

No. 45
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
91st Legislature
REGULAR SESSION OF 2002

House Chamber, Lansing, Wednesday, May 15, 2002.

2:00 p.m.

The House was called to order by the Speaker Pro Tempore.

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	Gielegthem—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—present	Spade—present
Bishop—present	Hale—present	Mortimer—present	Stallworth—present
Bogardus—excused	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—present
Brown, Rich—present	Jacobs—present	Pappageorge—present	Toy—present
Callahan—present	Jamnack—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—present	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

Reverend William R. Blount, Pastor of Fellowship Baptist Church in East China Township, offered the following invocation:

“Almighty God, we respond to Thee in many different ways. Some deny Thee altogether. Others acknowledge Thee but ignore Thee. Some take Thee seriously. Others tip the hat to Thee occasionally. Some worship and adore Thee. Others couldn’t care less. Some love Thee. Others fear Thee. Some know Thee. Others feel Thou art beyond knowing. Some see Thee as a living reality, others as an impersonal force. But whatever our attitude, Father in Heaven, rarely do we think of Thee as practical or relevant to our personal or corporate problems. Help us understand that Thou art a God who cares, who longs for us. Help us see that Thou art the source of all wisdom and power, that Thou art an infinite resource available to meet our needs. Forgive our indifference and grant us grace to call upon Thee however great or small our problems. Help us see in the Cross the measure of Your love, Your nearness, Your availability. And God, help us to see the distinction between religion, man’s search for God, and biblical faith, God seeking man. Save us from creating our own gods and diminishing our true humanness, which Was created in the image of God. Save us from trying to be our own gods, believing only in ourselves, and suffering the frustration that self-worship generates. Lead us to Thee. Bring us back to fundamentals when we flaunt and float and fantasize in the illusion of importance. Remind us we are servants, desperately dependent on loved ones, on each other, on our staffs, and especially on Thee, dear God. In the Name of Jesus, the Servant of servants, we pray. Amen.”

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

Second Reading of Bills

House Bill No. 5360, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by amending section 251 (MCL 257.251), as amended by 2000 PA 397.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5371, entitled

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

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Family and Children Services (for amendments, see House Journal No. 39, p. 1323),

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

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

The motion prevailed.

House Bill No. 5372, entitled

A bill to amend 1975 PA 238, entitled “Child protection law,” by amending sections 2, 3, 7, and 8a (MCL 722.622, 722.623, 722.627, and 722.628a), sections 2 and 7 as amended by 2000 PA 45, section 3 as amended by 1994 PA 177, and section 8a as added by 1992 PA 39.

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

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

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

The motion prevailed.

Senate Bill No. 1056, entitled

A bill to repeal 1955 PA 191, entitled “An act authorizing the state highway commissioner of Michigan to enter into negotiations with the Wisconsin state highway commissioner in the preparation of plans, specifications and designs of an interstate bridge extending from First street in Menominee across the Menominee river to Ogden street in Marinette, Wisconsin, and to provide for the cost and expense of such plans, specifications and designs,” (MCL 254.131).

The bill was read a second time.

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

The motion prevailed.

Senate Bill No. 1106, entitled

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2003; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

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

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

Rep. Mead moved to substitute (H-2) the bill.

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

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

The motion prevailed.

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

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



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

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 1106, entitled

A bill to make appropriations for the department of natural resources for the fiscal year ending September 30, 2003; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

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

Roll Call No. 720

Yeas—103

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

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

Nays—3

Drolet	Gosselin	Rivet
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In The Chair: Birkholz

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 make appropriations for the department of natural resources for the fiscal years ending September 30, 2002 and September 30, 2003; to provide for the expenditure of those appropriations; to create funds and accounts; to require reports; to prescribe certain powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

The motion prevailed.

The House agreed to the title as amended.

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

The motion prevailed.

By unanimous consent the House returned to the order of

Messages from the Senate

The Speaker laid before the House

House Bill No. 5649, entitled

A bill to make, supplement, and adjust appropriations for the department of military and veterans affairs for the fiscal years ending September 30, 2002 and September 30, 2003; to provide for the expenditure of the appropriations; to provide for certain powers and duties of the department of military and veterans affairs, other state agencies, and local units of government related to the appropriations; and to provide for the preparation of certain reports related to the appropriations.

(The bill was received from the Senate on May 9, with substitute (S-1), title amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until May 14, see House Journal No. 43, p. 1475.)

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

The substitute (S-1) was not concurred in, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 721**Yeas—0****Nays—105**

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

In The Chair: Birkholz

The Speaker laid before the House

House Bill No. 5648, entitled

A bill to make appropriations for the judicial branch for the fiscal year ending September 30, 2003; to provide for the expenditure of these appropriations; to place certain restrictions on the expenditure of these appropriations; to prescribe the powers and duties of certain officials and employees; to require certain reports; and to provide for the disposition of fees and other income received by the judicial branch.

(The bill was received from the Senate on May 9, with substitute (S-1) and immediate effect given by the Senate, consideration of which, under the rules, was postponed until May 14, see House Journal No. 43, p. 1475.)

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

The substitute (S-1) was not concurred in, a majority of the members serving not voting therefor, by yeas and nays, as follows:

Roll Call No. 722**Yeas—0****Nays—105**

Adamini	Garza	Lockwood	Schauer
Allen	George	Mans	Schermesser

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

In The Chair: Birkholz

The Speaker laid before the House

House Bill No. 5661, entitled

A bill to amend 1897 PA 153, entitled "An act to provide for the payment of expenses in matters in which the state is a party or interested," by amending section 1 (MCL 14.111); and to repeal acts and parts of acts.

(The bill was received from the Senate on May 9, with an amendment and immediate effect given by the Senate, consideration of which, under the rules, was postponed until May 14, see House Journal No. 43, p. 1475.)

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

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

Roll Call No. 723

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	Shulman
Bisbee	Hager	Middaugh	Spade
Bishop	Hale	Minore	Stallworth
Bovin	Hansen	Mortimer	Stamas
Bradstreet	Hardman	Murphy	Stewart
Brown, B.	Hart	Neumann	Switalski
Brown, C.	Howell	Newell	Tabor
Brown, R.	Hummel	O'Neil	Thomas
Callahan	Jacobs	Palmer	Toy
Cassis	Jamnack	Pappageorge	Van Woerkom
Caul	Jansen	Patterson	Vander Roest

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

Nays—0

In The Chair: Birkholz

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

Second Reading of Bills

Senate Bill No. 1102, entitled

A bill to make appropriations for the department of corrections and certain state purposes related to corrections for the fiscal year ending September 30, 2003; to provide for the expenditure of the appropriations; to provide for reports; to provide for the creation of certain advisory committees and boards; to prescribe certain powers and duties of the department of corrections, certain other state officers and agencies, and certain advisory committees and boards; to provide for the collection of certain funds; and to provide for the disposition of fees and other income received by certain state agencies.

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

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

Rep. Clarke moved to amend the bill as follows:

1. Amend page 34, line 5, by striking out all of subsection (4) and inserting:

“(4) Except as provided in subsection (5), state reimbursement under this section for prisoner housing and custody expenses per diverted offender for the first 90 days of the offender’s incarceration shall be \$47.00 per diem for a county with a population of more than 100,000 and \$42.00 per diem for a county with a population of 100,000 or less. After the diverted offender has been incarcerated 90 days, state reimbursement shall be \$40.00 per diem for the remainder of the incarceration up to 1 year total.

(5) For the first 90 days for diverted offenders housed in beds developed under multicounty projects approved and funded under section 807 of 1998 PA 321, state reimbursement shall be \$47.00 per diem. After the diverted offender has been incarcerated 90 days, state reimbursement shall be \$40.00 per diem for the remainder of the incarceration up to 1 year total.” and renumbering the remaining subsections.

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

Rep. Clarke moved to reconsider the vote by which the House did not adopt the amendment.

The motion did not prevail, a majority of the members present not voting therefor.

Rep. Reeves moved to amend the bill as follows:

1. Amend page 25, following line 2, by inserting:

“Sec. 406. By February 1, 2003, the department shall report to the senate and house appropriations subcommittees on corrections, the senate and house fiscal agencies, and the state budget director on all of the following, based on the prisoner population as of August 31, 2002:

(a) The number of prisoners serving parolable life sentences who have served the requisite number of years under section 34, 1953 PA 232, MCL 791.234, to be eligible for parole consideration, and, of these, the number for whom the parole board has requested jurisdiction and the number over whom the parole board has received jurisdiction.

(b) The number of prisoners who have completed the minimum term of an indeterminate sentence whose first parole board action was a denial of parole.

(c) The number of prisoners who have received their first positive parole action and who are in prison past their earliest release date.

(d) The number of prisoners who have been released on parole and have been returned to prison following parole revocation for a technical violation of parole, and information on the amount of time served by the prisoners since their return to prison, plus information on the average amount of time served by technical violators of parole after their return to prison following technical violation of parole.”.

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

Rep. LaSata moved to amend the bill as follows:

1. Amend page 25, line 11, after “Sec. 601.” by striking out the balance of the line through “(2)” on line 15.

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

Rep. Kolb moved to amend the bill as follows:

1. Amend page 41, following line 11, by inserting:

“Sec. 1009. From the funds appropriated in part 1, the department shall maintain staffing at Huron Valley Men’s Correction Facility sufficient to maintain at least 1 guard in each tower for a 24-hour period, 7 days a week.”.

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

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

Rep. Reeves moved to reconsider the vote by which the House did not adopt the amendment offered previously by Rep. Reeves.

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

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

Rep. Reeves demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 724

Yeas—43

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

Nays—62

Allen	Gilbert	LaSata	Scranton
Birkholz	Godchaux	Mead	Shackleton

Bisbee	Gosselin	Meyer	Sheltrown
Bishop	Hager	Middaugh	Shulman
Bradstreet	Hart	Mortimer	Stamas
Brown, C.	Howell	Neumann	Stewart
Callahan	Hummel	Newell	Switalski
Cassis	Jansen	Palmer	Tabor
Caul	Jelinek	Pappageorge	Toy
DeRossett	Johnson, Rick	Patterson	Van Woerkom
DeVuyst	Johnson, Ruth	Pumford	Vander Roest
DeWeese	Julian	Raczkowski	Vander Veen
Drolet	Koetje	Richardville	Vear
Ehardt	Kooiman	Richner	Voorhees
Faunce	Kowall	Rocca	Woronchak
George	Kuipers		

In The Chair: Julian

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

Rep. Adamini moved to amend the bill as follows:

1. Amend page 20, following line 12, by inserting:

“Sec. 223. The department shall report by April 1, 2003, to the senate and house appropriations subcommittee on corrections, the senate and house fiscal agencies, and the state budget director on the amount of milk and milk products produced and distributed and the amount of raw milk purchased, by source, month, and location during the preceding fiscal year.”.

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

Rep. Adamini demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 725

Yeas—49

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

Nays—57

Allen	Godchaux	Kuipers	Rocca
Birkholz	Gosselin	LaSata	Scranton

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

In The Chair: Julian

Rep. Clarke moved to amend the bill as follows:

1. Amend page 34, line 5, by striking out all of subsection (4) and inserting:

“(4) Except as provided in subsection (5), state reimbursement under this section for prisoner housing and custody expenses per diverted offender for in the first 91 days of the offender’s incarceration shall be \$47.00 per diem for a county with a population of more than 100,000 and \$42.00 per diem for a county with a population of 100,000 or less. After the diverted offender has been incarcerated 91 days, state reimbursement shall be \$40.00 per diem for the remainder of the incarceration up to 1 year total.

(5) For the first 91 days for diverted offenders housed in beds developed under multicounty projects approved and funded under section 807 of 1998 PA 321, state reimbursement shall be \$47.00 per diem. After the diverted offender has been incarcerated 91 days, state reimbursement shall be \$40.00 per diem for the remainder of the incarceration up to 1 year total.” and renumbering the remaining subsections.

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

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 1102, entitled

A bill to make appropriations for the department of corrections and certain state purposes related to corrections for the fiscal year ending September 30, 2003; to provide for the expenditure of the appropriations; to provide for reports; to provide for the creation of certain advisory committees and boards; to prescribe certain powers and duties of the department of corrections, certain other state officers and agencies, and certain advisory committees and boards; to provide for the collection of certain funds; and to provide for the disposition of fees and other income received by certain state agencies.

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

Roll Call No. 726

Yeas—106

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

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

Nays—2

Drolet

Rivet

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Second Reading of Bills

Senate Bill No. 1104, entitled

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2003; to provide for the expenditure of those appropriations; to create certain funds and accounts; to require certain reports; to prescribe the powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

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

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

Rep. Mead moved to substitute (H-2) the bill.

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

Rep. Kolb moved to amend the bill as follows:

1. Amend page 27, line 18, after "December 1," by striking out "2003" and inserting "2002".

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

Rep. Kolb demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 727**Yeas—50**

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

Nays—52

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

In The Chair: Julian

Rep. Kolb moved to amend the bill as follows:

1. Amend page 32, following line 6, by inserting:

“Sec. 401. From the funds appropriated in part 1, the department shall effectuate the following changes to the wetland protection program through administrative rule:

(a) Require that a complete mitigation plan be received and approved prior to permit issuance or as a permit condition and submitted prior to commencement of any project construction activities.

(b) Financial assurance should be required for every mitigation project prior to commencement of any project construction activities.

(c) A mitigation certification process that includes the process for release of the financial assurance should be established.

(d) Mitigation sites should not be used for primary water quality treatment purposes, such as detention, retention or sedimentation ponds.”.

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

Rep. Kolb demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 728**Yeas—44**

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

Nays—60

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

In The Chair: Julian

Rep. Rich Brown moved to amend the bill as follows:

1. Amend page 29, line 7, after “year” by striking out “2002” and inserting “2003”.

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

Rep. Dennis moved to amend the bill as follows:

1. Amend page 32, following line 7, by inserting:

“Sec. 401. From the funds appropriated in part 1, the department shall, through administrative rule, add to the atlas of critical dunes, publicly owned dunes recommended in the publication “Final Report: Evaluation of Critical Dune Areas Designated Under Part 353, Sand Dune Protection and Management, of the Natural Resources and Environmental Protection Act, 1994 PA 451”.”.

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

Rep. Dennis demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 729**Yeas—104**

Adamini	Gielegem	Lockwood	Schauer
Allen	Gilbert	Mans	Schermesser

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

Nays—0

In The Chair: Julian

Rep. Jacobs moved that consideration of the bill be postponed temporarily.
The motion prevailed.

Senate Bill No. 1172, entitled

A bill to amend 1945 PA 47, entitled "An act to authorize 2 or more cities, townships, and villages, or any combination of cities, townships, and villages, to incorporate a hospital authority for planning, promoting, acquiring, constructing, improving, enlarging, extending, owning, maintaining, and operating 1 or more community hospitals and related buildings or structures and related facilities; to provide for the sale, lease, or other transfer of a hospital owned by a hospital authority to a nonprofit corporation established under the laws of this state for no or nominal monetary consideration; to define hospitals and community hospitals; to provide for changes in the membership therein; to authorize the cities, townships, and villages to levy taxes for community hospital purposes; to provide for the issuance of bonds; to provide for the pledge of assessments; to provide for borrowing money for operation and maintenance and issuing notes for operation and maintenance; to validate elections heretofore held and notes heretofore issued; to validate bonds heretofore issued; to authorize condemnation proceedings; to grant certain powers of a body corporate; to validate and ratify the organization, existence, and membership of entities acting as hospital authorities under the act and the actions taken by hospital authorities and by the members of the hospital authorities; and to prescribe penalties and provide remedies," by amending sections 8 and 8a (MCL 331.8 and 331.8a), section 8a as amended by 1980 PA 104; and to repeal acts and parts of acts.

The bill was read a second time.

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

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

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

The motion prevailed.

Senate Bill No. 1173, entitled

A bill to amend 1969 PA 38, entitled "Hospital finance authority act," by amending sections 12 and 42 (MCL 331.42 and 331.72), section 12 as amended by 1994 PA 428 and section 42 as amended by 1992 PA 302; and to repeal acts and parts of acts.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5927, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 901, 912, 916, 917a, 918, 922, 938, 942, and 943 (MCL 500.901, 500.912, 500.916, 500.917a, 500.918, 500.922, 500.938, 500.942, and 500.943), sections 901 and 943 as amended and section 917a as added by 1994 PA 226, section 922 as amended by 1991 PA 79, and section 942 as amended by 1984 PA 90, and by adding section 902.

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

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

Rep. Richner moved to amend the bill as follows:

1. Amend page 2, line 8, by striking out "\$1,000,000.00" and inserting "\$7,000,000.00".

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

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

The motion prevailed.

House Bill No. 5928, entitled

A bill to amend 2000 PA 92, entitled "Food law of 2000," by amending sections 1109, 1119, 3119, 4111, 4117, 6101, 6149, and 7101 (MCL 289.1109, 289.1119, 289.3119, 289.4111, 289.4117, 289.6101, 289.6149, and 289.7101); and to repeal acts and parts of acts.

The bill was read a second time.

Rep. Dennis moved to amend the bill as follows:

1. Amend page 8, following line 18, by inserting:

"(6) A VETERAN WHO HAS A WAIVER OF A LICENSE FEE UNDER THE CIRCUMSTANCES DESCRIBED IN 1921 PA 359, MCL 35.441 TO 35.443, IS EXEMPT FROM PAYING THE FEES PRESCRIBED IN THIS SECTION." and renumbering the remaining subsections.

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

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

The motion prevailed.

House Bill No. 5929, entitled

A bill to amend 2002 PA 100, entitled "Public employee retirement benefit protection act," by amending section 6 (MCL 38.1686).

The bill was read a second time.

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

1. Amend page 1, line 10, after "STATE" by inserting "OTHER THAN A MUNICIPALITY OR COURT THAT PARTICIPATES IN THE MUNICIPAL EMPLOYEES RETIREMENT SYSTEM UNDER THE MUNICIPAL EMPLOYEES RETIREMENT ACT OF 1984, 1984 PA 427, MCL 38.1501 TO 38.1555".

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

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

The motion prevailed.

House Bill No. 5764, entitled

A bill to permit the establishment and maintenance of worker financial security accounts; to provide for certain tax credits and deductions; to prescribe the requirements of and restrictions on worker financial security accounts; and to provide penalties and remedies.

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

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

Rep. Patterson moved to substitute (H-2) the bill.

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

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

1. Amend page 6, line 19, by striking out all of section 6 and inserting:

“Sec. 6. This act shall not take effect unless all of the following bills of the 91st Legislature are enacted into law:

(a) House Bill No. 5765.

(b) House Bill No. 6057.”.

The question being on the adoption of the amendment offered by Reps. Minore and Dennis,

Rep. Minore demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Reps. Minore and Dennis,

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

Roll Call No. 730

Yeas—46

Adamini	Garza	Mortimer	Schauer
Anderson	Gielegem	Murphy	Schermesser
Basham	Hale	Neumann	Shackleton
Bernero	Hansen	O’Neil	Sheltrown
Bovin	Hardman	Pestka	Spade
Brown, B.	Jacobs	Phillips	Switalski
Brown, R.	Jamnick	Plakas	Thomas
Callahan	Lemmons	Quarles	Waters
Clark, I.	Lipsey	Reeves	Williams
Daniels	Lockwood	Rison	Woodward
Dennis	Mans	Rivet	Zelenko
Frank	Minore		

Nays—47

Allen	George	Kowall	Rocca
Birkholz	Gilbert	Kuipers	Shulman
Bishop	Gosselin	LaSata	Stamas
Bradstreet	Hager	Mead	Stewart
Brown, C.	Hart	Middaugh	Tabor
Cassis	Howell	Newell	Toy
Caul	Hummel	Palmer	Van Woerkom
DeRossett	Jansen	Pappageorge	Vander Roest
DeVuyst	Jelinek	Patterson	Vander Veen
DeWeese	Johnson, Rick	Pumford	Vear
Drolet	Johnson, Ruth	Richardville	Voorhees
Faunce	Julian	Richner	

In The Chair: Julian

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

The motion prevailed.

House Bill No. 5991, entitled

A bill to amend 1962 PA 174, entitled “Uniform commercial code,” by amending section 9201 (MCL 440.9201), as amended by 2002 PA 18.

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5993, entitled

A bill to provide for and establish possession and ownership rights in special tools for use in the fabrication of metal parts under certain conditions; to require procedures to establish a lien; and to establish and maintain a lien on certain special tools.

The bill was read a second time.

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

The motion prevailed.

Senate Bill No. 891, entitled

A bill to repeal 1881 PA 182, entitled "An act to provide for the incorporation of pipe line companies, and to define their powers and duties," (MCL 483.201 to 483.228).

The bill was read a second time.

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

The motion prevailed.

Senate Bill No. 893, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending sections 2123, 2558, 6458, and 6461 (MCL 600.2123, 600.2558, 600.6458, and 600.6461), section 2558 as amended by 1996 PA 214.

The bill was read a second time.

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

The motion prevailed.

Senate Bill No. 917, entitled

A bill to amend 1907 PA 130, entitled "An act to provide for refunding to purchasers the price paid to the state on sale of land by the commissioner of the state land office, under section 131 of Act 206 of Public Acts of 1893, as amended by Act 141 of Public Acts of 1901, in cases where the land sold did not belong to the class of lands liable to sale thereunder; for cancelling the conveyance of such lands to the state and restoring the tax liens thereon in favor of the state, which were erroneously cancelled," by amending sections 1, 2, 3, and 4 (MCL 211.451, 211.452, 211.453, and 211.454).

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5962, entitled

A bill to amend 1969 PA 296, entitled "An act to provide for the transfer of jurisdiction over highways; to provide for the final determination of disputes involving transfers of highway jurisdiction; and to supersede certain acts and parts of acts," by amending section 5 (MCL 247.855), as amended by 1980 PA 12, and by adding section 3a.

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

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

Rep. Bishop moved to substitute (H-2) the bill.

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

Rep. Palmer moved to amend the bill as follows:

1. Amend page 1, line 2, after the first "THE" by striking out "BOARD OF COUNTY ROAD COMMISSIONERS" and inserting "COUNTY BOARD OF COMMISSIONERS".

2. Amend page 1, line 6, after "THE" by striking out "BOARD OF COUNTY ROAD COMMISSIONERS" and inserting "COUNTY BOARD OF COMMISSIONERS".

3. Amend page 2, line 5, after "THE" by striking out "BOARD OF COUNTY ROAD COMMISSIONERS" and inserting "COUNTY BOARD OF COMMISSIONERS".

4. Amend page 2, line 11, after the second "THE" by striking out "BOARD OF COUNTY ROAD COMMISSIONERS" and inserting "COUNTY BOARD OF COMMISSIONERS".

5. Amend page 2, line 19, after the second "THE" by striking out "BOARD OF COUNTY ROAD COMMISSIONERS" and inserting "COUNTY BOARD OF COMMISSIONERS".

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

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

The motion prevailed.

Senate Bill No. 859, entitled

A bill to amend 1967 (Ex Sess) PA 7, entitled "Urban cooperation act of 1967," by amending section 7 (MCL 124.507), as amended by 1985 PA 10.

The bill was read a second time.

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

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

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

The motion prevailed.

Senate Bill No. 987, entitled

A bill to amend 1957 PA 4, entitled "Charter water authority act," by amending sections 15 and 16 (MCL 121.15 and 121.16); and to repeal acts and parts of acts.

The bill was read a second time.

Rep. Cassis moved to amend the bill as follows:

1. Amend page 3, line 11, after "~~review.~~" by striking out the balance of the line through "year." on line 14.

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

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

The motion prevailed.

House Bill No. 6043, entitled

A bill to amend 1975 PA 197, entitled "An act to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials," (MCL 125.1651 to 125.1681) by adding sections 3d and 3e.

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

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

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

The motion prevailed.

The House returned to the consideration of

Senate Bill No. 1104, entitled

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2003; to provide for the expenditure of those appropriations; to create certain funds and accounts; to require certain reports; to prescribe the powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

(The bill was considered earlier today, see today's Journal, p. 1535.)

Rep. Kolb moved to amend the bill as follows:

1. Amend page 33, line 16, after "product" by striking out the balance of the section and inserting a period and "The analysis shall include specific recommendations on how Michigan can improve its environmental performance in these and other areas to be competitive with the other great lakes states."

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

Reps. Richner and Palmer moved to amend the bill as follows:

1. Amend page 16, following line 18, by inserting:

"Grants to counties—water quality monitoring 2,500,100".

2. Amend page 17, following line 13, by inserting:

"Cleanup and redevelopment fund..... 2,500,100"

and adjusting the subtotals, totals, and section 201 accordingly.

3. Amend page 40, following line 19, by inserting:

“Sec. 1205. The money appropriated in section 115 for grants to counties—water quality monitoring shall be used to establish and operate a comprehensive monitoring program to protect and manage the environmental quality of the St. Clair River, Lake St. Clair, and the Clinton River watershed.”.

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

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

The motion prevailed.

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

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

Rep. Jacobs moved that Rep. Clarke be excused from the balance of today’s session.

The motion prevailed.

Rep. Rich Brown moved that Rep. Whitmer be excused temporarily from today’s session.

The motion prevailed.

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

The motion prevailed.

By unanimous consent the House returned to the order of

Third Reading of Bills

Senate Bill No. 1104, entitled

A bill to make appropriations for the department of environmental quality for the fiscal year ending September 30, 2003; to provide for the expenditure of those appropriations; to create certain funds and accounts; to require certain reports; to prescribe the powers and duties of certain state agencies and officials; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by the various state agencies.

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

Roll Call No. 731

Yeas—103

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

DeWeese
Drolet
Ehardt
Faunce
Frank

Kolb
Kooiman
Kowall
Kuipers
LaSata

Raczkowski
Reeves
Richardville
Richner
Rison

Wojno
Woodward
Woronchak
Zelenko

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

The Committee on Appropriations, by Rep. Shulman, Chair, reported
Senate Bill No. 1101, entitled

A bill to make appropriations for the department of community health and certain state purposes related to mental health, public health, and medical services for the fiscal year ending September 30, 2003; to provide for the expenditure of those appropriations; to create funds; to require and provide for reports; to prescribe the powers and duties of certain local and state agencies and departments; and to provide for disposition of fees and other income received by the various state agencies.

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

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

Favorable Roll Call

SB 1101 To Report Out:

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

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, May 14, 2002, at 9:30 a.m.,

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

Absent: Reps. Toy, Phillips, Reeves,

Excused: Reps. Toy, Phillips, Reeves.

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

House Bill No. 5824, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending sections 30, 520, and 527a (MCL 206.30, 206.520, and 206.527a), section 30 as amended by 2000 PA 400, section 520 as amended by 1995 PA 245, and section 527a as amended by 2001 PA 169.

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

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

Favorable Roll Call

HB 5824 To Report Out:

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

Nays: None.

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

House Bill No. 5935, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7u (MCL 211.7u), as amended by 1994 PA 390.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

HB 5935 To Report Out:

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

Nays: None.

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

House Bill No. 6002, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," (MCL 205.51 to 205.78) by adding section 5b; and to repeal acts and parts of acts.

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

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

Favorable Roll Call

HB 6002 To Report Out:

Yeas: Reps. Cassis, Vear, Drolet, Faunce, Gosselin, Kowall, Meyer, Newell, Richardville, Woronchak,

Nays: Reps. Basham, Minore.

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

Senate Bill No. 841, entitled

A bill to amend 1981 PA 80, entitled "Fiscal stabilization act," by amending section 4 (MCL 141.1004), as amended by 1987 PA 279; and to repeal acts and parts of acts.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

SB 841 To Report Out:

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

Nays: None.

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

Senate Bill No. 1062, entitled

A bill to amend 1913 PA 380, entitled "An act to regulate gifts of real and personal property to cities, villages, townships, and counties, and the use of the those gifts; and to validate all such gifts made before the enactment of this act," by amending section 2 (MCL 123.872), as added by 1985 PA 9.

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

SB 1062 To Report Out:

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

Nays: None.

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

Senate Bill No. 1074, entitled

A bill to amend 1925 PA 234, entitled "An act to provide for the creation and establishment of port districts; to prescribe their rights, powers, duties and privileges; to prescribe their powers of regulation in certain cases; to prescribe their powers in respect to acquiring, improving, enlarging, extending, operating, maintaining and financing various projects and the conditions upon which certain of said projects may extend into another state or county," by amending section 32 (MCL 120.32).

Without amendment and with the recommendation that the bill pass.

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

Favorable Roll Call

SB 1074 To Report Out:

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

Nays: None.

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

Senate Bill No. 1201, entitled

A bill relative to the reporting of the issuance of certain debt and securities; and to prescribe powers and duties of certain departments, agencies, officials, and employees.

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

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

Favorable Roll Call

SB 1201 To Report Out:

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

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Cassis, Chair of the Committee on Tax Policy, was received and read:

Meeting held on: Wednesday, May 15, 2002, at 10:30 a.m.,

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

Absent: Rep. Wojno,

Excused: Rep. Wojno.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, May 15, 2002, at 8:30 a.m.,

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

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Hart, Chair of the Committee on Family and Children Services, was received and read:

Meeting held on: Wednesday, May 15, 2002, at 9:00 a.m.,
 Present: Reps. Hart, Vander Veen, DeWeese, Hager, Tabor, Murphy, Garza, Rison,
 Absent: Rep. Bernero,
 Excused: Rep. Bernero.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, May 15, 2002, at 10:00 a.m.,
 Present: Reps. Patterson, Julian, Jacobs, Lipsey,
 Absent: Rep. Kuipers.

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members, Thursday, May 9:

Senate Bill Nos. 1315 1316 1317 1318 1319 1320 1321 1322

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

Senate Bill Nos. 1303 1304 1305

The Clerk announced that the following bills had been printed and placed upon the files of the members, Monday, May 13:

Senate Bill Nos. 1306 1308 1309 1310 1311 1312 1313 1314

The Clerk announced that the following bill had been printed and placed upon the files of the members, Wednesday, May 15:

House Bill No. 6081

The Clerk announced that the following Senate bills had been received on Wednesday, May 15:

Senate Bill Nos. 1119 1265 1266 1267 1268 1269 1300 1301 1302

Communications from State Officers

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

May 9, 2002

Pursuant to Section 314 of P.A. 119 of 2001, we are enclosing a copy of the following report:

<u>Type of Report</u>	<u>Facility</u>	<u>Report #</u>	<u>License #</u>
Special Investigation Report	Nokomis Challenge Center	2002C0115006	CS7202201324

This report was performed in compliance with the requirements of P.A. 116 of 1973 as amended, and the Administrative Rules for Child Caring Institutions.

If you have any questions regarding this information, please feel free to contact me at 373-3892.

Sincerely,
 John R. Suckow, C.P.A.
 Director, Finance and Administrative Services

The communication was referred to the Clerk.

The following communication from the Auditor General was received and read:

May 10, 2002

Enclosed is a copy of the following audit report and/or executive digest:
 Performance Audit of the
 School-to-Work System and
 Career Preparation System
 Michigan Department of Career Development
 and Department of Education
 May 2002

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

The communication was referred to the Clerk and the accompanying report referred to the Committee on House Oversight and Operations.

Introduction of Bills

Rep. Spade introduced

House Bill No. 6082, entitled

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

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

Rep. Jamnick introduced

House Bill No. 6083, entitled

A bill to prohibit the switching of a customer's natural gas supplier or distributor and the adding of optional services without the customer's authorization; to require certain notices; to prescribe the powers and duties of certain state agencies and officials; and to provide penalties and other remedies.

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

By unanimous consent the House returned to the order of

Messages from the Senate

House Bill No. 5845, entitled

A bill to repeal 1931 PA 235, entitled "An act authorizing cities to borrow money and to issue bonds for the purpose of defraying part or all of the city's share of the cost and expense of separating grades for railroads and public highways and streets where such railroads intersect such highways and streets, including part or all of the city's share of the cost and expense of the elevation or depression of such railroads, highways and streets, and including the defraying of part or all of the city's share of the damages resulting to abutting property by reason of such separation of grades, or the elevation or depression of such railroads, public highways or streets," (MCL 253.91).

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. 4603, entitled

A bill to amend 1986 PA 255, entitled "Prepaid funeral contract funding act," by amending section 19 (MCL 328.229). 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. 5556, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 48701 (MCL 324.48701), as added by 1995 PA 57.

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

The Senate has passed the bill as substituted (S-2), ordered that it be given immediate effect and 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. 5642, entitled

A bill to make appropriations for the department of agriculture for the fiscal year ending September 30, 2003; to provide for the expenditure of the appropriations; to create funds; to provide for the imposition of fees; to require reports, audits, and plans; to authorize certain transfers by certain state agencies; and to provide for the disposition of fees and other income received by certain state agencies.

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

The Senate has passed the bill as substituted (S-1) and ordered that it be given immediate effect.

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

House Bill No. 5644, entitled

A bill to make appropriations for the department of consumer and industry services and certain other state purposes for the fiscal year ending September 30, 2003; to provide for the expenditure of those appropriations; to provide for the imposition of certain fees; to provide for the disposition of fees and other income received by the state agencies; to provide for reports to certain persons; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

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

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

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

House Bill No. 5647, entitled

A bill to make appropriations for the department of history, arts, and libraries for the fiscal year ending September 30, 2003; to provide for the expenditure of those appropriations; to provide for the disposition of fees and other income received by the state agencies; to provide for the disbursement of certain grants; to provide for reports; and to prescribe powers and duties of certain state departments and certain state and local agencies and officers.

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

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

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

House Bill No. 5850, entitled

A bill to amend 1987 PA 230, entitled "Municipal health facilities corporations act," by amending sections 401, 406, and 412 (MCL 331.1401, 331.1406, and 331.1412), as amended by 1988 PA 502.

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

The Senate has passed the bill as substituted (S-2), ordered that it be given immediate effect and 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. 1119, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 16621 (MCL 333.16621), as amended by 2000 PA 160.

The Senate has passed the bill.

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

Senate Bill No. 1265, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment,

retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 18c (MCL 247.668c).

The Senate has passed the bill.

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

Senate Bill No. 1266, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 18d (MCL 247.668d).

The Senate has passed the bill.

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

Senate Bill No. 1267, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and

townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts,” by amending section 11 (MCL 247.661), as amended by 2000 PA 188.

The Senate has passed the bill.

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

Senate Bill No. 1268, entitled

A bill to amend 1951 PA 51, entitled “An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts,” by amending section 18e (MCL 247.668e), as amended by 1985 PA 201.

The Senate has passed the bill.

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

Senate Bill No. 1269, entitled

A bill to amend 1951 PA 51, entitled “An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment

and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 18f (MCL 247.668f), as amended by 1983 PA 82.

The Senate has passed the bill.

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

Senate Bill No. 1300, entitled

A bill to amend 1961 PA 112, entitled "An act to authorize and provide for the issuance, sale, and refunding of bonds, notes, or commercial paper of the state; to provide funds for making loans to school districts for payment of principal and interest on certain school bonds; to provide for use of moneys repaid to the state by school districts; and to make an appropriation," (MCL 388.981 to 388.985) by adding section 1c.

The Senate has passed the bill.

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

Senate Bill No. 1301, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment, retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," by amending section 18b (MCL 247.668b), as amended by 1985 PA 201.

The Senate has passed the bill.

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

Senate Bill No. 1302, entitled

A bill to amend 2001 PA 34, entitled "Revised municipal finance act," by amending sections 105, 303, 319, 517, 701, and 809 (MCL 141.2105, 141.2303, 141.2319, 141.2517, 141.2701, and 141.2809) and by adding sections 304 and 802; 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 Tax Policy.

Quorum Call

Rep. Middaugh questioned the presence of a quorum and moved that the roll be called and printed in the Journal. The motion prevailed.
The roll was called and the Clerk announced that a quorum was present.
The following is the roll call:

Roll Call No. 732

Yeas—87

Adamini	Gielegem	Lipsey	Schauer
Allen	Gilbert	Lockwood	Shackleton
Anderson	Gosselin	Mans	Sheltrown
Basham	Hager	McConico	Spade
Bernero	Hale	Mead	Stallworth
Birkholz	Hansen	Meyer	Stamas
Bisbee	Hardman	Middaugh	Stewart
Bovin	Hart	Minore	Switalski
Bradstreet	Howell	Mortimer	Tabor
Brown, B.	Hummel	Murphy	Thomas
Brown, C.	Jacobs	Neumann	Van Woerkom
Brown, R.	Jamnick	Newell	Vander Roest
Caul	Jansen	O'Neil	Vander Veen
Clark, I.	Jelinek	Palmer	Voorhees
Daniels	Johnson, Rick	Pappageorge	Waters
DeRossett	Johnson, Ruth	Patterson	Whitmer
DeVuyst	Julian	Pestka	Williams
DeWeese	Kolb	Phillips	Wojno
Drolet	Kooiman	Pumford	Woodward
Faunce	Kuipers	Quarles	Woronchak
Garza	LaSata	Raczkowski	Zelenko
George	Lemmons	Rivet	

In The Chair: Julian

Second Reading of Bills

House Bill No. 5889, entitled

A bill to amend 1955 PA 10, entitled "An act to provide for the registration of historic sites," by amending the title and sections 1 and 2 (MCL 399.151 and 399.152) and by adding sections 3, 4, 5, 6, 7, 8, 9, and 10.
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.

House Bill No. 5860, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 42a (MCL 211.42a), as amended by 1994 PA 415.
The bill was read a second time.
Rep. Birkholz moved that the bill be placed on the order of Third Reading of Bills.
The motion prevailed.



Rep. Jacobs moved that Reps. Frank, Plakas, Reeves, Rison and Schermesser be excused temporarily from today's session.
The motion prevailed.

Rep. Vander Roest moved that Reps. Cassis, Godchaux and Toy be excused temporarily from today's session. The motion prevailed.

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

Rep. Middaugh moved that **House Bill No. 5360** be placed on its immediate passage. The motion prevailed, a majority of the members serving voting therefor.

House Bill No. 5360, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 251 (MCL 257.251), as amended by 2000 PA 397.

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

Roll Call No. 733

Yeas—98

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

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Rep. Middaugh moved that **House Bill No. 5764** be placed on its immediate passage.

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

House Bill No. 5764, entitled

A bill to permit the establishment and maintenance of worker financial security accounts; to provide for certain tax credits and deductions; to prescribe the requirements of and restrictions on worker financial security accounts; and to provide penalties and remedies.

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

Roll Call No. 734**Yeas—88**

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

Nays—5

Dennis	Minore	Switalski	Waters
Lipsev			

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Second Reading of Bills**House Bill No. 5765, entitled**

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 2000 PA 400.

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

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

Rep. Middaugh moved that consideration of the bill be postponed temporarily.
The motion prevailed.

House Bill No. 5767, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 2000 PA 400.

The bill was read a second time.

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

The motion prevailed.

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

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

Rep. Vander Roest moved that Rep. Scranton 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. 5767, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 2000 PA 400.

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

Roll Call No. 735

Yeas—101

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

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

House Bill No. 5154, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 50a (MCL 750.50a), as added by 1994 PA 42.

The bill was read a third time.

The question being on the passage of the bill,

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

The motion prevailed.

House Bill No. 4454, entitled

A bill to repeal 1987 PA 248, entitled "Airport parking tax act," (MCL 207.371 to 207.383).

(The bill was not passed, motion made to reconsider the vote by which the House did not pass the bill and motion postponed for the day on October 11, 2001, see House Journal No. 69 of 2001, p. 2044.)

The question being on the motion made previously by Rep. Richardville,

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

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

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

Rep. Thomas moved that the bill be referred to the Committee on Appropriations.

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

Rep. Thomas demanded the yeas and nays.

The demand was supported.

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

The motion did not prevail, a majority of the members present not voting therefor, by yeas and nays, as follows:

Roll Call No. 736**Yeas—45**

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

Nays—54

Allen	Gosselin	LaSata	Rocca
Birkholz	Hager	Mead	Shackleton

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

In The Chair: Julian

Point of Order

Rep. Thomas requested a ruling from the House regarding whether the bill is properly before the House.
The Chair ruled that the bill is properly before the House.

Reps. Richner and Patterson moved to amend the bill as follows:

1. Amend page 8, following line 20, by inserting:

“(4) FUNDS APPROPRIATED FOR DETROIT CITY AIRPORT AND FOR WILLOW RUN AIRPORT MAY NOT BE USED DIRECTLY OR INDIRECTLY FOR THE EXTENSION, EXPANSION, OR REALIGNMENT OF ANY EXISTING RUNWAY OR FOR THE CONSTRUCTION OF ANY NEW RUNWAY.”.

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

Rep. Patterson moved to amend the bill as follows:

1. Amend page 3, line 10, after “OPERATIONS,” by inserting “INCLUDING NOT LESS THAN 30% OF THE AMOUNT USED FOR SHERIFF DEPARTMENT OPERATIONS FOR ACCELERATING THE PROCESSING OF CONCEALED WEAPON LICENSE APPLICATIONS,”.

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

Rep. Basham moved to amend the bill as follows:

1. Amend page 2, line 17 after “(B)” by inserting “FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2002,”.

2. Amend page 2, line 20, after “\$6,000,000.00” by striking out the balance of the sentence and inserting a period.

The question being on the seconding of the motion made by Rep. Basham,

Rep. Basham demanded the yeas and nays.

The demand was supported.

The question being on the seconding of the motion made by Rep. Basham,

The motion did not prevail, a majority of the members not voting therefor, by yeas and nays, as follows:

Roll Call No. 737

Yeas—45

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

Nays—54

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

In The Chair: Julian

Rep. Patterson moved to amend the bill as follows:

1. Amend page 2, line 7, by striking out all of subdivision (A) and relettering the remaining subdivisions.
2. Amend page 2, line 25, after “THE” by striking out “DISTRIBUTIONS IN SUBDIVISIONS (A) AND (B)” and inserting “DISTRIBUTION IN SUBDIVISION (A)”.
3. Amend page 3, line 4, by striking out all of line 4 through the first “THE” on line 9 and inserting “(1) (B) shall be deposited INTO THE”.

The motion was seconded.

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

Rep. Basham demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 738**Yeas—55**

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

Nays—44

Adamini	Garza	Mans	Rivet
Anderson	Gielegem	McConico	Schauer

Basham	Hale	Minore	Sheltrown
Bernero	Hansen	Murphy	Spade
Bovin	Hardman	Neumann	Switalski
Brown, B.	Jacobs	O'Neil	Waters
Brown, R.	Jamnick	Pestka	Whitmer
Callahan	Kolb	Phillips	Williams
Clark, I.	Lemmons	Plakas	Wojno
Daniels	Lipsey	Quarles	Woodward
Dennis	Lockwood	Reeves	Zelenko

In The Chair: Julian

Rep. Stallworth moved to amend the bill as follows:

1. Amend page 8, following line 20, by inserting:

“(4) FUNDS DESCRIBED IN THIS SECTION SHALL NOT BE USED FOR CAPITAL OUTLAY PROJECTS DESCRIBED IN THIS SECTION UNLESS THE AIRCRAFT FUEL TAX CREDIT UNDER SECTION 203 OF THE AERONAUTICS CODE, 1945 PA 327, MCL 259.203, IS ELIMINATED NOT LATER THAN SEPTEMBER 29, 2002.”.

The question being on the seconding of the motion made by Rep. Stallworth,

Rep. Stallworth demanded the yeas and nays.

The demand was supported.

The question being on the seconding of the motion made by Rep. Stallworth,

The motion did not prevail, a majority of the members not voting therefor, by yeas and nays, as follows:

Roll Call No. 739

Yeas—47

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

Nays—54

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

Faunce
George

Kooiman
Kowall

Richner

Woronchak

In The Chair: Julian

Rep. Thomas moved to amend the bill as follows:

1. Amend page 2, line 19, after "259.43," by striking out "66-2/3%" and inserting "33-1/3%".
2. Amend page 2, line 20, after "EXCEED" by striking out "\$6,000,000.00" and inserting "\$2,000,000.00".

The question being on the seconding of the motion made by Rep. Thomas,

Rep. Thomas demanded the yeas and nays.

The demand was supported.

The question being on the seconding of the motion made by Rep. Thomas,

The motion did not prevail, a majority of the members not voting therefor, by yeas and nays, as follows:

Roll Call No. 740

Yeas—46

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

Nays—55

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

In The Chair: Julian

The question being on the passage of the bill,

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

Roll Call No. 741**Yeas—55**

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

Nays—41

Adamini	Hansen	Minore	Stewart
Anderson	Hardman	Murphy	Switalski
Basham	Jacobs	O'Neil	Thomas
Bernero	Jamnick	Phillips	Toy
Callahan	Kolb	Plakas	Waters
Clark, I.	Lemmons	Quarles	Whitmer
Daniels	Lipsey	Reeves	Williams
Dennis	Lockwood	Rivet	Wojno
Garza	Mans	Schauer	Woodward
Gielegem	McConico	Stallworth	Zelenko
Hale			

In The Chair: Julian

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

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

A bill to amend 1987 PA 248, entitled "Airport parking tax act," by amending sections 3 and 7 (MCL 207.373 and 207.377) and by adding section 11a.

The motion prevailed.

The House agreed to the title as amended.

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

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

Reps. Kolb, Murphy, Callahan, Plakas, Zelenko, Adamini, Williams, Waters, Phillips, Anderson and Lemmons, having reserved the right to explain their protest against the passage of the bill, made the following statement:

"Mr. Speaker and members of the House:

I voted no on final passage of House Bill 4454 (H-5) because it is a needless attack on the City of Romulus and Wayne County as a whole. Under House Bill 4454, Wayne County will lose almost \$15 million a year, which currently funds indigent health care and health care for the working poor. In addition, House Bill 4454 would rob the City of Romulus of approximately \$1.2 million each year, money that the city uses to fund police, fire, and other services made necessary by the presence of Detroit Metropolitan Airport.

What is more, I voted no because there is no reason Michigan must strip these funds from our neediest citizens. Proponents argue that House Bill 4454 would provide funding for statewide airport improvements. However, House Democrats offered several amendments that would have provided up to \$20 million for airport improvement projects,

more than three times as much as the bill currently provides, without taking funds from Romulus or Wayne County. Current House leaders chose not to even debate those amendments. For all these reasons, I voted no on House Bill 4454.”

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

“Mr. Speaker and members of the House:

I voted no on final passage of House Bill 4454 (H-5) because it is a needless attack on the City of Romulus and Wayne County as a whole. Under House Bill 4454, Wayne County will lose almost \$15 million a year, which currently funds indigent health care and health care for the working poor. In addition, House Bill 4454 would rob the City of Romulus of approximately \$1.2 million each year, money that the city uses to fund police, fire, and other services made necessary by the presence of Detroit Metropolitan Airport.

What is more, I voted no because there is no reason Michigan must strip these funds from our neediest citizens. Proponents argue that House Bill 4454 would provide funding for statewide airport improvements. However, House Democrats offered several amendments that would have provided up to \$20 million for airport improvement projects, more than three times as much as the bill currently provides, without taking funds from Romulus or Wayne County. Current House leaders chose not to even debate those amendments. For all these reasons, I voted no on House Bill 4454. This bill is also Draconian in nature.”

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

“Mr. Speaker and members of the House:

I am a no vote to House Bill 4454 because of my experience as vice-chair of the F.I.A. budget. I do not want to remove health care dollars from Wayne County where I am a resident and represent constituents who currently continue to need those benefits. I request that my name be removed from co-sponsorship. Thank you.”

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

“Mr. Speaker and members of the House:

I voted no on final passage of House Bill 4454 (H-5) because it represented a needless \$15 million per year raid on Wayne County funding for indigent health care and health care for the working poor. I wholeheartedly support funding for airport improvements across our state, but other more appropriate funding sources should have been used to allow the Michigan Aeronautics Fund to match federal dollars. In a time of spiraling budget deficits, this bill is a new low in tapping one-time budget sources to solve the state’s budget problems. I voted no because it is wrong to strip these funds from our neediest citizens. While proponents argued that House Bill 4454 would provide funding for statewide airport improvements. I supported several amendments that would have provided up to \$20 million for airport improvement projects, more than three times as much as the bill currently provides, without taking funds from health programs for the indigent and working poor. Current House leaders chose not to even debate those amendments. For all these reasons, I voted no on House Bill 4454.”

Notices

I hereby give notice that on the next legislative session day I will move to reconsider the vote by which the House passed **House Bill No. 4454**.

Rep. Basham

Rep. Jansen moved that the House adjourn.
The motion prevailed, the time being 10:30 p.m.

Associate Speaker Pro Tempore Julian declared the House adjourned until Thursday, May 16, at 12:00 Noon.

GARY L. RANDALL
Clerk of the House of Representatives.

