H-1), consideration of which, under the rules, was postponed until November 29, 2001.)

(For substitute, see House Journal No. 81 of 2001, p. 2461.)

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

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

The question being on the adoption of the concurrent resolution,

Rep. Vander Veen moved to substitute (H-2) the concurrent resolution as follows:

Substitute for House Concurrent Resolution No. 39

A concurrent resolution to memorialize the Congress of the United States not to take control of the Great Lakes away from the Great Lakes states and to reaffirm authority granted to the Great Lakes Governors.

Whereas, The Great Lakes states have taken many steps to protect the lakes. Most recently, Annex 2001 to the Great Lakes Charter has demonstrated the concern of the people of this region that the stewardship for this fresh water resource must remain where it belongs—with the people of the Great Lakes; and

Whereas, The Great Lakes governors work closely with one another and their Canadian provincial counterparts on protecting the Great Lakes on a wide range of issues related to water management and a host of economic matters that strongly influence the lakes. This cooperation mirrors the shared stake in the quality of the lakes and reflects the appropriateness of policies that clearly affirm the authority of the Great Lakes Governors pursuant to the Great Lakes Charter; and

Whereas, Federal law states:

It is hereby determined and declared to be in the public interest that (1) title to and ownership of the lands beneath navigable waters within the boundaries of their respective states and the natural resources with such lands and water and (2) the right and power to manage, administer, lease, develop, and use the said lands and natural resources all in accordance with applicable state law be, and they are hereby, subject to the provisions hereof, recognized, confirmed, established, and vested in and assigned to the respective states or the persons who were on June 5, 1950, entitled thereto under the law of the respective states in which the land is located, and the respective granters, lessees, or successors in interest thereof

; and

Whereas, The Great Lakes states have demonstrated that we are an effective and efficient manager of Great Lakes water resources. We implore the federal government to continue to allow the Great Lakes states the ability to control the Great Lakes; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the Congress of the United States to increase protections for the Great Lakes and to affirm the authority of the Great Lakes governors on matters of the usage of Great Lakes waters; 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 motion prevailed and the substitute (H-2) was adopted, a majority of the members serving voting therefor.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

The Speaker laid before the House

House Resolution No. 299.

A resolution to urge Canadian authorities to remove all offshore drilling platforms from the waters of the Great Lakes.

(For text of resolution, see House Journal No. 2, p. 21.)

(The resolution was reported by the Committee on House Oversight and Operations on January 23, consideration of which, under the rules, was postponed until today.)

The question being on the adoption of the resolution,

The resolution was adopted.

The Speaker laid before the House

House Concurrent Resolution No. 54.

A concurrent resolution to urge Canadian authorities to remove all offshore drilling platforms from the waters of the Great Lakes.

(For text of resolution, see House Journal No. 2, p. 22.)

(The concurrent resolution was reported by the Committee on House Oversight and Operations on January 23, consideration of which, under the rules, was postponed until today.)

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted.

Second Reading of Bills

House Bill No. 4460, entitled

A bill to amend 1978 PA 90, entitled "Youth employment standards act," by amending section 19 (MCL 409.119).

The bill was read a second time.

Reps. DeWeese and Minore moved to amend the bill as follows:

1. Amend page 2, line 13, after "means" by inserting "ONLY".
2. Amend page 2, line 14, after "the" by inserting "AGRICULTURAL".
3. Amend page 3, line 1, after "(H)" by inserting "NONHAZARDOUS".
4. Amend page 3, line 5, by striking out all of subparagraph (i) and renumbering the remaining subparagraphs.
5. Amend page 3, following line 18, by inserting:

“(v) “NONHAZARDOUS CONSTRUCTION WORK OR OPERATIONS” MEANS CONSTRUCTION WORK OR OPERATIONS PERFORMED AT A CONSTRUCTION SITE OF A NEW SINGLE FAMILY HOME, WHICH CONSTRUCTION WORK OR OPERATIONS DO NOT INVOLVE THE USE OF POWER TOOLS, WOODWORKING MACHINERY, OR HAZARDOUS SUBSTANCES OR OTHER ACTIVITIES THAT WOULD CONSTITUTE A GREAT RISK OF SERIOUS INJURY. ACTIVITIES THAT WOULD CONSTITUTE A GREAT RISK OF SERIOUS INJURY INCLUDE, BUT ARE NOT LIMITED TO, ALL OF THE FOLLOWING:

(A) EXCAVATION.

(B) HIGHWAY, BRIDGE, OR STREET CONSTRUCTION.

(C) ROOFING.

(D) WRECKING.

(E) DEMOLITION.

(F) NEW COMMERCIAL OR NEW MULTIPLE RESIDENTIAL CONSTRUCTION.”.

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

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

The motion prevailed.

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

The motion prevailed.

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.

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

The motion prevailed.

House Bill No. 4732, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 471 (MCL 206.471), as amended by 1996 PA 484.

The bill was read a second time.

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

The motion prevailed.

Rep. Quarles asked and obtained an excuse from the balance of today's session.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 434, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 3 (MCL 722.623), as amended by 1994 PA 177.

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

Roll Call No. 9**Yeas—105**

Adamini	Garza	Lemmons	Rocca
Allen	George	Lipsey	Schauer
Anderson	Gielegem	Lockwood	Schermesser
Basham	Gilbert	Mans	Scranton
Bernero	Godchaux	McConico	Shackleton
Birkholz	Gosselin	Mead	Sheltrown
Bisbee	Hager	Meyer	Shulman
Bishop	Hale	Middaugh	Spade
Bogardus	Hansen	Minore	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	Vander Veen
Clark, I.	Johnson, Rick	Phillips	Vear
Clarke, H.	Johnson, Ruth	Plakas	Voorhees
Dennis	Julian	Pumford	Waters
DeRossett	Koetje	Rackowski	Whitmer
DeVuyst	Kolb	Reeves	Williams
DeWeese	Kooiman	Richardville	Wojno
Drolet	Kowall	Richner	Woodward
Ehardt	Kuipers	Rison	Woronchak
Faunce	LaSata	Rivet	Zelenko
Frank			

Nays—0

In The Chair: Julian

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

“An act to provide for the raising of additional public revenue by prescribing certain specific taxes, fees, and charges to be paid to the state for the privilege of engaging in certain business activities; to provide, incident to the enforcement thereof, for the issuance of licenses to engage in such occupations; to provide for the ascertainment, assessment and collection thereof; to appropriate the proceeds thereof; and to prescribe penalties for violations of the provisions of this act.”

The House agreed to the full title.

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

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

Senate Bill No. 682, entitled

A bill to amend 1846 RS 84, entitled “Of divorce,” by amending section 17a (MCL 552.17a), as amended by 1990 PA 243.

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

Roll Call No. 10

Yeas—105

Adamini	Garza	Lemmons	Rocca
Allen	George	Lipsey	Schauer
Anderson	Gielegem	Lockwood	Schermesser
Basham	Gilbert	Mans	Scranton
Bernero	Godchaux	McConico	Shackleton
Birkholz	Gosselin	Mead	Sheltrown
Bisbee	Hager	Meyer	Shulman
Bishop	Hale	Middaugh	Spade
Bogardus	Hansen	Minore	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	Vander Veen
Clark, I.	Johnson, Rick	Phillips	Vear

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

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Senate Bill No. 683, entitled

A bill to amend 1966 PA 138, entitled "The family support act," by amending sections 1, 1a, and 5 (MCL 552.451, 552.451a, and 552.455), sections 1 and 1a as amended by 1990 PA 237 and section 5 as amended by 1996 PA 5.

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

Roll Call No. 11**Yeas—105**

Adamini	Garza	Lemmons	Rocca
Allen	George	Lipsey	Schauer
Anderson	Gielegem	Lockwood	Schermesser
Basham	Gilbert	Mans	Scranton
Bernero	Godchaux	McConico	Shackleton
Birkholz	Gosselin	Mead	Sheltrown
Bisbee	Hager	Meyer	Shulman
Bishop	Hale	Middaugh	Spade
Bogardus	Hansen	Minore	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	Vander Veen
Clark, I.	Johnson, Rick	Phillips	Vear
Clarke, H.	Johnson, Ruth	Plakas	Voorhees
Dennis	Julian	Pumford	Waters
DeRossett	Koetje	Raczkowski	Whitmer
DeVuyst	Kolb	Reeves	Williams
DeWeese	Kooiman	Richardville	Wojno
Drolet	Kowall	Richner	Woodward
Ehardt	Kuipers	Rison	Woronchak
Faunce	LaSata	Rivet	Zelenko
Frank			

Nays—0

In The Chair: Julian

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

“An act to confer jurisdiction upon the circuit courts to order and enforce the payment of money for the support, in certain cases, of parents having physical custody of minor children or children who have reached the age of majority and of minor children or children who have reached the age of majority by noncustodial parents; to provide for the termination of the effectiveness of the orders; and to provide for the payment of fees and assessment of costs in those cases,”.

The House agreed to the full title.

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

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

Senate Bill No. 684, entitled

A bill to amend 1970 PA 91, entitled “Child custody act of 1970,” by amending section 2 (MCL 722.22), as amended by 1999 PA 156.

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

Roll Call No. 12**Yeas—104**

Adamini	Frank	LaSata	Rivet
Allen	Garza	Lemmons	Rocca
Anderson	George	Lipsey	Schauer
Basham	Gielegem	Lockwood	Schermesser
Bernero	Gilbert	Mans	Scranton
Birkholz	Godchaux	McConico	Shackleton
Bisbee	Gosselin	Mead	Sheltrown
Bishop	Hager	Meyer	Shulman
Bogardus	Hale	Middaugh	Spade
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	Vander Veen
Clarke, H.	Johnson, Rick	Phillips	Vear
Dennis	Johnson, Ruth	Plakas	Voorhees
DeRossett	Julian	Pumford	Waters
DeVuyst	Koetje	Raczkowski	Whitmer
DeWeese	Kolb	Reeves	Wojno
Drolet	Kooiman	Richardville	Woodward
Ehardt	Kowall	Richner	Woronchak
Faunce	Kuipers	Rison	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 declare the inherent rights of minor children; to establish rights and duties to their custody, support, and parenting time in disputed actions; to establish rights and duties to provide support for a child after the child reaches the age of majority under certain circumstances; to provide for certain procedure and appeals; and to repeal certain acts and parts of acts.”.

The House agreed to the full title.

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

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

By unanimous consent the House returned to the order of

Messages from the Senate

The Speaker laid before the House

House Bill No. 4042, entitled

A bill to amend 1971 PA 227, entitled “An act to prescribe the rights and duties of parties to home solicitation sales,” by amending the title and sections 1, 1a, 2, 3, 4, 5, 6, and 7 (MCL 445.111, 445.111a, 445.112, 445.113, 445.114, 445.115, 445.116, and 445.117), section 1 as amended by 1999 PA 18 and sections 2 and 3 as amended by 2000 PA 15.

(The bill was received from the Senate on December 13, 2001, with substitute (S-8) and title amendment given by the Senate, consideration of which, under the rules, was postponed until December 21, 2001, see House Journal No. 88, p. 2873.)

The question being on concurring in the substitute (S-8) made to the bill by the Senate,

The substitute (S-8) was not concurred in, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 13

Yeas—0

Nays—104

Adamini	Garza	Lemmons	Rocca
Allen	George	Lipsey	Schauer
Anderson	Gielegem	Lockwood	Schermesser
Basham	Gilbert	Mans	Scranton
Bernero	Godchaux	McConico	Shackleton
Birkholz	Gosselin	Mead	Sheltrown
Bisbee	Hager	Meyer	Shulman
Bishop	Hale	Middaugh	Spade
Bogardus	Hansen	Minore	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	Vander Veen
Clark, I.	Johnson, Rick	Phillips	Vear
Clarke, H.	Johnson, Ruth	Plakas	Voorhees
DeRossett	Julian	Pumford	Waters
DeVuyst	Koetje	Rackowski	Whitmer
DeWeese	Kolb	Reeves	Williams
Drolet	Kooiman	Richardville	Wojno
Ehardt	Kowall	Richner	Woodward
Faunce	Kuipers	Rison	Woronchak
Frank	LaSata	Rivet	Zelenko

In The Chair: Julian

The Speaker laid before the House

House Bill No. 4632, entitled

A bill to amend 1976 PA 331, entitled “Michigan consumer protection act,” by amending section 3 (MCL 445.903), as amended by 2000 PA 14, and by adding section 9a.

(The bill was received from the Senate on December 13, 2001, with substitute (S-2), full title inserted and immediate effect given by the Senate, consideration of which, under the rules, was postponed until December 21, 2001, see House Journal No. 88, p. 2873.)

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

The substitute (S-2) was not concurred in, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 14

Yeas—0

Nays—103

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

In The Chair: Julian

Second Reading of Bills

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.

The bill was read a second time.

Rep. Callahan moved to amend the bill as follows:

1. Amend page 6, line 2, after "LOCATIONS" by inserting "AT LEAST 1,500 FEET".
2. Amend page 7, line 24, after "LOCATIONS" by inserting "AT LEAST 1,500 FEET".
3. Amend page 7, following line 25, by inserting:

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

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

Rep. Voorhees moved to amend the bill as follows:

1. Amend page 3, line 19, after "(4)" by striking out the balance of the line through "SECTION," on line 20.
2. Amend page 3, line 21, after "61505A," by inserting "UNTIL OCTOBER 1, 2003,".
3. Amend page 3, line 26, after "LAKES." by striking out the balance of the line through "SECTION," on line 1 of page 4.
4. Amend page 4, line 1, after "61505A," by inserting "UNTIL OCTOBER 1, 2003,".
5. Amend page 5, line 4, after "(3)" by striking out the balance of the line through "SECTION," on line 5.
6. Amend page 5, line 5, after "(5)," by inserting "UNTIL OCTOBER 1, 2003,".
7. Amend page 5, line 9, by striking out the balance of the line through "SECTION," on line 11.
8. Amend page 5, line 11, after "(5)," by inserting "UNTIL OCTOBER 1, 2003,".
9. Amend page 6, line 9, after "(2)" by striking out the balance of the line through "SECTION," on line 10.
10. Amend page 6, line 11, after "61505A," by inserting "UNTIL OCTOBER 1, 2003,".
11. Amend page 6, line 19, after "SECTION." by striking out the balance of the line through "SECTION," on line 20.
12. Amend page 6, line 21, after "61505A," by inserting "UNTIL OCTOBER 1, 2003,".

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

Rep. Voorhees demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 15

Yeas—17

Bisbee	Drolet	Jansen	Tabor
Bradstreet	George	Johnson, Rick	Vander Roest
Brown, C.	Hart	Kuipers	Vear
Caul	Hummel	Richner	Voorhees
DeVuyst			

Nays—87

Adamini	Gielegem	Mans	Schauer
Allen	Gilbert	McConico	Schermesser
Anderson	Godchaux	Mead	Scranton
Basham	Gosselin	Meyer	Shackleton
Bernero	Hager	Middaugh	Sheltrown
Birkholz	Hale	Minore	Shulman
Bishop	Hansen	Mortimer	Spade
Bogardus	Hardman	Murphy	Stamas
Bovin	Howell	Neumann	Stewart
Brown, B.	Jacobs	Newell	Switalski
Brown, R.	Jamnick	O'Neil	Thomas
Callahan	Jelinek	Pappageorge	Toy
Cassis	Johnson, Ruth	Patterson	Van Woerkom
Clark, I.	Julian	Pestka	Vander Veen
Clarke, H.	Koetje	Phillips	Waters
Dennis	Kolb	Plakas	Whitmer
DeRossett	Kooiman	Pumford	Williams

DeWeese	Kowall	Raczkowski	Wojno
Ehardt	LaSata	Reeves	Woodward
Faunce	Lemmons	Richardville	Woronchak
Frank	Lipsey	Rison	Zelenko
Garza	Lockwood	Rocca	

In The Chair: Julian

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

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

Rep. Callahan moved to amend the bill as follows:

1. Amend page 9, following line 7, by inserting:

“Enacting section 1. This amendatory act takes effect March 1, 2002.”.

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

Rep. Callahan demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 16

Yeas—92

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

Nays—11

Bisbee	DeVuyst	Hart	Tabor
Bradstreet	Drolet	Hummel	Vear
Caul	Gosselin	Middaugh	

In The Chair: Julian

Rep. Shackleton moved to amend the bill as follows:

1. Amend page 8, line 13, after "WELL" by inserting a comma.

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

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

1. Amend page 7, line 16, after "SECTION" by inserting "OR THE PERSON HOLDS A LEASE THAT WAS IN EFFECT PRIOR TO THE EFFECTIVE DATE OF THE 2002 AMENDATORY ACT THAT AMENDED THIS SECTION".

2. Amend page 7, line 22, after "LAKES" by inserting "UNLESS THE PERSON HOLDS A LEASE THAT WAS IN EFFECT PRIOR TO THE EFFECTIVE DATE OF THE 2002 AMENDATORY ACT THAT AMENDED THIS SECTION".

3. Amend page 8, line 15, after "LAKES" by inserting "UNDER EITHER OF THE FOLLOWING CIRCUMSTANCES:

(A) IF THE PERMIT APPLICANT HOLDS A LEASE THAT WAS IN EFFECT PRIOR TO THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SECTION.

(B)".

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

Rep. Vander Veen demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 17

Yeas—21

Birkholz	Drolet	Hummel	Toy
Bisbee	Ehardt	Jansen	Vander Roest
Bradstreet	George	Johnson, Rick	Vander Veen
Brown, C.	Gosselin	Kuipers	Vear
Caul	Hart	Tabor	Voorhees
DeVuyst			

Nays—82

Adamini	Gilbert	Mead	Rocca
Allen	Godchaux	Meyer	Schauer
Anderson	Hager	Middaugh	Schermesser
Basham	Hale	Minore	Scranton
Bernero	Hansen	Mortimer	Shackleton
Bishop	Howell	Murphy	Sheltrown
Bogardus	Jacobs	Neumann	Shulman
Bovin	Jamnick	Newell	Spade
Brown, B.	Jelinek	O'Neil	Stamas
Brown, R.	Johnson, Ruth	Pappageorge	Stewart
Callahan	Julian	Patterson	Switalski
Cassis	Koetje	Pestka	Thomas
Clark, I.	Kolb	Phillips	Van Woerkom
Clarke, H.	Kooiman	Plakas	Waters
Dennis	Kowall	Pumford	Whitmer
DeRossett	LaSata	Raczkowski	Williams
DeWeese	Lemmons	Richardville	Wojno
Faunce	Lipsey	Richner	Woodward
Frank	Lockwood	Rison	Woronchak
Garza	Mans	Rivet	Zelenko
Gielegem	McConico		

In The Chair: Julian

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

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

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

House Bill No. 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.

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

Roll Call No. 18

Yeas—98

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

Nays—7

Bisbee	Brown, C.	Drolet	Vear
Bradstreet	DeVuyst	Tabor	

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 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 sections 501a and 61505a.

The motion prevailed.

The House agreed to the title as amended.

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

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

Reps. Adamini, Anderson, Basham, Birkholz, Bogardus, Bovin, Rich Brown, Callahan, Cassis, Clarke, DeRossett, Ehardt, Faunce, Frank, Gielegem, Gilbert, Godchaux, Gosselin, Hager, Hansen, Hardman, Howell, Jacobs, Jammick, Jelinek, Ruth Johnson, Julian, Kolb, LaSata, Lipsey, Lockwood, Mans, McConico, Mortimer, Neumann, Newell, O'Neil, Pestka, Phillips, Pumford, Raczkowski, Richardville, Richner, Rocca, Schauer, Schermesser, Scranton, Sheltroun, Shulman, Spade, Stamas, Stewart, Switalski, Toy, Whitmer, Williams, Wojno, Woodward, Woronchak and Zelenko were named co-sponsors of the bill.

Reps. Drolet, Vear, Bradstreet and Tabor, 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:

Slant drilling for oil and natural gas has occurred in Michigan for decades. It has been done safely, and all scientific examinations of the procedure indicate that the risk of harm to the Great Lakes ecosystem is tiny. Unlike off-shore oil platforms, an alternative that we do not allow in Michigan, this form of energy extraction bores deep beneath the lakebed from drilling sites located well back from the shoreline. Well-intentioned supporters of this legislation seek to avoid a repeat of the Exxon Valdez tanker spill in Alaska, but such a comparison is inapt. Tankers and oil platforms float oil on or pump it directly through the body of water. In the Great Lakes, oil and water are presently separated by a lot of rock and earth. Slant drilling is specifically designed to keep it that way.

Recreational boaters in Michigan cruise the waterways loaded with nearly a million barrels of gasoline every year. They purchase a lot of it from more than 200 Michigan marinas that are licensed to store fuel very close to the water. Meanwhile, commercial petroleum tankers now float 50 million barrels of petroleum across the Great Lakes every year. Tanker trucks carry more than six *billion* gallons of petroleum down Michigan highways, right past countless inland lakes and rivers, every year. While none of this activity is desirable in a *perfect* world, we could not survive economically without most of it. The logic that would have us ban slant drilling would apply with substantially greater force to each and every one of these activities.

The science and the timing of this proposal are wrong. Two months ago, President Bush signed House Resolution 2311, which prohibits Great Lakes' mineral extraction leases for two years. During this time, the Army Corps of Engineers will conduct yet more scientific studies regarding the safety of slant drilling. There has been no shortage of caution and care regarding this issue. Common sense and scientific study have and will continue to be applied to this matter before any decisions are made regarding future energy extraction from the fuel located deep underneath the Great Lakes. Though well intentioned, this legislation is irrelevant regarding both the problem and the solution.”

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. McConico, Thomas, Garza, Waters, Gielegem, Wojno, Spade, Anderson, Sheltroun, Bovin, Kolb, Hardman, Murphy, Lipsey, Phillips, Hale and Daniels offered the following resolution:

House Resolution No. 300.

A resolution honoring Reverend Joseph Ralph Jordan upon his appointment to the position of President of the Council of Baptist Pastors of Detroit and Vicinity.

Whereas, It is with the utmost confidence in his abilities that we join with the membership of Corinthian Baptist Church in celebrating the installation of the Reverend Joseph Ralph Jordan as President of the Council of Baptist Pastors of Detroit and Vicinity. The election of Reverend Jordan to this distinguished position is an event of significance far beyond the reaches of Corinthian Baptist Church and the community of Hamtramck, Michigan. In his long and devoted efforts to offer spiritual and personal guidance to others through the ministry, this dedicated and unselfish man has touched many lives through the power of faith. Gifts like these are of importance to everyone; and

Whereas, In the years since Reverend Joseph Jordan came to work with the individuals and families at Corinthian Baptist Church, the congregation has come to value all of the talents of this outstanding and effective spiritual leader. Whether helping people celebrate the great turning points in life, like weddings and baptisms, or by sharing the sad moments of a loved one's passing, Reverend Jordan has brought the peace of deep faith and the hope this faith makes possible in every situation; and

Whereas, Born April 29, 1936, in Jasper, Georgia, Reverend Jordan began his post secondary education at Wayne State University, earning his bachelor of arts degree. He continued his education at the University of Detroit, completing a masters degree. He then went on to earn a Doctorate of Ministry at Drew University, in Madison, New Jersey; and

Whereas, Following his calling, Reverend Jordan became Pastor of Corinthian Baptist Church in 1974. Though his work with the Corinthian congregation has proven extensive, Reverend Jordan has also extended himself to the community through his work with various religious and community organizations. His community involvement includes, but is not limited to, his memberships in the National Association for the Advancement of Colored People, Detroit Urban League, Community Church Ministers in Action, Wayne County Council for the Arts, and the National Congress of Black Churches; and

Whereas, The appointment of Reverend Jordan is yet another milestone in the career and life of this accomplished individual. As the family and friends who have come to witness Reverend Jordan's good works can attest, the public moments of services and sermons are only part of the presence of Joseph Ralph Jordan. His private help to the needy, through encouragement, prayer, or putting a person in touch with someone with the resources to help, has constituted a true gift. Through those who have been blessed by these works, the entire community has been enriched; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body honor Reverend Joseph Ralph Jordan upon his appointment to the position of President of the Council of Baptist Pastors of Detroit and Vicinity; and be it further

Resolved, That a copy of this resolution be transmitted to Reverend Joseph Ralph Jordan as a token of our esteem.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Spade, Vear, Julian, Kuipers, Vander Roest, Middaugh, Bernero, Schermesser, Jansen, Lemmons, Clark, Thomas, Jelinek, Ehardt, Faunce, Van Woerkom, Drolet, Stewart, Mead, Tabor, Meyer, Pappageorge, Cassis, DeWeese, Caul, Birkholz, Bovin, Hardman, Hale, Kolb, Zelenko, Rivet, Dennis, Richner, Scranton, Hager, Toy, Vander Veen, DeRossett, Newell, Minore, Frank, Koetje, Neumann, Shulman, Sheltroun, Basham, Phillips, Jacobs, Hansen, Howell, Plakas, Bogardus, Anderson, Richardville, Bisbee, Quarles, Adamini, Clarke, Jamnick, DeVuyst, Gielegem, Switalski, George, Gosselin, Wojno, Lipsey, Rich Brown, Woodward, Schauer, Mans, Williams, Rocca and Bishop offered the following resolution:

House Resolution No. 301.

A resolution commemorating the 90th anniversary of the Girl Scouts of the United States of America and proclaiming March 12, 2002, as Girl Scouts Day in Michigan.

Whereas, Tuesday, March 12, 2002, marks the 90th anniversary of Girl Scouts of the United States of America, founded by Juliette Gordon Low in 1912 in Savannah, Georgia. Fifty million women have enjoyed the benefits of the Girl Scouts program, as an American tradition, for 90 years; and

Whereas, Throughout its long and distinguished history, Girl Scouts, the preeminent organization for girls, has inspired millions of girls with the highest ideals of character, conduct, and patriotism; and

Whereas, The Girl Scouts program leads businesses and communities to teach girls the skills needed to take an active role in math, science, and technology careers and to fulfill our country's economic needs; and

Whereas, Through the Girl Scouts, every girl grows strong, gains self-confidence, acquires the skills needed for success, and learns her duty to the world around her. Participating in Girls' Voices, a national community service project, every girl learns to use her own voice to address an issue of concern to her and perhaps make a change for the betterment of her community; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body commemorate the 90th anniversary of the Girl Scouts of the United States of America and proclaim March 12, 2002, as Girl Scouts Day in Michigan.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reports of Standing Committees

The Committee on Agriculture and Resource Management, by Rep. DeRossett, Chair, reported

House Bill No. 5480, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 297f. 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 5480 To Report Out:

Yeas: Reps. DeRossett, Julian, Gilbert, Meyer, Van Woerkom, Vear, Sheltroun, Hansen, Spade,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. DeRossett, Chair of the Committee on Agriculture and Resource Management, was received and read:

Meeting held on: Thursday, January 24, 2002, at 8:00 a.m.,

Present: Reps. DeRossett, Julian, Gilbert, Meyer, Van Woerkom, Vear, Sheltroun, Bogardus, Hansen, Spade,

Absent: Rep. Ehardt,

Excused: Rep. Ehardt.

The Committee on Education, by Rep. Kuipers, Chair, reported

House Bill No. 4237, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1531d.

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 4237 To Report Out:

Yeas: Reps. Kuipers, Meyer, Bradstreet, DeWeese, Hager, Hart, Ruth Johnson, Van Woerkom, Voorhees, Hansen, Bogardus, Clark, Gielegem, McConico, Spade, Zelenko,

Nays: None.

The Committee on Education, by Rep. Kuipers, Chair, reported

House Bill No. 4398, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 101 (MCL 388.1701), as amended by 2000 PA 297.

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 4398 To Report Out:

Yeas: Reps. Kuipers, Meyer, Bradstreet, DeWeese, Hager, Ruth Johnson, Van Woerkom, Voorhees, Hansen, Bogardus, Clark, Gielegem, McConico, Spade, Zelenko,

Nays: None.

The Committee on Education, by Rep. Kuipers, Chair, reported

House Bill No. 5049, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1279a. 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 5049 To Report Out:

Yeas: Reps. Kuipers, Meyer, Allen, Bradstreet, DeWeese, Hager, Hart, Ruth Johnson, Van Woerkom, Voorhees, Hansen, Bogardus, Clark, Gielegem, McConico, Spade, Zelenko,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Thursday, January 24, 2002, at 9:00 a.m.,

Present: Reps. Kuipers, Meyer, Allen, Bradstreet, DeWeese, Hager, Hart, Ruth Johnson, Van Woerkom, Voorhees, Hansen, Bogardus, Clark, Gielegem, McConico, Spade, Zelenko.

The Committee on Veterans Affairs, by Rep. Richardville, Chair, reported

House Bill No. 5501, entitled

A bill to amend 1967 PA 150, entitled "Michigan military act," by amending sections 105, 179, and 310 (MCL 32.505, 32.579, and 32.710), sections 105 and 179 as amended by 1998 PA 212 and section 310 as amended by 1990 PA 301, and by adding section 372a.

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 5501 To Report Out:

Yeas: Reps. Richardville, Woronchak, Allen, Patterson, Schermesser, Mans, Woodward,

Nays: None.

The Committee on Veterans Affairs, by Rep. Richardville, Chair, reported

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.

(For text of resolution, see House Journal No. 86 of 2001, p. 2652.)

With the recommendation that the resolution be adopted.

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

Favorable Roll Call

HR 283 To Report Out:

Yeas: Reps. Richardville, Woronchak, Allen, Patterson, Schermesser, Mans, Woodward,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Richardville, Chair of the Committee on Veterans Affairs, was received and read:

Meeting held on: Thursday, January 24, 2002, at 9:00 a.m.,

Present: Reps. Richardville, Woronchak, Allen, Patterson, Schermesser, Mans, Woodward.

Notices

January 24, 2002

Mr. Gary L. Randall, Clerk
House of Representatives
State Capitol Building
Lansing, Michigan 48913

Dear Mr. Randall:

This letter is to inform you that the following floor seat changes have been requested and approved:
Representative Chris Kolb moves from seat 80 to 63.
Representative Gretchen Whitmer moves from seat 63 to 80.
The seat changes will be effective January 25, 2002.

Sincerely,
Rick Johnson
Speaker of the House

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members, Thursday, January 10:

Senate Bill Nos. 991 992 993 994 995 996 997 999

The Clerk announced that the following bill had been printed and placed upon the files of the members, Friday, January 11:

Senate Bill No. 998

The Clerk announced that the following bill had been printed and placed upon the files of the members, Thursday, January 24:

House Bill No. 5573

Messages from the Governor

January 17, 2002

Dear Mr. Randall:

Pursuant to Article V, Section 14 of the Michigan Constitution of 1963, I hereby transmit the following list of commutations and pardons granted during 2001:

William Booker - Sentenced on June 20, 2000, to One Year and Ten Months, and Two Year Gun Law for the crimes of Possession of Firearm/Assault Less than Murder. Commuted on June 5, 2001. The commutation was based upon the affirmative recommendation of the Michigan Parole Board.

Ernestine Campbell - Sentenced on July 11, 1967, to Life for the crime of First Degree Murder. Commuted on March 30, 2001. The commutation was based upon the affirmative recommendation of the Michigan Parole Board.

Seaborn Edwards - Sentenced on December 16, 1971, to Life for the crime of First Degree Murder. Commuted on November 15, 2001. The commutation was based upon the affirmative recommendation of the Michigan Parole Board.

Laverne McDougal - Sentenced on April 7, 2000, to 3-20 Years and 1-15 Years for the crimes of Assault Less than Murder and Retail Fraud. Commuted on March 23, 2001. The commutation was based upon the affirmative recommendation of the Michigan Parole Board.

Richard Louis Taranto - Sentenced on February 6, 1985, to Life for the crime of First Degree Murder. Commuted on February 8, 2001. The commutation was based upon the affirmative recommendation of the Michigan Parole Board.

Anton J. Venier - Sentenced on July 9, 1976, to Thirty Days and Five Years Probation for the crime of Carrying a Concealed Weapon. Pardoned on November 15, 2001. The pardon was based upon the affirmative recommendation of the Michigan Parole Board.

Sincerely,
John Engler
Governor

Communications from State Officers

The following communications from the Secretary of State were received and read:

Notices of Filing Administrative Rules

January 8, 2002

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 10:17 A.M. this date, administrative rule (02-01-03) for the Department of Consumer and Industry Services, Employment Relations Commission, entitled "*General Rules*", effective February 1, 2002.

January 15, 2002

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 1:30 P.M. this date, administrative rule (02-01-04) for the Department of Consumer and Industry Services, Director's Office, entitled "*Air Contaminants for Construction*", effective 7 days hereafter.

January 15, 2002

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 1:35 P.M. this date, administrative rule (02-01-05) for the Department of Consumer and Industry Services, Director's Office, entitled "*Occupational Health Standard-Benzene*", effective 7 days hereafter.

Sincerely,
Candice S. Miller
Secretary of State
Elena L. Beasley, Manager
Office of the Great Seal

The communications were referred to the Clerk.

The following communication from the Department of Consumer and Industry Services was received and read:

January 16, 2002

In accordance with Public Act 171 of 2000, the attached information is being forwarded for legislative review. Attachment 1 is a copy of a protocol for the investigation of complaints against the survey process. This protocol was implemented effective October 1, 2001.

Attachment 2 is a protocol for the review of Michigan citation patterns as compared with those of other states within the region.

Sincerely,
Kathleen M. Wilbur
Director

The communication was referred to the Clerk.

Introduction of Bills

Reps. Gosselin, Drolet, Cassis, Pappageorge, Vear and Bradstreet introduced

House Bill No. 5574, entitled

A bill to amend 1947 PA 336, entitled "An act to prohibit strikes by certain public employees; to provide review from disciplinary action with respect thereto; to provide for the mediation of grievances and the holding of elections; to declare and protect the rights and privileges of public employees; and to prescribe means of enforcement and penalties for the violation of the provisions of this act," by amending sections 10 and 16 (MCL 423.210 and 423.216).

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

Rep. Anderson moved that the House adjourn.
The motion prevailed, the time being 3:45 p.m.

Associate Speaker Pro Tempore Julian declared the House adjourned until Tuesday, January 29, at 2:00 p.m.

GARY L. RANDALL
Clerk of the House of Representatives.