

No. 21
STATE OF MICHIGAN
JOURNAL
OF THE
House of Representatives
89th Legislature
REGULAR SESSION OF 1998

House Chamber, Lansing, Wednesday, March 4, 1998.

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

e/d/s = entered during session

Rep. Howard Wetters, from the 97th District, offered the following invocation:

“Let us pray. Father, we come before You today. We bring ourselves with all of the things that are parts of our lives, and we meet here every week to help form the lives of the rest of the people of the state of Michigan. We ask You to be with us and be mindful of their cares, with their concerns, their woes and the hardships that they face, as we make decisions that shape their lives and reach judgments that they must live with. Be with us today. Be with us always. Amen.”

Rep. Dobronski moved that Rep. Rison be excused from today’s session.
The motion prevailed.

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

Motions and Resolutions

The Speaker, on behalf of the entire membership of the House of Representatives, offered the following resolution:
House Resolution No. 222.

A resolution offered in memory of Raymond C. Kehres, former member of the House.

Whereas, The members of this legislative body were saddened to learn of the passing of our former colleague, Raymond C. Kehres. A devoted advocate for the elderly, the infirm, and the young, Ray Kehres left a lasting impression on this state. In both his accomplishments as a lawmaker and his personality as a true gentleman, this humble man enriched Michigan; and

Whereas, Ray Kehres, a native of Monroe and a World War II veteran, worked for many years as a welder. Fittingly, he formed strong bonds with his beloved community as a member of numerous civic groups. His compassion and humility, combined with his willingness to work hard and to listen, earned him a place of great respect. His election to the House of Representatives in 1964 was an extension of his commitment to the community; and

Whereas, During his sixteen years representing the people of his Monroe district in Lansing, Ray Kehres became a strong and thoughtful voice for people in need. For those stricken with physical and mental handicaps, he was a champion. His legislative career was highlighted by his distinguished leadership as vice chair of the Appropriations Committee and chair of the Social Services Subcommittee. He was a key contributor to efforts to codify state laws on mental health, juvenile justice, and public health; and

Whereas, Those closest to Ray Kehres will always remember him as a man who put into action his deep religious faith and concern for others. This legacy will long strengthen our state; now, therefore, be it

Resolved by the House of Representatives, That we honor the memory of Raymond C. Kehres, who served in the Michigan House of Representatives from 1965 to 1980; and be it further

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

The question being on the adoption of the resolution,

The resolution was adopted by a unanimous standing vote.

Reports of Standing Committees

The Speaker laid before the House

House Resolution No. 214.

A resolution to urge the Environmental Protection Agency to revise its timetable for proposed rule making on ozone transport to provide opportunities for refined modeling to identify both beneficial and adverse impacts on air quality in upwind areas from emissions controls intended to benefit downwind areas.

(For text of resolution, see House Journal No. 14, p. 220.)

(The resolution was reported by the Committee on Conservation, Environment and Recreation on February 26, with amendments, consideration of which was postponed until March 3 under the rules.)

(For amendments, see House Journal No. 19, p. 334.)

The question being on the adoption of the proposed amendments recommended by the Committee on Conservation, Environment and Recreation,

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

The question being on the adoption of the resolution,

Reps. Alley, Brown, and Brater moved to amend the resolution as follows:

1. Amend the first Resolving clause, line 4, after the first “to” by striking out the balance of the clause and inserting “assess the compatibility of measures to address transport and local air quality in an integrated manner; and be it further”.

2. Amend the second Resolving clause, line 6, after “states,” by striking out “and”.

3. Amend the second Resolving clause, line 9, after “states” by inserting a comma and “and

4. An assessment using appropriate modeling”.

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

The question being on the adoption of the resolution,

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

The Speaker laid before the House

House Concurrent Resolution No. 87.

A concurrent resolution to urge the Environmental Protection Agency to revise its timetable for proposed rule making on ozone transport to provide opportunities for refined modeling to identify both beneficial and adverse impacts on air quality in upwind areas from emissions controls intended to benefit downwind areas.

(For text of resolution, see House Journal No. 14, p. 221.)

(The resolution was reported by the Committee on Conservation, Environment and Recreation on February 26, with amendments, consideration of which was postponed until March 3 under the rules.)

(For amendments, see House Journal No. 19, p. 334.)

The question being on the adoption of the proposed amendments recommended by the Committee on Conservation, Environment and Recreation,

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

The question being on the adoption of the concurrent resolution,

Reps. Alley, Brown, and Brater moved to amend the resolution as follows:

1. Amend the first Resolving clause, line 4, after “to” by striking out the balance of the clause and inserting “assess the compatibility of measures to address transport and local air quality in an integrated manner; and be it further”.

2. Amend the second Resolving clause, line 6, after “states,” by striking out “and”.

3. Amend the second Resolving clause, line 9, after “states” by inserting a comma and “and

4. An assessment using appropriate modeling”.

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

The question being on the adoption of the concurrent resolution,

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

Third Reading of Bills

House Bill No. 5437, entitled

A bill to amend 1895 PA 3, entitled “The general law village act,” by amending sections 31 and 34 of chapter VIII, sections 1, 4, 5, 6, 7, 8, 9, 13, 14, 15, 16, 17, 20, 21, 22, 24, and 25 of chapter IX, sections 1, 2, 3, 4, 5, 6, 9, and 11 of chapter X, sections 1, 5, 6, 8, 9, 10, and 11 of chapter XI, sections 1, 3, 4, 5, 6, 7, 8, and 9 of chapter XII, sections 1, 2, 3, 4, and 5 of chapter XIII, and sections 3, 5, 6, 7, 18a, 19, 20, 21, and 22 of chapter XIV (MCL 68.31, 68.34, 69.1, 69.4, 69.5, 69.6, 69.7, 69.8, 69.9, 69.13, 69.14, 69.15, 69.16, 69.17, 69.20, 69.21, 69.22, 69.24, 69.25, 70.1, 70.2, 70.3, 70.4, 70.5, 70.6, 70.9, 70.11, 71.1, 71.5, 71.6, 71.8, 71.9, 71.10, 71.11, 72.1, 72.3, 72.4, 72.5, 72.6, 72.7, 72.8, 72.9, 73.1, 73.2, 73.3, 73.4, 73.5, 74.3, 74.5, 74.6, 74.7, 74.18a, 74.19, 74.20, 74.21, and 74.22), section 15 of chapter IX as amended by 1984 PA 179, sections 1 and 4 of chapter X as amended by 1985 PA 173, section 5 of chapter XII as amended by 1983 PA 44, and section 18a of chapter XIV as added by 1988 PA 33, and by adding section 7a to chapter IX, sections 13, 14, 15, 16, and 18 to chapter X, sections 12, 13, and 14 to chapter XI, and sections 18b, 18c, 18d, 18e, 18f, and 23 to chapter XIV; and to repeal acts and parts of acts.

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

Roll Call No. 136**Yeas—104**

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

Nays—0

In The Chair: Hertel

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 1895 PA 3, entitled "The general law village act," by amending sections 31 and 34 of chapter VIII, sections 1, 4, 5, 6, 7, 8, 9, 13, 14, 15, 16, 17, 20, 21, 22, 24, and 25 of chapter IX, sections 1, 2, 3, 4, 6, 9, and 11 of chapter X, sections 1, 2, 5, 6, 8, 9, 10, and 11 of chapter XI, sections 1, 3, 4, 5, 6, 7, 8, and 9 of chapter XII, sections 1, 2, 3, 4, and 5 of chapter XIII, and sections 3, 5, 7, 18a, 19, 20, and 21 of chapter XIV (MCL 68.31, 68.34, 69.1, 69.4, 69.5, 69.6, 69.7, 69.8, 69.9, 69.13, 69.14, 69.15, 69.16, 69.17, 69.20, 69.21, 69.22, 69.24, 69.25, 70.1, 70.2, 70.3, 70.4, 70.6, 70.9, 70.11, 71.1, 71.2, 71.5, 71.6, 71.8, 71.9, 71.10, 71.11, 72.1, 72.3, 72.4, 72.5, 72.6, 72.7, 72.8, 72.9, 73.1, 73.2, 73.3, 73.4, 73.5, 74.3, 74.5, 74.7, 74.18a, 74.19, 74.20, and 74.21), section 15 of chapter IX as amended by 1984 PA 179, sections 1 and 4 of chapter X as amended by 1985 PA 173, section 5 of chapter XII as amended by 1983 PA 44, and section 18a of chapter XIV as added by 1988 PA 33, and by adding section 7a to chapter IX, sections 13, 14, 15, 16, and 18 to chapter X, sections 12, 13, and 14 to chapter XI, and sections 6a, 18b, 18c, 18d, 18e, 18f, and 23 to chapter XIV; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

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

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

Reps. Bankes, Bodem, Brater, Byl, Cassis, Crissman, Dalman, DeHart, DeVuyst, Dobb, Gagliardi, Geiger, Gilmer, Gire, Goschka, Hammerstrom, Horton, Jansen, Jelinek, Jellema, Johnson, Kelly, Kukuk, Law, Llewellyn, McBryde, Middleton, Oxender, Perricone, Raczkowski, Rhead, Richner, Rocca, Schroer, Sikkema, Varga, Vaughn and Voorhees were named co-sponsors of the bill.

Rep. Whyman entered the House Chambers.

House Bill No. 5438, entitled

A bill to amend 1895 PA 3, entitled "The general law village act," by amending the title and sections 1, 1a, and 12 of chapter I, sections 1, 2, 4, 5, 6, 7, 11, 12, 13, 14, and 15 of chapter II, sections 2 and 7 of chapter III, sections 1, 2, 3, 5, 6, 7, 9, 10, 11, 12, and 21 of chapter IV, sections 1, 2, 3, 5, 7, and 8 of chapter V, sections 1, 3, 3a, 4, 8, 9, 11, 12, and 14 of chapter VI, and sections 1, 3, 4, 5, 6, 7, 9, 10, 12, 13, 16, 18, 19, 23, 24, 25, 26, 31, 33, 34, 38, 39, 41, 56, 57, 58, 61, 63, and 64 of chapter VII (MCL 61.1, 61.1a, 61.12, 62.1, 62.2, 62.4, 62.5, 62.6, 62.7, 62.11, 62.12, 62.13, 62.14, 62.15, 63.2, 63.7, 64.1, 64.2, 64.3, 64.5, 64.6, 64.7, 64.9, 64.10, 64.11, 64.12, 64.21, 65.1, 65.2, 65.3, 65.5, 65.7, 65.8, 66.1, 66.3, 66.3a, 66.4, 66.8, 66.9, 66.11, 66.12, 66.14, 67.1, 67.3, 67.4, 67.5, 67.6, 67.7, 67.9, 67.10, 67.12, 67.13, 67.16, 67.18, 67.19, 67.23, 67.24, 67.25, 67.26, 67.31, 67.33, 67.34, 67.38, 67.39, 67.41, 67.56, 67.57, 67.58, 67.61, 67.63, and 67.64), the title as amended by 1983 PA 44, section 1a of chapter I, sections 1 and 9 of chapter VI, and section 3 of chapter VII as amended by 1994 PA 16, section 2 of chapter II, sections 1 and 3 of chapter IV, and section 8 of chapter V as amended by 1985 PA 173, section 13 of chapter II, section 5 of chapter V, and sections 9 and 13 of chapter VII as amended by 1983 PA 205, section 21 of chapter IV as amended by 1992 PA 42, section 4 of chapter VI as amended by 1982 PA 346, and section 1 of chapter VII as amended by 1994 PA 314, and by adding sections 3 and 4 to chapter III; and to repeal acts and parts of acts.

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

Roll Call No. 137

Yeas—108

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

Nays—0

In The Chair: Hertel

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 1895 PA 3, entitled "The general law village act," by amending the title and sections 1, 1a, and 12 of chapter I, sections 1, 2, 4, 5, 6, 7, 11, 12, 13, 14, and 15 of chapter II, sections 2 and 7 of chapter III, sections 1, 2, 3, 5, 6, 7, 9, 10, 11, 12, and 21 of chapter IV, sections 1, 2, 3, 5, 7, and 8 of chapter V, sections 1, 3, 3a, 4, 8, 9, 11, 12, and 14 of chapter VI, and sections 3, 4, 5, 6, 7, 9, 10, 12, 13, 16, 18, 19, 23, 24, 25, 26, 31, 33, 34, 38, 39, 41, 56, 57, 58, 61, 63, and 64 of chapter VII (MCL 61.1, 61.1a, 61.12, 62.1, 62.2, 62.4, 62.5, 62.6, 62.7, 62.11, 62.12, 62.13, 62.14, 62.15, 63.2, 63.7, 64.1, 64.2, 64.3, 64.5, 64.6, 64.7, 64.9, 64.10, 64.11, 64.12, 64.21, 65.1, 65.2, 65.3, 65.5, 65.7, 65.8, 66.1, 66.3, 66.3a, 66.4, 66.8, 66.9, 66.11, 66.12, 66.14, 67.3, 67.4, 67.5, 67.6, 67.7, 67.9, 67.10, 67.12, 67.13, 67.16, 67.18, 67.19, 67.23, 67.24, 67.25, 67.26, 67.31, 67.33, 67.34, 67.38, 67.39, 67.41, 67.56, 67.57, 67.58, 67.61, 67.63, and 67.64), the title as amended by 1983 PA 44, section 1a of chapter I, sections 1 and 9 of chapter VI, and section 3 of chapter VII as amended by 1994 PA 16, section 2 of chapter II, sections 1 and 3 of chapter IV, and section 8 of chapter V as amended by 1985 PA 173, section 13 of chapter II, section 5 of chapter V, and sections 9 and 13 of chapter VII as amended by 1983 PA 205, section 21 of chapter IV as amended by 1992 PA 42, and section 4 of chapter VI as amended by 1982 PA 346, and by adding sections 3 and 4 to chapter III and section 1a to chapter VII; and to repeal acts and parts of acts.

The motion prevailed.

The House agreed to the title as amended.

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

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

Reps. Baade, Baird, Basham, Bodem, Brater, Cassis, Crissman, DeHart, Goschka, Horton, Jansen, Jelinek, Johnson, Kelly, Kukuk, Llewellyn, McBryde, Middaugh, Middleton, Oxender, Richner, Rocca, Schroer, Vaughn and Voorhees were named co-sponsors of the bill.

Senate Bill No. 747, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," by amending section 8132 (MCL 600.8132).

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

Roll Call No. 138

Yeas—106

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

Nays—0

In The Chair: Hertel

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

“An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with, or contravening any of the provisions of this act.”

The House agreed to the full title.

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

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

—

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

Senate Bill No. 834, entitled

A bill to amend 1961 PA 236, entitled “Revised judicature act of 1961,” by amending section 8138 (MCL 600.8138).

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

Roll Call No. 139**Yeas—106**

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

Nays—0

In The Chair: Gire

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

“An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with, or contravening any of the provisions of this act.”

The House agreed to the full title.

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

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

Second Reading of Bills**House Bill No. 4535, entitled**

A bill to amend 1980 PA 299, entitled “Occupational code,” by amending section 2012 (MCL 339.2012), as amended by 1992 PA 103.

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

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

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

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

By unanimous consent the House returned to the order of

Messages from the Senate

The Senate returned, in accordance with the request of the House

Senate Bill No. 714, entitled

A bill to to authorize the department of natural resources to convey certain state owned property in Mackinac county; to prescribe conditions for the conveyance; and to provide for disposition of the revenue derived from the conveyance.

Rep. Gagliardi moved that Rule 67 be suspended.

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

Rep. Gagliardi moved to reconsider the vote by which the House passed the bill.

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

Third Reading of Bills**Senate Bill No. 714, entitled**

A bill to authorize the department of natural resources to convey certain state owned property in Mackinac county; to prescribe conditions for the conveyance; and to provide for disposition of the revenue derived from the conveyance.

The question being on the passage of the bill,

Rep. Gagliardi moved to amend the bill as follows:

1. Amend page 2, line 14, after “THENCE” by striking out “S87°-47'-50"E” and inserting “S87°-47'-50"W”.

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

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. 140**Yeas—107**

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

Nays—0

In The Chair: Gire

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 1996 PA 202, entitled "An act to authorize the state administrative board to convey certain state owned property in Kalkaska county; to prescribe conditions for the conveyance; and to provide for disposition of the revenue derived from the conveyance," by amending the title and by adding sections 7, 8, and 9.

The motion prevailed.

The House agreed to the title as amended.

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

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

By unanimous consent the House returned to the order of

Messages from the Senate

The Senate returned, in accordance with the request of the House

Senate Bill No. 361, entitled

A bill to amend 1987 PA 230, entitled "Municipal health facilities corporations act," by amending section 306 (MCL 331.1306), as amended by 1988 PA 502.

Rep. Gagliardi moved that Rule 67 be suspended.

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

Rep. Gagliardi moved to reconsider the vote by which the House passed the bill.
The motion prevailed, a majority of the members serving voting therefor.

Third Reading of Bills

Senate Bill No. 361, entitled

A bill to amend 1987 PA 230, entitled "Municipal health facilities corporations act," by amending section 306 (MCL 331.1306), as amended by 1988 PA 502.

The question being on passage of the bill,

Rep. Vaughn moved to amend the bill as follows:

1. Amend page 3, line 14, after "age," by striking out "handicap," and inserting "DISABILITY,".

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

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. 141

Yeas—103

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

Nays—0

In The Chair: Gire

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

"An act to authorize certain local governmental units to incorporate municipal health facilities corporations and subsidiary municipal health facilities corporations for establishing, modifying, operating, and managing health services

and acquiring, constructing, adding to, repairing, remodeling, renovating, equipping, and re-equipping hospitals and other health care facilities and related purposes; to provide for the application of this act to existing municipal hospitals and for the transfer of ownership of hospital funds and personal property; to validate and ratify the existence, organization, actions, proceedings, and board membership of existing organizations acting as county public hospitals; to provide for the appointment of trustees; to grant certain powers of a public body corporate to health facilities corporations and subsidiary health facilities corporations; to empower certain local governmental units to encumber property for the benefit of, transfer or make property available to, issue bonds to construct facilities to be used by, appropriate funds for, and levy a tax for, municipal health facilities corporations and subsidiary municipal health facilities corporations; to empower certain local governmental units to guarantee obligations of municipal health facilities corporations and subsidiary municipal health facilities corporations and to permit certain local governmental units to pledge their full faith and credit to pay such guaranties; to provide for transfer of ownership or operation of health care facilities and health services to nonprofit health care organizations; to authorize municipal health facilities corporations and subsidiary municipal health facilities corporations to borrow money and issue notes for the purposes of meeting expenses of operation and to issue corporation obligations for the purpose of acquisition, construction, repair, remodeling, equipping or re-equipping of health care facilities and for the refinancing, refunding, or refunding in advance of indebtedness of the municipal health facilities corporations or the subsidiary municipal health facilities corporations or of indebtedness of certain local governmental units undertaken on their behalf; to authorize municipal health facilities corporations and subsidiary municipal health facilities corporations to enter into mortgages, deeds of trust, and other agreements for security which may include provisions for the appointment of receivers; to exempt obligations and property of municipal health facilities corporations and subsidiary municipal health facilities corporations from taxation; and to provide other rights, powers, and duties of municipal health facilities corporations and subsidiary municipal health facilities corporations.”.

The House agreed to the full title.

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

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

By unanimous consent the House returned to the order of

Motions and Resolutions

Rep. Gagliardi moved that a respectful message be sent to the Senate requesting the return of **Senate Bill No. 362**.
The motion prevailed.

Second Reading of Bills

House Bill No. 4345, entitled

A bill to amend 1941 PA 122, entitled “An act to establish a revenue division of the department of treasury; to prescribe its powers and duties as the revenue collection agency of the state; to prescribe certain powers and duties of the state treasurer; to create the position and to define the powers and duties of the state commissioner of revenue; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to provide an appropriation; to abolish the state board of tax administration; and to declare the effect of this act,” by amending section 3 (MCL 205.3), as amended by 1986 PA 58.

The bill was read a second time.

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

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

House Bill No. 4924, entitled

A bill to amend 1933 PA 167, entitled “General sales tax act,” (MCL 205.51 to 205.78) by adding section 4q.

The bill was read a second time.

Rep. Gubow moved to amend the bill as follows:

1. Amend page 1, line 3, after “PROPERTY” by inserting “THAT IS ROLLING STOCK”.

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

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

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

House Bill No. 4925, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending section 4 (MCL 205.94), as amended by 1996 PA 436. The bill was read a second time.

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

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

Rep. Gubow moved to amend the bill as follows:

1. Amend page 11, line 27, after "PROPERTY" by inserting "THAT IS ROLLING STOCK".

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

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

The motion prevailed.

House Bill No. 5583, entitled

A bill to amend 1945 PA 327, entitled "Aeronautics code of the state of Michigan," by amending sections 20c and 24a (MCL 259.20c and 259.24a), as added by 1996 PA 370, and by adding chapter IA and section 20d.

The bill was read a second time.

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

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

House Bill No. 5584, entitled

A bill to amend 1945 PA 327, entitled "Aeronautics code of the state of Michigan," by amending sections 86a and 89 (MCL 259.86a and 259.89), section 86a as added and section 89 as amended by 1996 PA 370.

The bill was read a second time.

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

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

Pending the Second Reading of

House Bill No. 5306, entitled

A bill to permit the establishment and maintenance of individual or family development accounts; to provide penalties and remedies; to provide for certain tax deductions; and to prescribe the requirements of and restrictions on individual or family development accounts.

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

The motion prevailed.

Pending the Second Reading of

House Bill No. 5307, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 1997 PA 86; and to repeal acts and parts of acts.

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

The motion prevailed.

Pending the Second Reading of

House Bill No. 5308, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 9 (MCL 208.9), as amended by 1996 PA 347.

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

The motion prevailed.

Rep. Martinez asked and obtained an excuse from the balance of today's session.

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

Rep. Kilpatrick asked and obtained an excuse from tomorrow's and next week's session.

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

Reps. Gire, Hood, Dobronski, Godchaux, Hanley, LaForge, Kukuk, Profit, Hale, Wojno, Schauer, DeHart, Cherry, Prusi, Brater, Kelly, Parks, Anthony, Harder, Vaughn, Scranton, Rocca, Richner, Martinez, Thomas, Freeman, Gubow, Varga, Llewellyn, Crissman, Galloway, Law, McBryde, Jansen, Baade, Dobb, Brackenridge, Bodem, Jellema, DeVuyst, Voorhees, Willard, Wetters, Frank, Gilmer, Middaugh, Dalman, Gernaat, Mans, Tesanovich, Murphy, Olshove, Baird, Goschka, Kilpatrick, Cassis, Jelinek, Scott, Palamara, Oxender, Hammerstrom, Schermesser, Wallace and Bogardus offered the following resolution:

House Resolution No. 220.

A resolution to designate March, 1998, as Parenting Awareness Month.

Whereas, The children of Michigan are our state's most precious resource and those young people deserve the support of a society that reinforces healthy living; and

Whereas, The State of Michigan believes that the education of students is enhanced by the involvement of parents and families in their children's education; and

Whereas, Studies demonstrate that when parents are involved in their children's education, the attitudes, behaviors, and achievement of students are positively enhanced; and

Whereas, The State Board of Education's 1997-98 Action Plan includes a request that every school building and district adopt a family involvement plan as a part of its school improvement plan. The plan should be geared toward building strong connections between the home, school, and community as a means of improving achievement and behavior; and

Whereas, The State Board of Education's Family Involvement Policy, adopted in May, 1997, states that schools must welcome the public's involvement, and recognize the strengths, dynamism, and resources of all those who wish to participate with the schools in practical and tangible ways. It also states that teacher training institutions have a responsibility to provide training in family involvement; and

Whereas, Parents who nurture, love, and appropriately discipline their children can help them become citizens with high self-esteem who will be healthy, happy, loving, responsible, trustworthy, and protective adults. Informed parenting can help reduce social problems such as substance abuse, teenage pregnancy, unemployment, poverty, and crime; and

Whereas, Providing parenting knowledge and skills will benefit all the residents of Michigan; now, therefore, be it

Resolved by the House of Representatives, That the Michigan House of Representatives declare March, 1998, as Parenting Awareness Month by promoting parenting education throughout Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to the Michigan Board of Education as a symbol of our esteem.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

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

Reps. Gire, Leland, Hood, Dobronski, Godchaux, Hanley, LaForge, Kukuk, Profit, Hale, Wojno, Schauer, DeHart, Cherry, Prusi, Brater, Kelly, Parks, Anthony, Harder, Vaughn, Scranton, Rocca, Richner, Martinez, Thomas, Freeman, Gubow, Varga, Llewellyn, Crissman, Galloway, Law, McBryde, Jansen, Baade, Dobb, Brackenridge, Bodem, Jellema, DeVuyst, Voorhees, Willard, Wetters, Frank, Gilmer, Middaugh, Gernaat, Tesanovich, Murphy, Olshove, Baird, Goschka, Kilpatrick, Cassis, Jelinek, Scott, Palamara, Oxender, Hammerstrom, Schermesser, Wallace and Bogardus offered the following resolution:

House Resolution No. 221.

A resolution to commemorate the 100th anniversary of Social Workers and to express appreciation for the valuable contributions of Social Workers in Michigan.

Whereas, Social workers across the nation are celebrating 100 years of professional service and are being recognized for their outstanding contributions. We commend their vigilance and their compassion as they work tirelessly to educate as well as care for the people in their communities; and

Whereas, We are especially appreciative of social workers in the state of Michigan. These professionals have served with distinction and have become an integral part of improving conditions in institutions and in our families. They have spoken out against such atrocities as child abuse and neglect, poverty and other social ills. People with mental illness

and developmental disabilities are now afforded humane treatment. Social workers, along with others in the community respond to grievous injustices, the mistreatment of prisoners, the neglect of people with mental illness, the plight of orphans and widows, the despair of homeless and poor people, and out of concern for children working in sweatshops. They have sought social justice for those who had no voice in public policy and eventually gained better conditions in institutions, the workplace, the home, and the community; now, therefore, be it

Resolved by the House of Representatives, That a unanimous accolade of tribute be hereby accorded to commemorate the 100th anniversary of Social Workers and to express appreciation for the valuable contributions of social workers in the state of Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to the Michigan Chapter of the National Association of Social Workers as evidence of our esteem.

Pending the reference of the resolution to a committee,

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

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

The question being on the adoption of the resolution,

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

Reps. Alley, Middaugh, Perricone, Bodem, Tesanovich, Kilpatrick, Baade and Anthony offered the following resolution:

House Resolution No. 223.

A resolution to urge the Department of Natural Resources to expand the scope and national marketing of the Michigan Natural Resources Magazine.

Whereas, Michigan, the Great Lake State, has the potential to become the greatest recreation destination in North America; and

Whereas, The varied climate of Michigan offers year-round recreational opportunities, including hunting, fishing, boating, snowmobiling, camping, hiking, sightseeing, skiing, biking, and nature observation; and

Whereas, Michigan's diverse geography features the rugged western Upper Peninsula, the forests and beaches of the northern Lower Peninsula, and the urban excitement of the great cities in the southern portion of the state. Michigan has attractions for every visitor; and

Whereas, The people of Michigan, with the variety of their ethnic, cultural, religious, and historical backgrounds, share a warm, friendly, and welcoming attitude toward visitors; and

Whereas, Governor John Engler, recognizing the lackluster job Michigan is doing to promote its natural resources, plans to expand the state's advertising campaign in regional markets; and

Whereas, The Governor has stated that his goal is to make the state the number one travel destination in the Great Lakes region; and

Whereas, Michigan Natural Resources Magazine, a recently privatized publication under the direction of the Michigan Department of Natural Resources, currently is produced and distributed to highlight the state's natural resources; and

Whereas, Michigan Natural Resources Magazine has the potential to advertise Michigan's natural resources and recreational opportunities to visitors outside of Michigan similar to publications in other states; now, therefore, be it

Resolved by the House of Representatives, That we urge the Department of Natural Resources to expand the scope and national marketing of the Michigan Natural Resources Magazine through a private vendor to promote Michigan's natural resources and recreational opportunities and increase out-of-state tourism; and be it further

Resolved, That a copy of this resolution be transmitted to the Office of the Governor, the Director of the Department of Natural Resources, and the members of the Natural Resources Commission.

The resolution was referred to the Committee on Conservation, Environment and Recreation.

Reps. Schermesser, Brown, Kelly, Basham and DeHart offered the following concurrent resolution:

House Concurrent Resolution No. 88.

A concurrent resolution to urge the Governor to declare a state of disaster for the Ecorse Creek basin communities of Ecorse, Dearborn Heights, Allen Park, Inkster, Taylor, and Westland.

Whereas, The communities in the Ecorse Creek basin recently suffered from heavy rains and extensive flooding. The severe flooding caused numerous businesses and schools to close, shut area highways, ruined many basements, and left thousands of people facing serious losses of property. The situation posed a threat to public health through the volume of contaminated water in homes and elsewhere in the affected communities; and

Whereas, In response to the multiple problems facing citizens and businesses, local authorities in the Ecorse Creek basin are working to get state and federal assistance. A key component of any recovery for the lives and property is a declaration of disaster by the Governor. This step can set in motion programs that are needed to help these communities recover from the forces of nature; and

Whereas, Michigan's Emergency Management Act, 1976 PA 390, provides, in MCL § 30.403, that "The governor is responsible for coping with dangers to this state or people of this state presented by a disaster or emergency." The conditions faced by the people of the Ecorse Creek basin area of southeastern Michigan warrant a declaration of disaster; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we urge the Governor to declare a state of disaster for the Ecorse Creek basin communities of Ecorse, Dearborn Heights, Allen Park, Inkster, Taylor, and Westland; and be it further

Resolved, That a copy of this resolution be transmitted to the Office of the Governor.

The concurrent resolution was referred to the Committee on Conservation, Environment and Recreation.

Reports of Standing Committees

The Committee on Consumer Protection, by Rep. Brater, Chair, reported

House Bill No. 4582, entitled

A bill to prescribe the powers and duties of certain state and local officials relating to the regulation of certain prizes and sweepstakes.

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

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

Favorable Roll Call

HB 4582 To Report Out:

Yeas: Reps. Brater, DeHart, Basham, Brown, Crissman, Cropsey, Law,

Nays: None.

The Committee on Consumer Protection, by Rep. Brater, Chair, reported

House Bill No. 5128, entitled

A bill to regulate persons engaged in sweepstakes solicitations.

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 5128 To Report Out:

Yeas: Reps. Brater, DeHart, Basham, Brown, Crissman, Cropsey, Law,

Nays: None.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Brater, Chair of the Committee on Consumer Protection, was received and read:

Meeting held on: Wednesday, March 4, 1998, at 9:00 a.m.,

Present: Reps. Brater, DeHart, Basham, Brown, Crissman, Cropsey, Law,

Absent: Reps. Freeman, Perricone,

Excused: Reps. Freeman, Perricone.

The Committee on Colleges and Universities, by Rep. Cherry, Chair, reported

House Bill No. 5511, entitled

A bill to amend 1961 PA 236, entitled "Revised judicature act of 1961," (MCL 600.101 to 600.9948) by adding section 2964.

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 5511 To Report Out:

Yeas: Reps. Cherry, Brown, Brater, Curtis, Quarles, Walberg,
Nays: Rep. Scranton.

COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Cherry, Chair of the Committee on Colleges and Universities, was received and read:

Meeting held on: Wednesday, March 4, 1998, at 10:30 a.m.,
Present: Reps. Cherry, Brown, Brater, Curtis, Quarles, LeTarte, Scranton, Walberg,
Absent: Rep. Dalman,
Excused: Rep. Dalman.

The Committee on Commerce, by Rep. Griffin, Chair, reported

House Bill No. 5607, entitled

A bill to require contractors to provide certain notices to governmental entities concerning improvements on real property; to allow for the modification of contracts for improvement to real property; to provide for remedies; and to repeal acts and parts of acts.

With the recommendation that the bill pass.

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

Favorable Roll Call

HB 5607 To Report Out:

Yeas: Reps. Griffin, Thomas, Alley, Callahan, Mans, Gernaat, Dobb, Kukuk, Rhead, Richner, Walberg,
Nays: None.

The Committee on Commerce, by Rep. Griffin, Chair, reported

Senate Bill No. 775, entitled

A bill to amend 1962 PA 192, entitled "Professional service corporation act," by amending sections 2, 8, and 10 (MCL 450.222, 450.228, and 450.230), sections 2 and 10 as amended by 1990 PA 166.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 775 To Report Out:

Yeas: Reps. Griffin, Thomas, Alley, Callahan, Mans, Gernaat, Dobb, Kukuk, Rhead, Richner, Walberg,
Nays: None.

COMMITTEE ATTENDANCE REPORT

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

Meeting held on: Wednesday, March 4, 1998, at 9:00 a.m.,
Present: Reps. Griffin, Thomas, Alley, Callahan, Mans, Murphy, Olshove, Palamara, Schermesser, Varga, Gernaat, Dobb, Kaza, Kukuk, Rhead, Richner, Walberg.

The Committee on Human Services and Children, by Rep. LaForge, Chair, reported

Senate Bill No. 790, entitled

A bill to amend 1982 PA 294, entitled "Friend of the court act," by amending sections 2, 9, 18, and 19 (MCL 552.502, 552.509, 552.518, and 552.519), sections 2 and 19 as amended by 1996 PA 366, section 9 as amended by 1996 PA 365, and section 18 as amended by 1996 PA 144, and by adding section 17d.

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

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

Favorable Roll Call

SB 790 To Report Out:

Yeas: Reps. LaForge, Scott, Bogardus, Schauer, Horton, Jelinek, London,
Nays: None.

The Committee on Human Services and Children, by Rep. LaForge, Chair, reported

Senate Bill No. 793, entitled

A bill to amend 1996 PA 310, entitled "Uniform interstate family support act," by amending sections 103, 104, 224, 231, 306, 308, 310, 312, 501, 621, 623, and 635 (MCL 552.1103, 552.1104, 552.1224, 552.1231, 552.1306, 552.1308, 552.1310, 552.1312, 552.1501, 552.1621, 552.1623, and 552.1635) and by adding sections 501a, 501b, 501c, 501d, 638, and 639.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 793 To Report Out:

Yeas: Reps. LaForge, Scott, Bogardus, Gire, Schauer, Horton, Jelinek, London,
Nays: None.

The Committee on Human Services and Children, by Rep. LaForge, Chair, reported

Senate Bill No. 794, entitled

A bill to amend 1974 PA 163, entitled "L.E.I.N. policy council act of 1974," by amending section 4 (MCL 28.214).
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

SB 794 To Report Out:

Yeas: Reps. LaForge, Scott, Bogardus, Gire, Schauer, Horton, Jelinek, London,
Nays: None.

The Committee on Human Services and Children, by Rep. LaForge, Chair, reported

Senate Bill No. 795, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 221 (MCL 257.221), as amended by 1997 PA 101.

With the recommendation that the bill pass.

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

Favorable Roll Call

SB 795 To Report Out:

Yeas: Reps. LaForge, Scott, Bogardus, Gire, Schauer, Horton, Jelinek, London,
Nays: None.

The Committee on Human Services and Children, by Rep. LaForge, Chair, reported

Senate Bill No. 796, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 307 (MCL 257.307), as amended by 1996 PA 205.

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

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

Favorable Roll Call

SB 796 To Report Out:

Yeas: Reps. LaForge, Scott, Bogardus, Schauer, Horton,
Nays: None.

The Committee on Human Services and Children, by Rep. LaForge, Chair, reported

Senate Bill No. 797, entitled

A bill to amend 1996 PA 236, entitled "Regulated occupation support enforcement act," (MCL 338.3431 to 338.3436) by amending the title and by adding section 4a.

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

SB 797 To Report Out:

Yeas: Reps. LaForge, Scott, Bogardus, Schauer, Horton, London,
Nays: None.

The Committee on Human Services and Children, by Rep. LaForge, Chair, reported

Senate Bill No. 798, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending sections 2813 and 16177 (MCL 333.2813 and 333.16177), section 16177 as amended by 1993 PA 80, and by adding section 21533.

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

SB 798 To Report Out:

Yeas: Reps. LaForge, Scott, Bogardus, Gire, Schauer, Horton, Jelinek, London,
Nays: None.

The Committee on Human Services and Children, by Rep. LaForge, Chair, reported

Senate Bill No. 799, entitled

A bill to amend 1887 PA 128, entitled "An act establishing the minimum ages for contracting marriages, for the requiring of a civil license in order to marry, and the due registration of the same, and to provide a penalty for the violation of the provisions of the same," by amending section 2 (MCL 551.102).

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

SB 799 To Report Out:

Yeas: Reps. LaForge, Scott, Bogardus, Schauer, Horton, Jelinek, London,
Nays: None.

The Committee on Human Services and Children, by Rep. LaForge, Chair, reported

Senate Bill No. 800, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 43559 (MCL 324.43559), as amended by 1996 PA 585, and by adding section 81116a.

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

SB 800 To Report Out:

Yeas: Reps. LaForge, Scott, Gire, Schauer, Horton, Jelinek, London,
Nays: None.

The Committee on Human Services and Children, by Rep. LaForge, Chair, reported

Senate Bill No. 801, entitled

A bill to amend 1956 PA 205, entitled "The paternity act," by amending sections 2, 4, 5, 6, and 9 (MCL 722.712, 722.714, 722.715, 722.716, and 722.719), sections 4 and 6 as amended by 1996 PA 308, section 5 as amended by 1989 PA 258, and section 9 as amended by 1996 PA 18.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.
The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

SB 801 To Report Out:

Yeas: Reps. LaForge, Scott, Bogardus, Gire, Horton, Jelinek, London,
Nays: None.

The Committee on Human Services and Children, by Rep. LaForge, Chair, reported

Senate Bill No. 802, entitled

A bill to amend 1846 RS 84, entitled "Of divorce," by amending section 27 (MCL 552.27), as amended by 1990 PA 243.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.
The bill and substitute were referred to the order of Second Reading of Bills.

Favorable Roll Call

SB 802 To Report Out:

Yeas: Reps. LaForge, Scott, Bogardus, Gire, Horton, Jelinek, London,
Nays: None.

The Committee on Human Services and Children, by Rep. LaForge, Chair, reported

Senate Bill No. 803, entitled

A bill to amend 1982 PA 295, entitled "Support and parenting time enforcement act," by amending sections 2, 3, 4, 7, 9, 11, 11a, 12, 13, 14, 17, 19, 23, 25, 26, 26a, 26b, 28, 29, 30, 33, 35, 44, and 45 (MCL 552.602, 552.603, 552.604, 552.607, 552.609, 552.611, 552.611a, 552.612, 552.613, 552.614, 552.617, 552.619, 552.623, 552.625, 552.626, 552.626a, 552.626b, 552.628, 552.629, 552.630, 552.633, 552.635, 552.644, and 552.645), sections 2, 3, and 23 as amended and sections 28, 29, 30, and 45 as added by 1996 PA 239, sections 4 and 19 as amended by 1992 PA 291, sections 7 and 14 as amended and section 25 as added by 1985 PA 210, sections 9 and 11a as amended and sections 26, 26a, and 26b as added by 1995 PA 236, sections 11 and 17 as amended by 1996 PA 367, sections 33 and 35 as amended by 1996 PA 336, and section 44 as amended by 1996 PA 301, and by adding sections 24a, 25a, and 25b.

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

SB 803 To Report Out:

Yeas: Reps. LaForge, Scott, Bogardus, Gire, Horton, Jelinek, London,
Nays: None.

The Committee on Human Services and Children, by Rep. LaForge, Chair, reported

Senate Bill No. 804, entitled

A bill to amend 1971 PA 174, entitled "Office of child support act," by amending the title and sections 1, 2, 3, 4, and 5 (MCL 400.231, 400.232, 400.233, 400.234, and 400.235), the title and sections 1, 2, 3, and 5 as amended by 1985 PA 209, and by adding sections 3b, 4a, 4b, and 4c.

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

SB 804 To Report Out:

Yeas: Reps. LaForge, Scott, Bogardus, Gire, Horton, Jelinek, London,

Nays: None.

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 3, 1998, at 9:00 a.m.,

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

Absent: Rep. McManus,

Excused: Rep. McManus.

Messages from the Senate

House Bill No. 5418, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 8134, 8142, and 8159 (MCL 500.8134, 500.8142, and 500.8159), section 8134 as added by 1989 PA 302 and sections 8142 and 8159 as amended by 1996 PA 429.

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

The Senate has passed the bill as substituted (S-2), ordered that it be given immediate effect and amended the title to read as follows:

A bill to amend 1956 PA 218, entitled "An act to revise, consolidate, and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers, and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, associations, risk retention groups, and purchasing groups engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on risk retention groups and purchasing groups; to provide for the imposition of a tax on the business of surplus line agents; to provide for the imposition of regulatory fees on certain insurers; to modify tort liability arising out of certain accidents; to provide for limited actions with respect to that modified tort liability and to prescribe certain procedures for maintaining those actions; to require security for losses arising out of certain accidents; to provide for the continued availability and affordability of automobile insurance and homeowners insurance in this state and to facilitate the purchase of that insurance by all residents of this state at fair and reasonable rates; to provide for certain reporting with respect to insurance and with respect to certain claims against uninsured or self-insured persons; to prescribe duties for certain state departments and officers with respect to that reporting; to provide for certain assessments; to establish and continue certain state insurance funds; to modify and clarify the status, rights, powers, duties, and operations of the nonprofit malpractice insurance fund; to provide for the departmental supervision and regulation of the insurance and surety business within this state; to provide for the conservation, rehabilitation, or liquidation of unsound or insolvent insurers; to provide for the protection of policyholders, claimants, and creditors of unsound or insolvent insurers; to provide for associations of insurers to protect policyholders and claimants in the event of insurer insolvencies; to prescribe educational requirements for insurance agents and solicitors; to provide for the regulation of multiple

employer welfare arrangements; to create an automobile theft prevention authority to reduce the number of automobile thefts in this state; to prescribe the powers and duties of the automobile theft prevention authority; to provide certain powers and duties upon certain officials, departments, and authorities of this state; to repeal certain acts and parts of acts; to repeal certain acts and parts of acts on specific dates; to repeal certain parts of this act on specific dates; and to provide penalties for the violation of this act," by amending sections 8134, 8142, and 8159 (MCL 500.8134, 500.8142, and 500.8159), section 8134 as added by 1989 PA 302 and sections 8142 and 8159 as amended by 1996 PA 429, and by adding sections 477, 478, 479, and 480.

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

House Bill No. 5473, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 82126 (MCL 324.82126), as amended by 1996 PA 500.

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

The Senate has passed the bill as substituted (S-2), ordered that it be given immediate effect and pursuant to Joint Rule 20, inserted the full title.

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

Senate Concurrent Resolution No. 55.

A concurrent resolution to increase the total project cost of the Kellogg Community College Great Lakes Fire Training Institute project.

Whereas, The Kellogg Community College Great Lakes Fire Training Institute project was authorized with a total cost of \$12,000,000 in 1996 PA 321; and

Whereas, Kellogg Community College has estimated that the cost to complete the total project for the Great Lakes Fire Training Institute has increased to \$13,000,000; and

Whereas, Kellogg Community College has agreed to fund the increase in the project cost of \$1,000,000, with the state commitment remaining at \$6,000,000; and

Whereas, Pursuant to Section 246 of 1984 PA 431, being MCL § 18.1246, the release of funds for construction may not occur until a total project cost has been established in an appropriations act or revised by concurrent resolution; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Michigan Legislature recognizes the need to increase the total authorized cost for the Kellogg Community College Great Lakes Fire Training Institute project to an amount not to exceed \$13,000,000 (State Building Authority share \$5,999,900, State General Fund/General Purpose share \$100, Kellogg Community College share \$7,000,000) and that the Legislature intends to continue to appropriate funds for construction, subject to the limitations herein stated, in amounts not to exceed the authorized cost, subject to the ordinary vicissitudes of the legislative process; and be it further

Resolved, That a copy of this resolution be transmitted to the director of the Department of Management and Budget and Kellogg Community College.

The Senate has adopted the concurrent resolution.

The concurrent resolution was referred to the Committee on Appropriations.

Senate Concurrent Resolution No. 61.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Grand Rapids Community College relative to the Grand Rapids Community College Science Facility.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of Grand Rapids Community College (the "College"), the State Administrative Board, and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before land owned by the College may be conveyed to the State Building Authority (the "Authority"); and

Whereas, The site for the Grand Rapids Community College Science Facility (the "Facility") is currently owned by the College; and

Whereas, Section 7 of 1964 PA 183, as amended, being MCL § 830.417, requires the approval of the State Administrative Board and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before the State of Michigan (the "State") may enter into a lease with the Authority upon a showing of a public purpose; and

Whereas, Providing additional space to be used by the College pursuant to the lease for the Facility is a recognized public purpose; and

Whereas, A lease among the Authority, the State, and the College has been prepared providing for the leasing of the Facility by the Authority to the State and the College (the "Lease"); and

Whereas, The Executive Director of the Authority has furnished the Joint Capital Outlay Subcommittee of the Legislature with information and documents relative to the Lease; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the total facility cost for the Grand Rapids Community College Science Facility shall not exceed \$30,080,800 (the Authority share is \$15,040,300, the State General Fund/General Purpose share is \$100, and the College share is \$15,040,400), plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$15,040,300, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

Resolved, That the Legislature hereby approves the necessary conveyances of property to the Authority as more particularly described in the Lease and attachments thereto; and be it further

Resolved, That the Legislature hereby approves the Authority acquiring the Facility and leasing it to the State and the College and hereby determines that the leasing of the Facility from the Authority is for a public purpose as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the annual amounts of "True Rental" for the Facility shall be within or below the range of \$1,462,000 and \$2,539,000, as shall reflect variations that may occur in the components upon which the appraisal of true rental was based, which amounts shall be certified by the appraiser and thereafter approved by the State Administrative Board and the Authority as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the Lease is hereby approved by this concurrent resolution, and the Governor and the Secretary of State are authorized and directed to execute the Lease for and on behalf of the State; and be it further

Resolved, That, by hereby approving the Lease among the State, the College, and the Authority, the Legislature agrees to appropriate annually sufficient amounts to pay the rent as obligated pursuant to the Lease; and be it further

Resolved, That a copy of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, the College, and the State Budget Director.

The Senate has adopted the concurrent resolution.

The concurrent resolution was referred to the Committee on Appropriations.

Senate Concurrent Resolution No. 62.

A concurrent resolution to change the scope of the Remodeling and Upgrade of the College of Engineering and Applied Sciences Buildings project at Western Michigan University.

Whereas, The Western Michigan University Remodeling and Upgrade of the Engineering and Applied Sciences Buildings project was authorized with a total cost of \$50,000,000 in 1996 PA 480; and

Whereas, Western Michigan University has requested that the project scope be expanded to include the Remodeling and Upgrade of the Engineering and Applied Sciences Buildings, and Complete Plans and Construction of a Student Services Building; and

Whereas, Western Michigan University has agreed that the expanded scope will be funded within the authorized project cost of \$50,000,000, with the total state commitment remaining at \$37,500,000 and the State Building Authority share remaining at \$37,499,900; and

Whereas, Pursuant to Section 246 of 1984 PA 451, being MCL § 18.1246, the authorized cost of projects shall only be established or revised by specific reference in a budget act, by concurrent resolution adopted by both houses of the legislature, or inferred by the total amount of any appropriations made to complete plans and construction; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Michigan Legislature recognizes the need to modify the project scope for the Western Michigan University Remodeling and Upgrade of the College of Engineering and Applied Sciences Buildings project to reflect the Western Michigan University Remodeling and Upgrade of the College of Engineering and Applied Sciences Buildings/Construction of new Student Services Building to complete plans and construction (total authorized cost \$50,000,000; State Building Authority share \$37,499,900; Western Michigan University Share \$12,500,000; and state general fund/general purpose share \$100). The legislature intends to continue to appropriate funds for construction subject to the limitations herein stated, in amounts not to exceed the authorized cost, subject to the ordinary vicissitudes of the legislative process; and be it further

Resolved, That a copy of this resolution be transmitted to the Director of the Department of Management and Budget and the Western Michigan University Board of Trustees.

The Senate has adopted the concurrent resolution.

The concurrent resolution was referred to the Committee on Appropriations.

Senate Concurrent Resolution No. 64.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Corrections St. Louis Correctional Facility.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the State Administrative Board, the Attorney General, and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before land owned by the State of Michigan (the "State") may be conveyed to the State Building Authority (the "Authority"); and

Whereas, The site for the Department of Corrections St. Louis Correctional Facility located in Gratiot County (the "Facility") is currently owned by the State; and

Whereas, Section 7 of 1964 PA 183, as amended, being MCL § 830.417, requires the approval of the State Administrative Board and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before the State of Michigan (the "State") may enter into a lease with the Authority upon a showing of a public purpose; and

Whereas, Providing additional space to be used by the State pursuant to the lease for the Facility is a recognized public purpose; and

Whereas, A lease between the Authority and the State has been prepared providing for the leasing of the Facility by the Authority to the State (the "Lease"); and

Whereas, The Executive Director of the Authority has furnished the Joint Capital Outlay Subcommittee of the Legislature with information and documents relative to the Lease; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the total facility cost for the Department of Corrections St. Louis Correctional Facility shall not exceed \$75,000,000, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$74,250,000, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

Resolved, That the Legislature hereby approves the necessary conveyances of property to the Authority as more particularly described in the Lease and attachments thereto; and be it further

Resolved, That the Legislature hereby approves the Authority acquiring the Facility and leasing it to the State and hereby determines that the leasing of the Facility from the Authority is for a public purpose as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the annual amounts of "True Rental" for the Facility shall be within or below the range of \$7,416,000 and \$13,069,000, as shall reflect variations that may occur in the components upon which the appraisal of true rental was based, which amounts shall be certified by the appraiser and thereafter approved by the State Administrative Board and the Authority as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the Lease is hereby approved by this concurrent resolution, and the Governor and the Secretary of State are authorized and directed to execute the Lease for and on behalf of the State; and be it further

Resolved, That, by hereby approving the Lease between the State and the Authority, the Legislature agrees to appropriate annually sufficient amounts to pay the rent as obligated pursuant to the Lease; and be it further

Resolved, That a copy of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, and the State Budget Director.

The Senate has adopted the concurrent resolution.

The concurrent resolution was referred to the Committee on Appropriations.

Senate Concurrent Resolution No. 65.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Mid Michigan Community College relative to the Mid Michigan Community College Instructional Classrooms, Laboratories, and Student Services Facilities Harrison Campus.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of Mid Michigan Community College (the "College"), the State Administrative Board, and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before land owned by the College may be conveyed to the State Building Authority (the "Authority"); and

Whereas, The site for the Instructional Classrooms, Laboratories, and Student Services Facilities Harrison Campus (the "Facility") is currently owned by the College; and

Whereas, Section 7 of 1964 PA 183, as amended, being MCL § 830.417, requires the approval of the State Administrative Board and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before the State of Michigan (the "State") may enter into a lease with the Authority upon a showing of a public purpose; and

Whereas, Providing additional space to be used by the College pursuant to the lease for the Facility is a recognized public purpose; and

Whereas, A lease among the Authority, the State, and the College has been prepared providing for the leasing of the Facility by the Authority to the State and the College (the "Lease"); and

Whereas, The Executive Director of the Authority has furnished the Joint Capital Outlay Subcommittee of the Legislature with information and documents relative to the Lease; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the total facility cost for the Mid Michigan Community College Instructional Classrooms, Laboratories, and Student Services Facilities Harrison Campus shall not exceed \$3,500,000 (the Authority share is \$1,749,500, the State General Fund/General Purpose share is \$500, and the College share is \$1,750,000), plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$1,749,500, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

Resolved, That the Legislature hereby approves the necessary conveyances of property to the Authority as more particularly described in the Lease and attachments thereto; and be it further

Resolved, That the Legislature hereby approves the Authority acquiring the Facility and leasing it to the State and the College and hereby determines that the leasing of the Facility from the Authority is for a public purpose as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the annual amounts of "True Rental" for the Facility shall be within or below the range of \$165,000 and \$283,000, as shall reflect variations that may occur in the components upon which the appraisal of true rental was based, which amounts shall be certified by the appraiser and thereafter approved by the State Administrative Board and the Authority as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the Lease is hereby approved by this concurrent resolution, and the Governor and the Secretary of State are authorized and directed to execute the Lease for and on behalf of the State; and be it further

Resolved, That, by hereby approving the Lease among the State, the College, and the Authority, the Legislature agrees to appropriate annually sufficient amounts to pay the rent as obligated pursuant to the Lease; and be it further

Resolved, That a copy of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, the College, and the State Budget Director.

The Senate has adopted the concurrent resolution.

The concurrent resolution was referred to the Committee on Appropriations.

Senate Concurrent Resolution No. 66.

A concurrent resolution approving an increase in the total facility cost and a lease among the State of Michigan, the State Building Authority, and Eastern Michigan University relative to the Eastern Michigan University College of Education Building (Renovation of Existing Library).

Whereas, 1993 PA 19 established the Eastern Michigan University Library Replacement/Renovation/Office Relocation at a Total Project Cost of \$51,668,000. The project is comprised of three components, the renovation of the existing library building for the use of the College of Education (the "Facility"), construction of a new physical plant building, and a new library to replace the existing library; and

Whereas, House Concurrent Resolution No. 141 of 1995 subsequently established the total cost of the Facility at \$7,816,000, of which \$7,737,720 was to be financed by the State Building Authority (the "Authority"); and

Whereas, 1996 PA 480 increased the Total Facility Cost from \$7,816,000 to \$13,816,000 to provide for additional project costs, increased the Authority share from \$7,737,720 to \$10,737,720, and increased the University share from \$0 to \$3,000,000; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Legislature recognizes the need to increase the authorized Total Facility Cost for the Eastern Michigan University College of Education Building (Renovation of Existing Library) by an amount not to exceed \$6,000,000, the total of which will be financed by the Authority and the University; and be it further

Resolved, That the authorized Total Facility Cost established by House Concurrent Resolution No. 141 of 1995 is amended to an amount not to exceed \$13,816,000, plus interest charges on monies, if any, advanced by the State to meet construction cash flow requirements for the Facility. The Authority share is \$10,737,720, the University share is \$3,000,000, and the State General Fund/General Purpose share is \$78,280; and be it further

Resolved, That the Legislature hereby approves the Authority acquiring the Facility and leasing it to the State and the University and hereby determines that the leasing of the Facility from the Authority is for a public purpose as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the annual amounts of "True Rental" for the Facility shall be within or below the range of \$1,066,000 and \$1,871,000, as shall reflect variations that may occur in the components upon which the appraisal of true rental was based, which amounts shall be certified by the appraiser and thereafter approved by the State Administrative Board and the Authority as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the Lease reflecting the increased Facility cost is hereby approved by this concurrent resolution, and the Governor and the Secretary of State are authorized and directed to execute the Lease for and on behalf of the State; and be it further

Resolved, That, by hereby approving the Lease among the State, the University, and the Authority, the Legislature agrees to appropriate annually sufficient amounts to pay the rent as obligated pursuant to the Lease; and be it further

Resolved, That a copy of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, the University, and the State Budget Director.

The Senate has adopted the concurrent resolution.

The concurrent resolution was referred to the Committee on Appropriations.

Senate Concurrent Resolution No. 67.

A concurrent resolution approving an increase in the total facility cost and a lease among the State of Michigan, the State Building Authority, and Oakland Community College relative to the Oakland Community College Renovation of Building "F".

Whereas, 1993 PA 19 established the Oakland Community College Renovation of Building "F" (the "Facility") at a Total Project Cost of \$9,000,000, of which \$4,499,900 was to be financed by the State Building Authority (the "Authority"); and

Whereas, Senate Concurrent Resolution No. 289 of 1996 subsequently established the Total Facility Cost of \$9,000,000, of which \$4,499,900 was to be financed by the Authority, \$4,500,000 by Oakland Community College (the "College"), and \$100 by the State of Michigan (the "State") general fund and approved a form of a lease between the Authority, the State, and the College (the "Lease"); and

Whereas, 1997 PA 116 increased the Total Facility Cost from \$9,000,000 to \$10,500,000 to provide for additional project costs, increased the Authority share from \$4,499,900 to \$5,249,900, and increased the College share from \$4,500,000 to \$5,250,000; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Legislature recognizes the need to increase the authorized Total Facility Cost for the Oakland Community College Renovation of Building "F" by an amount not to exceed \$1,500,000, the total of which will be financed by the Authority and the College; and be it further

Resolved, That the authorized Total Facility Cost established by Senate Concurrent Resolution No. 289 of 1996 is amended to an amount not to exceed \$10,500,000, plus interest charges on monies, if any, advanced by the State to meet construction cash flow requirements for the Facility. The Authority share is \$5,249,900, the College share is \$5,250,000, and the State General Fund/General Purpose share is \$100; and be it further

Resolved, That the Legislature hereby approves the Authority acquiring the Facility and leasing it to the State and the University and hereby determines that the leasing of the Facility from the Authority is for a public purpose as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the annual amounts of "True Rental" for the Facility shall be within or below the range of \$478,000 and \$807,000, as shall reflect variations that may occur in the components upon which the appraisal of true rental was based, which amounts shall be certified by the appraiser and thereafter approved by the State Administrative Board and the Authority as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the Lease reflecting the increased Facility cost is hereby approved by this concurrent resolution, and the Governor and the Secretary of State are authorized and directed to execute the Lease for and on behalf of the State; and be it further

Resolved, That, by hereby approving the Lease among the State, the University, and the Authority, the Legislature agrees to appropriate annually sufficient amounts to pay the rent as obligated pursuant to the Lease; and be it further

Resolved, That a copy of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, the College, and the State Budget Director.

The Senate has adopted the concurrent resolution.

The concurrent resolution was referred to the Committee on Appropriations.

Senate Concurrent Resolution No. 68.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and the Board of Trustees of Michigan State University relative to the Michigan State University Animal Agriculture-Farms Buildings Modernization.

Whereas, 1993 PA 19 established the Michigan State University Animal Agriculture Facilities Renovation Project (the "Project") at a total project cost of \$69,651,000. The Project is comprised of five components, including the modernization of certain farm buildings (the "Facility") and the renovation of various buildings and laboratories on the MSU campus; and

Whereas, House Concurrent Resolution No. 328 of 1995 subsequently established the total cost of the Facility at \$5,247,000, all of which was to be financed by the State Building Authority (the "Authority"); and

Whereas, The "True Rental" range needs to be changed; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Michigan Legislature recognizes the need to changes the "True Rental" for the Michigan State University Agriculture Facilities Renovation Project; and be it further

Resolved, That the annual amount to "True Rental" for the Facility shall be within or below the range of \$486,000 to \$825,000, as shall reflect variations that may occur in the components upon which the appraisal of True Rental is based, which amount shall be certified by the appraiser and thereafter approved by the State Administrative Board and the Authority as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the Lease reflecting the increased Facility cost is hereby approved by this concurrent resolution, and the Governor and the Secretary of State are authorized and directed to execute the Lease for and on behalf of the State; and be it further

Resolved, That, by hereby approving the Lease among the State, the University, and the Authority, the Legislature agrees to appropriate annually sufficient amounts to pay the rent as obligated pursuant to the Lease; and be it further

Resolved, That a copy of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, the University, and the State Budget Director.

The Senate has adopted the concurrent resolution.

The concurrent resolution was referred to the Committee on Appropriations.

Senate Concurrent Resolution No. 69.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Ferris State University relative to the Ferris State University Elastomer Institute.

Whereas, Section 5 of 1964 PA 183, as amended, being MCL § 830.415, requires the approval of the Board of Control of Ferris State University (the "University"), the State Administrative Board, and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before land owned by the University may be conveyed to the State Building Authority (the "Authority"); and

Whereas, The site for the Elastomer Institute (the "Facility") is currently owned by the University; and

Whereas, Section 7 of 1964 PA 183, as amended, being MCL § 830.417, requires the approval of the State Administrative Board and the Michigan Legislature by concurrent resolution concurred in by a majority of the members elected to and serving in each house, with the votes and names of the members voting thereon entered in the journal, before the State of Michigan (the "State") may enter into a lease with the Authority upon a showing of a public purpose; and

Whereas, Providing additional space to be used by the University pursuant to the lease for the Facility is a recognized public purpose; and

Whereas, A lease among the Authority, the State, and the University has been prepared providing for the leasing of the Facility by the Authority to the State and the University (the "Lease"); and

Whereas, The Executive Director of the Authority has furnished the Joint Capital Outlay Subcommittee of the Legislature with information and documents relative to the Lease; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the total facility cost for the Ferris State University Elastomer Institute shall not exceed \$6,650,000 (the Authority share is \$4,649,900, the State General Fund/General Purpose share is \$100, and the University share is \$2,000,000), plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, of which not more than \$4,649,900, plus interest charges on monies advanced by the State to meet the construction cash flow requirements of the Facility, if any, shall be financed from bonds issued by the Authority, exclusive of amounts necessary for reserves, interest, or other nonconstruction costs; and be it further

Resolved, That the Legislature hereby approves the necessary conveyances of property to the Authority as more particularly described in the Lease and attachments thereto; and be it further

Resolved, That the Legislature hereby approves the Authority acquiring the Facility and leasing it to the State and the University and hereby determines that the leasing of the Facility from the Authority is for a public purpose as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the annual amounts of "True Rental" for the Facility shall be within or below the range of \$435,000 and \$744,000, as shall reflect variations that may occur in the components upon which the appraisal of true rental was based, which amounts shall be certified by the appraiser and thereafter approved by the State Administrative Board and the Authority as authorized by 1964 PA 183, as amended; and be it further

Resolved, That the Lease is hereby approved by this concurrent resolution, and the Governor and the Secretary of State are authorized and directed to execute the Lease for and on behalf of the State; and be it further

Resolved, That, by hereby approving the Lease among the State, the University, and the Authority, the Legislature agrees to appropriate annually sufficient amounts to pay the rent as obligated pursuant to the Lease; and be it further

Resolved, That a copy of this concurrent resolution be transmitted to the Governor, the Secretary of State, the Authority, the University, and the State Budget Director.

The Senate has adopted the concurrent resolution.

The concurrent resolution was referred to the Committee on Appropriations.

Senate Concurrent Resolution No. 70.

A concurrent resolution to increase the total project cost of the Grand Valley State University School of Business and Graduate Library project.

Whereas, The Grand Valley State University School of Business and Graduate Library project was authorized with a total project cost of \$50,000,000 in 1996 PA 480; and

Whereas, Grand Valley State University has estimated that the cost to complete the total project for the School of Business and Graduate Library has increased to \$52,650,000; and

Whereas, Grand Valley State University has agreed to fund the increase in the project cost of \$2,650,000, with the state commitment remaining at \$37,525,000; and

Whereas, Pursuant to Section 246 of 1984 PA 431, being MCL § 18.1246, the authorized cost of projects shall only be established or revised by specific reference in a budget act, by concurrent resolution adopted by both houses of the legislature, or inferred by the total amount of any appropriations made to complete plans and construction; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Michigan Legislature recognizes the need to increase the total authorized cost for the Grand Valley State University School of Business and Graduate Library to an amount not to exceed \$52,650,000 (State Building Authority share \$37,524,900; State General Fund/General Purpose share \$100; and Grand Valley State University share \$15,125,000) and that the Legislature intends to continue to appropriate funds for construction subject to the limitations herein stated, in amounts not to exceed the authorized cost, subject to the ordinary vicissitudes of the legislative process; and be it further

Resolved, That a copy of this resolution be transmitted to the State Budget Director, the Director of the Department of Management and Budget, and Grand Valley State University.

The Senate has adopted the concurrent resolution.

The concurrent resolution was referred to the Committee on Appropriations.

Senate Concurrent Resolution No. 71.

A concurrent resolution to increase the total project cost and change the scope of the University of Michigan-Flint Professional Studies and Classroom Building project.

Whereas, The Michigan-Flint Professional Studies and Classroom Building project was authorized with a total project cost of \$30,923,000 in 1996 PA 480; and

Whereas, University of Michigan-Flint has estimated that the cost to complete the total project for the Professional Studies and Classroom Building has increased to \$33,123,000; and

Whereas, The University of Michigan-Flint has agreed to fund the increase in the project cost of \$2,200,000, with the state commitment remaining at \$25,942,200; and

Whereas, Pursuant to Section 246 of 1984 PA 431, being MCL § 18.1246, the authorized cost of projects shall only be established or revised by specific reference in a budget act, by concurrent resolution adopted by both houses of the legislature, or inferred by the total amount of any appropriations made to complete plans and construction; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Michigan Legislature recognizes the need to increase the total authorized cost for the University of Michigan-Flint Professional Studies and Classroom Building to an amount not to exceed \$33,123,000 (State Building Authority share \$25,942,100; State General Fund/General Purpose share \$100; and the University of Michigan-Flint share \$7,180,800) and that the Legislature intends to continue to appropriate funds for construction subject to the limitations herein stated, in amounts not to exceed the authorized cost, subject to the ordinary vicissitudes of the legislative process; and be it further

Resolved, That a copy of this resolution be transmitted to the State Budget Director, the Director of the Department of Management and Budget, and the University of Michigan-Flint.

The Senate has adopted the concurrent resolution.

The concurrent resolution was referred to the Committee on Appropriations.

Notices

March 3, 1998

Dear Madam Clerk:

Effective immediately, I am hereby appointing Representative Alan Sanborn to the following committees, to the House Committee on Commerce, replacing Representative Barbara Dobb, to the House Committee on Corrections, replacing Representative Judith Scranton, to the House Committee on Human Services and Children, replacing Representative Ron Jelinek and the House Committee on Regulatory Affairs, replacing Representative Greg Kaza.

If you have any questions feel free to contact my office.

Sincerely,
CURTIS HERTEL
 Speaker of the House

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 27:

Senate Bill Nos.	905	906	907	908	909	910	911	912	913	914	915	916	917	918
	919	920	921	922	923	924								

The Clerk announced the enrollment printing and presentation to the Governor on Monday, March 2, for his approval of the following bills:

Enrolled Senate Bill No. 352 at 2:22 p.m.
Enrolled Senate Bill No. 353 at 2:24 p.m.
Enrolled Senate Bill No. 355 at 2:26 p.m.
Enrolled Senate Bill No. 357 at 2:28 p.m.
Enrolled Senate Bill No. 358 at 2:30 p.m.
Enrolled Senate Bill No. 359 at 2:32 p.m.
Enrolled Senate Bill No. 360 at 2:34 p.m.
Enrolled Senate Bill No. 828 at 2:36 p.m.

The Clerk announced that the following bill had been printed and placed upon the files of the members, Monday, March 2:

Senate Bill No. 953

Communications from State Officers

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

Notice of Filing
 Administrative Rules

February 25, 1998

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 1:05 P.M. this date, administrative rule (98-2-10) for the Department of Consumer and Industry Services, Director's Office, entitled "*Mortuary Science*", effective 15 days hereafter.

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

The communication was referred to the Clerk.

Introduction of Bills

Rep. Law introduced

House Bill No. 5625, entitled

A bill to amend 1943 PA 184, entitled "Township zoning act," by amending section 1 (MCL 125.271), as amended by 1996 PA 47.

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

Rep. Scranton introduced

House Bill No. 5626, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 115o.

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

Reps. Quarles, Rison, Schauer, Kelly, Murphy, Scott, Harder, Basham, Stallworth, Parks, Price, Hanley, Bogardus, Gubow, Agee, Brater, Middleton, Brewer, Wojno, Callahan, Dobb, Leland, Profit, Raczkowski and Scranton introduced

House Bill No. 5627, entitled

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," (MCL 324.101 to 324.90106) by adding section 61506a.

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

Rep. Griffin introduced

House Bill No. 5628, entitled

A bill to amend 1980 PA 299, entitled "Occupational code," by repealing section 805a (MCL 339.805a).

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

Reps. Willard, Baird, Martinez, Ciaramitaro, Vaughn, LaForge, Middaugh and Sikkema introduced

House Bill No. 5629, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1523.

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

Reps. Harder, Wallace, Hale, Schroer, Wetters, Anthony, Stallworth, Baird, Scott, Leland, Baade and Voorhees introduced

House Bill No. 5630, entitled

A bill to amend 1976 PA 331, entitled "Michigan consumer protection act," by amending section 3 (MCL 445.903), as amended by 1996 PA 226.

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

Reps. Voorhees, Fitzgerald, Wojno, Mans, Gustafson, McBryde, Horton, Hammerstrom, London, Byl, Jellema, Freeman, Jelinek, DeVuyst, Goschka, Nye, Mathieu, Owen, Harder, Walberg, Cropsey, Bobier, Oxender, Birkholz, Griffin, Brewer, McNutt, Sanborn, Sikkema, Jansen, Galloway, Cassis, Perricone and Scranton introduced

House Bill No. 5631, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 320a and 625 (MCL 257.320a and 257.625), section 320a as amended by 1996 PA 493 and section 625 as amended by 1996 PA 491.

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

Reps. Sanborn, Jansen, Horton, Jelinek, London, Gustafson, Geiger, Law, Richner, Crissman, Green, Goschka, Kaza, Whyman, Rhead, Middleton, Rocca, Jellema, Llewellyn, Lowe, Kukuk, Walberg, Johnson, Gilmer, Bodem, McNutt, Hammerstrom, Cropsey, Brackenridge, Galloway, Godchaux, Voorhees, Raczkowski and Perricone introduced

House Bill No. 5632, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 37a.

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

Reps. Horton, Jelinek, London, Lowe, Voorhees, Sanborn, Whyman, Goschka, Walberg, Johnson, Gilmer, Bodem, McNutt, Hammerstrom, Cropsey, Brackenridge, Galloway, Raczkowski and Perricone introduced

House Bill No. 5633, entitled

A bill to amend 1939 PA 280, entitled "The social welfare act," (MCL 400.1 to 400.119b) by adding section 55d. The bill was read a first time by its title and referred to the Committee on Appropriations.

Reps. Brewer, LaForge, Frank, DeHart, Vaughn, Kelly, Scott, Griffin, Bogardus, Rison, Schauer, Wojno, Callahan, Tesanovich, Cherry, Prusi, Anthony, Murphy, Curtis, Price, Ciaramitaro, Quarles, Leland, Profit and Thomas introduced

House Bill No. 5634, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," (MCL 18.1101 to 18.1594) by adding section 270.

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

Reps. Wetters, McBryde and Hood introduced

House Bill No. 5635, entitled

A bill to amend 1965 PA 233, entitled "Fluid milk act of 1965," (MCL 288.21 to 288.29a) by amending the title, as amended by 1993 PA 5, and by adding sections 1b and 1c.

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

Rep. Raczkowski moved that the House adjourn.
The motion prevailed, the time being 4:25 p.m.

The Associate Speaker Pro Tempore declared the House adjourned until Thursday, March 5, at 10:00 a.m.

MARY KAY SCULLION
Clerk of the House of Representatives.