

**No. 8**  
**JOURNAL OF THE HOUSE**

---

House Chamber, Lansing, Tuesday, February 11, 1997.

2:00 p.m.

The House was called to order by the Speaker.

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

Agee—present	Fitzgerald—present	Kaza—present	Price—present
Alley—present	Frank—present	Kelly—present	Profit—present
Anthony—present	Freeman—present	Kilpatrick—present	Prusi—present
Baade—present	Gagliardi—present	Kukuk—present	Quarles—present
Baird—present	Galloway—present	LaForge—present	Rackowski—present
Bankes—present	Geiger—present	Law—present	Rhead—present
Birkholz—present	Gernaat—present	Leland—present	Richner—present
Bobier—present	Gilmer—present	LeTarte—present	Rison—present
Bodem—present	Gire—present	Llewellyn—present	Rocca—present
Bogardus—present	Godchaux—present	London—present	Schauer—present
Brackenridge—present	Goschka—present	Lowe—present	Schermesser—present
Brater—present	Green—present	Mans—present	Schroer—present
Brewer—present	Griffin—present	Martinez—present	Scott—present
Brown—present	Gubow—present	Mathieu—present	Scranton—present
Byl—present	Gustafson—present	McBryde—present	Sikkema—present
Callahan—present	Hale—present	McManus—present	Stallworth—present
Cassis—present	Hammerstrom—present	McNutt—present	Tesanovich—present
Cherry—present	Hanley—present	Middaugh—present	Thomas—present
Ciaramitaro—present	Harder—present	Middleton—present	Varga—present
Crissman—present	Hertel—present	Murphy—present	Vaughn—present
Cropsey—present	Hood—present	Nye—present	Voorhees—present
Curtis—present	Horton—present	Olshove—present	Walberg—present
Dalman—present	Jansen—present	Owen—present	Wallace—present
DeHart—present	Jaye—present	Oxender—present	Wetters—present
DeVuyst—present	Jelinek—present	Palamara—present	Whyman—excused
Dobb—present	Jellema—present	Parks—present	Willard—present
Dobronski—present	Johnson—present	Perricone—present	Wojno—present
Emerson—present			

e/d/s = entered during session

Rep. Patricia Birkholz, from the 88th District, offered the following invocation:

“Dear Lord, As we come before You today to do the people’s business, keep us ever mindful of that mission. We pray for diligence, understanding, honesty and integrity in all that we do here today and throughout this session. We thank You for the privilege of serving You and serving our people. Give us the wisdom to do so in recognition and respect for the principles upon which this nation was founded. We ask for Your continued guidance and counsel as we bring together diverse backgrounds, knowledge, interests and individuals to seek consensus in serving all in our state and nation. And, in so doing may we above all serve You.”

Rep. Hammerstrom moved that Rep. Whyman be excused from today’s session.  
The motion prevailed.

The Speaker called the Speaker Pro Tempore to the Chair.

### Second Reading of Bills

#### House Bill No. 4142, entitled

A bill to amend 1846 RS 14, entitled “Of county officers,” by amending sections 113, 114, and 117 (MCL 55.113, 55.114, and 55.117).

Was read a second time, and the question being on the adoption of the proposed amendments previously recommended by the Committee on Regulatory Affairs (for amendments see p. 117 of House Journal No. 7),

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

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

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

Rep. Gagliardi 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. 4142, entitled

A bill to amend 1846 RS 14, entitled “Of county officers,” by amending sections 113, 114, and 117 (MCL 55.113, 55.114, and 55.117).

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

#### Roll Call No. 17

#### Yeas—100

Agee	Dobb	Jelinek	Parks
Alley	Dobronski	Jellema	Perricone
Anthony	Emerson	Johnson	Price
Baade	Fitzgerald	Kelly	Prusi
Baird	Frank	Kilpatrick	Quarles
Bankes	Freeman	LaForge	Rhead
Birkholz	Gagliardi	Law	Richner
Bobier	Galloway	Leland	Rison
Bodem	Geiger	LeTarte	Rocca
Bogardus	Gernaat	Llewellyn	Schauer
Brackenridge	Gilmer	London	Schermesser
Brater	Gire	Lowe	Schroer
Brewer	Godchaux	Mans	Scott

Brown	Goschka	Martinez	Sikkema
Byl	Griffin	Mathieu	Stallworth
Callahan	Gubow	McBryde	Tesanovich
Cassis	Gustafson	McManus	Thomas
Cherry	Hale	McNutt	Varga
Ciaramitaro	Hammerstrom	Middaugh	Vaughn
Crissman	Hanley	Middleton	Voorhees
Cropsey	Harder	Nye	Walberg
Curtis	Hertel	Olshove	Wallace
Dalman	Hood	Owen	Wetters
DeHart	Horton	Oxender	Willard
DeVuyst	Jansen	Palamara	Wojno

**Nays—6**

Green	Kaza	Profit	Raczkowski
Jaye	Kukuk		

In The Chair: Murphy

The House agreed to the title of the bill.

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

The motion prevailed, two-thirds of the members serving voting therefor.

Reps. Bodem, Brackenridge, Brater, Callahan, Cassis, DeHart, DeVuyst, Dobb, Gagliardi, Geiger, Gire, Goschka, Hammerstrom, Jansen, Jelinek, Kelly, Law, Leland, Llewellyn, Mans, McBryde, Murphy, Parks, Perricone, Richner, Schroer, Scott, Scranton, Vaughn and Voorhees were named co-sponsors of the bill.

**Second Reading of Bills****House Bill No. 4143, entitled**

A bill to amend 1969 PA 57, entitled "Uniform recognition of acknowledgments act," by amending section 2 (MCL 565.262).

The bill was read a second time.

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

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

Rep. Gagliardi 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****House Bill No. 4143, entitled**

A bill to amend 1969 PA 57, entitled "Uniform recognition of acknowledgments act," by amending section 2 (MCL 565.262).

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

**Roll Call No. 18****Yeas—105**

Agee	Fitzgerald	Johnson	Price
Alley	Frank	Kelly	Profit
Anthony	Freeman	Kilpatrick	Prusi
Baade	Gagliardi	LaForge	Quarles
Baird	Galloway	Law	Raczkowski
Bankes	Geiger	Leland	Rhead

Birkholz	Gernaat	LeTarte	Richner
Bobier	Gilmer	Llewellyn	Rison
Bodem	Gire	London	Rocca
Bogardus	Godchaux	Lowe	Schauer
Brackenridge	Goschka	Mans	Schermesser
Brater	Green	Martinez	Schroer
Brewer	Griffin	Mathieu	Scott
Brown	Gubow	McBryde	Scranton
Byl	Gustafson	McManus	Sikkema
Callahan	Hale	McNutt	Stallworth
Cassis	Hammerstrom	Middaugh	Tesanovich
Cherry	Hanley	Middleton	Thomas
Ciaramitaro	Harder	Murphy	Varga
Crissman	Hertel	Nye	Vaughn
Cropsey	Hood	Olshove	Voorhees
Curtis	Horton	Owen	Walberg
Dalman	Jansen	Oxender	Wallace
DeHart	Jaye	Palamara	Wetters
DeVuyst	Jelinek	Parks	Willard
Dobb	Jellema	Perricone	Wojno
Dobronski			

### Nays—2

Kaza

Kukuk

In The Chair: Murphy

The House agreed to the title of the bill.

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

The motion prevailed, two-thirds of the members serving voting therefor.

Reps. Bodem, Brackenridge, Brater, Callahan, Cassis, DeHart, DeVuyst, Dobb, Gagliardi, Geiger, Gire, Goschka, Hammerstrom, Jansen, Jelinek, Kelly, Law, Leland, Llewellyn, Mans, McBryde, Murphy, Parks, Perricone, Richner, Schroer, Scott, Scranton, Vaughn and Voorhees were named co-sponsors of the bill.

By unanimous consent the House returned to the order of

### Motions and Resolutions

Rep. Gagliardi moved that House Committees be given leave to meet during the balance of today's session.

The motion prevailed.

Reps. Dobronski, Baird, McBryde, Vaughn, DeHart, Gire, Murphy, Harder, Anthony, Baade, LaForge, Wallace, Willard, Brown, Tesanovich, Brater, Hale, Freeman, Goschka, Kukuk, Richner and Stallworth offered the following resolution:

#### House Resolution No. 11.

A resolution to memorialize the Congress of the United States to enact legislation to authorize the minting of Thomas Alva Edison coins.

Whereas, The 104th Congress of the United States considered H.R. 893, the Thomas Alva Edison Commemorative Coin Act. This measure, which is to be introduced into the 105th Congress on February 11, 1997, the 150th anniversary of Edison's birth, seeks to recognize America's premier inventor; and

Whereas, The Edison commemorative legislation would require the United States Department of the Treasury to mint special coins and to redesign the half dollar circulating coin for 1997 with an appropriate image of Thomas Edison; and

Whereas, In addition to the provisions of the bill specifying the types and quantities of the coins and the process of determining appearance, the bill includes provisions for the disbursement of the revenues from surcharges on the coins. Fittingly, part of this money would go toward the endowment and construction of a museum in Edison's boyhood hometown of Port Huron. Other shares of revenues would go to museums and sites in other communities around the country that were important to his life and work. One of these is Greenfield Village, which would receive funds to maintain and expand displays and educational programs; and

Whereas, Michigan is justifiably proud of its links to the remarkable life of Thomas Alva Edison; now, therefore, be it Resolved by the House of Representatives, That we memorialize the Congress of the United States to enact legislation to authorize the minting of Thomas Alva Edison coins; 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 House Oversight and Ethics.

Reps. Dobronski, Baird, McBryde, Vaughn, DeHart, Gire, Murphy, Harder, Anthony, Baade, LaForge, Wallace, Willard, Brown, Tesanovich, Brater, Hale, Freeman, Goschka, Kukuk, Richner and Stallworth offered the following concurrent resolution:

**House Concurrent Resolution No. 8.**

A concurrent resolution to memorialize the Congress of the United States to enact legislation to authorize the minting of Thomas Alva Edison coins.

Whereas, The 104th Congress of the United States considered H.R. 893, the Thomas Alva Edison Commemorative Coin Act. This measure, which is to be introduced into the 105th Congress on February 11, 1997, the 150th anniversary of Edison's birth, seeks to recognize America's premier inventor; and

Whereas, The Edison commemorative legislation would require the United States Department of the Treasury to mint special coins and to redesign the half dollar circulating coin for 1997 with an appropriate image of Thomas Edison; and

Whereas, In addition to the provisions of the bill specifying the types and quantities of the coins and the process of determining appearance, the bill includes provisions for the disbursement of the revenues from surcharges on the coins. Fittingly, part of this money would go toward the endowment and construction of a museum in Edison's boyhood hometown of Port Huron. Other shares of revenues would go to museums and sites in other communities around the country that were important to his life and work. One of these is Greenfield Village, which would receive funds to maintain and expand displays and educational programs; and

Whereas, Michigan is justifiably proud of its links to the remarkable life of Thomas Alva Edison; now, therefore, be it Resolved by the House of Representatives (the Senate concurring), That we memorialize the Congress of the United States to enact legislation to authorize the minting of Thomas Alva Edison coins; 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 concurrent resolution was referred to the Committee on House Oversight and Ethics.

Reps. Bogardus, Anthony, Kelly, Brewer, LaForge, Cherry, Hale, DeHart, Schauer, Kilpatrick, Martinez, Frank, Willard, Goschka, Mans, Rison, Profit, Callahan, Gire, McManus, Dobronski, Middaugh, Baird, McBryde, Vaughn, Murphy, Harder, Baade, Wallace, Brown, Tesanovich, Brater, Wetters, Rocca, Kukuk and Stallworth offered the following concurrent resolution:

**House Concurrent Resolution No. 9.**

A concurrent resolution to memorialize the Congress of the United States to preserve Medicaid.

Whereas, A distinguishing feature of our nation is the network of programs that offer help to the neediest of our citizens. This safety net of governmental and private initiatives provides a lifeline to millions of Americans facing poverty and crises in their health, employment, or personal lives. Senior citizens, children, and those with mental or physical infirmities are most at risk; and

Whereas, In the decades since its establishment, Medicaid has become the cornerstone of efforts to save people from destitution in our country. While not able to answer every need, Medicaid has raised standards for many of the most vulnerable members of our society. This serves to strengthen us in many ways. Even those of us fortunate in circumstance, education, and health enjoy a greater measure of security knowing there are options of care and help available to us and our family members; and

Whereas, Medicaid is among points of consideration in ongoing budget discussions in Washington. With the recent changes in government's approach to welfare, there are proposals that could inflict severe damage on Medicaid. In all considerations regarding Medicaid, lawmakers and administration officials must keep in mind the human costs to those facing nursing homes, terrible illness, or the care of children in poverty; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the Congress of the United States to preserve Medicaid; 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 concurrent resolution was referred to the Committee on House Oversight and Ethics.

**Announcement by the Clerk of Printing and Enrollment**

The Clerk announced that the following bills had been printed and placed upon the files of the members, Wednesday, February 5:

**Senate Bill Nos. 118 119 120**

The Clerk announced that the following bill had been printed and placed upon the files of the members, Friday, February 7:

**House Bill No. 4226**

The Clerk announced that the following bills and joint resolution had been printed and placed upon the files of the members, Monday, February 10:

**House Bill Nos. 4220 4221 4222 4223 4224 4225 4227 4228 4229 4230 4231 4232 4233 4234  
4235 4236 4237 4238 4239 4240 4241 4242 4243 4244 4245 4246 4247 4248  
4249 4250 4251 4252**

**House Joint Resolution J**

By unanimous consent the House returned to the order of

**Reports of Standing Committees**

The Committee on Local Government, by Rep. Dobronski, Chair, reported

**House Bill No. 4226, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending section 523 (MCL 168.523), as amended by 1996 PA 583.

With the recommendation that the bill pass.

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

Favorable Roll Call

**HB 4226 To Report Out:**

Yeas: Reps. Dobronski, Mans, Brater, Brewer, Callahan, Crissman,

Nays: Reps. Brackenridge, Birkholz, Hammerstrom.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Tuesday, February 11, 1997, at 9:00 a.m.,

Present: Reps. Dobronski, Mans, Brater, Brewer, Callahan, Brackenridge, Birkholz, Crissman, Hammerstrom.

The Committee on Judiciary, by Rep. Wallace, Chair, reported

**House Bill No. 4039, entitled**

A bill to create the model emergency vehicle operation policy commission; to prescribe its membership, powers, and duties; to prescribe the powers and duties of certain state and local agencies and departments; to provide for the development and certification of emergency vehicle operation policies; and to repeal acts and parts of acts.

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

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

Favorable Roll Call

**HB 4039 To Report Out:**

Yeas: Reps. Wallace, Baird, Freeman, Gubow, Kilpatrick, Schauer, Vaughn, Willard, Wojno, Nye, Cropsey, Dalman, Fitzgerald, Law, McNutt, Richner,

Nays: None.

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Wallace, Chair of the Committee on Judiciary, was received and read:  
Meeting held on: Tuesday, February 11, 1997, at 9:00 a.m.,  
Present: Reps. Wallace, Baird, Freeman, Gubow, Kilpatrick, Schauer, Vaughn, Willard, Wojno, Nye, Cropsey, Dalman, Fitzgerald, Law, McNutt, Richner,  
Absent: Rep. Curtis,  
Excused: Rep. Curtis.

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Hood, Chair of the Committee on Appropriations, was received and read:  
Meeting held on: Thursday, February 6, 1997, at 11:00 a.m.,  
Present: Reps. Hood, Mathieu, Ciaramitaro, Emerson, Frank, Hale, Kelly, Martinez, Owen, Price, Prusi, Rison, Schroer, Stallworth, Tesanovich, Gilmer, Bankes, Bobier, Geiger, Godchaux, Jansen, Jellema, Johnson, McBryde, Oxender,  
Absent: Reps. Harder, Parks,  
Excused: Reps. Harder, Parks.

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. LaForge, Chair of the Committee on Human Services and Children, was received and read:  
Meeting held on: Tuesday, February 11, 1997, at 9:00 a.m.,  
Present: Reps. LaForge, Scott, Bogardus, Gire, Schauer, Horton, McManus,  
Absent: Reps. Jaye, London,  
Excused: Reps. Jaye, London.

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Palamara, Chair of the Committee on Health Policy, was received and read:  
Meeting held on: Tuesday, February 11, 1997, at 10:30 a.m.,  
Present: Reps. Palamara, Schauer, Baade, Gire, Griffin, Gubow, Leland, Murphy, Thomas, Hammerstrom, Crissman, Law, Llewellyn, Raczkowski, Rocca, Scranton,  
Absent: Rep. Profit,  
Excused: Rep. Profit.

## COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Anthony, Chair of the Committee on Forestry and Mineral Rights, was received and read:  
Meeting held on: Tuesday, February 11, 1997, at 10:30 a.m.,  
Present: Reps. Anthony, Callahan, Alley, Bogardus, Brater, Middleton, DeVuyst, Gernaat, Lowe.

**Notices**

February 5, 1997

Mary Kay Scullion, Clerk  
Michigan House of Representatives  
State Capitol Bldg.  
Lansing, Michigan 48913  
Dear Madam Clerk:

As Speaker of the Michigan House of Representatives I would like to reappoint Representative Thomas H. Kelly to the Library of Michigan Board of Trustees.

Tom has done a wonderful job in his first term in office and I feel he should continue in that capacity given his experience as a former Library Director.

If you have any questions, feel free to contact me.

Sincerely,  
**CURTIS HERTEL**, Speaker  
Michigan House of Representatives

### Communications from State Officers

The following communications from the Department of Community Health were received and read:

February 6, 1997

When a state mental health agency is to be closed, Section 19 (6) of Act 240 of the Public Acts of 1943, being section 38.19 of the Michigan Compiled Laws, requires that the director of the Michigan Department of Community Health certify in writing to the Legislature and the Retirement Board, not less than 240 days prior to the closure, which agency is to be closed.

In fulfillment of this requirement, I am officially providing notification that the Clinton Valley Center, located at 140 Elizabeth Lake Road, Pontiac, Michigan 48341 will close effective October 4, 1997. The Clinton Valley Center is a hospital that provides inpatient psychiatric services for adults.

Section 605 (3) of Act 352 of 1996 requires the Department of Community Health to provide a closure plan to the House and Senate Appropriations Subcommittees on Community Health. This plan is due four months subsequent to the certification made in this letter.

As a result of this closure, adults who require state delivered inpatient psychiatric services can be provided for at the remaining state operated adult psychiatric inpatient hospitals.

February 6, 1997

When a state mental health agency is to be closed, Section 19 (6) of Act 240 of the Public Acts of 1943, being section 38.19 of the Michigan Compiled Laws, requires that the director of the Michigan Department of Community Health certify in writing to the Legislature and the Retirement Board, not less than 240 days prior to the closure, which agency is to be closed.

In fulfillment of this requirement, I am officially providing notification that the Detroit Psychiatric Institute, located at 1151 Taylor, Detroit, Michigan 48202 will close effective October 4, 1997. The Detroit Psychiatric Institute is a hospital that provides inpatient psychiatric services for both children and adults.

Section 605 (3) of Act 352 of 1996 requires the Department of Community Health to provide a closure plan to the House and Senate Appropriations Subcommittees on Community Health. This plan is due four months subsequent to the certification made in this letter.

As a result of this closure, children and adults who require state delivered inpatient psychiatric services can be provided for at the remaining state operated child and adult psychiatric inpatient hospitals.

Cordially,  
James K. Haveman, Jr.

The communications were referred to the Clerk.

The following communication from the Family Independence Agency was received and read:

February 7, 1997

Enclosed is the Family Independence Agency's annual report on "The Cost Effectiveness of the Recovery of Overpayments", which is required by Act 41 of 1993.

The attached report was prepared at the end of Fiscal Year 1996.

Sincerely,  
Mark A. Murray  
Interim Director

The communication was referred to the Clerk.

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

January 29, 1997

#### Notice of Filing Administrative Rules

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 4:45 p.m. this date, administrative rule (97-1-1) for the Department of Consumer & Industry Services, Public Service Commission, entitled "*Practice and Procedure Before the Commission*", effective 15 days hereafter.



January 29, 1997

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 4:47 p.m. this date, administrative rule (97-1-2) for the Department of Consumer & Industry Services, Bureau of Occupational and Professional Regulation, entitled "*Occupational Therapists*", effective 15 days hereafter.

January 29, 1997

In accordance with the provisions of Section 46(1) of Act 306, Public Acts of 1969, as amended, and Executive Order 1995-6 this is to advise you that the Office of Regulatory Reform, Legal Division filed at 4:49 p.m. this date, administrative rule (97-1-3) for the Department of Consumer & Industry Services, Bureau of Occupational and Professional Regulation, entitled "*Dentistry*", effective 15 days hereafter.

Sincerely,  
Candice S. Miller  
Secretary of State  
Helen Kruger, Supervisor  
Office of the Great Seal

The communications were referred to the Clerk.

### Introduction of Bills

Reps. Walberg, Cropsey, LeTarte, Kukuk, McBryde, Green, Horton, Raczowski, Hammerstrom, Harder, Galloway, Brewer and Leland introduced

**House Bill No. 4253, entitled**

A bill to amend 1953 PA 232, entitled "An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act," by amending section 63a (MCL 791.263a).

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

Reps. Walberg, Richner, McBryde, Hammerstrom, Harder and Galloway introduced

**House Bill No. 4254, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding part 752.

The bill was read a first time by its title and referred to the Committee on Conservation, Environment and Recreation.

Reps. Cherry, Fitzgerald, Gire, Bogardus, Parks, Leland, Hanley and Hale introduced

**House Bill No. 4255, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," (MCL 257.1 to 257.923) by adding section 682b.

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

Reps. Martinez, Wallace, Hale, Anthony, DeHart, Baird, Hanley, Schauer, LaForge, Gire, Cherry, Tesanovich, Bogardus, Ciaramitaro, Freeman, Bankes, Goschka, Willard, Schroer, Profit, Baade, Scott, Curtis, Schermesser, Quarles, Rison, Prusi, Parks, Murphy, Dobronski, Emerson, Brater, Callahan, Brown and Varga introduced

**House Bill No. 4256, entitled**

A bill to amend 1976 PA 220, entitled "Michigan handicappers' civil rights act," by amending sections 201 and 202 (MCL 37.1201 and 37.1202), section 201 as amended by 1990 PA 121.

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

Reps. Martinez, Wallace, Hale, Anthony, Baird, Hanley, Schauer, LaForge, DeHart, Gire, Cherry, Tesanovich, Bogardus, Ciaramitaro, Goschka, Willard, Schroer, Freeman, Profit, Baade, Scott, Bankes, Curtis, Schermesser, Quarles, Rison, Prusi, Parks, Murphy, Dobronski, Emerson, Brater, Callahan, Brown and Varga introduced

**House Bill No. 4257, entitled**

A bill to amend 1976 PA 453, entitled "Elliott-Larsen civil rights act," by amending sections 102, 103, and 202 (MCL 37.2102, 37.2103, and 37.2202), sections 102 and 103 as amended by 1992 PA 124 and section 202 as amended by 1991 PA 11.

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

Reps. Martinez, Wallace, Hale, Hanley, Schauer, Anthony, LaForge, Bogardus, Gire, Cherry, Tesanovich, Ciaramitaro, Willard, Schroer and Scott introduced

**House Bill No. 4258, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 2027a.

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

Reps. Alley, Freeman, Martinez, Bobier, LaForge and Wetters introduced

**House Bill No. 4259, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 61503a.

The bill was read a first time by its title and referred to the Committee on Conservation, Environment and Recreation.

Reps. Alley, Freeman, Bobier, LaForge and Wetters introduced

**House Bill No. 4260, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 502a.

The bill was read a first time by its title and referred to the Committee on Conservation, Environment and Recreation.

Reps. Llewellyn, Jaye, Goschka, McBryde, Gernaat, Walberg and Hammerstrom introduced

**House Bill No. 4261, entitled**

A bill to amend 1953 PA 232, entitled "An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act," (MCL 791.201 to 791.283) by adding section 65j.

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

Reps. Llewellyn, McBryde, Gernaat, Walberg and Hammerstrom introduced

**House Bill No. 4262, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by amending the title and by adding section 44522a.

The bill was read a first time by its title and referred to the Committee on Conservation, Environment and Recreation.

Reps. Gire, Schauer, McBryde, Callahan, LaForge and Perricone introduced

**House Bill No. 4263, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 243a, 243b, 243c, and 243d (MCL 750.243a, 750.243b, 750.243c, and 750.243d), sections 243a and 243d as amended by 1980 PA 422.

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

Reps. Gire, Hale, Bogardus, Schauer, McBryde, DeHart, Callahan, Martinez, Oxender, LaForge, Goschka and Perricone introduced

**House Bill No. 4264, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 411i (MCL 750.411i), as added by 1992 PA 261.

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

Reps. Gire, Hale, DeHart, McBryde, Schauer, Callahan, Martinez, LaForge, Goschka and Perricone introduced

**House Bill No. 4265, entitled**

A bill to amend 1953 PA 232, entitled "An act to revise, consolidate, and codify the laws relating to probationers and probation officers, to pardons, reprieves, commutations, and paroles, to the administration of correctional institutions, correctional farms, and probation recovery camps, to prisoner labor and correctional industries, and to the supervision and inspection of local jails and houses of correction; to provide for the siting of correctional facilities; to create a state department of corrections, and to prescribe its powers and duties; to provide for the transfer to and vesting in said department of powers and duties vested by law in certain other state boards, commissions, and officers, and to abolish certain boards, commissions, and offices the powers and duties of which are transferred by this act; to prescribe the powers and duties of certain other state departments and agencies; to provide for the creation of a local lockup advisory board; to prescribe penalties for the violation of the provisions of this act; to make certain appropriations; to repeal certain parts of this act on specific dates; and to repeal all acts and parts of acts inconsistent with the provisions of this act," by amending section 36 (MCL 791.236), as amended by 1994 PA 287.

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

Reps. Gire, Hale, Bogardus, McBryde, Schauer, DeHart, Baird, Callahan, Freeman, Oxender, LaForge and Goschka introduced

**House Bill No. 4266, entitled**

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 3 of chapter XI (MCL 771.3), as amended by 1994 PA 445.

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

Reps. Scott, Hale, McBryde, Hanley, Brewer, Schauer, DeHart, Goschka, Gire, Dalman, Freeman, Vaughn, Kelly, Voorhees, Leland, McManus, Byl, Thomas, Schermesser, Parks, Price, Rison, Murphy, Cherry, Prusi, Curtis, Owen, Dobronski, Green, Geiger, Kukuk, Kaza, Gagliardi, Mathieu, Emerson, Richner, Rocca, Hood, Quarles and Perricone introduced

**House Bill No. 4267, entitled**

A bill to provide for expedited eviction of persons engaged in certain drug-related activities and to enjoin persons engaged in certain drug-related activities from being at or near certain residential premises; to provide civil remedies; to prescribe duties for certain state agencies; to grant immunity to certain persons; to provide for the distribution of information and drug treatment services; and to provide opportunities for drug rehabilitation.

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

Reps. Scott, Hale, McBryde, Hanley, Brewer, Schauer, DeHart, Goschka, Bogardus, Gire, Dalman, Vaughn, Kelly, Byl, Leland, McManus, Thomas, Schermesser, Hood, Parks, Price, Rison, Murphy, Prusi, Curtis, Owen, Dobronski, Green, Geiger, Rocca, Kukuk, Kaza, Voorhees, Gagliardi, Mathieu, Emerson, Richner, Quarles and Perricone introduced

**House Bill No. 4268, entitled**

A bill to enjoin certain criminal offenders from entering certain premises; to provide for penalties for violations of injunctions; to provide for certain standards of proof; and to provide victims with certain rights.

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

Reps. Scott, Freeman, Hale, McBryde, Hanley, Schauer, DeHart, Goschka, Bogardus, Gire, Dalman, Willard, Vaughn, Kelly, Byl, Murphy, Richner, Leland, McManus, Rison, Thomas, Schermesser, Cherry, Prusi, Curtis, Owen, Dobronski, Green, Geiger, Rocca, Kukuk, Kaza, Voorhees, Gagliardi, Mathieu, Emerson, Price, Parks, Hood, Quarles and Perricone introduced

**House Bill No. 4269, entitled**

A bill to create certain civil actions; to provide certain civil remedies for certain drug related nuisances; to impose certain penalties; to grant immunity to certain persons; to prescribe duties for certain state agencies; to create certain revolving funds; and to provide for certain standards of proof.

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

Reps. Schroer, Baird, LaForge, Thomas, Price, Bogardus, Cherry, Martinez, Gire, Anthony, Scott, Bankes, Kilpatrick, Brater, Hanley, Bobier, Gilmer, Curtis and Gubow introduced

**House Bill No. 4270, entitled**

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1278 and 1525 (MCL 380.1278 and 380.1525), as amended by 1995 PA 289.

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

Reps. Hanley, Profit, Wojno, Kelly, LaForge, Schauer, Anthony, McBryde, DeHart, Bogardus, Cherry, Hale, Martinez, Callahan, Gire, Tesanovich, Scott, Goschka, Parks and Prusi introduced

**House Bill No. 4271, entitled**

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding section 38e.

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

Reps. Hanley, Kelly, Schauer, Wojno, DeHart, Schermesser, Hammerstrom, Gilmer, Hale, Dobb, Callahan, Gire, Dalman, Scott, Parks, Byl, Price, Murphy, LaForge, Schroer, Baird, Brater and Kilpatrick introduced

**House Bill No. 4272, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 223 and 237a (MCL 750.223 and 750.237a), section 223 as amended by 1992 PA 221 and section 237a as added by 1994 PA 158.

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

Reps. Tesanovich, Cherry, Anthony, Gagliardi, Prusi, Hale, Bobier, Parks, Bogardus, Horton, Lowe, LaForge and Hanley introduced

**House Bill No. 4273, entitled**

A bill to amend 1945 PA 200, entitled "An act to define a marketable record title to an interest in land; to require the filing of notices of claim of interest in such land in certain cases within a definite period of time and to require the recording thereof; to make invalid and of no force or effect all claims with respect to the land affected thereby where no such notices of claim of interest are filed within the required period; to provide for certain penalties for filing slanderous notices of claim of interest, and to provide certain exceptions to the applicability and operation thereof," by amending the title and sections 1, 2, 3, and 6 (MCL 565.101, 565.102, 565.103, and 565.106) and by adding sections 2a and 2b.

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

Reps. Gubow, Anthony, Gire, Leland, Martinez and Schroer introduced

**House Bill No. 4274, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 16131, 16146, and 16263 (MCL 333.16131, 333.16146, and 333.16263), sections 16131 and 16263 as amended by 1995 PA 126 and section 16146 as amended by 1988 PA 462, and by adding section 16348 and part 185; and to repeal acts and parts of acts.

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

Reps. Gubow, Anthony, Leland, Baade, Law, Kaza, Wojno, Schauer, Gire, Brown, Bogardus, Voorhees, Freeman, Martinez, McBryde, Brewer, Dalman, Goschka, Schroer and Baird introduced

**House Bill No. 4275, entitled**

A bill to amend 1939 PA 288, entitled "An act to revise and consolidate the statutes relating to certain aspects of the organization and jurisdiction of the probate court of this state, the powers and duties of such court and the judges and other officers thereof, certain aspects of the statutes of descent and distribution of property, and the statutes governing the change of name of adults and children, the adoption of adults and children, and the jurisdiction of the juvenile division of the probate court; to prescribe the powers and duties of the juvenile division of the probate court, and the judges and other officers thereof; to prescribe the manner and time within which actions and proceedings may be brought in the juvenile division of the probate court; to prescribe pleading, evidence, practice, and procedure in actions and proceedings in the juvenile division of the probate court; to provide for appeals from the juvenile division of the probate court; to prescribe the powers and duties of certain state departments, agencies, and officers; and to provide remedies and penalties for the violation of this act," by amending section 60 of chapter X (MCL 710.60), as amended by 1996 PA 409.

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

Reps. Gubow, Anthony, Baade, Law, Kaza, Wojno, Schauer, Gire, Brown, Bogardus, Voorhees, Freeman, Martinez, McBryde, Goschka, Brewer, Dalman, Schroer and Baird introduced

**House Bill No. 4276, entitled**

A bill to amend 1970 PA 91, entitled "Child custody act of 1970," by amending sections 2 and 7b (MCL 722.22 and 722.27b), section 2 as amended by 1990 PA 245 and section 7b as amended by 1996 PA 19.

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

Reps. Gubow, Anthony, Gire, Leland, Baade, Law, Kaza, Freeman, Martinez, Brewer, Dalman, Goschka, Middleton, Schroer and Baird introduced

**House Bill No. 4277, entitled**

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9948) by adding chapter 50b.

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

Reps. Gubow, Horton, Gire, Anthony, Walberg, Leland, Baade, Bogardus, Gernaat, LeTarte, Goschka and Schroer introduced

**House Bill No. 4278, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 411r.

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

Reps. Rhead, Llewellyn, Goschka and Green introduced

**House Bill No. 4279, entitled**

A bill to amend 1941 PA 207, entitled "Fire prevention code," (MCL 29.1 to 29.34) by adding section 35.

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

Reps. Fitzgerald, Byl, Brackenridge, Hammerstrom, LaForge, Baade, Bobier, Brater, Schroer, Freeman, London, McNutt and Jellema introduced

**House Bill No. 4280, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 710d and 710e (MCL 257.710d and 257.710e), section 710d as amended by 1990 PA 90 and section 710e as amended by 1991 PA 25.

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

Rep. Ciaramitaro introduced

**House Bill No. 4281, entitled**

A bill to amend 1939 PA 3, entitled "An act to provide for the regulation and control of public utilities and other services affected with a public interest within this state; to create a public service commission and to prescribe and define its powers and duties; to abolish the Michigan public utilities commission and to confer the powers and duties vested by law therein on the public service commission; to provide for the continuance, transfer, and completion of certain matters and proceedings; to abolish automatic adjustment clauses; to prohibit rate increases without notice and hearing; to qualify residential energy conservation programs permitted under state law for certain federal exemption; to provide for a restructuring of rates for certain utilities; to encourage the utilization of resource recovery facilities; to provide for appeals; to provide appropriations; to declare the effect of this act; to prescribe penalties; and to repeal all acts contrary to this act," by amending section 6 (MCL 460.6), as amended by 1993 PA 355.

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

Reps. Jellema, Green, Byl, DeVuyst, Fitzgerald, LeTarte, Gernaat, Dalman, Cropsey, Hammerstrom, Sikkema, Lowe, McNutt, McBryde, Goschka, Brewer, Oxender, Kelly, Richner, Agee and Perricone introduced

**House Bill No. 4282, entitled**

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 4 (MCL 205.95), as amended by 1996 PA 53.

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

Reps. Jellema, Green, Byl, DeVuyst, Fitzgerald, LeTarte, Gernaat, Dalman, Cropsey, Hammerstrom, Sikkema, Lowe, McNutt, McBryde, Goschka, Brewer, Oxender, Kelly, Richner, Agee and Perricone introduced

**House Bill No. 4283, entitled**

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending section 1 (MCL 205.51), as amended by 1995 PA 209.

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

Reps. Walberg, Galloway, Lowe, DeHart, Nye, Owen, Harder, Cropsey, Tesanovich, Brewer, Crissman, Green, Rhead, Raczkowski, Wetters, Leland, Prusi, Jaye, Alley, Geiger, Bodem, Dobb, Llewellyn and London introduced

**House Bill No. 4284, entitled**

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 658 (MCL 257.658), as amended by 1984 PA 328.

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

Reps. Brackenridge, Hammerstrom, McBryde, Profit, Wetters and Jelinek introduced

**House Bill No. 4285, entitled**

A bill to prohibit the distribution of tobacco products to minors; to prohibit the use of tobacco products by minors; to regulate the retail sale of tobacco products; to prescribe penalties; to prescribe the powers and duties of certain state and local agencies and departments; and to repeal acts and parts of acts.

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

Rep. Willard introduced

**House Bill No. 4286, entitled**

A bill to amend 1921 PA 246, entitled "An act to regulate the service, rates, fares and charges of carriers by water within this state," (MCL 460.201 to 460.206) by adding section 7.

The bill was read a first time by its title and referred to the Committee on Marine Affairs and Port Development.

Rep. Willard introduced

**House Bill No. 4287, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 390a.

The bill was read a first time by its title and referred to the Committee on Marine Affairs and Port Development.

Reps. Dobronski, Brackenridge, Baird and Baade introduced

**House Bill No. 4288, entitled**

A bill to amend 1954 PA 116, entitled "Michigan election law," (MCL 168.1 to 168.992) by adding section 641a.

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

Reps. Schauer, Hale, Kaza, Hanley, McBryde, Brewer, Cherry, Goschka, Prusi, Scott and Frank introduced

**House Bill No. 4289, entitled**

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending sections 200, 201, 204, 204a, 205, 205a, 206, 207, 210, and 211 (MCL 750.200, 750.201, 750.204, 750.204a, 750.205, 750.205a, 750.206, 750.207, 750.210, and 750.211).

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

Reps. Bankes, Gire, Law, Martinez, Gubow, Dalman, Tesanovich, Ciaramitaro, LaForge, Price, Crissman, Goschka, Kelly, Brewer, Baade, Anthony, DeHart, Vaughn, Schroer, McBryde, Godchaux and Schermesser introduced

**House Bill No. 4290, entitled**

A bill to regulate the servicing, repair, and maintenance of certain appliances and the compensation received by certain persons for those activities; to provide for certain disclosures and warranties regarding those activities; to limit certain representations by service dealers; and to provide for certain remedies.

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

Reps. Bankes, Gubow, Gire, Martinez, Freeman, Dalman, Tesanovich, LaForge, Price, Crissman, Goschka, Kelly, Brewer, Baade, Anthony, McBryde, Godchaux and Schermesser introduced

**House Bill No. 4291, entitled**

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," (MCL 550.1101 to 550.1704) by adding section 418.

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

Reps. Bankes, Gubow, Gire, Martinez, Freeman, Dalman, Tesanovich, LaForge, Price, Crissman, Goschka, Kelly, Brewer, Baade, Anthony, McBryde, Godchaux and Schermesser introduced

**House Bill No. 4292, entitled**

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21054u.

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

Reps. Bankes, Freeman, Gubow, Gire, Martinez, Dalman, Tesanovich, LaForge, Price, Crissman, Goschka, Kelly, Brewer, Baade, Anthony, McBryde, Godchaux and Schermesser introduced

**House Bill No. 4293, entitled**

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3406f.

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

Rep. Scott introduced

**House Bill No. 4294, entitled**

A bill to amend 1939 PA 288, entitled "An act to revise and consolidate the statutes relating to certain aspects of the organization and jurisdiction of the probate court of this state, the powers and duties of such court and the judges and other officers thereof, certain aspects of the statutes of descent and distribution of property, and the statutes governing the change of name of adults and children, the adoption of adults and children, and the jurisdiction of the juvenile division of the probate court; to prescribe the powers and duties of the juvenile division of the probate court, and the judges and other officers thereof; to prescribe the manner and time within which actions and proceedings may be brought in the juvenile division of the probate court; to prescribe pleading, evidence, practice, and procedure in actions and proceedings in the juvenile division of the probate court; to provide for appeals from the juvenile division of the probate court; to prescribe the powers and duties of certain state departments, agencies, and officers; and to provide remedies and penalties for the violation of this act," by amending section 28 of chapter XIIA, as amended by 1996 PA 409.

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

Reps. Bogardus, Anthony, Kelly, Brewer, LaForge, Cherry, Kaza, Hale, DeHart, Schauer, Martinez, Kilpatrick, Willard, Goschka, Mans, Gire, McBryde and Callahan introduced

**House Bill No. 4295, entitled**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 3113 (MCL 324.3113) and by adding section 3111a.

The bill was read a first time by its title and referred to the Committee on Conservation, Environment and Recreation.

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Rep. Brewer moved that the House adjourn.

The motion prevailed, the time being 3:10 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, February 12, at 2:00 p.m.

MARY KAY SCULLION  
Clerk of the House of Representatives.

