

No. 20
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
91st Legislature
REGULAR SESSION OF 2002

House Chamber, Lansing, Tuesday, March 5, 2002.

2:00 p.m.

The House was called to order by the Speaker.

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

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

e/d/s = entered during session

Rep. Hansen Clarke, from the 83rd District, offered the following invocation:

“Lord, please bless this Chamber with Your wisdom, mercy and grace. Amen.”

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

The Speaker called Associate Speaker Pro Tempore Julian to the Chair.

Communications from State Officers

The following communication from the Secretary of State was received and read:

March 4, 2002

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

Dear Mr. Clerk:

Please find enclosed the certificate of election for Brian Palmer, elected at the February 26, 2002 special election to fill the vacancy in the 32nd State Representative District.

A copy of the Official County Canvassers’ Statement, certified by the Macomb County Board of Canvassers, is also provided.

Please do not hesitate to contact this office if we can be of further assistance.

Sincerely,
Christopher M. Thomas
Director of Elections

I, Candice S. Miller, Secretary of State and Custodian of the Great Seal of the State of Michigan, certify that Brian Palmer was elected to fill the vacancy in the 32nd State Representative District for a partial term expiring 1-1-2003, as shown by the February 26, 2002 special election returns certified by the Macomb County Board of Canvassers on February 27, 2002 and placed on file in this office.

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State at the Capitol, in the City of Lansing this Fourth day of March A.D. 2002
Candice S. Miller
Secretary of State

Representative-elect Palmer took and subscribed the constitutional oath of office which was administered by the Honorable Gary L. Randall, Clerk of the House of Representatives. Said oath was filed in the office of the Clerk of the House of Representatives.

Rep. Palmer was assigned seat No. 33.

The following communications from the Auditor General were received and read:

February 28, 2002

Enclosed is a copy of the following audit report and/or executive digest:
Performance Audit of the
Fire Marshal Division
Michigan Department of State Police
March 2002

March 4, 2002

Enclosed is a copy of the following audit report and/or executive digest:
 Performance Audit of
 Telecommunication Services and Enterprise Security
 Department of Management and Budget
 March 2002

Sincerely,
 Thomas H. McTavish, C.P.A.
 Auditor General

The communications were referred to the Clerk and the accompanying reports referred to the Committee on House Oversight and Operations.

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, Wednesday, February 27:

Senate Bill Nos. 1131 1132 1133 1134 1135 1136 1137

The Clerk announced the enrollment printing and presentation to the Governor on Thursday, February 28, for his approval of the following bills:

Enrolled House Bill No. 5449 at 1:09 p.m.

The Clerk announced the enrollment printing and presentation to the Governor on Friday, March 1, for his approval of the following bills:

Enrolled House Bill No. 4022 at 2:08 p.m.

Enrolled House Bill No. 4987 at 2:10 p.m.

Enrolled House Bill No. 5337 at 2:12 p.m.

The Clerk announced that the following bills had been printed and placed upon the files of the members, Friday, March 1:

**House Bill Nos. 5750 5751 5752 5753 5754 5755 5756 5757 5758 5759 5760 5761 5762 5764
 5765 5766 5767 5768**

The Clerk announced the enrollment printing and presentation to the Governor on Monday, March 4, for his approval of the following bills:

Enrolled House Bill No. 4672 at 2:30 p.m.

Enrolled House Bill No. 5139 at 2:32 p.m.

Enrolled House Bill No. 5393 at 2:34 p.m.

Enrolled House Bill No. 5482 at 2:36 p.m.

Enrolled House Bill No. 5483 at 2:38 p.m.

The Clerk announced that the following Senate bill had been received on Tuesday, March 5:

Senate Bill No. 989

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

The Committee on Employment Relations, Training and Safety, by Rep. Gosselin, Chair, reported

House Bill No. 5763, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending sections 27, 29, and 48 (MCL 421.27, 421.29, and 421.48), section 27 as amended by 1995 PA 181, section 29 as amended by 1995 PA 25, and section 48 as amended by 1983 PA 164, and by adding section 13l.

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

1. Amend page 5, line 24, after "fund" by striking out the balance of the line through "DECISION" on line 26 and inserting "IN THE FIRST ELIGIBLE COMPENSABLE WEEK IN A BENEFIT YEAR AS PROVIDED IN SUBSECTION (C)(1)".

2. Amend page 6, line 16, by striking out "\$415.00" and inserting "\$362.00".

3. Amend page 6, line 25, by striking out "\$415.00" and inserting "\$362.00".

4. Amend page 11, line 14, after "rate" by striking out the balance of the line through "REMUNERATION." on line 24 and inserting "with respect to the week for which the individual earns or receives no remuneration. HOWEVER, BEFORE THE PAYMENT OF BENEFITS IN A BENEFIT YEAR, THE INDIVIDUAL MUST SERVE A WAITING

WEEK FOR THE FIRST COMPENSABLE WEEK OF THE BENEFIT YEAR. THE 1-WEEK WAITING PERIOD REQUIRED UNDER THE PRECEDING SENTENCE SHALL NOT INTERRUPT THE PAYMENT OF A WEEKLY BENEFIT RATE FOR CONSECUTIVE WEEKS OF UNEMPLOYMENT.”.

5. Amend page 34, line 2, after “unit.” by striking out the balance of the line through “UNIT.” on line 7 and inserting “AN INDIVIDUAL WHO LEFT WORK IS PRESUMED TO HAVE LEFT WORK VOLUNTARILY WITHOUT GOOD CAUSE ATTRIBUTABLE TO THE EMPLOYER OR EMPLOYING UNIT. AN INDIVIDUAL CLAIMING BENEFITS UNDER THIS ACT HAS THE BURDEN OF PROOF TO ESTABLISH THAT HE OR SHE LEFT WORK INVOLUNTARILY OR FOR GOOD CAUSE THAT WAS ATTRIBUTABLE TO THE EMPLOYER OR EMPLOYING UNIT.”.

6. Amend page 51, following line 4, by inserting:

“Sec. 32. (a) Claims for benefits shall be made pursuant to regulations prescribed by THE CLAIMANT TO the ~~commission~~ UNEMPLOYMENT AGENCY. The ~~commission~~ UNEMPLOYMENT AGENCY shall designate representatives who promptly shall PROMPTLY examine claims and make a determination on the facts. The ~~commission~~ UNEMPLOYMENT AGENCY may establish rules providing for the examination of claims, the determination of the validity of the claims, and the amount and duration of benefits to be paid. The claimant and other interested parties promptly shall be PROMPTLY notified of the determination and the reasons for the determination.

(b) (B)(1) For benefit years established before the conversion date prescribed in section 75, the ~~commission~~ UNEMPLOYMENT AGENCY may prescribe regulations for notifying and shall notify the employer, whose experience account may be charged, and the employing unit where the claimant last worked that the claimant has filed an application for benefits. The notice shall require the employer and employing unit to furnish information to the ~~commission~~ UNEMPLOYMENT AGENCY necessary to determine the claimant’s benefit rights.

(2) Upon receipt of the employer’s reports, the ~~commission~~ promptly UNEMPLOYMENT AGENCY shall PROMPTLY make a determination based upon the available information. The claimant and the employer, whose experience account may be charged pursuant to the determination, promptly shall be PROMPTLY notified of the determination. The notice shall show the name and account number of the employer whose experience account may be charged pursuant to the determination, the weekly benefit amount and the maximum number of credit weeks against which the claimant may draw benefits, and whether or not the claimant is eligible and qualified to draw benefits. An employer may designate in writing to the ~~commission~~ UNEMPLOYMENT AGENCY an individual or another employer or an employing unit to receive any notice required to be given by the ~~commission~~ UNEMPLOYMENT AGENCY to that employer or to represent that employer in any proceeding before the ~~commission~~ UNEMPLOYMENT AGENCY as provided in section 31.

(3) If an employer or employing unit fails to respond within 10 days after mailing of the request for information, the ~~commission~~ UNEMPLOYMENT AGENCY shall make a determination upon the available information. In the absence of a showing by the employer satisfying the ~~commission~~ UNEMPLOYMENT AGENCY that the employer reasonably could not submit the requested information, the determination shall be final as to the noncomplying employer, as to benefits paid before the week following the receipt of the employer’s reply, and chargeable against the employer’s experience account as a result of the employer’s late reply, and the payments shall be considered to have been proper payments. The ~~commission~~ UNEMPLOYMENT AGENCY may require an employer who consistently fails to meet the ~~commission~~’s UNEMPLOYMENT AGENCY’S requirements, as to submission of reports covering employment of individuals, to provide the reports automatically upon the separation of individuals from employment, in the manner and within the time limits the ~~commission~~ UNEMPLOYMENT AGENCY prescribes by regulation necessary to carry out this section. An employer may be permitted to provide the reports automatically upon separation of individuals from employment, in the manner and within the time limits prescribed by the ~~commission~~ UNEMPLOYMENT AGENCY.

(4) After an application for benefits is filed, the ~~commission~~’s UNEMPLOYMENT AGENCY’S determination shall include only the most recent employer. Subsequently, as necessary, the ~~commission~~ UNEMPLOYMENT AGENCY shall issue determinations covering other base period employers, individually in inverse order to that in which the claimant earned his or her last credit week with the employers.

(5) For benefit years established after the conversion date prescribed in section 75, the ~~commission~~ UNEMPLOYMENT COMMISSION shall mail to the claimant, to each base period employer or employing unit, and to the separating employer or employing unit, a monetary determination. The monetary determination shall notify each of these employers or employing units that the claimant has filed an application for benefits and the amount the claimant reported as earned with the separating employer or employing unit, and shall state the name of each employer or employing unit in the base period and the name of the separating employer or employing unit. The monetary determination shall also state the claimant’s weekly benefit rate, the amount of base period wages paid by each base period employer, the maximum benefit amount that could be charged to each employer’s account or experience account, and the reason for separation reported by the claimant. The monetary determination shall also state whether the claimant is monetarily eligible to receive unemployment benefits. **NO EXCEPT FOR SEPARATIONS UNDER SECTION 29(1)(A), NO further reconsideration of a separation from any base period employer will be made unless the base period employer notifies the ~~commission~~ UNEMPLOYMENT AGENCY of a possible disqualifying**

separation in accordance with this subsection. Benefits paid in accordance with the monetary determination shall be considered proper payments and shall not be changed unless the ~~commission~~ UNEMPLOYMENT AGENCY receives new, corrected, or additional information from the employer, within 10 calendar days after the mailing of the monetary determination, and the information results in a change in the monetary determination. New, additional, or corrected information received by the ~~commission~~ UNEMPLOYMENT AGENCY after the 10-day period shall be considered a request for reconsideration by the employer of the monetary determination and shall be reviewed as provided in section 32a.

(6) For the purpose of determining a claimant's nonmonetary eligibility and qualification for benefits, if the claimant's most recent base period or benefit year separation was for a reason other than the lack of work, then a determination shall be issued concerning that separation to the claimant and to the separating employer. If a claimant is not disqualified based on his or her most recent separation from employment and has satisfied the requirements of section 29, the ~~commission~~ UNEMPLOYMENT AGENCY shall issue a nonmonetary determination as to that separation only. If a claimant is not disqualified based on his or her most recent separation from employment and has not satisfied the requirements of section 29, the ~~commission~~ UNEMPLOYMENT AGENCY shall issue 1 or more nonmonetary determinations necessary to establish the claimant's qualification for benefits based on any prior separation in inverse chronological order. The ~~commission~~ UNEMPLOYMENT AGENCY shall consider all base period separations involving disqualifications under section 29(1)(h), (j), (l), or (m) in determining a claimant's nonmonetary eligibility and qualification for benefits. An employer may designate in writing to the ~~commission~~ UNEMPLOYMENT AGENCY an individual or another employer or an employing unit to receive any notice required to be given by the ~~commission~~ UNEMPLOYMENT AGENCY to that employer or to represent that employer in any proceeding before the ~~commission~~ UNEMPLOYMENT AGENCY as provided in section 31.

(7) If the ~~commission~~ UNEMPLOYMENT AGENCY requests additional monetary or nonmonetary information from an employer or employing unit and the ~~commission~~ UNEMPLOYMENT AGENCY fails to receive a written response from the employer or employing unit within 10 calendar days after the date of mailing the request for information, the ~~commission~~ UNEMPLOYMENT AGENCY shall make a determination based upon the available information at the time the determination is made. The determination shall be final and any payment made shall be considered a proper payment with respect to benefits paid before the week following the receipt of the employer's reply and chargeable against the employer's account or experience account as a result of the employer's late reply.

(c) The claimant or interested party may file an application with an office of the ~~commission~~ UNEMPLOYMENT AGENCY for a redetermination in accordance with section 32a.

(d) The issuance of each benefit check shall be considered a determination by the ~~commission~~ UNEMPLOYMENT AGENCY that the claimant receiving the check was covered during the compensable period, and eligible and qualified for benefits. A chargeable employer, upon receipt of a listing of the check as provided in section 21(a), may protest by requesting a redetermination ~~as to the~~ OF THE CLAIMANT'S eligibility or qualification as to that period and a determination as to later weeks and benefits still unpaid ~~as~~ THAT are affected by the protest. Upon receipt of the protest or request, the ~~commission~~ UNEMPLOYMENT AGENCY shall investigate and redetermine whether the claimant is eligible and qualified as to that period. If, upon the redetermination, the claimant is found ineligible or not qualified, the ~~commission~~ UNEMPLOYMENT AGENCY shall investigate and determine whether the claimant obtained benefits, for 1 or more preceding weeks within the series of consecutive weeks ~~which~~ THAT includes the week covered by the redetermination, improperly as the result of administrative error, false statement, misrepresentation, or nondisclosure of a material fact. If the ~~commission~~ UNEMPLOYMENT AGENCY finds that the claimant has obtained benefits through administrative error, false statement, misrepresentation, or nondisclosure of a material fact, the ~~commission~~ UNEMPLOYMENT AGENCY shall proceed under the appropriate provisions of section 62.

(e) ~~When~~ IF a claimant commences to file continued claims through a different state claim office in this state or elsewhere, the ~~commission~~ UNEMPLOYMENT AGENCY promptly shall issue written notice of that fact to the chargeable employer.

(f) If a claimant refuses an offer of work, or fails to apply for work of which the claimant has been notified, as provided in section 29(1)(c) or (e), the ~~commission promptly~~ UNEMPLOYMENT AGENCY shall PROMPTLY make a written determination as to whether or not the refusal or failure requires disqualification under section 29. Notice of the determination, specifying the name and address of the employing unit offering or giving notice of the work and of the chargeable employer, shall be sent to the claimant, the employing unit offering or giving notice of the work, and the chargeable employer."

7. Amend page 51, line 25, after "WAGES" by inserting "OR OTHER MONETARY CONSIDERATION".

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

Favorable Roll Call

HB 5763 To Report Out:

Yeas: Reps. Gosselin, Bisbee, Kuipers, Meyer,

Nays: Reps. Bernero, Dennis.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Gosselin, Chair of the Committee on Employment Relations, Training and Safety, was received and read:

Meeting held on: Tuesday, March 5, 2002, at 9:00 a.m.,
 Present: Reps. Gosselin, Bisbee, Kuipers, Meyer, Bernero, Dennis,
 Absent: Rep. Minore,
 Excused: Rep. Minore.

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

House Resolution No. 330.

A resolution to urge the Department of Community Health to initiate a public information campaign to promote knowledge and training about automated external defibrillators.

(For text of resolution, see House Journal No. 14, p. 271.)

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 330 To Report Out:

Yeas: Reps. Ehardt, Raczkowski, Bradstreet, George, Ruth Johnson, Rocca, Scranton, Vander Veen, Neumann, Adamini, Garza, 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, March 5, 2002, at 9:00 a.m.,

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

Absent: Reps. Woronchak, Hardman,

Excused: Reps. Woronchak, Hardman.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, March 5, 2002, at 9:00 a.m.,

Present: Reps. Allen, Bishop, DeVuyst, Gilbert, Howell, Koetje, Middaugh, Van Woerkom, Vear, Rivet, Kolb, Lipsey, McConico, Waters, Zelenko,

Absent: Reps. Bisbee, Lemmons,

Excused: Reps. Bisbee, Lemmons.

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, March 5, 2002, at 10:30 a.m.,

Present: Reps. Faunce, Kowall, Bishop, George, Howell, McConico, Callahan, O'Neil, Rison,

Absent: Reps. DeWeese, Raczkowski,

Excused: Reps. DeWeese, Raczkowski.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Ruth Johnson, Chair of the Committee on Land Use and Environment, was received and read:

Meeting held on: Tuesday, March 5, 2002, at 10:30 a.m.,

Present: Reps. Ruth Johnson, Birkholz, Ehardt, Tabor, Kolb, Basham, Gielegem, Hale,

Absent: Reps. Koetje, DeRossett, DeVuyst,

Excused: Reps. Koetje, DeRossett, DeVuyst.

Messages from the Senate**House Bill No. 5404, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 442 (MCL 380.442), as amended by 1985 PA 22.

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

The House agreed to the full title.

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

House Bill No. 5405, entitled

A bill to amend 1961 PA 108, entitled "An act to provide for loans by the state of Michigan to school districts for the payment of principal and interest upon school bonds; to prescribe the terms and conditions of the loans and the conditions upon which levies for bond principal and interest shall be included in computing the amount to be so loaned by the state; to prescribe the powers and duties of the superintendent of public instruction and the state treasurer in relation to such loans; to provide for the repayment of such loans; to provide incentives for repayment of such loans; to provide for other matters in respect to such loans; and to make an appropriation," by amending section 4 (MCL 388.954), as amended by 1992 PA 228.

The Senate has passed the bill and ordered that it be given immediate effect.

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

House Bill No. 5406, entitled

A bill to repeal 1973 PA 12, entitled "An act to provide for emergency financial assistance for school districts; to prescribe certain powers and duties of the intermediate board of education in connection therewith; to provide certain powers and duties of the state board of education in connection therewith; to create an emergency loan revolving fund; and to make an appropriation," (MCL 388.251 to 388.271).

The Senate has passed the bill and ordered that it be given immediate effect.

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

House Bill No. 5407, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 629 (MCL 380.629), as amended by 1997 PA 152.

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

The House agreed to the full title.

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

House Bill No. 5408, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 687 (MCL 380.687), as amended by 1995 PA 289.

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

The House agreed to the full title.

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

House Bill No. 5409, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1215 (MCL 380.1215).

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

The House agreed to the full title.

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

House Bill No. 5410, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1216 (MCL 380.1216), as amended by 1992 PA 236.

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

The House agreed to the full title.

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

House Bill No. 5412, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1227 (MCL 380.1227), as added by 1995 PA 289.

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

The House agreed to the full title.

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

House Bill No. 5413, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1351 (MCL 380.1351), as amended by 1997 PA 152.

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

The House agreed to the full title.

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

House Bill No. 5414, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1351a (MCL 380.1351a), as amended by 1997 PA 152.

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

The House agreed to the full title.

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

House Bill No. 5416, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1362 (MCL 380.1362).

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

The House agreed to the full title.

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

House Bill No. 5417, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1363 (MCL 380.1363).

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

The House agreed to the full title.

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

House Bill No. 5418, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1731 (MCL 380.1731).

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

The House agreed to the full title.

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

House Bill No. 5419, entitled

A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 17a (MCL 388.1617a), as amended by 1996 PA 300.

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

The House agreed to the full title.

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

House Bill No. 5420, entitled

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending section 122 (MCL 389.122), as amended by 1984 PA 148.

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

The House agreed to the full title.

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

House Bill No. 5423, entitled

A bill to amend 1966 PA 331, entitled "Community college act of 1966," by amending section 144 (MCL 389.144), as amended by 1990 PA 287.

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

The House agreed to the full title.

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

House Bill No. 5205, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 719 (MCL 257.719), as amended by 2000 PA 306.

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

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

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

House Bill No. 5434, entitled

A bill to amend 1939 PA 141, entitled "Grain dealers act," by amending the title and sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 18, 19, 20, 21, and 22 (MCL 285.62, 285.63, 285.64, 285.65, 285.66, 285.67, 285.68, 285.69, 285.70, 285.71, 285.72, 285.73, 285.74, 285.75, 285.76, 285.78, 285.79, 285.80, 285.81, and 285.82), the title as amended by 1984 PA 169, sections 2, 3, 5, 6, and 18 as amended and section 21 as added by 1996 PA 311, and section 7 as amended by 1982 PA 33, and by adding sections 17, 23, 24, 25, 26, 27, and 28; and to repeal acts and parts of acts.

The Senate has amended the bill as follows:

1. Amend page 14, line 25, after "STORAGE" by inserting "OR PROCESSING".
2. Amend page 14, line 26, after "STORAGE" by inserting "OR PROCESSING".
3. Amend page 14, line 26, after "STORED" by inserting "OR PROCESSED".

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

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

Senate Bill No. 989, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 8302, 8303, 8304, 8305, 8306, 8309, 8310, 8311, 8312, 8313, 8314, 8317, 8318, 8319, 8322, 8327, 8329, 8330, and 8333 (MCL 324.8302, 324.8303, 324.8304, 324.8305, 324.8306, 324.8309, 324.8310, 324.8311, 324.8312, 324.8313, 324.8314, 324.8317, 324.8318, 324.8319, 324.8322, 324.8327, 324.8329, 324.8330, and 324.8333), section 8319 as amended by 1996 PA 312, and by adding sections 8307a, 8307b, 8307c, 8307d, 8307e, and 8307f; and to repeal acts and parts of acts.

The Senate has passed the bill.

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

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: February 28, 2002
Time: 4:10 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 4812 (Public Act No. 17, I.E.), being

An act to amend 1981 PA 155, entitled “An act to provide for ownership rights in dies, molds, and forms for use in the fabrication of plastic parts under certain conditions and to establish a lien on certain dies, molds, and forms,” by amending sections 1 and 8a (MCL 445.611 and 445.618a), section 8a as added by 1986 PA 103, and by adding sections 9, 10, 10a, 10b, and 10c.

(Filed with the Secretary of State March 1, 2002, at 10:10 a.m.)

Date: February 28, 2002
Time: 4:12 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5382 (Public Act No. 18, I.E.), being

An act to amend 1962 PA 174, entitled “An act to enact the uniform commercial code, relating to certain commercial transactions in or regarding personal property and contracts and other documents concerning them, including sales, commercial paper, bank deposits and collections, letters of credit, bulk transfers, warehouse receipts, bills of lading, other documents of title, investment securities, leases, and secured transactions, including certain sales of accounts, chattel paper and contract rights; to provide for public notice to third parties in certain circumstances; to regulate procedure, evidence and damages in certain court actions involving such transactions, contracts or documents; to make uniform the law with respect thereto; to make an appropriation; to provide penalties; and to repeal certain acts and parts of acts,” by amending section 9201 (MCL 440.9201), as amended by 2000 PA 348.

(Filed with the Secretary of State March 1, 2002, at 10:12 a.m.)

Date: March 4, 2002
Time: 1:30 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5023 (Public Act No. 19, I.E.), being

An act to amend 1937 PA 103, entitled “An act to prescribe certain conditions relative to the execution of instruments entitled to be recorded in the office of the register of deeds,” by amending section 1 (MCL 565.201), as amended by 1996 PA 459.

(Filed with the Secretary of State March 4, 2002, at 4:22 p.m.)

Date: March 4, 2002
Time: 1:35 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5024 (Public Act No. 20, I.E.), being

An act to amend 1879 PA 237, entitled “An act to provide for the execution, acknowledgment, and recording of contracts for the sale of land,” by amending section 1 (MCL 565.351), as amended by 1991 PA 140.

(Filed with the Secretary of State March 4, 2002, at 4:24 p.m.)

Date: March 4, 2002
Time: 1:38 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5025 (Public Act No. 21, I.E.), being

An act to amend 1967 PA 288, entitled “An act to regulate the division of land; to promote the public health, safety, and general welfare; to further the orderly layout and use of land; to require that the land be suitable for building sites

and public improvements and that there be adequate drainage of the land; to provide for proper ingress and egress to lots and parcels; to promote proper surveying and monumenting of land subdivided and conveyed by accurate legal descriptions; to provide for the approvals to be obtained prior to the recording and filing of plats and other land divisions; to provide for the establishment of special assessment districts and for the imposition of special assessments to defray the cost of the operation and maintenance of retention basins for land within a final plat; to establish the procedure for vacating, correcting, and revising plats; to control residential building development within floodplain areas; to provide for reserving easements for utilities in vacated streets and alleys; to provide for the filing of amended plats; to provide for the making of assessors plats; to provide penalties for the violation of the provisions of this act; to repeal certain parts of this act on specific dates; and to repeal acts and parts of acts,” by amending section 144 (MCL 560.144).

(Filed with the Secretary of State March 4, 2002, at 4:26 p.m.)

Date: March 4, 2002

Time: 1:40 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5186 (Public Act No. 22, I.E.), being

An act to amend 1953 PA 181, entitled “An act relative to investigations in certain instances of the causes of death within this state due to violence, negligence or other act or omission of a criminal nature or to protect public health; to provide for the taking of statements from injured persons under certain circumstances; to abolish the office of coroner and to create the office of county medical examiner in certain counties; to prescribe the powers and duties of county medical examiners; to prescribe penalties for violations of the provisions of this act; and to prescribe a referendum thereon,” by amending section 1 (MCL 52.201); and to repeal acts and parts of acts.

(Filed with the Secretary of State March 4, 2002, at 4:28 p.m.)

Date: March 4, 2002

Time: 1:45 p.m.

To the Speaker of the House of Representatives:

Sir—I have this day approved and signed

Enrolled House Bill No. 5022 (Public Act No. 23, I.E.), being

An act to amend 1846 RS 65, entitled “Of alienation by deed, and the proof and recording of conveyances, and the canceling of mortgages,” by amending sections 8 and 47 (MCL 565.8 and 565.47), section 8 as amended by 1980 PA 488.

(Filed with the Secretary of State March 4, 2002, at 4:30 p.m.)

Introduction of Bills

Reps. Hale, Garza and McConico introduced

House Bill No. 5769, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” (MCL 324.101 to 324.90106) by adding part 173.

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

Reps. Wojno, Raczkowski, Callahan, Quarles, Rocca, Plakas, Mans and Lemmons introduced

House Bill No. 5770, entitled

A bill to amend 1967 PA 281, entitled “Income tax act of 1967,” (MCL 206.1 to 206.532) by adding section 269.

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

Reps. Wojno, Callahan, Rocca, Plakas, Mans, Gielegem, Spade and Lemmons introduced

House Bill No. 5771, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 1f of chapter IX (MCL 769.1f), as amended by 2000 PA 372.

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

Reps. Toy, Raczkowski, Stewart, Ehardt, Kuipers, Vander Veen, Voorhees, Ruth Johnson, Gosselin, Pappageorge, Julian, Birkholz, Jansen, Richardville and Lipsey introduced

House Bill No. 5772, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7d (MCL 211.7d), as amended by 1998 PA 469.

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

Reps. Hardman, Garza, Phillips, Daniels, Waters, Williams, Lipsey, Stallworth, Thomas, Murphy, Jacobs, Hale and Lemmons introduced

House Bill No. 5773, entitled

A bill to amend 1953 PA 232, entitled "An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to allow for the operation of certain facilities by private entities; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act," (MCL 791.201 to 791.283) by adding section 37a.

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

Reps. Raczkowski, Tabor, Vear, Julian, LaSata, Ehardt, Bishop, Gosselin, Kuipers, Richardville, Kowall, Stewart, Rich Brown, Jacobs, Drolet, Shackleton, Cameron Brown, Rocca, Bradstreet and Meyer introduced

House Joint Resolution V, entitled

A joint resolution proposing an amendment to the state constitution of 1963, by adding section 25 to article I, to recognize a right to hunt and fish, to take game and fish, and to camp.

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

By unanimous consent the House returned to the order of

Reports of Standing Committees

The Speaker laid before the House

House Resolution No. 193.

A resolution to honor the 94th Combat Infantry Division of World War II by renaming the portion of Highway 94 from exit 92 in the Battle Creek area continuing east to M-66.

(For text of resolution, see House Journal No. 64 of 2001, p. 1952.)

(The resolution was reported by the Committee on Transportation on October 31, 2001, with substitute (H-1), consideration of which, under the rules, was postponed until November 1, 2001.)

(For substitute, see House Journal No. 78 of 2001, p. 2281.)

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

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

Messages from the Senate

The Speaker laid before the House

House Bill No. 5119, entitled

A bill to amend 1998 PA 58, entitled “Michigan liquor control code of 1998,” by amending section 525 (MCL 436.1525).

(The bill was received from the Senate on February 27, with substitute (S-1), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until February 28, see House Journal No. 18, p. 401.)

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. 172

Yeas—103

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

Nays—0

In The Chair: Julian

The House agreed to the title as amended.

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

Rep. Thomas entered the House Chambers.

Third Reading of Bills**House Bill No. 5540, entitled**

A bill to amend 1995 PA 29, entitled "Uniform unclaimed property act," by amending section 16 (MCL 567.236).
Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 173**Yeas—58**

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

Nays—44

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

In The Chair: Julian

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

House Bill No. 5662, entitled

A bill to amend 1927 PA 375, entitled "An act to provide for the collection of past due moneys and accounts belonging to the state of Michigan; to create a department therefor; to prescribe the duties of state officers, departments, commissions and institutions in relation thereto; and to make appropriations for defraying the expenses thereof," by amending section 3 (MCL 14.133).

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

Roll Call No. 174**Yeas—106**

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

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.

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

The motion prevailed.

House Bill No. 5663, entitled

A bill to repeal certain acts and parts of acts.

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

Roll Call No. 175**Yeas—106**

Adamini	Garza	Lipsey	Rocca
Allen	George	Lockwood	Schauer

Anderson	Gielegem	Mans	Schermesser
Basham	Gilbert	McConico	Scranton
Bernero	Godchaux	Mead	Shackleton
Birkholz	Gosselin	Meyer	Sheltrown
Bisbee	Hager	Middaugh	Shulman
Bishop	Hale	Mortimer	Spade
Bogardus	Hansen	Murphy	Stallworth
Bovin	Hardman	Neumann	Stamas
Bradstreet	Hart	Newell	Stewart
Brown, B.	Howell	O'Neil	Switalski
Brown, C.	Hummel	Palmer	Tabor
Brown, R.	Jacobs	Pappageorge	Toy
Callahan	Jamnick	Patterson	Van Woerkom
Cassis	Jansen	Pestka	Vander Roest
Caul	Jelinek	Phillips	Vander Veen
Clark, I.	Johnson, Rick	Plakas	Vear
Clarke, H.	Johnson, Ruth	Pumford	Voorhees
Dennis	Julian	Quarles	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		

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 repeal 1879 PA 200, entitled "An act requiring certain state officers to give bonds before entering upon their official duties," (MCL 15.41); 1948 (2nd Ex. Sess) PA 1, entitled "An act to provide for the payment of compensation of the governor, secretary of state, state treasurer, auditor general and attorney general; and to repeal certain acts and parts of acts," (MCL 15.201 to 15.202); and section 3 of 1861 PA 111, entitled "An act relating to deposit accounts, and to interest, exchange and commissions received or paid by the state treasurer," (MCL 21.183).

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. 5666, entitled

A bill to amend 1935 PA 59, entitled "An act to provide for the public safety; to create the Michigan state police, and provide for the organization thereof; to transfer thereto the offices, duties and powers of the state fire marshal, the state oil inspector, the department of the Michigan state police as heretofore organized, and the department of public safety; to create the office of commissioner of the Michigan state police; to provide for an acting commissioner and for the appointment of the officers and members of said department; to prescribe their powers, duties, and immunities; to provide the manner of fixing their compensation; to provide for their removal from office; and to repeal Act No. 26 of the Public Acts of 1919, being sections 556 to 562, inclusive, of the Compiled Laws of 1929, and Act No. 123 of the Public Acts of 1921, as amended, being sections 545 to 555, inclusive, of the Compiled Laws of 1929," by amending section 12a (MCL 28.12a).

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

Roll Call No. 176**Yeas—105**

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

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. 5668, entitled

A bill to amend 1931 PA 246, entitled "An act to provide for the construction, repair, and maintenance of pavements, sidewalks, and elevated structures on or along public roads and highways; to provide for the levying of taxes and of special assessments; to authorize the borrowing of money and the issuance of bonds; to prescribe the powers and duties of certain state and local agencies and officers; to validate actions taken, special assessments levied, and bonds issued; and to provide for the lighting of certain roads, highways, and bridges," by amending section 10 (MCL 41.280).

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

Roll Call No. 177**Yeas—106**

Adamini	Garza	Lipsey	Rocca
Allen	George	Lockwood	Schauer
Anderson	Gielegem	Mans	Schermesser
Basham	Gilbert	McConico	Scranton

Bernero	Godchaux	Mead	Shackleton
Birkholz	Gosselin	Meyer	Sheltrown
Bisbee	Hager	Middaugh	Shulman
Bishop	Hale	Mortimer	Spade
Bogardus	Hansen	Murphy	Stallworth
Bovin	Hardman	Neumann	Stamas
Bradstreet	Hart	Newell	Stewart
Brown, B.	Howell	O'Neil	Switalski
Brown, C.	Hummel	Palmer	Tabor
Brown, R.	Jacobs	Pappageorge	Toy
Callahan	Jamnick	Patterson	Van Woerkom
Cassis	Jansen	Pestka	Vander Roest
Caul	Jelinek	Phillips	Vander Veen
Clark, I.	Johnson, Rick	Plakas	Vear
Clarke, H.	Johnson, Ruth	Pumford	Voorhees
Dennis	Julian	Quarles	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	Lemmons		

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. 5669, entitled

A bill to amend 1846 RS 14, entitled "Of county officers," by amending section 82 (MCL 51.82).

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

Roll Call No. 178**Yeas—106**

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

Cassis	Jansen	Pestka	Vander Roest
Caul	Jelinek	Phillips	Vander Veen
Clark, I.	Johnson, Rick	Plakas	Vear
Clarke, H.	Johnson, Ruth	Pumford	Voorhees
Dennis	Julian	Quarles	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		

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

House Bill No. 5454, 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,” by amending the title and sections 8 and 9 (MCL 691.1408 and 691.1409), the title as amended by 1986 PA 175.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5576, entitled

A bill to amend 1927 PA 175, entitled “The code of criminal procedure,” by amending section 15 of chapter XVII (MCL 777.15), as amended by 2001 PA 152, and by adding sections 15a, 15b, 15d, 15f, and 15g.

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. 11, p. 188),

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

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

The motion prevailed.

House Bill No. 5185, entitled

A bill to amend 1954 PA 116, entitled “Michigan election law,” by amending sections 952 and 968 (MCL 168.952 and 168.968), section 952 as amended by 1993 PA 137 and section 968 as amended by 1989 PA 26.

Was read a second time, and the question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Redistricting and Elections,

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

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

The motion prevailed.

House Bill No. 5237, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 685 (MCL 168.685), as amended by 1990 PA 329.

The bill was read a second time.

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

The motion prevailed.

Senate Bill No. 543, entitled

A bill to amend 1915 PA 312, entitled "Garage keeper's lien act," by amending sections 2, 3, 4, 5, and 6 (MCL 570.302, 570.303, 570.304, 570.305, and 570.306), sections 2 and 3 as amended and sections 4, 5, and 6 as added by 1998 PA 236, and by adding section 10.

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

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

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

The motion prevailed.

House Bill No. 5516, entitled

A bill to amend 1999 PA 276, entitled "Banking code of 1999," (MCL 487.11101 to 487.15105) by adding section 4406.

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

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

Rep. Richner moved to amend the bill as follows:

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

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

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

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

The motion prevailed.

House Bill No. 5517, entitled

A bill to amend 1925 PA 285, entitled "An act to provide for the organization, operation, and supervision of credit unions; to provide for the conversion of a state credit union into a federal credit union or a credit union organized and supervised under the laws of any other state or territory of the United States or any other federally insured depository institution and for the conversion of a federal credit union or a credit union organized and supervised under the laws of any other state or territory of the United States or any other federally insured depository institution into a state credit union; and to provide for the merger of credit unions organized and supervised under the laws of this state, credit unions organized and supervised under the laws of any other state or territory of the United States, and federal credit unions," (MCL 490.1 to 490.31) by adding section 16c.

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

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

Rep. Richner moved to amend the bill as follows:

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

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

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

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

The motion prevailed.

House Bill No. 5518, entitled

A bill to amend 1980 PA 307, entitled "Savings and loan act of 1980," (MCL 491.102 to 491.1202) by adding section 1135.

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

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

Rep. Richner moved to amend the bill as follows:

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

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

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

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

The motion prevailed.

Rep. Allen moved that Rep. Rick Johnson be excused temporarily from today’s session.

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

House Bill No. 5670, entitled

A bill to amend 1909 PA 278, entitled “The home rule village act,” by amending section 9 (MCL 78.9).

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

Roll Call No. 179

Yeas—106

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

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. 5671, entitled

A bill to amend 1895 PA 215, entitled “The fourth class city act,” by amending section 4 (MCL 102.4).
Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 180

Yeas—106

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

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. 5672, entitled

A bill to amend 1949 PA 123, entitled “An act to provide for the disconnection of land from cities and villages; and to declare the effect thereof,” by amending section 4 (MCL 123.34).

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

Roll Call No. 181**Yeas—106**

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

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. 5673, entitled

A bill to amend 1879 PA 190, entitled "An act in relation to removals from and filling vacancies in certain public offices," by amending section 1 (MCL 201.91).

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

Roll Call No. 182**Yeas—106**

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

Bishop	Hale	Mortimer	Spade
Bogardus	Hansen	Murphy	Stallworth
Bovin	Hardman	Neumann	Stamas
Bradstreet	Hart	Newell	Stewart
Brown, B.	Howell	O'Neil	Switalski
Brown, C.	Hummel	Palmer	Tabor
Brown, R.	Jacobs	Pappageorge	Toy
Callahan	Jamnick	Patterson	Van Woerkom
Cassis	Jansen	Pestka	Vander Roest
Caul	Jelinek	Phillips	Vander Veen
Clark, I.	Johnson, Rick	Plakas	Vear
Clarke, H.	Johnson, Ruth	Pumford	Voorhees
Dennis	Julian	Quarles	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	Lemmons		

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. 884, entitled

A bill to amend 1919 PA 149, entitled “An act to accept the requirements and benefits of an act of the sixty-fourth congress of the United States, approved February 23, 1917, known as the Smith-Hughes act, or Public Act No. 347, relating to appropriations to be made by the federal government to the several states for the support and control of instruction in agriculture, the trades, industries, and home economics, and for the preparation of teachers of vocational subjects; to designate a state board of control for vocational education; to provide for the proper custody and administration of funds received by the state from such appropriations; and to provide for appropriations by the state and by local school authorities to meet the conditions of said act of congress,” by amending sections 7 and 8 (MCL 395.7 and 395.8).

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

Roll Call No. 183

Yeas—106

Adamini	Garza	Lipsey	Rocca
Allen	George	Lockwood	Schauer
Anderson	Gielegem	Mans	Schermesser
Basham	Gilbert	McConico	Scranton
Bernero	Godchaux	Mead	Shackleton
Birkholz	Gosselin	Meyer	Sheltrown
Bisbee	Hager	Middaugh	Shulman
Bishop	Hale	Mortimer	Spade
Bogardus	Hansen	Murphy	Stallworth
Bovin	Hardman	Neumann	Stamas
Bradstreet	Hart	Newell	Stewart

Brown, B.	Howell	O'Neil	Switalski
Brown, C.	Hummel	Palmer	Tabor
Brown, R.	Jacobs	Pappageorge	Toy
Callahan	Jamnick	Patterson	Van Woerkom
Cassis	Jansen	Pestka	Vander Roest
Caul	Jelinek	Phillips	Vander Veen
Clark, I.	Johnson, Rick	Plakas	Vear
Clarke, H.	Johnson, Ruth	Pumford	Voorhees
Dennis	Julian	Quarles	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		

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. 885, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," by amending section 15 (MCL 400.15).

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

Roll Call No. 184**Yeas—106**

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

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 welfare of the people of this state; to provide general assistance, hospitalization, infirmary and medical care to poor or unfortunate persons; to provide for compliance by this state with the social security act; to provide protection, welfare and services to aged persons, dependent children, the blind, and the permanently and totally disabled; to administer programs and services for the prevention and treatment of delinquency, dependency and neglect of children; to create a state department of social services; to prescribe the powers and duties of the department; to provide for the interstate and intercounty transfer of dependents; to create county and district departments of social services; to create within certain county departments, bureaus of social aid and certain divisions and offices thereunder; to prescribe the powers and duties of the departments, bureaus and officers; to provide for appeals in certain cases; to prescribe the powers and duties of the state department with respect to county and district departments; to prescribe certain duties of certain other state departments, officers, and agencies; to make an appropriation; to prescribe penalties for the violation of the provisions of this act; and to repeal certain parts of this act on specific dates.”.

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.

Senate Bill No. 886, entitled

A bill to amend 1921 PA 59, entitled “An act to relieve the county and state from the support of certain classes of aliens who are subject to deportation from the United States; making an appropriation therefor and providing penalties for the non-performance of duties under the provisions of this act,” by amending section 2 (MCL 404.32).

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

Roll Call No. 185**Yeas—106**

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

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. 888, entitled

A bill to amend 1846 RS 21, entitled "Of specific state taxes and duties," by amending section 30 (MCL 446.30).

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

Roll Call No. 186**Yeas—107**

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

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.

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

Senate Bill No. 890, entitled

A bill to repeal 1909 PA 263, entitled "An act to authorize the Michigan dairymen's association to hold an annual meeting and such auxiliary meetings as may be determined by the association, and making an appropriation therefor," (MCL 453.451 to 453.452).

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

Roll Call No. 187

Yeas—106

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

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. 894, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 26a of chapter XIV and section 6 of chapter XVI (MCL 774.26a and 776.6), section 26a of chapter XIV as amended by 1980 PA 506.

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

Roll Call No. 188**Yeas—107**

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

Nays—0

In The Chair: Julian

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

"An act to revise, consolidate, and codify the laws relating to criminal procedure and to define the jurisdiction, powers, and duties of courts, judges, and other officers of the court under the provisions of this act; to provide laws relative to the rights of persons accused of criminal offenses and ordinance violations; to provide for the arrest of persons charged with or suspected of criminal offenses and ordinance violations; to provide for bail of persons arrested for or accused of criminal offenses and ordinance violations; to provide for the examination of persons accused of criminal offenses; to regulate the procedure relative to grand juries, indictments, informations, and proceedings before trial; to provide for trials of persons complained of or indicted for criminal offenses and ordinance violations and to provide for the procedure in those trials; to provide for judgments and sentences of persons convicted of criminal offenses and ordinance violations; to establish a sentencing commission and to prescribe its powers and duties; to provide for procedure relating to new trials and appeals in criminal and ordinance violation cases; to provide a uniform system of probation throughout this state and the appointment of probation officers; to prescribe the powers, duties, and compensation of probation officers; to provide penalties for the violation of the duties of probation officers; to provide for procedure governing proceedings to prevent crime and proceedings for the discovery of crime; to provide for fees of officers, witnesses, and others in criminal and ordinance violation cases; to set forth miscellaneous provisions as to criminal procedure in certain cases; to provide penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act,".

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.

Senate Bill No. 895, entitled

A bill to amend 1893 PA 118, entitled “An act to revise and consolidate the laws relative to state prisons, to state houses of correction, and branches of state prisons and reformatories, and the government and discipline thereof and to repeal all acts inconsistent therewith,” by amending sections 49 and 61 (MCL 800.49 and 800.61).

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

Roll Call No. 189**Yeas—107**

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

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.

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. 190**Yeas—106**

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

In The Chair: Julian

Second Reading of Bills**House Bill No. 5667, entitled**

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending section 9 (MCL 38.9).

The bill was read a second time.

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

The motion prevailed.

Pending the Second Reading of

House Bill No. 5763, entitled

A bill to amend 1936 (Ex Sess) PA 1, entitled "Michigan employment security act," by amending sections 27, 29, and 48 (MCL 421.27, 421.29, and 421.48), section 27 as amended by 1995 PA 181, section 29 as amended by 1995 PA 25, and section 48 as amended by 1983 PA 164, and by adding section 13I.

Rep. Patterson moved that the bill be re-referred to the Committee on Employment Relations, Training and Safety.

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

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

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Hale, Phillips, Lemmons, Reeves, Clark, Garza, Stallworth, Clarke, Schermesser, Hardman, Murphy, McConico, Zelenko, Waters, Daniels, Quarles, Rison, Bogardus, Thomas, Stewart, Hansen, Vander Roest, Basham, Shulman, Neumann, Richardville, DeWeese, Mead, Spade, Rivet, Anderson, Schauer, Lockwood, Jacobs, Bernero, Wojno, Lipsey, Ehardt, Switalski, Adamini, Jamnick, Kolb, Whitmer and Rich Brown offered the following resolution:

House Resolution No. 351.

A resolution offered as a memorial for Murray Jackson, former member of the Wayne State University Board of Governors.

Whereas, With the passing of Murray Jackson, the people of Michigan have lost a gentleman who gave great gifts to us as an educator, poet, and civil rights and community activist. His passion for education and his sacrifices in service touched countless lives and set an example of service that will long endure; and

Whereas, A veteran of service with the United States Navy Seabees in World War II, Murray Jackson earned both his bachelor's and master's degrees at the university to which he devoted nearly 50 years of his life—Wayne State University. As an academic advisor, teacher, and administrator, he worked closely with students and staff. In his 20 years as an elected member of the Wayne State University Board of Governors, Mr. Jackson helped put in place policies that have made this research university a vital state resource; and

Whereas, In addition to his remarkable contributions to Wayne State University, Murray Jackson was a poet, with several volumes of published works and a record of involvement in writing circles. He also served as the first Executive Director of the Detroit Council of the Arts. The sensitivity of his poet's heart mirrored the commitment he made to others as a community and civil rights activist. His considerable talents were also directed through his efforts as a faculty member at the University of Michigan and his pioneering efforts as the founding President of Wayne County Community College. Clearly, this talented, unselfish, and insightful gentleman enriched life in Detroit and Michigan in many ways; now, therefore, be it

Resolved by the House of Representatives, That we offer this expression of tribute to honor the memory of Murray Jackson, a member of the Wayne State University Board of Governors for two decades; and be it further

Resolved, That copies of this resolution be transmitted to the Jackson family as evidence of our condolences.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Hale, Phillips, Hansen, Vander Roest, Basham, Shulman, Neumann, Richardville, DeWeese, Vander Veen, Mead, Spade, Rivet, Bogardus, Rison, Anderson, Schauer, Lockwood, Zelenko, Jacobs, Bernero, Wojno, Waters, Lipsey, Thomas, Ehardt, Switalski, Adamini, Jamnick, Kolb, Hardman, Lemmons, Reeves, Whitmer and Rich Brown offered the following resolution:

House Resolution No. 352.

A resolution honoring Bishop Philip R. Cousin, Sr.

Whereas, We are pleased to join with the members of the Fourth Episcopal District, Michigan Annual Conference of the African Methodist Episcopal Church in honoring Bishop Philip R. Cousin, Sr., for the many decades he has devoted to the promotion of Christian values and the salvation of souls. His pastoral duties included work at churches in Virginia, Florida, and North Carolina prior to his election and consecration as the 96th Bishop of the African Methodist Episcopal Church at the 1976 General Conference in Atlanta, Georgia. Since then, he has served as the Episcopate in the 9th, 11th, 1st, and currently the 4th Episcopal District of the African Methodist Episcopal Church; and

Whereas, Bishop Cousin received his bachelor of arts degree from Central State University, in Wilberforce, Ohio, where he graduated cum laude. He received his Masters of Divinity from Boston University and his Doctorate of Ministry from Colgate Rochester Divinity School in Rochester, New York. Through ROTC he was commissioned a second lieutenant in the Infantry and served in the Armed Forces. He served as President of Kittrell College in North Carolina and as an instructor of Homiletics and Black Church Studies at Duke University School of Divinity, serving as the first African-American faculty member; and

Whereas, Bishop Cousin is a 32nd Degree Mason and a member of Alpha Phi Alpha and Sigma Pi Phi fraternities. He has been a member of the National Board of the Southern Christian Leadership Conference since 1979, President of the National Council of Churches of Christ in the USA from 1983-1988, Chairman of the Church World Service Unit Committee of the NCCC, National Board Member of the NAACP, President Board of Incorporators at African Methodist Episcopal Church, and Chairman of Publications Commission of the General Board at African Methodist Episcopal Church; and

Whereas, Bishop Cousin served as a delegate to the Democratic National Convention in 1968, one of the first African-Americans elected delegate from North Carolina. He was the recipient of the Kellogg Fellowship in Junior College Administration and a Martin Luther King, Jr. Fellow in Black Church Studies. He was chosen to engage in a dialogue with Pope John Paul II in 1987 and at the Ecumenical meeting, read a position paper for NCCC; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body honor Bishop Philip R. Cousin, Sr.; and be it further

Resolved, That a copy of this resolution be transmitted to Bishop Philip R. Cousin, Sr. and his wife, Dr. M. Joan Cousin, as evidence of our highest esteem.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Waters, Phillips, Hansen, Basham, Shulman, Neumann, Richardville, DeWeese, Vander Veen, Mead, Spade, Rivet, Hale, Bogardus, Anderson, Schauer, Lockwood, Zelenko, Jacobs, Bernero, Wojno, Lipsey, Thomas, Ehardt, Switalski, Adamini, Jamnick, Kolb, Hardman, Lemmons, Reeves, Whitmer and Rich Brown offered the following resolution:

House Resolution No. 353.

A resolution honoring the achievements of Dr. Naomi Long Madgett.

Whereas, Dr. Naomi Long Madgett was born in Norfolk, Virginia, but grew up in East Orange, New Jersey, and St. Louis, Missouri. She graduated from Summer High School in St. Louis and then her family moved to New Rochelle, New York; and

Whereas, After graduating from Virginia State University, she married and moved to Detroit in 1946. This union produced one daughter, Jill Witherspoon Boyer. Her early employment was as a staff writer for the Michigan Chronicle and a service representative for Michigan Bell Telephone Company. She completed her master's degree in 1954 and began teaching the following year. She spent twelve years in the Detroit Public Schools, mostly at Northwestern High School. From 1968 to 1984 she was a professor of English at Eastern Michigan University, retiring as professor emeritus; and

Whereas, Dr. Naomi Long Madgett has been writing poetry all of her life. At the age of 17, her first small volume was published in New York. Lotus Press was founded in 1972 in order to publish her third collection. For 30 years she has served without salary as Lotus Press' publisher and editor, producing over eighty titles of high quality poetry by a wide variety of poets, most of them African-American. A number of these poets have moved on to positions of prominence in the field of literature. This year, Lotus Press will offer its tenth annual Naomi Long Madgett Poetry Award, offering the winning author a cash award of \$500 and publishing the winning manuscript; and

Whereas, Dr. Naomi Long Madgett's own poems have appeared in numerous journals and textbooks. She is the author of eight books of her own poetry and has authored two textbooks, including the award-winning "Octavia and Other Poems". This book is the basis of a film documentary, "A Poets Voice", which won a national award. Her most recent collection, published by the Michigan State University Press, is a compilation of her three early out-of-print books. She has also edited and written the introduction to two anthologies, including the ground-breaking "Adam of Ife': Black Women in Praise of Black Men". She is currently working on her ninth collection of poetry and a book of autobiographical essays; and

Whereas, Her impressive literary recognition includes the American Book Award, Michigan Artist Award, induction into the National Literary Hall of Fame for Writers of African Descent, and several honorary degrees from Michigan State University, Loyola University-Chicago, and Siena Heights College; and

Whereas, In April 2001, former Mayor Dennis W. Archer appointed her Poet Laureate of the City of Detroit and asked her to write a tercentennial poem. She read that poem, "A Mandate for Remembrance," on December 31, 2001, at the Detroit Science Center and watched it be sealed in the century time capsule to be opened and read in 100 years. On February 24, 2002, Dr. Naomi Long Madgett was honored at the Plymouth United Church of Christ 2nd Annual African American History Month Celebration/The Go-Getters Circle; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body honor the achievements of Dr. Naomi Long Madgett; and further be it

Resolved, That a copy of this resolution be transmitted to Dr. Naomi Long Madgett 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.

Notices

Public Hearings

Committee on Health Insurance

Date: Friday, March 8, 2002

Time: 10:30 a.m.

Place: The Van Eslander Cancer Center, St. John Hospital and Medical Center, 19229 Mack Avenue, Grosse Pointe Woods, Michigan 48236

Rep. Scranton,
Chair

Agenda: Michigan health insurance and any/or all business properly before this committee.

Committee on Health Insurance

Date: Friday, March 8, 2002

Time: 2:00 a.m.

Place: Mercy Health Center, 4190 24th Ave. (M-25), Fort Gratiot, Michigan 48059

Rep. Scranton,
Chair

Agenda: Michigan health insurance and any/or all business properly before this committee.

Committee on Health Insurance

Date: Saturday, March 9, 2002

Time: 1:00 p.m.

Place: Andrew G. Schmidt Middle School, 3255 Donaldson Drive, Fenton, Michigan 48430

Rep. Scranton,
Chair

Agenda: Michigan health insurance and any/or all business properly before this committee.

Committee on Health Insurance

Date: Monday, March 11, 2002

Time: 6:30 p.m.

Place: The Multi-Purpose Room of the Eberhard Center, Grand Valley State University, 301 West Fulton Street, Grand Rapids, Michigan 49504

Rep. Scranton,
Chair

Agenda: Michigan health insurance and any/or all business properly before this committee.

Rep. Clark moved that the House adjourn.
The motion prevailed, the time being 8:35 p.m.

Associate Speaker Pro Tempore Julian declared the House adjourned until Wednesday, March 6, at 2:00 p.m.

GARY L. RANDALL
Clerk of the House of Representatives.