

No. 18
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House of Representatives
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House Chamber, Lansing, Wednesday, February 27, 2002.

2:00 p.m.

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

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

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

e/d/s = entered during session

Rev. J. Louis Felton, Pastor of the Galilee Missionary Baptist Church in Kalamazoo, offered the following invocation:

“Eternal God, we acknowledge Your presence in this place. We celebrate Your leadership, for the government is upon Your shoulder, and of the increase of Your government and peace, there shall be no end. Today, we pause to thank You for the miracle of Michigan. We thank You for our great heritage and for our great geographical location with one of the longest freshwater coastlines on the planet. We thank You for this month of February that brings us the birth of Abraham Lincoln, the founding of the NAACP, the birth of Rosa Parks—a Michigan resident, the birth of Malcolm Little—later known as Malcolm X born in Mason, Michigan. We thank You for the month of February, in which the transition of Sojourner Truth, whose bones in Battle Creek testify to the leadership of Michigan in the critical rights of the development of this nation. We thank You for the consciousness of this great state. We pray that You will continue to give us sensitivity to the issues that make a difference in peoples’ lives. We pray Your blessings upon both of Michigan’s present peninsulas and for the continuing tradition of Michigan’s national leadership—from Lewis Cass, first Governor of the Michigan territory to our present Governor, John Engler, and our great state legislator Alexander Lipsey of Kalamazoo. May You bless our celebration later this afternoon of Black History in this Capitol rotunda, and throughout this state may we all be sensitive of all the rights of every human being created in the image of God. We pray in the name of Him who has all power and who has everlasting love. Amen.”

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

Messages from the Senate

House Bill No. 4009, entitled

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

The Senate has concurred in the House amendments to the Senate substitute (S-2).

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

Third Reading of Bills

House Bill No. 4848, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by repealing section 486 (MCL 750.486).

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

Roll Call No. 148

Yeas—100

Adamini	Ehardt	LaSata	Schauer
Allen	Faunce	Lemmons	Scranton
Anderson	Frank	Lipsey	Shackleton
Basham	George	Lockwood	Sheltrown
Bernero	Gielegthem	Mead	Shulman
Birkholz	Gilbert	Meyer	Spade
Bisbee	Godchaux	Middaugh	Stallworth
Bishop	Gosselin	Mortimer	Stamas

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

Nays—1

Jamnick

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Reps. Hale and Mans entered the House Chambers.

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.

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

Roll Call No. 149**Yeas—104**

Adamini	Faunce	Kuipers	Rocca
Allen	Frank	LaSata	Schauer
Anderson	Garza	Lemmons	Scranton
Basham	George	Lipsey	Shackleton
Bernero	Gielegthem	Lockwood	Sheltrown
Birkholz	Gilbert	Mans	Shulman
Bisbee	Godchaux	Mead	Spade
Bishop	Gosselin	Meyer	Stallworth
Bogardus	Hager	Middaugh	Stamas
Bovin	Hale	Mortimer	Stewart
Bradstreet	Hansen	Murphy	Switalski

Brown, B.	Hardman	Neumann	Tabor
Brown, C.	Hart	Newell	Thomas
Brown, R.	Howell	O'Neil	Toy
Callahan	Hummel	Pappageorge	Van Woerkom
Cassis	Jacobs	Patterson	Vander Roest
Caul	Jamnick	Pestka	Vander Veen
Clark, I.	Jansen	Phillips	Vear
Clarke, H.	Jelinek	Plakas	Voorhees
Daniels	Johnson, Rick	Pumford	Waters
Dennis	Johnson, Ruth	Quarles	Whitmer
DeRossett	Julian	Rackowski	Williams
DeVuyst	Koetje	Richardville	Wojno
DeWeese	Kolb	Richner	Woodward
Drolet	Kooiman	Rison	Woronchak
Ehardt	Kowall	Rivet	Zelenko

Nays—0

In The Chair: Julian

The House agreed to the title of the bill.

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

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

Reps. Birkholz, Cameron Brown, Caul, Clarke, Daniels, Faunce, Ruth Johnson, Lemmons, Mans, Murphy, O'Neil, Stallworth, Stewart, Vander Veen, Voorhees and Wojno were named co-sponsors of the bill.

Second Reading of Bills

House Bill No. 4991, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1303 (MCL 380.1303), as amended by 1995 PA 289.

(The bill was read a second time, substitute (H-1) adopted and reconsidered, and bill postponed for the day on February 19, see House Journal No. 14, p. 269.)

The question being on the adoption of the substitute (H-1) offered previously by Rep. Middaugh,

Rep. Middaugh demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the substitute (H-1) offered previously by Rep. Middaugh,

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

Roll Call No. 150

Yeas—74

Adamini	Ehardt	Kowall	Rackowski
Anderson	Faunce	LaSata	Richardville
Basham	Garza	Lemmons	Richner
Bernero	George	Lipsey	Rison
Bishop	Gielegem	Lockwood	Rocca
Bogardus	Gilbert	Mans	Schauer
Bovin	Godchaux	Mead	Scranton
Brown, B.	Hager	Meyer	Shackleton
Brown, C.	Hansen	Middaugh	Shulman
Brown, R.	Hart	Mortimer	Spade
Callahan	Howell	Murphy	Stewart

Cassis	Hummel	Neumann	Switalski
Caul	Jacobs	O'Neil	Van Woerkom
Clark, I.	Jamnack	Pappageorge	Whitmer
Clarke, H.	Jansen	Patterson	Williams
Daniels	Jelinek	Pestka	Wojno
Dennis	Johnson, Ruth	Phillips	Woronchak
DeRossett	Julian	Pumford	Zelenko
DeWeese	Kolb		

Nays—27

Allen	Gosselin	Newell	Vander Roest
Birkholz	Hale	Rivet	Vander Veen
Bisbee	Hardman	Sheltrown	Vear
Bradstreet	Johnson, Rick	Stallworth	Voorhees
DeVuyst	Koetje	Stamas	Waters
Drolet	Kooiman	Tabor	Woodward
Frank	Kuipers	Toy	

In The Chair: Julian

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

The motion prevailed.

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

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

By unanimous consent the House returned to the order of

Third Reading of Bills**House Bill No. 4991, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1303 (MCL 380.1303), as amended by 1995 PA 289.

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

Roll Call No. 151**Yeas—101**

Adamini	Faunce	Kowall	Rivet
Allen	Frank	Kuipers	Rocca
Anderson	Garza	LaSata	Schauer
Basham	George	Lemmons	Scranton
Bernero	Gielegghem	Lipsey	Shackleton
Birkholz	Gilbert	Lockwood	Shulman
Bisbee	Godchaux	Mans	Spade
Bishop	Gosselin	Mead	Stamas
Bogardus	Hager	Meyer	Stewart
Bovin	Hale	Middaugh	Switalski
Bradstreet	Hansen	Mortimer	Tabor
Brown, B.	Hardman	Murphy	Thomas
Brown, C.	Hart	Neumann	Toy
Brown, R.	Howell	Newell	Van Woerkom
Callahan	Hummel	O'Neil	Vander Roest

Cassis	Jacobs	Pappageorge	Vander Veen
Caul	Jamnick	Patterson	Vear
Clark, I.	Jansen	Pestka	Voorhees
Clarke, H.	Jelinek	Phillips	Waters
Daniels	Johnson, Rick	Pumford	Whitmer
Dennis	Johnson, Ruth	Quarles	Williams
DeRossett	Julian	Rackowski	Wojno
DeVuyst	Koetje	Richardville	Woodward
DeWeese	Kolb	Richner	Woronchak
Drolet	Kooiman	Rison	Zelenko
Ehardt			

Nays—0

In The Chair: Julian

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

Rep. Jacobs moved that Rep. Basham be excused temporarily from today's session.
The motion prevailed.

Rep. Reeves entered the House Chambers.

Second Reading of Bills

Senate Bill No. 451, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending section 2006 (MCL 500.2006).
(The bill was read a second time, substitute (H-1) adopted, amendment offered and bill postponed for the day on February 26, see House Journal No. 17, p. 359.)

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

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

Roll Call No. 152

Yeas—49

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

Nays—55

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

In The Chair: Julian

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

Senate Bill No. 452, entitled

A bill to amend 1980 PA 350, entitled “The nonprofit health care corporation reform act,” by amending section 403 (MCL 550.1403).

The bill was read a second time.

Rep. Richner moved to amend the bill as follows:

1. Amend page 1, line 2, after “member” by striking out “or a participating provider”.

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

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

The motion prevailed.

House Bill No. 5671, entitled

A bill to amend 1895 PA 215, entitled “The fourth class city act,” by amending section 4 (MCL 102.4).

The bill was read a second time.

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

1. Amend page 2, line 10, after the second “the” by striking out “STATE TREASURER” and inserting “SECRETARY OF STATE”.

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

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

The motion prevailed.

House Bill No. 5600, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” (MCL 750.1 to 750.568) by adding section 479c.

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

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

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

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

Rep. Kowall moved to amend the bill as follows:

1. Amend page 3, line 18, after “OF” by inserting “SERIOUS”.

2. Amend page 4, line 9, after “PHYSICAL” by inserting “INTERFERENCE OR”.

3. Amend page 4, line 9, after “COMPLY” by inserting “WITH A LAWFUL COMMAND”.

The motion prevailed and the amendments were adopted, a majority of the members serving voting therefor.
Rep. Kowall moved that the bill be placed on the order of Third Reading of Bills.
The motion prevailed.

House Bill No. 5601, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16x of chapter XVII (MCL 777.16x), as amended by 2000 PA 473.
The bill was read a second time.

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

House Bill No. 5540, entitled

A bill to amend 1995 PA 29, entitled "Uniform unclaimed property act," by amending section 16 (MCL 567.236).
Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Employment Relations, Training and Safety,
The substitute (H-1) was adopted, a majority of the members serving voting therefor.
Rep. Bisbee moved that the bill be placed on the order of Third Reading of Bills.
The motion prevailed.

House Bill No. 5662, entitled

A bill to amend 1927 PA 375, entitled "An act to provide for the collection of past due moneys and accounts belonging to the state of Michigan; to create a department therefor; to prescribe the duties of state officers, departments, commissions and institutions in relation thereto; and to make appropriations for defraying the expenses thereof," by amending section 3 (MCL 14.133).
The bill was read a second time.
Rep. Patterson moved that the bill be placed on the order of Third Reading of Bills.
The motion prevailed.

House Bill No. 5663, entitled

A bill to repeal certain acts and parts of acts.
The bill was read a second time.
Rep. Patterson moved that the bill be placed on the order of Third Reading of Bills.
The motion prevailed.

House Bill No. 5666, entitled

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

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

1. Amend page 2, line 17, after "shall" by striking out the balance of the line through "THE" on line 18 and inserting "MAKE RECOMMENDATION FOR".
 2. Amend page 2, line 20, by striking out "voucher" and inserting "RECOMMENDATION".
 3. Amend page 2, line 22, by striking out "voucher" and inserting "RECOMMENDATION".
 4. Amend page 2 line 23, after "paid" by striking out the balance of the sentence and inserting a period.
- The motion prevailed and the amendments were adopted, a majority of the members serving voting therefor.
Rep. Julian moved that the bill be placed on the order of Third Reading of Bills.
The motion prevailed.

House Bill No. 5668, entitled

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

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5669, entitled

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

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5670, entitled

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

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5672, entitled

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

The bill was read a second time.

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

1. Amend page 1, line 7, by striking out "STATE TREASURER" and inserting "SECRETARY OF STATE".

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

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

The motion prevailed.

House Bill No. 5673, entitled

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

The bill was read a second time.

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

The motion prevailed.

Senate Bill No. 884, entitled

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

The bill was read a second time.

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

The motion prevailed.

Senate Bill No. 885, entitled

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

The bill was read a second time.

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

The motion prevailed.

Senate Bill No. 886, entitled

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

The bill was read a second time.

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

The motion prevailed.

Senate Bill No. 888, entitled

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

The bill was read a second time.

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

The motion prevailed.

Senate Bill No. 890, entitled

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

The bill was read a second time.

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

The motion prevailed.

Senate Bill No. 894, entitled

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

The bill was read a second time.

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

The motion prevailed.

Senate Bill No. 895, entitled

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

The bill was read a second time.

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

The motion prevailed.

House Bill No. 5504, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 312f (MCL 257.312f), as amended by 1992 PA 180, and by adding section 312g.

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

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

Rep. Gilbert moved to amend the bill as follows:

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

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

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

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

The motion prevailed.

House Bill No. 5431, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 43532 (MCL 324.43532), as amended by 1996 PA 585.

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

The substitute (H-1) was adopted, a majority of the members serving voting therefor.
 Rep. Rivet moved that the bill be placed on the order of Third Reading of Bills.
 The motion prevailed.
 Rep. Richardville moved that the bill be placed on its immediate passage.
 The motion prevailed, a majority of the members serving voting therefor.

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

House Bill No. 5431, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 43532 (MCL 324.43532), as amended by 1996 PA 585.

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

Roll Call No. 153

Yeas—97

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

Nays—5

Adamini	Godchaux	LaSata	Pappageorge
Dennis			

In The Chair: Julian

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

Second Reading of Bills

House Bill No. 5495, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding chapter LXXXIII-A.

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

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

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

The motion prevailed.

House Bill No. 5520, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending sections 22, 31, 33, 35, 37, and 49 of chapter XVII (MCL 777.22, 777.31, 777.33, 777.35, 777.37, and 777.49), sections 22, 33, and 35 as amended by 2000 PA 279, sections 31 and 49 as amended by 2001 PA 136, and section 37 as added by 1998 PA 317, and by adding section 49a.

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

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

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

The motion prevailed.

House Bill No. 5732, entitled

A bill to amend 1943 PA 240, entitled "State employees' retirement act," by amending sections 1b, 1d, 5, 11, 13, 19, 20, 20d, 21, 24, 33, 38, 46, 48, 49, and 52 (MCL 38.1b, 38.1d, 38.5, 38.11, 38.13, 38.19, 38.20, 38.20d, 38.21, 38.24, 38.33, 38.38, 38.46, 38.48, 38.49, and 38.52), section 1b as amended by 1996 PA 33, sections 1d and 49 as added by 1995 PA 176, sections 11 and 13 as amended and section 52 as added by 1996 PA 487, section 19 as amended by 1998 PA 205, section 20 as amended by 1996 PA 521, section 20d as amended by 1996 PA 532, section 38 as amended by 1996 PA 279, and section 48 as added by 1990 PA 110, and by adding section 19g.

The bill was read a second time.

Reps. Vear and Shackleton moved to amend the bill as follows:

1. Amend page 23, following line 14, by inserting:

"(iii) THE MEMBER IS EMPLOYED IN A COVERED POSITION AS DEFINED IN SECTION 45 AND MEETS THE CONDITIONS FOR ELIGIBILITY FOR A SUPPLEMENTAL EARLY RETIREMENT ALLOWANCE UNDER SECTION 46."

2. Amend page 24, line 5, by striking out all of subdivision (E) and relettering the remaining subdivision.

3. Amend page 43, following line 3, by inserting:

"(4) A SUPPLEMENTAL MEMBER WHO IS ELIGIBLE TO RETIRE UNDER THIS SECTION AND RECEIVE A SUPPLEMENTAL RETIREMENT ALLOWANCE AS CALCULATED UNDER SECTION 47 MAY ALSO ELECT TO RETIRE AND RECEIVE A RETIREMENT ALLOWANCE UNDER SECTION 19G IF THE SUPPLEMENTAL MEMBER EXECUTES AND FILES A WRITTEN APPLICATION WITH THE RETIREMENT BOARD, ON OR AFTER APRIL 1, 2002, BUT NOT LATER THAN APRIL 30, 2002, STATING A DATE ON OR AFTER JULY 1, 2002, BUT NOT LATER THAN NOVEMBER 1, 2002, ON WHICH HE OR SHE DESIRES TO RETIRE. A SUPPLEMENTAL MEMBER MAY WITHDRAW A WRITTEN APPLICATION ON OR BEFORE MAY 15, 2002. A WRITTEN APPLICATION SUBMITTED BY A MEMBER AND NOT WITHDRAWN ON OR BEFORE MAY 15, 2002 IS IRREVOCABLE. THE SUPPLEMENTAL MEMBER WHO IS ENTITLED TO A RETIREMENT ALLOWANCE CALCULATED UNDER SECTION 19G SHALL NOT RECEIVE THE RETIREMENT ALLOWANCE CALCULATED UNDER SECTION 19G UNTIL THE SUPPLEMENTAL MEMBER HAS ATTAINED 62 YEARS OF AGE."

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

Rep. Richardville moved that consideration of the bill be postponed for the day.

The motion prevailed.

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

By unanimous consent the House returned to the order of
Motions and Resolutions

Reps. Richner, Vander Roest, DeVuyst, Bishop, Faunce, Meyer, Mead, Gosselin, Drolet, Vander Veen, DeWeese, Hager, Hansen, Richardville, Patterson, Stewart, Raczkowski, Neumann, Middaugh, DeRossett, Woronchak, Van Woerkom, Voorhees, Toy, Shackleton, Vear, Kowall, Jansen, Rocca, Clarke, Howell, Shulman, Sheltroun, Rison, Zelenko, Callahan, Jacobs, Scranton, Spade, Switalski, Wojno, Jamnick, Gielegem, Rich Brown, Whitmer, Hardman, Kuipers, Pappageorge, Birkholz, Lemmons, Caul and Murphy offered the following resolution:

House Resolution No. 346.

A resolution to memorialize the Congress of the United States to exempt Social Security benefits from taxation.

Whereas, Social Security benefits are a vital component of the retirement planning of almost all Americans. This successful program, when combined with other strategies and preparation, offers our older citizens the opportunity to enjoy a measure of economic security based on their lifetime of contributing to our society; and

Whereas, For most of the history of Social Security, the benefits have not been subject to taxation. In 1983, however, this was changed, and in 1993 further changes were made to subject more of a person's Social Security benefits to tax when a person's total income exceeds very modest thresholds of income. For a person receiving Social Security benefits, 85 percent of total income above the levels of \$34,000 for a single filer and \$44,000 for those married and filing jointly is subject to federal income taxes. These income triggers are not adjusted each year for inflation; and

Whereas, There are several strong arguments against taxing Social Security benefits. Taxing Social Security benefits serves as a means test for a program every worker pays taxes to fund. Doing so also amounts to double taxation, because the money that funds the benefits comes from taxes on workers. The policy of taxing these benefits also perpetuates the ill-advised practice of using this program to finance other federal government operations, which erodes trust among our citizens; and

Whereas, Most importantly, taxing these benefits can be a hardship for many seniors, which is in contrast to the historic aims of this safety net program. This is clearly an affront to people who contribute to this system with their payroll taxes throughout their working lives; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to exempt Social Security benefits from taxation; and be it further

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

The resolution was referred to the Committee on Tax Policy.

Reps. Quarles, Vander Roest, Faunce, Gosselin, Drolet, Vander Veen, DeWeese, Hager, Hansen, Stewart, Raczkowski, Neumann, Richner, DeRossett, Cassis, Van Woerkom, Toy, Vear, Rocca, Clarke, Garza, Shulman, Sheltroun, Bernero, Rison, Plakas, Anderson, Adamini, Zelenko, Callahan, Jacobs, Spade, Switalski, Wojno, Lipsey, Dennis, Jamnick, Gielegem, Rich Brown, Whitmer, Phillips, Bogardus, Clark, Hale, Hardman, Thomas, Kuipers, Pappageorge, Birkholz, Rivet, Lemmons, Murphy, Godchaux, Reeves, Kowall, Bishop and Ruth Johnson offered the following resolution:

House Resolution No. 347.

A resolution honoring Mr. Donald Fracassi for his notable service as Mayor of the City of Southfield from 1973 to 2001.

Whereas, It is with appreciation for all of the contributions he has made on behalf of the people of Southfield that we salute the Honorable Donald Fracassi, former Mayor of the city of Southfield; and

Whereas, Donald Fracassi began his illustrious career in public service when he was elected to the Southfield City Council in 1967 and was selected to serve as the Council President in 1971. He was later appointed to serve as Mayor to fill a vacancy in 1972, and was first elected as Mayor in 1973; and

Whereas, Donald Fracassi's commitment to the Southfield community was exhibited throughout his tenure as Mayor. In the 29 years that Donald Fracassi served as Mayor, his wisdom, professionalism, and leadership earned him widespread recognition and respect. He consistently displayed the highest standards of citizenship and unselfishness and his example will long be appreciated by his colleagues in city government in their work to enhance and improve the Southfield community; and

Whereas, Donald Fracassi's leadership and accomplishments in strategic planning and program development warrants our sincere commendation. His deep concern for the betterment of the community and his striving to facilitate these goals have impressed all who have had the privilege of knowing him. His knowledge and experience has been a tremendous benefit to the citizens of Southfield as well as our great state; and

Whereas, Donald Fracassi has shown characteristics of commitment, common sense, and intentional fortitude. As he looks back on his years as the Mayor of Southfield, he can indeed take pride in his service to the people of this great city and for his contributions in bringing a tenure of effectiveness to city hall; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body honor Mr. Donald Fracassi for his notable service as Mayor of the City of Southfield from 1973 to 2001; and be it further

Resolved, That copies of this resolution be transmitted to Mr. Donald Fracassi and his family as an expression of our appreciation for his years of dedicated service as Mayor of the City of Southfield.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

The resolution was adopted.

Reports of Standing Committees

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

House Bill No. 5220, entitled

A bill to name a certain portion of highway business route 196 the "Cesar E. Chavez Way"; and to prescribe certain duties of the state transportation department.

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

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

Favorable Roll Call

HB 5220 To Report Out:

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

Nays: None.

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

House Bill No. 5637, entitled

A bill to amend 2001 PA 142, entitled "Michigan memorial highway act," (MCL 250.1001 to 250.1100) by adding section 85.

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 5637 To Report Out:

Yeas: Reps. Gilbert, George, DeRossett, Drolet, Gosselin, Hart, Hummel, Ruth Johnson, Julian, Scranton, Anderson, Bovin, Daniels, Jamnick, Murphy, Neumann,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Gilbert, Chair of the Committee on Transportation, was received and read: Meeting held on: Wednesday, February 27, 2002, at 9:00 a.m.,

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

Absent: Rep. Schermesser,

Excused: Rep. Schermesser.

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

House Bill No. 5587, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 44 (MCL 211.44), as amended by 2000 PA 364.

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 5587 To Report Out:

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

Nays: None.

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

Senate Bill No. 971, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 87c (MCL 211.87c), as amended by 1999 PA 123; 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

SB 971 To Report Out:

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

Nays: None.

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

Senate Bill No. 973, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 89 (MCL 211.89), as amended by 1982 PA 503.

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 973 To Report Out:

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

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, February 27, 2002, at 10:30 a.m.,

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

Absent: Rep. Minore,

Excused: Rep. Minore.

The Committee on House Oversight and Operations, by Rep. Patterson, Chair, reported

House Bill No. 5664, entitled

A bill to amend 1921 PA 2, entitled "An act to promote the efficiency of the government of the state, to create a state administrative board, to define the powers and duties thereof, to provide for the transfer to said board of powers and duties now vested by law in other boards, commissions, departments and officers of the state, and for the abolishing of certain of the boards, commissions, departments and offices, whose powers and duties are hereby transferred," by amending section 1 (MCL 17.1).

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 5664 To Report Out:

Yeas: Reps. Patterson, Julian, Kuipers, Jacobs, Lipsey,
Nays: None.

The Committee on House Oversight and Operations, by Rep. Patterson, Chair, reported

House Bill No. 5713, entitled

A bill to amend 1956 PA 40, entitled "The drain code of 1956," by amending sections 271 and 323 (MCL 280.271 and 280.323).

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 5713 To Report Out:

Yeas: Reps. Patterson, Julian, Kuipers, Jacobs, Lipsey,
Nays: None.

The Committee on House Oversight and Operations, by Rep. Patterson, Chair, reported

House Bill No. 5714, entitled

A bill to amend 1915 PA 294, entitled "An act to promote the public welfare; to create a commission to be known as the agricultural fair commission; to provide for the appointment of such a commission and to fix their terms of office; to prescribe their powers and duties; and to make an appropriation to carry out the provisions of this act," by amending sections 2 and 8 (MCL 285.122 and 285.128).

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 5714 To Report Out:

Yeas: Reps. Patterson, Julian, Kuipers, Jacobs, Lipsey,
Nays: None.

The Committee on House Oversight and Operations, by Rep. Patterson, Chair, reported

House Bill No. 5715, entitled

A bill to amend 1846 RS 12, entitled "Of certain state officers," by amending sections 29 and 32 (MCL 14.29 and 14.32).

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

HB 5715 To Report Out:

Yeas: Reps. Patterson, Julian, Kuipers, Jacobs, Lipsey,
Nays: None.

The Committee on House Oversight and Operations, by Rep. Patterson, Chair, reported

House Bill No. 5716, entitled

A bill to amend 1941 PA 230, entitled "An act to authorize the auditor general of the state of Michigan to sell or lease real estate, the title to which is vested in the state of Michigan by grant, devise or gift, or in payment for care or medical treatment rendered in any Michigan state hospital or institution," by amending the title and sections 1, 2, 3, and 4 (MCL 322.1, 322.2, 322.3, and 322.4).

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 5716 To Report Out:

Yeas: Reps. Patterson, Julian, Kuipers, Jacobs, Lipsey,
Nays: None.

The Committee on House Oversight and Operations, by Rep. Patterson, Chair, reported

House Bill No. 5717, entitled

A bill to amend 1883 PA 197, entitled "An act to provide for the disposition of certain lands granted to the state of Michigan for railroad purposes by acts of congress of June 3, 1856, and March 4, 1879, upon the route from Grand Haven to Flint and thence to Port Huron, in the state of Michigan; to secure the title thereto to bona fide settlers and purchasers; to provide for the further sale thereof, and to provide for the adjustment of certain taxes heretofore assessed thereon," by amending section 10 (MCL 322.460).

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 5717 To Report Out:

Yeas: Reps. Patterson, Julian, Kuipers, Jacobs, Lipsey,
Nays: None.

The Committee on House Oversight and Operations, by Rep. Patterson, Chair, reported

House Bill No. 5718, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 33934, 42506, 47104, and 52706 (MCL 324.33934, 324.42506, 324.47104, and 324.52706), section 33934 as added by 1995 PA 59 and sections 42506, 47104, and 52706 as added by 1995 PA 57.

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 5718 To Report Out:

Yeas: Reps. Patterson, Julian, Kuipers, Jacobs, Lipsey,
Nays: None.

The Committee on House Oversight and Operations, by Rep. Patterson, Chair, reported

House Bill No. 5719, entitled

A bill to amend 1942 (1st Ex Sess) PA 16, entitled "An act to designate the superintendent of public instruction as the state agency to apply to and receive from the federal government, or any agency thereof, grants in aid of the public schools of this state and educational activities in this state; and to provide for the disbursement thereof," by amending section 3 (MCL 388.803).

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 5719 To Report Out:

Yeas: Reps. Patterson, Julian, Kuipers, Jacobs, Lipsey,
Nays: None.

The Committee on House Oversight and Operations, by Rep. Patterson, Chair, reported

House Bill No. 5720, entitled

A bill to amend 1893 PA 116, entitled "An act to provide for the maintenance, management and control, of the Michigan school for the deaf, and to repeal all laws inconsistent herewith," by amending sections 10, 12, 14, and 16 (MCL 393.60, 393.62, 393.64, and 393.66).

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 5720 To Report Out:

Yeas: Reps. Patterson, Julian, Kuipers, Jacobs, Lipsey,

Nays: None.

The Committee on House Oversight and Operations, by Rep. Patterson, Chair, reported

House Bill No. 5721, entitled

A bill to amend 1893 PA 123, entitled "An act to provide for the maintenance, supervision and government of the Michigan school for the blind, and to repeal all acts and parts of acts inconsistent herewith," by amending sections 9 and 10 (MCL 393.109 and 393.110).

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 5721 To Report Out:

Yeas: Reps. Patterson, Julian, Kuipers, Jacobs, Lipsey,

Nays: None.

The Committee on House Oversight and Operations, by Rep. Patterson, Chair, reported

Senate Bill No. 887, entitled

A bill to amend 1937 PA 329, entitled "An act providing for compensation to certain peace officers injured in active duty, and payment to surviving spouses and dependents in case of death arising from active duty; and to make an appropriation therefor," by amending section 3 (MCL 419.103).

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 887 To Report Out:

Yeas: Reps. Patterson, Julian, Kuipers, Jacobs, Lipsey,

Nays: None.

The Committee on House Oversight and Operations, by Rep. Patterson, Chair, reported

Senate Bill No. 889, entitled

A bill to amend 1933 PA 89, entitled "An act to prevent fraud, deception and imposition in the solicitation within the state of Michigan of the deposit of bonds, notes, debentures and other evidences of indebtedness under, and/or the consent of the holders or owners of such securities, to a protective committee agreement, and to prevent fraud, deception and imposition in the operations and activities of protective committees organized within the state of Michigan to act for and in behalf of the holders or owners of such securities, and for such purposes to create a commission to regulate and supervise the establishment and the operations of protective committees, depositaries under protective committee agreements, and solicitors for protective committee agreements; to authorize said commission to have supervision over defaulted bonds, notes, debentures, certificates of participation and similar evidences of indebtedness; to prescribe the powers and duties of such commission; to license members of protective committees, depositaries under protective committee agreements and solicitors for protective committee agreements; to regulate and supervise and control the solicitation by anyone of bonds, notes, debentures and all other similar evidences of indebtedness, issued by the maker of any security for the purpose of procuring the modification and/or amendment and/or foreclosure of any instrument in writing securing any issue of bonds, notes, debentures and all other similar evidences of indebtedness; to authorize such commission to act as custodian or receiver and appoint custodians, agents and managers of defaulted mortgage property under orders of court or otherwise; to prescribe penalties for violation of this act; and to repeal Act No. 37 of the Public Acts of the first extra session of 1932," by amending section 13 (MCL 451.313).

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 889 To Report Out:

Yeas: Reps. Patterson, Julian, Kuipers, Jacobs, Lipsey,
Nays: None.

The Committee on House Oversight and Operations, by Rep. Patterson, Chair, reported

Senate Bill No. 892, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 204 and 208 (MCL 500.204 and 500.208).

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 892 To Report Out:

Yeas: Reps. Patterson, Julian, Kuipers, Jacobs, Lipsey,
Nays: None.

The Committee on House Oversight and Operations, by Rep. Patterson, Chair, reported

Senate Bill No. 896, entitled

A bill to amend 1881 PA 181, entitled "An act to provide for the payment of interest on the educational funds, and to repeal section 10 of chapter 131 of the Compiled Laws of 1871, being compiler's section 3477," by amending section 1 (MCL 21.201).

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 896 To Report Out:

Yeas: Reps. Patterson, Julian, Kuipers, Jacobs, Lipsey,
Nays: None.

The Committee on House Oversight and Operations, by Rep. Patterson, Chair, reported

Senate Bill No. 897, entitled

A bill to amend 1946 (1st Ex Sess) PA 9, entitled "An act to create the Michigan veterans' trust fund, and to define who shall be eligible to receive assistance therefrom; to provide for the disbursement of the income thereof and surplus therein; to create a board of trustees, and to prescribe its powers and duties; to provide for county and district committees, and their powers, duties, and expenses; to prescribe penalties; and to make appropriations to carry out the provisions of this act," by amending sections 7 and 8 (MCL 35.607 and 35.608).

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 897 To Report Out:

Yeas: Reps. Patterson, Julian, Kuipers, Jacobs, Lipsey,
Nays: None.

The Committee on House Oversight and Operations, by Rep. Patterson, Chair, reported

Senate Bill No. 898, entitled

A bill to amend 1911 PA 44, entitled "An act to create a state board of equalization; to prescribe its powers and duties; to provide that said board shall be furnished with certain information by the several boards of supervisors and by the state tax commission; to provide for meeting the expense authorized by this act, and to repeal all acts or parts of acts contravening the provisions of this act," by amending sections 3 and 4 (MCL 209.3 and 209.4), section 4 as amended by 2001 PA 36.

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 898 To Report Out:

Yeas: Reps. Patterson, Julian, Kuipers, Jacobs, Lipsey,

Nays: None.

The Committee on House Oversight and Operations, by Rep. Patterson, Chair, reported

Senate Bill No. 899, entitled

A bill to amend 1917 PA 99, entitled "An act to provide for the construction, maintenance and improvement of federal aided roads; to authorize townships, good roads districts and counties to raise money by taxation and by loan for the purpose of contributing thereto; to validate and legalize proceedings heretofore taken to raise money for the purpose contemplated by this act; and to provide an appropriation for paying the state's portion of the expense incurred hereunder," by amending section 1 (MCL 249.1).

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 899 To Report Out:

Yeas: Reps. Patterson, Julian, Kuipers, Jacobs, Lipsey,

Nays: None.

The Committee on House Oversight and Operations, by Rep. Patterson, Chair, reported

Senate Bill No. 900, entitled

A bill to repeal 1921 PA 358, entitled "An act authorizing the state to reimburse counties and townships to the extent of 1/2 of the amounts spent by such counties and townships in connection with the destruction of grasshoppers and similar pests, making an appropriation therefor, and providing a tax to meet the same," (MCL 286.131 to 286.135).

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 900 To Report Out:

Yeas: Reps. Patterson, Julian, Kuipers, Jacobs, Lipsey,

Nays: None.

The Committee on House Oversight and Operations, by Rep. Patterson, Chair, reported

Senate Bill No. 901, entitled

A bill to amend 1863 PA 140, entitled "An act to provide for the selection, care and disposition of the lands donated to the state of Michigan, by act of congress, approved July second, 1862, for the endowment of colleges for the benefit of agriculture and the mechanic arts," by amending sections 8 and 10 (MCL 322.178 and 322.180).

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 901 To Report Out:

Yeas: Reps. Patterson, Julian, Kuipers, Jacobs, Lipsey,

Nays: None.

The Committee on House Oversight and Operations, by Rep. Patterson, Chair, reported

Senate Bill No. 902, entitled

A bill to amend 1909 PA 139, entitled "An act relative to the maintenance and construction of hospitals and sanatoria within the counties of this state and to provide a tax to raise moneys therefor," by amending section 5 (MCL 331.105).

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 902 To Report Out:

Yeas: Reps. Patterson, Julian, Kuipers, Jacobs, Lipsey,

Nays: None.

The Committee on House Oversight and Operations, by Rep. Patterson, Chair, reported

Senate Bill No. 903, entitled

A bill to amend 1909 PA 269, entitled "An act to revise the laws relating to Michigan state university; and to prescribe the powers and duties of the board of trustees of Michigan state university," by amending section 20 (MCL 390.120).

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 903 To Report Out:

Yeas: Reps. Patterson, Julian, Kuipers, Jacobs, Lipsey,

Nays: None.

The Committee on House Oversight and Operations, by Rep. Patterson, Chair, reported

Senate Bill No. 904, entitled

A bill to amend 1931 PA 96, entitled "An act to provide for the construction and maintenance of non-trunk line roads located within the limits of a United States forest," by amending section 3 (MCL 249.33).

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 904 To Report Out:

Yeas: Reps. Patterson, Julian, Kuipers, Jacobs, Lipsey,

Nays: None.

The Committee on House Oversight and Operations, by Rep. Patterson, Chair, reported

Senate Bill No. 905, entitled

A bill to amend 1859 PA 143, entitled "An act relative to the university interest fund," by amending section 1 (MCL 21.211).

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 905 To Report Out:

Yeas: Reps. Patterson, Julian, Kuipers, Jacobs, Lipsey,

Nays: None.

The Committee on House Oversight and Operations, by Rep. Patterson, Chair, reported

Senate Bill No. 906, entitled

A bill to amend 1901 PA 232, entitled "An act to extend aid to the Michigan state college of agriculture and applied science," by amending section 4 (MCL 390.224); 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 906 To Report Out:

Yeas: Reps. Patterson, Julian, Kuipers, Jacobs, Lipsey,

Nays: None.

The Committee on House Oversight and Operations, by Rep. Patterson, Chair, reported

Senate Bill No. 907, entitled

A bill to amend 1925 PA 177, entitled "An act to protect and promote the public health and welfare, and to provide for the construction, maintenance and operation of hospitals and sanatoriums for the treatment of tuberculosis; and to make an appropriation therefor," by amending sections 9 and 14 (MCL 332.159 and 332.164).

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 907 To Report Out:

Yeas: Reps. Patterson, Julian, Kuipers, Jacobs, Lipsey,

Nays: None.

The Committee on House Oversight and Operations, by Rep. Patterson, Chair, reported

House Resolution No. 329.

A resolution to memorialize the Congress of the United States to enact the President's proposed pension reforms. (For text of resolution, see House Journal No. 14, p. 270.)

With the recommendation that the resolution be adopted.

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

Favorable Roll Call

HR 329 To Report Out:

Yeas: Reps. Patterson, Julian, Kuipers, Jacobs, Lipsey,

Nays: None.

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, February 27, 2002, at 10:30 a.m.,

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

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

House Bill No. 5516, entitled

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

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

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

Favorable Roll Call

HB 5516 To Report Out:

Yeas: Reps. Richner, Bisbee, Ehardt, Hager, Hummel, Julian, Middaugh, Scranton, Van Woerkom, Wojno, Anderson, Clark, Daniels, Woodward,

Nays: None.

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

House Bill No. 5517, entitled

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

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

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

Favorable Roll Call

HB 5517 To Report Out:

Yeas: Reps. Richner, Bisbee, Ehardt, Hager, Hummel, Julian, Middaugh, Scranton, Van Woerkom, Wojno, Anderson, Clark, Daniels,

Nays: None.

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

House Bill No. 5518, entitled

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

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

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

Favorable Roll Call

HB 5518 To Report Out:

Yeas: Reps. Richner, Bisbee, Ehardt, Hager, Hummel, Julian, Middaugh, Scranton, Van Woerkom, Wojno, Anderson, Clark, Daniels,

Nays: None.

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

House Bill No. 5519, entitled

A bill to amend 1996 PA 354, entitled "Savings bank act," (MCL 487.3101 to 487.3804) by adding section 514.

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

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

Favorable Roll Call

HB 5519 To Report Out:

Yeas: Reps. Richner, Bisbee, Ehardt, Hager, Hummel, Julian, Middaugh, Scranton, Van Woerkom, Wojno, Anderson, Clark, Daniels, Woodward,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, February 27, 2002, at 10:30 a.m.,

Present: Reps. Richner, Bisbee, Ehardt, Hager, Hummel, Julian, Middaugh, Scranton, Van Woerkom, Wojno, Anderson, Clark, Daniels, Woodward,

Absent: Rep. Schermesser,

Excused: Rep. Schermesser.

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, February 27, 2002, at 9:00 a.m.,

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

Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members, Friday, February 22:

Senate Bill Nos. 1110 1128 1129 1130

The Clerk announced that the following bills had been printed and placed upon the files of the members, Monday, February 25:

Senate Bill Nos. 1126 1127

The Clerk announced the enrollment printing and presentation to the Governor on Wednesday, February 27, for his approval of the following bills:

Enrolled House Bill No. 4009 at 2:22 p.m.

Enrolled House Bill No. 5392 at 2:24 p.m.

The Clerk announced that the following bills and joint resolution had been printed and placed upon the files of the members, Wednesday, February 27:

House Bill Nos. 5742 5743 5744 5745 5746 5747 5748 5749

House Joint Resolution U

The Clerk announced that the following Senate bills had been received on Wednesday, February 27:

Senate Bill Nos. 690 1096

By unanimous consent the House returned to the order of

Messages from the Senate**House Bill No. 4022, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 628 (MCL 257.628), as amended by 2000 PA 167.

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

The House agreed to the full title.

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

House Bill No. 4987, entitled

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

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

The House agreed to the full title.

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

House Bill No. 5337, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 722 (MCL 257.722), as amended by 2000 PA 6.

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

The House agreed to the full title.

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

House Bill No. 5119, entitled

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

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 amended the title to read as follows:

A bill to amend 1998 PA 58, entitled "An act to create a commission for the control of the alcoholic beverage traffic within this state, and to prescribe its powers, duties, and limitations; to provide for powers and duties for certain state departments and agencies; to impose certain taxes for certain purposes; to provide for the control of the alcoholic liquor traffic within this state and to provide for the power to establish state liquor stores; to provide for the care and treatment of alcoholics; to provide for the incorporation of farmer cooperative wineries and the granting of certain rights and privileges to those cooperatives; to provide for the licensing and taxation of activities regulated under this act and the disposition of the money received under this act; to prescribe liability for retail licensees under certain circumstances and to require security for that liability; to provide procedures, defenses, and remedies regarding violations of this act; to provide for the enforcement and to prescribe penalties for violations of this act; to provide for allocation of certain funds for certain purposes; to provide for the confiscation and disposition of property seized under this act; to provide referenda under certain circumstances; and to repeal acts and parts of acts," by amending section 525 (MCL 436.1525), as amended by 2001 PA 223.

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

Senate Bill No. 690, entitled

A bill to amend 1945 PA 327, entitled "Aeronautics code of the state of Michigan," (MCL 259.1 to 259.208) by amending the title and by adding chapter VIA.

The Senate has passed the bill.

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

Senate Bill No. 1096, entitled

A bill to amend 1937 PA 10, entitled "An act to define the use of travel aids by blind persons; to provide protection against accidents to such persons; to require instruction and examination in certain circumstances; and to provide penalties for violation hereof," by amending sections 1a and 2 (MCL 752.51a and 752.52), section 1a as added and section 2 as amended by 1986 PA 62.

The Senate has passed the bill.

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

Communications from State Officers

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

February 26, 2002

Enclosed is a copy of the following audit report and/or executive digest:
Performance Audit of
Source Reduction and Recycling Activities
Department of Environmental Quality
February 2002

February 26, 2002

Enclosed is a copy of the following audit report and/or executive digest:
Performance Audit of the
University of Michigan - Dearborn
February 2002

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

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

Introduction of Bills

Rep. Patterson introduced

House Bill No. 5750, entitled

A bill to amend 1984 PA 44, entitled “Motor fuels quality act,” by amending section 4a (MCL 290.644a), as added by 1986 PA 127.

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

Rep. Patterson introduced

House Bill No. 5751, entitled

A bill to repeal 1913 PA 184, entitled “An act to regulate the business of selling farm products on commission, providing all commission merchants dealing in farm products shall be licensed, to provide against and punish fraud and deception in the sale of farm products on commission, and defining the duties of the state dairy and food commissioner relative thereto,” (MCL 445.331 to 445.341).

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

Rep. Patterson introduced

House Bill No. 5752, entitled

A bill to amend 1949 PA 300, entitled “Michigan vehicle code,” by repealing sections 712 and 713 (MCL 257.712 and 257.713).

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

Rep. Patterson introduced

House Bill No. 5753, entitled

A bill to amend 1931 PA 328, entitled “The Michigan penal code,” by amending sections 448, 449, 450, 451, and 462 (MCL 750.448, 750.449, 750.450, 750.451, and 750.462).

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

Rep. Patterson introduced

House Bill No. 5754, entitled

A bill to amend 1994 PA 451, entitled “Natural resources and environmental protection act,” by repealing part 51 (MCL 324.5101 to 324.5103).

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

Rep. Patterson introduced

House Bill No. 5755, entitled

A bill to repeal 1927 PA 98, entitled “An act authorizing the state highway commissioner of the state of Michigan to enter into an agreement with the Wisconsin state highway commission to construct an interstate bridge project extending from approximately the intersection of Ogden avenue and Chandler street in the city of Menominee, Michigan, in a straight line terminating at the approximate center of Dunlap square in the city of Marinette, Wisconsin, and to provide for the cost and expense thereof,” (MCL 254.121 to 254.123).

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

Rep. Ruth Johnson introduced

House Bill No. 5756, entitled

A bill to amend 1917 PA 167, entitled “Housing law of Michigan,” by amending the title and sections 8, 10, 125, 127, 129, 130, 131, 133, and 141 (MCL 125.408, 125.410, 125.525, 125.527, 125.529, 125.530, 125.531, 125.533, and 125.541), the title and section 141 as amended by 1992 PA 144; and to repeal acts and parts of acts.

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

Rep. Ruth Johnson introduced

House Bill No. 5757, entitled

A bill to amend 1972 PA 230, entitled “Stille-DeRossett-Hale single state construction code act,” by amending the title and sections 2a, 3a, 5, 14, 15, 24, and 30 (MCL 125.1502a, 125.1503a, 125.1505, 125.1514, 125.1515, 125.1524, and 125.1530), the title as amended and sections 2a and 3a as added by 1999 PA 245 and section 24 as amended by 1980 PA 371.

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

Rep. Cassis moved that the House adjourn.
The motion prevailed, the time being 4:10 p.m.

Associate Speaker Pro Tempore Julian declared the House adjourned until Thursday, February 28, at 12:00 Noon.

GARY L. RANDALL
Clerk of the House of Representatives.

