

No. 17
JOURNAL OF THE HOUSE

House Chamber, Lansing, Tuesday, March 4, 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 | Raczkowski—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—excused |
| 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—present |
| Dobb—present | Jellema—present | Parks—present | Willard—present |
| Dobronski—present | Johnson—present | Perricone—present | Wojno—present |
| Emerson—present | | | |

e/d/s = entered during session

Zachary Langen Boos, from Pine Ridge Elementary School, Ada, offered the following invocation:

“Psalms 27:13. I believe that I shall see the goodness of the Lord in the land of the living. Wait for the Lord. Be strong and let your heart take courage.”

“Dear God, To You we pray for the courage to embrace the promise of the future with our hope. We offer special thanks today for the blessings of youth everywhere. The endless generations of hope and promise are a source of divine inspiration for which we are truly grateful. May we be renewed each day in all that we do with a fresh understanding of the wonder and glory of all of Your creation. We ask for strength and courage in our generation so that these blessings may be shared by all. For my parents and my sister, for my teachers and my classmates and for all children and mankind everywhere, I offer this blessing in a manner appropriate to each of you joining me in this prayer. Amen.”

Rep. Dobronski moved that Rep. Stallworth be granted an excuse from today’s session.
The motion prevailed.

Second Reading of Bills

House Bill No. 4042, entitled

A bill to provide for the deferment of property taxes for certain senior citizens; to provide for a property tax deferment revolving fund; to prescribe certain powers and duties of the department of treasury, county officials, and other local officials; and to provide for certain borrowing by counties.

Was read a second time, and the question being on the adoption of the proposed substitute (H-4) previously recommended by the Committee on Tax Policy,

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

Rep. Gubow moved to amend the bill as follows:

1. Amend page 8, line 21, after “homestead.” by striking out “The” and inserting “IF PAYMENT IS MADE AS REQUIRED BY THIS SECTION, THE”.

2. Amend page 9, line 7, by striking out “The” and inserting “IF PAYMENT IS MADE AS REQUIRED BY THIS SECTION, THE”.

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

Rep. Perricone moved to amend the bill as follows:

1. Amend page 5, line 20, after “assessment.” by striking out the balance of the line through “homestead.” on line 24.

2. Amend page 6, line 17, after “will” by striking out the balance of the line through “property.” on line 18 and inserting “CHARGE YOU INTEREST AT THE RATE OF 1/2 OF 1% PER MONTH OR FRACTION OF A MONTH ON ALL SPECIAL ASSESSMENTS OR PROPERTY TAXES DEFERRED.”.

3. Amend page 8, line 5, after “HOMESTEAD” by striking out the balance of the line through “ACT” on line 7.

4. Amend page 8, line 15, after “shall” by striking out the balance of the line through “and” on line 17.

5. Amend page 10, line 13, after “terminated” by striking out the balance of the line through “deferred” on line 17.

6. Amend page 11, line 4, by striking out all of subsection (3) and renumbering the remaining subsections.

Rep. Perricone moved that consideration of the amendments be postponed temporarily.

The motion prevailed.

Rep. Cassis moved to amend the bill as follows:

1. Amend page 12, following line 23, by inserting:

“Enacting section 1. This amendatory act does not take effect unless House Bill No. 4214 of the 89th Legislature is enacted into law.”.

Rep. Cassis moved that consideration of the amendment be postponed temporarily.

The motion prevailed.

Rep. Dobb moved to amend the bill as follows:

1. Amend page 6, line 18, after “property.” by inserting “THE AFFIDAVIT SHALL CONTAIN A STATEMENT THAT THE OWNER APPLYING FOR THE DEFERMENT OF SPECIAL ASSESSMENTS OR PROPERTY TAXES UNDER THIS ACT HAS RECEIVED OR HAS APPLIED FOR ALL CREDITS AVAILABLE TO THAT OWNER UNDER SECTIONS 520 AND 522 OF THE INCOME TAX ACT OF 1967, 1967 PA 281, MCL 206.520 AND 206.522.”.

Rep. Profit moved that consideration of the amendment be postponed temporarily.

The motion prevailed.

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

The motion prevailed.

The Speaker called the Speaker Pro Tempore to the Chair.

House Bill No. 4180, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 1995 PA 230.

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

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

The question being on the adoption of the proposed substitute (H-3) previously recommended by the Committee on Tax Policy,

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

Rep. Gubow moved to amend the bill as follows:

1. Amend page 9, line 9, after "EMPLOYED" by inserting "THAT ARE NOT USED BY THE TAXPAYER TO CLAIM A REIMBURSEMENT FROM THE TAXPAYER'S CHILD AND DEPENDENT CARE ACCOUNT".

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

Rep. Whyman moved to amend the bill as follows:

1. Amend page 13, following line 25, by inserting:

"Sec. 51. (1) For receiving, earning, or otherwise acquiring income from any source whatsoever, there is levied and imposed upon the taxable income of every person other than a corporation a tax at the following rates in the following circumstances:

(a) Before May 1, 1994, 4.6%.

(b) After April 30, 1994 AND BEFORE JANUARY 1, 1997, 4.4%.

(C) AFTER DECEMBER 31, 1996, 4.2%.

(2) The following percentages of the net revenues collected under this section shall be deposited in the state school aid fund created in section 11 of article IX of the state constitution of 1963:

(a) Beginning October 1, 1994 and before October 1, 1996, 14.4% of the gross collections before refunds from the tax levied under this section.

(b) After September 30, 1996 AND BEFORE JANUARY 1, 1997, 23.0% of the gross collections before refunds from the tax levied under this section.

(C) AFTER DECEMBER 31, 1996, 24.1% OF THE GROSS COLLECTIONS BEFORE REFUNDS FROM THE TAX LEVIED UNDER THIS SECTION.

(3) The department shall annualize rates provided in subsection (1) as necessary for tax years that end after April 30, 1994. The applicable annualized rate shall be imposed upon the taxable income of every person other than a corporation for those tax years.

(4) The taxable income of a nonresident shall be computed in the same manner that the taxable income of a resident is computed, subject to the allocation and apportionment provisions of this act.

(5) A resident beneficiary of a trust whose taxable income includes all or part of an accumulation distribution by a trust, as defined in section 665 of the internal revenue code, shall be allowed a credit against the tax otherwise due under this act. The credit shall be all or a proportionate part of any tax paid by the trust under this act for any preceding taxable year that would not have been payable if the trust had in fact made distribution to its beneficiaries at the times and in the amounts specified in section 666 of the internal revenue code. The credit shall not reduce the tax otherwise due from the beneficiary to an amount less than would have been due if the accumulation distribution were excluded from taxable income.

(6) The taxable income of a resident who is required to include income from a trust in his or her federal income tax return under the provisions of subpart E of part I of subchapter J of chapter 1 of the internal revenue code, 26 U.S.C. 671 to 679, shall include items of income and deductions from the trust in taxable income to the extent required by this act with respect to property owned outright.

(7) It is the intention of this section that the income subject to tax of every person other than corporations shall be computed in like manner and be the same as provided in the internal revenue code subject to adjustments specifically provided for in this act.

(8) As used in this section:

(a) "Person other than a corporation" means a resident or nonresident individual or any of the following:

(i) A partner in a partnership as defined in the internal revenue code.

(ii) A beneficiary of an estate or a trust as defined in the internal revenue code.

(iii) An estate or trust as defined in the internal revenue code.

(b) "Taxable income" means taxable income as defined in this act subject to the applicable source and attribution rules contained in this act."

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

Rep. Gustafson demanded the yeas and nays.

The demand was supported.

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

Point of Order

Rep. Cherry requested a ruling from the Chair on the question of whether or not the amendment is germane to the purpose of the bill.

The Chair ruled that the amendment is not germane. House Bill 4180 is a single section bill creating a tax credit for child care expenses. The proposed amendment proposes to reduce the income tax rate.

Rep. Fitzgerald appealed the decision of the Chair.

The question being, "Shall the judgment of the Chair stand as the judgment of the House?"

The judgment of the Chair stood as the judgment of the House, a majority of the members present and voting, voting therefor, by yeas and nays, as follows:

Roll Call No. 55

Yeas—55

| | | | |
|-------------|-----------|------------|-------------|
| Agee | Dobronski | Kilpatrick | Quarles |
| Alley | Emerson | LaForge | Rison |
| Anthony | Frank | Leland | Schauer |
| Baade | Freeman | Mans | Schermesser |
| Baird | Gagliardi | Martinez | Schroer |
| Bogardus | Gire | Mathieu | Scott |
| Brater | Griffin | Murphy | Tesanovich |
| Brewer | Gubow | Olshove | Thomas |
| Brown | Hale | Owen | Varga |
| Callahan | Hanley | Palamara | Vaughn |
| Cherry | Harder | Parks | Wetters |
| Ciaramitaro | Hertel | Price | Willard |
| Curtis | Hood | Profit | Wojno |
| DeHart | Kelly | Prusi | |

Nays—52

| | | | |
|--------------|----------|-----------|------------|
| Banks | Galloway | Jellema | Middleton |
| Birkholz | Geiger | Johnson | Nye |
| Bobier | Gernaat | Kaza | Oxender |
| Bodem | Gilmer | Kukuk | Perricone |
| Brackenridge | Godchaux | Law | Raczkowski |
| Byl | Goschka | LeTarte | Rhead |
| Cassis | Green | Llewellyn | Richner |

| | | | |
|------------|-------------|----------|----------|
| Crissman | Gustafson | London | Rocca |
| Cropsey | Hammerstrom | Lowe | Scranton |
| Dalman | Horton | McBryde | Sikkema |
| DeVuyst | Jansen | McManus | Voorhees |
| Dobb | Jaye | McNutt | Walberg |
| Fitzgerald | Jelinek | Middaugh | Whyman |

In The Chair: Murphy

Reps. Goschka and Kaza moved to amend the bill as follows:

1. Amend page 10, line 2, after "1996" by striking out "\$2,500.00" and inserting "\$2,700.00".

The question being on the adoption of the amendment offered by Reps. Goschka and Kaza,

Rep. Goschka demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the amendment offered by Reps. Goschka and Kaza,

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

Roll Call No. 56

Yeas—92

| | | | |
|--------------|-------------|-----------|-------------|
| Alley | Fitzgerald | Kaza | Perricone |
| Anthony | Frank | Kelly | Price |
| Baade | Freeman | Kukuk | Profit |
| Baird | Gagliardi | LaForge | Prusi |
| Bankes | Galloway | Law | Quarles |
| Birkholz | Geiger | Leland | Raczkowski |
| Bodem | Gernaat | Llewellyn | Rhead |
| Bogardus | Gire | London | Richner |
| Brackenridge | Godchaux | Lowe | Rocca |
| Brater | Goschka | Mans | Schauer |
| Brewer | Green | Mathieu | Schermesser |
| Brown | Gubow | McBryde | Scranton |
| Callahan | Gustafson | McManus | Sikkema |
| Cassis | Hale | McNutt | Tesanovich |
| Cherry | Hammerstrom | Middaugh | Varga |
| Ciaramitaro | Hanley | Middleton | Vaughn |
| Crissman | Harder | Murphy | Voorhees |
| Curtis | Horton | Nye | Walberg |
| Dalman | Jansen | Olshove | Wallace |
| DeHart | Jaye | Owen | Wetters |
| DeVuyst | Jelinek | Oxender | Whyman |
| Dobb | Jellema | Palamara | Willard |
| Dobronski | Johnson | Parks | Wojno |

Nays—13

| | | | |
|---------|---------|------------|---------|
| Agee | Gilmer | Kilpatrick | Schroer |
| Bobier | Griffin | LeTarte | Scott |
| Byl | Hood | Martinez | Thomas |
| Emerson | | | |

In The Chair: Murphy

Rep. Jaye moved to amend the bill as follows:

1. Amend page 9, line 15, after "HOME." by inserting "QUALIFIED CHILD CARE EXPENSES DO NOT INCLUDE ANY EXPENSES PAID FOR BY THE FAMILY INDEPENDENCE AGENCY."

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

Rep. Jaye moved to amend the bill as follows:

1. Amend page 9, line 6, after "CHILD." by inserting "IF THE TAXPAYER THAT CLAIMS A DEDUCTION UNDER THIS SUBDIVISION IS SUBJECT TO A SUPPORT ORDER TO PAY FOR CHILD CARE AND THAT SUPPORT ORDER SPECIFIES A DISTINCT AMOUNT FOR CHILD CARE, THE TAXPAYER MAY CLAIM THE DEDUCTION UP TO THE AMOUNT OF THAT DISTINCT AMOUNT FOR CHILD CARE THAT IS USED TO PAY QUALIFIED CHILD CARE EXPENSES AND THE PARENT OF THE CHILD NOT REQUIRED BY A SUPPORT ORDER TO PAY FOR CHILD CARE SHALL CLAIM ONLY THE DIFFERENCE BETWEEN THE AMOUNT CLAIMED BY THE PARENT WHO IS ORDERED TO PAY AND \$5,000.00 OR THE ACTUAL AMOUNT OF QUALIFIED CHILD CARE EXPENSES, WHICHEVER IS LESS."

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

Rep. Cassis moved to amend the bill as follows:

1. Amend page 10, following line 19, by inserting:

"(4) FOR THE 1997 TAX YEAR AND EACH TAX YEAR AFTER THE 1997 TAX YEAR, A TAXPAYER MAY CLAIM AN ADDITIONAL EXEMPTION EQUAL TO \$1,000.00 FOR EACH CHILD FOR WHOM THE TAXPAYER CLAIMS A DEPENDENCY EXEMPTION UNDER SUBSECTION (2) AND WHO IS LESS THAN 7 YEARS OF AGE AT THE END OF THE TAX YEAR FOR WHICH THE EXEMPTION UNDER THIS SUBSECTION IS CLAIMED." and renumbering the remaining subsections.

2. Amend page 11, line 3, after "(3)," by striking out "or (4)" and inserting "(4), OR (5)".

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

Rep. Cassis demanded the yeas and nays.

The demand was supported.

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

After debate,

Rep. Gagliardi demanded the previous question.

The demand was supported.

The question being, "Shall the main question now be put?"

The previous question was ordered.

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

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

Roll Call No. 57

Yeas—83

| | | | |
|--------------|-------------|-----------|------------|
| Alley | Dobronski | Johnson | Profit |
| Anthony | Fitzgerald | Kaza | Prusi |
| Baade | Frank | Kukuk | Quarles |
| Bankes | Freeman | LaForge | Raczkowski |
| Birkholz | Gagliardi | Law | Rhead |
| Bodem | Galloway | Llewellyn | Richner |
| Bogardus | Geiger | London | Rison |
| Brackenridge | Gernaat | Lowe | Rocca |
| Brater | Gire | Mans | Schauer |
| Brewer | Godchaux | McBryde | Scranton |
| Brown | Goschka | McManus | Sikkema |
| Byl | Green | McNutt | Tesanovich |
| Callahan | Griffin | Middaugh | Vaughn |
| Cassis | Gustafson | Middleton | Voorhees |
| Crissman | Hammerstrom | Nye | Walberg |
| Cropsey | Harder | Olshove | Wallace |
| Curtis | Horton | Owen | Wetters |
| Dalman | Jansen | Oxender | Whyman |
| DeHart | Jaye | Palamara | Willard |
| DeVuyst | Jelinek | Perricone | Wojno |
| Dobb | Jellema | Price | |

Nays—23

| | | | |
|-------------|--------|------------|---------|
| Agee | Gubow | Kilpatrick | Parks |
| Baird | Hale | Leland | Schroer |
| Cherry | Hanley | LeTarte | Scott |
| Ciaramitaro | Hertel | Martinez | Thomas |
| Emerson | Hood | Mathieu | Varga |
| Gilmer | Kelly | Murphy | |

In The Chair: Murphy

Rep. Cherry 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. 4180, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 1995 PA 230.

Was read a third time, and the question being on its passage,

Rep. Profit moved to substitute (H-4) the bill.

The motion was seconded.

The question being on the adoption of the substitute (H-4) offered by Rep. Profit,

Rep. Sikkema demanded the yeas and nays.

The demand was supported.

The question being on the adoption of the substitute (H-4) offered by Rep. Profit,

After debate,

Rep. Gagliardi demanded the previous question.

The demand was supported.

The question being, "Shall the main question now be put?"

The previous question was ordered.

The question being on the adoption of the substitute (H-4) offered by Rep. Profit,

The substitute (H-4) was adopted, a majority of the members serving voting therefor, by yeas and nays, as follows:

Roll Call No. 58**Yeas—56**

| | | | |
|-------------|-----------|------------|-------------|
| Agee | Dobronski | Kilpatrick | Quarles |
| Alley | Emerson | LaForge | Rison |
| Anthony | Frank | Leland | Schauer |
| Baade | Freeman | Mans | Schermesser |
| Baird | Gagliardi | Martinez | Schroer |
| Bogardus | Gire | Mathieu | Scott |
| Brater | Griffin | Murphy | Tesanovich |
| Brewer | Gubow | Olshove | Thomas |
| Brown | Hale | Owen | Varga |
| Callahan | Hanley | Palamara | Vaughn |
| Cherry | Harder | Parks | Wallace |
| Ciaramitaro | Hertel | Price | Wetters |
| Curtis | Hood | Profit | Willard |
| DeHart | Kelly | Prusi | Wojno |

Nays—52

| | | | |
|--------------|-------------|-----------|------------|
| Bankes | Galloway | Jellema | Middleton |
| Birkholz | Geiger | Johnson | Nye |
| Bobier | Gernaat | Kaza | Oxender |
| Bodem | Gilmer | Kukuk | Perricone |
| Brackenridge | Godchaux | Law | Raczkowski |
| Byl | Goschka | LeTarte | Rhead |
| Cassis | Green | Llewellyn | Richner |
| Crissman | Gustafson | London | Rocca |
| Cropsey | Hammerstrom | Lowe | Scranton |
| Dalman | Horton | McBryde | Sikkema |
| DeVuyst | Jansen | McManus | Voorhees |
| Dobb | Jaye | McNutt | Walberg |
| Fitzgerald | Jelinek | Middaugh | Whyman |

In The Chair: Murphy

Reps. Kaza and Raczkowski, having reserved the right to explain their nay vote, made the following statement:

“Mr. Speaker and members of the House:

The substitute before us provides less tax relief for middle-class families than the bill in its current form. Michigan’s middle-class families need more tax relief, not less.”

Rep. Goschka, having reserved the right to explain his nay vote, made the following statement:

“Mr. Speaker and members of the House:

I voted against adopting House Bill 4180, H-4, because it strips out every single tax-cutting amendment that was adopted in the H-3 version. It is most disturbing to me that new representatives such as the Representative from the 96th District would be so immediately willing to vote against tax cuts for the people of Michigan.

This substitute version keeps the heavy tax burden on working families in this state, and anyone who voted for it was voting to eliminate tax cuts.”

Rep. Goschka moved to amend the bill as follows:

1. Amend page 10, line 3, after “1996” by striking out “\$2,500.00” and inserting “\$2,700.00”.

The motion was seconded.

Rep. Gagliardi moved that the vote by which the House did second the motion be reconsidered.

The question being on the motion by Rep. Gagliardi,

Rep. Gustafson demanded the yeas and nays.

The demand was supported.

The question being on the motion by Rep. Gagliardi,

The motion prevailed, a majority of the members present voting therefor, by yeas and nays, as follows:

Roll Call No. 59**Yeas—55**

| | | | |
|----------|-----------|------------|-------------|
| Agee | Dobronski | Kilpatrick | Quarles |
| Alley | Emerson | LaForge | Rison |
| Anthony | Frank | Leland | Schauer |
| Baade | Freeman | Mans | Schermesser |
| Baird | Gagliardi | Martinez | Schroer |
| Bogardus | Gire | Mathieu | Tesanovich |
| Brater | Griffin | Murphy | Thomas |
| Brewer | Gubow | Olshove | Varga |

| | | | |
|-------------|--------|----------|---------|
| Brown | Hale | Owen | Vaughn |
| Callahan | Hanley | Palamara | Wallace |
| Cherry | Harder | Parks | Wetters |
| Ciaramitaro | Hertel | Price | Willard |
| Curtis | Hood | Profit | Wojno |
| DeHart | Kelly | Prusi | |

Nays—52

| | | | |
|--------------|-------------|-----------|------------|
| Banks | Galloway | Jellema | Middleton |
| Birkholz | Geiger | Johnson | Nye |
| Bobier | Gernaat | Kaza | Oxender |
| Bodem | Gilmer | Kukuk | Perricone |
| Brackenridge | Godchaux | Law | Raczkowski |
| Byl | Goschka | LeTarte | Rhead |
| Cassis | Green | Llewellyn | Richner |
| Crissman | Gustafson | London | Rocca |
| Cropsey | Hammerstrom | Lowe | Scranton |
| Dalman | Horton | McBryde | Sikkema |
| DeVuyst | Jansen | McManus | Voorhees |
| Dobb | Jaye | McNutt | Walberg |
| Fitzgerald | Jelinek | Middaugh | Whyman |

In The Chair: Murphy

The question being on the seconding of the motion by Rep. Goschka,
Rep. Perricone demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 60**Yeas—51**

| | | | |
|--------------|-------------|-----------|------------|
| Banks | Geiger | Johnson | Nye |
| Birkholz | Gernaat | Kaza | Oxender |
| Bobier | Gilmer | Kukuk | Perricone |
| Bodem | Godchaux | Law | Raczkowski |
| Brackenridge | Goschka | LeTarte | Rhead |
| Byl | Green | Llewellyn | Richner |
| Cassis | Gustafson | London | Rocca |
| Crissman | Hammerstrom | Lowe | Scranton |
| Cropsey | Horton | McBryde | Sikkema |
| Dalman | Jansen | McManus | Voorhees |
| DeVuyst | Jaye | McNutt | Walberg |
| Dobb | Jelinek | Middaugh | Whyman |
| Galloway | Jellema | Middleton | |

Nays—54

| | | | |
|---------|-----------|----------|-------------|
| Agee | Frank | Leland | Rison |
| Anthony | Freeman | Mans | Schauer |
| Baade | Gagliardi | Martinez | Schermesser |
| Baird | Gire | Mathieu | Schroer |

| | | | |
|-------------|------------|----------|------------|
| Bogardus | Griffin | Murphy | Scott |
| Brater | Gubow | Olshove | Tesanovich |
| Brewer | Hale | Owen | Thomas |
| Brown | Hanley | Palamara | Varga |
| Callahan | Harder | Parks | Vaughn |
| Cherry | Hertel | Price | Wallace |
| Ciaramitaro | Hood | Profit | Wetters |
| DeHart | Kelly | Prusi | Willard |
| Dobronski | Kilpatrick | Quarles | Wojno |
| Emerson | LaForge | | |

In The Chair: Murphy

Rep. Jaye moved to amend the bill as follows:

1. Amend page 9, line 6, after "CHILD." by inserting "IF THE TAXPAYER THAT CLAIMS A DEDUCTION UNDER THIS SUBDIVISION IS SUBJECT TO A SUPPORT ORDER TO PAY FOR CHILD CARE AND THAT SUPPORT ORDER SPECIFIES A DISTINCT AMOUNT FOR CHILD CARE, THE TAXPAYER MAY CLAIM THE DEDUCTION UP TO THE AMOUNT OF THAT DISTINCT AMOUNT FOR CHILD CARE THAT IS USED TO PAY QUALIFIED CHILD CARE EXPENSES AND THE PARENT OF THE CHILD NOT REQUIRED BY A SUPPORT ORDER TO PAY FOR CHILD CARE SHALL CLAIM ONLY THE DIFFERENCE BETWEEN THE AMOUNT CLAIMED BY THE PARENT WHO IS ORDERED TO PAY AND \$5,000.00 OR THE ACTUAL AMOUNT OF QUALIFIED CHILD CARE EXPENSES, WHICHEVER IS LESS."

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

Rep. Cassis moved to amend the bill as follows:

1. Amend page 10, following line 20, by inserting:

"(4) FOR THE 1997 TAX YEAR AND EACH TAX YEAR AFTER THE 1997 TAX YEAR, A TAXPAYER MAY CLAIM AN ADDITIONAL EXEMPTION EQUAL TO \$1,000.00 FOR EACH CHILD FOR WHOM THE TAXPAYER CLAIMS A DEPENDENCY EXEMPTION UNDER SUBSECTION (2) AND WHO IS LESS THAN 7 YEARS OF AGE AT THE END OF THE TAX YEAR FOR WHICH THE EXEMPTION UNDER THIS SUBSECTION IS CLAIMED." and renumbering the remaining subsections.

2. Amend page 11, line 5, after "(3)," by striking out "or (4)" and inserting "(4), OR (5)".

The motion was seconded.

Rep. Hertel moved that the vote by which the House did second the motion be reconsidered.

The motion prevailed.

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

Rep. Gustafson demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 61

Yeas—52

| | | | |
|--------------|-------------|-----------|-----------|
| Bankes | Galloway | Jellema | Middleton |
| Birkholz | Geiger | Johnson | Nye |
| Bobier | Gernaat | Kaza | Oxender |
| Bodem | Gilmer | Kukuk | Perricone |
| Brackenridge | Godchaux | Law | Rackowski |
| Byl | Goschka | LeTarte | Rhead |
| Cassis | Green | Llewellyn | Richner |
| Crissman | Gustafson | London | Rocca |
| Cropsey | Hammerstrom | Lowe | Scranton |
| Dalman | Horton | McBryde | Sikkema |
| DeVuyst | Jansen | McManus | Voorhees |
| Dobb | Jaye | McNutt | Walberg |
| Fitzgerald | Jelinek | Middaugh | Whyman |

Nays—54

| | | | |
|-------------|------------|----------|-------------|
| Agee | Emerson | LaForge | Quarles |
| Anthony | Frank | Leland | Rison |
| Baade | Freeman | Mans | Schauer |
| Baird | Gagliardi | Martinez | Schermesser |
| Bogardus | Gire | Mathieu | Schroer |
| Brater | Griffin | Murphy | Scott |
| Brewer | Gubow | Olshove | Tesanovich |
| Brown | Hale | Owen | Thomas |
| Callahan | Hanley | Palamara | Vaughn |
| Cherry | Harder | Parks | Wallace |
| Ciaramitaro | Hertel | Price | Wetters |
| Curtis | Hood | Profit | Willard |
| DeHart | Kelly | Prusi | Wojno |
| Dobronski | Kilpatrick | | |

In The Chair: Murphy

Rep. Whyman moved to amend the bill as follows:

1. Amend page 13, following line 25, by inserting:

“Sec. 51. (1) For receiving, earning, or otherwise acquiring income from any source whatsoever, there is levied and imposed upon the taxable income of every person other than a corporation a tax at the following rates in the following circumstances:

(a) Before May 1, 1994, 4.6%.

(b) After April 30, 1994 AND BEFORE JANUARY 1, 1997, 4.4%.

(C) AFTER DECEMBER 31, 1996, 4.2%.

(2) The following percentages of the net revenues collected under this section shall be deposited in the state school aid fund created in section 11 of article IX of the state constitution of 1963:

(a) Beginning October 1, 1994 and before October 1, 1996, 14.4% of the gross collections before refunds from the tax levied under this section.

(b) After September 30, 1996 AND BEFORE JANUARY 1, 1997, 23.0% of the gross collections before refunds from the tax levied under this section.

(C) AFTER DECEMBER 31, 1996, 24.1% OF THE GROSS COLLECTIONS BEFORE REFUNDS FROM THE TAX LEVIED UNDER THIS SECTION.

(3) The department shall annualize rates provided in subsection (1) as necessary for tax years that end after April 30, 1994. The applicable annualized rate shall be imposed upon the taxable income of every person other than a corporation for those tax years.

(4) The taxable income of a nonresident shall be computed in the same manner that the taxable income of a resident is computed, subject to the allocation and apportionment provisions of this act.

(5) A resident beneficiary of a trust whose taxable income includes all or part of an accumulation distribution by a trust, as defined in section 665 of the internal revenue code, shall be allowed a credit against the tax otherwise due under this act. The credit shall be all or a proportionate part of any tax paid by the trust under this act for any preceding taxable year that would not have been payable if the trust had in fact made distribution to its beneficiaries at the times and in the amounts specified in section 666 of the internal revenue code. The credit shall not reduce the tax otherwise due from the beneficiary to an amount less than would have been due if the accumulation distribution were excluded from taxable income.

(6) The taxable income of a resident who is required to include income from a trust in his or her federal income tax return under the provisions of subpart E of part I of subchapter J of chapter 1 of the internal revenue code, 26 U.S.C. 671 to 679, shall include items of income and deductions from the trust in taxable income to the extent required by this act with respect to property owned outright.

(7) It is the intention of this section that the income subject to tax of every person other than corporations shall be computed in like manner and be the same as provided in the internal revenue code subject to adjustments specifically provided for in this act.

(8) As used in this section:

(a) “Person other than a corporation” means a resident or nonresident individual or any of the following:

- (i) A partner in a partnership as defined in the internal revenue code.
 (ii) A beneficiary of an estate or a trust as defined in the internal revenue code.
 (iii) An estate or trust as defined in the internal revenue code.
 (b) "Taxable income" means taxable income as defined in this act subject to the applicable source and attribution rules contained in this act."
 The motion was seconded.

Point of Order

Rep. Gagliardi requested a ruling from the Chair on the question of whether or not the amendment is germane to the purpose of the bill.

The Chair ruled that the amendment is not germane. House Bill 4180 is a single section bill creating a tax credit for child care expenses. The proposed amendment proposes to reduce the income tax rate.

Rep. Gustafson appealed the decision of the Chair.

The question being, "Shall the judgment of the Chair stand as the judgment of the House?"

The judgment of the Chair stood as the judgment of the House, a majority of the members present and voting, voting therefor, by yeas and nays, as follows:

Roll Call No. 62**Yeas—55**

| | | | |
|-------------|-----------|------------|-------------|
| Agee | Dobronski | Kilpatrick | Rison |
| Alley | Emerson | LaForge | Schauer |
| Anthony | Frank | Leland | Schermesser |
| Baade | Freeman | Mans | Schroer |
| Baird | Gagliardi | Martinez | Scott |
| Bogardus | Gire | Mathieu | Tesanovich |
| Brater | Griffin | Murphy | Thomas |
| Brewer | Gubow | Olshove | Varga |
| Brown | Hale | Owen | Vaughn |
| Callahan | Hanley | Parks | Wallace |
| Cherry | Harder | Price | Wetters |
| Ciaramitaro | Hertel | Profit | Willard |
| Curtis | Hood | Prusi | Wojno |
| DeHart | Kelly | Quarles | |

Nays—52

| | | | |
|--------------|-------------|-----------|------------|
| Banks | Galloway | Jellema | Middleton |
| Birkholz | Geiger | Johnson | Nye |
| Bobier | Gernaat | Kaza | Oxender |
| Bodem | Gilmer | Kukuk | Perricone |
| Brackenridge | Godchaux | Law | Raczkowski |
| Byl | Goschka | LeTarte | Rhead |
| Cassis | Green | Llewellyn | Richner |
| Crissman | Gustafson | London | Rocca |
| Cropsey | Hammerstrom | Lowe | Scranton |
| Dalman | Horton | McBryde | Sikkema |
| DeVuyst | Jansen | McManus | Voorhees |
| Dobb | Jaye | McNutt | Walberg |
| Fitzgerald | Jelinek | Middaugh | Whyman |

In The Chair: Murphy

Rep. Perricone moved to amend the bill as follows:

1. Amend page 9, line 7, after “THE” by striking out “QUALIFIED” and inserting “UNIVERSAL”.

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

Rep. Perricone demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 63**Yeas—52**

| | | | |
|--------------|-------------|-----------|------------|
| Bankes | Galloway | Jellema | Middleton |
| Birkholz | Geiger | Johnson | Nye |
| Bobier | Gernaat | Kaza | Oxender |
| Bodem | Gilmer | Kukuk | Perricone |
| Brackenridge | Godchaux | Law | Raczkowski |
| Byl | Goschka | LeTarte | Rhead |
| Cassis | Green | Llewellyn | Richner |
| Crissman | Gustafson | London | Rocca |
| Cropsey | Hammerstrom | Lowe | Scranton |
| Dalman | Horton | McBryde | Sikkema |
| DeVuyst | Jansen | McManus | Voorhees |
| Dobb | Jaye | McNutt | Walberg |
| Fitzgerald | Jelinek | Middaugh | Whyman |

Nays—55

| | | | |
|-------------|------------|----------|-------------|
| Agee | Emerson | LaForge | Rison |
| Alley | Frank | Leland | Schauer |
| Anthony | Freeman | Mans | Schermesser |
| Baade | Gagliardi | Martinez | Schroer |
| Baird | Gire | Mathieu | Scott |
| Bogardus | Griffin | Murphy | Tesanovich |
| Brater | Gubow | Olshove | Thomas |
| Brewer | Hale | Owen | Varga |
| Brown | Hanley | Palamara | Vaughn |
| Cherry | Harder | Parks | Wallace |
| Ciaramitaro | Hertel | Price | Wetters |
| Curtis | Hood | Profit | Willard |
| DeHart | Kelly | Prusi | Wojno |
| Dobronski | Kilpatrick | Quarles | |

In The Chair: Murphy

Reps. Gubow and Dobb moved to amend the bill as follows:

1. Amend page 9, line 11, after “EMPLOYED” by inserting “THAT ARE NOT USED BY THE TAXPAYER TO CLAIM A REIMBURSEMENT FROM THE TAXPAYER’S CHILD AND DEPENDENT CARE ACCOUNT”.

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

Rep. Cropsey moved to amend the bill as follows:

1. Amend page 9, line 17, after “HOME” by inserting a comma and “OR PAID FOR ANY EXPENSES IN REARING A CHILD”.

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

Rep. Gustafson demanded the yeas and nays.

The demand was supported.

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

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

Roll Call No. 64**Yeas—52**

| | | | |
|--------------|-------------|-----------|-----------|
| Banks | Galloway | Jellema | Middleton |
| Birkholz | Geiger | Johnson | Nye |
| Bobier | Gernaat | Kaza | Oxender |
| Bodem | Gilmer | Kukuk | Perricone |
| Brackenridge | Godchaux | Law | Rackowski |
| Byl | Goschka | LeTarte | Rhead |
| Cassis | Green | Llewellyn | Richner |
| Crissman | Gustafson | London | Rocca |
| Cropsey | Hammerstrom | Lowe | Scranton |
| Dalman | Horton | McBryde | Sikkema |
| DeVuyst | Jansen | McManus | Voorhees |
| Dobb | Jaye | McNutt | Walberg |
| Fitzgerald | Jelinek | Middaugh | Whyman |

Nays—55

| | | | |
|-------------|------------|----------|-------------|
| Agee | Emerson | LaForge | Rison |
| Anthony | Frank | Leland | Schauer |
| Baade | Freeman | Mans | Schermesser |
| Baird | Gagliardi | Martinez | Schroer |
| Bogardus | Gire | Mathieu | Scott |
| Brater | Griffin | Murphy | Tesanovich |
| Brewer | Gubow | Olshove | Thomas |
| Brown | Hale | Owen | Varga |
| Callahan | Hanley | Palamara | Vaughn |
| Cherry | Harder | Parks | Wallace |
| Ciaramitaro | Hertel | Price | Wetters |
| Curtis | Hood | Profit | Willard |
| DeHart | Kelly | Prusi | Wojno |
| Dobronski | Kilpatrick | Quarles | |

In The Chair: Murphy

Rep. Jaye moved to amend the bill as follows:

1. Amend page 9, line 6, after the first "TAXPAYER" by striking out "THAT" and inserting "WHO".

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

Rep. Jaye moved to amend the bill as follows:

1. Amend page 9, line 17, after "HOME." by inserting "QUALIFIED CHILD CARE EXPENSES DO NOT INCLUDE THE EXPENSES PAID FOR BY THE FAMILY INDEPENDENCE AGENCY.".

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

Rep. Voorhees moved to amend the bill as follows:

1. Amend page 13, following line 25, by inserting:

"Enacting section 1. This amendatory act does not take effect unless House Joint Resolution G of the 89th Legislature becomes a part of the state constitution of 1963 as provided in section 1 of Article XII of the state constitution of 1963.".

The motion was not seconded.

Rep. Voorhees moved that the vote by which the House did not second the motion be reconsidered.

The question being on the motion by Rep. Voorhees,

Rep. Voorhees demanded the yeas and nays.

The demand was supported.

The question being on the motion by Rep. Voorhees,

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

Roll Call No. 65**Yeas—52**

| | | | |
|--------------|-------------|-----------|------------|
| Bankes | Geiger | Johnson | Middleton |
| Birkholz | Gernaat | Kaza | Nye |
| Bobier | Gilmer | Kukuk | Oxender |
| Bodem | Godchaux | Law | Perricone |
| Brackenridge | Goschka | Leland | Raczkowski |
| Byl | Green | LeTarte | Rhead |
| Cassis | Gustafson | Llewellyn | Richner |
| Crissman | Hammerstrom | London | Rocca |
| Cropsey | Horton | Lowe | Scranton |
| Dalman | Jansen | McBryde | Sikkema |
| DeVuyst | Jaye | McManus | Voorhees |
| Fitzgerald | Jelinek | McNutt | Walberg |
| Galloway | Jellema | Middaugh | Whyman |

Nays—55

| | | | |
|-------------|-----------|------------|-------------|
| Agee | Dobb | Kelly | Rison |
| Alley | Dobronski | Kilpatrick | Schauer |
| Anthony | Emerson | LaForge | Schermesser |
| Baade | Frank | Mans | Schroer |
| Baird | Freeman | Martinez | Scott |
| Bogardus | Gagliardi | Mathieu | Tesanovich |
| Brater | Gire | Murphy | Thomas |
| Brewer | Griffin | Olshove | Varga |
| Brown | Gubow | Palamara | Vaughn |
| Callahan | Hale | Parks | Wallace |
| Cherry | Hanley | Price | Wetters |
| Ciaramitaro | Harder | Profit | Willard |
| Curtis | Hertel | Prusi | Wojno |
| DeHart | Hood | Quarles | |

In The Chair: Murphy

The question being on the passage of the bill,

After debate,

Rep. Gagliardi demanded the previous question.

The demand was supported.

The question being, "Shall the main question now be put?"

The previous question was ordered.

The question being on the passage of the bill,

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

Roll Call No. 66**Yeas—78**

| | | | |
|---------|------------|------------|------------|
| Agee | Dobronski | Kilpatrick | Prusi |
| Alley | Emerson | Kukuk | Quarles |
| Anthony | Fitzgerald | LaForge | Raczkowski |
| Baade | Frank | Law | Rhead |
| Baird | Freeman | Leland | Richner |
| Bankes | Gagliardi | Llewellyn | Rison |

| | | | |
|-------------|-----------|----------|-------------|
| Birkholz | Gernaat | Mans | Rocca |
| Bodem | Goschka | Martinez | Schauer |
| Bogardus | Green | Mathieu | Schermesser |
| Brater | Griffin | McBryde | Scott |
| Brewer | Gubow | McManus | Scranton |
| Brown | Gustafson | McNutt | Tesanovich |
| Callahan | Hale | Middaugh | Thomas |
| Cassis | Hanley | Olshove | Varga |
| Cherry | Harder | Owen | Vaughn |
| Ciaramitaro | Hertel | Palamara | Wallace |
| Curtis | Jaye | Parks | Wetters |
| DeHart | Johnson | Price | Willard |
| DeVuyst | Kaza | Profit | Wojno |
| Dobb | Kelly | | |

Nays—26

| | | | |
|--------------|-------------|-----------|-----------|
| Bobier | Geiger | Jellema | Oxender |
| Brackenridge | Gilmer | LeTarte | Perricone |
| Byl | Godchaux | London | Sikkema |
| Crissman | Hammerstrom | Lowe | Voorhees |
| Cropsey | Horton | Middleton | Walberg |
| Dalman | Jansen | Nye | Whyman |
| Galloway | Jelinek | | |

In The Chair: Murphy

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

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

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 1996 PA 484.

The motion prevailed.

The House agreed to the title as amended.

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

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

Reps. Alley, Bankes, Bodem, Brater, Ciaramitaro, Curtis, DeVuyst, Dobb, Dobronski, Frank, Gagliardi, Gustafson, Harder, Hood, Jaye, Johnson, Kelly, Kilpatrick, Kukuk, LaForge, Law, Llewellyn, Mathieu, McBryde, McManus, McNutt, Middaugh, Murphy, Olshove, Owen, Palamara, Raczkowski, Rhead, Rocca, Scott, Scranton, Tesanovich, Vaughn and Willard were named co-sponsors of the bill.

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

"Mr. Speaker and members of the House:

I have voted 'no' on this legislation because this chamber has failed to address a very important public policy issue in this state. Michigan's transportation and infrastructure funding is inadequate and has resulted in dangerous conditions for Michigan's citizens.

While tax cuts are politically popular and make for good campaign slogans, they do not fix and maintain our roads and highways.

I have supported sensible tax cuts in the past. However, our current transportation system in this state is in an abysmal condition. To vote 'yes' on this or any other tax reduction that comes before this chamber is to ignore the very real plight of our infrastructure and the need for good public policy to preempt good politics.

Therefore, I will be voting 'no' on this legislation until the House addresses the need for adequate transportation funding for Michigan's roads and bridges."

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

“Mr. Speaker and members of the House:

I believe this tax cut is too narrow. It is a tax cut for working moms, subsidized by the work at home moms. Numerous attempts were made to include work at home moms and expand the tax cut to include a broader base of beneficiaries. Most of these attempts were defeated. Without these defeated amendments, this bill is TOO narrow.”

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

“Mr. Speaker and members of the House:

I voted no on HB 4180 because earlier approved amendments which I had supported that provided tax relief to all citizens as opposed to a select few were stripped in the substitute version which came before us for final passage.”

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

“Mr. Speaker and members of the House:

I voted no the substitute that was put in at the third reading—it stripped many good amendments put on during 2nd reading. The bill as passed was an underhanded political trick.”

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

“Mr. Speaker and members of the House:

I have voted no on HB 4180 because it did not contain useful amendments that were added by majority vote during second reading. Furthermore, there are other critical problems facing the citizens of this state, which need to be considered along with the issues addressed by HB 4180 rather than piecemeal. Tax cuts without a plan to pay for the tax cuts is, at best, short sighted.”

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

“Mr. Speaker and members of the House:

I voted ‘no’ on final passage of HB 4180 because I believe it is too early to give selected tax cuts before the budget is in place for next year.”

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

“Mr. Speaker and members of the House:

The reason I voted no on Roll Call #66 (HB 4180, Child Care Bill) is that it is far too narrow. Granting a special tax break to families that both parents work and pay certain institutions to care for their children, yet deny that same tax deduction to families which chose to have one parent stay at home to raise their own children is simply not fair tax policy. I would have voted for this bill, had this deduction been the same for all Michigan families. I also very strongly support moms or dads that stay at home and raise their children.”

Reps. Horton, Cropsey, Lowe and Dalman, having reserved the right to explain their protest against the passage of the bill, made the following statement:

“Mr. Speaker and members of the House:

In explaining our no vote on the final passage of House Bill 4180 we begin by expressing our sincere regret that in order to gain political advantage, the House Democratic Leadership has chosen not only to abuse the rules of the house, but to also close debate prematurely. As a result, our no vote explanation provides the only means to debate the merits of the legislation.

In spite of attempts to amend this legislation to provide for universal tax relief to all families, House Democrats have chosen instead pervert the rules of the House and limit the focus of the legislation to a very select constituency, those families who chose to place their children in day care in order to earn a second income.

The fundamental objection to this bill is the fact that it provides relieve only to those families who have placed their children in the care of a surrogate. It is indeed a slap in the face to every family that has chosen to forego the benefits of additional income in order to fully invest their time and energy into the time proven method of raising their own children. Even families that have chosen to work different shifts should ask why their elected officials have refused to recognize their sacrifice and inconvenience.

This legislation pits neighbor against neighbor, friend against friend, and furthers the public perception that the legislative process is about the buying and selling of favors to select constituencies. As adopted, this legislation is a classic example of politicians creating a problem, only to offer a new legislative remedy to the problem. In this case,

the excessive burden of federal, state and local taxes have forced many families to place both parents into the workforce simply to provide for their basic necessities. Now we offer a legislative remedy, tax deductions for day care. The proper approach, one which was offered by House Republicans, and rejected by abused House rules, would be to reduce the tax burden for all families without regard to whether or not they have placed their children in day care.

Finally, we cannot escape key fundamental questions about this legislation. One question is to ask who will be empowered by this bill, the politicians or the taxpayers? A second question is to ask at whose expense?

The answer is clearly that this bill empowers politicians, who are able to offer limited tax relief, but only to those who behave in a fashion acceptable to them, at the expense of those who refuse to raise their families in the approved Democratic fashion. Every family that places the value of investing their time and energy into their children should be offended by the adoption of this legislation."

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

"Mr. Speaker and members of the House:

I voted 'no' on the final passage of House Bill 4180 for two primary reasons:

1. The estimated cost of this bill is \$16.5 million GF/GP. This amount of general fund is equal to nearly 100% of the FY 97-98 in the general fund increase for the Department of Environmental Quality, or it is a cost to the budget equal to 100% of the increase for the Department of the Secretary of State, the Office on Aging, the Department of Civil Rights, the Attorney General and the Department of Education. This is also equivalent to more than 125% of the increase provided for Michigan's community college system in the '97-98 budget.

2. This is very selective and discriminatory tax policy. It provides absolutely no benefit for the 60% of Michigan's families that have a parent as the in-home day care provider and only benefits those who place their children in licensed day care."

By unanimous consent the House returned to the order of

Motions and Resolutions

Reps. Griffin, Voorhees, Ciaramitaro, Rison, Bogardus, Quarles, Wetters, Frank, Kukuk, Kelly, Scott, Hale, Martinez, Dalman, Vaughn, Anthony, DeHart, Baird, Harder, Cherry, Brater, LaForge, Varga, Olshove, Jelinek, Green and Schauer offered the following resolution:

House Resolution No. 20.

A resolution to urge the governor to work with federal, state, and local officials to expand the Medicaid waiver for home and community-based care to all Michigan counties.

Whereas, Allowing older adults to live their final years with independence and dignity is the overriding purpose of the Older Americans Act and the Older Michiganians Act; and

Whereas, Older adults prefer to stay in their own homes as long as they possibly can, and this can be achieved by using a wide variety of in-home and community-based services; and

Whereas, Government programs have created a bias towards institutionalization by providing more reimbursement for care provided in nursing homes than care provided in seniors' own homes; and

Whereas, The Medicaid waiver for home and community-based care was designed to eliminate that bias by funding more in-home services. That program has proven successful in keeping frail elders in their own homes when they would otherwise be placed in nursing homes; and

Whereas, The Medicaid waiver is now available in fifteen counties in the state of Michigan. It has proven successful in reducing the costs of caring for frail elderly. While providing care in a nursing home costs an average of \$61 per day, care provided in the Medicaid waiver program costs an average of \$41 per day; and

Whereas, Forty-five states utilize the Medicaid waiver program and offer it statewide. Michigan is one of only five states that does not benefit from a statewide waiver; and

Whereas, The Medicaid waiver offers the benefit of garnering additional federal dollars for the care of the frail elderly in Michigan, since Medicaid is funded using both state and federal funds; and

Whereas, The majority of counties in Michigan do not permit seniors to benefit from expanded in-home services through the Medicaid waiver. Every day, elders are being placed in nursing homes when, under the waiver program, they could remain in their own homes with supportive services, at a reduced cost to state taxpayers; now, therefore, be it

Resolved by the House of Representatives, That we urge the governor to work with federal, state, and local officials and members of the Michigan Legislature to expand the Medicaid waiver for home and community-based care into all Michigan counties so that our older adults can enjoy the independence and dignity that they so richly deserve; and be it further

Resolved, That a copy of this resolution be transmitted to the office of the governor and to officials in the Department of Community Health.

The resolution was referred to the Committee on Appropriations.

Reps. Kukuk, Voorhees, Richner, Dalman, McBryde, Goschka, Anthony, DeHart, Cherry, Middaugh, Jelinek and Green offered the following resolution:

House Resolution No. 21.

A resolution to urge the Department of Transportation and the Department of Corrections to consider using prisoners convicted of nonviolent crimes to provide labor to make minor repairs to the state's roads.

Whereas, Michigan's roads are crumbling. The combination of severe winter conditions and insufficient maintenance and repair is causing damage to pavement to an alarming degree. From our major roadways to local streets, Michigan motorists are facing increased costs and a reduction of safety from potholes; and

Whereas, While much attention is, appropriately, being focused on funding options, especially reworking the amount of funding Michigan receives from the federal government, there are other, more immediate steps that can be taken; and

Whereas, Not all of the repairs of Michigan roads require enormous sums of money or specialized skills or equipment to fix. One measure that can be utilized to make minor repairs to roads, including the repair of potholes, would be to use prisoners to provide the labor for this work. Just as other states utilize this source of labor for certain road projects, Michigan could benefit from this strategy; now, therefore, be it

Resolved by the House of Representatives, That we urge the Department of Transportation and the Department of Corrections to consider using prisoners convicted of nonviolent crimes to provide labor to make minor repairs to the state's roads; and be it further

Resolved, That copies of this resolution be transmitted to the Department of Transportation and the Department of Corrections.

The resolution was referred to the Committee on Transportation.

Reps. Raczkowski, Voorhees, Richner, Ciaramitaro, Wetters, Kukuk, Kelly, McBryde, Goschka, Vaughn, Anthony, Cherry, Middaugh, Olshove, Bodem and Freeman offered the following resolution:

House Resolution No. 22.

A resolution to memorialize the President and the Congress of the United States to work for the expansion of the North Atlantic Treaty Organization to include Poland.

Whereas, The North Atlantic Treaty Organization has proven itself to be a stabilizing factor in Europe. Through a wide variety of programs and the channels of communications it has opened, NATO has helped to secure the peace, economic development, and cooperation among its member nations and other countries; and

Whereas, Poland, a free and democratic nation with a long and proud history, enjoys numerous ties with NATO member nations. Poland is committed to the preservation of freedom and the strengthening of democracy. This nation's well-being as a sovereign country has long been dependent upon the overall stability of central Europe; and

Whereas, The people of Poland wish to exercise their responsibilities within NATO. This country desires to become part of NATO's mission to prevent the excesses of nationalism; and

Whereas, The United States is dedicated to maintaining its friendship with Poland, a country that is pivotal to the continued stability of this area of the world; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the President and the Congress of the United States to work for the expansion of the North Atlantic Treaty Organization to include Poland; and be it further

Resolved, That copies of this resolution be transmitted to the Office of the President of the United States, 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.

Reports of Standing Committees

The Committee on House Oversight and Ethics, by Rep. Gagliardi, Chair, reported

House Bill No. 4339, entitled

A bill to amend 1976 PA 442, entitled "Freedom of information act," by amending section 1 (MCL 15.231), as amended by 1996 PA 553.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 4339 To Report Out:

Yeas: Reps. Gagliardi, Cherry, Agee, DeHart, Hanley, Varga, Wojno, Gustafson, DeVuyst, Fitzgerald, Goschka, Perricone, Richner,

Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Monday, March 3, 1997, at 1:00 p.m.,
 Present: Reps. Gagliardi, Cherry, Agee, Brewer, DeHart, Hanley, Varga, Wojno, Gustafson, DeVuyst, Fitzgerald, Goschka, Perricone, Richner, Voorhees,
 Absent: Reps. Kilpatrick, Wallace,
 Excused: Reps. Kilpatrick, Wallace.

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

House Bill No. 4392, entitled

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21052a. With the recommendation that the bill pass.
 The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

HB 4392 To Report Out:

Yeas: Reps. Palamara, Schauer, Gire, Griffin, Leland, Murphy, Thomas, Wojno, Hammerstrom, Crissman, Law, Raczkowski, Rocca, Scranton,
 Nays: None.

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

House Bill No. 4393, 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 501b. With the recommendation that the bill pass.
 The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

HB 4393 To Report Out:

Yeas: Reps. Palamara, Schauer, Gire, Griffin, Leland, Murphy, Thomas, Wojno, Hammerstrom, Crissman, Law, Raczkowski, Rocca, Scranton,
 Nays: None.

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

House Bill No. 4394, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3407a. With the recommendation that the bill pass.
 The bill was referred to the order of Second Reading of Bills.

Favorable Roll Call

HB 4394 To Report Out:

Yeas: Reps. Palamara, Schauer, Gire, Griffin, Leland, Murphy, Thomas, Wojno, Hammerstrom, Crissman, Law, Raczkowski, Rocca, Scranton,
 Nays: None.

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, March 4, 1997, at 10:30 a.m.,
 Present: Reps. Palamara, Schauer, Gire, Griffin, Leland, Murphy, Thomas, Wojno, Hammerstrom, Crissman, Law, Raczkowski, Rocca, Scranton,
 Absent: Reps. Gubow, Profit, Llewellyn,
 Excused: Reps. Gubow, Profit, Llewellyn.

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

House Bill No. 4222, entitled

A bill to amend 1982 PA 294, entitled "Friend of the court act," by amending section 18 (MCL 552.518), as amended by 1996 PA 144.

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 4222 To Report Out:

Yeas: Reps. Wallace, Baird, Curtis, Freeman, Gubow, Kilpatrick, Schauer, Vaughn, 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, March 4, 1997, at 9:30 a.m.,

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

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, March 4, 1997, at 9:00 a.m.,

Present: Reps. LaForge, Scott, Bogardus, Gire, Schauer, Horton, Jaye, London,

Absent: Rep. McManus,

Excused: Rep. McManus.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Kilpatrick, Chair of the Committee on Marine Affairs and Port Development, was received and read:

Meeting held on: Tuesday, March 4, 1997, at 12:00 Noon,

Present: Reps. Kilpatrick, Anthony, Olshove, Varga, Schermesser, Kukuk, Bodem, Galloway, Rhead.

Notices

Public Hearing

Committee on Human Services and Children

Place: Pontiac City Council Chambers, 450 E. Wide Track Drive, Pontiac, Michigan

Time: 10:00 a.m.

Date: Friday, March 7, 1997

Rep. LaForge

Chair

Agenda: Public input on Welfare Reform and Administrative Rules
any and/or all business properly before this committee.

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 28:

House Bill Nos. 4392 4393 4394

The Clerk announced that the following bills had been printed and placed upon the files of the members, Monday, March 3:

**House Bill Nos. 4366 4367 4368 4369 4370 4371 4372 4373 4374 4375 4376 4377 4378 4379
4380 4381 4382 4383 4384 4385 4386 4387 4388 4389 4390**

The Clerk announced that the following bills had been printed and placed upon the files of the members, Tuesday, March 4:

House Bill Nos. 4391 4395 4396 4397 4398

The Clerk announced that the following Senate bill had been received on Tuesday, March 4:

Senate Bill No. 209

Communications from State Officers

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

February 27, 1997

Enclosed is a copy of the following audit report and/or executive digest:

Financial Audit Including the Provisions of the
Single Audit Act of the Department of Public Health
October 1, 1993 through September 30, 1995

March 3, 1997

Enclosed is a copy of the following audit report and/or executive digest:

Performance Audit of the Egeler Correctional Facility
Department of Corrections
March 1997

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 Ethics.

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

February 5, 1997

Notices 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 4:40 p.m. this date, administrative rule (97-2-1) for the Department of Agriculture, Food Division, entitled "*Regulation No. 569. Smoked Fish*", effective 15 days hereafter.

February 5, 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 4:42 p.m. this date, administrative rule (97-2-2) for the Department of State Police, Motor Carrier Division, entitled "*Motor Carrier Safety*", effective 15 days hereafter.

February 13, 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 8:10 a.m. this date, administrative rule (97-2-3) for the Department of Consumer & Industry Services, Financial Institutions Bureau, entitled "*Regulatory Loan Licensees*", effective 15 days hereafter.

February 13, 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 8:12 a.m. this date, administrative rule (97-2-4) for the Department of Consumer & Industry Services, Bureau of Safety and Regulation, entitled "*Construction Safety Standards, Part 13. Mobile Equipment*", effective 15 days hereafter.

February 13, 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 8:14 a.m. this date, administrative rule (97-2-5) for the Department of Consumer & Industry Services, Bureau of Safety and Regulation, entitled "*Safety Standards for Agriculture Part 51. Agricultural Tractors*", effective 15 days hereafter.

February 13, 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 8:16 a.m. this date, administrative rule (97-2-6) for the Department of Consumer & Industry Services, Bureau of Safety and Regulation, entitled "*General Industry Safety Standards Part 77. Grain Handling Facilities*", effective 15 days hereafter.

February 18, 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 11:50 a.m. this date, administrative rule (97-2-7) for the Department of State, Bureau of Driver and Vehicle Records, entitled "*Special Farm Vehicle Permit*", effective 15 days hereafter.

February 18, 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 11:52 a.m. this date, administrative rule (97-2-8) for the Department of State, Bureau of Driver and Vehicle Records, entitled "*Special Parking Privileges*", 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.

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

Reps. Raczkowski, Voorhees, Richner, Ciaramitaro, Wetters, Kukuk, Kelly, McBryde, Goschka, Vaughn, Anthony, Cherry, Middaugh, Olshove, Bodem and Freeman offered the following concurrent resolution:

House Concurrent Resolution No. 17.

A concurrent resolution to memorialize the President and the Congress of the United States to work for the expansion of the North Atlantic Treaty Organization to include Poland.

Whereas, The North Atlantic Treaty Organization has proven itself to be a stabilizing factor in Europe. Through a wide variety of programs and the channels of communications it has opened, NATO has helped to secure the peace, economic development, and cooperation among its member nations and other countries; and

Whereas, Poland, a free and democratic nation with a long and proud history, enjoys numerous ties with NATO member nations. Poland is committed to the preservation of freedom and the strengthening of democracy. This nation's well-being as a sovereign country has long been dependent upon the overall stability of central Europe; and

Whereas, The people of Poland wish to exercise their responsibilities within NATO. This country desires to become part of NATO's mission to prevent the excesses of nationalism; and

Whereas, The United States is dedicated to maintaining its friendship with Poland, a country that is pivotal to the continued stability of this area of the world; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we memorialize the President and the Congress of the United States to work for the expansion of the North Atlantic Treaty Organization to include Poland; and be it further

Resolved, That copies of this resolution be transmitted to the Office of the President of the United States, 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.

Introduction of Bills

Reps. Dalman, Nye, McBryde, Cropsey, Jelinek, Curtis, McNutt, Gernaat, Walberg, Raczkowski, Goschka, Horton, Jansen, Olshove, LaForge, Varga, Bankes and Johnson introduced

House Bill No. 4399, entitled

A bill to require establishment of parenting plans for minor children in certain circumstances; to provide the procedure for establishing and modifying parenting plans; and to prescribe the contents of parenting plans.

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

Reps. Curtis, Nye, McBryde, Cropsey, Jelinek, McNutt, Gernaat, Walberg, Raczkowski, Goschka, Horton, Jansen, Olshove, LaForge, Varga, Dalman, Bankes and Johnson introduced

House Bill No. 4400, entitled

A bill to amend 1970 PA 91, entitled "Child custody act of 1970," by amending sections 3, 4, and 6 (MCL 722.23, 722.24, and 722.26), sections 3 and 6 as amended by 1993 PA 259 and section 4 as amended by 1996 PA 19.

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

Reps. Gire, Callahan, DeHart, Cherry, Rocca, Brewer, Scott, Goschka, Willard, Raczkowski, Bodem, Hale, Bogardus, Brown and Dalman introduced

House Bill No. 4401, entitled

A bill to amend 1984 PA 118, entitled "The prisoner reimbursement to the county act," by amending section 7 (MCL 801.87), as amended by 1996 PA 544.

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

Reps. Gire, Callahan, DeHart, Cherry, Martinez, Kaza, Brewer, Scott, Goschka, Willard, Raczkowski, Bodem, Hale, Lowe, Bogardus, Anthony, Oxender and Brown introduced

House Bill No. 4402, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 7cc (MCL 211.7cc), as amended by 1996 PA 476.

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

Reps. Wallace, Baird, Willard, Curtis, Hale, LaForge, Martinez, Callahan, Hanley, Bogardus, Scott, DeHart, Varga and Parks introduced

House Bill No. 4403, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 328 (MCL 257.328), as amended by 1995 PA 287.

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

Reps. Wallace, Baird, Hale, Martinez, Callahan, Hanley, Scott, Varga, Parks and Brater introduced

House Bill No. 4404, entitled

A bill to amend 1982 PA 295, entitled "Support and parenting time enforcement act," by amending sections 33, 35, and 39 (MCL 552.633, 552.635, and 552.639), sections 33 and 35 as amended by 1996 PA 336.

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

Reps. Geiger, Rhead, LeTarte, Llewellyn, Goschka, Brackenridge, McBryde, Crissman, Sikkema, London, McNutt and Cropsey introduced

House Bill No. 4405, entitled

A bill to provide for the removal of certain dead animals from certain areas open to vehicular traffic in this state; and to prescribe the powers and duties of certain state agencies and officials.

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

Reps. Geiger, Cropsey, Walberg, Brackenridge and Martinez introduced

House Bill No. 4406, entitled

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

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

Rep. Griffin introduced

House Bill No. 4407, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," by amending sections 758, 759, and 759b (MCL 168.758, 168.759, 168.759b), section 758 as amended by 1996 PA 207 and section 759 as amended by 1995 PA 261.

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

Reps. Baade, Harder, Mathieu, Gernaat, Law, DeHart, McBryde, Lowe, Walberg, Martinez, Hammerstrom, Cherry, Geiger, Baird, Varga, Fitzgerald, Hale, Oxender, Brackenridge and Tesanovich introduced

House Bill No. 4408, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17401 (MCL 333.17401), as amended by 1994 PA 384.

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

Reps. Hammerstrom, Dobb, Mathieu, Schauer, Law, Prusi, Vaughn, Owen, Kelly, McManus, Wetters, DeHart, Bodem, Crissman, Tesanovich, Galloway and McBryde introduced

House Bill No. 4409, entitled

A bill to license and regulate the conducting of video gaming; to license and regulate certain video gaming agents; to impose certain duties and authority upon certain state departments, agencies, and officers; to provide for the distribution of video gaming revenues; and to provide penalties.

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

Reps. Hammerstrom, Dobb, Mathieu, Schauer, Law, Prusi, Vaughn, Owen, McManus, Wetters, Kelly, DeHart, Bodem, Crissman, Tesanovich, Galloway and McBryde introduced

House Bill No. 4410, entitled

A bill to amend 1933 (Ex Sess) PA 8, entitled "The Michigan liquor control act," by amending sections 7a, 20, and 28a (MCL 436.7a, 436.20, and 436.28a), section 20 as amended by 1986 PA 176.

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

Reps. Hammerstrom, Dobb, Mathieu, Schauer, Law, Prusi, Vaughn, Owen, Wetters, McManus, Kelly, DeHart, Bodem, Crissman, Tesanovich, Galloway and McBryde introduced

House Bill No. 4411, entitled

A bill to amend 1995 PA 279, entitled "Horse racing law of 1995," by amending sections 7, 9, 17, and 20 (MCL 431.307, 431.309, 431.317, and 431.320).

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

Rep. Nye introduced

House Bill No. 4412, entitled

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

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

Rep. Gagliardi introduced

House Bill No. 4413, entitled

A bill to amend 1846 RS 12, entitled "Of certain state officers," (MCL 14.28 to 14.35) by adding section 29a.

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

Rep. Schermesser moved that the House adjourn.

The motion prevailed, the time being 5:50 p.m.

The Speaker Pro Tempore declared the House adjourned until Wednesday, March 5, at 2:00 p.m.

MARY KAY SCULLION
Clerk of the House of Representatives.